



MELVILLE RESIDENTS' ASSOCIATION

ANNUAL GENERAL MEETING

2018

Thursday 6th September 2018, 18:30 – 20:00

Heritage Baptists Church, cnr 7th Avenue / 5th Street Melville

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1. AGENDA

- MRA Portfolio & Subcommittee Feedback
- Melville Security Initiative Feedback
- MRA Executive Committee Election 2018/2019
- Resident Q&A
- Ward Councillor Steer Feedback/Q&A



2. MRA FINANCE

mra-finance@ilovemelville.co.za

In 2017 it was decided that because the MSI was a sub-committee of the MRA, all MSI members would become MRA members. This led to a large increase in the membership fees for 2018.

Traditionally because of the low collection of membership fees the financial statements of the MRA were not audited. We will now get the financial statements audited from the 2019 year going forward.



Profit & Loss
The Melville Residents Association
1 July 2017 to 30 June 2018

	30 Jun 18	30 Jun 2017
Income		
Heritage Fees	R15,000	R22,200
Interest Income	R1,806	R1,519
Membership fees	R113,678	R17,147
Total Income	R130,484	R40,866
Less Operating Expenses		
Bank Fees	R1,718	R1,671
Cleaning	R14,400	R14,400
Consulting & Accounting	R2,059	R1,998
Legal expenses	R20,000	R15,000
Liquor License Objection General Expenses	R829	R749
Printing & Stationery	R795	R0
Subscriptions	R600	R300
Total Operating Expenses	R40,401	R34,118
Net Profit	R90,083	R6,748



Balance Sheet
The Melville Residents Association
As at 30 June 2018

	30 Jun 2018	30 Jun 2017
Assets		
Bank		
Current Account	R11,093	R7,831
Market Link	R100,638	R43,832
Total Bank	R111,731	R51,663
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Current Assets		
Accounts Receivable	R31,014	R999
Petty cash	R176	R176
Total Current Assets	R31,190	R1,175
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Total Assets	R142,921	R52,838
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Accrued liabilities		R1,200
Subscriptions received in advance		R1,050
Net Assets	R142,921	R52,838
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Equity		
Current Year Earnings	R90,083	R6,748
Retained Earnings	R52,838	R46,090
Total Members Reserves	R142,921	R52,838
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**Melville Residents Association
Budget for 2019 Financial Year**

	Items	Cost per item	Months	Amount
Income				
Membership fees		550	R18	12 R118,800
Interest income				R2,000
Heritage fees		12	R1,000	R12,000
Total fees				R132,800
Expenses				
Bank fees				R2,000
Accounting fees - Xero				R3,000
Cleaning		3200		12 R38,400
Liquor license general expenses				R1,000
Printing and stationery				R1,000
Subscriptions				R600
Legal fees				R50,000
Surplus				R36,800



3. LIQUOR PORTFOLIO

mra-liquor@ilovemelville.co.za

Liquor Traders at 20 August 2018

Off Consumption	2	
On Consumption (restaurant, pub, clubs, shebeen)	33	Including: One Temporary weekly licence. Six possible transfers to be verified.

New Applications

Action Items

Three new applications.

One is trading on a temporary licence (Sip Wine, 7th Street) after being closed by the Gauteng Liquor Board (GLB) following a complaint lodged for trading without a licence despite being encouraged by the MRA to comply.

Awaiting licence, temporary to be renewed weekly.

Two applications (BaPita and La Petit Maison – corner of 7th Street and 1st Avenue) were objected against in accordance with the current policy in an effort to liaise and reach agreement with the applicants. The applicants opted not to sign the agreements reached for incorporations as condition to the licences applied for.

Await feedback from the GLB and a hearing.

Transfer / Extension of premises

Action Items

As listed below for transfers – also Baalbek and Melville Grill
Extension of premises for Six

To be checked and monitored.



Venues closed, moved, etc.

