



Crestwood Home Owners Association (Inc)

Incorporated in 1970
ABN 79 357 595 966

Notice is hereby given that the 52nd **ANNUAL GENERAL MEETING**

will be held on Wednesday 23rd June 2021, commencing 7:30pm
at the Gosnells City Soccer Club, Walter Padbury Playground,
1 Cassidy Road Thornlie

Please note this meeting on your calendar

Enclosed for your information:

- Minutes of the 2020 Annual General Meeting
- Minutes of the 2021 Special General Meeting
- Committee Reports
- Proposed Agenda
- Proxy Form

Previously circulated:

- Nomination Form for Management Committee

Still to be circulated:

- Financial Statements and Auditors Report for year ended 31 March 2021

Important:

Please make every effort to attend as the Quorum for the Annual General Meeting is ten per cent (10%) of members (one per lot), thirty (30) members present (in person), therefore proxies received *do not count* towards the required quorum.

A quorum must be reached to discuss business.

Proxy Forms are welcome from Home Owners who are unable to attend the meeting yet wish to have their vote cast towards any resolution that may be passed at the meeting.

You are free to nominate any financial member as your proxy. However, please remember, if your proxy doesn't attend the meeting, *your vote is lost*.

This year, you will notice the location differs from our usual Crestwood Hall.

Due to COVID restrictions, social distancing and expected Winter temperatures, our hall is not large enough accommodate everyone or have people outside.

To begin the meeting promptly at 7:30, your arrival from 7pm to catch up with neighbours and sign-in would be greatly appreciated.

Kathrina Oakland
Secretary

Minutes of the 51st Annual General Meeting Crestwood Home Owners Association (Inc)

Held on Wednesday 21 October 2020 at the Gosnells Football Club

1. **Open:** 7.38pm
Apologies: None

2. **Proxies Received:** 45 valid proxy voting forms received with the breakdown as follows:

The Chairman	21
Frazer Sullivan	1
Kathrina Oakland	8
Magdaleen van Blerk	4
The Treasurer	1
Lisa Spicer	3
President	1
Cary Spann	1
Graham Bullock	1
Peter Wynen	2
Alethea Matheson	1
Walter Holden	1

Members Present: 46 households represented.

Chairperson: Lisa Spicer

The Chairman welcomed Members to the meeting.

3. **Confirmation of Minutes:**

- 3.1 Minutes of the 49th Annual General Meeting held Wed 20 May 2019 as previously circulated to all home owners were confirmed as being a true record of that meeting.

MOVED: Hendrik vanBlerk SECONDED: Daniel Spicer CARRIED

- 3.2 Minutes of the Special General Meeting held on Wed 26 February 2020, as previously circulated to all home owners were confirmed as a true record of that meeting.

MOVED: George Putland SECONDED: Helen Bullock CARRIED

4. **Business Arising from Previous Minutes:** Nil

5. **Receipt and Adoption of Financial Statements and Auditor's Report:**

Questions were invited from the floor.

Russell Wenban of 5 Cavalier Court asked whether a Licensed Valuation was done on Public Open Space, that was revalued by \$600,000 – Yes it was and audited by our Auditor

- 5.1 The Financial Statements for the year ended 31 March 2020 as previously circulated to all home owners to be adopted.

MOVED: Daniel Spicer SECONDED: George Putland CARRIED

- 5.2 The Auditors Report for the year ended 31 March 2020 (Rule 46.3(b)) as previously circulated to all home owners to be adopted.

MOVED: Henrick vanBlerk

SECONDED: Brian Samson

CARRIED

6. Election of Officers:

"a committee member holds office until the positions on the committee are declared vacant at the next Annual General Meeting".

6.1 Secretary

No nominations received.

Nominations from the floor? Kathrina Oakland agreed to stay in the role.

MOVED: Kathrina Oakland SECONDED: Cary Spann.

Kathrina Oakland was duly elected.

6.2 Committee Member (Aquatics)

No nominations received.

Nominations from the floor? Cary Spann agreed to stay in the role.

MOVED: Cary Spann SECONDED: George Anderson.

Cary Spann was duly elected.

6.3 Committee Member (Parks and Reticulation)

Nomination received from Brian Samson.

MOVED: Meeghan Clay SECONDED: Hendrik vanBlerk.

Brian Samson, being the only nomination received was duly elected.

6.4 Committee Member (Webmaster)

No nominations received.

