

PEREGIAN SPRINGS COUNTRY CLUB RESIDENTS' ASSOCIATION

Committee Meeting Friday 8th September 2023 - Minutes

Meeting opened at 9:02am at The Manor, 21 Gracemere Blvd, Peregian Springs

1 Attendance and Apologies

In Attendance: Jan Corlett (Chairperson), Richard Fullford (Treasurer), Sue Day (Secretary), John Davies, Janice Tretheway, Judy Wrigley. Graeme Pinniger, Cosimo Ronconi (Community Manager) Paul Davis (Assistant Community Manager) Apologies: None

Chair, Jan Corlett, warmly welcomed new committee members Janice Tretheway, Judy Wrigley & Graeme Pinniger

2 Confirmation of Previous Minutes

*John Davies moved that the previous minutes be accepted.
Sue Day seconded. Passed.*

3 Business Arising from the Previous Minutes

3.1 Shading the Pool Seating Area

See Community Managers Report at Attachment 1.

3.2 Update Residents Handbook

John Davies has offered to update

3.3 New Maintenance Officer

See Community Managers Report at Attachment 1 & 2

3.4 Manor Drapes

Sue Day to call supplier re final two drapes to be installed ASAP

3.5 Table Tennis Table

Chair, Jan Corlett to ring Judy Best re a day and time for this group, once more detail is available, the table tennis trial will begin in the Meeting Room.

4 **Community Manager's Report**

The full report is at Attachment 1 to the Minutes with additional discussions below. Cosi was also present for Items 5.1,5.12,6.1, 9.1,9.2,9.3,9.7 and 9.11

4.1 **Additional Discussions**

- **Swimming Pool Works.** John Davies queried the previous meetings discussion on this issue, Sue Day had queried if it was correct to be charged to MRF134 as was originally quoted by CM to be \$9000. However, at 6.1 the CM has said he made an error on the quote costs and yes this is maintenance not structural repairs. As Structural would be Aveo cost, repair is charged to MH134.
- **Dog Droppings.** Paul Davis (Assistant CM) reported continual reports in the village of dog droppings not being picked up. Please do the right thing. This reminder is becoming a constant.
- **Welcome to Roxy the New Receptionist & Admin Assistant.** Paul made mention he was impressed by the welcome given to Roxy by Residents
- **Aqua Aerobics Classes in the Village.** Paul advised, to date compliance to operate as an instructor had still not been received. This has been previously requested from current aqua aerobics instructor. He has so far made various attempts to complete this process but with no success. Paul will organise an alternative compliant person if that is what is required. However, to alert the aqua aerobics group that compliance takes time and cannot be completed overnight.
- **A new oven is on order for the restaurant kitchen** This will be a capital expense to Aveo, advised by CM Cosi.
- **Cleaning of Common Areas in the Manor.** Cosi also discussed the need for extra staff for this particular duty. As carers no longer have the time to do this with all their other duties. Cosi, our CM has suggested the Manor staff member who cleans the apartments will work an extra day to fill this need. The cost will be charged to MRF 134, this will ensure Serviced Apartments do not need to be financially disadvantaged.
- **Cosi and Paul left the meeting at 10.45am**

5 Outward Correspondence

5.1 20 Jul 23: Email to Cosi Ronconi

The Committee had noted at the RAC meeting 14th July some upcoming planned pool maintenance. Sue Day had queried if it was in fact maintenance for pool or was it a structural problem? The Secretary duly wrote and requested further information. Refer 6.1

5.2 29 Jul 23: Email to Marie Claire Re Care in the village

The Committee had requested the Secretary reply to another email from Marie Claire. As it was felt she needed further information on the protocols etc of care in the village. Refer item 4.2 of RAC meeting 12th May.

5.3 29 Jul 23: Email Judy Best re Table Tennis Table

Refer item 6.2 & 3.5

5.4 30 Jul 23: Email Bruce Townsend Commemorations and Wreath Laying

Re previous correspondence, an additional email to Bruce explaining the village Commemoration Days. Plus, information on the village Commemoration Advisory Group. Also, to clarify Residents may lay wreaths if they wish at any time.

