MUCKLENEUK & LUKASRAND
Property Owners and Residents Association

17 March 2025

To Whom It May Concern

1 Please note that the MLPORA constitution is available on the website via link: https://www.mlpora.co.za/_files/ugd/79eb7f_ccd94f0efaa54b0795ba6760da052c32.pdf

2 **Section 9(b)** provides as follows:

"The books and other documents of ***the Association*** are open to inspection to members of the Association"

2.1 **'open to inspection'** is understood to mean:

"available, free of charge, during the hours of conduct of public business, to any person for the purpose of perusal or the making, by that person, of a copy"

3 **Section 3(c)** directs that:

'Membership is obtained by completing an enrolment form'

3.1 The enrollment form is accessible on the MLPORA website via link https://www.mlpora.co.za/resident-registration

3.2 It follows that membership criteria must be satisfied **[section 3]** and in this regard, the requirement to **subscribe to the constitution of the Association [section 3(a)]** remains instructive.

4 **Section 8(g)(ii)** determines quoration for Annual General Meetings [AGM]:

'For annual meetings and extraordinary general meetings **20 members in good standing** shall constitute a quorum'

4.1 **'membership in good standing'** per the intention of our constitutional drafters, refers to members who have duly completed the enrollment form [membership fees are voluntary contributions] and after due consideration, are/was not found to be in intentional and/or material breach of its constitutional provisions.

5 Accordingly, the minutes and related documents are hereby availed, **without prejudice**, to members in good standing. However:

5.1 Please note that some points in the minutes [*list of EXCO meetings Appendix A*] will transverse into related circulation of other documents.

5.2 Given the nature of the Town Planning and Illegal Land Use Projects, related documents are not part of this distribution. However, written applications can be submitted to EXCO in this regard.

6 I also wish to point out that in the interest of transparency, the minutes of the earlier meeting(s) of the Executive Committee still reflects ALL marked-up comments/inputs/corrections/deletions as was CIRCULATED to Co-Sec [Secretariat] at the time but understandably, finalisation was overtaken by subsequent developments.

7 Following a few in-year resignations, the following seven [7] individuals currently remain on the Executive Committee of the Muckleneuk and Lukasrand Property Owners and Residents Association [**MLPORA**]:

- Chairman (Nico van der Merwe)
- Vice Chair (Geraldene Chaplog-Louw)
- Treasurer (Ziaad Abrahams)
- Parks & Pavements (Martin Brűtten)
- Residential Safety (Dean Gillespie)
- Communication (Oré Odunsi)
- Neville Hessel (Maintenance)

7.1 The remaining 2024/25 Executive Committee members wish to express their sincere appreciation for contributions made by the following members who tabled in-year resignations:

Yvette Loots Resigned May 2024	Junior Truter Resigned May 2024	Renet van Wyk Resigned July 2024 *Continues to volunteer in the Subcommittee of Town Planning and Illegal Land Use under the MLPORA Chair through special Power of Attorney Appendix B	Wendy Martin Resigned October 2024	Anya Calantzis Resigned January 2025

8 Please allow me to take full responsibility that this circulation is delayed. I request your kind indulgence in this regard.

Warm Regards

Geraldene Chaplog-Louw, Adv.

Vice Chair [Governance & Unity] and [Acting Secretariat & Membership Enrollment]

Appendix A

1. 3Apr2024 EXCO	18/03/2025 10:25	File folder
2. 8May2024 exco	11/02/2025 15:10	File folder
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8. 11Nov2024 EXCO postponed John Stre...	11/12/2024 09:27	File folder
9. 11Dec2024 exco	18/02/2025 18:18	File folder
10. 29Jan2025 exco	21/02/2025 13:07	File folder
11. 19Feb2025 exco	12/03/2025 00:54	File folder
12. 6Mar2025 exco	17/03/2025 15:14	File folder
13. 12Mar2025 EXCO	18/03/2025 10:39	File folder
14. 17Mar2025 exco	14/03/2025 17:29	File folder

Appendix B

Mon 15/07/2024 08:00

Nico van der Merwe <vdmnico@mweb.co.za>

RE: Re RESIGNATION FROM THE MLPORA EXCO

To heslin.ts@gmail.com; 'Anya Calantzis'

Cc 'Renet van Wyk'; 'Carol Chaplog'; 'mlpora'; 'Smith 243 [Martin & Elzna Brutten]'; 'Oreofe Odunsi'; 'Dean Gillespie'; 'Berea 381 [Wendy Isaacs-Martin & Zane Martin]'; 'Lukas 465 [O: Ziaad Abrahams | T: Alwyn Potgieter]'

RESOLUTION_Mandate.pdf
195 KB

Dear Renet,

Kindly find attached the signed resolution as requested and passed by the committee.