Nomination from the floor? Chris Fourie

MOVED: Chris Fourie SECONDED: Hendrik vanBlerk.

Chris Fourie, being the only nomination received was duly elected.

7. Committee Reports:

Reports as circulated previously to all home owners to be accepted.

MOVED: Brian Tonkin

SECONDED: Walter Holden

CARRIED

8. Special Business:

- 8.1 It is proposed to adopt the following changes to the existing constitution of the Crestwood Home Owners Association Inc. IARN A0690077F:
(proposed new text is written as underlined)

(a) Rule 49.2

A Member may be appointed the proxy for not more than **five (5%) percent** of other members.

Questions and discussions from the floor:

Brian Tonkin moved an amendment motion that:

Rule 49.2

A member may be appointed the proxy for all proxies received in the proxies name.

MOVED: Brian Tonkin

SECONDED: Graham Bell

CARRIED

Discussion as to whether someone's vote will become too powerful. No

Brian stressed; it should be one vote per household.

(b) Rule 51.4

Any **ten percent (10%)** of households represented by Members personally present personally or by proxy (being Members entitled to vote under these Rules at a General Meeting) will constitute a quorum for the conduct of business at a General Meeting.

Questions and discussions from the floor:

Discussion regarding the definition of a member.

Motion raised by Bran Tonkin that:

We vote on rule 51.4 as is, then at the upcoming Special General Meeting clarify 'members' entitlement to vote.

MOVED: Brian Tonkin

SECONDED Hendrik vanBlerk

Celia Sullivan moved also that:

We accept rule 51.4, but change 'members' to 'member.

MOVED: Celia Sullivan

SECONDED: George Anderson

CARRIED.

(c) Rule 61.2

Prior to the Committee making any decision regarding capital expenditure exceeding ten thousand dollars (\$10,000) in the Parklands on matters including but not limited to:

(a) the installation of swings and/or other play equipment.

(b) the installation of benches or other seats; and

~~(c) planting trees and/or plants;~~

(d) ~~the construction of~~ pathways, sheds, buildings and walls, and

~~(e) general landscaping works,~~

the Committee shall first consult with the Members to obtain their views about the proposed expenditure.

Magdaleen explained the Rule, in that by raising the dollar amount, the Committee can maintain or make minor changes (eg: lawnmowing) without having to consult members.

MOVED: Brian Tonkin,

SECONDED Barry Nurse

CARRIED

Voting was by a show of hands.

9. General Business:

9.1 50th Jubilee Mosaic created and presented by Marjan vanDijk.

Marjan gave a small talk about living in the Crestwood Community, "Some give a little, some people give a lot...It is not a perfect but it's ours." The mosaic is to be installed in the hall.

9.2 Spencer Road upgrade. Lisa thanked people for attending the council meetings that got the council to change their mind. The slip road is to stay, as plan 'B'. Works have commenced on the other side of Spencer Road. Check 'current projects' on council website.

9.3 Pool Opening Busy Bee scheduled for 24/10 at 10:30am. The actual pool opening is waiting on water quality lab results from the City of Gosnells.

9.4 Brian, expressed that AGM minutes to be put onto website within a month of the meeting in 'draft' format, so that members can review prior to the SGM, whilst proceedings are still fresh in people's minds. This has been an oversight by the Secretary.

9.5 Question from Graham Bell, regarding date of Christmas Carols. Lisa explained that this has been handed to the Social Sub-Committee, it is expected around 13th Dec - to be confirmed.

9.6 Barry Nurse raised that due to OH&S, insurance and the hall being a public building, the hanging of boards/mosaic etc at the hall will have to be done by a Crestwood employee or suitable subcontractor. Also the construction of a ramp should also be done by a contractor who can obtain the certification required. There may be grants available for the ramp.

9.7 Concern raised about Crestwood's roads being windey and badly lit. Committee advised that this is a Shire issue and best to raise the issue at appropriate area on City of Gosnells website.

9.8 Fallen tree in park – resident asked who is responsible for removal? Brian answered that it is the owners and that the Shire come through each year and check the trees.

- 9.9 General discussion regarding retic and pre-start-up tests. Brian explained that we do not have the water allocation for tests at the moment. If you have any retic faults, please let him know.
- 9.10 George Anderson expressed a vote of appreciation to the Committee for the hours put in on behalf of the home owners.

Home owners were thanked for their attendance and participation in the meeting.

