

The Owner
Heron Hill Garden Estate Home Owners Association NPC
Corner of Ajax & Midas Road
Olympus
Pretoria
Gauteng
0043

19 December 2017

Dear Sir/Madam

**RE: MINUTES OF THE ANNUAL GENERAL MEETING OF HERON HILL GARDEN
ESTATE HOME OWNERS ASSOCIATION NPC**

We refer to the Annual General Meeting held on **Thursday, 23rd November 2017** and attach hereto for your information and safekeeping:

- The Minutes of the Meeting; and
- The Chairman's Report

Kindly peruse the documents and please take note of owner's liability in respect of the proceedings at the Annual General Meeting.

We assure you of our best attention at all times.

Yours Faithfully,



**DHIVYA NAIDOO
PORTFOLIO MANAGER**

**Pretor Group comprising of: Sectional Title Administration • Residential Communities Administration
Home Rentals • Commercial Property Management • Financial Services**

**MINUTES OF THE ANNUAL GENERAL MEETING OF
HERON HILL GARDEN ESTATE HOME OWNERS ASSOCIATION
NPC
REGISTRATION NUMBER: 2007/027010/08
HELD ON THURSDAY, 23 NOVEMBER 2017, 18H00 AT PICCOLI
KLEUTERSKOOL/NURSERY SCHOOL**

1. NOTICE OF THE MEETING

Notice of the meeting is given in terms of the Articles of Association of the Home Owners Association and it was noted that a quorum was present. Owners of **seventy-seven (77)** stands were present, either in person or by proxy, and eligible to vote.

2. WELCOME AND CONFIRMATION OR ELECTION OF CHAIRMAN

As per Article 4 **Mr Dawie Joubert** in his capacity as Chairman for the Home Owners Association chaired the meeting and welcomed all members present.

3. ATTENDANCE AND APOLOGIES

Member attendance was as per the attendance register. Proxies were recorded as apologies.

Dhivya Naidoo (Pretor Group) was in attendance

4. CONFIRMATION OF PREVIOUS MINUTES

The minutes of the Annual General Meeting held on **10 November 2016**, were taken as read, approved by the meeting and signed by the Chairman.

The previous minutes was duly proposed, seconded and unanimously approved.

5. CHAIRMAN'S REPORT

The written report was taken as read and approved by the meeting.

- 5.1 **New Guardhouse** - The gatehouse plan was displayed for members viewing, the upgrade will commence end April 2018. The Biometric system to be installed after the upgrade is completed. Judite Jenkins (stand 23) requested that access to personal information from the access control system should be kept secured at all times. Directors to familiarise themselves to the legal implication if information is given to the third party. Owners will be communicated to, when the system is ready.

The Chairman's Report was duly proposed, seconded and unanimously approved.

6. RATIFICATION OF AMENDED RULES

The Chairman tabled the following amended rule/s for ratification.

Resolution 1 Confirmation of fine schedule

The aim of the fines schedule is not to restrict or inhibit anyone, but simply to force adherence to the estate rules. Most of the fines have to do with safety, security and a peaceful environment and relate to the rules of the estate.

The fines schedule has been amended to include fines which are necessary, but was not included previously.

In most cases a warning will be given an agreement reached before a fine is issued.
Added fine for damage to neighbour's property while building

The amended fine rules were duly proposed, seconded and unanimously approved.

Resolution 2 – Updated Building procedures documents

- Rules
 - Updated Pretor agents contact details to latest. (throughout)
 - Added duet stand list from MOI - development of duets restricted to these stands. (section 1.8)
- Building Procedures
 - Updated estate architect email address.
New building sites to be enclosed in shade netting to prevent rubbish blowing around

The building procedures were duly proposed, seconded and unanimously approved.

Resolution 3 – Time limit when construction must start

- The time limit to start building has been extended at each previous AGM since 2013.
- As at 2017-11-01 there are only 43 vacant stands equating to 13% of the estate.
 - 218 stands are occupied (70%)
 - 50 are under construction or standing (17%)
- Construction activities are a constant thorn in the side of residents, as it causes noise, rubbish and the security risk of builders and labourers in the estate.
- To encourage commencement on empty stands a motion to apply a monthly **triple levy penalty** (R2250 for 2018) to all vacant stands after 1 November 2018 is put forward.
- Thus, all owners of vacant stands will have 11 months to either sell their stand or to start construction.
 - Should a stand be sold, the new owner will have 12 months to start building from the date of transfer.
- When construction starts the levy will revert to a single levy, but double if construction takes longer than 12 months as per normal estate rules/fines.

The amended rules were duly proposed, seconded and unanimously approved.

7. CONSIDERATION OF AUDITED FINANCIAL STATEMENTS

The Audited Financial Statements for the year ending **February 2017** were tabled.

After discussion, the Annual Financial Statements were considered and accepted by the meeting.

8. PRESENTATION OF:

8.1 ESTIMATE OF INCOME AND EXPENDITURE 2018/2019

An estimate of income and expenditure for the ensuing year, approved by the Board of Directors was presented to the meeting.

No provision for the reserve fund was included in the estimate for the ensuing year.

Estimated expenses were set at **R2 899 033.00** and confirmed by the meeting.

Levies will increase to R750 and R563 (duet stands)

The proposed budget was duly proposed, seconded and unanimously approved

8.2 SPECIAL LEVY

No special levy was tabled.

