

LAND CLAIM ACTION GROUP - AGM 24 February 2024

ALENGENI WEDDING AND EVENTS VENUE 10:00HRS

PRESENT: Leon Scholtz (Chairman}, Pedro Carvalho, Peta-Anne Stevens,  
Elsabe Heystek (EDA), Pierre Venter, Diana Potgieter.

APOLOGIES: Pieter Viljoen and John Franklin.

PRAYER: Christo Pretorius

WELCOME: Leon Scholtz thanked everyone for attending our first meeting in a few years and Isabel and Allen for the venue/food. We do have a Quorum, 57 members and 49 proxies.

MINUTES: To be amended from Mondamus to be Mundamus - accepted and seconded.

- ❖ Chairmans report – Leon outlined path of the land claim since it was gazetted in 2004, the extreme frustration of the committee and members being 19 years on and still waiting for a pre-trial hearing. Covid, our Judge passing away, more than one Mundamus application against the state attorney and still no forward movement.  
The claimants have gone through three different legal representatives in this time and finally managed to get an expert witness report on the table late in 2023. Leon reiterated the fact that our hands are tied as they are taking us to court and not the other way around.
- ❖ The committee made the decision to obtain a second opinion from another advocate. He was impressed with what our legal team had achieved thus far but added that the history of our claim shows lack of action on behalf of the State Attorney and he was of the opinion we should try and get it struck of the roll.
- ❖ Prof. Havenga had a discussion with Judge Flatella, our new judge and she tabled five dates for a pre-trial hearing – 4<sup>th</sup>, 8<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup> and 27<sup>th</sup> March. Should none of these materialise, we will apply for the strike-out.
- ❖ The disadvantage is the claimants will appeal, they get 15 days for all parties to

- ❖ respond but it will force them to go to court.
- ❖ The cost for the application is +/- R250 000 but we can claim costs.
- ❖ We now need an anthropologist to check the records, aerial photos and sites – Peet Grobbelaar to investigate who is available and will report back.

## FINANCIALS

- ❖ There is no change in membership: - 243 members with 283 sub divisions
- ❖ EDA 10 properties with 400 sub divisions

❖ Income	R227 000	
Subscriptions	R61 000	
Expenditure	R80 000	
Outstanding	R44 000	legal fees
Money Market	R1.2 million	

- ❖ Cost prediction for 2024: - Strikeout application together with the two reports to be amended (Anthropological and Air Survey) +/- R500 000. We can claim costs but those take +/- 4 months to be paid out and we can not claim until the case is closed.
- ❖ The strikeout is a means to an end, if the claimants appeal, they will be forced to court.
- ❖ There has been one previous application in which the claimants realised they were beaten and withdrew.
- ❖ The Bill to re-open land claims is in abeyance due to the fact that only 74 000 of the 144 000 have been settled – court said it would be unconstitutional.
- ❖ The committee proposed that an amount of R300 in subscriptions be tabled, Seconded by Paul Sykes, unanimous show of hands with no objections.
- ❖ Committee representatives – no nominations, committee remains the same.
- ❖ General matters: - Steven Lindemann is in possession of a land invasion document – he would like permission to flight it through LCAG to land owners in the claim area. Committee agreed to disseminate this document.

Leon Scholtz thanked everyone for attending and closed the meeting.

Date.....

Signed.....