
Minutes of Annual General Meeting

Held on 27th July 2023 at 12:00 @ RocPoint House, 15 Timeball Boulevard, Point Waterfront

Present

N Pillay	(NP)	-	DPWMA (Chairman)
B Soban	(BS)	-	DPWMA
D Hayman	(DH)	-	DPWMA
V Ramdass	(VR)	-	DPWMA
N de Bruin	(NdB)	-	DPWMA
A C Mitha	(ACM)	-	DPWMA
Z Msomi	(ZM)	-	DPWMA
S Khan	(SK)	-	DPWMA
W Milan	(WM)	-	Tsebo Smart
P Pillay	(PP)	-	Tsebo Smart
M Pillay	(MP)	-	Bond Square
A Mia	(AM)	-	The Sails
D Chetty	(DC)	-	Harbour View
E Coleman	(EC)	-	Dock Point
A Roberts	(AR)	-	Marine Point

Apologies

None

Item	Description
1.	Welcome The Chairman welcomed all those present and declared the meeting duly convened in terms of the DPWMA Memorandum of Incorporation. The Chairman had requested for all the late comers to sign the register before they leave the meeting. Many members did not sign.
2.	Quorum
2.1	After establishing that a quorum was present, the meeting proceeded.
3.	Appointments and Resignations
3.1	None
4.	Minutes of the previous meeting and matters arising
4.1	The last meeting was held on 23 June 2022. Minutes of the meeting were adopted as correct. VR proposed and seconded by BS and signed off by NP.

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- 4.2 Quorum –At the previous meeting it was discussed and clarified what constituted a quorum.
- NdB confirmed that
1. Minimum 25% of voting rights (Bulk)
 2. DPDC must be represented.
 3. 3x Members
- 4.3 Annual Financial Statement – It was discussed at the previous AGM and, referring to the MOI, that the Annual Financial Statement would be reviewed at the DPWMA Board meeting, and signed off at the AGM.
- 4.4 Memorandum of Incorporation – Dudu Subramanian requested for the MOI to be updated. NdB had requested for the Attorney to update the MOI and was still in progress.
- 5. Chairman’s Report**
- 5.1 The Chairman tabled the report.
- 6. Appointment of Auditors**
- 6.1 Four quotes were obtained from:
- | | |
|-----------------------|------------|
| 1. Moore | - R75 000 |
| 2. BDO | - R150 000 |
| 3. SNG Grant Thornton | - R150 000 |
| 4. Deloitte | - R300 000 |
- 6.2 DH proposed for Moore as Auditors and VR seconded. The members were also in favor of Moore. The AGM approved Moore as the auditors for 2024 financial year. DH stated that DPWMA has strict financial controls in place.
- 7. Annual Financial Statements**
- 7.1 ACM stated that the Audit was done, and it was a clean audit with no findings.
- 7.2 The Chairman enquired about the provision for bad debts. ACM responded that, in 2021 the GIA payment was received, and the provision was reversed. The Chairman said that the note needed to be explained in the future.
- 7.3 The Chairman enquired about the levy increase. ACM confirmed that there was a ten percent increase for the 2023 year.
- 7.4 The Annual Financial Statement was approved at the AGM and signed off by NP.

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8. Nomination of Directors

- 8.1 NdB said that according to the MOI, all the nominated Directors needed to resign. Members could nominate new Directors. He said there would be a vote at the end of the nominations. The Chairman enquired as to who constituted nominated Directors. NdB responded the Directors appointed by DPDC: DH, VR and AM. NdB said that the other option was for the existing Directors to continue or new Directors to be elected, depending on the members.
- 8.2 The members from The Sails had nominated for AM to be a Director. BS reappointed DH and VR as Directors. The Directors of the DPWMA Board all remain.