9. APPROVAL OF:

9.1 LEVY PAYMENT IN ADVANCE

It is confirmed that levies are payable monthly in advance, on or before the 1st day of each month. It is further resolved that the levies as accepted under the estimate of income and expenditure comprises the amount of levies payable by each owner

9.2 ARREAR LEVY: ACTION TAKEN

Directors are authorised, and authorise the managing agent on their behalf, to take all necessary steps, including legal action and the sequestration of the owners, to ensure that the Home Owners Association receives levies and other monies due to it. **The current interest rate is set at 2%, (equating to 24% per annum)** which interest shall be calculated daily and capitalized monthly on all amounts outstanding including, *inter alia*, debt collection and attorney's charges at the beginning of each month when levies are payable, but is subject to change from time to time in accordance with the provisions of and limitations or requirements imposed by the applicable Legislation.

The Interest rate duly proposed, seconded and unanimously approved

9.3 ALLOCATION OF PAYMENTS

Any payment made by an owner to the Home Owners Association will be allocated firstly to the overdue debt which is the most recent in time and only thereafter allocated to older debt. Only once all overdue debt has been paid will be allocated to current amounts due.

10. APPOINTMENT OF AUDITOR

MG Taute were re-appointed as Auditors for the ensuing year.

The re-appointment of the Auditors was duly proposed, seconded and unanimously approved.

11. REMOVAL AND ELECTION OF DIRECTORS:

10.1 In terms of Article 4 the Association determined the number of Directors at a minimum of 3 and maximum of 7.

10.2 As set out in Article 4 each Director shall continue to hold office from the date of this appointment until the Annual General Meeting next following his appointment, at which meeting each director shall be deemed to have retired from office, but shall be eligible for re-election to the Board of Directors as such meeting. In terms of the above all current Directors are deemed to have resigned as from date of this meeting.

The following persons were nominated and elected as Directors for the ensuing year:

Mr Dawie Joubert	stand 231
Mr Morgan Commerford	stand 399
Mr Neil Schoonees	stand 317
Mr Luther Gerber	stand 400
Mr J Musgrave	stand 03
Mr T R Netshiluvhi	stand 433

Further noted that due to Mr Netshiluvhi being overly committed he resigned on 28th November 2017.

The number of Directors is noted at Five (5) for the ensuing year.

12. APPOINTMENT OF COMPANY SECRETARY

The meeting confirmed the appointment of Pretor Group (Pty) Ltd as the company secretary for **Heron Hill Garden Estate** Home Owners Association NPC.

The Appointment of Company Secretary was duly proposed, seconded and unanimously approved.

13. APPOINTMENT OF PUBLIC OFFICER

The meeting confirmed the appointment of Pretor Group (Pty) Ltd represented by Donald Weir as the Public Officer for **Heron Hill Garden Estate** Home Owners Association.

The Appointment of Public Officer was duly proposed, seconded and unanimously approved.

14. CONFIRMATION OF THE REGISTERED ADDRESS OF THE COMPANY

The registered address of the company was confirmed as:

The **Heron Hill Garden Estate** Home Owners Association NPC
c/o Pretor Group (Pty) Ltd
River Falls Office Park
262 Rose Avenue
DORINGKLOOF
0157

Private Bag X115
CENTURION
0046

15. GENERAL DISCUSSION

1. **Fixing of roads. Fixing of roads** – when exiting the estate, the road (Ajax avenue) is in poor condition, Directors will consider looking into this.
2. **Garden Services** – Appointed to only clean the circle area / front of gate entrance. Owners complained that the entrance does not look great.
3. **Vacant stands** - Parents to ensure that their children are being supervised at all times on the common areas and road ways inside the Estate. Children are found playing inside vacant stands, which is dangerous. A request was made that the Directors consider appointing additional security guards to patrol around vacant stands to ensure no illegal dumping and to avoid children playing in these areas. Directors to uplift the By-laws on vacant property.
4. **Design of Property** –It was noted that these rules have never changed, it was noted that certain stands are being closed off, concerns of external changes that was never approved before.
5. **Property gardens** – Certain properties gardens are not neat. These owners are to be notified of the Rules and guidelines and rectify.
6. **Security matters** – stand owners situated next to the entrance, have complained about the domestic workers and guards being noisy early hours of the morning. Directors are to bring this to the attention of the security company and to communicate to owner that their domestics workers are not to be noisy on the roadways inside the estate.
7. **Entrance gate** – needs to have a Christmas feeling. Directors to make the entrance section have a little more festive look.
8. **Recycling** - the Estate manager to investigate if the current waste removal company will be able to do the recycling. It was noted that Waste plan can do this for free if they got the support from individual owners. Owners that are willing to pay for recycling can contact Open Sky. This will be communicated to the owners once the investigation is completed.
9. **Street lighting** – the lighting is good however it is not bright enough. There are some spots that are still dark.
10. Directors are currently investigating Duets being built on a single stand.
Communication to owners – Not to sign plans that go around unless the plans have been stamped and signed by the HOA Board and Estate Aesthetic. Only then should the neighbouring stands consider giving approval.
11. **Arrear levies** – A request was made to circulate the current arrear status with the AGM minutes.
12. A requested was made to supply owners with the number of rented properties in the Estate.

16. **CLOSING**

There being no further matters under discussion, the Chairman thanked the members for having attended and closed the meeting.

Signed on this 8th day of Nov 2018



CHAIRMAN