



Port Owen Marina Authority (npc)

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POMA Newsletter: March 2018

I apologise for the late publication of this newsletter. The reason is that we had to wait until 29 March 2018 for a meeting with the Department of Environmental Affairs, Development and Planning (DEADP). We can now report progress for the first time since October 2017, as set out below.

1) DREDGING

- 1.1) We expect that the pre-compliance issue, as reported last month, will be resolved successfully after obtaining permission to dump dredging spoils at the Vredenburg Waste Disposal Site.
- 1.2) Our application for an amendment of our current dredging permit will, officially, be dealt with as soon as the process in 1.1, above, has been concluded.

The amendments applied for will dictate the type of dredging, the utilisation of a contractor and the time scale of dredging in the future and is summarised below:

- 1.2.1) We asked for permission to dredge 12 months/year. This seems not be a problem for DEADP.
- 1.2.2) We asked for permission to dredge 24/7. This will probably be altered to daylight hours, Monday to Saturday. This will still be restricted to working during ebb-flows only.
- 1.2.3) We asked for permission to release silt directly into the river during suitable ebb-flows. Analysis of the spoils generated last year indicates less than 1% particles >0.5mm – the smaller particles are allowed into the river in terms of our current permit and we believe we will be successful with this request. This is important, because it negates the transportation of spoils on land to a dumping site.

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From the above it should be clear that all the amendments are aimed at improving efficiencies and thus lowering the cost.

- 1.3) DEADP indicated that the above process should not take longer than 6 weeks, therefore, all going well, we should be in a position to start dredging by June 2018 and we will then not be restricted to the current 5-month window.
- 1.4) We should be in a position to paint a clearer picture at the General Meeting scheduled for 21 April 2018. Please attend this important meeting.

2) VALUE ADDED TAX

You are all aware that VAT will be levied at 15% from 1 April 2018. Your fees will reflect this statutory increase effective April 2018.

3) POMA STRATEGY

- 3.1) POMA Strategy Meeting 20 February 2018 Minutes.

POMA STRATEGY MEETING 20 FEBRUARY 2018 MINUTES

1) Welcome

- 1.1) POMA board members asked to introduce themselves, state their interest and give some background on achievements. Some common answers were:

- Representatives all volunteers, elected by constituent Member Bodies.
- Adoption of new MOI, King IV Code of practice is major milestone.
- Ethical behaviour is required.
- Inclusive and open management style ensuring sustainability.

- 1.2) "Rules of the Game"

Clients welcome to speak on any subject, this will be listed and two teams formed, which will then discuss and comment separately on each of the subjects. Full group then to discuss the responses and get consensus on the proposal going forward.

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2) Background

2.1) POMA Mission

“The object of the Port Owen Marina Authority NPC is to maintain and control the Waterways, Boating and Ancillary facilities at Port Owen Marina and to serve the local community whilst operating as a Non-Profit Company.”

2.2) King IV code

Ethical, all-inclusive, sustainable and open approach to management and reporting.

2.3) 2018 Budget, latest forecast and 2019/20 Business Plans handed out to all participants.

2.4) Print-out of proposed fee calculation model handed out, and explained that current “user-pays” principle calls for the generation of approximately R1.8 million per year (before dredging) from clients. The model attempts to use the detailed cost recording now available to allocate costs to specific fee categories in order to ensure a fair cost reflection in fees.

2.5) It is explained that the length of boat/jetty in meters is currently the basis of cost allocation.

3) Subjects Listed and Break-away Group Responses

3.1) Security on the water and closure of Marina at night:

- The overwhelming consensus was that security should be provided by Municipal and Cape Nature law-enforcement personnel.

3.2) Revisit Fee structure:

- It was agreed that the proposed model can be used, but needs to incorporate an average cost over a longer period to be fair.
- Depreciation of assets to be excluded from costs – only direct actual, costs to be used.
- Allocation of costs must be fair. Debate allocating replacement fund only to certain fees.

3.3) Basis of charging:

- All agree to continue with length of Boat/Jetty.

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- 3.4) Standardised fee for Waterfront Owners:
- Request investigating to get every owner, regardless of owning a jetty, to contribute.
 - Special Rating Area discussed.
 - Double taxation?
 - Do analysis of “what if’s”
- 3.5) Contribution from Timeshare:
- Confirmed Timeshare does own embankment maintenance
 - Confirmed Timeshare pays for all their jetties at standard rate, including the “Tollie” jetty.
- 3.6) Contribution from Member Organisations:
- Firm “No” – double taxation.
- 3.7) Five-year fee escalation history:
- Detail to be given to B O’Reilly.
- 3.8) Supply of water to Berths:
- Definite “continue with restricted hours as current practice”.
- 3.9) Split the Loop and the Main Basin to be autonomous and independent units.
- Definite “NO”.
- 3.10) Build a groin in the river at the Eastern Entrance to divert sand from the Loop:
- Definite “NO”.
- 3.11) Live-Aboards:
- Meeting unanimous regarding:
 - No permanent live-aboards
 - Current POMA regulations regarding fees and monthly agreements to stay in place.