9. General

- 9.1 AR, a representative for Marine Point and Dock Point, stated that there were massive issues affecting the people in the area. He said that the nuisance and noise levels from The Villa had been raised previously and nothing had been done.
- 9.2 AR tabled some documents, including a legal opinion at the meeting. He said that, as a Body Corporate, they were able to initiate legal proceedings and was representing the people in the area. He added that Marine Point and Dock Point had joined and formed an alliance and soon The Sails and Bond Square would join the group. He further added that he had a mandate from -various owners to represent them at the AGM. AR stated that the scheme must have rules and through those rules the area should be regulated. He presented the rules and emphasized Rule 15, which states that one could not create a nuisance on a property and no club/bar should be opened between 3.00am and 8.00am.
- 9.3 He tabled all the complaints reported since February 2023 to date. He said he had legal opinions from an Advocate. He added that people were unable to sleep at night due to the noise levels from the club. He further stated that their interest here were common interest and they needed the help of the Association to mitigate these issues.
- 9.4 A member from The Sails asked as to why the Association was not assisting with the matter. DH said that DPWMA was not a Body Corporate to assist as per AR's feedback. DH added that all actions taken by the Association had to be in the interest of all owners. DH suggested to get a legal opinion from both DPWMA and AR's Attorney and meet to discuss same.
- 9.5 BS said that it was raised and NdB and the team met with SAPS and the owner of The Villa to validate their license. He added that SAPS mentioned they were unable to do anything as it was approved by The City.

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9.6	<p>BS stated that he requested for NdB to get a copy of that permit issued to them and write to the City. He said if there were any complaints about the noise in the residential area then The City had a right to revoke the permit issued.</p> <p>BS mentioned that speakers were taken out of the club and placed outside which was illegal.</p>
9.7	<p>A member of The Sails enquired if the club were fined. BS said that the Association was not allowed to fine the club. AR said that they could be fined according to his research and were not sticking to the laws.</p>
9.8	<p>A member of The Sails asked for AR to make a suggestion as to what needed to be done according to the rules of the Point Waterfront.</p>
9.9	<p>VR mentioned that the matter was very difficult however, going forward it needed to be sorted out. He suggested for AR's Attorney to submit a proposal as to what could be done.</p> <p>It was suggested and agreed to have a legal meeting to find a solution for this matter.</p>
9.10	<p>A member from The Sails said that there was a reason they paid levies and would like to have the rules enforced.</p> <p>The Chairman said that the Association was not sure about how or if they could exercise that. He said there was a willingness from all parties to come to the table and look at a way forward and to look at the rules as well. He said that they would have a meeting within the next seven days to have this discussion.</p>
9.11	<p>EC said that the area had come to a standstill in terms of development. He said no one seemed to be putting pressure to clean up the area, especially with the dilapidated buildings.</p> <p>BS said that some of the buildings had been liquidated and were taken to court. The other buildings were outside the Precinct and was the City's responsibility.</p> <p>DH said that it was not easy dealing with The City.</p>
9.12	<p>EC mentioned that he lived across from where all the rubble was brought everyday which was not acceptable as it was not cleaned and would bring down the value of his property.</p> <p>DH had requested that all complaints must be brought to DPWMA immediately. DH asked for NdB's commitment to have the area sorted out.</p> <p>NdB responded that he would look at the area and have it sorted out by the next day.</p>
9.13	<p>EC mentioned that outside Ushaka there were two golf carts which were parked out and needed to be removed. NP said that he would have the carts removed.</p>
9.14	<p>A member from The Sails enquired if there was anyone driving the strategy to have the area developed.</p> <p>BS responded that it had been difficult, and things were put on hold. He said that no foreign investor wanted to invest in South Africa with the current economy situation and added that local investors don't have the required funds. He further stated that DPDC is the developer for the Precinct and is open to anyone who wants a joint venture to come forward.</p>
9.15	<p>BS mentioned that he addressed the access problem to the Precinct with The City, where one had to come through Point Road. He said he gave them a proposal for the traffic plans, and it was approved in 2015, however, due to the change of management and political issues it never materialized.</p>

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9.16	DH mentioned that the Association proposed to do things in the area that The City would not do but was told that they would have it removed. He added that The City wanted to take over the Precinct and if they did, everything would change for the worse.
9.17	DH enquired about how to log complaints. NdB responded that all complaints should be logged via the Helpdesk. ZM would circulate the Helpdesk email to all.
9.18	AR suggested for an NGO to clean the beach. DH suggested to maybe look into that and include it in the budget going forward, if required.
10.	Closure of meeting
10.1	There being no further business to discuss, the meeting was closed. The Chairman thanked the team.

CHAIRPERSON

DATE