

**L I R A**  
**LEISURE ISLAND RESIDENTS ASSOCIATION**

**MINUTES OF THE ANNUAL GENERAL MEETING HELD ON**  
**TUESDAY 20TH DECEMBER 2016**  
**AT THE LEISURE ISLAND COUNTRY CLUB**

**1. Present**

72 members as per the Attendance Register.

Apologies for non-attendance were noted from:

Brian Allanson, Ian and Pam Beswick, Margaret Bissett, Johan de Bruyn, Flo Erasmus, Barry and Jane Housdon, Ian and Joan Huskisson, Pippa Jarman, Chris and Sue Kay, Viv and Ken Leach, Sheena and Peter Mare, Arjen Meter, Barbara Mills, Keith and Anne McMurray, Jenny Shields, Doug and Carrie Smollan.

**2. Welcome**

The Chairman extended a warm welcome to all members present and also to Declan Nurse, manager of Allsound Security.

**3. Minutes of Previous Annual General Meeting**

It was noted that the minutes of the previous Annual General Meeting held on 3<sup>rd</sup> December 2015 had been posted on the LIRA website.

**It was Agreed** that the minutes be taken as read. **The minutes were confirmed by the meeting as correct.**

**4. Matters Arising from the Previous Meeting**

There were no matters arising from the previous meeting.

**5. Sea Walls – Proposed Action**

The Chairman illustrated, through presentation of a slide, the sequence of events leading up to possible legal action being required in 2017.

The Sea Walls have been in a state of disrepair for some years. An engineer's report commissioned in 2015 noted that *the repairs along the southern shores of Leisure Island were an absolute priority as the wall has collapsed in areas and is deteriorating fast. As it gets worse the repairs become both more dangerous to the workforce and much more expensive. It is possible that expensive reconstruction will already be required in areas.*

An update commissioned in 2016 stated that these recommendations remain valid. Furthermore, *The Knysna Lagoon environment requires continual*

*maintenance. The estuary has the threat of damaging tourism, infrastructure, public open spaces, municipal services and significant roadways such as Cearn Drive.*

The Chairman outlined the continual engagement over an extended period which LIRA has had with the Knysna Municipality (KM) on the issue. The Sea Walls were originally built in 1929-1930. Intermittent repairs have been done over a long period of time by KM, the most recent of which were repairs and reinforcement to the Sea Wall on Cearn Drive which were carried out in 2009 and 2013 respectively.

However, in mid-2015 KM denied responsibility for repairs and maintenance stating that their legal opinion asserts that SANParks is responsible for repair/maintenance between the High and Low watermark. After engagement between these two parties, SANParks rejected responsibility.

During 2016 LIRA engaged Senior Counsel, Mr Derek Mitchell, who is a resident. His legal opinion, which finds KM responsible, was forwarded to KM on 26 October. KM responded on 2 November stating that they hold to their legal opinion that SANParks is responsible. They requested LIRA to await the outcome of the inter-Governmental process of dispute resolution which they intend initiating.

LIRA's proposed course of action is to make an application to court:

- Declaring KM has responsibility
- Requiring KM to report to Court on steps it intends to take, including funding
- Holding KM in contempt should it fail.

The probable cost of this legal action, assuming it is successful, is estimated to be around R300,000. As the matter is deemed to be urgent, a sub-committee comprising Keith Hollis, Ricky Maskew and Paul Kotze approached people known to them whom they thought may be willing to contribute to the cost involved. To date R327,500 has been pledged plus LIRA has set aside R50,000 as a provision for legal costs. Additional pledges are expected. Every additional pledge softens the impact on each pledger. The Committee proposes that the Appeal be extended to all residents of Leisure Isle.

The Chairman concluded by saying that when clarity on particular associated legal issues are evaluated, a General Meeting of Members will be convened to approve the course of action.