5.5 3 Aug 23: Email Flying Minute to complete Drapes Project in the Manor

Refer item 6.4

5.6 7 Aug 23: Email acknowledging an email from Sharon Jack for new Eftpos M/c

Refer item 6.6

5.7 7 Aug 23: Email Helen Shedden New Bar Volunteer

Refer item 6.5

5.8 8 Aug 23: Email Judy Best Table Tennis Table

Refer item 6.2, item 5.3 & item 3.5

5.9 12 Aug 23: Email Noel Giles BBQ & DJ Night clash

Refer item 6.7

5.10 18 Aug 23: Email Happy Hour and DJ Night Changes

Refer item 6.7

5.11 23 Aug 23: Email Bruce Townsend Commemoration Advisory Group

(Chair replied, Secretary sick) Refer item 6.9

5.12 23 Aug 23: Email Noel Giles BBQ Gas Bottles

Refer item 6.10

5.13 24 Aug 23: Email Michelle Smith Village Chair Presentation at Clayfield

Chair, Jan Corlett invited Michelle and her team to share this presentation with our village. This will take place tentatively on Oct 3rd with the Financial Statements AGM. Management will advise.

5.14 2 Sep 23: Email Denis Murphy re Events and Seating

Refer previous meeting on 14th July plus other various discussions

*Richard Fullford moved that the Outward Correspondence be endorsed.
John Davies seconded. Passed.*

6 Inward Correspondence

6.1 24 Jul 23: Email Cosi Ronconi Swimming Pool repair details

The Committee had noted at the RAC meeting 14th July some upcoming planned pool maintenance. Refer 5.1 Cosi replied to say yes this is a repair and is not structural that requires an engineer. The problem being the sealant in the expansion joint, which needs replacing every 5-7 years (with dry application) Hence why the pool was drained. Cosi apologised for informing committee at the last RAC meeting that the cost would be \$9000. Hence the query from Sue Day at that time. The cost was in fact \$3,350 and clearly maintenance for coding to MRF 134.

6.2 29 Jul 23: Email Judy Best Table Tennis Table

Refer 5.3 The Committee Thanked Judy for her suggestion. After much discussion for purchase of such an expensive item, the popularity needed to be ascertained first. Cosi has loaned his net and suggests a trial in the Meeting Room (Old PDR)

6.3 21 Jul 23: Email Bruce Townsend Light Bulbs and Maintenance

Comments from Bruce Townsend regarding the Maintenance Man's tasks as discussed at length in a recent meeting in the Manor.

6.4 3 Aug 23: Email Flying Minute for completion of Drapes Project in Manor

Emails from all Committee Members unanimously agreeing to the final payment for the last two remaining drapes. The cost of this project was jointly shared by the RAC and Aveo.

6.5 3 Aug 23: Email Helen Shedden Bar Volunteer

Refer item 5.7 Helen kindly offered her services to become a Bar Volunteer, Secretary, Sue Day immediately replied. Both thanking Helen as a new resident for her offer and advising acting Bar Coordinator Bronwyn Kennedy, who would contact Helen direct.

6.6 7 Aug 23: Email Sharon Jack for new Eftpos M/c

Committee robustly discussed the suggestion by Sharon for a different Eftpos m/c at the Bar. Treasurer, Richard Fullford, who is a very experienced Systems Engineer and Information Technology Manager, mentioned that although the suggestion has merit, it would not be suitable or practical for the village bar. However, Richard stated that he was keen to expand payment options for residents and would continually keep this and other options under review. Refer item 5.6.

6.7 7 Aug 23: Email Noel Giles BBQ Date and BYO ruling

Refer item 5.9 & item 5.10. Unfortunately, there was a clash of dates for the usual BBQ night and a DJ Event. At a DJ Event the bar is open but the monthly BBQ is a BYO evening from 6pm, when the bar normally closes on the BBQ Friday. The Committee thanked Noel for picking this up and informing the RAC. A happy compromise was achieved.

6.8 18 Aug 23: Email Bruce Townsend Commemoration Advisory Group

Refer item 6.9

6.9 21 Aug 23: Email Bruce Townsend Commemoration Advisory Group

Refer item 6.8 & 5.11 Chair, Jan Corlett replied to Bruce giving him full details on the Commemoration Advisory Group. How and why, it was set up and who the volunteers are that make up that group.

