



**MINUTES OF THE  
ANNUAL GENERAL MEETING ("AGM")  
OF THE MEMBERS OF  
PORT ZIMBALI ESTATE HOME OWNERS' ASSOCIATION (NPC)  
HELD ON 2 AUGUST 2013 AT 18:30  
AT 23 JACANA STREET, PORT ZIMBALI ESTATE, BALLITO**

**1. WELCOME, OPENING, ATTENDANCE REGISTER, PROXIES  
AND QUORUM**

The meeting was opened and conducted by the Chairman on behalf of the Board of Directors (hereinafter referred to as the "Board"), Mr Ed Hall (hereinafter referred to as the "Chair"). The Chair welcomed everyone present and declared the meeting open.

The attendance register was as follows:

<b>Name</b>	<b>Property</b>	<b>Attendance</b>
Dicks	472	Absent/Apology
Meyer and Meyer	473	Absent/Apology
Singh	474	Absent/Apology
Celestino and Celestino	475	Absent/Apology
Munilal	478	Present
Sherpa and Maistry	479	Present
Mkholo Family Trust	480	Absent/Apology
van Wyk	481	Absent/Apology
Ramphal	482	Disqualified
Halonamix Investments	483	Proxy
SA 236 Trust	484	Absent/Apology
Blue Family Trust	485	Trustee Present
Ntokazi Interior and Décor	486	Absent/Apology
Khanyile	487	Disqualified
Tantus Trading 156	488	Proxy
Govender and Govender	489	Present
Khoza	490	Proxy
Dicks	492	Present
Blanché and Blanché	493	Present
Ramdass	494	Absent/Apology
Marais	496	Absent/Apology
Indecisive Trading	497	Proxy
Naidoo	498	Disqualified
Blue Family Trust	499	Trustee Present

<b>Name</b>	<b>Property</b>	<b>Attendance</b>
Domiro	500	Proxy
Pottamus Family Trust	501	Trustees Present
Sammarchi	502	Absent/Apology
Hood	503	Absent/Apology
Black Ginger 283	504	Absent/Apology
Mathako Family Trust	505	Absent/Apology
Abipa Family Trust	506	Disqualified
Pillay and Pillay	507	Absent/Apology
Fourie	508	Present
Viking Pony Properties 37	510	Proxy
Pillay and Partners	511	Absent/Apology
Pillay and Partners	512	Absent/Apology
Mtshali	513	Disqualified
Hall and Hall	514	Present
Catto	517	Absent/Apology
DNO Projects	518	Proxy
Erf 521 Port Zimbali CC	521	Absent/Apology
Viking Pony Properties 37	522	Proxy
Mdabe and Mdabe	531	Absent/Apology
Chaithram	535	Absent/Apology
Autumn Storm Investments 88	536	Proxy
Fick	537	Proxy
Ramsoorooj	539	Absent/Apology
Purple Fountain Properties 115	540	Proxy
V.K. Linderboom	541	Absent/Apology

The Chair confirmed receipt of the proxies, declared them valid and made them available for inspection by the members. In accordance with Article 3 of the Memorandum of Incorporation of the Association, paragraph 3.6 (Quorum for member's meetings), the Chair declared a quorum present, and the meeting constitutionally opened.

The managing agent (hereinafter referred to as the "MA"), represented by Allan Jevon, presented the following attendance numbers to the meeting used for purposes of confirming the quorum(s) and for voting during the course of the meeting, namely:

- 49 member/developer "votes" available;
- 5 "votes" disqualified as a result of arrear levy account;
- 44 members/developer therefor eligible to vote;
- 26 "votes" not available as a result of absenteeism and/or apologies;
- 18 "votes" therefore available for quorum calculation purposes – this equates to 40,9% of the 44 members/developer eligible to vote.

## **2. ACCEPTANCE OF PREVIOUS MINUTES**

The Chair inquired from the members whether they were satisfied with the minutes of the previous meeting and that should amendment be required they do so at this time. With everyone finding the minutes in order, Mr Fourie (508) proposed the minutes of the Annual General Meeting held on 3 August 2012 be accepted – Mr Hinrichsen (499) seconded the proposal – where after the Chair declared the minutes validly accepted by the members.

