MINUTES OF AN ANNUAL GENERAL MEETING OF THE NAUTILUS BAY HOME OWNERS ASSOCIATION, HELD ON MONDAY 22 DECEMBER 2014 AT 11H00 AT THE POINT HOTEL, MOSSEL BAY

1	***OPENING& WELCOME***		
	The Chairman opened the meeting and welcomed everyone present.		
2	***PRESENT***	Mr W Le Roux (Chairman)	
		Mr J van Deventer (Exco member)	
		Mr L Meeusen (Exco member)	
		Mrs C Van Rensburg (Exco member)	
		Mrs D Raubenheimer (Exco member)	
		Owners per attendance register	
		Mrs R Moore (Status Mark)	
		Mrs A Prinsloo (Status Mark)	
	APOLOGIES	None	
	PROXIES:		
	<u>Proxies to Chairman (erf 63):</u> NBAY36 – V DiSesa NBAY55 – C Van Heerden **<u>Proxies to N Albertyn (erf 64/65):</u>** NBAY7 – PJ Cornelius NBAY11 – J De Pinho NBAY14 – J Rossouw NBAY31 – D Van Der Beke NBAY34 – D Fourie NBAY39 – J Hanekom		

	NBAY42 – O Goettling NBAY58 – H Johnson NBAY66 – K Curtis NBAY71 – H Breytenbach NBAY73 – J Van der Merwe NBAY74 – M Minnaar NBAY82 – B Maritz **Proxies to B Impens (erf 17 & dev erven):** NBAY21 – D Impens NBAY49 – I Impens **Proxies to Mrs Spathelf (erf 41):** NBAY41 – P Spathelf **Proxies to F Holm (erf 70):** NBAY70 – S Eloff **Proxies to J Van Deventer (erf 8):** NBAY27 – R Shear NBAY78 – E Aucamp	
2.1	***CONFIRMATION OF QUORUM:***	
	Legal quorum – 20% of 78 erven = 15,6 Owners present – 29 Proxies received – 22 A legal quorum is present	
2.2	***CONFIRMATION OF AGENDA:***	
	No additional items	
3	***CHAIRMAN'S REPORT:***	
	The Chairman's report was circulated at the meeting. The Chairman's report will also be circulated to all owners together with the minutes of the AGM.	

4	***APPROVAL OF AND MATTERS ARISING FROM THE PREVIOUS MINUTES:***		
	4.1	***Approval of previous minutes (20 December 2013)***	
		Minutes were approved.	
	4.2	***Matters arising from previous minutes:***	
	4.2.1	**Removal of exotic plants:**	
		The Chairman reported that there is an estimated R800 000 left of the settlement money for the removal of exotic plants. Mrs Le Roux pointed out to the meeting that new legislation has been implemented in terms of which fines and penalties may be imposed on an owner if prohibited plants are found on its property.	
	4.2.2	**Security & access control:**	
		It was reported to the meeting that due to an electrical power surge, the security cameras were damaged and needed to be replaced at a cost of R91 000.00. Quotations for an internal telephone communication/system between owners and the security office, will be obtained. The objective of this is to improve security on the estate. It was also reported to the meeting that two incidents took place on the estate. On the eastern parking area side, a car was broken into. The second incident relates to an alleged attack of a guard at night but this report is somewhat suspect. The general view expressed at the meeting was that the security will not be upgraded and will be kept at D-Level guards with the Estate Manager to supervise the guards. The security equipment must be of a good standard and in working order at all times. It was requested by the meeting that any security incidents that take place on the estate, be informed to all the owners via email notification. Owners were also requested to make sure that their contact details with Status Mark are up to date.	Exco Exco Owners
	4.2.3	**Proposed importation of LNG by PetroSA:**	
		The Chairman reported that he and his wife, Mrs Le Roux; spent a lot of time and effort on this matter, free of charge, in the interest of Nautilus Bay HOA. This, together with action taken by REVAG, ultimately resulted in PetroSA withdrawing its application for environmental approval. Mrs Le Roux was congratulated by the meeting for being elected Chairlady of REVAG.	