6.10 24 Aug 23: Email Noel Giles Gas Bottles for BBQ

Refer item 5.12 Noel alerted management and the RAC of no spare bottles of gas. As the BBQ was the next day, this was mutually rectified. This slip was because we had no maintenance person, at that time. He

normally looks after replenishment, Many thanks to Noel for bringing attention to this.

Richard Fullford moved that the Inward Correspondence be accepted.

John Davies seconded. Passed.

7 Treasurer's Report: Richard Fullford

The Financial Account is at Attachment 3 to the Minutes.

Richard Fullford moved that the Treasurer's Report be accepted.

Sue Day seconded. Passed unanimously.

8 Sub-Committee and Working Party Reports

8.1 Bar Report: Kerry Jewell

BAR REPORT FOR RAC MEETING 8/9/2023

Number of attendees are static, and I do thank those who regularly support this amenity.

Bob Jack, as Stock Controller has generously volunteered to undertake the end of month stocktake which I really appreciate.

We have two residents who have recently obtained their RSA certificates.

Adrienne Millbank who has already worked (1) Tuesday night, and Helen Shedden who starts this coming Friday night. Welcome ladies, we all look forward to working with you.

Des Storer has commenced the course and I look forward to welcoming Des in the near future.

To any resident who has yet to attend the bar, give it a go as it's a fun night.

Kerry Jewell.

(Bar Co-ordinator)

8.2 Social & Events Report: Sue and Geoff Barden

Kings of the 50s Show – Wednesday, 26th July 2023

The Kings of the 50's Band were fabulous and were a huge hit with the residents. Approximately 90 residents and guests attended at \$10 per head (\$15 for guests). This event ran at a loss as we changed the event to include all the band members at \$1250 not the initial \$850 for the singers. I think

everyone agrees they were a great success so we will book them again in the future with the appropriate cover charge.

DJ Night – Friday, 25th August 2023

The DJ Night was a little quieter than normal and was booked on a Friday when the monthly BBQ is held. This was unfortunate and if we decide to book again, we will take this into account for another time.

At the last RAC meeting we did put a call out to residents who may wish to organise some of the following activities:

- Coffee Cart
- Raffle Tickets
- Fashion Parade
- Melbourne Cup Day

Hazel and Pam have offered to do the raffle tickets. We need to discuss when we should hold some raffles at our next meeting.

No other residents have contacted us about taking on any of the above unfortunately.

This will mean, unless we can get some help, we cannot hold the Melbourne Cup Day this year. The event is on a Tuesday, 7th November and we will not be attending as we have other commitments. The day prior, Monday 6th November, set up should take place but we are working on that day. We did approach Cosi, but he too requires help from the residents. Would the RAC kindly discuss and get back to us.

Bollywood Night – Wednesday, 27th September 2023

The event is organised with Ann providing us with a great menu and Kerrie O'Keefe booked as the entertainer again.

Xmas Party – Wednesday, 6th December 2023

We will be holding a dinner dance for Xmas with a Christmas theme menu cooked by our lovely chef, Ann.

9 General Business

9.1: Office to book skip bins

Paul Davis will book skip bins for 13th October to 23rd October.

9.2: Melbourne Cup Lunch

The Committee, discussed Melbourne Cup lunch with Cosi as the Social Events Coordinators are unable to organize this year, due to preexisting commitments. Chair, Jan Corlett, mentioned none of the Executive will be here either on that day. Cosi said he could only give limited assistance and the main thing he would need help with would be set up and decoration. New Committee member Judy Wrigley offered to do this. Both John Davis and Graeme Pinniger said they would also pitch in. Janice Tretheway also a new Committee Member offered to do the sweeps. Cosi offered prizes for Fashion on the Field for Ladies and one for Gentlemen. Chair, Jan Corlett thanked Cosi for his generous offer.

9.3: Purchase of Commercial Ladder

Richard Fullford, Treasurer, asked Cosi who would be paying for the Commercial Ladder being purchased to accommodate replacement of cathedral ceiling lights. Also, the purchase of the maintenance persons tools. Refer also item 9.7. Cosi replied these will be purchased by Aveo as Capital items.

9.4: Correspondence from Residents

Chair, Jan Corlett, proposed a motion, seconded by Secretary, Sue Day, that from this meeting all incoming mail from residents to be published in the minutes. After a brief discussion the motion was passed unanimously. This has been done previously by the RAC. (Nothing of a confidential nature will be printed)

9.5: Amended Constitution

Treasurer, Richard Fullford (previous Secretary) advised it will be published shortly.