Further, I confirm that your address will continue to be the domicile from MLPORA and that you will be reporting into me for distribution at the exco meeting going forward.

Best regards,

Nico

EXTRACT FROM THE MINUTES OF A MEETING OF MUCKLENEUK & LUKASRAND PROPERTY OWNERS AND RESIDENTS' ASSOCIATION (MLPORA), HELD ELECTRONICALLY AT PRETORIA ON THE 11th DAY OF JULY 2024

RESOLVED:

The Executive Committee of MLPORA resolved that the Muckleneuk & Lukasrand Property Owners and Residents' Association consents to, mandates and authorises the following:

That **MERCIA RENET VAN WYK** (Identity Number 700528 0125 081) in her capacity as a member of the Muckleneuk & Lukasrand Property Owners and Residents' Association, is hereby appointed as the SUB-COMMITTEE MEMBER FOR TOWN PLANNING MATTERS and for ILLEGAL LAND USE MATTERS

RESOLVED FURTHER:

That **MERCIA RENET VAN WYK** (Identity Number 700528 0125 081) in her capacity as SUB-COMMITTEE MEMBER FOR TOWN PLANNING AND ILLEGAL LAND USE MATTERS of the residents' association known as **MLPORA (MUCKLENEUK & LUKASRAND PROPERTY OWNERS AND RESIDENTS' ASSOCIATION)** be and is hereby authorised to sign all documents, writings and/or Power of Attorney that may be required to give effect to this resolution.

CERTIFIED A TRUE EXTRACT:

[redacted]

....

MLPORA CHAIRMAN

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CERTIFIED A TRUE EXTRACT:

[redacted]

....

MLPORA CHAIRMAN

DRAFT MINUTES OF AN EXECUTIVE COMMITTEE MEETING
MUCKLENEUK LUKASRAND PROPERTY OWNERS AND RESIDENTS ASSOCIATION
(The "ASSOCIATION")

DATE: 3 April 2024
TIME: 18:30
PLACE: Huckleberry

Members:	Portfolio
Nico vd Merwe: vdmnico@mweb.co.za	**Chairperson:**
Geraldene Chaiplog-Louw: chaplogc@gmail.com	**Vice-Chairperson:**
Yvette Loots: ~~info@mlpora.co.za~~ ?????	**Secretary:**
Renet van Wyk: renet@vanwyklegal.co.za	**Town Planning:**
Junior Trutor & Martin Brütten: jtruter@sh.co.za; martin.brutten@gmail.com	**Parks & Pavements:**
Dean Gillespie: gillespiecaptain@hotmail.com	**Residential Safety:**
Anya Calantzis: anya@superultra.co	**Caring:**
Yvette Loots: info@mlpora.co.za	**Communications**
Neville Hessel: nevmed@telkomsa.net	TBA
Ore Odunsi: ore.odunsi@gmail.com	TBA

Apologies:

Ziaad Abrahams: ziaad007@gmail.com	**Treasurer:**
Wendy Isaacs-Martin: wjmartis@gmail.com	TBA

1.		WELCOME Chair welcomed all attendees and asked for short introductions where not already done. Geraldene requested members to also indicate when they had first joined the MLPORA Executive committee. Yvette indicated 2016. Neville introduced himself as a new member with high voltage experience, who is staying in the area since..... Ore mentioned that she is a food technician and stayed in the area since 2012. Junior mentioned he joined last year and is engaged in parks and pavements and he likes that he was given tasks by EXCO and then left alone to do it. Martin.......mentioned he is a dentist. Dean.....security. Anya....caring. Renet indicated that she has served since 2013 Renet asked Geraldene what she is doing. Geraldene stated that she is retired. Renet asked her what profession she did do. Geraldene answered that she worked at the Independent Electoral Commission. Renet then asked if Geraldene has any legal background whereby Geraldene replied no, no legal background. asked Geraldene what she is doing. Geraldene stated that she is retired. Renet asked her what profession she did do. Geraldene answered that she worked at the Independent Electrocal Commission. Renet then asked if Geraldene has any legal background whereby Geraldene replied no, no legal background.

