



**MINUTES OF THE ANNUAL GENERAL MEETING ("AGM")**  
**OF THE MEMBERS OF**  
**PORT ZIMBALI ESTATE HOME OWNERS' ASSOCIATION (NPC)**  
**("PZEHOA")**  
**HELD ON 13 JULY 2019 AT 14:00**  
**AT THE VIKING, PORT ZIMBALI ESTATE, BALLITO**

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

The meeting was opened and conducted by the Chairman, Mr Frans Fourie (hereinafter referred to as the "Chair"), on behalf of the Board of Directors of PZEHOA (hereinafter referred to as the "Board"). 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	Apology
Meyer and Meyer	473	Apology
Singh	474	Disqualified
Seaward Property Trust	475	Absent
Khumalo and Khumalo	476	Disqualified
Naidoo and Naidoo	477	Present
Munilal	478	Apology
Sherpa and Maistry	479	Present
Baloyi and Baloyi	480	Absent
Isbister	481	Present
Mkhize	482	Present
Halonamix Investments	483	Proxy (Present)
SA 236 Trust	484	Disqualified
Blue Family Trust	485	Proxy (Present)
Blue Family Trust	486	Proxy (Present)
Van der Velde Family Trust	487	Absent
Tantus Trading 156	488	Proxy (Present)
Govender	489	Disqualified
Omar	490	Absent
Dicks	492	Present
Blanché	493	Present
Erasmus	494	Present
Lawrenson and Lawrenson	495	Present
Marais	496	Present
Indecisive Trading	497	Proxy (Present)

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<b>Name</b>	<b>Property</b>	<b>Attendance</b>
Naidoo	498	Absent
Blue Family Trust	499	Proxy (Present)
Domiro	500	Absent
Wassenaar and Wassenaar	501	Present
Sammarchi	502	Proxy
Hood	503	Absent
Black Ginger 283	504	Proxy (Present)
Mathako Family Trust	505	Absent
Maharaj	506	Present
Pillay and Pillay	507	Present
Fourie	508	Present
Masekela	509	Apology
McKee	510	Present
Harrisunker and Rambully	511	Present
Zuma	512	Absent
Mtshali	513	Apology
Koen	514	Present
Oshry and Oshry	515	Absent
C and N Group	516	Apology
Padayachee	517	Present
Jevon O.V.	518	Present
Erf 521 Port Zimbali CC	521	Absent
Viking Pony Properties 37	522	Proxy
Viking Pony Properties 37	531	Proxy
Smit and Smit	534	Present
Shearer and Shearer	535	Absent
Potgieter and Potgieter	536	Present
Fulton and Fulton	537	Present
Balu Chaithram Family Trust	538	Proxy
Ramsoorooj	539	Absent
Purple Fountain Properties 115	540	Absent
Alex Red Property Holdings	541	Absent
Louis Family Trust	542	Absent
Jevon A.T.	546	Present
Mentz	548	Present

The Chair confirmed receipt of the proxies, declared them valid and made them available for inspection by the members.

The following attendance numbers were applicable to the meeting and were used for purposes of confirming the quorum(s) and for voting during the course of the meeting, namely:

- 60 member "votes" available;
- 4 "votes" disqualified as a result of arrear levy account;
- 56 members therefor eligible to vote;
- 22 "votes" not available as a result of absenteeism and/or apologies;
- 34 "votes" therefore available for quorum calculation purposes – this equates to 60,7% of the 56 members eligible to vote.

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.

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

The Chair requested that the minutes of the meeting held on 8 September 2018 be confirmed as correct. With everyone present finding the said minutes in order, Mr Hinrichsen proposed the minutes be accepted. Mr Fulton seconded the proposal – where after the Chair confirmed the previous minutes as being accepted by the members.

## **3. CHAIRMAN'S REPORT**

The Chair presented his report.

## **4. RATIFICATION AND ADOPTION of the RESOLUTIONS**

The members unanimously ratified and adopted Resolutions 1, 3, 4 and 5 as described and contained in the "LIST OF DIRECTOR'S RESOLUTIONS FOR RATIFICATION and/or ADOPTION BY THE MEMBERS" attached to these minutes. Resolution 2 was not accepted in its current format by the members, it being recorded that Mr Pillay (507) will construct and present an alternative resolution for consideration by the Board. Once satisfied, the board will follow due process for ratification and adoption by the members in the future.

