



MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

Association incorporated under section 21 of the Companies Act 1973 (as amended)

P.O. Box 567 • MOSSEL BAY 6500 • Western Cape • South Africa • Tel: 044 691 3054 • Fax: 044 691 1520
E-Mail: status2@status-mark.co.za • Website: www.mosselbaygolfestate.co.za

15 OCTOBER 2024

You are invited to attend the 27TH Annual General Meeting of the Home Owners Association

***Thursday 7 November 2024 at 18:00
At Doxa Deo, Da Nova, Mossel Bay***

If you are unable to attend the meeting please complete the voting proxy and hand deliver it, or a power of attorney (authorisation to speak on your behalf) to the offices of Status Mark, 11 Meyer Street, Mossel Bay, or send it by email to: status2@status-mark.co.za.

For administrative purposes it is requested that proxies be handed in at the latest, 24hrs before commencement of the Annual General Meeting.

You are kindly requested to submit all points of discussion or enquiries with regard to the Financial Statements and Budget via e-mail before **31 October 2024**, in order to properly prepare for answers and discussions.

AGENDA ATTACHED.

15 OKTOBER 2024

U word uitgenooi na die 27ste Algemene Jaarvergadering van die Huiseienaarsvereniging

***Donderdag 7 November 2024 om 18:00
By Doxa Deo, Da Nova, Mosselbaai***

Indien dit nie vir u moontlik is om die vergadering by te woon nie, voltooi asseblief die stemvolmag en handig dit, of u prokurasie (magtiging om te praat namens u) in by Status Mark, 11 Meyerstraat, Mosselbaai of stuur dit per epos na: status2@statusmark.co.za.

Vir administratiewe doeleindes word versoek dat volmagte 24hr voor die aanvang van die vergadering ingehandig word.

U word ook vriendelik versoek om alle besprekingspunte of navrae met betrekking tot die Finansiële State en Begroting voor **31 Oktober 2024** per e-pos in te dien, ten einde behoorlik voor te berei vir antwoorde en besprekings.

AGENDA AANGEHEG.



MOSSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION

Association incorporated under section 21 of the Companies Act 1973 (as amended)
P.O. Box 567 • MOSSSEL BAY 6500 • Western Cape • South Africa • Tel: 044 691 3054 • Fax: 044 691 1520
E-Mail: status2@status-mark.co.za • Website: www.mosselbaygolfestate.co.za

AGENDA/NOTICE

MOSSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION (NPC)
MOSSSELBAAI GHOLFLANDGOED HUISEIENAARSVERENIGING (NWO)
REGISTRATION NUMBER/REGISTRASIE NOMMER: 1999/001249/0

Notice is hereby given of the 27th Annual General Meeting of Mossel Bay Golf Estate Home Owners Association to be held at 18h00 on **THURSDAY 7 November 2024** at Doxa Deo, Da Nova, Mossel Bay

Only members or their legal proxies are permitted to attend and vote at the meeting.

Hiermee gee ons kennis van die 27^{ste} Algemene Jaarvergadering van die Mosselbaai Gholflandgoed Huiseienaarsvereniging wat gehou sal word om 18h00 op **DONDERDAG 7 November 2024** by Doxa Deo, Da Nova, Mosselbaai

Slegs lede of hulle volmagte mag die vergadering bywoon en stem by die vergadering.

1	Opening en Verwelkoming	Opening and Welcome	Page
2	Teenwoordig, verskonings en volmagte	Attendance, apologies and proxies	6-10
3	Mosie van Vertroue	Motion of Support	11
4	Verkieping van Direkteure Die vakatures van vier (4) Direkteure moet gevul word gebaseer op die huidige portefeulje van ses (6) direkteure. Gebruik asseblief die aangehegte nominasievorm om kandidate voor te stel en stuur die vorm na die kantore van Status Mark voor 18h00 op 31 October 2024 (11 Meyerstraat, Mosselbaai, 6500 of Posbus 567, Mosselbaai, 6500 of faks: 044 691 1520 of epos: status2@status-mark.co.za)	Election of Directors The vacancies of four (4) Directors to be filled based on the current portfolio of six (6) directors. Please nominate candidates on the attached nomination form – this must be received at the offices of Status Mark (11 Meyer Street, Mossel Bay, 6500 or P O Box 567, Mossel Bay, 6500 or fax: 044 691 1520 or email: status2@status-mark.co.za) by not later than 18h00 on 31 October 2024.	5
5	Goedkeuring van vorige notules <ul style="list-style-type: none">Notule van die Algemene Jaarvergadering van 9 November 2023	Approval of the previous minutes - <ul style="list-style-type: none">Minutes of the Annual General Meeting of 9 November 2023	12.21

Datum van kennisgewing / Date of Notice: 15 October 2024

6	Voorsitter se verslag	Chairman's Report	
			22-25
7	Gewone Resolusies	Ordinary Resolutions	
	<ul style="list-style-type: none"> Resolusie 1: Oorweging en goedkeuring van die aangehegte finansiële dokumente (insluitend die direksie goedkeuring, ouditeursverslag, balansstaat, inkomstestaat) 	<ul style="list-style-type: none"> Resolution 1: Consideration and approval of the financial documents attached (including the director's approval, auditors' report, balance sheet, income statement) 	26-47
	<ul style="list-style-type: none"> Resolusie 2: Goedkeuring van die aanstelling en vergoeding van die ouditeure (2025/26) 	<ul style="list-style-type: none"> Resolution 2: Approval of auditor's appointment and remuneration (2025/26) 	48-49
	<ul style="list-style-type: none"> Resolusie 3: Goedkeuring van die begroting 2025/26, soos aangeheg 	<ul style="list-style-type: none"> Resolution 3: Approval of the budget for 2025/26, as attached 	50-53
	<ul style="list-style-type: none"> Resolusie 4: Opgradering van bestaande bestuurs- en operasionele fasiliteit. 	<ul style="list-style-type: none"> Resolution 4: Upgrading existing management and operational facility. 	54-56
	<ul style="list-style-type: none"> Resolusie 5: Sorg Eenheid vir MBGE 	<ul style="list-style-type: none"> Resolution 5: Care Unit for MBGE 	57
	<ul style="list-style-type: none"> Resolusie 6: Tuine en ontwikkeling in die Natuurreservaat gebied. 	<ul style="list-style-type: none"> Resolution 6: Gardens and development in the Nature Reserve 	58
	<ul style="list-style-type: none"> Resolusie 7: Persentasie platdakke toegelaat vir bestaande geboue 	<ul style="list-style-type: none"> Resolution 7: Percentage of flat roofs allowed for existing buildings 	59
	<ul style="list-style-type: none"> Resolusie 8: Kort Termyn Verhuring 	<ul style="list-style-type: none"> Resolution 8: Short Term Letting 	60
	<ul style="list-style-type: none"> Resolusie 9: Verandering Sekuriteitsreëls 	<ul style="list-style-type: none"> Resolution 9: Amendment Security Rules 	61
	<ul style="list-style-type: none"> Resolusie 10: Verandering Gedragsreëls 	<ul style="list-style-type: none"> Resolution 10: Amendment Conduct Rules 	62.64
8	Spesiale Resolusies	Special Resolutions	
	<ul style="list-style-type: none"> Spesiale Resolusie 1: Wysiging van definisie van kontrakteur in die AVI (Akte van Inlywing) 	<ul style="list-style-type: none"> Special Resolution 1: Amendment of definition of contractor in the MOI (Memorandum of Incorporation) 	65
8	Algemeen	General	
	Enige punte vir oorweging onder Algemeen moet voor 31 Oktober 2024 ingehandig word by Status Mark	Please note that any items to be considered under General must be handed in before 31 October 2024 at the office of Status Mark	
	Soos voorgeskryf deur Raad	By order of the Board	

Datum van kennisgewing / Date of Notice: 15 October 2024

	<p><u>Nota :</u></p> <p>Elke gemagtigde lid sal geregtig wees om persoonlik te stem of deur 'n volmag en sal slegs 1 (een) stem hê per wooneenheid of erf geregistreer in hul naam, soos omskryf in die Akte van Inlywing.</p> <p>Indien die eenheid of die erf in meer as 1(een) persoon se naam geregistreer is sal al die mede-eienaars gesamentlik slegs 1(een) stem hê.</p> <p><u>Vir administratiewe doeleindes word versoek dat stemvolmagte 24hr voor die aanvang van die vergadering ingehandig word by Status Mark se kantore te 11 Meyerstraat, Mosselbaai of per epos:</u></p> <p>status2@status-mark.co.za</p>	<p><u>Note :</u></p> <p>Every authorised member shall be entitled to vote in person or by proxy and shall have 1 (one) vote for each unit or erf registered in his name, subject to the provisions of the MOI.</p> <p>If the unit or erf is registered in the name of more than 1 (one) person, then all such co- owners shall jointly have one vote.</p> <p><u>For administrative purposes it is requested that voting proxies be handed in at the latest, 24hrs before commencement of the Annual General Meeting. Proxies can be handed in at the offices of Status Mark at 11 Meyer Street, Mossel Bay or via mail:</u></p> <p>status2@status-mark.co.za</p>	
	<p><u>Alle lede wie die vergadering gaan bywoon word aangemoedig om van 17:00 in te teken.**</u></p>	<p><u>All members who will be attending the meeting are encouraged to start signing in from 17:00.**</u></p>	
	<p><u>** Enige punte vir bespreking onder Algemeen moet voor 31 Oktober 2024 ingehandig word by Status Mark</u></p>		
	<p><u>Please note that any items to be discussed under General must be handed in before 31 October 2024 at the office of Status Mark</u></p>		

Datum van kennisgewing / Date of Notice: 15 October 2024

NOMINATION OF DIRECTORS

**MOSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION (NPC)
(Association incorporated under Section 21)
Registration number 1999/001249/08**

I _____ of erf _____, being a member of the Mossel Bay Golf Estate Home Owners Association hereby nominate the following person/s as director for election at the Annual General Meeting of the Company to be held on 7 November 2024 at 18H00 :

Name (in block letters)	Address/Erf no in Mossel Bay Golf Estate	Acceptance of nomination (signature)
1.		
2.		
3.		
4.		
5.		
6.		

Signed this _____ day of _____ 2024.

Signature

(Name of signatory in block letters)

NOTE: ARTICLES 15.2, 15.3 AND 15.4 OF THE MEMORANDUM OF INCORPORATION

15.2 : Every Director shall be an owner or the duly authorised representative of an owner which is a company, close corporation, trust, consortium or other suchlike entity. Every Director shall reside in the Development as his permanent residence or within the municipal district of Mossel Bay.

15.3 : Not later than seven (7) days before the date on which the annual general meeting is to take place, members must in writing nominate their proposed Directors for election at that annual general meeting.

15.4 : No person may be appointed as a Director if he or the principal referred to in Articles 15.2 is in arrear with his levy payments."

NB : Please take note that the members in general meeting may refuse to accept for election a nomination not accepted by the person so nominated.

THIS NOMINATION FORM MUST BE RECEIVED BY STATUS MARK BY NOT LATER THAN 18h00 ON 31 OCTOBER 2024 AT THE OFFICES OF STATUS MARK AT 11 MEYER STREET, MOSSEL BAY OR AT P O BOX 567, MOSSEL BAY, 6500, email: status2@status-mark.co.za; fax: 044 691 1520

RESOLUTION OF A TRUST, COMPANY OR CC

This form is required when the owner of a section is a Company, CC or Trust

In our capacity as Trustee / Director / Member of _____ trust/ Company/ CC duly authorized by a resolution at a meeting held on ____/____/____ which Trust/Company /CC is the registered owner of Erf (s) _____ at **Mossel Bay Golf Estate** (scheme), do hereby nominate _____ (name of person) , ID number _____ to represent the abovementioned Trust/Company /CC and to vote at **Mossel Bay Golf Estate** Annual General Meeting to be held on **7 November 2024** or any adjournment thereof.

Signatures of the Trustees / Directors /Members

1. Name : _____ ID: _____

Signature: _____ Date: _____

2. Name : _____ ID: _____

Signature: _____ Date: _____

3. Name : _____ ID: _____

Signature: _____ Date: _____

4. Name : _____ ID: _____

Signature: _____ Date: _____

VOLMAG/ STEM BRIEF
MOSELBAAI GHOLF LANDGOED HUISEIENAARSVERENIGING (NWO)
Registrasie nommer 1999/001249/08

Ek _____ van erf _____, 'n lid van die Mosselbaai Gholf Landgoed Huiseienaarsvereniging stel hiermee vir

_____ van _____, of alternatiewelik hy/ sy

_____ van _____, of alternatiewelik hy/ sy,

die voorsitter van die vergadering as my volmag

om namens my by te woon en te stem by die Algemene Jaarvergadering wat gehou sal word om 18H00 op die **7de dag van November 2024** by **Doxa Deo, Da Nova, Mosselbaai** en enige verdaging daarvan:

Gewone Resolusie Nr 1 (Finansiële State)

Ten gunste : **Teen :** **Buite Stemming:**

Gewone Resolusie Nr 2 (Ouditeurs aanstelling en vergoeding 2025)

Ten gunste : **Teen :** **Buite Stemming:**

Gewone Resolusie Nr 3 (Begroting 2025/26)

Ten gunste : **Teen :** **Buite Stemming:**

Gewone Resolusie Nr 4 (Opgradering van bestaande Bestuurs- en Operasionele Fasiliteit)

Ten gunste : **Teen :** **Buite Stemming:**

Gewone Resolusie Nr 5 (Sorg Eenheid vir MBGE)

Ten gunste : **Teen :** **Buite Stemming:**

Gewone Resolusie Nr 6 (Tuine en ontwikkeling in Natuureservaat gebied)

Ten gunste : **Teen :** **Buite Stemming:**

Gewone Resolusie Nr 7 (Persentasie platdakke toegelaat)

Ten gunste : **Teen :** **Buite Stemming:**

Gewone Resolusie Nr 8 (Kort Termyn Verhuring)

Ten gunste : *Teen* : *Buite Stemming*:

Gewone Resolusie Nr 9 (Verandering Sekuriteitsreëls)

Ten gunste : *Teen* : *Buite Stemming*:

Gewone Resolusie Nr 10 (Verandering Gedragsreëls)

Ten gunste : *Teen* : *Buite Stemming*:

Spesiale Resolusie Nr 1 (Wysiging van definisie van kontrakteur in die AVI (Akte van Inlywing))

Ten gunste : *Teen* : *Buite Stemming*:

(dui u versoek aan die volmag by wyse van 'n X in die spasie voorsien)

Tensy anders versoek mag my volmag stem soos hy/ sy goed dink.

Geteken op die _____ dag van _____ 2024.

Handtekening

(Naam in drukskrif)

[NOTE : ARTICLE 27.1 OF THE MEMORANDUM OF INCORPORATION.

27.1 : "A member may be represented at a general meeting by a proxy, who need not be a member of the Association. The instrument appointing a proxy, whether for a specified meeting or otherwise, shall be in writing signed by the member concerned or his agent, duly authorised thereto in writing, and shall be in the form below or to the effect of the form below, or in such other form as the directors may approve, in either case under the heading of or referring to the Association's name."