Action Items

Leopard – 4 th Avenue	Moved	Transfer of licence (Love Me So)
La Luna – 7 th Street	Closed	Transfer of licence (Lonely Heart)
Café Mexico	Closed	
Esbayeni – Main Road	Closed	Transfer of licence (MooTee)
Glory – 3 rd Avenue	Closed	No transfer
MamaSan	Closed	No licence
Nando's – Main Road	Moved	Premises sold
The Federal – 7 th Street	Revamped	Moved to Campus Square
Buzz 9 – 7 th Street	Closed – Sold?	Transfer of licence (La Stalla)
Liquid Blue – 7 th Street	Closed	Transfer of licence?
Henry's Hotel	Not opened	Premises / licence? Licence lapsed?



Various complaints

Complaints received related mainly to noise which is a result of the use of premises for purposes not allowed in terms of zoning, licences, and in parking areas under the control of venues in the liquor trade, namely live music events, dancing, DJs, comedy shows, etc.

Action Items

Residents are to complete the correct forms and lodge formal complaints with the relevant authorities for the MRA to then follow up with the assistance of the community councilors, relevant city councilor, JPMD, SAPS and officials and escalate for attention.

The MRA lodged objections and complaints against and regarding the illegal operation of a night club trading under the name of Ballerz in Main Road. The transfer of the licence (for a restaurant) was not granted. The City Council was also approached regarding the use this venue in contravention of the zoning of the premises. The business eventually moved / closed after a huge amount of pressure from the community and driven by the MRA and committee members.

Issues to address in the coming year

To consider a Moratorium on the number of liquor outlets in Melville and get GLB, City (land use and JMPD) and SAPS to enforce the law in instances of transgressions.

Action Items

Seeking AGM approval or guidance in this regard.



4. LAND USE PORTFOLIO

mra-landuse@ilovemelville.co.za

Erf 879 / 2 Eleventh Avenue "NCW"

A contravention notice was issued by the city due to the lack of rights of this owner to run a restaurant on this property, however the owner continued to operate despite the notice. The owner then applied for rezoning to allow a restaurant, apartments and an art gallery. The MRA observed that a large number of residents were opposed to the operation of a restaurant in that part of the suburb, and to the proposed rezoning (well over 100 objections were filed). Counsel was appointed to represent objectors at the hearing and this was funded by donations from residents and MRA. The hearing was a positive outcome for the MRA and residents with the application being declined. The owner has appealed this decision and continues to operate. The appeal (by way of written representations) is pending, and the MRA continues to support the residents by helping to fund the cost of counsel in opposing the appeal.

Action Items

Continue and finish process with the development planning department, then request enforcement of the contravention notice

Erf 298 & 370 / 71 Third Avenue & 72 Fourth Avenue "Offices one Erf down from 27 Boxes"

The owner of this property has applied for "Business 4" rights. The double property was previously used as an office illegally and is currently for sale and being marketed by various agents as a commercial property. Objections were lodged and a meeting held with the town planner representing the owner. The town planner initially agreed that the property on 4th Avenue would be restricted to offices only in order for the objection to be withdrawn on this property. The town planner however then changed their minds after the meeting, the objections were not withdrawn and the MRA is awaiting a date for the hearing.

Action Items

Argue at hearing



Erf 320 & 321 / 9 Main Road “Night Club above Cash Converters”

Action Items

The owner of this building has applied for the consent use “Place of Amusement” (Night Club). The notice placed on the building was initially not compliant with the relevant bylaw that governs the advertising of consent use application. This was rectified by the town planner which represents the landlord and all existing objections prior to the new notice deemed as valid. The new deadline for objections was the 21st of September 2018. Approximately 50 objections were noted by the MRA Land Use portfolio in total. We are now awaiting a hearing date to be allocated and will be in contact with the planning department to monitor the course of this application.