9.6: RAC Files to be kept electronically, not in hard copy

Sue Day, Secretary, proposed we move to only keep electronic records of RAC letters, emails, agendas & minutes. Treasurer will still keep both paper and electronic. Passed unanimously.

9.7: Cost of Tools for Maintenance Officer

Refer item 9.3

9.8: Roles and Responsibilities

Chair Jan Corlett gave a handout to all Committee Members on this subject

9.9: Funds for Christmas Raffle

Motion moved by John Davies seconded Graeme Pinniger, to pass \$400 for Christmas Raffle prizes, passed unanimously

9.10: Funds for Wreath and Morning Tea for Remembrance Day

Motion moved by John Davies, seconded Judy Wrigley, to pass up to \$500 to cover cost of the wreath and morning tea. Passed unanimously.

9.11: Village 20th Birthday Party

After robust discussion it was agreed that management will provide a party similar to the 15th Village Birthday Party including finger food, drinks and music. Tentative date: 25th October. More details to come. Committee requested Cosi to invite a few Head Office staff, especially Nole Beardwood.

9.12: Any other business

Sue Day mentioned the main subject of the ARQRV Residents Association Zoom Meeting this week was village abuse. NSW equivalent of Queensland ARQRV have done a dedicated survey on this. The results are shocking. Please do remember to be respectful, Resident to Resident, Resident to Staff, Staff to Resident. Residents Committee to Resident and Resident to Residents Committee. The same applies to Body Corporate in our particular village. (Some abuse is physiological, some physical.)

9.13: Proposed dates of upcoming meetings

- Monthly Meetings 13th October, 8th December 23
- QGM 31st October 23

Meeting Closed at 11.46am

Jan Corlett

Chairperson

13th September 2023

Sue Day

Secretary

rapscs.secretary@gmail.com



Peregian Springs Country Club

Attachment1 - Managers Report Resident Association Committee – Managers Report

Friday 8th September 2023

- **Ref. 3.1 – Window blinds for the Bar and Stage area:** Peregian Blinds and Curtains has installed the new blinds as approved previously.
- **Pool Shade Cloth:** Aveo has advised that the Capex request for a new Shade Cloth has been moved to early 2024. This will allow the time to consider further options in terms of size required and to obtain new quotes.
- **Restaurant Name:** The name that has been chosen in consultation with Residents of service apartments and RAC is **Springs** Restaurant. The Aveo Marketing Team is working on a logo and marketing material.
- **In House Maintenance:** Following the recruitment process for the village new Maintenance Officer, Mark Williams has joined the Aveo Team on 28th August and he is currently being trained to complete the village duties and working with Management on a new APP based reporting system to streamline the department processes and operations. In consultation with RAC, a **Maintenance Frequent Asked Questions** document has been included in the September Issue of the Resident's newsletter to clarify the respective responsibilities of Aveo and Residents in relation to Maintenance and Repairs in their units.
- **Swimming Pool Works:** Billabong has completed the maintenance works and resealed the underwater concrete expansion joint. The Pool was also treated for surface stains, and it is now open to Residents.
- **Notice of 2023 Annual General Meeting on Tuesday 3rd October at 2pm:** The notice was forwarded to residents with incorrect date on 5th September and resent on 7th with correct date. We do apologise for the inconvenience.