HIERDIE VOLMAG MOET INGEHANDIG WORD VOOR DIE AANVANG VAN DIE VERGADERING EN KAN INGEHANDIG WORD BY STATUS MARK, 11 MEYER STRAAT, MOSSELBAAI OF POSBUS 567, MOSSELAAI, 6500; EPOS: status2@status-mark.co.za

WEENS ADMINISTRATIEWE DOELEINDES WORD VERSOEK DAT VOLMAGTE 24 UUR VOOR VERGADERING INGEHANDIG WORD

PROXY/VOTING PAPER
MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION (NPC)
(Association incorporated under Section 21)
Registration number 1999/001249/08

I _____ of erf _____ being a member of the Mossel Bay Golf Estate Home Owners Association

hereby appoint -

_____ of _____, or failing him/her

_____ of _____, or failing him/her,

the chairman of the meeting as my proxy to

attend and vote for me and on my behalf, at the Annual General Meeting of the Association to be held at **18h00 on the 7TH day of November 2024** at, **Doxa Deo, Da Nova, Mossel Bay** and any adjournment thereof as follows :

Ordinary Resolution No 1 (Financial Statements)

In favour :

Against :

Abstain :

Ordinary Resolution No 2 (Approval of, appointment and remuneration of the Auditors for the year ending June 2025)

In favour :

Against :

Abstain :

Ordinary Resolution No 3 (Operating budget for 2025/2026)

In favour :

Against :

Abstain :

Ordinary Resolution No 4 (Upgrading existing managing and operational facility)

In favour :

Against :

Abstain :

Ordinary Resolution No 5 (Care Unit for MBGE)

In favour :

Against :

Abstain :

Ordinary Resolution No 6 (Gardens and development in Nature Reserve)

In favour :

Against :

Abstain :

Ordinary Resolution No 7 (Percentage of flat roofs allowed)

In favour :

Against :

Abstain :

Ordinary Resolution No 8 (Short Term Letting)

In favour :

Against :

Abstain :

Ordinary Resolution No 9 (Amendment Security Rules)

In favour :

Against :

Abstain :

Ordinary Resolution No 10 (Amendment Home Owners Code of Conduct)

In favour :

Against :

Abstain :

Special Resolution No 1 (Amendment of definition of contractor in the MOI (Memorandum of Incorporation))

In favour :

Against :

Abstain :

(indicate instruction to proxy by way of a X in the space provided above)

Unless otherwise instructed my proxy may vote as he thinks fit.

Signed this _____ day of _____ 2024.

Signature

(Name of signatory in block letters)

[NOTE: ARTICLE 27.1 OF THE MEMORANDUM OF INCORPORATION

27.1 : A member may be represented at a general meeting by a proxy, who need not be a member of the Association. The instrument appointing a proxy, whether for a specified meeting or otherwise, shall be in writing signed by the member concerned or his agent, duly authorised thereto in writing, and shall be in the form below or to the effect of the form below, or in such other form as the directors may approve, in either case under the heading of or referring to the Association's name.

FOR ADMIN PURPOSES, WE REQUEST THAT PROXIES ARE HANDED IN 24 HOURS BEFORE THE MEETING.

MOTION

Mossel Bay Golf Estate Home Owners Association NPC : Annual General Meeting:

7 November 2024

Motion of confidence in Board: (50%+1 votes of approval)

BACKGROUND

Over the past 12 months in particular, various harsh, aggressive and unfounded attacks have been made on the Board of the HOA. Most of these attacks are without context, due to a lack of understanding of how proper governance works, and without the full perspective of how all the individual parts of our estate fits into the bigger picture of managing such an elite estate. These attacks have been launched especially on WhatsApp groups, but also in meetings with the Board or Board members. The way in which the issues have been raised, is not befitting to the status and reputation of our estate.

MOTIVATION

No Board of any organization can fulfil its duties properly and efficiently without the full support, mandate and respect of the majority of the homeowners. It has become evident that our Board at this stage is uncertain and do not always know where they stand in terms of the work they do, and to what extent the homeowners are behind them.

Although this conduct of attacking the Board is hopefully isolated to a small minority, it remains an unhealthy situation and its time that the homeowners take stock of the situation, evaluate the overall management of our estate, the efforts of the Board, our structures of governance, the vehicles we have to participate and make input, and make a decision.

It is therefore time in my view that we do this at the AGM on 7 November 2024.

RECOMMENDATION

I will elaborate further at the AGM. But we are at cross roads and need to decide which way we go. If we are unhappy overall with the Board, let us vote against this motion of confidence and ask the Board to resign, taking into account the consequences such action might have as result.

My recommendation is that we vote in favour of this motion after I have tabled the motion with further motivation at the meeting. Should this motion be accepted, the conduct of those in the minority should also change so that we can support the Board, be inclusive, hold them accountable in an acceptable and decent manner, and find the peace and harmony which all of us want and deserve on this beautiful estate.

PROPOSED BY: Francois van der Merwe



DATE: 2024-09-24

SECONDED BY: H J Bloemhoff



DATE: 2024-09-24



MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

Association incorporated under section 21 of the Companies Act 1973 (as amended)

P.O. Box 567 • MOSSEL BAY 6500 • Western Cape • South Africa • Tel: 044 691 3054 • Fax: 044 691 1520
E-Mail: status2@status-mark.co.za • Website: www.mossebbygolfestate.co.za

MINUTES OF THE 26th ANNUAL GENERAL MEETING OF THE MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION THAT WAS HELD ON THURSDAY, 9 NOVEMBER 2023 AT 18H00 IN THE MOSSEL BAY GOLF CLUB, 17th AVENUE, MOSSEL BAY

1	<u>OPENING & WELCOME:</u>	
	The chairperson, Dr. Nick Van Noordwyk, opened the meeting and welcomed everyone present. A special welcome was extended to the HOA's auditor, Lizaan Van Der Bank. The meeting was presented in English and Afrikaans. If any owners required a translation, Lize Uys & Jaco Stander were available to translate.	
2.	<u>ATTENDANCE PROXIES AND APOLOGIES:</u>	
	Members as per the attendance register: 101 Member Vote Proxies received: 116	
	A legal Quorum was obtained. Status Mark: Messrs J Stander & S Koen & Miss L Uys	
	Apologies received: Dr Stephan Olivier Herman Wolff Paolo Mastrogiuseppe Rensche Potgieter John Collins DR Lorraine Blaauw De Wet Coetsee Ferdie Kirsten Etienne Van Zyl Llewellyn Brooks Steve en Erna Olivier Francois en Hannelie Borchardt Jean Borchardt Claudia Buntschu Noel en Alida Hudson Peter Askew	
3	<u>APPROVAL OF THE PREVIOUS MINUTES & MATTERS ARISING:</u>	
	The minutes of the AGM held on 21 December 2022 were tabled and the members were asked to approve with or without amendments: Minutes were so approved: Proposer: Mr. W Roux Seconded: Ms. A Wessels	
	The minutes of the Adjourned SGM held on 16 March 2023 were tabled and the members were asked to approve with or without amendments: Minutes were so approved: Proposer: Mr. A Jonker Seconded: Mrs. M Fryer	
4	<u>ELECTION OF DIRECTORS:</u>	
	The current composition of the HOA Board is 6 directors, Mr A Jonker and Mr W Nel resigned and in terms of article 16.1, Mr Henry Böning and Mr Peet Beetman rotate. Status Mark	

	<p>received 3 (three) nominations for these vacant portfolio's.</p> <p>Nominations received; and elected: P Bierman H Böning P Mastrogiuseppe</p> <p>The Board therefore consists of the following members: P Mastrogiuseppe N Van Noordwyk P Ackerman P Bierman P Venter S Roth H Böning</p>	
5	CHAIRMAN'S REPORT	
	<p>The Chairperson's annual report was circulated prior to the meeting. The following significant matters covered in the report were emphasized at the meeting by the chairman:</p> <p>Finance: The Chairperson stated that the finances of the HOA are in an extremely healthy state with appropriate levels of reserve funds. He thanked Mr P Bierman for taking good care and control over the HOA finances. The chairman mentioned that a CSOS case was registered by Mr Jacobs against the HOA Board and also a defamation case against the Chairman and HOA. The court case could end up in High Court and thereby result in legal fees which is not budgeted for. The HOA Board will then have to call a special levy to cover the legal fees expenses.</p> <p>Security: The security cameras was installed on the seaward side of the estate and works very well. Various persons were identified by the cameras timeously and prevented from entering the estate since installation. The cameras is programmed to white-out immediately upon turning towards properties on the estate and do not influence the privacy of residents. The contract with the previous security company on the estate was terminated due to multitude of issues experienced. A tender was lodge to appoint a new security company where after Suiderkruis was appointed. Suiderkruis will be responsible for the security on the estate in overall. The chairman remind the owners of the cost for monitoring of the alarms which is included in their monthly levies. Owners is advised to consider the implementation of an alarm system at their houses. The only cost is for payment of the installation of the alarm system by Suiderkruis Security. The chairman thanked Mr Venter for the huge improvement in security since his appointment as Security Portfolio Director.</p> <p>Maintenance: The chairman thanked Mr S Roth for doing a sterling job as Maintenance Portfolio Director. The gardens is in a very good shape. The contract with Bow Tie includes that they solely work on the estate and includes the estate gardens.</p> <p>ARC: The chairman stated that the ARC is a very difficult portfolio and one that under the leadership of Henry Böning has been very well managed. A resolution was added to the AGM Agenda to amend the ARC Guidelines to make provision for modern tendencies. The estate is almost fully developed with only 10 open erven left.</p> <p>Rules: The chairman stated that Mr P Ackerman did an incredible job with the portfolio which can be measured in the fact that the sub-committee started with 24 conduct rules violations and ended with 2 conduct rules violation at the last meeting. Mr Ackerman and the Letting sub-committee was responsible for the compiling of the draft letting document. The chairman urged members to make themselves available for the portfolio. It was noted that Mrs Grobler handed out legal letters to members at the entrance of the hall. Point 10.1 and 10.2 of the letter demanded that the HOA Board withdrawn ordinary resolutions 9 and 10 be removed from the Agenda. The HOA Board has no authority to remove the resolutions submitted by members and</p>	

	<p>it will be against the Companies Act to remove the resolutions.</p> <p>Managing Agent: The chairman thanked Status Mark and especially Mr J Stander for their support and worked through the year. The chairman explained that the reason to move the AGM to November is because most owners is staying on the estate and occupying properties permanently which is confirmed by the 99 owners attending this AGM. This is the largest attendance ever.</p> <p>The Chairman thanked all Directors for all their efforts and emphasize that it's not an easy task being a Director.</p> <p>Following the presentation of the report members were given the opportunity to raise questions and/or comment on the contents of the report.</p> <p>Legal fees: (Chaired by Dr N Van Noordwyk)</p> <ul style="list-style-type: none"> ➤ Mr Van Der Merwe stated that he concurred and echo with the last part of the Chairman's report where the chairman thanked the Directors for the job they do, it's not a paid and thankful job and also thanked the Directors families. A massive amount of good work has been done by the HOA Board and is noted. He is however deeply perturbed about the possible litigation mentioned in the Chairman's report and the possibility of a special levy raised upon owners to fund the legal fees. It is the wrong route to go, owners will not pay for legal fees for any matter that can be resolve amicably between parties. Why fight against each other in a small community and litigating. Litigating is not the right way to go and he cannot approve the Chairman's written report if the reference to possible legal fees for litigation is still included, because later the Board can come back to owners and stated that they was informed of the special levy. The members won't stand for additional levies to fund litigation. Resolutions 9 and 10 has the potential of further litigation, and his guidance to the Chairman and "whatsapp groups" is to take anything controversial or polarizing from the Agenda. There is no urgency in taking decisions and dividing a small community in opposing camps. His plea to the Chairman on his written report, to withdraw resolutions 9 and 10 and take more time and get groups together to find a amicable way forward. ➤ The Chairman stated that he appreciate the comments of Mr Van Der Merwe. ➤ Mr N Van Heerden asked if the matters regarding the financial statements and auditors report that was voted against by members at the previous AGM will be dealt with under the financial resolutions. He stated that he agrees partially with the comments of Mr Van Der Merwe. The HOA Board has no authority to withdraw resolutions submitted by members, let's vote on the resolutions and get it done. ➤ The Chairman stated that the matters will be dealt with by Mr Bierman under the financial resolutions. ➤ The Chairman stated that Mr Wannenburg can't speak on behalf of a member, he is a proxy holder and the proxy only entitle him to vote on behalf of the member. 	
6	Ordinary Resolution No 1 (Financial Statements)	
6.1	<p>Consideration and Approval of Financial Statements as presented: The financial statements were audited by independent auditors.</p> <ul style="list-style-type: none"> ➤ Mr P Bierman stated that the financial statements was circulated with the Agenda. The financial statements has been prepared by the auditors and gone through their quality control department in Johannesburg. The HOA auditors is independent and they were themselves also audited the end of last year by SAICA and received a clean report. Therefore there should be no question regarding the auditors. ➤ Mr G Van Rensburg stated that he noted on the financial statements that there is insurance. See property valued in the statements for R48 etc. He wants to know what the policy was of the fixed property on the estate. 	