Awaiting hearing date

Erf 436 / 65 Fourth Avenue “Perron/Love Me So Corner”

Action Items

A complaint was received about the building work at this property to add another restaurant. After the building inspector visited the site, the owner promptly halted construction. There was also a query in respect of the zoning of this site as it is zoned Residential 1 but after further investigation it was discovered that the property has consent use rights for shops and restaurants but that the restaurants are limited to 50% coverage of the total Erf area. The owner indicated that they have now had their building plans approved and would proceed with construction.

Investigate if coverage aspect is complied with.

Erf 438 / 59 Fourth Avenue “4 apartments opposite Picobella”

Action Items

The owner of this property has applied for rezoning from Residential 1 to Residential 3. The proposed development will consist of 4 units. The application motivates the need for the higher density to accommodate lecturers and students at UJ. The application was circulated by all channels and the land use sub-committee was reviewing the application at the time of writing in order to decide whether to lodge an objection.

Possible objection dependent on the circumstances of the application



Erf 359 / 50 Fourth Avenue "4th Avenue, Unlawful Commune Build"

Action Items

The owner of this property started building without approved plans or rights in place for a double-storey, 22 room commune, in contravention of a stop order issued by the building inspector. A local resident contacted the MRA for assistance and after contacting the ward councillor, several emails were sent over the course of two weeks by the MRA Land Use portfolio and residents affected by the illegal building to officials of the city. A petition to the mayor was also circulated. After approximately two weeks and a visit to the planning department by Derek Milne and Andreas Gerdes, the legal department of the city visited the site and convinced the owner to stop construction without requiring an interdict. Construction at the time of writing had not resumed. A rezoning application had also been submitted to council and after the emails sent by residents to the town planning department, was returned to the applicant as it was incomplete. At the date of writing, no new application has been submitted.

Monitor site for illegal construction and provincial gazette for rezoning of this property



Various complaints

Some minor complaints were received; these were referred to the building inspector and/or development planning. Appropriate responses were received and the matters closed.

Issues to address in the coming year

- There are some restaurants that are using pavement space illegally; these need to rent the pavement in order to use it for tables and chairs. Even if it is rented, 1.5m needs to remain for the use of pedestrians. This needs to be discussed with the restaurants that this applies to.
- Some properties that have been used historically for a certain purpose may not have the correct zoning; these owners will be approached and potentially reported to council if this is not remedied.
- The City has been slow to apply for and enforce court ordered demolition when required, continued pressure will be applied so that contravention is followed by demolition of illegal structures.
- “Problem” buildings in 4th Avenue, 29, 31 and 33; there have been complaints of overcrowding, health and safety complaints as well as concerns about abandoned buildings.

In Closing

We urge all members to remain vigilant and to report anything which appears to be unusual in respect of land use, including demolition and building, and any notices which are posted at the property.



5. PRECINCT PLAN SUBCOMMITTEE

mra-pp@ilovemelville.co.za

The Public Participation phase of the Precinct Plan drew to a close several months ago. This means that no further public meetings or focus groups are scheduled.

Gibb, who were the consultants tasked with engaging with stakeholders and submitting proposals to the COJ, held a meeting at Marks Park several months ago, to advise on their final proposals to the City. This meeting was preceded by detailed written representations prepared by the MRA's precinct plan subcommittee, in which a host of technical and legal concerns were recorded.

Unfortunately, the Marks Park meeting did not yield the positive responses or further clarity that the MRA had expected, and final proposals were submitted despite the MRA's concerns.

A further meeting was held between members of the subcommittee and certain COJ officials in Newtown in June, however that meeting did not provide any certainty as to whether and if so, how Gibb's proposals would be received or implemented.



In essence, the MRA believes that the proposals were in several respects poorly researched and unworkable, and that they constitute a significant departure from the broader development strategies and objectives of the City, especially in respect of the most appropriate areas of development. They also constitute a significant departure from the suggestions that emanated from the community.