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### 3. EXTRA LEVIES

The matter being described in the Management Reports by the MA and no further discussion entered into by the members, be advised that the Board will take appropriate steps in this regard during the current financial year in the interests of the Association – the current status to be upheld until further notice.

### 4. MANAGEMENT REPORTS

4.1 The Chair requested that the MA give a brief introduction and overview of current estate affairs and future membership and building expectations.

4.1.1 Member statistics

4.1.1.1 As at 31 July 2013 the Association had 48 members with the obligation to contribute, it being expected that a further 2 will be added to this figure by the end of the financial year.

4.1.1.2 4 new sales took place since the previous AGM –

- 472 – Mr Dicks
- 475 – Mr and Mrs Celestino
- 478 – Ms Munilal
- 506 – The Abipa Family Trust (Mr Mphephu)

4.1.1.3 6 re-sales took place since the previous AGM –

- 474 – Dr Singh
- 484 – SA 236 Trust (Mr Marsden)
- 496 – Mr Marais
- 507 – Mr and Mrs Pillay
- 537 – Mrs Fick
- 539 – Dr Ramsoorooj

4.1.1.4 1 re-sale is anticipated to register by the end of September 2013 – The Sean McCann Property Trust (481).

4.1.1.5 The Chair welcomed the new owners as members of the Association.

4.1.2 Building construction

4.1.2.1 33 of the members have completed dwellings, while the developer has 1 completed dwelling.

4.1.2.2 5 homes are currently under construction – certain nearing completion

- Members currently building – 507, 536 and 539;
- Developer building – 476 and 477;
- Developer home for sale – 510.

4.1.2.3 Various members are in the process of planning the construction of their dwellings.

4.1.2.4 The developer is also preparing stand 509 and 518 for the future.

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#### 4.1.3 Extra levies

4.1.3.1 As a result of lack of building activity, relevant members are paying extra levies – as at 1 August 2013 the number of members in this category is 10.

4.1.3.2 Of these 10 members, 9 are taking advantage of the moratorium granted by the members during last year's AGM and are paying only 1 extra levy.

4.1.3.3 The remaining member is not paying levies at all, and is therefore being billed for 2 extra levies.

#### 4.1.4 Board of Directors

4.1.4.1 The board operated over the past period with 10 directors, made up as follows:

- 3 of the directors were appointed during this period – Jevon (AT), Mentz and Pottas.
- 4 of the directors are members that are not affiliated to the Developer, but are owners of homes in the estate – Blanché, Fourie, Pottas and Hall.
- 4 of the directors are members that are affiliated to the Developer, and are owners of homes in the estate – Jevon (AT), Jevon (OV), Mentz and Dicks.
- The remaining directors are also directors of the development company – Boshoff and Cloete.

4.1.4.2 The 6 development company directors declare themselves available to continue as directors, of which 3 will be available for future director's meetings. The developer approved these appointments and re-appointments.

4.1.4.3 The 4 non-developer directors are available to serve another term.

#### 4.2 Estate manager

The Chair requested Cornel Cloete, the Estate Manager (hereinafter referred to as the "EM"), to provide his report for the past period to the members. Extracts from Cornel's report is included below.

##### 4.2.1 Landscaping

4.2.1.1 New verges undertaken by the Association are complete.

4.2.1.2 The Board resolved to start a project to remove certain alien species from the estate. The project will spread over a lengthy period heading into the future. The MA explained that whilst these species had a role to play during the initial stages of the development, they are now becoming intrusive and overpowering.

4.2.1.3 Members were invited, if necessary, to revisit their landscaping packages chosen with the landscaping service provider ("LSP") – intervention by the EM being optional.

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4.2.1.4 The EM and LSP have implemented a new maintenance structure by introducing a dedicated supervisor for the workers. Indications are that the service and work quality is improving – members are urged to communicate their needs with the supervisor. The EM will distribute appraisal forms in the near future, the aim of which will be to gauge whether improvement has actually transpired.

4.2.2 Maintenance

The pro-active maintenance regime embarked on since the previous AGM is proving successful.

4.2.3 Security and fence

4.2.3.1 The EM advised that the condition and regular monitoring of the fence and its voltage levels remains top priority from a security point of view for the estate. The voltage readings are taken 3 times a week, recorded and logged and rectified should unacceptable readings be found – currently readings meet the standard set.