	<ul style="list-style-type: none"> ➤ Mr P Bierman replied that fixed properties is valued on market value. When the developer started the development of the estate, it was the price he paid for the property. The HOA can do two things, one is the reevaluate the property of estate and institute a valuations reserve and get sworn valutors which will cost a lot of money or leave the value of the property at cost like the developer has done. The property is insured at market value and that is the insurance premium paid towards. The other insurance is for Directors Liability. All assets are insured. ➤ Mr G Van Rensburg asked whether the insurance policy shouldn't be part of the Agenda, because at other HOA's which he is Chairman of the insurance form part of the Agenda. ➤ Mr P Bierman replied that the MOI doesn't prescribed that insurance must form part of the AGM Agenda. The other is estates is sub-sectional and therefore insurance must form part of their Agenda. ➤ Mr N Van Heerden asked if the HOA Board took any actions against the auditors after members voted against the financial statements and auditors report at the 2022 AGM. ➤ Mr P Bierman stated that the auditors report submitted at the AGM was in concept and not finalized. When the SGM was held in March 2023 the auditors report and financial statements was approved. The auditors act on the internal controls and what management or financial sub-committee at that stage asked them to do. The auditors is totally independent. The financial statement was concept like the current statements tabled at this AGM and will be signed by the auditors after the members approve it. ➤ Mr W Nel asked what is in the Capex budget and can it be shared with members. ➤ Mr P Bierman stated that there is two resolutions for capital expenditure as part of the Agenda. At no stage the capital 5 Year Capital Plan forms part of the Agenda, no rule exist that prescribe the inclusion of the capital plan in the Agenda. ➤ Mr W Nel asked that changes is made so that the 5 year capital plan can be included in the Agenda and financial statements and circulated to all members. ➤ Mr P Bierman stated that the MOI must then be amended. No financial statements include capital plans. ➤ Mr W Nel stated that it must be minuted that members is not allowed to know what is included in the 5 Year Capital Plan. <p style="text-align: center;">Proposer: P Bierman Seconded: N Van Noordwyk</p>			
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">In favour: 169 (91.85%)</td> <td style="width: 33%;">Against: 15</td> <td style="width: 33%;">Abstain: 9</td> </tr> </table>	In favour: 169 (91.85%)	Against: 15	Abstain: 9
In favour: 169 (91.85%)	Against: 15	Abstain: 9		
	ORDINARY RESOLUTION 1 MUST BE ACCEPTED BY A MAJORITY VOTE, THEREFORE ORDINARY RESOLUTION 1 WAS ACCEPTED			
Ordinary Resolution No 2 (Auditor's Remuneration)				
6.2	<p>Mr P Bierman address the meeting and emphasize that RAIN is a National Audit Company with their Head Office in Johannesburg. The service delivered by RAIN Auditors is excellent. RAIN received full marks from SAICA on the quality check done during October 2022. He propose that RAIN Auditors is accepted and their remuneration.</p> <p>The meeting approved the auditor's remuneration.</p> <p style="text-align: center;">Proposer: P Bierman Seconded: N Van Noordwyk</p>			
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">In favour: 174 (94.57%)</td> <td style="width: 33%;">Against: 10</td> <td style="width: 33%;">Abstain: 9</td> </tr> </table>	In favour: 174 (94.57%)	Against: 10	Abstain: 9
In favour: 174 (94.57%)	Against: 10	Abstain: 9		
	ORDINARY RESOLUTION 2 MUST BE ACCEPTED BY A MAJORITY VOTE, THEREFORE ORDINARY RESOLUTION 2 WAS ACCEPTED			
Ordinary Resolution No 3 (Budget)				
6.3	<p>The budget for 2024/25 was tabled.</p> <p>The budget estimates for the ensuing financial year were circulated prior to the Annual General Meeting.</p> <ul style="list-style-type: none"> ➤ Mr Bierman stated that the budget was drawn up on a zero base basis and will result in the levies increasing from R1500 to R1600 per month. A profit in an excess of R100 000 was made after an amount of R409 000 was written off for the theft of the security cameras. In fact the profit was in excess of +R500 000. Interest earned is taken in consideration with reference to article 4.2.9 of the MOI that stated all assets and income must be taken in consideration to reach the objectives of the estate. ➤ Mr Van Der Merwe stated that he personally doesn't have a problem with the budget. The budget is well done and he is happy to approve it. He however needs clarity on the issue raised earlier regarding 			

	<p>the litigation and special levy. The members is not willing to fund litigation and he wants clarity. The chairperson can't have a sweeping statement that the HOA Board will come to members with a special levy to fund litigation. The members need concrete facts on how the litigation expenses will be dealt with before the budget is approved.</p> <ul style="list-style-type: none"> ➤ The Chairman stated that he can't give any commitment because the matter needs to be dealt with in terms of what the MOI prescribed. ➤ Mr Van Der Merwe propose that the HOA don't go the road of litigation and rather find solutions amical among ourselves. If there needs to be litigation, then a special meeting must be held with members. ➤ Mr P Bierman stated that what Mr Van Der Merwe is asking, is outside the ambit of the meeting. The HOA had litigation 3 years ago which cost the owner in excess of R1m and all legal fees was recovered by the HOA. Mr Van Der Merwe is welcome to come and sit on the HOA Board if he feels the current HOA Board is not capable. ➤ Mr Van Merwe stated that there is issues that is contentious and polarizing. He asked the HOA Board and members to be responsible and lets not think about special levies for legal fees. He wants a decision at the meeting. ➤ The Chairman stated that a decision can't be taken at the meeting regarding the litigation process and legal fees. The HOA Board will communicate with members and informed them of what the lawyers recommend. A special meeting will be convened to give members the opportunity to direct the HOA Board. ➤ Mr Van Der Merwe indicated that he is happy with the chairman's comment. ➤ Mr J Kriek stated that the chairman is interrupting members and treating them as children, he needs to handle the meeting in a better manner. ➤ Mr S Jacobs stated that he has power of attorney from his wife who is the owner of the property on the estate. He has a question on the financial statements. ➤ The chairman stated that Mr S Jacobs and is wife is involve in an ongoing CSOS case with the HOA Board. The HOA Board was advised by their lawyers that Mr Jacobs must not be allowed to address the members while the case is sub judice. ➤ Mr G Van Rensburg asked why sundry expenses was increased with 103%. ➤ Mr P Bierman stated that sundry expenses also include an amount for HOA Board meetings, the AGM and refreshments. ➤ Mr N Van Heerden stated that no matters that's sub judice should be discussed at the meeting. <p>The budget was approved by the meeting.</p>			
	Proposer: P Bierman Seconded: N Van Noordwyk			
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; text-align: center;">In favour: 162 (91.01%)</td> <td style="width: 33%; text-align: center;">Against: 16</td> <td style="width: 33%; text-align: center;">Abstain: 15</td> </tr> </table>	In favour: 162 (91.01%)	Against: 16	Abstain: 15
In favour: 162 (91.01%)	Against: 16	Abstain: 15		
ORDINARY RESOLUTION 3 MUST BE ACCEPTED BY A MAJORITY VOTE, THEREFORE ORDINARY RESOLUTION 3 WAS ACCEPTED				
Ordinary Resolution 4 (Cameras on borders of Cecil Sheppard Street, Schoeman Street, 11th Avenue and 21st Avenue)				
6.4	<p>Members were asked to vote to spend R50 000 on cameras to be installed on the cameras on the borders of Cecil Sheppard Street, Schoeman Street, 11th Avenue and 21st Avenue.</p> <ul style="list-style-type: none"> ➤ Mr F Gerber asked why security cameras is installed at other areas where palisades are, the HOA must not get paranoid. The security cameras was installed because the specific area at the St.Blaize Hiking Trail has no fence. ➤ The Chairman stated that next to the estate at Village-on-Sea 12 cases of housebreak and theft occurred where palisades are. Security is paramount and increase the value of your property. Potential buyers is prepared to pay more for properties because of the security. The additional security cameras was purchased as a special deal from the previously approved R500 000.00 funds. 			
	Proposer: P Venter Seconded: S Röth			
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; text-align: center;">In favour: 186 (96.37%)</td> <td style="width: 33%; text-align: center;">Against: 7</td> <td style="width: 33%; text-align: center;">Abstain: 2</td> </tr> </table>	In favour: 186 (96.37%)	Against: 7	Abstain: 2
In favour: 186 (96.37%)	Against: 7	Abstain: 2		
ORDINARY RESOLUTION 4 MUST BE ACCEPTED BY A MAJORITY VOTE, THEREFORE ORDINARY RESOLUTION 4 WAS ACCEPTED				

Ordinary Resolution 5 (Approval of changes to the Conduct Rules with or without amendments)		
6.5	<p>Members were asked to approve 2 minor changes to the rules which will make the management there off easier.</p> <ul style="list-style-type: none"> ➤ Mr F Gerber stated that golf carts was excluded from Conduct Rule 8.6 previously. ➤ The Chairman replied that golf carts can be parked outside. ➤ Mr G Wiltgen asked who decide what a recreational vehicle is, because he has a beach buggy. Is a beach buggy not allowed to be parked outside? ➤ The chairman replied that Conduct Rule 8.6 refers to a recreational vehicle used for accommodational purposes. <p style="text-align: center;">Proposer: P Ackerman Seconded: N Van Noordwyk</p>	
	In favour: 168 (89.36%)	Against: 20
	Abstain: 7	
	ORDINARY RESOLUTION 5 MUST BE ACCEPTED BY A MAJORITY VOTE, THEREFORE ORDINARY RESOLUTION 5 WAS ACCEPTED	
Ordinary Resolution 6 (Approval of changes to the Security Rules with or without amendments)		
6.6	<p>Members were asked to vote on the changes to the Security Rules for approval and condonation.</p> <ul style="list-style-type: none"> ➤ Mr Venter stated that the Security Rules was circulated earlier the year along with several newflashes to all members. ➤ Mr B Nortje don't understand why it's necessary for a member to apply to the HOA Board for permission to activate the cell phone numbers of his family members and wait for feedback until after the next Board meeting was held. Status Mark did handle the registration of cell phone numbers for several years with no problems and if a member misuse the system report him to the HOA Board. ➤ Mr P Venter stated that the registration of cell phone numbers is still administrated by Status Mark. If there is a grey area then Status Mark will refer the specific application to the HOA Board for approval. Family can still be activated. ➤ Mr B Nortje stated that what Mr Venter stated is in contradiction with the new wording of Security Rule 5. The "old" wording should be kept unchanged for Security Rule 5 ➤ The chairman asked what Mr B Nortje propose regarding the changes of Security Rule 5. ➤ Mr B Nortje stated that the old wording is adequate of Security Rule 5, but propose that the wording be reworded to read that Status Mark will refer grey area applications to the Security Sub-committee for consideration. Ms W Rossouw seconded the proposal. ➤ The chairman asked the members to vote on the proposal by show of hands. <p>Outcome of Poll: 100% In Favour and was therefore accepted.</p> <p style="text-align: center;">Proposer: P Venter Seconded: N Van Noordwyk</p>	
	In Favour: 152 (80.00%)	Against: 38
	Abstain: 5	
	ORDINARY RESOLUTION 6 MUST BE ACCEPTED BY A MAJORITY VOTE, THEREFORE ORDINARY RESOLUTION 6 WAS ACCEPTED	
Ordinary Resolution 7 (Approval of changes to the Architectural Guidelines with or without amendments)		
6.7	<p>Members were asked to vote to amend the Architectural Guidelines.</p> <ul style="list-style-type: none"> ➤ Proposer stated case for motivation. ➤ Mr B Nortje stated that dark grey roofs is popular on the estate which blends in perfectly with the installation of solar panels. He personally thinks the colour schemes needs more thought. Why can't the estate manager not approve colour schemes instead of the ARC to prevent unnecessary delays. ➤ Mr H Böning stated that is why members are invited to make themselves available to serve on the ARC sub-committee. It's important to stay with natural colours. Roof paint is standard, that's why a list of manufacturers with the colour schemes will be compiled. There won't be any delays for approval of paint colours. ➤ Mr B Norte asked if dark grey will be allowed or not? ➤ Mr H Böning stated that the ARC Guidelines prescribed charcoal but some manufacturers don't have the colour charcoal but entrasite which is an almost black colour which is not acceptable. ➤ Mr F Gerber stated that to make it easier for members that wants to paint that the ARC compile a colour scheme cart that is not acceptable to the HOA. Can't the rule about double storey houses be included. ➤ The Chairman replied that discussions was held with the Municipality and they also slipped-up. Only one 	

	<p>erven left and has therefore no effect anymore.</p> <ul style="list-style-type: none"> ➤ Mr E Hobbs mentioned that he support the dark grey colour for roofs. ➤ Mr B Nortje propose that dark grey should be removed from the proposed amendment 2.9.5 of the ARC Guidelines. ➤ Mr E Hobbs seconded the proposal of Mr B Nortje. ➤ The members requested that the dark grey be removed from 2.9.5 Vote by poll – Members in favour. ➤ Mr Wiltgen asked that an RLA international colour scheme be distributed among members of the paint colours that's allowed. ➤ The Chairman stated that a paint colour scheme chart of allowed paint colours for roofs will be available at the site office.
	Proposer: H Böning Seconded: N Van Noordwyk
	In Favour: 145 (77.96%) Against: 41 Abstain: 9
	ORDINARY RESOLUTION 7 MUST BE ACCEPTED BY A MAJORITY VOTE, THEREFORE ORDINARY RESOLUTION 7 WAS ACCEPTED
Ordinary Resolution 8 (Approval of the obligation to build penalties)	
6.8	<p>Members were asked to approve and condone the obligation to build penalties.</p> <ul style="list-style-type: none"> ➤ Proposer stated case for motivation. ➤ The obligation to build penalties will be from this date onwards be equal to the monthly levy. ➤ Any undeveloped erven sold from this date on, will only be awarded one obligation to build grace period to the member that developed the erven. If the erven is sold again, no grace period will be given.
	Proposer: H Böning Seconded: N Van Noordwyk
	In Favour: 173 (90.58%) Against: 18 Abstain: 4
	ORDINARY RESOLUTION 8 MUST BE ACCEPTED BY A MAJORITY VOTE, THEREFORE ORDINARY RESOLUTION 8 WAS ACCEPTED
Ordinary Resolution 9 (Short-term letting)	
6.9	<p>Members were asked to vote that no letting of a unit/property for less than 30 (thirty) calendar days be allowed in order to comply with Art 13.1.16 of the MOI and Conduct Rules 15 and 18 respectively.</p> <ul style="list-style-type: none"> ➤ Proposer stated case for motivation. ➤ Mr I Janse Van Rensburg stated when he bought a property on the estate, he was allowed to conduct short-term letting. Case laws sent by his lawyers to the HOA Board prove that short-term letting is not a business. If short-term letting is regarded as a business than it's also applicable to long-term letting and members working from their properties. They have a right as Funseekers to do short-term letting. He oppose ordinary resolution 9. ➤ Mrs E Grobler wanted to know why the letter to members was not circulated as requested her lawyers. ➤ The Chairman stated that if the HOA Board allows the distribution of personal letters from one member to other members, they need to to allow al members to use this facility to communicate private issues with all members. ➤ Mrs E Grobler stated that the HOA Board has a fiduciary duty to look at proposals and resolutions proposed and insure they are properly proposed and seconded. This resolution proposed changes to Conduct Rules 15 and 18 for the reason it's against the MOI. Changing conduct rules 15 and 18 doesn't prohibit short-term letting, because in the MOI Section 7.8 allows members to let upon furnishing the managing agent with an undertaking that tenants will abide to the rules. If short-term letting is banned all kinds of letting should be banned. She dispute that there is a difference between short-term- and long-term letting. This should have been a special resolution which requires a 75% vote to change article 7.8 of the MOI. ➤ Mr C Kuun stated that it's important that all members present take note that the illusion that's proposed with this resolution that states that the Conduct Rules is in non-compliance with the MOI is false and the assumption wrong. This is not his opinion, but the proposer is in possession of a CSOS case which he lost because of wrongful interpretation. There is also several legal opinions obtained on this matter from Dr Van Breda. If members vote in favour of this resolution they must take note that it can be reversed on a wrong interpretation.