Close of Meeting: 9.04pm

CHAIRMAN:

DATE:

Crestwood Home Owners' Association (Inc)
Special General Meeting
MINUTES

Crestwood Community Hall
Wednesday 10 March 2021

Prior to opening, the Chairperson read a statement regarding the President position. Heckling from one resident and a call for the Treasurer to be dismissed by another.

Meeting Opened: 7.34 pm

Chairperson: Cary Spann

Members Present: 43 Households represented.
52 members present.
3 Visitors
(provision for 30 inside, the remainder outside in entrance or pool area)

Apologies: Graham and Helen Bullock

Proxies Received: 57 valid proxy voting forms from 63 members, were received by 7.30pm 9th March 2021.

Allocation of Proxies as follows:

Secretary/Kathrina	19 = 5	
Treasurer/Magdaleen	16 = 5	
President	10 = 0	
Chairman/Cary	12 = 5	
Parks/Brian	1	
Aesthetics/Graham	1	did not attend.
George Anderson	1	
Christine Keeley	1	
Alathea Matheson	1	
Reinier deLange	1	

Minimum requirement of 10% of members (48) in person or by proxy.

1.0 Business:

- 1.1 To ratify our Home Owners fees for year ended 31 March 2022 as per the notice of Meeting.

Magdaleen van Blerk (The Honorary Treasurer) moves that:

The Home Owners' fees for the year ended 31 March 2022 are as follows:-

Option A – \$1,345.00 with a discount of \$134.00 to apply – that is a net \$1,211.00 (which includes GST) if paid in full by 30 April 2021

Option B – \$1,345.00 payable by three instalments – the first at \$449.00 (which includes GST) payable by 30 April 2021; the second of \$448.00 by 30 September 2021 and the third of \$448.00 by 31 December 2021.

Option C – if neither the discounted payment of \$1,211.00 (Option A), nor the first instalment of \$449.00 (Option B), has been paid by 30 April 2021, then the total fees of \$1,345.00 (which includes GST) become due and payable by 31 May 2021.

If the second instalment of \$448.00 (which includes GST) under Option B, due by 30 September 2021 has not been paid within 30 days of that date, then the balance of the fees still unpaid (including GST) become due and payable by 31 October 2021

The Treasurer briefly explained this years' minimal fee increase, as per the Budget document distributed to all homeowners three weeks ago and reiterated the fee payment schedule.

The Chairman took questions from the floor.

Questions raised included:

- *Michelle Armstrong*
Enquired regarding hall hire amount of \$500 in the budget?
This is estimated, as income was very low last year due to covid closure. We don't over budget an income.
With COVID there have been lots of residents put off work. If you have lost your job is there any fee relief?
Magdaleen explained we (the committee) decided to take each request on an individual basis. One request was received, and a payment plan was worked out.
- *Russell Wenban*
Russell said he would be voting in support of the motion but regarding detail on \$15k depreciation. Estimated is more than previous, is this due to capital works?
Yes, the underpass near Regal Drive is due to be overhauled.
- *Other questions:*
Gardener salaries. The superannuation in the past was \$10k for both Gardeners. The amount budgeted for this year has not changed, should the super have gone up?
Last year was budgeted more than required. The amount will be reviewed and raised.

- *Michelle Armstrong*

Can receipts be provided to see where expenditure is going?

Every month, actual figures are in the minutes and the minutes are on the website.

- *Other Questions*

Can the minutes go onto the Facebook page?

No, the website is sufficient.

Remuneration for gardener has increased 8-12% from last year?

The new gardener was employed at higher rate than previous one, due to qualifications and hours worked. They are both employees.

Gardener moving from part time to full time. Why was this large amount not put to rate payers?

Employment through an agency is very expensive. With increased hours the overall amount remains (approx.) the same.

Adrian Falconer explained that the budget being discussed here is a prediction of what may be spent. More can be allowed; it is not definite – but projected.

Voting by show of hands. 4 members against, all others for the motion.

Moved: Magdaleen vanBlerk,

Seconded: Louis Beugeard

That the Home Owners' fees for the year ended 31 March 2021 be ratified.

Carried.