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Commented [G1]: Colleagues I recall there were contributions from around the table…Cosec please can you add summaries

Commented [G2]: Cosec this is not correct. May I kindly ask you to 'copy and paste' from the chairs subsequent email regarding this aspect.

		Geraldene indicated that she is not happy with the lay-out of the agenda and that there are no discussions on the agenda. Nico pointed out that on the "Action List" the discussion is noted and action points are minuted. Geraldene suggest more formal minutes be kept. Martin opposed and noted that he will not read detail and prefers the way in which Yvette kept the minutes for the past few years that she was doing minutes. The meeting decided to not change the minutes format and that Yvette should keep on doing the minutes as secretary. Geraldende indicated that she is not happy with the lay-out of the agenda and that there are no discussions on the agenda. Nico pointed out that on the "Action List" the discussion is noted and action points are minuted. Geraldene suggest more formal minutes be kept. Martin opposed and noted that he will not read detail and prefers the way in which Yvette kept the minutes for the past few years that she was doing minutes. The meeting decided to not change the minutes format and that Yvette should keep on doing the minutes as secretary.
2.		APOLOGIES Ziaad Abrahams and Wendy Isaacs-Martin apologised.
3.		QUORUM: In accordance with clause 8(f)(iii) *"for Executive Committee meetings, six (6) members shall be deemed a quorum"* Quorum is present.
4.		CONFIRMED RESOLUTIONS
	4.1	It was approved by majority vote via WhatsApp that SAGE accounting software will be used. This amounts to R4440 annually. Ziaad and Yvette will take this further.
5.		NEW BUSINESS A request was made to switch the sequence of discussions to 5.3, 5.2 then 5.1. This was supported. Nico then introduced a new agenda item regarding a complaint received from a resident(s) who wished to remain an anonymous. COMPLAINT: BEREA 569 The complaint is about MLPORA having a conflict of interest as Ore Odunsi is now an executive committee member of MLPORA but that MLPORA is acting on behalf of the residents regarding an objection for a "consent use application". The complainants request that Ore be removed as an executive committee member. Neville noted that it is similar to "insider trading". Ore notes that she is not the owner of the property but that does manage the property and is regarded as a related party in both employee and family of the applicant. Renet notes that this is not a simple matter as there are legal implications for MLPORA having a conflict of interest and that an objective legal opinion should be acquired. She suggest to make use of the Town Planner, Mike van Blommenstein as well as Steven Klagsburn who is an attorney specialising in these matters. It is important to note that this is not a hearing and that the legal opinion will be accepted with no vote from the committee. Renet will liaise with the volunteers regarding the matter and hope to revert back by the next meeting. The meeting agreed that: 1. The legal opinion is final and no voting process will be held; 2. This is not a hearing; 3. Renet has a mandate to engage with Mike v Blommenstein and Steven Klagsburn for a legal opinion; 4. Ore's position and appointment be pending till the result of the legal opinion is provided.

Commented [G3]: Colleagues I offer my recollection in support of a short, less emotive but accurate summary please!

Geraldene indicated that we should have item for approval of the agenda. She then enquired about the whereabouts for the minutes as they were not received. Yvette indicated that what was circulated was the minutes. Geraldene responded that only an agenda and an action list was circulated to EXCO members. Yvette as that is the way that minutes have been done in MLPORA and that doing minutes is part of her business-line. Martin asked what is lacking/should be added and Ore explained that it should indicate who has attended, apologies etc. Nico asked if Geraldene would like to do the minutes and she responded that she is willing to. Martin indicated that as long as there is not going to be long minutes as he just wants to run his finger down the page and see what he had said is correctly reflected. Geraldene then said that minutes do not have to be long but they should accurately reflect a short summary of discussion points the Yvette has been doing the minutes for a long time so that it is not fair to now take it away from her. Geraldene responded that it is not being taken away from her as she has offered. Rennet clarified that Yvette has not offered it was Nico who did. Renet added that there must be continuity and then Nico called for show of hands to keep the status quo, which carried with only three members against.