## **5. FINANCE COMMITTEE REPORT**

- 5.1 Roger McKee, Director responsible for the Finance Portfolio of the Association, presented the finance figures for the previous financial year to 28 February 2019, the period ending 30 June 2019 and the expense budget and levy amounts for the current financial year to the members.
- 5.2 RATIFICATION – Audited Financial Statements for the period ending 28 February 2019. The members unanimously ratified the Audited Financial Statements.
- 5.3 RATIFICATION – Expenditure budget and associated levy and landscape maintenance charges for the period ending 28 February 2020. The members unanimously ratified the expenditure budget and levy and landscape maintenance charges for the 2019/2020 financial year of the Association. Levies are set at R2600 per month and landscape maintenance charges are set at R825 per month.

## **6. DEVELOPER AND RESIDENT STATUS REPORT**

- 6.1 As at 30 June 2019 the Home Owners' Association had 60 levy contributing members
- 6.2 New sales (since the previous AGM)
  - 6.2.1 516 – Mr and Mrs Naidoo
  - 6.2.2 542 – Mr and Mrs Pienaar (Louis Family Trust)

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6.3 Re-Sales (since the previous AGM)

- 6.3.1 480 – Mr and Mrs Baloyi
- 6.3.2 506 – Mr and Mrs Maharaj
- 6.3.3 494 – Mr Erasmus
- 6.3.4 481 – Mrs Isbister
- 6.3.5 482 – Mr Mkhize
- 6.3.6 517 – Dr Padayachee
- 6.3.7 531 – Viking Pony Properties 37 (Pty) Ltd

6.4 Anticipated re-sales

- 6.4.1 503 – Mr and Mrs Mutangwa (from Mr Hood)
- 6.4.2 505 – Krishna Family Trust (from Mathako Family Trust)

6.5 New houses by Developer (directly/indirectly) available for sale

- 6.5.1 546 – AT Jevon
- 6.5.2 519 – Viking Pony Properties 37 (Pty) Ltd

6.6 Current construction projects

- 6.6.1 494 – Erasmus (recently complete)
- 6.6.2 486 – The Blue Family Trust (nearing completion)

6.7 Anticipated construction projects

- 6.7.1 482 – Mkhize (to start)
- 6.7.2 548 – Mentz
- 6.7.3 543 – Viking Pony Properties

6.8 Undeveloped stands not owned by the Developer

- 6.8.1 521 – Erf 521 Port Zimbali Estate CC

6.9 Summary of houses built or being built since inception of the project

- 6.9.1 Houses built directly/indirectly by Developer shareholders – 14
- 6.9.2 Houses built or being built by Developer – SOLD – 15
- 6.9.3 Developer commitment – 29
- 6.9.4 Houses built or being built by outside parties – 27
- 6.9.5 Total number of stands - Houses built or being built – 56
- 6.9.6 Total number of vacant stands – 24

6.10 Current dwellings under lease agreement

- 6.10.1 475 – Mbulu
- 6.10.2 483 – Levine
- 6.10.3 487 – Edwards
- 6.10.4 488 – Reading
- 6.10.5 489 – Naude
- 6.10.6 500 – Manton
- 6.10.7 505 – Konchev
- 6.10.8 514 – Erasmus
- 6.10.9 535 – Dixon
- 6.10.10 541 – Smith

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## **7. COMMITTEE REPORTS**

### 7.1 Landscaping

7.1.1 The members thanked Roubie Wassenaar (Director responsible for the Landscaping Portfolio of the Association) for a job well done.

7.1.2 While they generally confirmed their satisfaction with the landscape of the communal areas of the Association on the one hand, the majority expressed their dissatisfaction with the quality of service provided to their personal gardens on the other.

7.1.3 The members requested that consideration be given to allow them to appoint their own gardeners and not to be held liable for the monthly landscape maintenance charge as the case might be.

7.1.4 Allan advised that the request would necessitate a RULE change, but only once the board has extensively investigated the possibilities and the alternatives available. Such investigation will firstly require a member's survey, and pending the results thereof, the design of a future landscape system that is not only a workable one, but also one that the Association can enforce.

7.1.5 The Chairman advised that this will be regarded as a primary project for the board in the coming months.

7.2 Maintenance - Peter Smit (Director responsible for the Maintenance Portfolio of the Association) presented his report to the members. The members thanked him for a job well done.

7.3 Security – Frans Fourie (Director responsible for the Security Portfolio of the Association) presented his report to the members. The members also thanked him for a job well done.

7.4 The Viking, Communications and Pet Administration – The Chairman read out the report received from the ladies, where after he advised as follows:

7.4.1 The Chairman thanked Judy, Eileen and Brenda for the work and effort put into the Viking.

7.4.2 Eileen will also be running the Communications portfolio, the results of which can already be seen since it has been taken over. The Chairman thanked Eileen.

7.4.3 Judy has agreed to run with the Pet Administration portfolio of the Association – members were requested to comply and provide their cooperation as when applicable. The Chairman also thanked Judy for her efforts.

