

WAENHUISKRANS ARNISTON RATEPAYERS' ASSOCIATION

WAENHUISKRANS ARNISTON BELASTINGBETALERSVEREENIGING

13 December 2017

Dear Members,

CHAIRMAN'S REPORT DECEMBER 2017

Litigation Erf 599: Members of your committee were involved in long negotiations with Robert Haarburger and the Arniston Bay Consortium ("ABC") in an attempt to resolve the litigation between the parties. With regard to the litigation the parties agreed that the litigation will be held in abeyance pending a mediation to see if the issues can be resolved. During November 2016 I sent a circular to members regarding what had transpired in the mediation. In essence the mediation was held over two days before Adv Olivier SC and although no issues could be resolved it was agreed that Rod Lloyd and Andrew Rudoph representing WARA and Mr Kevin Gadd representing ABC would meet and try to agree on a building on Erf 599 which was satisfactory to both parties.

In the Chairman's report of 2016 I informed the members that it appeared that the parties had agreed to a proposal that was satisfactory to all parties but unfortunately this required further negotiation. The Cape Agulhas Municipality ("CAM") asked that the mediation proceedings be continued and this was done. At the mediation CAM's attorneys agreed to set out a draft proposal for a servitude to be registered against the property in terms of which servitude the extent and design of the building to be erected thereon would be limited. Unfortunately CAM's attorneys' proposal was not acceptable to the committee and we instructed attorneys to more fully set out the terms of a notarial deed of servitude to be registered against the property. This unfortunately took some time but during the week of 11th December a draft proposed wording of the notarial deed of servitude was sent to CAM. Although the remaining issue of the sale of Erf 599 has not yet been resolved, I am of the view that once the notarial deed of servitude has been finalised and registered against the property that a solution will be obtained in this regard.

As set out in my December 2016 report the wards of the Cape Agulhas Municipal areas have been changed. Arniston, together with the "selfbou" area of Bredasdorp falls under Ward 6 and our ward councillor is Danny Europa (084 736 5809). Danny and I have been communicating with each other through the year and I believe there is a good relationship between us.

Danny Europa asked if WARA would support the ward in its attempts to have a police station erected at Arniston. I gave the Associations' unreserved support and in this regard I informed him that the Association had some years ago been involved with both the Municipality and the South African Police Services. Dawie Maritz was involved in the communications with SAPS and notwithstanding many meetings with SAPS and correspondence at the time, he was unable to arrange for the erection of a police station at Arniston as SAPS refused to agree to it. CAM had agreed to set aside land for the erection of the police station. Due to SAPS' attitude the project could not proceed further. It is hoped that the new committee will take this matter further and support Danny Europa in his efforts.

Crime: Once again during 2017 the crime problem at Arniston was ever present. The situation seems to be out of control and the SAPS is in my view in fact dysfunctional. The crime issue is not an issue that the executive committee can deal with. Concerned members of WARA are requested to put forward suggestions and proposals on how this issue can be dealt with. It is an issue that affects us all and one which affects the value of our investment

in Arniston and requires urgent attention. The executive committee does not have the capacity to deal with this issue and it is suggested that a separate committee be formed to deal with this issue. CAM unfortunately does not accept any responsibility for this issue and enquiries made to them are deflected to the SAPS who unfortunately give the usual excuses of lack of manpower or lack of available vehicles.

After the 2015 AGM an e-mail address was set up, "arnistoncrime@contessa.bus" and a circular was sent to members requesting them to report any instances of crime to this address. The circular contained details of the necessary departments and people to be contacted at SAPS should there be any incidences. Very few members have circulated the secretary or the chairman about crime incidences. The Whatsapp group has over the holiday periods and during the year become very active. Currently the number of break-ins of occupied houses have increased considerably, members are asked to be vigilant. The Whatsapp group, Arniston prevent crime (079 899 1897) is for members to post any incidents of crime or suspicious situations.

General services: During the year there have been no major problems with regard to water supply, electricity and the removal of domestic rubbish.

CAM has informed the committee that the overflow pipe at the Aniston Hotel has been blocked off so that no water from the Arniston Hotel can flow onto the main beach. Cedric Linder is thanked for his efforts to have this overflow pipe blocked.