During general discussion on the topic, the following points were raised and clarified:

- Estimated cost of repairs is upwards of R2 million, but escalating as time progresses and further deterioration takes place. Ricky Maskew pointed out that KM can apply to National Treasury for funds, if necessary.
- Different sections of the Sea Wall require different types of repairs, for example gum poles are needed at Bollard Bay; and along Cearn Drive there are holes under the walls with certain patches being in real danger of subsidence, especially if we get a big storm.
- Road maintenance is the responsibility of KM as all roads and associated verges are municipal property. Noted that KM has started fixing potholes today, 20<sup>th</sup> December.
- At Lands End thirteen years ago three property owners commissioned the services of the Surveyor General to establish boundaries as the Sea Wall at Lands End needed to be stabilised. The survey clearly showed that the Sea Wall was municipal ground, thus reinforcing the legal opinion that we have obtained.
- SANParks has never repaired a sea wall anywhere in the country.
- LIRA has engaged with multiple people at KM over an extended period, including our Ward Councillor. All avenues have been explored. KM is in a state of disarray with the Municipal Manager being on suspension and his deputy having recently resigned.

The Chairman reiterated that a General Meeting will be called once we have further information on the Intergovernmental Dispute Resolution process.

## **6. Report of the Committee – Year ended 31<sup>st</sup> October 2016**

Noted that the Committee Report had been posted on the website on 7<sup>th</sup> December 2016 as per notice of the Annual General Meeting which had been circulated on that date.

### **6.1 Island Safety and Security**

Total cost for Island Safety and Security for the year was R950,932 which represents 84% of the Association's total costs.

Noted that, of the 430 households on the Island, 300 pay levies to LIRA. Cost per household for Island security is therefore R3,169 per annum or R264 monthly. If every household paid levies, the annual security cost per

household would be R2,211 or R184 per month. A major drive is currently under way to recruit new members.

Plans are in final stage of approval with KM to allow LIRA to extend surveillance at major public places on the Island, viz the Greenhole Picnic Site (although KM have stipulated that surveillance may only be done at night), Bollard Beach and the Boat Club. Provision has also been made in the budget for thermal imaging cameras.

The goal is to maintain the excellent results of 2016 and to stay ahead of increasing crime. Noted that there were only 19 minor and opportunistic security incidents in 2016:

- 6 from the Boat Club
- 3 from garages/garden sheds
- 9 from open windows/doors.

## **6.2 Membership**

The Chairman stated that a key challenge for the committee was to increase the number of households paying levies. To this end, a major recruitment drive is under way and will be continued in 2017.

Of the total number of households (430), 300 (70%) are members and 130 (30%) are not.

Of the 130 non-contributing households, 38 are in the process of disposal, 33 are unknown reasons for not being members, 18 cannot afford, 14 refuse to join, 13 have tenants, 7 are second properties and 6 have stopped paying. The Chairman appealed to members to display their membership signs in prominent positions and to assist the committee in recruiting new members.

## **6.3 Island Infrastructure**

The main item is the Repair of the Sea Walls, as discussed in detail under point 5 above.

Paul Kotze reiterated that it was important to keep good relationships with key people in KM but, given the state of disarray within the municipality, it is an ongoing challenge to get KM to attend to matters of concern.

## **6.4 Leisure Isle Festival**

The Leisure Isle Festival held on 5<sup>th</sup> & 6<sup>th</sup> November was once again very successful and enjoyed by residents and visitors. A record R235,000 was collected for charities.

### **6.5 Carols by Candlelight**

Thanks were expressed to Sheena and Peter Mare for the wonderful evening enjoyed by residents and visitors.

### **Security**

The Chairman expressed the Association's thanks to Declan Nurse and his team of guards for their untiring efforts and dedication during the year.

The Chairman then requested adoption of the Committee Report.

**The Report was adopted by members present.**

### **7. Audited Financial Statements – Year ended 31<sup>st</sup> October 2016**

The Chairman presented (Power Point presentation) the detail of the Audited Financial Statements. Comment was offered by the Chairman on various items.

Noted that the surplus for the year was R57,638, after providing R50,000 for legal fees and R96,491 for replacement of cameras.

**The Annual Financial Statements were then approved by members.**

### **8. Budget for the year ended 31<sup>st</sup> October 2017**

The details of the budget were then presented and various items explained. Noted that a modest surplus had been budgeted.

The levies for 2017 were given:

Annual	R4200
Monthly	R 370

**The Budget and Levies for the year ending 31<sup>st</sup> October 2017 were approved by members.**

### **9. Election of the Committee**

The Chairman paid tribute to Peter Dieterich and Jenny Shields who had tendered their resignations from the Committee during the year. Noted that

Clive Bennett, Arjen Meter and Ingrid Meter had been co-opted onto the Committee during the year.

The Chairman advised that all members of the Committee as at 18 December, being eligible, had offered themselves for re-election.

The Chairman announced that the Committee for the coming year would consist of Clive Bennett, James Botha, Johan de Bruyn, Keith Hollis, Paul Kotze, Ricky Maskew, Arjen Meter, Ingrid Meter and Brenda Neall.

## **10. General**

The following issues were raised by various members:

### **Benches on pavement opposite Amanzi**

Deemed to be not at the aesthetic or structural standard one would expect for Leisure Isle.

Ricky Maskew advised that neither LIRA nor KM was consulted prior to the benches being erected. He said both LIRA and KM would approach Amanzi.

### **Gardens being taken right up to the road**

A member referred to the garden that had been created on the pavement in front of a house in Links Drive. This causes a considerable reduction in pedestrian access at this point. Further, the entry from Horne Drive to Links Drive of approaching traffic is severely impeded, thus creating a potential traffic problem.

Ricky Maskew pointed out however that this is a long-standing feature of Leisure Isle which could be difficult to change. Furthermore, the pavements are the property of KM and it would be up to them to effect any changes. Should there be any areas where bushes obscure vision around corners, thus creating a safety hazard, members were requested to put this in writing to LIRA Committee who would pass it on to KM for action. Ricky Maskew stressed that safety of residents and visitors is paramount.

### **Quality of water supplied to households**

Concern was expressed over the quality of water to households over the past few months.

Ricky Maskew reassured members that KM water is regularly tested and passes acceptable levels. Apart from some burst pipes in recent months, supply of quality water over the whole year had been good.

### **Effluent into Ashmead Channel?**

Recent reports reflect extremely high levels of ecoli in the Ashmead Channel. There is concern that KM may be pumping effluent directly into the Ashmead Channel.

Ricky Maskew clarified that this had been KM's plan and to this end a whole lot of pipes had been bought. However, he reassured members that SANParks have stopped KM proceeding with this. The pipes thus seem a wasted purchase.

### **Rollout of fibre optic cable**

Brenda Neall stated that Lasernet will start laying cables along every street (narrow trenches only) on Leisure Isle some time in 2017. It will then be up to individual households whether or not they wish to connect.

In response to a question on whether or not cellphone providers would be erecting towers on Leisure Isle, Keith Hollis reassured members that LIRA would not agree to this.

The Wifi Hotspot was originally going to be erected in Kings Park but due to the lack of electricity in the Park, the Hotspot will now be erected at Cearn Hall.

### **Safety and Security arrangements over the festive season**

Noted that Cearn Drive will be one-way for this period. Main reason is extraction of emergency vehicles.

The Chairman advised that KM had promised to ensure no buses in streets on the Island, no overnighting or tents in picnic sites, and zero tolerance for alcohol abuse. We hope they will honour their promise.

### **Thanks**

Various members expressed appreciation and thanks:

- To the LIRA Committee for all the work during the year to ensure the unique lifestyle for residents and visitors.
- To Linzi Jansen of the LIRA Fun-Raising Sub-Committee for the excellent social events she had organised – Progressive Dinners, Christmas in July, etc. The funds raised will be used to beautify the Island.
- To the Committee for holding the AGM after 16<sup>th</sup> December so that many non-resident members could attend.

There being no further business and discussion, the Chairman declared the meeting closed.