4.2.3.2 The EM advised that a project was embarked on earlier the year to create a pathway all along the fence of the Zimbali and Seaward boundaries. It will eventually be lit in areas where required. The aim is for guards to have easy access to areas (zones) where alarms are activated and also for guards to efficiently complete their roaming routes. The project is approximately 50% complete – the target date for finality being by the end of 2013.

4.3 Managing Agent

4.3.1 The MA confirmed the following service providers contracted to the Company:

- 4.3.1.1 Haasbroek Boezaart Inc – Attorneys dealing with conveyancing
- 4.3.1.2 EY Stuart Inc – Attorneys dealing with collections
- 4.3.1.3 Santam – Insurer
- 4.3.1.4 Logista CA(SA) Inc. – Auditor
- 4.3.1.5 Ultimate Security – Fence Contractor
- 4.3.1.6 Enforce Security – Security
- 4.3.1.7 Absa Bank Ltd – Bank
- 4.3.1.8 Dennis Seedlings - Landscaper
- 4.3.1.9 Cornel Cloete – Estate Manager
- 4.3.1.10 Financial Services Providers (FinServ) - Managing Agent

4.3.2 The MA confirmed the following estate agents being accredited to the Company – accreditation reviewed annually during September of every year:

4.3.2.1 Full accreditation

- Seeff
- Tyson
- Wakefields
- Remax

4.3.2.2 Partial accreditation

- Richlands
- Jawitz

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## **5. APPROVAL OF THE AUDITED FINANCIAL STATEMENTS OF THE COMPANY**

After a discussion led by the MA at the request of the Chair on the audited financial statements of the Company, the members unanimously ratified the audited financial statements of the Company for the year ended 28 February 2013 as presented – proposed by Mr Pottas and seconded by Mr Sherpa.

## **6. APPROVAL OF THE EXPENDITURE BUDGET**

After a discussion led by the MA at the request of the Chair on the expenditure budget presented to the members, the members unanimously ratified the expenditure budget of the Company for the year ended 28 February 2014 – proposed by Mr Hinrichsin and seconded by Mr Pottas. Copy attached to the minutes for ease of reference.

## **7. APPROVAL OF THE PROPOSED LEVY**

After a discussion led by the MA at the request of the Chair on the levies for the 2013/2014 financial year, the members unanimously ratified the levy structures as implemented as from 1 March 2013 - proposed by Mr Hinrichsin and seconded by Mr Pottas.

## **8. RATIFICATION OF A RESOLUTION BY THE BOARD FOR THE ASSOCIATION TO ACCEPT TRANSFER OF ERF 471 FROM THE DEVELOPER TO THE ASSOCIATION**

The Chair asked the MA to deal with this agenda item.

- 8.1 Erf 471 (the "site") is earmarked for the development of a communal recreation area for the benefit of the members. The developer, as part of its offering, has committed to providing this facility subject to it only being provided once 70% of the estate is built up and once the Association has an equal number of contributing members (given the maintenance load the facility will place on the members).
- 8.2 A proposed layout and architect's impression was available for perusal by the members at the meeting venue.
- 8.3 The MA advised that, while the developer would transfer the site to the Association for a minimal amount of R100 and would fund the cost of the envisaged improvements thereon, transfer costs, the possibility of taxes as a result thereon and all furniture and fittings therein would be for the account of the Association.
- 8.4 The MA advised that the transfer of the site is being considered at this point as there is a growing need for the staff ablution and storage facility as well as a lawned area for the children of the estate to play on.

Having been presented with the above the members ratified the resolution.

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## 9. REGISTERED OFFICE

The members approved the Registered Office of the Company being that of the MA, namely: 217 Emerald Avenue; Lyttelton Manor X3; Centurion; 0157

## 10. APPROVAL OF THE AUDITORS OF THE COMPANY AND THEIR REMUNERATION FOR THE FORTHCOMING PERIOD

- 10.1 The members approved the continued appointment of the Auditors for the forthcoming period, namely LOGISTA CA(SA) INC of 263 Lynnwood Road; Brooklyn; Pretoria.
- 10.2 The members approved the remuneration of the auditors for the forthcoming period, the amount being the amount for the current year (R9400 – inclusive of value added tax) plus an increase of 10%.