It is also of special concern that throughout the public participation process the participants were told by authorised officials that there were no specific densification plans for Melville, when only at the final public meeting it was admitted that there are extensive and far-reaching densification plans for parts of the suburb. As a result, much of the trust that existed between participants and the consultants dissipated, and there appears to be very little support for the proposals as they presently stand.

Consequently, the MRA is of the view that the public participation process was deeply flawed and should continue until greater consensus is reached, and until the technical concerns had been properly addressed.

The subcommittee is presently trying to arrange direct access to the Section 79 committee, which serves as an oversight body authorised to instruct the consultants to resume public participation or to reject the proposals in their entirety.

In addition, the MRA expects the active participation of our ward councillor in facilitating further engagement and in ensuring that the proposals are not endorsed until further engagement and modifications to the proposals have taken place.

At the time of writing this report, our councillor had yet to revert on our request. In the event that she does not revert, the subcommittee intends approaching the section 79 committee and other key officials on its own.



6. MELVILLE SECURITY INITIATIVE

msi@ilovemelville.co.za

6.1. The last year

Over the last year, we have faced a few challenges including:

- the removal of the previous administrator due to lack of service and delivery
- instituting legal action against the EAAB for the VNET loss to the MSI, where one of the previous administrators misappropriated R845 000 from the MSI
- the retroactive registration of the MSI as a tax-exempt organisation (where we were at risk of being required to pay tax of over R500 000)

The administration (collection of funds) is now being managed by Beaglewatch and we are pleased to announce the number of members has grown from 451 to 620 members since they took over.

We understand the legal matter against the EAAB will be heard on the 29th of August and hope to have an update at the AGM.

The retroactive registration with SARS as an exempt entity has been approved and the MSI will not be liable for any taxes now or in the future.



6.2. The year ahead

6.2.1. Increase in fees

The MSI has not had an increase in fees since inception, and although a potential increase was announced at the AGM 2 years ago, we did not increase the fee because it was not needed.

The MSI directors have now looked at the running costs and fees for the MSI and have proposed the following increase:

The camera agreement is now signed (as of 1 March 2018 until 28 February 2020) and we are now **incurring a monthly cost**. This cost has been discounted due to the supplier (RedSurveillance) purchasing the older cameras from the MSI. All the cameras were upgraded over the last 12 months.

The MSI directors have now looked at the running costs and fees for the MSI and have proposed the following increase:

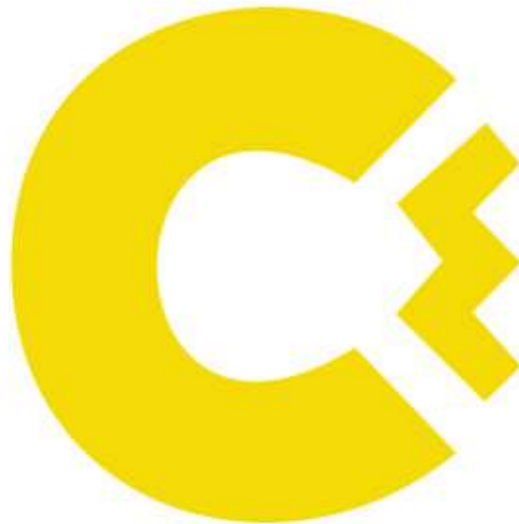
	Current	Proposed	increase	
Redsurveillance	R 53.90	R109.30	102.93%	The actual cost per person for the cameras (at 620 members)
Beaglewatch	R446.40	R500.00	12.01%	Increase to take it in line with market rates
MRA	R 20.70	R 20.70	0.00%	Remains the same
MSI	R 34.10	R 0.00	-100.00%	The directors are of the view there are sufficient reserves in place.
	R555.00	R630.00	13.51%	

This increase will be effective 1 September 2018.



6.3. **New Directors**

Eric van Gils and Andrew Pitman have announced they will be stepping down at the end of 2018. In light of this we are urging new directors to step forward to take over the management of the MSI.



Melville Security Initiative