Kind Regards,

Cosimo Ronconi
Community Manager
Aveo Peregian Springs

Attachment 2

REPLACEMENT AND REPAIR RESPONSIBILITIES IN QLD

Article from DSL LAW 25.08.22 – Retirement Villages

- Replacement and repair responsibilities in Qld Retirement Villages
Replacement and repair responsibilities are always hotly discussed and debated topics in retirement villages. Over a decade on, the 2009 decision of Jomal [1] remains relevant law when considering the question of whether it is the retirement village operator or the resident who bears the ultimate responsibility for repair and maintenance of items in retirement villages... even when those items are items are fixtures that are not owned by a resident.
- The Court held the residents in Jomal were responsible for the replacement of the items in question because of the terms of the standard form residence contract that was entered into. That is, the Court was not prepared to diminish the residents' contractual responsibilities.
- To achieve this outcome, there were multiple hearings over an extended period of time. In addition, the dispute caused both sides to incur significant expenses, untold stress, extreme tension in the community and an erosion of village goodwill.
- Over a decade later, confusion continues to reign supreme in the field of maintenance as disputes are becoming more prevalent in this field. To avoid a Jomal outcome, both the resident and the scheme operator are well advised to learn from history. It is imperative that operators are crystal clear about how their agreements deal with maintenance and replacement. Marketing campaigns about 'relaxing' and 'not having to worry about the big home' are appealing, but can fuel the fire of confusion. Conversely, residents should actively participate in the entry process – ask relevant questions, get good advice and consciously decide if the outcome is acceptable to them and their future situation. If either residents or scheme operators fail to take action, there is a risk of government intervention, which could potentially diminish the freedom of both parties to contract.

The Jomal Case

- The original dispute revolved around the replacement of anodes of hot water heaters which were fixtures in the residents' units. The residents of the village argued that the costs of replacing the anodes should be funded from the maintenance reserve fund (MRF). The Retirement Village Act 1999 (Qld) (the Act) requires a retirement village operator to establish and keep a maintenance reserve fund for maintaining the repairing the retirement village's capital items. It is the residents who are solely responsible for contributing to the MRF.
- The resident's contracts contained a particular clause, whereby the resident agreed to "regularly maintain and properly repair or replace... any fixtures, fitting, equipment, appliances, furniture, furnishings, and other property in and on the Accommodation Unit that are made available by the Scheme Operator." The residence contract also included a clause to the effect that the Scheme Operator was not required to repair or replace anything that was the responsibility of the resident.
- At the first instance, the judge found in favour of the Scheme Operator, deeming the replacement of the anodes, by virtue of the signed residence contracts, to be the responsibility of the individual residents. The residents appealed the decision arguing the anodes were capital in nature and expressed concerns if the Supreme Court were to uphold the decision, this could lead to operators offering contracts to residents which could seek to impose heightened responsibility on residents to not only replace fixtures and fittings in and on the Accommodation Unit but also other buildings and structures, rendering the MRF with "little to do". The residents also expressed concerns that the initial decision by the Supreme Court was not in line with the Act's consumer protection provisions.
- In response, the Court of Appeal once again found in favour of the Scheme Operator. Importantly the Court found the definition of 'capital' items in the Act is drafted to expressly contemplate agreements whereby the residents will be responsible for the maintenance of capital items owned by the Operator (which was contemplated by the resident's agreement). The definition included all buildings and structures...owned by the operator, "other than items that, under the residence contract, are to be maintained, repaired and replaced by the resident."
- The Court also noted that there was no requirement present under the Act which required the operator to pay for the replacement of appliances, such

as anodes, from the MRF. In response the Judge also stated it would be very unlikely that residents would voluntarily sign a contract that required them to replace key buildings and structures.

- Conclusion In making its judgment the Court considered the Act's purpose to achieve a balance between consumer protection and the growth of the retirement village industry, however ultimately considered the residence contract to be indicative of the residents' requirement in relation to the replacement of the anodes.
- Freedom of contract is a truly beautiful thing. While it exists, we will have the privilege of choice from an expansive array of villages that sit along a service spectrum. At one end there are villages which genuinely do take care of every last thing – from changing the batteries in the remote to providing comprehensive care services. At the other end, there are the village whose operator who simply mows the common property lawns and otherwise offers a 'light touch' where residents live a life of true independence.
- If operators do not offer transparency in this field, or if residents do not undertake proper due diligence, the regulator and policy makers may very well step in, thus diminishing the freedom of contract.
- [1] Jomal P/L v Commercial and Consumer Tribunal & Ors [2009] QCA 326

