

Constantia Ratepayers' and Residents' Association

75th ANNUAL GENERAL MEETING - Monday 17th November 2025 at (5:30 for) 6:00pm at Alphen Centre Hall, Main Road, Constantia.

Minutes

1. Welcome, Notice Convening the Meeting, apologies, proxies and thanks.

John McPetrie (John) welcomed those present and thanked them for attending the meeting. He confirmed that the notice convening the meeting had been distributed by email within the required time.

2. Quorum

John noted that a quorum required at least 10 percent of the number of paid-up members (440 at the most recent count). As there were in excess of 45 members present, as well as the proxies received, he declared the meeting quorate.

John thanked **Pick 'n Pay** and **Alphen Spar** for their generous donations of snacks and a special word of thanks to **Groot Constantia, Klein Constantia, Constantia Glen, Beau Constantia** and **Wade Bales** for their equally generous donations of wine, which he invited attendees to stay and enjoy after the meeting, and to interact with members of Exco. He also thanked Robbie Fortune (Manager) for his assistance in setting up the arrangements for the AGM, Exco member Gordon Chunnett for the sound system and Exco Member Mike Eayrs, for making arrangements with the various Wine Estates for their contributions.

3. Confirmation of Minutes of the 74th AGM held in November 2024

John asked for confirmation from voting members that the Minutes of the previous AGM could be approved. There were no objections to the Minutes as distributed, and they were proposed for acceptance by Mike Eayrs and seconded by Tracey Davies.

4. Chairman's Report

John thanked those present whom he noted represented the tiny percentage of residents of the valley who not only paid their membership fees but actually attend the meeting and thus permitted it to be quorate! He thanked the Executive Committee, "who are not only paid up members, but at substantial cost in terms of time and effort, to themselves and their families, meet monthly and support Robbie our manager, in the effort to keep the CRRA not just viable, but vibrant, organised, solvent, informative, and seriously involved in the issues which concern the valley." In his report, John again reiterated that defense of the valley will take both effort *and* funding. Growing membership was a priority – higher membership results in increased income, some of which would be used towards the CRRA's costs in its struggle to protect the valley, among other issues. He reminded the meeting that our executive believes that the only way the City's development agenda can be combatted is through successful legal action. The recent SAPOA action against the

City's Budget proposals in which the CTCRA was included as an 'amicus curiae', represented the kind of action the CRRA will need to take and that will ultimately cost a lot more than we have in our reserves.

5. Introduction of Executive Committee Members and CRRA Manager

John then provided a brief introduction to the current members of ExCo :

Tracey Davies, Anna Engelhardt, Sue Horak and himself - Land Use;

Nick Huppert, Finance, IT, Membership Records and Servitude;

Mike Eays, Marketing and Communication;

Gordon Chunnett, Environmental issues including Baboon Management, Fire Control and Security.

Gordon provided an overview of Ward Councillor responsibilities to the members present and asked for a show of hands to indicate which of the members present were of the opinion that the Councillors actually represent the views of ratepayers. It was noted that during the voting for approval of the City budget, the (DA) Councillors who represent the ward's ratepayers', voted *in favour of the budget approval*. A short discussion ensued.

Mike Madden, Servitude (with Nick and Anna)

Mike gave a presentation on the background to the Constantia Village Servitude and its purpose.

Anna Engelhardt, Heritage;

Robbie Fortune – CRRA Office Manager

John then handed over to **Tracey Davies** who leads the CRRA's Land Use committee, for feedback on our **Land Use issues** and introduction of our Guest Speaker, Baz Zuidberg.

In opening, Tracey read out a frustrated email from a departing member who felt the CRRA had failed to protect Constantia from densification and used that sentiment as a springboard to explain the very real legal and institutional obstacles the committee faces. Drawing on years of handling hundreds of development applications, Tracey described how Cape Town's planning officials and the Municipal Planning Tribunal (MPT) consistently apply the City's pro-densification policies rather than the letter of the law, citing the approval of subdivisions below minimum erf size as a prime example, and how the MPT's reliance on a partisan city-employed legal advisor, combined with an appeal process overseen by the executive mayor and DA councillors, makes meaningful recourse at that level essentially impossible.

Her address concluded with a rallying call: the only viable path to protecting Constantia's character is through *judicial review*, but that requires an engaged membership and funding to take on a City with unlimited legal resources. This she explained was the reason why both the CRRA's membership and the broader CTCRA matter so much, and why the City is so hostile to the SAPOA 'rates' legal challenge.

6. Tracey then introduced **Bas Zuidberg, Cape Town Collective Ratepayers Association (CTCRA) Chair, our guest speaker for the evening.**

She explained that Bas has been a tireless advocate for principled land use planning, fighting the battles which impact the CRRA that she had described earlier, 'for a lot longer than we have'. She described Bas as 'indefatigable', noting that we were very fortunate that he had chosen to become involved in the CTCRA and become its first chairman.

Bas presented an overview of the organisation, describing it as a collective platform and lobby group for Cape Town ratepayers, bringing together member associations to engage with each other and with local authorities as a united voice. As of October 2025, the CTCRA had 34 member organisations (plus 9 through the Far South Peninsula Collective) spread across Cape Town, governed by a four-person board of Bas Zuidberg (Chair), Bouwe van der Eems (Vice-chair), (the CRRA's) Tracey Davies (Secretary), and (CRRA member) Ant Saunders (Treasurer).

The current focus areas are spatial development, including coordinating member input on the 2024 Municipal Planning By-Law and seeking formal stakeholder recognition with the City; and municipal rates, including active participation in commenting on the 2025 City budget and joining the SAPOA High Court case as *amicus curiae*. On the rates case specifically, the CTCRA argues that water and sewage connection fees should be flat fees tied to actual usage rather than property values, and that city-wide cleaning should be funded through property rates. Bas demonstrated how the change in approach has resulted in some extreme tariff increases (particularly for sectional title schemes).