	<ul style="list-style-type: none"> ➤ Mr W Roux stated that lots of members clap hands and shout, but don't know the facts. The letter Mr Janse Van Rensburg refers to is a case of Hillside Village. The adjudicator in this case had the view on which he base his decision of an article written by SG Van Der Merwe. SG Van Der Merwe base his view on a court decision in 2007. It's very important that members get the facts. He refers to a High Court case in 2019 of Sally Catherine Nickel and the Paddocks Body Corporate. The court agrees with Paddocks Body Corporate that Sally Catherine Nickel is in dispute with the conduct rules because she has no written approval for conducting short-term letting which the court regarded as running a business. ➤ The Chairman stated that the resolution is a proposal put forward to members to make a decision on not taking it further with legal opinion discussions. Members must vote. ➤ M Du Toit inquire if those members with proxies had all the facts to vote on this matter. She put on record that she won't pay any legal fees constituting out of this resolution. ➤ Mr Van Der Merwe commented that it's clear that the matter is contentious and there is facts on both sides. He asked if there is not away incorporating the MOI and Conduct Rules and take more time on the matter and get groups together. This matter goes further than voting on it. ➤ The Chairman stated that he is led by the MOI which was approved by members. The matter is controversial. The HOA Board doesn't have the right to make a decision on a resolution put forward by members. The HOA Board did sit down and look at solutions to solve matters and therefore did table resolution 10. ➤ Mr F Gerber commented that the MOI make provision for guesthouses and letting in terms of article 11. ➤ Mr B Meintjes commented that this matter is not unique to this estate. It seems most estates is against short-term letting. Is all members conducting short-term letting registered with the HOA Board? Short-term letting puts an extra burden on security and cost members more. Short-term letting cause extra activities. He asked that a moratorium is placed on all new short-term letting applications. ➤ Mrs E Grobler request that the HOA Board scrap this resolution as it is improperly proposed as a ordinary resolution and not a special resolution. ➤ The Chairman commented that to change conduct rules, an ordinary resolution must be taken. Let members vote on the resolution. ➤ Mr J Kriek requested that the meeting vote on the resolution. ➤ Mr G Steyn stated that he is confuse on the principal of how this resolution was presented to the members by the proposer. The proposer mentioned during his presentation that working from home is a business and not allowed in terms of the MOI. Due to Covid members is compel to work from home. ➤ The Chairman commented that work from home was not a business and so approved at the 2022 AGM. <p style="text-align: center;">Proposer: W Roux Seconded: J Alexander</p>			
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; width: 33%;"><i>In Favour: 92 (48.68%)</i></td> <td style="text-align: center; width: 33%;"><i>Against: 97</i></td> <td style="text-align: center; width: 33%;"><i>Abstain: 6</i></td> </tr> </table>	<i>In Favour: 92 (48.68%)</i>	<i>Against: 97</i>	<i>Abstain: 6</i>
<i>In Favour: 92 (48.68%)</i>	<i>Against: 97</i>	<i>Abstain: 6</i>		
ORDINARY RESOLUTION 9 MUST BE ACCEPTED BY A MAJORITY VOTE, THEREFORE ORDINARY RESOLUTION 9 WAS NOT ACCEPTED				
<i>Ordinary Resolution 10 (Letting procedure)</i>				
6.10	<p>Members were asked to approve the letting procedure.</p> <ul style="list-style-type: none"> ➤ Proposer stated case for motivation. ➤ Mr S Jacobs stated that if resolution 9 passed, then resolution 10 will be irrelevant. Let's get the results of resolution 9 before continue with resolution 10. ➤ The Chairman replied that letting procedure is applicable to short-term letting and long-term letting. If resolution 9 passed then resolution 10 will still be applicable to long-term letting procedures. ➤ Mrs E Grobler stated that members don't have problems with conduct rules to control the behaviour of members and guests. There should be rules, but it should not infringe on member's enjoyment of properties. The proposal doesn't make sense and is still in draft form. What does it mean if members vote on a document in draft format, does that mean that amendments to the document can be made afterwards members vote on it? Some of the rules in the document is absurdity having your neighbouring giving insight on the use of your property, it will never stand in any court if it is voted in. This will result in members approaching the courts for relief. She plea to the HOA Board to scrap this resolution. Let's sit around the table and formulate a proper letting procedure. ➤ The Chairman stated that the reason for the letting proposal being in draft form, is because the members at the AGM must approve it before becomming final. The HOA Board doesn't have the right to scrap the resolution. He heard the concerns and adds that the document was circulated several times given members ample opportunity for input. 			

	<ul style="list-style-type: none"> ➤ Mrs E Van Niekerk stated that she agrees with Mrs E Grobler. The problem is not short-term letting but the identifying of persons accessing the entrance gates. ➤ Mr B Nortje stated that it's a very clear that the letting procedure wants to place an extra burden on members. The letting procedure limit the amount of persons occupying a room to 2 while the conduct rules states 3 persons per room. ➤ Mr F Grobler stated that they replied on all versions of the letting procedure and no feedback was given to them. None of their tenants cause a security reports or misbehave. ➤ The Chairman stated that this comment is not correct and that the SAPS has been contacted for domestic violence at one of Mr Grobler's units where a man and women attacked each other. ➤ Mr S Jacobs congratulate the HOA Board on the letting procedure, but it's not a finished document. He wanted it minuted that he was not allowed to address the meeting.
	Proposer: P Ackerman Seconded: N Van Noordwyk
	In Favour: 93 (49.21%) Against: 96 Abstain: 7
	ORDINARY RESOLUTION 10 MUST BE ACCEPTED BY A MAJORITY VOTE, THEREFORE ORDINARY RESOLUTION 10 WAS NOT ACCEPTED
Ordinary Resolution 11 (Access Systems)	
6.11	<p>Members were asked to vote to spend R400 000 on upgrading the access systems.</p> <ul style="list-style-type: none"> ➤ Proposer stated case for motivation. ➤ Mr G Wiltgen stated the access systems should be handled with care because it effects the security of the estate. Security cameras and biometric systems can be linked together. It should be clarified who will have access to the face recognition/biometric system and security cameras. The budget of R400 000.00 is for 1st phase, how many funds will be needed for further phases. ➤ Mr S Röth commented that palm reading and face recognition is fairly inaccurate and phasing out in most estates. The system proposed by the HOA Board is based on vehicle make and number plates. The current system applicable will be followed with contractors. The security cameras and speed cameras will be linked to determine that persons entering the gates went into the correct direction on the estate. Most approval for access will be the owner's responsibility. The R400 000.00 is a pure budget. ➤ Mr B Nortje asked that members read the resolution carefully especially the cost factor of R400 000.00 for phase 1 only which will keep escalating. The e-tag system is in place although there is flows and the cell2gate system that can be fixed. He wants to see persons using a phone with Bluetooth to open the gates. Any security system is as good as it's weakest link. The weakest link on the estate is the palisade fencing where the last break-in happened 12 years back. Let's address the current system flaws rather than investing a lot of funds on a totally new system. ➤ Mr N Van Heerden commented that he did had a look at the crime statistics and as stated by the Minister we are in a war against crime. To address security the threats must be identified. At other estates it occur the criminals got access by booking through Airbnb and then break into houses. Members must look after themselves and for your own safety vote in favour of the resolution. ➤ Mrs D Galgut stated that it's her understanding that part of the resolution includes that owners will have to pay for their visitors speeding fines, and that if we agree to this resolution, we agree to pay these fines. The Chairperson asked the meeting to vote on the matter. The proposal was not accepted. ➤ The Chairman stated that the funds asked is to start the project and urge members to make themselves available to serve on the project team.
	Proposer: S Röth Seconded: N Van Noordwyk
	In Favour: 143 (75.48%) Against: 49 Abstain: 3
	ORDINARY RESOLUTION 11 MUST BE ACCEPTED BY A MAJORITY VOTE, THEREFORE ORDINARY RESOLUTION 11 WAS ACCEPTED
Special Resolution 1: Amendment of Art 31.2 of the MOI	
7.1	<p>Members were asked to vote to amend Art 31.2 of the MOI to increase the spending limit over and above the budget from R150 000 to R300 000.</p> <ul style="list-style-type: none"> ➤ Proposer stated case for motivation. ➤ Mr S Jacobs stated that it is proposed to amend Article 31 as where a legal opinion was obtained from Dr Willie Van Breda which recommend that Article 31 be removed from the MOI. What purpose do

	Article 31 serve if the budget is subject to approval of members at an AGM. Logical thinking is to remove Article 31.		
	Proposer: P Bierman Seconded: N Van Noordwyk		
	<i>In Favour: 125 (68.31%)</i>	Against: 58	Abstain: 11
	SPECIAL RESOLUTION 1 MUST BE ACCEPTED BY A 75% MAJORITY VOTE, THEREFORE SPECIAL RESOLUTION 1 WAS NOT ACCEPTED		
	<i>Special Resolution 2: To amend the MOI by removing reference to Section 15 of the Act</i>		
7.2	Members were asked to vote to amend the MOI to remove reference to Section 15 of the Act, in order to avoid confusion.		
	<ul style="list-style-type: none"> ➤ Proposer stated case for motivation. ➤ Mrs E Grobler stated that she don't understand from the explanations why the articles must be removed if the MOI is already subjected to the Companies Act. ➤ The Chairman stated that these article in the MOI indicate that the MOI is not under the direction of the Companies Act which is wrong. These articles state that the articles of the Law can be changed by the MOI. To adhere to the Companies Act the MOI needs to be changed as advised by the HOA lawyers. 		
	Proposer: P Ackerman Seconded: N Van Noordwyk		
	<i>In Favour: 144 (81.36%)</i>	Against: 33	Abstain: 15
	SPECIAL RESOLUTION 2 WAS ACCEPTED BY A 75% MAJORITY VOTE, THEREFORE SPECIAL RESOLUTION 4 WAS ACCEPTED		
8	GENERAL		
	No matters discussed.		
9	CONCLUSION		
	All members and their families are wished a joyous festive season.		
	The meeting adjourned at 20H50		
	Distribution: Minutes book All owners		



MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION

Association incorporated under section 21 of the Companies Act 1973 (as amended)

P.O. Box 567 • MOSSEL BAY 6500 • Western Cape • South Africa • Tel: 044 691 3054 • Fax: 044 691 1520

E-Mail: status2@status-mark.co.za • Website: www.mosselbaygolfestate.co.za

Chairman's report at the Annual General Meeting of the Mossel Bay Golf Estate 2024

It is a pleasure to present the Chairman's report on behalf of the Board of Directors.

I am proud of the Board and the work accomplished over the past year. Many have commented that the Estate is in its best-ever condition and operating exceptionally well. The appointment of our new Assistant Estate Manager, Rickus van Rensburg, alongside our Estate Manager, Sias Koen, has enabled us to achieve even more. I believe Rickus will be a valuable asset to the Estate. His initial focus has been on implementing the new access system.

Security

Security remains one of the Estate's top priorities, and we take pride in maintaining a well-organized operation under Pieter Venter's capable guidance. Pieter and his subcommittee continually review and improve security measures, identifying and addressing potential risks. The cameras on the seafront have already proven effective, preventing several unauthorized entry attempts. Few estates can boast a ten-year record without a single break-in.

Our entrance gates are working smoothly with the installed solar system. The security guards are professional and well-trained, and Suiderkruis Security provides excellent service. We have upgraded the cell-to-gate and e-tag systems, replacing all wiring and ensuring proper documentation. The new access system is currently being rolled out area by area, and it has been functioning well so far. We believe that, once fully operational, it will allow residents to enter and exit the Estate with ease while limiting access to unauthorized individuals. Additionally, it will provide management with the ability to track and report potential risks.

Finances

Our Estate finances are in good shape and well-managed. We extend our gratitude to Peet Bierman, who established solid financial practices before his resignation. We wish him the best in his future travels.

We are pleased to have co-opted Neil van Rooyen as a highly capable replacement. As a partner at a prominent auditing firm, Neil brings best practices and strong controls to our financial management. He has already made a significant impact, particularly in the audit process. He ensured that the audited financial documents conform to the latest standards, as reflected in the attached financial statements.

I am also pleased to announce that Neil van Rooyen will be available for election as a Director at the AGM.

Maintenance, Gardens, and Nature Reserve

The gardens and open areas are in excellent condition, thanks to Stephan Röth and the work of Bow Tie. The standard of maintenance has improved significantly, adding value and aesthetic appeal to the Estate.

Stephan has also developed a comprehensive maintenance program covering all equipment and assets, including the swimming pools and fences. This proactive approach helps prevent downtime and owner frustration. The program includes maintaining a stock of critical parts and gradually replacing our now over twenty-year-old fences, which are rusted and in need of replacement.

A complete burning and maintenance plan is being finalized for the green areas. We have consulted with specialists and fire brigade members to set up this program effectively.

The green area between the Estate and the sea is regularly inspected by an independent specialist, who recommends any necessary actions. Controlling invasive and alien plant species remains a challenge in these areas and in some private gardens.

Architectural Review Board

While the number of new builds is decreasing, we are seeing an increase in upgrades to existing homes. Henry Böning and his committee have been busy ensuring that the Estate's rules and regulations are followed.

This can be a challenging role, given the constant emergence of new technologies and products. While owners understandably want to use these new materials, they sometimes conflict with rules established years ago. With the help of our appointed professional architect, Lodewyk Coetzee, applications are handled as efficiently and speedily as possible while adhering to our guidelines.

To keep up with changing needs, regular updates and modifications to the rules are necessary, as reflected in the resolutions presented.

Rules

Under the management of Piet Ackerman, we have seen a continued decline in rule violations. This can be attributed to effective communication with owners and swift corrective actions. Piet has implemented procedures and a reporting system to monitor transgressions, which should benefit the HOA for years to come.

Most rule violations come from contractors. A comprehensive induction program for all contractors has been introduced, significantly improving compliance. Contractors are now fully aware of and committed to following our rules.

Communication

Significant progress has been made in enhancing communication and updating the Estate's visual identity. The program, *Ysters op die Landgoed*, aired on MNET, has positively impacted the Estate's image, and we have received a lot of positive feedback.

Our Information Evenings continue to be popular and well-attended. With Newsflashes, Newsletters, and Information Evenings, we believe our communication with owners has improved.

We are also exploring ways to optimize the website for better communication. It has been approved to create an "Owners Only" section where documents, financial statements, and other relevant materials can be shared and kept up to date.

In addition, we are working on modernizing the Estate logo. The current logo's lack of contrast makes it hard to read. We will be sharing our proposal with owners, and a process will follow to obtain approval.

General

While we are proud of our accomplishments, we have once again encountered challenges from a small percentage of owners who remain dissatisfied with the Board's efforts. These individuals, often vocal in WhatsApp groups, pursue personal agendas and regularly criticize the Board, despite not qualifying to serve on it themselves.

One such person, who demanded changes, was invited to serve on a subcommittee to share their expertise and ensure legal compliance. Although they initially accepted, they later withdrew, opting instead to remain outside official structures and continue making demands.

The harassment has now escalated to threatening letters sent directly to directors. This behaviour is unacceptable, and we urge the silent majority of owners to make their voices heard. If the current Board is not satisfactory, owners have the right to request changes. However, it seems the minority is currently dictating the agenda while the majority remains silent.

In Conclusion

As we reflect on the progress made over the past year, it is essential to recognize the collective efforts and dedication of all residents, staff, and the Board. Together, we have created a vibrant community where our shared vision for the Mossel Bay Golf Estate continues to flourish.

Let us focus on the successes we have achieved and the bright future ahead. Your ongoing support and engagement are invaluable as we strive to enhance our Estate.

Thank you for being part of this journey!

Nick van Noordwyk
Chairman of the Board 2024.