Fire Danger: CAM has been reasonably active in repairing firebreaks in different areas of Waenuiskrans and during the year firebreaks were cleared between the vacant land behind Harbour Street and the properties in Harbour Street.

The spatial development framework: The draft spatial development framework which was circulated to members for comment (and on which 29 individuals or groups send in written comments) was substantially revised and most of the contentious issues were removed. Generally most of the restrictions requested by WARA and the ratepayers were achieved – particularly the proposed commercial strip along the main road was removed from the plan. The original proposal for new housing/plots was also largely omitted from the final plan. It is proposed that any new development is to be subject to precinct plans and studies. The 200 RDP housing proposed on site C has been retained but the date of such proposal has been moved to 2025. Happily the document recognises the sensitivity of doing anything in Arniston and reference is made that the proposed RDP housing is to retain open space and the natural fynbos. There is also reference that RDP housing is to be for existing residents of Arniston and not for new inhabitants. Arniston is low on the development priority list and limited finances are allocated for Arniston (library fence and gate, general road upgrading and the sports field). A copy of the final spatial development framework was circulated to members. Those who require a copy are requested to approach the incoming executive committee.

Valuation objections: A number of members objected timeously to the proposed new valuations and generally the property valuations were reduced. Members are advised to have regard to future valuation proposals as it is apparent that the crime issue in Arniston is severely affecting the value of properties.

Town planning issues: Unfortunately CAM's reporting of town planning issues to the Association is sporadic and it does not appear that all the planning issues are reported, or referred, to the Association for comment. Those that are referred to the Association in the main relate to waivers. Although the Association deals therewith these are issues that really need to be resolved between the neighbours. I thank Rod Lloyd for dealing with these town planning issues which have taken up a considerable amount of his time. Many of the issues your committee has required to deal with are issues that should really be resolved between

people in the immediate vicinity as they do not in the main affect all our members. What however is worrying is that in many instances permission is given by CAM to property owners to do certain things, which permission they cannot give as these issues are in fact a change of zoning conditions, on which CAM do not require a rezoning. The executive committee does not have the resources to contest all these incorrect decisions of CAM and it is up to the affected members to decide what they wish to do in this regard.

Steps to the beach: The CAM has advised the executive committee that access to the main beach (Hotel beach) will be dealt with in the new budget (2017/18). The contact person at the CAM in this regard is Mr Myburgh Briers.

Permit application to use a vehicle for guided tours within the coastal area, Arniston:

The application for a permit by the Arniston Hotel to take tours on the beach on the northern and southern areas of Arniston was refused. Many members commented on the application and submitted either objections or proposals in regard to the application. It is important that members submit comments on issues that they agree or disagree with. The overwhelming number of comments received were opposed to the application and I am sure these comments contributed to the application being refused.

General: As raised at previous meetings, members who have complaints which relate to CAM are requested to submit their complaints to CAM in writing (so that there is a record thereof) and to circulate such complaints to the secretary of the Association for the Association's records and also for the Association to assist the member in having these issues resolved.

The Association has found that if individual members continually "harass" CAM with their problems, these problems often get resolved. Your committee requests that all members who have issues they wish to raise with CAM, that they do so, in writing and with many follow ups. If CAM fails to deal with these issues then we as a body, will be in a far better position to deal with these issues and put pressure on CAM to resolve the issues. CAM, unfortunately, like many South African public bodies, takes the line of least resistance and does as little as possible until pressure is exerted upon them. We as members need to recognise this and insist on CAM delivering in return for the high rates we pay. In your committee's view CAM underperforms in Arniston having regard to the rates that are paid per property, which rates are amongst the highest in the CAM area.

Recycling: Although there appears to be a recycling policy in CAM, this is very badly advertised and communicated to members.

Cape Nature: A summary of a "meet and greet" meeting held on 12 October 2017 and relating to Arniston is annexed to this report.

Certain members of the committee are considering not standing for re-election and as such members are requested to indicate to the secretary names of persons who are interested in standing for the committee.

I thank the committee for their unstinting support throughout the past year and also those not on the committee who gave so generously of their time and advice to the Association and on matters concerning the Association.

I, personally, and on behalf of your committee wish you and those closest to you health and much happiness over the vacation and through 2018.

MURRAY VAN HEERDEN