

## **Iluka Homeowners' Association Inc.**

Minutes of Committee Meeting

Meeting Date: 02/10/2018

Venue: Currambine Community Centre

### **In Attendance & Apologies**

As per attendance sheet

#### **1. Welcome**

- a) The meeting commenced at 7:00 pm.
- b) SD welcomed Committee members, visitors and declared a quorum.

#### **2. Acceptance of Minutes from previous General Meeting**

- a) Minutes of Sept meeting were circulated and approved earlier in the month. [JS] and [MK] Approved.
- b) The Minutes for the AGM was circulated and approved by [JS] and seconded by [MK].
- c) There were no matters arising.

#### **3. Email from James COJ about traffic on Burns Beach Rd.**

- a) There was general discussion about the traffic on Burns Beach Rd. It was considered there could be a lack of reporting from residents to build a case for further investigations by Main Roads who claim the road has been designed to reduce traffic.
- b) Protective barriers had according to a resident observed to have been replaced a few times.
- c) A resident commented that a traffic survey conducted was not close to Shenton Avenue and paid attention to only the 85<sup>th</sup> percentile.
- d) [SD] Welcomed the efforts by the residents.

#### **4. Social Events.**

- a) The Committee will need to confirm who is going to be on the sub committees namely:
- b) Events subcommittee: [SD], [IM], [AE] and [JD]
- c) A suggestion was received if there could be a survey to residents requesting what their interests may be for the social calendar.
- d) Halloween arrangements were now finalised and the application for the permit has been submitted.
- e) Halloween volunteers were required to bag approximately 600 lollies individually [AE], [JS], [GH] and [KR] nominated to assist in bagging the lollies.

- f) A resident observed the handing out of the lollies appears to be reducing the amount of door to door trick or treating in the area.
- g) [SD] Will email the database of volunteers requesting assistance on the day.
- h) Dogs Day Out. [SD] Will arrange payment of KW's account.
- i) [AE] To forward an email from Wanneroo.
- j) [SD] Organised additional bins and doggy bags.
- k) [BG] To arrange for the COJ Ranger to come along.
- l) The first garden competition has been done with the winners announced in the newsletter. Dawsons provided a 10% discount and [SD] will confirm this arrangement in writing for contingency.

#### **5. Correspondence [MK]:**

- a) 6<sup>th</sup> Sept Email regarding membership payment.
- b) 6<sup>th</sup> Email House with overflowing work vehicles.
- c) 10<sup>th</sup> – Email regarding membership.
- d) 10<sup>th</sup> – Confirmation from Westpac.
- e) 11<sup>th</sup> – Email from resident. Neighbour reported to have a trailer at the front of the property. Requested to know if this was a breach of the covenant.
- f) 17<sup>th</sup> – Membership payment from an awaited payment had arrived.
- g) 01 October – NAB requesting confirmation the caveat registered to a resident's property had no bearing on a financial interest.

#### **6. Financial Report**

- a) [JS] advised there were 6 Settlements in September.
- b) Reimbursement to [SD] to cover expenses paid from personal accounts.
- c) Transferred funds from Working Account to the Cash Reserve Account following the committee's decision at the September meeting.
- d) Working Account and the Cash Reserve Account balances tabled
- e) [SD] Send out 16 letters to people who have not paid their membership fees.
- f) [MC] Clarified who is required to arrange the payment. [JD] Advised payment occurs via the settlement agent. [SD] Explained the settlement process.

#### **7. Maintenance**

- a) [SD] Asked for nominations for the maintenance subcommittee.
- b) [GH] Requested to know what is involved. [SD] Explained the subcommittee meets with the COJ on occasion to review their proposals and bring these submissions back to the main committee in a brief form.
- c) It involves ensuring the contractors are doing what they are supposed to be doing and to consider if the current rate of SAR is adequate or if it needs to be increased to cover the scope of works for the following calendar year.
- d) [GH] Nominated to join the maintenance committee.
- e) [SD] Advised that at our next meeting the committee will need to make a decision if the current level of SAR should be raised. Referred to Diagram by COJ. [MK] Explained the areas that could be included in the SAR if the SAR was to increase. Refer to the September minutes for further information.
- f) [SD] Summarised the proposal will consist of the initial cost plus the ongoing cost to maintain the earmarked areas. In reference to the Diagram the highest

level of proposed SAR levy increase raises the SAR collected by \$100,000 and will require a contribution increase per household of approximately \$52. It was noted Iluka is still not the dearest SAR with Woodvale Waters and Harbour Rise both having a higher SAR levy than Iluka. [SD] Requested to know if the subcommittee would like to get the COJ to give a presentation and then consider making their recommendation. [IM] Commented that as there are some new committee members CoJ should run through the proposal of increasing the SAR then the matter can be put to a vote and decided.