2 SPECIAL RESOLUTION

It is proposed to adopt the following changes to the existing constitution of the Crestwood Home Owners Association Inc. IARN A0690077F:

The Chairman gave a brief explanation of the resolution, that as *carried over from the 2020 AGM, these proposed changes better define the term Member with relation to the Lot and the one vote per lot that became lost when we adopted the existing constitution in 2018.*

- (d) Rule 1.1 (Terms Used)

Insert the term:

Lot means a lot on the Plan;

- (e) Proposed Rule 8.3

Where any Lot on the Plan is owned by more than one (1) Member only one (1) of the Members must pay the annual membership fee. The owners of each Lot shall be jointly and severally liable for the payment of the annual membership fee per Lot.

Moved: Brian Tonkin

Seconded: Adrian Falconer

Voting by a show of hands.

CARRIED Unanimously

(f) Proposed Rule 23.5

Where more than one (1) Member are the owners of a Lot on the Plan only one (1) Member of the Lot may, at any one time, be a Committee Member.

Moved: Brian Tonkin

Seconded: Janet Parker

- *Comments regarding the motion.*

Brian Tonkin.

A General comment, that these changes are insignificant and should have been in the previous constitution issue.

In the past, some husband and wives dragged out meetings until late, debating issues between themselves.

Lisa Spicer.

The motion is designed to protect all and prevent conflicts of interest. Honesty and transparency.

Russell Wenban.

Feels there could be a financial issue potentially, in regard to signing cheques & collusion. Less likely with different households on the committee.

Voting by a show of hands.

Four against, all others for the motion

CARRIED.

(g) Delete Rule 49.2

A Member may be appointed the proxy for not more than five (5%) percent of other members.

Moved: Louie Beugeard

Seconded: George Anderson

- *Comments for and against the motion.*

Lisa Spicer

Against it, gives too much power to one person.

Nature of the proxy, is you can choose how the proxy votes, or give the proxy complete power.

Adrian Falconer,

No one has additional power via proxy. You are not giving power, just handing your vote in.

Russell Wenban.

Changes to special resolutions cannot be made.

Sam Rowe.

Can we use online (proxy) voting via the website?

To be considered at a later date.

Voting by a show of hands.

Three against, all others for the motion

CARRIED.

(h) Amend Rule 51.4

Any ten percent (10%) of Members (being Members entitled to vote under these Rules at a General Meeting) will constitute a quorum for the conduct of business at a General Meeting.

Moved: Trevor Davis

Seconded: Brian Tonkin

Voting by a show of hands.

CARRIED Unanimously

(i) Amend Rule 53.1

On any question arising at a General Meeting:

- (a) subject to Rule 53.1(c) and Rule 53.6, each Member has one (1) vote unless the Member may also vote on behalf of a body corporate under Rule 53.2;
- (b) Members may vote personally or by proxy; and
- (c) where any Lot on the Plan is owned by more than one (1) Member the vote in respect of the Lot shall be exercised by only one (1) of the Members or such other member as the owners of the Lot shall jointly appoint by proxy.

Moved: Trevor Davis

Seconded: Louie Beugeard

- *Comments for and against the motion.*

Brian Tonkin.

How are we going to control one vote per lot? Voting cards for each lot, handed out by the committee?

Another suggestion to use pool passes to swipe in.

To be discussed at a later date. We cannot police members integrity.

Voting by a show of hands.

CARRIED Unanimously

(j) Amend Rule 61.2

Prior to the Committee making any decision regarding capital expenditure exceeding ten thousand dollars (\$10,000) in the Parklands on matters including but not limited to:

- (a) the installation of swings and/or other play equipment;
- (b) the installation of benches or other seats; and
- (c) constructing pathways, sheds, buildings and walls,

the Committee shall first consult with the Members to obtain their views about the proposed expenditure.

*Explanation from the Chairman that this was passed at the 2020 AGM.
Moved: Brian Tonkin, Seconded: Barry Nurse CARRIED.
It is being represented again now so that all changes can be passed together.*

Moved: Brian Tonkin Seconded: Louie Beugeard

- *Comments for and against the motion.*

Michelle Armstrong

Would like to lower the amount.

This cannot be done at this forum.

Russell Wenban

Broadly agrees with it. General planting of trees etc he doesn't have a problem with, as long as the items have been budgeted for.

Items over \$10k will be capital expenditure.

Elouise Parfremment

Is this just for one thing (item)? No.

Voting by a show of hands.

Nine against, all others for the motion

CARRIED.

2.0 Close of Meeting 8:39 pm

CHAIRMAN:

DATE:

Parks and Reticulation Annual Report – 2021

This year has been busy year.