7. Treasurer's Report

7.1 Approval of the Annual Financial Statements.

There were no questions regarding the financial statements, so Nick gave a background on the financial affairs of the CRRA. He pointed out that since 2023 - when the CRRA was almost insolvent - there has been a surplus of around R140 000 per annum. Many efficiencies had been introduced which had resulted in a number of savings. As a result, we have almost R 300 000 available for the legal costs (which Tracey had mentioned we'd need!) .

Having been distributed prior to the meeting, the audited annual financial statements were accepted. Nick pointed out that he would be handing over this role when his replacement was appointed.

7.2 Budget for 2025/2026.

Nick referred to the budget and mentioned that the current financial year should result in a budget surplus of some R 110 000. The 2025/2026 annual membership fee of R 950 was formally accepted. In addition, Nick added that there were group housing schemes with as many as 90 houses for one scheme that wanted to join the CRRA as a single member for R 950. He added that we had agreed to levy a special fee for housing schemes (20% of the schemes members multiplied by the annual fee). The CRRA should not be expected to allow a large scheme to pay just R 950

for all the service and communication so many occupant members would receive. There was general agreement with this arrangement. John thanked Nick and his wife Lynne for their excellent efforts which had seen the CRRA's records and finances return to such good shape.

7.3 Appointment of Auditors.

Nick recommended that we retain our present Auditors, PKF with whom we have some years of experience and with whom he has developed a good working relationship. This proposal was accepted without opposition.

8. Election of Executive Committee.

8.1 John explained that the CRRA Constitution permitted up to 12 Exco members and noted that with the departure of Nick Huppert, on the one hand, and new member Rita Sorour and previous member Mike McBride, making themselves available for Exco service, we would only have 9 candidates for the coming year.

8.2 He proposed that unless anyone specifically did not want any one of the candidates serving on the Exco, it would save time simply to accept the 9 nominations *en bloc*.

8.3 There were no objections to this proposal and so John McPetrie, Tracey Davies, Mike Mc Bride, Mike Madden, Gordon Chunnnett, Mike Eayrs, Anna Engelhardt, Sue Horak and Rita Sorour were elected to Exco for the coming year. John reminded the meeting that Robbie Fortune, the CRRA's Office Manager, was a non-voting, *ex officio* member of Exco and officially its Secretary.

8.4 John noted that ExCo would meet within two weeks to elect a Chair, a vice Chair and Treasurer, as required by our Constitution.

8.5 He thanked the nine candidates for making themselves available and noted that should anyone feel that they would like *to serve on the Exco*, we certainly had capacity for more members and as there was such a wide variety of issues to be addressed, he urged members to consider 'stepping forward' in this manner, especially if they had issues which they might want to pursue through the Exco. John added further that as this small group had a great deal of work to do, anyone who was prepared to volunteer to assist *in any way*, should let this be known!

9. Amendments to CRRA Constitution.

John indicated that there were **two proposed changes to the Constitution:**

9.1 to Amend point 4.2 to read: "In the case of any other entity (e.g. corporation, trust, association) which owns, leases or otherwise occupies property that is zoned for non-residential purposes, and which wishes to become a member of the Association, the decision to admit such entity as a member is in the discretion of the Executive Committee, which must consider the application carefully, in particular with a view to avoiding conflicts of interest with the Association's mandate."

9.2 to remove paragraph 6.4: "Serving local government Councillors attend meetings in an *ex officio* capacity, unless they have been elected to office in terms of Clause 6.1" - having explained that such mandatory attendance was onerous for the Councillors on the one hand, and made discussion on issues in which the Councillors were at least conflicted, difficult without specifically asking them to be

excused. Instead Gordon Chunnett would maintain communication through his role as our representative on the Ward Councillor's committee, and Exco would invite Councillors if and when it was in our interests for them to attend.

The proposals were adopted by a majority show of hands.

10.General - Questions and Answers:

10.1 Dave Collins asked what the Concerned Residents of Constantia (CROCs) group was, because they consisted of a WhatsApp group of around 140 members. He asked if this was a duplication? John provided the background of how CROCs was formed in 2022 because of an initial concern over SARDA. At the time that group had felt that the then CRRA Exco needed to be changed, which had been achieved by mid-2023. He noted that whilst a large number of CROCs are CRRA members, many are not. CROCs is essentially a WhatsApp group, whose members are interested in a wide range of issues impacting the valley, including a number with which the CRRA grapples.

10.2 A questioner asked for an 'update on SARDA'. Gordon responded that the Concourt ruling had gone against SARDA. Tracey added that she had read the Constitutional Court Judgement which gave a very good summary of the history of the land claim at SARDA, including the previous court cases. The application by SARDA sought to get the Concourt decision of 2017 re-decided, but Concourt had refused to reconsider its original decision.

10.3 Another questioner asked if there was any further feedback from the land invaders at the Constantia Emporium Land. Gordon responded that he believes that the courts should pronounce by mid-year. Member Donna Scott added that she was part of a WhatsApp group concerned with this issue, which she advised was set down for 10 February 2026, and if not opposed, an eviction order would be given on 10 February 2026. If opposed, the matter may only be resolved towards the end of 2026. The group will continue to monitor the matter and try to resolve any unnecessary delays.

11. Close

The meeting closed around 20h00. John thanked everyone for attending and reminded them to remain after the meeting for a snack and a glass of wine, courtesy of the organisations mentioned above. A large number stayed, creating a good opportunity for sharing concerns and ideas.

CRRA AGM 17112025