

**24<sup>th</sup> April 2021**

**To: THE NHOA COMMITTEE, on behalf of all HOME OWNER MEMBERS, who were not consulted in the matter of the Normandie Park Private Open Space being transferred to another instance.**

**By: The ADVISOR TRUSTEE of The Normandie Home Owners Association.**

**Urgent matters that require attention.**

**CONCERNING THE OPEN SPACE, THAT IS NOW FENCED OFF, HAVING TWO SMALL SINGLE GATES INSIDE THE NORMANDIE ESTATE, WITH ONE DOUBLE GATE AT THE FAR END FACING KRUIN STREET, WHICH IS THERE TO FACILITATE VEHICLE ACCESS FOR CLEANING THE PRIVATE OPEN SPACE.**

“The enquiry that I had with Mc Carthy’s secretary, of the Normandie Development CC, has given the NHOA the original plan number for the plot, which is 294.

Later plans, namely, “Algemene Plan No. 5861/2005 van onderverdeling van Erf 16386, Brackenfell,” shows that the open ground was given a different number 15598 and marked on a printed plan map, shown as a public open space. This matter is now in the investigative hands of the NHOA Committee.

**Enquiry:** It is important for the Committee to know how this was arranged and who gave permission to the Municipality of Cape Town, for the Private Open Space to be transferred to them and to be re-numbered as a Public Open Space.

**Brought to light:** Eugene Ellis told the NHOA committee at the meeting held on the 19<sup>th</sup> September 2020, that he was the one who signed 4 empty plots off, which included the Private Open Space, known as the Park, because Cape Town Municipality had insisted. He should have spoken to the other three trustees who constituted the official NHOA at the time. This was not done by him, and he went ahead granting permission and signing the private open space off, owned by the NHOA, to become public open space. This was by his own decision and no

reference was made by him, to either the Property Owner Members of the Normandie Estate, by calling for a special general meeting, or the current committee, who were officially appointed and who were legitimately in place.

Eugene Ellis informed the Kraaifontein Municipality that the NHOA was dormant, which was not true, as there were three other members on the official Committee.

These matters need to be overthrown by the current committee as they were illegitimate actions. All costs for the correcting actions taken by our Attorney as an appointed a legal advisor of NHOA, plus any other costs occasioned by other instances resulted by this fraudulent action, whether these be municipal or otherwise, are to be for the sole account of Mr. Eugene Ellis, who instituted this seemingly illegal action. If Mr. Eugene Ellis wishes to make use of Arbitration, he will have to bear all costs, whether his action is won or otherwise.

We have two documents, in our possession, where he claimed to be the Chairman of the Association and was able to act on the behalf of the Association. It appears that his actions were directed out of phase 2, which needed the official Stamp of the official NHOA Committee. We do not have any written documented proof that he was so appointed by the Property Members of Phase 2. If there was such an action, it had to be confirmed by the official NHOA through their written consent.

Mr. Eugene Ellis will be given 7 days written notice by our Attorney, and served with a copy of this letter, by MONICA KORF, to provide her office with documents that disprove the NHOA claims or, instead, to give a written explanation for his actions. After the seven days, without any further notice, our Attorney will apply to the Deeds Office, for a cancellation of the Deed claim, other than that of the NHOA, which have been submitted by the Cape Town Municipality or other instance.

**Sydney Keith Weber, NHOA Trustee Advisor**

## **THE MAIN PUMP STATION AND ELECTRICAL FITTING BOXES on various streets of Normandie Estate.**

Mr. Visser, of his own Electrical Engineering Firm, as a member of the Normandie Development CC, will not be interested in these matters, unless it has to do with specific electrical matters that involve the Normandie Estate.

The Committee does not know who authorised the iron cage around the pump house station or who has the key to provide entry into the iron cage?

The Chairman of the N.H.OA. Committee wants to know, why was these grounds were given over to the Cape Town Municipality? By whose signed permission was it instituted?

Eugene told the special committee meeting held on the 19<sup>th</sup> September 2020, “I signed off 4 empty plots.” Witnessed by Sydney Keith Weber NHOA Trustee Advisor, and Advocate Carlo Viljoen, who were both present at the meeting and heard him reveal this. The other members present, also heard it. This was not previously known by any of the other Committee members until this meeting, either of phase 1 or phase 3.

A NHOA investigation into possible illegal action is being instituted.

## **LETTER OF COMPLAINT CONCERNING THE DRAINAGE POOL NEAR THE PUMP STATION**

“I, Sydney Keith Weber, as the then Chairman of the Association, wrote a letter concerning the drainage pool that was full of water, at the time, and told the municipality in writing, “if any child is drowned in this deep pool of water, the Municipality will be held responsible.” The municipality took their time but finally fenced it off from phase 11, thus seemingly annexing the ground for their own purpose. They also enclosed the Pump Station with iron railings.

The ground has not yet been utilized but may become a possible proposal for the new building development that was opposed by the NHOA Chairman at the time, with written complaints directed to the Town Planning Department, Kraaifontein. My Sydney Keith Weber (as the then chairman) asked for the Developer to change

plans and place the high-rise buildings at the far end, away from and the row of Normandie Houses. This was successfully handled by an appointed Town Planner, who took the matter up pro bono, for N.H.O.A. The Developer had to draw up a new set of plans to effect these changes. As the Developers have drawn up new plans, it is possible that they may want to use this portion of ground near the pump station for their own use in the New Development that adjoins the PUMP STATION ground? There is a possible access through this piece of ground to facilitate the new development, as a possible back entrance, and, we, as the NHOA Committee, do not know if they have plans submitted already or possibly are being considered, for this option of the developers to utilize this possible entry point? This will isolate the pump house from the Normandie Estate. The huge stones were placed there without the knowledge or permission of the Committee of the NHOA.

## **CONCLUSION**

The NHOA Committee needs to investigate for explanation and see what the other two CC owners of Normandie Development CC, have to say via these NHOA enquiries.?

We need to explore every door so that illegitimate actions are exposed fully, directed against us as the complainant and that the door be shut against all these intrusions?

I, Sydney Keith Weber, as the MHOA Advisor Trustee, am concerned about the encroachment of anyone to improve their lot at NHOA expense, by means of the apparent appropriation of land without compensation. The municipal ruling, concerning the 20year period, which Neville Saman brought to our notice, may have a lot to do with these actions. No such permissions have been given by the legitimate Trustees of the NHOA Committee and no correspondence, except that which has been stated above.

Copies of this letter of our current action, as notice of intention to take the matter further, have been sent to the following instances:

The Cape Town Municipality.

The Kraaifontein Municipality.

The Department of Parks and Forestry.

This notice will be placed in the [nhoa.co.za](http://nhoa.co.za) website for the information of Home Owner Members.

**Sydney Keith Weber**

**Appointed Trustee Advisor for NHOA.**