## **8. REGISTERED OFFICE**

The members confirmed that the Registered Office of the Association is 217 Emerald Avenue; Lyttelton Manor X3; Centurion; 0157.

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## **9. CONFIRMATION OF SERVICE PROVIDERS**

- 9.1 The Chair explained to the members that both alternative service provider quotations and the assessment of the quality of the service delivery by current service providers were used by the Board to propose the continued appointment of the relevant service providers. The members confirmed the appointments.
- 9.2 Insurance – SANTAM
- 9.3 Auditors – Logista Inc
- 9.4 Managing Agent – FinServ
- 9.5 Security – Enforce
- 9.6 Landscaping – OuterWest. Given the decision taken during the discussion of the Landscape Committee Report, OuterWest will remain the service provider for the time being.

## **10. ELECTION OF THE BOARD OF DIRECTORS**

- 10.1 The notice of resignation and non-availability of two existing directors was accepted – Mrs Cloete (497) and Mr Welsh (504). The Chair again thanked these members for serving on the board for the past year.

- 10.2 The following existing board members made themselves available for another term in office:

- 10.2.1 Frans Fourie – 508
- 10.2.2 Roger McKee – 510
- 10.2.3 Peter Smit – 534
- 10.2.4 Roubie Wassenaar – 501
- 10.2.5 Owen Jevon – 518
- 10.2.6 Allan Jevon – 546
- 10.2.7 Andries Dicks – 492
- 10.2.8 Cornel Cloete – 497
- 10.2.9 Willie Mentz – 548
- 10.2.10 Louis Pienaar – 542

- 10.3 Nomination for two new directors was received. They were:

- 10.3.1 Callie Hinrichsen – 485
- 10.3.2 Dale Hinrichsen – 499

- 10.4 The Chairman advised that the composition of the board for the 2019/20 period, if so elected by the members, would therefore be as described below. The members unanimously supported said composition where after the Chairman declared the board as duly elected by the members for 2019/20.

- 10.4.1 Frans Fourie – 508
- 10.4.2 Roger McKee – 510
- 10.4.3 Peter Smit – 534
- 10.4.4 Roubie Wassenaar – 501
- 10.4.5 Owen Jevon – 518
- 10.4.6 Allan Jevon – 546

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- 10.4.7 Andries Dicks – 492
  - 10.4.8 Cornel Cloete – 497
  - 10.4.9 Willie Mentz – 548
  - 10.4.10 Louis Pienaar – 542
  - 10.4.11 Callie Hinrichsen – 485
  - 10.4.12 Dale Hinrichsen – 499

## **11. PRESENTATION BY THE DEVELOPER – CONSOLIDATION OF STANDS FOR FUTURE SECTIONAL TITLE DEVELOPMENT**

- 11.1 Allan did the presentation on behalf of the Developer. The presentation is included in these minutes for the benefit of all members.
- 11.2 The members were advised that the Developer may follow a consolidation process as provided for in the RULES of the Association, paragraph 2.2 of the Architectural Guidelines section.
- 11.3 Allan reiterated the fact that the purpose of the presentation is to inform the members that a preliminary investigation into the consolidation will be launched by the Developer so that the members are aware, first hand, as and when the investigation process starts to unfold. This preliminary investigation process aims to determine under what conditions the local and other relevant authorities would allow a consolidation and whether such conditions would be acceptable to the Developer enabling them to viably take the process further.
- 11.4 While certain members voiced their concerns, the Developer made it clear that before any consolidation was finally effected that members will be the first to view the greater development plan. The Developer also committed to obtaining input from interested members so as to ensure the future development, insofar it being possible, addresses member concerns.

## **12. GENERAL**

- 12.1 Mr Pillay (507) repeated his concerns insofar as the substandard member landscape maintenance was concerned, confirming his satisfaction that the process described earlier in these minutes were acceptable to him.
- 12.2 Mr Pillay (507) also initiated a discussion into the fact that PZE is not known as an estate with any particular theme.
  - 12.2.1 It isn't a golf estate and other than the clubhouse, it doesn't have any particular infrastructure (such as cycling or hiking routes) that can readily be used to attach a particular theme to the estate.
  - 12.2.2 He mentioned that PZE could become part of Zimbali, which will assist in defining a theme for the estate.
  - 12.2.3 Members were quick to advise that "teaming" up with Zimbali would not be cost effective (debenture and increased levies). In addition, that the increase in traffic and the loss of being able to keep pets would drastically change the nature of PZE.
- 12.3 Mr Blanché thanked the board members for the work they do for the members in effectively running the Association.

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

With no further business requiring discussion, the Chair adjourned the meeting and invited the members to enjoy a meal and refreshments provided by the Association.

No date was set for the next meeting.