

**MINUTES OF THE ANNUAL GENERAL MEETING OF THE MARINA DA GAMA ASSOCIATION  
HELD AT THE MASQUE THEATRE, MUIZENBERG ON MONDAY JUNE 11<sup>TH</sup> 2018**

**MEETING OPENED – 19h10** - the delay was to ensure quorum.

**1. WELCOME.**

The chairperson, Cheryl Philip welcomed all the members and guests present at the meeting.

The notice convening the meeting was sent out on the 8<sup>th</sup> May. All documentation was circulated via the electronic notice board and the website as per the resolution passed at the AGM in 2016.

Members were requested to raise their hands, give their names and to keep questions relevant to the particular item on the agenda and to make use of the roving microphone.

**2. ATTENDANCE**

**Committee members:**

Cheryl Philip, Geri Goldblatt, Angus Hemp, Lathif Gafoor, Jimmy Fitzpatrick, Robin Carlisle, Toni Joubert, Trevor Quelch, Nicci Thompson-Evans.

**Minute taker:** Geri Goldblatt

**Members and guests:** Approximately 100

**Apologies received:**

Natalia Baker; Alan and Pam Hepple, Boudje & Cherry Giljam, Gillian Wilson, Dianna Kemmish Dmitri Qually, Margaret Carlisle, John Oliver, Ray and Merle Stoltz.

It was noted that the meeting was quorate as more than 60 members were present at the meeting. The proxy forms received would be validated the following day when the votes were counted. The final tally was 68 members present and 11 proxy forms received.

**3. MINUTES OF THE PREVIOUS AGM HELD ON THE 5<sup>th</sup> JUNE 2017**

The minutes were proposed by Rob McLean and seconded by Rob Wilmot. Minutes were approved and accepted as correct.

**4. MINUTES OF THE OGM HELD ON THE 26<sup>th</sup> MARCH 2018**

The minutes were proposed by David Jubb and seconded by Lathif Gafoor. Minutes were approved and accepted as correct.

## 5. PRESENTATION OF THE CHAIRPERSON'S REPORT

The following members were thanked:

- All volunteers who had helped with Parks and Gardens.
- JC de Gouveia and the guardians for the work on Security.
- Alan Hepple as chair and Eduardo Nunes, the independent architect on Archcom.
- Boudje Giljam for continuing on Standards after resigning from ExCom.
- Members of the Committee for their efforts and the long hours they put in during the year.

This report expanded on the report as distributed with the notice of meeting. The chair advised that the continuous abuse of ExCom, who were all volunteers, was unacceptable and needed to come to an end. In light of this decision, ExCom has taken a decision to reduce any interaction with these members, and non-paying members.

Members were further requested to assist with standards by advising on any building taking place and materials being delivered. This would prevent the renovations taking place before it happened if plans had not been signed off.

Members were requested to forward themselves for appointment to ExCom to assist with the security portfolio and parks and gardens.

As fewer than 12 nominations were received the following members have were elected to ExCom until the next AGM:

Jimmy Fitzpatrick	Angus Hemp
Lathif Gafoor	Geri Goldblatt
Lorraine Moko	Cheryl Philip
Pieter Laubscher	Trevor Quelch

Robin Carlisle, will not be available to serve on ExCom, but will continue to run the camera project and the Guardians

## QUESTIONS / DISCUSSIONS FROM THE FLOOR

Robin Carlisle advised that, although he was retiring from ExCom, he would keep an eye on security developments in the Marina, however there is a need for other members of our community to come forward and take over the Guardians We are all very grateful for his expertise and commitment to this complex project.

Lorraine Moko & Pieter Laubscher were welcomed to ExCom. As an architect, Peter would take over the ArchCom portfolio.

The Chairperson requested members to come forward and replace the hardworking Toni Joubert who has made such an enormous contribution to our community and environment.

## **6. APPROVAL OF FINANCIAL STATEMENTS**

Peter Ferry queried the status of the deposits in the Archcom account. The Chairperson explained that these were old deposits that had not been claimed by residents, many of whom had left the Marina years ago. Current members that still held deposits in this account could claim their monies. The chair advised that if ordinary resolution No 3 is approved, the funds would be used for projects in the Marina, but funds had to be withdrawn in a tax efficient manner.

The Chairperson further clarified the current system of deposits:

- R250 for perusal of plans which is paid over to the Architect
- R500 refundable deposit on receipt by the MDGA of a copy of the signed off council plans. This is a recent change to process as signed off council plans have not been held previously by the MDGA

Ms Meladonis said that Council had rejected her plans 5 times. The Chairperson responded that there was little ExCom could do about a Council matter. The deposit to ExCom would be refunded if the plans were withdrawn and no longer required.

Mr Singer questioned the deposits and the invoices. The Chairperson clarified that the new systems, processes and practices that have been put in place are now more efficient.

## **7. ADOPTION OF ORDINARY RESOLUTIONS:**

Members were requested to cast their votes on ordinary resolutions Nos 1 – 3

### **ORDINARY RESOLUTION NO 1 - CONSIDERATION AND ADOPTION OF THE ANNUAL FINANCIAL STATEMENTS DATED 28<sup>TH</sup> FEBRUARY 2018**

#### **ORDINARY RESOLUTION NO 2 – APPOINTMENT OF INDEPENDENT AUDITOR**

Excom had recommended that the auditors BDV Platinum be appointed as the independent auditors for the financial year ending 28 February 2019.

