

COMMUNICATION TO OWNERS AND RESIDENTS OF NAUTILUS BAY COASTAL RESERVE

On the morning of Sunday 11 December 2016, members of the Executive Committee were made aware of an incident that had occurred at approximately 8h00 on the beach west of Springer Bay on the way to Boggoms Bay, during which a woman, who was jogging at the time, was assaulted, raped and robbed by a single attacker. With all our residents, we are shocked and gravely concerned at this tragic incident that occurred in our community. We wish to express our sincerest condolences to the survivor of this appalling act and pledge our support in any way possible to the survivor and the law enforcement agencies in order to ensure a successful conviction of the perpetrator.

With the assistance of our estate manager, the police managed to identify and apprehend a suspect later that morning. He was identified as one of the employees of the contractor appointed by the Association to clear the nature reserve of invasive alien plant species and remove the wood from the reserve. This link with our estate is of particular concern to us and is naturally a source of alarm to all our owners and residents. Although we do not currently have all the facts surrounding this incident, we nevertheless deem it appropriate to convey to owners and residents the circumstances relating to the presence and activities of this contractor on our property. The contractor, Francois Mouton, was appointed after due consideration of all the following factors:

1. Statutory obligation: In terms of the National Environmental Management: Biodiversity Act (10/2004), the Association is obliged to eradicate all listed alien plant species from its property (particularly Rooikrans in our case), at its own cost, and to keep the property free thereof. As such, the Association has a statutory obligation to comply with this legislation. The Association's past actions in this regard are documented in the minutes of previous annual general meetings and were extensively discussed at these meetings. Large parts of the eastern residential portion of the reserve had already been successfully cleared and the focus this year was on the clearing of the nature reserve to the west.
2. Financial consideration: Although the Association has a dedicated fund for the purpose of these clearing activities, the high cost historically associated therewith indicated that this funding model is not sustainable in the long term without additional funding from the Association's members. This necessitated the consideration of alternative, sustainable, cost effective ways of compliance with our legal obligations. An agreement was reached with the contractor, Mr Mouton, in terms whereof they would conduct the clearing activities on the reserve, at their cost, which costs are in turn recovered through the removal and sale of the wood.
3. Environmental consideration: Due to its potential environmental impact, these clearing activities are highly regulated. As the areas to be cleared are to a large extent difficult to access, the environmental impact of the activities are considerably increased. In this regard, the Association had to obtain a permit for vehicular access to the beach, existing trails and fire breaks had to be cleared and in certain areas new trails had to be made in order to access the affected areas and to remove the eradicated plants therefrom. During the course of the year, the Association was subjected to

inspections from the South African Police Service, the Local Authority and the Department of Environmental Affairs. During August 2016, the Department informed the Association that the activities being conducted on the property should be monitored and regularly inspected by an environmental specialist. As a result, we had to appoint an environmental consultant, Mr Andrew West, in order to amend our Environmental Management Plan with reference to the specific regulation of the clearing activities on our property and in particular the rehabilitation of the affected areas, the access trails and fire breaks. With this in mind, we had to limit the use of these areas and access trails to a minimum in order to comply with the regulatory demands.

It was consequently agreed with Mr Mouton that he, and his employees under his continuous supervision, would be allowed to camp on the property during the week. During most of the weekends he and his team vacated the site.

4. Security consideration: The presence of the contractor and his employees on our property was subject to all our existing security protocols. The assurance of the contractor's personal supervision of his employees at all times was a very important consideration to allow them onto the property. Due to the regulatory requirements referred to above, our estate manager, Mr Anton van der Westhuizen, had to monitor the progress constantly and was as such able to regularly monitor the contractor's conduct on the property, with no obvious cause for concern.

It was agreed with the contractor that they would vacate the site by no later than the 15th December for the holiday period. For this reason, they were on the property during the weekend of 10-11 December in order to clear the site and the working areas. It is our information that the contractor was personally on the site at the time that the incident occurred. Following the incident, the contractor and his employees were ordered to vacate the property with immediate effect.

Due to the fact that we had all the personal information of the contractor's employees, the police were able to identify and arrest the suspect very quickly.

The severity of this tragedy necessitates careful evaluation of the existing security protocols and systems relating to our development, specifically relating to building contractors, maintenance contractors, cleaning services, gardening services and visitors to the reserve. This aspect will be the highest priority at the last meeting of the Executive Committee this year before the annual general meeting on 23 December 2016. Owners and residents are kindly invited to submit any constructive proposals in this regard to the Committee.

In conclusion, we wish to remind owners and residents that, although we have access control at the main gate into the reserve and although our two beach access roads are monitored by security cameras, the beach area remains a public area with unlimited public access from both the Danabay and Vleesbay sides. In this regard, owners and residents are reminded to remain vigilant and careful at all times when using the beach area.

Kind regards,

THE EXECUTIVE COMMITTEE

NAUTILUS BAY COASTAL RESERVE