This article is freely available online at DSL Law

Attachment 3

Residents Association Treasurer Report July 2023											
Date	Pay Req No	Detail	Main Account	Imprest Account	Bar Takings	Social Deposits	Sundry	Bar Expenses	Bar Supplies	Library	
		Balance C/F	\$14,658.79	\$3,000.00		Tap & Go					
		DEPOSITS				&Payments					
		Bar Deposits									
		Tap & Go Deposits	\$2,478.00		\$2,478.00						
		Cash Deposits	\$1,147.70		\$1,147.70						
		Social Event Deposits									
		Tap and go	\$627.00			\$627.00					
		Cash	\$275.00			\$275.00					
		61 Free drinks At AGM	\$208.00		\$208.00						
		Portafino donation	\$400.00				\$400.00				
		Total Receipts	\$5,135.70		\$3,833.70	\$902.00	\$400.00	\$0.00	\$0.00	\$0.00	
		PAYMENTS									
		CBA Monthly A/c Fee									
		Bar Purchases & Misc.									
	471	Imprest A/c	\$2,228.17	\$2,228.17					\$2,228.17		
		Dans & Coles		-\$2,228.17							
	472	Library Books	\$96.00							\$96.00	
		Other									
	473	Renew Liquor Licence	\$779.40					\$779.40			
	474	Band, Buddy & Elvis	\$1,165.00			\$1,165.00					
	475	Bar cleaner & Keys	\$45.80					\$45.80			
	476	RAC Events by Aveo	\$2,160.30			\$2,160.30					
	477	61 Free drinks At AGM	\$208.00				\$208.00				
		Total Payments	\$6,682.67	\$0.00	\$0.00	\$3,325.30	\$208.00	\$825.20	\$2,228.17	\$96.00	
		Cash Book Bal. F/Ward	\$14,658.79	Main A/c Bank Statement July 31st 2023			\$13,111.82				
		Plus Receipts	\$5,135.70	Imprest Bank Statement 31st July 2023			\$3,000.00				
			\$19,794.49								
		Less Expenditure	-\$6,682.67								
		Cash Balance	\$13,111.82								
Treasure Note: Due to distressing extenuating circumstances no stocktake was able to be done this month											

Residents' Association Treasurer's Report August 2023

Date	Pay Req No	Detail	Main Account	Imprest Account	Bar Takings	Social Events	Sundry	Bar Expenses	Bar Supplies	Library	
		Balance C/F	\$13,111.82	\$3,000.00							
		DEPOSITS									
		Bar Deposits									
		Tap & Go	\$2,088.00		\$2,088.00						
		Cash	\$1,143.95		\$1,143.95						
		Social Event Deposits									
		Tap & Go	\$0.00			\$0.00					
		Cash	\$0.00			\$0.00					
		Total Receipts	\$3,231.95		\$3,231.95	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
		PAYMENTS									
		CBA Monthly A/c Fee	\$60.76				\$60.76				
		Bar Purchases & Misc.									
	481	Dan Murphys & Coles	\$1,328.44						\$1,328.44		
	487	Dan Murphys & Coles	\$1,034.27						\$1,034.27		
	482	Library Books	\$100.00							\$100.00	
		Other									
	480	Bar Mats	\$139.00					\$139.00			
	483	Curtains Bar Area	\$710.00				\$710.00				
	484	RSA Course A.Millbank	\$86.70					\$86.70			
	485	DJ Night Entertainment	\$300.00			\$300.00					
	486	RSA Course H.Shedden	\$34.48					\$34.48			
	490	MS Software Licence	\$139.00				\$139.00				
	491	Bollywood Ni Supplies	\$157.68			\$157.68					
		Disputed Transactions	\$9.99				\$9.99				
		Total Payments	\$4,100.32	\$0.00	\$0.00	\$457.68	\$919.75	\$260.18	\$2,362.71	\$100.00	
		Cash Book Bal. F/Ward	\$16,111.82	Main A/c Bank Statement 31 August 2023				\$13,642.95			
		Plus Receipts	\$3,231.95	Imprest Bank Statement 31 August 2023				\$1,600.50			
			\$19,343.77					\$15,243.45			
		Less Expenditure	-\$4,100.32								
		Cash Balance	\$15,243.45								
		Bar report at 28 August 2023 (covers Jul & Aug)					ASSETS				
		Bar Takings		\$6,589.90		Bank	\$13,642.95				
		Opening Stock	\$3,700.74			Imprest AC	\$1,600.50				
		Plus Purchases	\$4,590.38			Bar Float	\$250.00				
		Less Closing Stock	-\$4,085.07	-\$4,206.05		Bar Stock	\$4,085.07				
		Cost of Sales	\$4,206.05								
		Operating Profit		\$2,383.85		Total	\$19,578.52				