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- Current regulations apply to Main Basin and Loop.

3.12) Commercial vs Leisure Boats:

- Review legality of commercial operations from private jetties.
- Review licences
- Contemplate desirability of certain operations.

3.13) Health & Safety issues:

- Operational issue to be dealt with by Marina Manager.

3.14) Non-Resident boat owners benefiting from Municipal grant:

- Check actual slipway usage by non-resident owners.

3.15) How many boats on Launching permit:

- General consensus that 3 boats be allowed. But POMA management can use discretion.
- Why not issue stickers instead of permit cards?

3.16) Sub-letting of private jetty:

- Unanimous "Yes"
- Must be with POMA approval of type of boat.
- POMA not to get involved in financials.

3.17) How many boats on private jetty:

- POMA approval required based on jetty design.
- Boat lengths to be added for permanently moored boats.
- Permanently moored if on jetty for more than 20 consecutive days/month.
- Extensions that are part of jetty must be paid for.

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- First “ride-on “or submersible dock is free, thereafter to be added to jetty length.
- No rafting allowed.
- Craft not required to carry COF, is not POMA’s concern.

4) Development of Yacht Basin

- 4.1) “Development” refers to how we deal with (a) financing the replacement of remaining wooden jetties and (b) the layout of the jetties on the north-eastern side.
- 4.2) Consensus that a hospitality jetty for the restaurant/hotel should be allowed, after due consideration of financials and business plan. All legal requirements must be met.
- 4.3) Public participation of owners in yacht basin should be enabled with a public meeting to be held for this specific reason.
- 4.4) Ownership of replacement jetties to be cleared with Bergrivier Municipality.

5) Public Relations

- 5.1) Consensus that POMA is not responsible to promote boating, yachting or any other recreational activities. This is the responsibility of the Member Organisations.
- 5.2) Port Owen Yacht Club to do market research regarding needs of sailing fraternity, especially the requirement for deep-draft yachts.

6) Way forward

- 6.1) Complete 4.3 above as soon as possible.
- 6.2) Conduct needs analysis of Port Owen Marina users.
- 6.3) POMA Board to use this information to formulate a detailed proposal for acceptance at the 21 April 2018 Public Members Meeting.
- 6.4) The general message from this group is: POMA is for the People, not against the People!

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- 3.2) Going forward, the Board will now use the above to formulate a proposal document which will have to be approved by the members and clients at the General Members meeting to be held on 21 April 2018. The Board will also use this in the assumptions for the finalisation of the proposed 2018 Forecast as well as the 2019 Budget and 2020/21 Business plans.
- 3.3) There are rumours doing the rounds, claiming that “double figure” fee increases are to be announced. Please ignore this. There is no truth in this. We are finalising the forecast and budgets at the moment and increases proposed will not exceed general inflation levels. Final fee adjustments will be discussed and approved at the 21 April 2018 General Members Meeting.

4) POMA LIVE-ABOARD POLICY

We have recently experienced an assault on Mike Little, the Marina Manager, and Patrick Knobel, who tried to assist Mike, by one of the current live-aboard sailors. This person was causing a disturbance in the Yacht Basin late at night. A criminal case has been opened by SAPS and the first hearing will take place on 11 April 2018.

The current POMA policy is as follows:

- 4.1) NO permanent live-aboard concessions are allowed. A permanent concession means permission to use the boat as a primary residence.
- 4.2) Casual live-aboard concessions are allowed for up to 5 consecutive days per month. This concession is meant to cater for non-resident boat owners to use their yachts for short periods when visiting.
- 4.3) ALL live-aboard applications have to be approved by the POMA Board and approved agreements will be reviewed on a monthly basis. In exceptional cases the Board can approve a fixed term agreement.
- 4.4) The requisite fees, which are levied in addition to the normal berthing fee, needs to be paid in ADVANCE. The current fees amount to the boat berthing fee per person per month or part there-of.

During the past Easter Weekend, we had cases of excessive noise at night and the SAPS had to be called. This is most unfortunate and we plead with clients making use of the concessions to please pay respect to the neighbours.

- 4.5) The river outside the Marina falls outside of POMA’s jurisdiction. If you have a problem with yachts anchored in the river with permanent live-aboard sailors, please lodge a complaint with the Bergrivier Municipality.

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5) GENERAL

- 5.1) We wish to thank all clients making regular payments. Without your contributions POMA cannot function.
- 5.2) We have now signed a 3-year contract with Berg River Municipality regarding the payment of the annual Municipal Grant.

We are looking forward to see all of you at the General Meeting on 21 April. Only with your input can we formulate policies and make decisions that meet with your approval.

ABE UYS

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