RESOLUTION 1

Mossel Bay Golf Estate Home Owners Association NPC: Annual General Meeting (AGM): 7 November 2024

Ordinary Resolution (50%+1 majority votes): Approval of the Financial Statements for the financial year ending June 2024

Background

1. The Mossel Bay Golf Estate Home Owners Association NPC, is a registered company (Registration No. 1999/001249/08) incorporated as a non-profit company as defined in the Companies Act No. 71 of 2008 (as amended).
2. The auditors of the association are appointed in accordance with the requirements of the Companies Act.
3. The HOA once again obtained an unqualified audit in respect of its financial statements for the 2023/24 financial year.
4. The HOA appointed auditors, Rain Auditing, performed the audit as required by the Companies Act.
5. This unqualified audit was made possible through the application of effective corporate governance and sound management practices which, inter alia, include:
 - 5.1 Risk Management: Identification of risks and the treating of these risks by means of mitigating measures;
 - 5.2 Capital Planning: Compile and prioritise a capital plan which include new, improvements and refurbishments (to extend economic life) of fixed and moveable HOA assets, and
 - 5.3 Financial Management: Holding adequate financial reserves, minimising income tax exposure and having monthly income and expenses forecast statements for the financial year.

Memorandum of incorporation (MOI) requirement

6. Article 25.1.4 (extract provided hereunder) require the audited financial statements for 2023/24 financial year to be presented for approval at the 2024 AGM.

25 AGENDA AT ANNUAL GENERAL MEETING

- 25.1 In addition to any other matter required by the Act or this memorandum to be dealt with at an annual general meeting, the following matters shall be dealt with at every annual general meeting:
 - 25.1.4 The consideration of the financial statements of the association for the preceding financial year;
 - 25.1.5 The consideration of the report of the auditors and the fixing of remuneration for the auditors;

Recommendation

7. In order to comply with Article 25.1.4 of the MOI it is recommended that the Financial Statements for the financial year ending June 2024 as presented, be approved.
8. A word of gratitude be expressed to the auditors at Rain Auditing and personnel at Prinsloo Property Management T/A Status Mark Property Management for that which has been accomplished.



Proposed: Pieter Venter

Date: 2024-09-24



Seconded: Nick Van Noordwyk

Date: 2024-09-24

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

(Company Registration Number 1999/001249/08)

**Annual Financial Statements
for the year ended 30 June 2024**

Audited Financial Statements

in compliance with Companies Act 71 of 2008

Prepared: J.P. Pretorius

Position: Chartered Accountant (SA)

Pretorius

Chartered Accountants (S.A.)

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

{Company Registration Number 1999/001249/08}

Annual Financial Statements for the year ended 30 June 2024

Index

The reports and statements set out below comprise the annual financial statements presented by the Directors to the section owners:

General Information	1
Independent Auditor's Report	2 - 3
Report of the Professional Accountant	4
Directors' Responsibilities and Approval	5
Report of the Directors	6 - 7
Statement of Financial Position	8
Statement of Comprehensive Income	9
Statement of Changes in Equity	10
Statement of Cash Flows	11
Accounting Policies	12 - 13
Notes to the Financial Statements	14 - 17
The supplementary information presented does not form part of the annual financial statements and is unaudited:	
Detailed Income Statement	18 - 19
Income Tax Computation	20

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

(Company Registration Number 1999/001249/08)

Annual Financial Statements for the year ended 30 June 2024

General Information

Country of Incorporation and Domicile	South Africa
Nature of Business and Principal Activities	Administration of the estate's assets and furtherance of the owner's interest therein
Directors	P.J. Venter Dr. N.J. van Noordwyk P.J. Bierman P.J.S. Ackerman H.P.B. Boning P. Mastrogiuseppe A.S. Roth
Registered Office and Business Address	10 Church Street Mossel Bay 6500
Bankers	ABSA
Independent Auditors	RAIN Chartered Accountants (Mossel Bay) Incorporated 219 Flora Road Dana Bay 6510
Managing Agents	Prinsloo Property Management (Pty) Ltd t/a Status-Mark 11 Meyer Street Mossel Bay 6500
Income Tax Registration Number	9137/074/64/8
PAYE Registration Number	724076837
Level of Assurance	These annual financial statements have been audited in compliance with the applicable requirements of the Community Schemes Ombud Service Act (No. 9 of 2011) & Companies Act 78 of 2008
Preparer	The financial statements were independently compiled by Pretorius Chartered Accountants.
Units	394

Report of the Compiler

To the Directors and Section Owners of Mossel Bay Golf Estate Home Owners Association NPC

We have compiled the accompanying financial statements of Mossel Bay Golf Estate Home Owners Association NPC based on information you have provided. These financial statements comprise the statement of financial position of Mossel Bay Golf Estate Home Owners Association NPC as at 30 June 2024, the statement of comprehensive income, the statement of changes in funds and reserves and the statement of cash flows for the year then ended, a summary of significant accounting policies and other explanatory information.

We performed this compilation engagement in accordance with International Standard on Related Services 4410 (Revised), Compilation Engagements.

We have applied our expertise in accounting and financial reporting to assist you in the preparation and presentation of these financial statements in accordance with the IFRS for SMEs[®] Accounting Standards. We have complied with relevant ethical requirements, including principles of integrity, objectivity, professional competence and due care.

These financial statements and the accuracy and completeness of the information used to compile them are your responsibility.

Since a compilation engagement is not an assurance engagement, we are not required to verify the accuracy or completeness of the information you provided to us to compile these financial statements. Accordingly, we do not express an audit opinion or a review conclusion on whether these financial statements are prepared in accordance with IFRS for SMEs.

J.P. Pretorius CA (SA)

Chartered Accountant (SA)

Date: _____

Mossel Bay Golf Estate Home Owners Association NPC

(Sectional Scheme Number 1999/001249/08)

Annual Financial Statements for the year ended 30 June 2024

Directors' Responsibilities and Approval

The Directors are required to maintain adequate accounting records and are responsible for the content and integrity of the annual financial statements and related financial information included in this report. These financial statements have been prepared in accordance with the IFRS for SMEs[®] Accounting Standard as issued by the International Accounting Standards Board (IASB[®]) and it is their responsibility to ensure that the annual financial statements satisfy the financial reporting standards as to form and content and present fairly the statement of financial position, results of operations of the body corporate, and explain the transactions and financial position of the business of the body corporate at the end of the financial year. The annual financial statements are based upon appropriate accounting policies consistently applied throughout the body corporate and supported by reasonable and prudent judgements and estimates.

The Directors acknowledge that they are ultimately responsible for the system of internal financial control established by the body corporate and place considerable importance on maintaining a strong control environment. To enable the Directors to meet these responsibilities, the board sets standards for internal control aimed at reducing the risk of error or loss in a cost effective manner. The standards include the proper delegation of responsibilities within a clearly defined framework, effective accounting procedures and adequate segregation of duties to ensure an acceptable level of risk. These controls are monitored throughout the body corporate and all employees are required to maintain the highest ethical standards in ensuring the body corporates business is conducted in a manner that in all reasonable circumstances is above reproach.

The focus of risk management in the body corporate is on identifying, assessing, managing and monitoring all known forms of risk across the body corporate. While operating risk cannot be fully eliminated, the body corporate endeavours to minimise it by ensuring that appropriate infrastructure, controls, systems and ethical behaviour are applied and managed within predetermined procedures and constraints.

The Directors are of the opinion, based on the information and explanations given by management, that the system of internal control provides reasonable assurance that the financial records may be relied on for the preparation of the annual financial statements. However, any system of internal financial control can provide only reasonable, and not absolute, assurance against material misstatement or loss. The going-concern basis has been adopted in preparing the financial statements. Based on forecasts and available cash resources the Directors have no reason to believe that the body corporate will not be a going concern in the foreseeable future. The financial statements support the viability of the body corporate.

The financial statements have been audited by the independent auditing firm, RAIN Chartered Accountants (Mossel Bay) Incorporated, who have been given unrestricted access to all financial records and related data. The Directors believe that all representations made to the independent auditor during the audit were valid and appropriate. The external auditors' unqualified audit report is presented on page 2 to 3.

The annual financial statements as set out on pages 8 to 17 were approved by the board on _____ and were signed on its behalf by:



P.J. Venter



Dr. N.J. van Noordwyk

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

(Company Registration Number 1999/001249/08)

Annual Financial Statements for the year ended 30 June 2024

Directors' Report

The directors present their report for the year ended 30 June 2024.

1. Review of activities

Main business and operations

The principal activity of the home owners association is administration of the estate's assets and furtherance of the owner's interest therein and there were no major changes herein during the year.

The operating results and statement of financial position of the home owners association are fully set out in the attached financial statements and do not in our opinion require any further comment.

2. Going concern

The annual financial statements have been prepared on the basis of accounting policies applicable to a going concern. This basis presumes that funds will be available to finance future operations and that the realisation of assets and settlement of liabilities, contingent obligations and commitments will occur in the ordinary course of business.

3. Events after reporting date

The directors are not aware of any matter or circumstance arising since the end of the financial year to the date of this report that could have a material effect on the financial position of the home owners association.

4. Contributions

Contributions paid by owners and interest earned during the year were sufficient to meet expenditure, resulting in a surplus of R 71,645 (2023: R 174,440).

5. Directors

The directors of the home owners association during the year and to the date of this report are as follows:

P.J. Venter
Dr. N.J. van Noordwyk
P.J. Bierman
P.J.S. Ackerman
H.P.B. Boning
P. Mastrogiuseppe
A.S. Roth

6. Managing Agents

The home owners association's designated managing agent is Prinsloo Property Management (Pty) Ltd t/a Status-Mark.

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

(Company Registration Number 1999/001249/08)

Annual Financial Statements for the year ended 30 June 2024

Directors' Report

7. CSOS compliance

CSOS levies

	R
	2024
Balance brought forward	
CSOS levies received	92 716.08
CSOS levies paid	(92 716.08)
Balance owing at year end	-
	R
	2023
Balance brought forward	-
CSOS levies received	87 988.08
CSOS levies paid	(87 988.08)
Balance owing at year end	-

The Directors confirm that the annual return of the community scheme as required by section 59(b) of the Community Schemes Ombud Service Act, No 9 of 2011 was not submitted within the stipulated deadline of four months subsequent to year end for the previous financial year ending 30 June 2023.

8. Independent Auditors

RAIN Chartered Accountants (Mossei Bay) Incorporated were the independent auditors for the year under review and their re-appointment depends on a resolution taken to that effect by section owners at the forthcoming annual general meeting.

Approval of the Directors' Report

P.J. Venter

Dr. N.J. van Noordwyk

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

(Company Registration Number 1999/001249/08)

Financial Statements for the year ended 30 June 2024

Statement of Financial Position

Figures in R	Notes	2024	2023
Assets			
Non-Current Assets			
Property, plant and equipment	3	787,117	697,923
Current Assets			
Levies in arrears	4	94,166	473,063
Inventory	5	42,015	35,994
Trade and other receivables	6	6,180	5,880
Cash and cash equivalents	7	4,062,743	3,930,258
		4,205,104	4,445,195
Total Assets		4,992,221	5,143,118
Reserves and Liabilities			
Reserves and Funds			
Road Fund Reserve		-	881,237
Retained income		4,339,353	3,511,240
		4,339,353	4,392,477
Current Liabilities			
Trade and other payables	8	56,922	28,120
Current tax liability	9	79,130	143,317
Owners deposits	10	169,487	223,112
Levies in advance	11	347,329	356,092
		652,868	750,641
Total Funds and Liabilities		4,992,221	5,143,118

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

(Company Registration Number 1999/001249/08)

Financial Statements for the year ended 30 June 2024

Statement of Comprehensive Income

Figures in R	Notes	2024	2023
Levy income		7,150,284	6,846,612
Other income		234,279	118,473
Operating costs		(7,563,969)	(6,965,519)
Operating deficit		(179,406)	(434)
Finance income	12	330,181	250,551
Surplus before tax		150,775	250,117
Tax expense	13	(79,130)	(75,677)
Surplus for the year		71,645	174,440

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

(Company Registration Number 1999/001249/08)

Financial Statements for the year ended 30 June 2024

Statement of Changes in Funds and Reserves

Figures in R	Road fund reserve	Retained income	Total
Balance at 1 July 2022	1,008,796	3,339,800	4,348,596
Total comprehensive income for the year			
Surplus for the year		174,440	174,440
Total comprehensive income for the year	-	174,440	174,440
Transfer			
Road fund maintenance	3,000	(3,000)	-
Balance at 30 June 2023	(130,559)	-	(130,559)
	881,237	3,511,240	4,392,477
Balance at 1 July 2023	881,237	3,511,240	4,392,477
Total comprehensive income for the year			
Surplus for the year		71,645	71,645
Total comprehensive income for the year	-	71,645	71,645
Transfer			
Road fund maintenance	(756,468)	756,468	-
Balance at 30 June 2024	(124,769)	-	(124,769)
	-	4,339,353	4,339,353

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

(Company Registration Number 1999/001249/08)

Financial Statements for the year ended 30 June 2024

Statement of Cash Flows

Figures in R	Note	2024	2023
Cash flows from operating activities			
Surplus for the year		71,645	174,440
<i>Adjustments for:</i>			
Income tax		79,130	75,677
Depreciation of property, plant and equipment		247,865	64,375
Impairment of property, plant and equipment		-	26,784
Investment income		(330,181)	(250,551)
Operating cash flow before working capital changes		68,459	90,725
<i>Working capital changes</i>			
(Increase) / decrease in financial assets		(6,021)	5,107
Decrease in levies receivable		370,134	519
(Increase) / decrease in trade and other receivables		(300)	437,914
(Decrease) / increase in trade and other payables		(24,821)	32,252
Net cash flows from operations		407,451	566,517
Investment income		330,181	250,551
Tax paid		(143,317)	-
Net cash flows from operating activities		594,315	817,068
Cash flows used in investing activities			
Property, plant and equipment acquired	3	(337,061)	(560,285)
Net cash flows used in investing activities		(337,061)	(560,285)
Cash flows used in financing activities			
Financing road fund expenditure		(124,769)	(130,559)
Net cash flows used in financing activities		(124,769)	(130,559)
Net increase in cash and cash equivalents		132,485	126,224
Cash and cash equivalents at beginning of the year		3,930,258	3,804,034
Cash and cash equivalents at end of the year	7	4,062,743	3,930,258

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

(Company Registration Number 1999/001249/08)

Financial Statements for the year ended 30 June 2024

Accounting Policies

1. General information

Mossel Bay Golf Estate Home Owners Association NPC is a home owners association in South Africa. The principal activities are the administration of the estate's assets and furtherance of the owner's interest therein.

2. Summary of significant accounting policies

These annual financial statements have been prepared in accordance with the IFRS for SMEs Accounting Standard as issued by the International Accounting Standards Board and the requirements of the Sectional Titles Schemes Management Act of South Africa. The principal accounting policies applied in the preparation of these financial statements are set out below. These policies have been consistently applied to all the years presented, unless otherwise stated.

These financial statements have been prepared under the historical cost convention and are presented in South African Rands.

2.1 Revenue recognition

The ordinary levies receivable are accounted for on a straight-line basis over the financial year and decided amongst the Directors on a participation quota basis. The annual ordinary levies are agreed and approved by the Directors at the home owners association's annual general meeting. Interest is recognised, in surplus or deficit, using the effective interest rate method.

2.1.1 Interest income

Interest income is recognised using the effective interest rate method.

2.2 Income taxes

Provisions for tax are made at the corporation rate on net investment income earned by the home owners association, less allowable expenses applicable to bodies corporate. The home owners association is taxed in terms of Section 10(1)(e) of the Income Tax Act and Interpretation Note 64.