	4.2.4	**Road:**	
		The road leading to the eastern parking area was repaired at a cost of approximately R273 813.00.	
	4.2.5	**Garage for vehicles:**	
		This matter may be considered by the new Exco.	Exco
	4.2.6	**Proposed toilet facility:**	
		This matter may be considered by the new Exco members	Exco
6	***FINANCES:***		
	6.1	**Financial Statements 2013/2014:**	
		The financial statements for the year ending 28 February 2014 as distributed to all owners were approved and accepted.	
	6.2	**Proposed budget 2015**	
		Since 2009 the levies have been kept at R1100 per month. For the 2015/2016 a small increase of R150.00 is proposed that will increase the levies to R1250.00 per month. Mr Impens enquired about the deregistration of VAT. It was reported that the auditors are still busy with the process and await confirmation from SARS once the deregistration has been done. It was also pointed out that it was requested by the owners at the previous AGM for Exco to look at cost savings. The managing agent did not increase their fee and the auditor's fee remained the same. Projects that were also completed during 2014 is the repair of the security office as damp problems occurred and the waste facility site was completed. During the previous financial year the Estate Manager did not receive an increase. Exco decided this year to grant a bonus to the Estate Manager and an increase of 6% on his salary was implemented to stay in line with inflation. Mr Meeusen expressed his concern regarding the security provision made in the proposed budget and feels that the guards can be lowered to 1 guard per shift and armed response be implemented for which owners can pay individually. The meeting generally did not support this proposal. **The proposed budget for 2015/2016 was accepted and approved effective from 1 March 2015**	
	6.3	**Levies:**	
		Levies will increase from R1100.00 to R1250.00 per month effective from 1 March 2015.	SM

7	***APPOINTMENT OF AUDITORS:***		
	Boshoff Visser Auditors was appointed		
8	***GENERAL:***		
	8.1	**Non-compliance with building requirements**	
		It was reported that the size and height of the houses is clearly specified in the Development Conditions laid down by the relevant authority. 2 letters of advice may be accessed on the Estate's website. Objection was filed against the height of the house on erf 70. The Chairman advised that it was essential that home owners and the HOA must comply with the development conditions applicable to the Estate. In an endeavour to ensure compliance the Chairman drafted an undertaking some years ago which must be signed by the owner, builder and architect to the effect that they will comply with the plan as approved by the Municipality and Exco, as well as the development conditions and the design guidelines. According to the Chairman this agreement was breached in respect of house 70. Exco appointed attorneys to object against the breach of the development conditions and the deviation from the approved plan by the owner, architect and builder of house 70. Mr Holm, the representative for Mrs Eloff, owner of erf 70, reported that the increased height allowance requested by Mrs Eloff was not approved by the municipality and Mrs Eloff decided not to pursue the matter further. **Decision:** In principle the HOA has no problem to support an application for the approval of a 250m² floor footprint for a residence provided that the sewerage and electrical infrastructure will not be over-burdened as a result of the potential larger number of inhabitants in the event of the accommodation capacity of residences being increased. The owners of house 70 will furnish engineer's reports in this regard to Exco whereafter Exco will decide whether or not to support this proposed application. Mr Holm, on behalf of the owners of house 70 advised that they undertook to pay all the expenses associated with such an application.	
	8.2	**Application by Vuru Vuru Estate East (Pty) Ltd for environmental approval to erect 1600 units on the development area east of Nautilus Bay and adjoining Nautilus Bay**	
		The Chairman reported that a formal notification from Vuru Vuru was received in terms of which 30 days were given for the HOA to submit their comment on the application for environmental authorisation to erect 1600 units on the adjoining property, whereupon Exco decided to participate in the process. A Cape Town firm of attorneys was appointed to handle this matter on behalf of the HOA. Mr Impens was requested to provide clarity on the exact nature of the development and to reconsider the density and	Exco

		location of the proposed development Mr Impens mentioned that the reason for the large number of units is due to the fact that it will be smaller low cost housing units. Further particulars are contained in the Chairman's report. The Chairman stated that a development by Vuru Vuru was not opposed in principle but that the high density and close proximity of the development are concerns.	Developer
	8.3	**Building deadline:**	
		The Developer advised that the building deadline will be extended for a further 4 years from the date of each following AGM, until such time that this relaxation is explicitly withdrawn.	
9	***ELECTION OF EXECUTIVE COMMITTEE:***		
	The following Exco members were elected: Mr Johan van Deventer Mr Rudi van Graan Mr Marius van Heerden Mrs René Shear Mrs Carin van Rensburg		
10	***DATE OF NEXT MEETING:***		
	Will be determined by Exco		
11	***CLOSURE:***		
	Meeting adjourned at 13h10 CHAIRMAN 12 Jan 2015 DATE Copies to: Minute book All Trustees All owners		

Date of notification: