

**MINUTES OF THE ANNUAL GENERAL MEETING OF THE MEMBERS  
SILONQUE HOLIDAY ESTATE BODY CORPORATE (SS601/2002)  
HELD ON  
TUESDAY, 9 SEPTEMBER 2025 AT 18:00  
VIA ONLINE PLATFORM - ZOOM**

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**PRESENT** : Members representing 10 units were present in person and by proxy, as will more fully appear from the attendance register filed off record

**IN ATTENDANCE** : Paul Erasmus for  
Sectional Titles Portfolio Management (Pty) Ltd  
Werner Loock for  
LDP Incorporated Attorneys

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**1.12. PROXIES | APOLOGIES**

*The following persons attended, the following proxies and apologies were noted:*

Guido Bos & Mireille Bos	Unit 7
Natasja van Dijk	Unit 5
Rob Pallet (RP) & Fran Pallet	Unit 2
Matt Geri	Unit 1
Irene Adema & Tjeerd Adema	Unit 6
Chantal Settels & Serge Settels	Unit 9
Silonque Bush Estate PTY Ltd	Units 3, 10 and Phomolong
(Represented by Chris Braat, Christiaan Hanssen, Cees-Jan Ruitenberg)	

**Apologies:** Henk & Betty Drost, Units 4 and 8

**Proxies:** Henk & Betty Drost Units 4 and 8 in favour of Mr Serge Settels

**3. QUORUM**

The Managing Agents confirmed that the quorum requirements were met, with more than 33.3% of members in number and value present in person or by proxy.

**4. ELECTION – PERSON TO CHAIR THE MEETING**

Mr Serge Settels, chair of the Board of Trustees was confirmed as the chairperson of this meeting with no objections being raised.

Mr Settels officially opened the Annual General Meeting by welcoming all members and thanked the Managing Agents for their assistance in getting the Body Corporate compliant with legislation. Mr Settels then introduced Werner Loock (WL), the Body Corporates' attorney and furthermore confirmed that the attendance of Mr Loock attracted no cost to the Body Corporate.

Mr Loock was afforded an opportunity to introduce himself and to provide insight into his involvement with the Body Corporate. Mr Loock informed the members on his instructions to be the attorney on record for the Body Corporate and also being on record for another member of Silonque Holiday Estate with regards to the incorrect registration of a unit on that member's name. Mr Loock further provided an update on the ongoing litigation regarding levy arrears and the pending matter concerning the developer's failure to transfer municipal and utility accounts (electricity and water) as well as other statutory documentation to the Body Corporate. He advised that such failure constitutes a statutory offence under the Sectional Titles Act as well as the Sectional Title Schemes Management Act. An offence that could result in fines being issued and or imprisonment.

Mr Pallet enquired on the voting status of members in arrears and was informed that only after judgement against relevant member, one loses voting rights, thus, all present had the right to vote.

Mr Erasmus informed members that this Annual General Meeting was the first General Meeting of the owners that was in line with the provisions of the Sectional Title Schemes Management Act. Furthermore, that this was an additional step to ensure full compliance with the relevant legislation applicable to Community Schemes and Sectional Title Schemes in particular.

The Managing Agents were requested to facilitate the meeting by guiding the members through the agenda points. There were no objections in this regard.

**5. PRESENT THE PROOF OF NOTICE OF THE MEETING**

The Managing Agents advised that proof of the notice given of the meeting was available and that anyone could inspect it, should they wish.

This was declined by all present.

**6. APPROVE THE AGENDA**

The agenda, as circulated, was unanimously approved.

The Managing Agents advised that they received two mails from Mr Pallet and Mr Bos respectively, requesting certain points to be discussed. The Managing Agents advised that the matters will be dealt with under further business, directions to the Trustees and the audited financial statement where relevant.

**7. CONSIDERATION AND APPROVAL OF THE <sup>DRAFT</sup> MINUTES:  
PREVIOUS ANNUAL GENERAL MEETING**

The minutes of the previous Annual General Meeting were unanimously approved.

**8. DEAL WITH ANY UNFINISHED BUSINESS, IF ANY**

**8.1 Payment from the developer on empty plots**

Mr Erasmus confirmed that the current future development rights held by the developer are valid until 2028 and asked the representatives whether the withholding of the municipal/ utility accounts was a result of advice received or if it was a decision made by the developers themselves.

Mr Ruitenberg responded that it was a decision made due to "*hesitations in 2022*" to have to ask trustees for permission for the expansion of utility connections should further development take place. He further explained the developers standpoint that moderate communication of the trustees and decisions taken by the board of Trustees, without prior consultation with the members of the Body Corporate added to the developers decision to hold onto the utility accounts of the Body Corporate. He also added that the fear in 2022 was that if contracts are handed over to the Body Corporate that it would result in challenges making new plots available to develop. Mr Ruitenberg advised all members present that they will keep the status quo by holding onto the utility accounts and not hand it over to the Body Corporate.

Mr Loock explained that development rights are protected under law, neither the Trustees nor the Body Corporate may prevent a developer from pursuing registered and valid development rights. New utility connections for such plots are to be paid by the developer until the rights lapse. He informed the developer that under provisions of the Sectional Titles Act, upon establishment of the Body Corporate, a developer is obliged to hand over/cede all contracts to the Body Corporate. Mr Loock cited Section 36.7(a) of the Act which provides that at the inaugural meeting, which must be called within 60 days from establishment of the Body Corporate, the developer is compelled to come forward with (and cede) all agreements, financial records and information pertaining to the development and the Body Corporate then takes over the governance of the scheme. The date of establishment of a Body Corporate is upon registration of 1<sup>st</sup> first property. Mr Loock cautioned that failure to comply is regarded a criminal offence and punishable by fines or imprisonment.

Mr Erasmus confirmed that the Act provides that litigation in matters of this nature was not a choice but a legal obligation of the trustees and members of the Body Corporate.

**8.2 Municipal taxes**

The Members were advised that municipal property taxes apply on all units and the members must request statements from the municipal offices.

### **8.3 CSOS registration**

Mr Erasmus confirmed that being registered with the Community Schemes Ombud is a legal requirement for all community schemes and furthermore that Silonque Holiday Estate is properly registered and thus legally compliant in terms of registration of the scheme. No further questions/outstanding matters noted.

## **9. CONSIDERATION OF REPORTS OF THE ACTIVITIES AND DECISIONS OF TRUSTEES | COMMITTEES REPORT**

Mr Settels highlighted challenges and progress in registration at CSOS, establishment of audited accounts, fiduciary protection, maintenance works etc.

He reported a positive bank balance was achieved despite starting from bankruptcy and with historic arrears. The board of Trustees stayed within mandated budget which was R 390.000 and conclusion was that budget with current surplus of +- R 300 000.00 and R100.000 maintenance reserve fund was realistic.

The backlog in large maintenance projects was due to strained cashflow caused by arrear levies. He informed the members that the developer made a large payment on arrear levies a day prior to the Annual General Meeting but that the financial situation is not yet resolved.

The finances for 2022/2023 & 2023/2024 were audited but 2024/2025 not due to short time frame for auditors but will be made available for approval at the next general meeting.

Mr Erasmus reassured members that a managing agent & his/her company must be registered with the Property Practitioners Board and must have a valid Fidelity Fund certificate that secures the funds of the Body Corporate. He also explained that incorrect mention of Mr Bos as a Trustee was made in the audit report and that this could not be corrected due to the limited time frame but that it would be attended to on the next set of financial statements..

Mr Pallet proposed to accept the report thanking the chairman and trustees for their management.

Mr Pallet's proposal was unanimously accepted.

## **10. APPROVAL, WITH OR WITHOUT AMENDMENT, THE PROPOSED SCHEDULE OF INSURANCE REPLACEMENT VALUES**

Members were provided with the insurance schedule of the Body Corporate with the notice of this meeting.

The members were informed on challenges to obtain insurance and increasing premiums on thatched roofs and that the members could consider future alternatives for common property roofs.

Mr Erasmus advised the members to verify on their own personal insurance as to what they are covered for and invited members to contact him regarding the increase of the insured values of their units should they be of the opinion that their properties are worth more following property improvements. He also cautioned the members to ensure that their personal indemnity coverage was adequate, especially when having guests at their units.

The values, as circulated was unanimously approved.

## **11. DETERMINE THE EXTENT OF THE INSURANCE COVER BY THE BODY CORPORATE**

The insurance policy, as circulated together with the notice convening the meeting, sets out the extent of the insurance cover.

The managing agents invited the members to contact them should they have questions about the extent of the coverage or if they were interested in increasing the insurance replacement values of their properties.

## **12. APPROVAL, WITH OR WITHOUT AMENDMENT FOR THE 2024 / 2025 FINANCIAL YEAR |**

### **12.1 BUDGET – ADMINISTRATIVE FUND – 01-SEPTEMBER-2024 TO 31-AUGUST-2025**

The budget as well as the levies required in terms thereof, as circulated together with the notice convening this meeting, was discussed.

Mr Settels advised that the approved budget of 2022 was converted into the managing agents format using the specific budget codes and that the budgeted amounts of 2022 were not altered

He explained that the budget of 2025/2026 provided for some increases due to inflation / salary increases but also that there were reductions on certain expenses i.e. historic tax returns not submitted nor paid.

Mr Settels advised that no levy increase was needed at this stage due to prudent management and improved reserves. Two critical maintenance areas are provided for in the coming year's budget: re-thatching roofs of common properties = +/- R 40/50.000 (earlier postponed due to financial challenge) and plumbing/planned replacement of old pipes to avoid ad-hoc repairs and huge water losses. He further advised that both are to be paid from current surplus. Mr Settels confirmed that re-instating/reparation of second pool was not included in this budgetary cycle.

Mr Ruitenberg requested that the second pool be discussed at the next general meeting and enquired on security measure increases at the estate, referring to regular control of the area, as well as a proper entrance registration, as done prior to September 2022.

Mrs Settels responded that the same rules as applied prior to September 2022 are applied and adhered to (collection passport, address administration, informing trustee & estate keeper on name/dates/nr of visitors present, signed indemnity form and guests are accompanied upon arrival.

Mr Settels and Mr Adema further informed the member of additional security measures that are in place i.e. adherence to the above-mentioned rules, outside veranda lights on at night, closing entrance beam, peak season armed patrols (MBA), call option for MBA, daily security rounds with track verification, entrance cameras and radio communication. They encouraged all members to install outside cameras and alarms with emergency buttons. On-site security was investigated but found to be very costly as only professionally registered guards are allowed in terms of legislation. The impact on the levies would be tremendous. They further confirmed that there have been only 2 minor security incidents that occurred in the last 3 years. According to them, they attended security information/meetings of the area, and from these reports it would appear that crime is mainly in the West/Mahlatini but patrols, cameras and drones yielded no result. Most of the crime reported was on borehole materials.

A directive was given to the Trustees to investigate costs/option for additional staff member and or (extra) cameras connected to a control room. This matter to be discussed at the next general meeting.

Mr Erasmus informed the members that the auditors struggled to finalise the previous audits due to the absence of accounting records held by the developer. Whilst not ideal and in line with legislation the manner in which records are kept currently will ensure that future audits are done quicker and without qualifications on the audited financial statements.

Mr Pallet thanked and congratulated the trustees on the accomplishment with this tight budget and to avoid a levy increase. He proposed that the budget be accepted as proposed.

The budget as well as the levies required in terms thereof, as circulated together with the notice convening the meeting, was unanimously approved. It must be noted that the levies remained the same.

## **12.2 BUDGET – RESERVE FUND 01-SEPTEMBER-2024 TO 31-AUGUST-2025**

The Managing Agents advised that the monthly reserve fund contributions were calculated at Calculated at the mandatory 25% which equates to R 100 000.00 supplemented by the current surplus received. R 200 000.00 to be spent on the backlog of maintenance.

It was resolved not to increase the reserve fund contribution at this stage.

## **12.3 TEN-YEAR MAINTENANCE PLAN**

The Trustees confirmed that a maintenance plan was compiled for 10 years, short (1 year)- medium (3 yr) and long term (+6yr) and within budget. Additions or changes to be discussed were requested.

## **13. CONSIDERATION AND APPROVAL OF THE AUDITED FINANCIAL STATEMENTS**

The Trustees advised that quotes were obtained for auditors to attend to the audit of the financials of the Silonque Holiday Estate Body Corporate. The Trustees resolved to appoint Coetze & Smith who specialize in sectional title audits. Mr Erasmus explained that auditing sectional titles requires specialists and that the 2022 audited financial statements posed lots of challenges.

The auditors provided qualified opinions based on (available/lack of) records, absence of past Annual General Meetings and non-compliance issues. The legalities posed challenges; prior to Aug. 2023 no separate bank accounts, non-submittal or payment of compensation insurance, no maintenance reserve fund contributions, lack of fidelity insurance, no CSOS registration. It is confirmed that all of these matters are now sorted, and the Body Corporate is compliant. There is room for improvement but currently a set of unqualified financial statements for 2024/2025 is a possibility and the audit should be finalised quicker.

The conclusion from the report of the auditors was that the trustees spent money carefully.

Mr Pallet proposed to accept the audited financial statements with correction name of Guido Bos under Trustees.

The Audited Financial Statements as presented were considered and unanimously approved.

#### **14. APPOINTMENT OF AUDITORS TO AUDIT THE ANNUAL FINANCIAL STATEMENTS**

The members present unanimously resolved to re-appoint C & S Audits as the auditors of Silonque Holiday Estate.

#### **15. APPOINTMENT OF TRUSTEES**

##### **15.1 DETERMINE THE NUMBER OF TRUSTEES TO BE ELECTED TO SERVE DURING THE NEXT FINANCIAL YEAR**

It was resolved to elect 3 persons to serve as Trustees until the next Annual General Meeting.

##### **15.2 ELECTION OF THE TRUSTEES**

Mr Erasmus confirmed the following nomination that were received at least 48 hours prior to this meeting and in accordance with Prescribed Management Rule 7 (1)(2) & (3) as set out in terms of the Sectional Title Schemes Management Act:

**Mr. S. Settels**

**Mr. T. Adema**

**Mr. M. Geri**

**Mrs N. van Dijk**

**Mr. G. Bos**

Mr Geri emphasised and explained his vote for 5 trustees arguing that there is an opportunity that would benefit the estate's diversity on the board as well as the need for additional help.

Mrs van Dijk seconded Mr Geri and argued the importance in a smooth future transition and the importance of the current trustees.

A proposal for 5 trustees was made and supported by 6 members in number. 2 members, being the developer and Mr Bos voted in favour of 3 Trustees. With the developer holding the majority of the votes in value it was resolved by majority of the votes in value that 3 Trustees will hold office for the ensuing year.

Mr Adema enquired as to whom held the vote for door 11. Mr Erasmus confirmed that, as registered owner, and in terms of the registered title deed that Mr Adema held the vote. This was immediately disputed by Mrs Bos who demanded that Mr Adema hand over a proxy on unit 11 to the developer. Mr Geri informed all members present that Mr Adema has since 2009 been the registered owner of unit 11 and even after appointing an attorney to assist the demands that the registration be rectified by the developer that has not been attended to. Mr Adema carries the risk associated with the property due to the erroneous registration not being rectified by the developer.

It was again suggested to go back to 5 trustees.

Mr Ruitenberg requested that Trustees be voted on one by one. He further advised that if he was to see the outcome per person that it would affect his vote for the next person.

Mr Erasmus complied, starting with Mr Guido Bos, resulting in 4 votes in number with 7 abstentions. Mr Guido Bos was elected based on the value of the votes held by the developer.

Mr Geri withdrew his nomination, not feeling comfortable serving without the 2 other trustees that, in his opinion, are integral for the running of the Body Corporate, citing continuation of the legal set-up process (with unfinished

challenges) and having had the Body Corporate's best interest in mind. He reiterated his arguments for 5 trustees, confirming he would then have voted for Mr Bos.

Mrs van Dijk also withdrew her nomination seconding him Mr Geri's views.

Mr Adema explained that Mr Bos's resignation from the previous board, leaving him and Mr Settels to pick-up the pieces did not sit well with him.

Mr Settels expressed his disappointment on the outcome wanting to set up a new situation with 5 trustees (more votes &diversity) and his feeling that the only outcome of the election was to oust the trustees that tried to legally set up the BC the last 3 years and again offers the option of a 5-trustee board. Mr Pallet seconded this suggestion.

Mr Erasmus informed the members that due to the Participation Quota (value and not number) majority vote this is not possible but that trustees may opt for co-op trustees should the workload be too much to handle for 3 trustees.

Mr Bos then advised the members of his concern in 2023 of not being informed/asked permission for the hiring of the managing agent. He further claimed that he was pushed out of the board as "always getting an automatic refusal on all his requests", Mr Settels and Mr Adema denied this being the case and offered email correspondence in this regard. Mr Bos stated that a board is there only to facilitate members and not govern.