2.3 Property, plant and equipment

Items of property, plant and equipment are measured at cost less accumulated depreciation and any accumulated impairment losses.

Costs include costs incurred initially to acquire or construct an item of property, plant and equipment and costs incurred subsequently to add to, replace part of, or service it. If a replacement cost is recognised in the carrying amount of an item of property, plant and equipment, the carrying amount of the replaced part is derecognised.

Depreciation is charged so as to allocate the cost of assets less their residual values over their estimated useful lives, using the straight-line method. The following rates are used for the depreciation of property, plant and equipment:

Land and buildings	Indefinite
Motor vehicles	25.00%
Fencing, roads and infrastructure	10.00%
Office equipment	16.67%
Electronic equipment	33.33%

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

(Company Registration Number 1999/001249/08)

Financial Statements for the year ended 30 June 2024

Accounting Policies

Summary of significant accounting policies continued...

2.4 Trade and other receivables

Trade receivables are recognised initially at the transaction price. They are subsequently measured at amortised cost using the effective interest rate method, less provision for impairment. A provision for impairment of trade receivables is established when there is objective evidence that the home owners association will not be able to collect all amounts due according to the original terms of the receivables.

2.5 Cash and cash equivalents

Cash and cash equivalents includes cash on hand, demand deposits and other short-term highly liquid investments with original maturities of three months or less. Bank overdrafts are shown in current liabilities on the statement of financial position.

2.6 Trade payables

Trade payables are recognised initially at the transaction price and subsequently measured at amortised cost using the effective interest rate method.

2.7 Inventories

Inventories are stated at the lower of cost and selling price less costs to complete and sell. Cost is calculated using the weighted average cost method.

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

(Company Registration Number 1999/001249/08)

Financial Statements for the year ended 30 June 2024

Notes to the Annual Financial Statements

Figures in R 2024 2023

3. Property, plant and equipment

	Cost	Accumulated depreciation	2024 Carrying value	Cost	Accumulated depreciation	2023 Carrying value
<i>Owned assets</i>						
Land and buildings	46	-	46	46	-	46
Motor vehicles	72,800	(72,798)	2	72,800	(72,798)	2
Fencing, roads and infrastructure	609,974	(259,887)	350,087	614,498	(116,706)	497,792
Office equipment	28,094	(17,469)	10,625	28,094	(13,617)	14,477
Electronic equipment	611,607	(185,250)	426,357	274,546	(88,940)	185,606
	1,322,521	(535,404)	787,117	989,984	(292,061)	697,923

The carrying amounts of property, plant and equipment can be reconciled as follows:

	Carrying value at beginning of year	Additions	Disposals	Depreciation	2024 Carrying value at end of year
<i>Owned assets</i>					
Land and buildings	46	-	-	-	46
Motor vehicles	2	-	-	-	2
Fencing, roads and infrastructure	497,792	-	-	(147,705)	350,087
Office equipment	14,477	-	-	(3,851)	10,625
Electronic equipment	185,606	337,061	-	(96,310)	426,357
	697,923	337,061	-	(247,866)	787,117

	Carrying value at beginning of year	Additions	Disposals	Depreciation and impairment	2023 Carrying value at end of year
<i>Owned assets</i>					
Land and buildings	46	-	-	-	46
Motor vehicles	2	-	-	-	2
Fencing, roads and infrastructure	152,099	410,285	-	(64,592)	497,792
Office equipment	18,812	-	-	(4,335)	14,477
Electronic equipment	57,838	150,000	-	(22,232)	185,606
	228,797	560,285	-	(91,159)	697,923

4. Levies in arrears

	90 Days+	60 Days	30 Days	Current	Total	Prior year
Debtors in arrears (Levies, interest & penalties)	9,036	6,636	19,970	58,524	94,166	473,063
	9,036	6,636	19,970	58,524	94,166	473,063

5. Inventory

E-tag stock	42,015	35,994
-------------	--------	--------

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

(Company Registration Number 1999/001249/08)

Financial Statements for the year ended 30 June 2024

Notes to the Annual Financial Statements

Figures in R	2024	2023
6. Trade and other receivables		
Trade debtors	1,500	-
Prepaid expenses	-	1,200
Deposits	4,680	4,680
	<u>6,180</u>	<u>5,880</u>
Items included in trade and other receivables not classified as financial instruments		
Prepaid expenses	-	1,200
Golf Day Auction Debtor	1,500	-
Mossel Bay Municipality (deposit)	4,680	4,680
	<u>6,180</u>	<u>5,880</u>
7. Cash and cash equivalents		
Favourable cash balances		
Cash on hand	105	4,982
ABSA - Builders deposit	78,500	90,500
ABSA - Contractors deposit	20,000	30,000
ABSA - Current account	81,576	74,051
ABSA - Depositor plus	911,658	722,931
ABSA - Petty cash	-	5,369
ABSA - Rental deposits	54,000	48,000
ABSA - Road Fund	-	286,505
Allan Grey - Depositor Plus	1,947,418	1,786,683
Allan Grey - Road Fund	969,486	881,237
	<u>4,062,743</u>	<u>3,930,258</u>
8. Trade and other payables		
Trade creditors	<u>56,922</u>	<u>28,120</u>
9. Income tax in the statement of financial position		
Current tax in the Statement of Financial Position represents:		
Provision for tax for the year	<u>79,130</u>	<u>75,677</u>
	(64,187)	75,677
Provision for tax relating to previous years	<u>143,317</u>	<u>67,640</u>
	<u>79,130</u>	<u>143,317</u>
10. Owners deposits		
Owners deposits	<u>169,487</u>	<u>223,112</u>

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

(Company Registration Number 1999/001249/08)

Financial Statements for the year ended 30 June 2024

Notes to the Annual Financial Statements

Figures in R

2024

2023

11. Levies in advance

	90 Days+	60 Days	30 Days	Current	Total	Prior year
Levies in advance	-	-	-	347,329	347,329	356,092
	-	-	-	347,329	347,329	356,092

12. Finance income

ABSA - Builders deposit		5,714	4,366
ABSA - Contractors deposit		1,527	1,257
ABSA - Current account		12,847	9,072
ABSA - Depositor plus		55,546	44,292
ABSA - Petty cash		85	235
ABSA - Rental deposits		3,889	2,773
ABSA - Road Fund		1,589	1,572
Allan Grey - Depositor Plus		160,735	114,216
Allan Grey - Road Fund		88,249	72,768
		<u>330,181</u>	<u>250,551</u>

13. Income tax expense

Current tax	79,130	75,677
Income tax for the year	<u>79,130</u>	<u>75,677</u>

14. Garden and pool maintenance

Garden maintenance	961,083	742,731
Pool maintenance	203,908	185,786
	<u>1,164,991</u>	<u>928,517</u>

15. Site office and clubhouse expenses

Clubhouse personnel	117,106	101,194
Site office personnel	621,245	610,312
	<u>738,351</u>	<u>711,506</u>

16. Repairs and maintenance

R&M: Maintenance general	415,759	424,047
	<u>415,759</u>	<u>424,047</u>

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

(Company Registration Number 1999/001249/08)

Financial Statements for the year ended 30 June 2024

Notes to the Annual Financial Statements

Figures in R	2024	2023
17. Write off of levy and interest		
Levy written off	155,633	-
Interest written off	124,403	-
	<u>280,036</u>	<u>-</u>
<p>Levies and interest levied on owner account Crystal Ball Investment 5 CC written off in terms of the in-duplum rule. The in-duplum rule is a legal principle that regulates the accumulation of interest on a debt. According to this principle, the accrual of interest on a debt will halt when the total accumulated interest reaches the same amount as the outstanding principal debt.</p>		
18. Golf day		
Golf day income	113,806	-
Golf day expenses	(43,178)	-
Donation to Primary School van der Hoven	(98,150)	-
	<u>(27,522)</u>	<u>-</u>

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

(Sectional Scheme Number 1999/001249/08)

Financial Statements for the year ended 30 June 2024

Detailed Income Statement

Figures in R	Notes	2024	2023
Levy Income			
Levy - Road Fund		1,000	3,000
Levy - Obligation to Build		150,000	76,000
Levy - Ordinary		6,999,284	6,767,612
		<u>7,150,284</u>	<u>6,846,612</u>
Other Income			
Auction income		1,006	-
Cell to gate income		-	2,760
Clearance fees income		-	16,450
Golf day income	18	113,806	13,955
Interest from members		20,068	18,048
Investment income	12	330,181	250,551
Marketing income		1,000	5,300
Municipal expenses recoveries		3,401	-
Penalty / Fines		71,548	31,250
Remote control sales		18,750	29,275
Unallocated receipts older than 3 years		4,700	1,435
		<u>564,460</u>	<u>369,024</u>
		<u>7,714,744</u>	<u>7,215,636</u>

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

(Sectional Scheme Number 1999/001249/08)

Financial Statements for the year ended 30 June 2024

Detailed Income Statement

Figures in R	Notes	2024	2023
Expenditure			
Accounting fees		7,840	1,590
Advertising		53,755	34,190
Auditors' remuneration		38,600	25,400
Bank charges		21,522	21,049
Cell to gate expense		-	453
Clearance fees expense		-	8,600
Consulting fees (Environment Report)		20,951	10,026
Cost of remote control sales		15,569	27,757
Depreciation - Tangible assets	3	247,865	64,375
Garden and pool maintenance	14	1,164,991	928,517
Golf club fees		664,795	639,226
Golf day expenses	18	141,328	28,813
Impairment - Fencing (Booms)		-	26,784
Insurance		72,541	53,807
Legal expense		17,175	1,461
Loss due to theft (Cameras)		-	410,626
Management fees		527,590	502,704
Motor vehicle expense		-	25,228
Municipal expenses		148,536	179,706
Nature reserve maintenance		188,459	171,965
Postage		15,664	11,960
Repairs and maintenance	16	415,759	424,047
Security		2,782,642	2,655,729
Site office and clubhouse expenses	15	738,351	711,506
Write off of levy and interest	17	280,036	-
		<u>7,563,969</u>	<u>6,965,519</u>
Operating Surplus		<u>150,775</u>	<u>250,117</u>
Taxation		(79,130)	(75,677)
Surplus After Taxation		<u>71,645</u>	<u>174,440</u>

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

(Company Registration Number 1999/001249/08)

Financial Statements for the year ended 30 June 2024

Income Tax Computation

Figures in R	2024	2023
Income - receipts and accruals		
Levy income	7,150,284	6,846,612
Other income	214,211	100,425
Finance income	350,249	268,599
Total income	7,714,744	7,215,636
Less: Levies - exempt under S 10(1)(e) exemption	(7,150,284)	(6,846,612)
Less: Expenses related to other income	(185,929)	(36,859)
Total receipts and accruals subject to income tax	378,531	332,165
Less: Basic exemption S 10(1)(e)(ii)	(50,000)	(50,000)
Income subject to income tax	328,531	282,165
Allowable expenditure		
Accounting fees	7,840	1,590
Independent auditors' fees	38,600	25,400
Bank charges	21,519	21,050
Total allowable expenditure	67,959	48,040
TAX CALCULATION		
Income subject to income tax	X	Allowable expenditure
Total income	1	
Allowance deduction:		
328,531	X	67,959
7,714,744		1
		2,894
		1,879
Calculation of taxable income and income tax payable		
Income subject to income tax	328,531	282,165
Less: Allowable deduction	(2,894)	(1,879)
Taxable income before donations	325,637	280,286
Donations (Section 18A)	(32,564)	-
Section 18A donations	98,150	-
Section 18A donations deduction (limited to 10% of taxable income)	(32,564)	-
Carried forward to future years	65,586	-
Taxable income	293,073	280,286
Income tax payable at 27 % - 2024 (27 % - 2023).	79,130	75,677

RESOLUTION 2

Mossel Bay Golf Estate Home Owners Association NPC: Annual General Meeting:

7 November 2024

Ordinary Resolution (50%+1 votes of approval): Acquire approval for the appointment and remuneration of Auditors for the financial year ending June 2025

Background

1. The Mossel Bay Golf Estate Home Owners Association NPC, is a registered company (Registration No. 1999/001249/08) incorporated as a non-profit company as defined in the Companies Act No. 71 of 2008 (as amended).
2. The auditors of the association are appointed in accordance with the requirements of the Companies Act.
3. The HOA, as a registered company, is required in terms of the Companies Act and its Memorandum of Incorporation (MOI), Article 25.1.5 and 25.1.6, to appoint and remunerate auditors to audit its financials for the financial year ending June 2025.
4. Rain Chartered Accountants audited the HOA's financials for the year ending June 2020, 2021, 2022, 2023 and 2024 their services were of exceptional quality and they have again made themselves available to audit the HOA's financials for the year ending June 2025.
5. The budget proposal in respect of audit fees for the financial year 2024/25 amount to R29 700.

Memorandum of incorporation (MOI) requirement

6. Article 25.1.5 and 25.1.6 (extract provided hereunder) require that the HOA appoint and remunerate auditors to audit its financial statements for the 2024/25 financial year.

25 AGENDA AT ANNUAL GENERAL MEETING

- 25.1 In addition to any other matter required by the Act or this memorandum to be dealt with at an annual general meeting, the following matters shall be dealt with at every annual general meeting:
 - 25.1.5 The consideration of the report of the auditors and the fixing of remuneration for the auditors;
 - 25.1.6 The appointment of auditors;

Recommendation

7. In accordance with Article 25.1.5 and 25.1.6 of the Memorandum of Incorporation (MOI) of the HOA it is recommended that:

7.1 Rain Chartered Accountants be appointed as auditors for the financial year 2024/25 (ending 30 June 25), and

7.2 That remuneration to the auditors in the amount of R29 700 be approved.


Proposed: Neil van Rooyen

Date: 24/09/2024


Seconded: Nick van Noordwyk

Date: 24/09/2024

RESOLUTION 3

Mossel Bay Golf Estate Home Owners Association NPC: Annual General Meeting:

7 November 2024

Ordinary Resolution (60%+1 votes of approval): Obtain approval for the HOA operating budget and subsequent apportioned monthly levy: Financial year 2025/26

Background

1. The Mossel Bay Golf Estate Home Owners Association NPC, is a registered company (Registration No. 1999/001249/08) incorporated as a non-profit company as defined in the Companies Act No. 71 of 2008 (as amended).
2. In order to achieve the objectives of the company, funds are required to contract various service providers, make local authority payments and provide for compliance fees.
3. Art 7.4 of the Memorandum of Incorporation (MOI) determine that membership of the association shall be automatic and compulsory as is affirmed by the title deeds of every property.
4. The Table hereunder provides a comparison between the operating expenses (OPEX) and levy for the 2024/25 vs the proposal for 2025/26 financial year.

Financial Year	Approved OPEX	Proposed OPEX	CSOS Membership	Approved Monthly Levy	Proposed Monthly Levy
2024/25	R7 831 654		R22,00	R1 600	
2025/26		R8 456 952	R25,00		R1 725

5. A breakdown of the OPEX shows the following 8 (Eight) categories account for 94.33% of total expenditure:
 - Environmental – 2.53%
 - Gardens – 13.37%
 - General Maintenance – 5.60%
 - Golf Club Expense – 8.58%
 - Managing Agent – 7.26%
 - Pool Maintenance – 2.42%
 - Security – 41.49%
 - Site Office – 13.08%
6. The detailed 2025/26 OPEX budget is attached hereto.