- g) [GH] Enquired if contractor pricing is provided by the COJ. [MK] Advised the process follows a tender process and accordingly we believe we receive the best value working within the IHOA's interest. The aim is to work on getting new plants that are lower maintenance and subsequently improve the longer-term cost factors.

## **8. Capital Works**

- a) [SD] Nothing to report.

## **9. Restrictive Covenants**

- a) [SD] Invited [MC] to sit down over a coffee and discuss the covenant process.
- b) In future breaches of the Rules of the Association questions should be directed to [MC].
- c) A comment was made in respect to expired covenants and how the committee deals with the enforcement of these expired covenants [SD] Explained that all residents are required to abide by the rules of the association as each property owner is a member. If a breach is reported a letter is sent to the resident advising them of the requirement to comply with the rules of the association. In the event of an ongoing breach the association could send a letter from a lawyer and then should the resident fail to perform under these instructions they risk a fine. [JS] Suggested the matter receives more coverage in the next newsletter.

## **10. General Business**

- a) Mixed Use Development Site.  
[SD] Registered general interest and went to a meeting for the apartments. It is an aged care development for over 55's which will be sold under the aged care rules, lease for life. A general update was given on the development.
- b) Newsletter  
[SD] Requested if there were any comments for amendments. Some minor amendments were noted. [SD] Will send an email to the volunteers to arrange for its distribution.
- c) Business Networking Proposal  
[IM] No further update.

d) Review of the Constitution.

[IM] Advised we are required to change our constitution to meet compliance with the act. A marked-up version will need to be prepared identifying all the changes. [IM] Proceeded to explain the act requires that we arrange a meeting whereby all the items are marked and addressed. Formatting and spelling errors need to be reviewed to ensure that the constitution reads more consistently overall and sections such as a dispute resolution clause be added in.

Due to the recommended changes being a new requirement under the law it will negate the need to make a special resolution and the changes can be adopted at a committee meeting. The proposal will be sent to every household listing every section that will be required to be amended. The committee discussed the best way to facilitate such a meeting and it was agreed to advertise this meeting in January with the meeting to be held in February.

[MK] Requested to know if there was anything in the constitution to bypass the rules. [IM] Advised that there are no defences specified in the rules. There being no defence but for in the common law, and or government corporations act would be superior to the constitution.

[Mk] Proposed we start changing the reference from covenants to refer to the association rules. All in agreement to update the constitution ensuring its compliance with the new provisions. [IM] Advised need to ensure we get 15 residents to reach a quorum. [IM] The meeting could run as a special meeting targeting the first Tuesday in February. A draft marked up version could be circulated in pdf, so everyone can have a look at it, then proceed to be delivered to all residents by newsletter.

Risks have been observed to be imposed by the requirements under the new act. For example the association is required to maintain a register of members. Compliance will be difficult to attain as we are also governed by the Privacy Act. [IM] Membership of the IHOA is voluntary members don't join similar to other associations in a broader context and they don't have to tell us who they are. It was proposed we write to the commissioner and advise we cannot comply with the provision by this section. [JD] Moving forward suggested a form be maintained for the registration of new members upon transfer of title.

[IM] Under a Tier 1 classification the association will also be required to complete annual Financial Statements and have the accounts audited.

[JS] The requirements for a Tier 1 classification were discussed in general terms with a determination yet to be made of the applicable category.

## **10. Round table submissions from meeting attendees**

- a) [KR] LBNCO – a consultant knocked on her door a few months earlier. The consultant reportedly advised the resident if she did not upgrade to LNBCO she would stop receiving television reception. The resident completed the forms and about 5 months later an LNBCO consultant came to install their new system. They installed a hub, as their property offers smart wiring. She contacted the company advising she was not receiving the signal on one later occasion and they could check remotely almost immediately. Following the review her internet and alarm didn't work and it appears an attempt had been made to reset it. It took a long time to try to get everything working again. Out of concern the resident disconnected their system and pulled out the modem restoring her original settings. Enquiries came much to the surprise of the company.

#### **11. Apologies**

- a) None.

#### **12. Meeting Closure**

- a) The meeting closed at approximately 8:56 pm.

#### **13. Next Meeting**

- a) The next meeting will be held at 7 pm on the 6<sup>th</sup> of November.