Mrs Settels interjected stating that 'governing' is the exact task of the board and reads a verbatim translation of the mail referred to on 'automatic refusal' which stated the contrary; Mr Settels explained to Mr Bos that two parties come from different backgrounds leading to a strained communication, asking for patience so to can resolve this issue and move the board in a positive way forward.

Mr Ruitenberg then requested to add a new nomination from the floor, being Mr Christiaan Hanssen who represents the developer. Mr Erasmus cited the provisions of Management Rules 7 (3) which reads as follows: "*(3) If an insufficient number of nominations are received in terms of sub-rule (2), further nominations may be called for at the annual general meeting with the consent of the persons nominated.*" It must be noted that this extract from the act appears on the trustee nomination form that was circulated with the notice of this meeting. He explained that an adequate number of nominations were received prior to this meeting and that there are no legal grounds to now elect members from the floor.  
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Mr Ruitenberg requested a 5-minute recess which was welcomed by all members present.

Following the recess Mr Ruitenberg wanted to vote for the remaining nominated members, advising that Mr Settels and Mr Adema would not get a majority vote. The Managing Agents reminded Mr Ruitenberg of the provisions of Management Rule 7 (3).

With Mrs van Dijk and Mr Geri withdrawing their willingness to stand as Trustees the Trustees automatically elected are:

- Mr G Bos
- Mr S Settels
- Mr T Adema

## **16. REPORT ON THE LODGEMENT OF ANY AMENDMENTS TO THE RULES ADOPTED BY THE BODY CORPORATE**

Mr G Bos distributed an email with possible rule amendments prior to this meeting.

Mr R Pallet reminded the members presents that there was a difference when voting between Management Rules which requires a unanimous vote and conduct rules that requires a special resolution, being 75% of the total votes in number and value. He further advised that the majority of the proposed amendments appeared to be management rules. It was resolved that the current rules be circulated to all members.

Ms M Bos asked which rules are referred to as according to her she voted on rules in 2021 and was of the opinion that the rules circulated recently by the Trustees have been altered. The Managing Agents advised that the rules itself was not altered but that it was organised in a more understandable and logical cluster

It was agreed to resolve the alignment and possible amendment at the next general meeting of the owners, preferable a special general meeting with 30 days' notice.

**17. ANY NEW OR FURTHER BUSINESS**

Refer Point 18.2

**18. GIVE DIRECTIONS TO, OR IMPOSE RESTRICTIONS ON TRUSTEES IN THE PERFORMANCE OF THEIR DUTIES**

**18.1 RESTRICTIONS**

Trustees may not exceed the budgeted amounts by R50 000.00 on any one expenditure without notifying the owners of the intended expenditure via email.

It was further resolved that a minimum of 3 quotations be obtained for any work more than R 25 000.00.

Any single project exceeding the R 50 000.00 limit, excluding emergencies, must be referred to the Members for consideration

**18.2 DIRECTIONS**

No new directions, apart from those already given during this meeting was discussed.

**19. DETERMINE THE INTEREST RATE ON ARREAR LEVIES FOR THE ENSUING YEAR**

It was unanimously resolved to set the interest rate at the prime lending rate per annum, compounded on levies and other amounts in arrears.

**20. APPOINTMENT OF THE PUBLIC OFFICER:**

It was unanimously resolved that Mr Jacobus Christoffel Erasmus be appointed as the Public Officer of the Silonque Holiday Estate Body Corporate.

**21. SET THE DOMICILIUM CITANDI ET EXECUTANDI OF THE BODY CORPORATE**

The address of the Managing Agents was set as the *domicilium citandi et executandi* of the Body Corporate

**Silonque Holiday Estate**  
C/O Sectional Titles Portfolio Management (Pty) Ltd  
341 Braam Pretorius Street  
Magalieskruin  
Pretoria

**22. DISSOLVE THE MEETING**

There being no further matters to be discussed the meeting was adjourned.

**CONFIRMED A TRUE RECORD OF PROCEEDINGS**

SIGNED AT Auckland, NZ ON THIS THE 16th DAY OF Oktober 20 25

S Settels  
\_\_\_\_\_  
CHAIRPERSON