Memorandum of incorporation (MOI) requirement

7. Article 11.1, 11.2, 11.4, 11.5 and 11.8 (extracts provided hereunder) of the MOI relates to the determination of levies and budget approval.

11 LEVIES

- 11.1 *The directors shall from time to time impose levies upon the members for the purpose of meeting all the expenses which the association has incurred or to which the directors reasonably anticipate the association will be put in the attainment of its objects or the pursuit of its business.*
- 11.2 *The directors shall not less than thirty (30) days prior to the end of each financial year or as soon thereafter as reasonably possible, prepare and serve upon every member at the address chosen by him a budget in reasonable detail of the amount which shall be required by the association to meet the expenses during the following financial year, and shall specify separately such estimated deficiency, if any, as may have resulted from the preceding year. The directors may include in such budget an amount to be held in reserve to meet anticipated future expenditure not of an annual nature.*
- 11.4 *The budget referred to in article 11.2 shall make provision for at least the following:*
- 11.4.1 *Maintenance expenses in respect of the maintenance, repair, improvement and keeping in good order and condition of the roads, the private and public open spaces, common areas and facilities;*
- 11.4.2 *Landscaping expense;*
- 11.4.3 *Statutory rates, taxes and charges (excluding erven or units of owners which may be rated separately by the local authority);*
- 11.4.4 *Expenses in respect of security;*
- 11.4.5 *Insurance premiums;*
- 11.4.6 *Expenses and charges in respect of services;*
- 11.4.7 *Administrative expenses, including the cost of a managing agent (if applicable), payment of salaries and/or wages of employees of the association;*
- 11.4.8 *Banking and auditing expenses;*
- 11.4.9 *Provision for future maintenance and repairs or capital expenditure;*
- 11.4.10 *Any awards to the Mossel Bay Golf Club;*
- 11.4.11 *Such other items as the directors may determine.*
- 11.5 *The budget shall be approved, with or without amendments, at every annual general meeting.*
- 11.8 *Following the approval of the budget, the directors shall pass a resolution in terms of which the total amount of the approved budget is apportioned to members according to such equitable apportionment as the directors may determine from time to time.*

Recommendation

- 8 In accordance with Article 11.5 of the MOI it is recommended that the Budget for the 2025/26 financial year, as attached hereto, and subsequent apportioned monthly levy per owner of R1 725.00 be approved.



Proposed: Neil van Rooyen

Date: 2024-09-24



Seconded: Nick Van Noordwyk

Date: 2024-09-24

A		B		C		D	E	F	G	H
MOSSEL BAY GOLF ESTATE		AFS - JUNE 2024		BUDGET - JUNE 2025		PROPOSED - JUNE 2026				
#	DESCRIPTION	2023-2024		2024-2025		PROJECTION	PROPOSED	% (VARIANCE ON PREV YR BUDGET)	COMMENTS	% OF BUDGET
		ACTUAL	%	BUDGET	%					
1	AUDIT & ACCOUNTING	46 440.00	0.66%	36 650.00	0.47%	37 800.00	40 872.00	11.52%	As per quote	0.49%
	ACCOUNTING FEES	7 840.00		5 000.00					**	
	AUDIT FEES	38 600.00		31 650.00					**	
2	BANK CHARGES	21 522.00	0.31%	34 468.00	0.44%	25 550.00	26 827.00	-22.17%	Provision made - estimation	0.32%
3	CONTINGENCY (PREVIOUSLY SUNDRY)	141 328.00	2.01%	26 220.00	0.34%	27 528.00	50 000.00	90.69%	Provision made - estimation - daily costs/once off costs/unexpected costs	0.60%
4	COST OF SALES	15 569.00	0.22%	23 940.00	0.31%	15 600.00	-	-100.00%	Decrease due to change in access control system	0.00%
	ETAGS	15 569.00		23 940.00		15 600.00	-			
	GOLF CART STICKERS	-		-		-	-			
5	ENVIRONMENTAL	209 410.00	2.98%	264 325.00	3.41%	204 131.00	211 706.00	-19.91%	A projected decrease in maintenance requirements of the Nature Reserve	2.53%
	NATURE RESERVE	188 459.00		262 500.00			174 879.00		**	
	ANNUAL REPORT	20 951.00		-			35 000.00		**	
	RENT	-		1 825.00			1 827.00		**	
6	GARDENS	961 083.00	13.66%	847 440.00	10.93%	1 080 797.52	1 120 473.00	32.22%	Increase due to increase in contract price, additional services by contractor, overall increase demand within the estate all resulting in increases"	13.37%
	GARDENING	961 083.00		847 440.00			55 000.00		**	
	GARDEN MAINTENANCE	-		-			504 506.00		**	
	REFUSE REMOVAL	-		-			560 967.00		**	
7	GOLF CLUB EXPENSE	664 795.00	9.45%	691 386.00	8.91%	691 386.00	719 041.44	4.00%	As per agreement - 4% per year increase	8.58%
8	INSURANCE	72 541.00	1.03%	49 228.00	0.63%	63 019.00	66 800.00	35.70%	Due to increase in common property value - Solar, Cameras etc resulting in increase in premiums	0.80%
9	LEGAL FEES	17 175.00	0.24%	44 000.00	0.57%	41 670.00	44 000.00	0.00%	Provision made - no changes expected	0.53%
10	MAINTENANCE	415 759.00	5.91%	570 045.00	7.35%	541 800.00	468 890.00	-17.75%	Provision made - estimation - gate miniatous main reason for projected decrease from prior years	5.60%
	ROAD MAINTENANCE	-		-			142 223.00		**	
	GATE MAINTENANCE	-		-			99 111.00		**	
	FENCE MAINTENANCE	-		-			170 667.00		**	
	CAMERA MAINTENANCE	-		-			56 889.00		**	
11	MANAGING AGENT	543 254.00	7.72%	573 585.00	7.40%	573 586.00	607 913.00	5.98%	As per agreement - 6% per year increase	7.26%
	FEES	527 590.00		564 838.00		564 838.00	598 728.00			
	COPIES & POSTAGE	15 664.00		8 747.00		8 748.00	9 185.00			
12	MUNICIPAL EXPENSES	148 536.00	2.11%	196 327.00	2.53%	180 540.00	196 169.00	-0.08%	Estimation - however cost is driven by outside forces	2.34%
	WATER	-		178 788.00		164 880.00	22 743.00		**	
	ELECTRICITY	-		-		-	157 766.00		**	
	RATES & TAXES	-		17 539.00		15 660.00	15 660.00		**	
13	POOL MAINTENANCE	203 908.00	2.90%	213 911.00	2.76%	192 660.00	203 048.00	-5.08%	Estimation - however cost is driven by outside forces	2.42%
	ALVOR - WATER	-		32 116.00		-	18 406.00		**	
	ALVOR - MAINTENANCE	-		-		-	17 577.00		**	
	ALBU - WATER	-		31 813.00		-	15 175.00		**	
	ALBU - MAINTENANCE	-		-		-	17 577.00		**	
	ISLAND - WATER	-		31 773.00		-	15 137.00		**	
	ISLAND - MAINTENANCE	-		-		-	17 577.00		**	
	SAN BART - WATER	-		22 251.00		-	5 037.00		**	
	SAN BART - MAINTENANCE	-		-		-	17 577.00		**	
	SAN VINCENTE - WATER	-		34 332.00		-	17 846.00		**	
	SAN VINCENTE - MAINTENANCE	-		-		-	17 577.00		**	
	PEN CLOSE - WATER	-		25 431.00		-	8 408.00		**	
	PEN CLOSE - MAINTENANCE	-		-		-	17 577.00		**	
	HOA - MAINTENANCE	-		36 195.00		-	17 577.00		**	
14	PR & MARKETING	53 755.00	0.76%	37 100.00	0.48%	44 100.00	50 000.00	34.77%	Provision made - estimation - for initiatives/programs for the HOA (AGM, information sessions/socials etc)	0.60%
	WEBHOSTING	-		-		-	3 500.00		**	
	INFORMATION SESSIONS	-		-		-	13 000.00		**	
	SOCIAL	-		-		-	10 000.00		**	
	ADVERTISE	-		-		-	23 500.00		**	
15	SECURITY	2 782 642.00	39.55%	3 362 386.00	43.35%	3 262 396.00	3 476 136.00	3.38%	As per agreement - 4% per year increase	41.49%
	BONUS	-		14 432.19		-	14 964.00		**	
	MONITORING	-		995.32		-	1 027.00		**	
	ARMED RESPONSE	-		1 073 643.04		-	1 112 917.00		**	
	GUARDING	-		1 948 470.21		-	2 019 733.00		**	
	SECURITY MANAGER	-		72 845.24		-	75 495.00		**	
	ACCESS CONTROL	-		252 000.00		-	252 000.00		**	
16	SITE OFFICE	738 351.00	10.49%	784 966.00	10.12%	1 005 330.36	1 095 947.00	39.62%	Current cost of site personnel are higher then that of previous site personnel	13.08%
	SALARY	621 245.00		-		852 586.20	935 566.00		**	
	WAGES	117 106.00		-		-	-		**	
	VEHICLE	-		-		122 562.00	128 690.00		**	
	VOXCOM	-		-		30 182.16	31 691.00		**	
17	NETT EXPENSES BEFORE ACCOUNTING ENTRIES	7 036 068.00	100.00%	7 755 977.00	100.00%	7 987 893.88	8 377 822.44	8.02%	Overall increase %	100.00%
18	ACCOUNTING ENTRIES									
19	TAXATION	79 130.00		75 677.00		79 130.00	79 130.00	4.56%	Estimate / Accounting Entry	
20	DEPRECIATION	247 865.00		-		-	-		Accounting entry	
20	WRITE OFF	280 036.00		-		-	-		Accounting entry	
21	TOTAL EXPENSE									
22	TOTAL EXPENSE (EXCLUDING TAX) (#17 + #19 + #20)	7 563 969.00	AFS	7 755 977.00		7 987 893.88	8 377 822.44		Estimate	
	TOTAL EXPENSE (INCLUDING TAX) (#18 + #21)	7 643 099.00		7 831 654.00	BUDGET	8 067 023.88	8 456 952.44		Estimate	
23	NO. OF HOUSE UNITS - 394									
24	NETT EXPENSES/UNITS (#17 / 394)	17 858.04	1 488.17	19 685.22	1 640.44	20 273.84	21 263.51	1 771.96	Estimate Yearly/Monthly Levy	
24	TOTAL EXPENSES (EX. TAX/UNITS) (#21 / 394)	19 197.89	1 599.82	19 685.22	1 640.44	20 273.84	21 263.51	1 771.96	Estimate Yearly/Monthly Levy	
25	TOTAL EXPENSES (INC. TAX/UNITS) (#22 / 394)	19 398.73	1 616.56	19 877.29	1 656.44	20 474.68	21 464.35	1 788.70	Estimate Yearly/Monthly Levy	
26	INTEREST RECEIVED	330 181.00		370 868.00		342 646.00	342 646.00	869.66	Estimate - 394 Units (Yearly = R870 and Monthly R72.50) - Sa	
27	LEVY									
28	OMBUDSMAN FEES	19.00		22.00	15.79%	-	25.00	13.64%	Actual as per CSOS Act	
29	LEVY - ORDINARY	1 481.00		1 578.00	6.55%	-	1 700.00	7.73%	Proposed levy	
29	TOTAL LEVY - MONTHLY	1 500.00		1 600.00	6.67%	-	1 725.00	7.81%	Proposed monthly levy	
30	TOTAL LEVY - YEARLY	18 000.00		19 200.00	6.67%	-	20 700.00	7.81%	Proposed yearly levy	
	LEVY PROPOSED LEVY	1 500.00		1 600.00		-	1 725.00			
RECON	TOTAL EXPENSE (INCLUDING TAX) (#22)	7 643 099.00	B	7 831 654.00	B	8 067 023.88	8 456 952.44	B	Maintenance - security and insurance office contribute to R300k of difference between projected and budgeted amounts	389 928.56
	LESS: INTEREST RECEIVED (#26)	330 181.00		370 868.00		342 646.00	342 646.00			
	TOTAL EXPENSES LESS INTEREST (#22 - #26)	7 312 918.00	C	7 460 786.00	C	7 724 377.88	8 114 306.44	C		
	INCOME: LEVY - ORDINARY (394 UNITS * LEVY * 12 MONTHS) (#28)	7 002 168.00	A	7 460 784.00	A	8 037 600.00	8 037 600.00	A		
	INCOME: LEVY - ORDINARY (394 UNITS * TOTAL LEVY * 12 MONTHS) (#29)	7 092 000.00		7 564 800.00		8 155 800.00	8 155 800.00			
	DIFFERENCE (EXCLUDING INTEREST): LEVY LESS EXPENSE	640 931.00	(A-B)	370 870.00	(A-B)	29 423.88	419 352.44	(A-B)		
	DIFFERENCE (INCLUDING INTEREST) LEVY LESS EXPENSE	310 750.00	(A-C)	2.00	(A-C)	313 222.12	76 706.44	(A-C)		389 928.56
NOTES	CAPEX	Any capital expense / capital budget that is required is currently set off against reserves (R4m in cash per June 2024 AFS) (Approximately R4.2m as of August 2024)								
	PROJECTION	Projection is based on current actuals and then streamlined to do a projected yearly figure. This is then assessed with the June 2024 Actuals, the 2025 Approved Budget, to then calculate the requirements for June 2026								
	OTHER	Items that may additionally occur during June 2025 or June 2026 that are not budgeted for will either need to come out of reserves, used from other portfolios budgets or result in a special levy								
	CLASSIFICATIONS	**Some sub-accounts above have been reclassified under appropriate main accounts as well as further sub-accounts added where required to give more detail on specific items/expenses (Breakdown implemented for accuracy, reporting purposes and data collection)								

RESOLUTION 4

Mossel Bay Golf Estate Home Owners Association (HOA): Annual General Meeting: 7 November 2024

Ordinary Resolution (60%+1 votes of approval): Obtain approval for upgrading the existing Managing and Operational Facility (included in capital plan)

Background

The present office and storage facilities (HOA owned assets) used by the Estate Manager is situated on Erf 14964 (HOA private common property) in Nantekara Close.

1. These facilities comprise the following:
 - 1.1 A brick-and-mortar building with tiled roof (aligned with the Architectural Guidelines of the HOA). The building measures 5 700 x 4 500mm and comprise of an area used as one office /meeting area, one internal toilet and wash basin, as well as one external toilet and wash basin;
 - 1.2 The office/meeting area is utilised for the storage of files and office equipment, kitchen appliances (small fridge, microwave and kettle);
 - 1.3 The office/meeting area commonly accommodate home owners, contractors, service providers, board members, visitors and personnel who meet with the Estate Manager or Assistant Estate Manager to address issues;
 - 1.4 A 6 000 x 3 000mm timber "wendy house" (which do not conform with the Architectural Guidelines of the HOA) is utilised for the storage of maintenance equipment/spares and documents, and
 - 1.5 A paved and grassed area accommodated the HOA trailer used for collecting and transporting refuse, as well as a vehicle employed by the Estate Manager in the execution of his duties.
 - 1.6 A golf cart (HOA asset), used by Assistant Estate Manager is currently stored at the Schoeman Street entrance/exit.