#### **ORDINARY RESOLUTION NO 3 – UTILISATION OF ARCHCOM FUNDS**

Archcom funds - funds in the Archcom savings account be available for use by ExCom for upgrading projects in the Marina.

**8. ADOPTION OF RESOLUTIONS TO AMEND THE DESIGN MANUAL:**

It was noted that a 75% was required for these resolutions to be implemented.

The chair requested that resolution No 2 be reviewed first as the other 2 resolutions required further discussion;

**DESIGN MANUAL RESOLUTION No 2 – EXTERIOR WALLS**

“Walls must be masonry, plastered and painted white” – the word “bagged” had been deleted.

**DESIGN MANUAL RESOLUTIONS No 1&3**

The Chair requested that Mr Singer address the meeting on these resolutions. Mr Singer stated that the rejection of his plans was unlawful and irregular. He had taken ExCom to the Ombudsman who had ruled that the concept “Streetscapes” was not yet in the Design Manual, so was not yet official policy. His appeal to Archcom had been turned down without reason. His Open Letter, as submitted for publication to the noticeboard on the Friday prior to the meeting was not circulated via the electronic noticeboard. Mr Singer further advised that he would not get a fair hearing at the meeting as the chair would direct the flow of information; that Archcom would continue to do as they please and an architect's view on “streetscapes” is very subjective.

The Chairperson responded that the Resolution number 1 and 3 were to be voted on and Mr Singer had the right to vote against these resolutions, as did other members. This meeting was the correct platform to address concerns to enable members to get a balanced view before they voted. It was noted that 10 resolutions had been put forward to amend the design manual at the previous AGM, but due to the discussions held at the meeting, only a few had passed. Further meetings and discussions took place before the OGM in March 2018 when they passed. The electronic noticeboard was not the platform for “Open letters” – as has been done in the past, members have privately done a mail drop to advise members of their satisfaction.

Mr Singer exited the meeting at this point.

The chair explained that the resolutions, as proposed, would be more explicit and preserve the architectural environment and integrity of design of the Marina and would ensure that Archcom had more detailed guidelines to work off. It was further explained that, as many properties were being renovated to allow for rental, there were more “dwellings’ on one property, an increase in

street parking would have negative effects on the streetscapes. The chair further advised that it was not a problem if the resolutions did not pass the required percentage, but would be reworked and reworded before presentation to the members at a later stage.

Mr Laubscher confirmed the definition of a dwelling unit as per the municipal standards as a “self-contained room which contains a kitchen”.

After a robust discussion it was agreed to include the definition of a dwelling in the design manual.

It was further agreed to amend the resolution and to vote on the following resolution (repeated a number of times for correctness):

That **“Each dwelling unit should have at least one parking bay with a driveway crossing and completed driveway”**

Ms Oberhauer advised that a number of people had built without a sufficient driveway. The chair advised that there is little the MDGA could do to change what has already been built, but, if the resolutions are passed, it would allow the MDGA to prevent any such developments going forward.

Members were requested to vote on the design manual resolutions:

#### **DESIGN MANUAL RESOLUTION No 1 – STREETSCAPES**

The visual elements of Marina da Gama streets, including the road, adjoining buildings, pedestrian pavements, street furniture, trees and open spaces, etc., that combine to form the street's character are an integral part of the architectural and environmental theme that establishes the overall character of the Marina da Gama. Elements that affect streetscapes include building lines and provision of sufficient on-site car parking. Building lines must comply with the statutory development conditions of the Marina as originally approved, as building lines have a direct influence on the character and uniqueness of the area. Departures from the building lines require the approval of Archcom to ensure that the streetscapes of the Marina da Gama are not adversely affected. On-site parking is a statutory requirement, and any development of a property must meet the on-site parking requirements, in order that a development does not increase the number of vehicles to be parked in the street.

#### **DESIGN MANUAL RESOLUTION No 2 – EXTERIOR WALLS**

Walls must be masonry, plastered and painted white

**DESIGN MANUAL RESOLUTION No 3 – GARAGING**

Each dwelling unit to have at least one parking bay with a driveway crossing and completed driveway

**9. GENERAL**

Mr Gafoor confirmed that Council had approved the relocation of the weed-eater from Little Princess Vlei on 11 July 2018 to the Marina and hopes that Council will honor it's undertaking,

The chair advised that the MDGA held funds of R900 000 at the date of the meeting.

Jennifer Krait proposed a vote of thanks to ExCom

The meeting closed at: 20h10

Signed by the Chairperson – XX June 2019

**RESULTS OF VOTING AT ANNUAL GENERAL MEETING 2018****ORDINARY RESOLUTIONS – SIMPLE MAJORITY TO PASS**

<b>ORDINARY RESOLUTIONS – SIMPLE MAJORITY TO PASS</b>		<b>FOR</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>% PASS</b>
Ord 1	Receive and adopt AFS for year ending 28 February 2018	68	0	0	100
Ord2	Appointment of BDV Platinum as auditor for FY2019	69	0	0	100
Ord3	Approval to utilise Archcom funds	67	1	0	98

*Amendments to the design manual require a 75% pass by members*

<b>AMENDMENTS TO THE DESIGN MANUAL</b>		<b>FOR</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>% PASS</b>
DS -1	Streetscapes	57	4	3	93
DS - 2	Exterior Walls	66	2	0	97
DS - 3	Garaging	62	3	1	95