## 11. ELECTION OF NEW DIRECTORS

The members not having nominated any new directors and the current directors all having agreed to serving a further term in office, it is advised that the following members/individuals will constitute the Board of Directors of the Company for the forthcoming period:

- Allan Jevon (Public Officer) (488) (Owner and Developer)
- Ed Hall (514) (Owner)
- Frans Fourie (508) (Owner)
- Marc Blanché (493) (Owner)
- André Pottas (501) (Owner)
- Flip Boshoff (Developer)
- Willie Mentz (483) (Owner and Developer)
- Owen Jevon (518) (Owner and Developer)
- Andries Dicks (492) (Owner and Developer)
- Flip Cloete (Developer)

The chair however advised that the board may invite members to become directors during the forthcoming period.

## 12. GENERAL

- 12.1 Mr Wright (537) suggested that the following information, for self-explanatory reasons, be made available by the MA to the members on a regular basis:
- 12.1.1 Names of the residents on the estate and
- 12.1.2 Price lists and marketing information of the developer units/stands on the estate.
- 12.2 The members agreed that they would find the information useful in getting to know their neighbours and the property trends on the estate.
- 12.3 Mr Pottas (501) highlighted the fact that the estate seems to be plagued with stray cats, his experience being that a cat regularly sleeps on his patio furniture.

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- 12.4 The EM advised that the RULES allow members to have ONE cat, but that such cats must have a collar, with a name tag and bell. Should members find a cat they must make contact with the relevant owner to address and remedy the inconvenience (EM intervention is recommended). In the event of a cat not having a collar, such cat can be deemed to be a stray and the member must contact the EM to arrange for its removal.

### **13. CLOSING AND ADJOURNMENT**

No further business requiring discussion, the Chair adjourned the meeting.