Quandary

2. The aforementioned office and storage facilities used by the Estate Manager is:
 - 2.1 Inadequate in serving the HOA's needs and objectives as set out in the Memorandum of Incorporation (MOI);
 - 2.2 Do not provide a conducive work environment;
 - 2.3 Do not comply with existing legislation (sanitary facilities);
 - 2.4 The timber wendy house do not comply with the Architectural Guidelines of the HOA, and

2.5 Not portraying the image, brand and status of the Mossel Bay Golf Estate.

History

1. A resolution was accepted at the 2021 AGM for a project limited to R1 million, that did not include the sanitary facilities, that are now excluded;
2. At the AGM of 2022 the chairman reported:
" An amount of R1,000,000 was approved in 2021 to enlarge the Estate Office & Storage facilities. The preparation work to enlarge the Estate Office & Storage facilities, which includes Municipal approvals, draft building plans, etc. has been concluded based on the 2021 approved guidelines. Estimates based on these plans are that the allocated funds would be insufficient to complete the proposed work. Given the available current capital funds, the Board of Directors is recommending that this project should be revisited and that a new project proposal and funding plan should be submitted for consideration by the members at a future General Meeting."

Proposed Solution

1. In order to address the abovementioned dilemma, it is proposed that the existing HOA office and storage facilities (measuring in extent 25.65m²) used by the Estate Manager and personnel be upgraded.
2. The planned new layout provides for two offices, induction/meeting-, waiting-, garage/staff-, valuable emergency spares and consumable-, statutory archive areas, as well as sanitary facilities, kitchenette, paving and yard enclosure.
3. The HOA Board be responsible for the project by undertaking the following activities:
 - 3.1 Appoint an Architect and Professional Team to complete the required designs and drawings for submission and approval by the Mossel Bay Municipality;
 - 3.2 Obtain the necessary quotations for the construction;
 - 3.3 Select and conclude an agreement with the most economical/reputable/suitable service provider for the building works;
 - 3.4 Ensure building works and contractors comply with the HOA Architectural Guidelines and Contractor Rules;
 - 3.5 Obtain the required certificates for works performed and Municipal Occupation Certificate;
 - 3.6 Suitably furnish the facility, and
 - 3.7 Communicate with HOA members in respect of progress.

Recommendation

4. It is recommended that approval be given for:

4.1 The construction works as proposed be undertaken;

4.2 The total capital costs of the project be limited to R1 980 000 over the next 24 months as capital allows.



Proposed: Stephen Röth

Date: 2024-09-26



Seconded: Henry Böning

Date: 2024-09-24

RESOLUTION 5

Mossel Bay Golf Estate Home Owners Association NPC : Annual General Meeting:

7 November 2024

Ordinary Resolution (50%+1 votes of approval): Care Unit Mosselbay Golf Estate

BACKGROUND

The proposal for a Care Unit at Mosselbay Golf Estate was tabled at a previous AGM but did not succeed. Some of the home owners of the estate still feels that a Care Unit would add value and would be an advantage to the Estate.

MOTIVATION

1. The care of residents:

Mossel Bay Estate's residents are generally older people. The degeneration of humanity is a given. Sooner or later, someone will require care.

Most of the lifestyle estates in Mossel Bay already have care facilities or they are in planning.

2. Added Value:

It goes without saying that such an addition will increase the financial value of each property

3. Revenues for HEV.

The operation of such a unit will generate an income for the HOA.

RECOMMENDATION

1. It is recommended that the Board reopens the investigation into a Care Unit for Mossel Bay Golf Estate.

PROPOSED BY: Dr JD Griesel

DATE: 27 September 2024



SECONDED BY: Mr J vd Berg

DATE: 27 September 2024



RESOLUTION 6

Mossel Bay Golf Estate Home Owners Association (HOA): Annual General Meeting - 7 November 2024

Ordinary Resolution (requires 50%+1 vote for approval): Regarding Gardens and Development in the Nature Reserve

Background

The 43.5 hectares of nature reserve area between the Mossel Bay Golf Estate and the ocean is leased by the Mossel Bay Golf Estate from the Mossel Bay Municipality for a period of 99 years, ending in 2098. The purpose of this lease is stated as: **“to manage, rehabilitate, and maintain the leased area as a major asset of the development, maximizing its environmental potential and preserving its ecosystems.”** The agreement specifies that **“the leased area shall be used as a nature reserve and for no other purpose whatsoever without the prior written consent of the Lessor.”** In the event of a breach of this agreement, the Lessee has the right to cancel the agreement and reclaim the property.

Despite this, some owners of properties adjacent to the nature reserve have in the past engaged in activities such as gardening, constructing structures, and laying paths within the reserve area. These activities have been noted in environmental reports and are clearly visible on the Municipal GIS viewer when the erf boundaries are enabled.

A few owners are thus jeopardizing the continuation of the agreement with the municipality. For this reason, the following proposal is important to consider. This issue is further complicated when properties change ownership, and new owners refuse to take responsibility for alterations made by previous owners in the reserve area.

Proposed Actions to Be Overseen by the Board:

1. That any activities that do not support the purpose of the lease, namely “to preserve its ecosystems,” be addressed by the Board and management.
2. That rehabilitation actions must be undertaken by owners who have encroached on the nature reserve, at their own cost.
3. That rehabilitation should be carried out at the expense of the HOA if it cannot be proven that the infringement occurred during the present owner's tenure and the present owner is unwilling to undertake the rehabilitation.

Proposed Resolution:

That the following be added to the Conduct Rules of the Mossel Bay Golf Estate:

“9.2 A consent in terms of MOI 10.6.2 to sell or transfer a property adjacent to the nature reserve will only be issued after the Estate Manager certifies that, according to the regular audit report in terms of the Environmental Management Plan, there is no disturbance or infringement of the nature reserve adjacent to the property.”

Proposed: Stephen R th

Date:

2024-09-24 

Seconded: Henry B ning

Date:

2024-09-24 

RESOLUTION 7

Mossel Bay Golf Estate Home Owners Association (HOA)

Annual General Meeting - 7 November 2024

Ordinary Resolution (requires 50%+1 vote for approval): Percentage of Flat Roofs Allowed for Existing Buildings

Background

The Architectural Guidelines currently limit the percentage of flat roofs to 10%. If this 10% limit is exceeded, a formal motivation must be submitted to the Board for a decision. In some cases, extensions to existing houses or units are only feasible if this percentage is exceeded.

Discussion

The purpose of this proposal is to expedite the approval process for extension plans. The Architectural Review Committee (ARC) will still ensure that the street and golf course views of houses or units are not compromised.

Proposed Resolution

That section 2.9.5 of the Architectural Guidelines, which states:

"As a guideline, the total area of flat roofs may not exceed 10%. Aluminium Louvre roofs will not form part of the 10% flat roof restriction but must still be submitted to the ARC for possible approval."

be amended to:

"As a guideline, the total area of flat roofs may not exceed 10% for new houses. For extensions to existing houses, a motivated percentage of up to 20% may be accepted by the ARC. Aluminium Louvre roofs will not form part of the flat roof restriction but must still be submitted to the ARC for possible approval."

Proposed: Henry Böning

Seconded: Nick Van Noordwyk

Date: 2024-09-24

Date: 2024-09-24



Resolution 8

Mossel Bay Golf Estate Home Owners Association (NPC) (HOA): Annual General Meeting:

7 November 2024

Ordinary Resolution (50%+1 votes of approval): Phasing out and subsequent cessation of short-term letting in Mossel Bay Golf Estate

Background and Motivation

The Mossel Bay Golf Estate development in the last two decades has evolved from a situation where a substantial number of properties were used by owners as holiday homes to a current position where most of the units and houses are now occupied by permanent (owner) residents.


Short-term letting has been and remain a bone of contention among owners for several years. In accordance with the HOA's Memorandum of Incorporation, residents collectively have the right to decide whether they want to allow short-term letting to continue or if they want it to be phase out and terminated.

The risk on residents and Security reached unacceptable levels due to unknown people that move freely in and out of the Estate. We as owners need to protect our families against any risks and keep our Estate clean from criminal activities.

No change regarding long-term letting (periods exceeding 30 calendar days) is proposed.

Proposed Resolution

- a) That rule 15.4 be added under Conduct Rule 15: Letting of Units
Rule 15.4 to read: No letting of a unit/house will be allowed for a period less than 30 days".
- b) That the entire Conduct Rule 18: Conditions applicable to Self-Catering Accommodation be scrapped, and
- c) That the proposal contained in a) and b) above take effect from 1 February 2025.

Proposed: 
Date: 2024-09-21

Seconded: 
Date: 2024-09-22

RESOLUTION 9

Mossel Bay Golf Estate Home Owners Association NPC: Annual General Meeting (AGM): 7 November 2024

Ordinary Resolution (50%+1 majority votes): Amendment to Security Rules

Background

After an incident happened at the Mossel Bay Golf Estate where an armoured vehicle with armed guards wanted to deliver a large amount of money at a residence, the following amendment was made to the Security Rules:

“9.29. No armoured delivery vehicles of any kind or armed guards will be allowed to enter the Estate.”

Incidents were reported that taxi's enter during the night through the main gate and not through the contractor's gate. This poses a threat to all residents on the Estate and the Security Rules have thus been amended as follows:

*“9.30. Registered taxis will only be allowed access through the Church Street Contractors Gate.
Taxis may drop off and pick up residents at any time, but no other passengers are allowed to enter. Taxis will be allowed to move unaccompanied on the estate between 06:00 and 19:00 in summer and 07:00 and 17:00 in winter to drop off or pick up residents. If a taxi is unfamiliar with the estate roads, Estate Security Armed Response must assist.
Between 19:00 and 06:00, no taxi will be allowed to drive on the estate unaccompanied; instead, they will be escorted by the Armed Response Vehicle. The resident must make arrangements for this by contacting the Estate Armed Response Vehicle at 0817775338.”*

Recommendation

1. That the above mentioned Rules be amended to create a safe and secure environment for all residents living on the Estate.


Proposed: Pieter Venter

Date: 2024-09-24


Seconded: Piet Ackerman

Date: 2024-09-24

Resolution 10

MOSSEL BAY GOLF ESTATE HOME OWNERS ASSOCIATION NPC

Registration Number: 1999/001249/08

AMENDMENT OF Rule 9 of the Mossel Bay Home Owners Code of Conduct

AND

2021: Contractors code of conduct

To scrap/ amend all rules which incorrectly interpret and implement the term "contractor".
EG

Conduct Rules 9. Contractors:

9.1. All contractors which include furniture removals, Freight, Deliveries, Quotations, etc. shall enter through Church Street Contractors gate and workers shall enter through the turn style gate.

AND

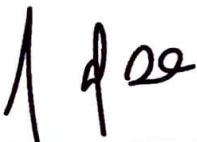
2021: CONTRACTORS'S CODE OF CONDUCT

The Code of Conduct must be adhered to by all contractors (includes building contractors, sub-contractors, suppliers, gardening services, courier services, delivery services, etcetera). It is compulsory for both the owner and main building contractor to sign this attachment, prior to the commencement of any construction activity on site and forwarded it to the Managing Agent for record purposes. The owner and main contractor will be held responsible jointly and be severally liable for any breach of this code. It is therefore advisable for the owner to take the necessary precautions to ensure that his contractors and suppliers understand this code of conduct in its entirety.

Proposer: Tania Halse

Seconder: WARREN GALGUT 

Speaker: Tania Halse



BACKGROUND AND MOTIVATION

The Rule as is does not align with the definition of "contractor" in the MOI. By not correcting the application of the definition, the board is putting the estate at risk, should this rule be challenged in court.

According to the MOI, the definition of "contractor" is as follows:

1/3

"Contractor" - an accredited building contractor in terms of this memorandum, employed by a member or where applicable a body corporate for the construction of improvements.

1. INCORRECT APPLICATION OF THE RULE

As this definition is clear, rules 9.1, and contractor's rules, which incorrectly applies the definition of contractor to a multitude of other service providers, needs to be amended to read correctly.

2. SECURITY

The owners of MBGE are fully in agreement that rules regarding entry into the estate may be updated from time to time to ensure maximum security for all who live here.

It is however pertinent that any amendments to the rules be as transparent and sensible as possible. To ensure that this is the case, it is reasonable to expect that before implementation of these rules, the input from owners and residents is sought.

3. TRUST AND UNITY IN A COMMON GOAL

The inclusion of owners inputs and transparency around how new or amended rules are developed will encourage trust in the board and a strong sense of unity towards a common goal.

Proposal for Resolution at the AGM

1. TO AMEND THE RULE 9.1 OF THE MBGE HOME OWNERS CODE OF CONDUCT TO READ

9.1 All contractors shall enter through Church Street Contractor's gate.

2. TO AMEND THE CONTRACTORS CODE OF CONDUCT TO READ

The Code of Conduct must be adhered to by all contractors (includes building contractors, sub-contractors, suppliers. It is compulsory for both the owner and main building contractor to sign this attachment, prior to the commencement of any construction activity on site and forwarded it to the Managing Agent for record purposes. The owner and main contractor will be held responsible jointly and be severally liable for any breach of this code. It is therefore advisable for the owner to take the necessary precautions to ensure that his contractors and suppliers understand this code of conduct in its entirety.

2/3

3. AUGMENT THE MOI TO INCLUDE CORRECT DEFINITION OF OTHER SERVICE PROVIDERS

Should there be a need to regulate entry for food, media, medical, furniture deliveries, and taxis for the purpose of upscaling security measures on the estate, one should start by defining the terms in the MOI.

4. DISCUSS AND DEVELOP RULES TO REGULATE DELIVERIES AND TAXI ENTRY

Rules are aligned with the MOI. The board should present to the AGM proposed rules that align with the MOI to regulate gate entries other than those already addressed in the rules.

5. OWNERS TO VOTE ON THE IMPLEMENTATION OF SUGESTED NEW RULES

In line with the Rules and the MOI, owners should vote on the implementation of new rules.

SPECIAL RESOLUTION 1

Mossel Bay Golf Estate Home Owners Association NPC: Annual General Meeting 7 November 2024

Special Resolution (>75% majority voting rights exercised at an AGM): Amendment of the Memorandum of Incorporation

Background

In order to ensure that all residents of the Mossel Bay Golf Estate are safe and secure, various access control procedures have been put in place over the years.

To ensure that the MOI is aligned with the rules regarding access control, the following proposal is made, in order to avoid confusion in future.

Comparison of amendments to the MOI:

Current Definition	New Proposed Definition
Def of Contractor: an Accredited building contractor in terms of this memorandum, employed by a member or where applicable a body corporate for the construction of improvements.	Def of Contractor: an Accredited building contractor in terms of this memorandum, employed by a member or where applicable a body corporate for the construction of improvements <i>or any other Service Provider employed by a member to deliver a service to the member's residence.</i>

Recommendation

That the amendments to alter the MOI be approved.

Proposed: Pieter Venter

Date: 24/09/2024

Seconded: Nick Van Noordwyk

Date: 24/09/2024