Hamish our new part time gardener is settling in well and is making a real contribution to our estate, helping with some projects both gardening and non-gardening.

We had a bit of a bad run with retic in the beginning of the year, that even had the experts scratching their heads, but we persevered and solved some issues, which lets us learn yet more about our system. I'd like to thank everyone for their patience during these times even though it is very frustrating for all.

I'm happy to say, that it looks like residents are being a bit more considerate with water usage and repairing leaks which helps everyone in the long run and lessens the risk of going over our allocation.

We are constantly looking at ways to improve the reliability of our system and some more upgrades will happen during winter to hopefully improve reliability.

We have some more tree planting to carry out to replace dead trees and more garden expansions to come throughout the next twelve months.

I am always happy to listen to ideas on what we can do to improve the estate so please feel free to reach out with your suggestions.

I look forward to getting some projects out of the way and improving the overall look and feel of our estate.

Thanks.

Brian Samson
Committee Representative - Parks and Reticulation

Aquatic Centre Annual Report – 2021

The Crestwood Pool season has enjoyed great patronage this year and even though COVID lockdowns caused an early closure, it was only by a few days.

We still were able to hold VacSwim over the Christmas New Year break, although I am looking to cut it back to only one Program for next year, (2 weeks instead of 4 weeks).

The large pool filter had a major refurb this year and should now last for many more years, plus the automatic dosing systems in the pool have been upgraded and we are anticipating replacing the solar heating for the kids pool before the beginning of next season.

The Electronic tag system has been working well with no issues. Please remember to apply through the Crestwood Website online system if you require a new pass or replacement pass.

Lester Ball has been a tremendous supervisor for Belgravia and maintained a much stronger team to monitor our pool this year.

Thank you for everyone's support and patronage over this time, after 5 years I will be stepping down from this position. I do however, want to encourage anyone who wants to step into this role as it's a fantastic way to connect with the community as well as being a very rewarding and enjoyable position.

Cary Spann
Committee Representative – Aquatic Centre

Aesthetics Annual Report – 2021

During the past 12 months there seems to have been more comings and goings on the estate than at any other time during my time on the committee. Families out growing their houses, returning to their roots or just seeking greener pastures. Whatever the reasons it is sad to see families leave but also lovely to welcome and meet new neighbours.

From an Aesthetics point of view, it has been quieter than last year, still lots of enquiries regarding tree removal and patios/fences etc.

I would like to let our new residents know and remind our established residents that our fencing rules are governed by the Shire of Gosnells who updated the laws in May 2017 especially with respect to properties backing onto open parkland which we all come under.

Also any patio or shed over 10sq mts requires Planning/Building permission from the Shire.

Please feel free to call me if you require any further information. Also please don't forget most of the trees on our estate including the ones in our own gardens are protected in the Constitution.

We have regular tree pruning exercises to keep everywhere safe and tidy and should you require any information regarding trees on your property please do not hesitate to contact me.

Looking forward to working with you all over the next 12 months to keep our estate as attractive as it has always been.

Graham Bullock
Committee Representative – Aesthetics

Treasurer's Annual Report – 2021

This past year has been the most challenging since I took on the role of Treasurer, for various reasons.

We scarcely had the 50th celebration behind us when Covid hit; borders closed, toilet paper wars, borders closed tighter, masks, distances, more toilet paper panic. Nobody knew what to expect next or where this will lead us but, life has a way of moving on, and we got (sort of) used to the changes.

It was not all bad news; some government incentives saw us with a few more dollars in our bank account. We received \$17,500 credit on our power bills, a tax bonus and a native plant grant from a local nursery.

With people not going to Bali, or anywhere else for that matter, we saw more residents out and about in the estate. We also heard murmurs of “the estate looks run-down/ old/sad/terrible... “ etc. It was therefore decided to use some of the surplus funds for a much needed facelift in the near future. Repainting of the underpasses, a few retaining walls, more benches in the parks and the pool heating system overhaul were just some of the projects suggested.

Just when you think it can't get worse, it does. Our Auditor became very ill recently and couldn't complete our audit in time for this report. We are positive it will be ready for the AGM.

I once again would like to thank the Committee and Home Owners for their support and encouragement during a very difficult year. We don't know what the future holds but I can only hope that we will work together to keep Crestwood Estate the special place we all would like to live in.

Magdaleen van Blerk
Treasurer