# Port Zimbali Estate Home Owners' Association (NPC)

Registration Number: 2006/008435/08

## FINANCIAL BUDGET

### 2013/2014 Financial year

Item	2012/2013 Financial Year					2013/2014 Financial Year			
	Budget	Projected Actual			Variance	Budget	Increase Budget vs Budget	Increase Budget vs Projected Actual	
		Actual 31 Dec 12	Forecast Jan & Feb 13	Projected for 2012/2013					
<b>Income</b>	R 1,638,166	R 1,380,384	R 293,360	R 1,673,744	R 35,578	R 1,817,628	R 179,463	R 143,885	
- Accreditation fees	R 9,000	R 9,900	R 1,800	R 11,700	R 2,700	R 12,000	R 3,000	R 300	
- Contractor contributions	R 89,513	R 77,625	R 15,666	R 93,291	R 3,778	R 97,955	R 8,442	R 4,665	5%
- Developer contributions (*)	R 42,617	R 28,815	R -	R 28,815	R -13,802	R 18,000	R -24,617	R -10,815	
- Interest received	R 12,000	R 15,918	R 3,500	R 19,418	R 7,418	R 22,000	R 10,000	R 2,582	
- Landscaping levies	R 226,800	R 188,260	R 41,410	R 229,670	R 2,870	R 265,265	R 38,465	R 35,595	
- Normal levies	R 791,010	R 622,408	R 148,606	R 771,014	R -19,997	R 864,000	R 72,990	R 92,987	
- Extra levies	R 239,172	R 252,898	R 43,350	R 296,248	R 57,075	R 288,000	R 48,828	R -8,248	
- Recoveries	R 4,749	R 284	R -	R 284	R -4,465	R 307	R -4,442	R 23	8%
- Water and Sewer charge	R 223,305	R 184,277	R 39,028	R 223,305	R -	R 250,101	R 26,797	R 26,797	
<b>Expenses</b>	R 1,639,641	R 1,334,490	R 363,924	R 1,698,414	R 58,774	R 1,842,156	R 202,515	R 143,741	
- Administration fee	R 1,500	R -	R 1,500	R 1,500	R -	R 1,500	R -	R -	
- Auditing	R 10,000	R 8,550	R -	R 8,550	R -1,450	R 10,000	R -	R 1,450	
- Bad debt	R -	R -51,989	R -	R -51,989	R -51,989	R 54,000	R 54,000	R 105,989	8%
- Bank Charges	R 3,280	R 3,471	R 1,100	R 4,571	R 1,291	R 4,936	R 1,657	R 366	
- Director's Expenses	R 1,500	R -	R 750	R 750	R -750	R 1,500	R -	R 750	
- Discs and Cards	R 3,349	R -	R -	R -	R -3,349	R 4,000	R 651	R 4,000	
- Electricity	R 34,880	R 22,964	R 6,000	R 28,964	R -5,916	R 36,205	R 1,325	R 7,241	25%
- Gifts	R 1,000	R 3,310	R -	R 3,310	R 2,310	R 1,000	R -	R -2,310	
- Insurance	R 37,180	R 29,870	R 7,000	R 36,870	R -311	R 39,819	R 2,639	R 2,950	8%
- Landscaping (Association)	R 162,000	R 137,898	R 28,000	R 165,898	R 3,898	R 182,488	R 20,488	R 16,590	10%
- Landscaping (Members)	R 226,800	R 188,260	R 41,410	R 229,670	R 2,870	R 265,265	R 38,465	R 35,595	
- Landscaping (Special projects)	R 32,000	R 87,563	R 12,000	R 99,563	R 67,563	R -	R -32,000	R -99,563	
- Legal	R 30,000	R 22,743	R 40,000	R 62,743	R 32,743	R 20,000	R -10,000	R -42,743	
- Maintenance	R 65,437	R 37,634	R 20,000	R 57,634	R -7,803	R 60,516	R -4,921	R 2,882	5%
- Maintenance (fence)	R 75,125	R 61,550	R 12,660	R 74,210	R -915	R 80,147	R 5,022	R 5,937	8%
- Management Fee	R 94,000	R 78,333	R 15,666	R 93,999	R -1	R 101,519	R 7,519	R 7,520	8%
- Municipal Services	R 1,488	R 1,120	R 260	R 1,380	R -108	R 1,490	R 2	R 110	8%
- Postage	R 1,500	R 866	R -	R 866	R -634	R 936	R -564	R 69	8%
- Printing and Stationary	R 12,000	R 10,528	R -	R 10,528	R -1,472	R 11,054	R -946	R 526	5%
- Rates	R 72	R 4	R -	R 4	R -68	R -	R -72	R -4	
- Salary - Estate Manager	R 95,697	R 79,748	R 15,950	R 95,698	R 1	R 101,439	R 5,742	R 5,742	6%
- Security	R 497,241	R 427,414	R 88,400	R 515,814	R 18,573	R 572,553	R 75,312	R 56,740	11%
- Taxation	R -	R -	R 5,000	R 5,000	R 5,000	R 5,750	R 5,750	R 750	15%
- Telephone	R 6,054	R 5,714	R 1,200	R 6,914	R 860	R 7,606	R 1,552	R 691	10%
- Water and sewer (Association)	R 24,234	R -5,336	R 28,000	R 22,664	R -1,570	R 28,330	R 4,096	R 5,666	25%
- Water and sewer (Members)	R 223,305	R 184,277	R 39,028	R 223,305	R -	R 250,101	R 26,797	R 26,797	12%
<b>Surplus/(Shortfall)</b>	R -1,475	R 45,893	R -70,564	R -24,671	R -23,195	R -24,527			

Number of units	47		48
Number of extra levies	20		16
Levy per unit	R 1,445	3.81%	R 1,500
Landscaping levy (house complete)	R 630	3.20%	R 650
Levy per unit - undeveloped stand	R 1,445		R 1,500
Levy per unit - developed stand (**)	R 2,075	3.62%	R 2,150

Landscaping levy packages	2011/12	% change	2012/13	% change	2013/14
- Bronze	R 585	7.69%	R 630	3.20%	R 650
- Silver	R 630	4.76%	R 660	3.10%	R 680
- Gold	R 690	5.07%	R 725	3.50%	R 750
- Platinum	R 735	4.76%	R 770	3.88%	R 800

\* Contribution is in the sole discretion of the developer.

\*\* A developed stand is defined as a stand on which a completed house is built.