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Deleted: Before the new business discussion started,

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Commented [G4]: May I defer to Ore and other members on this please

Commented [G5]: Cosec I do not recall these names but rather that a legal opinion would be sourced. perhaps my bad but
Colleagues, your individual recollection(s) will be helpful please…

<table>
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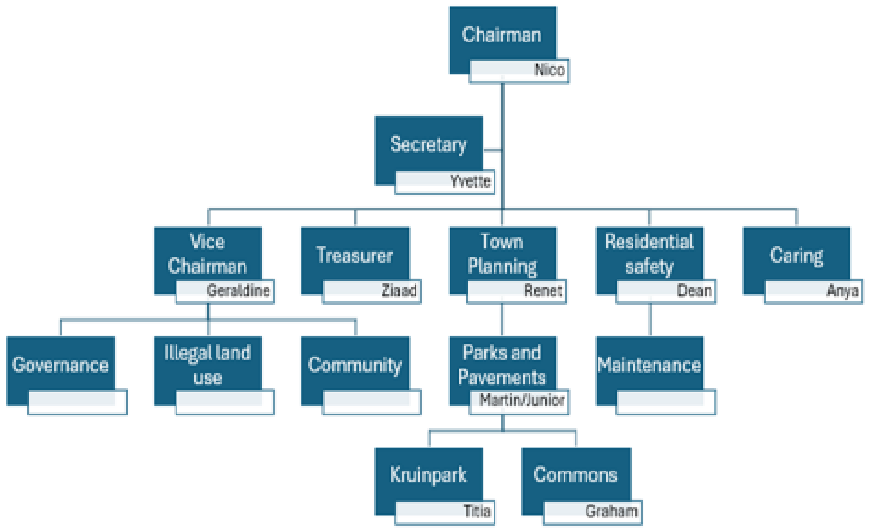
<tr><td>5.</td><td>5.1</td><td>
<u>EXECUTIVE COMMITTEE: ROLES & RESPONSIBILITIES</u>
Nico tabled an organogram he prepared for the meeting.



The open spaces are portfolios / focus aspects where assistance is urgently needed.
Geraldene accepts Governance and Community but will not accept illegal Land Use and request that it be moved to Renet's Town Planning portfolio. Yvette points out that a person with a fulltime job cannot get around to all the Illegal Land Use issues and Renet has been trying to get around to it, but do not have the capacity between a full time job and the Objection and Applications with Town Planning. This is a critical aspect and require a dedicated person. Geraldene still would not accept the position. Dean further suggest that Illegal Land Use should move under his Residential Safety portfolio as it does have an indirect effect on safety. A suggestion was made for Wendy to take the Illegal Land Use portfolio since she requested to work with Dean on safety matters.
Geraldene request that the portfolio name "Community" be changed from "Community" to "Community Unity" as its more about the unity between the corporates within the community and that Caring is more about the individuals and should be renamed to "Community Care".
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Commented [G6]: Colleagues this is not my recollection…Cosec can you revisit please. Colleagues I offer this input support of a short, less emotive but accurate summary please!
Geraldene pointed out that she has already indicated in WA that she will not accommodate Illegal Land use but that the area of Governance and Community UNITY is where she can make a contribution.

At this point Cosec you will recall you then made a few 'We statements' that incorporated what you now attribute incorrectly:

		The open spaces are portfolios / focus aspects where assistance is urgently needed. Geraldene accepts Governance and Community, but will not accept illegal Land Use and request that it be moved to Renet's Town Planning portfolio. Yvette points out that a person with a fulltime job cannot get around to all the Illegal Land Use issues and Renet has been trying to get around to it, but do not have the capacity between a full time job and the Objection and Applications with Town Planning. This is a critical aspect and require a dedicated person. Geraldene still would not accept the position. Dean further suggest that Illegal Land Use should move under his Residential Safety portfolio as it does have an indirect effect on safety. A suggestion was made for Wendy to take the Illegal Land Use portfolio since she requested to work with Dean on safety matters. Geraldene request that the portfolio name "Community" be changed from "Community" to "Community Unity" as its more about the unity between the corporates within the community and that Caring is more about the individuals and should be renamed to "Community Care". Neville agreed to the Maintenance portfolio. The meeting agreed that: 1. Illegal Land Use resort under Dean's residential safety portfolio; 2. Geraldene is head of Governance and Community Unity portfolios and should define what it entails at the next meeting; 3. The portfolio name for Community be changed to "Community Unity"; 4. The portfolio name for Caring be changed to "Community Care" and should define what it entails at the next meeting; 5. Neville is head of Maintenance portfolio and should define what it entails at the next meeting.
	5.2	EXECUTIVE: ROLES & RESPONSIBILITIES *See notes above*
	5.3	DECISION MAKING & DAY-TO-DAY RUNNING OF THE ASSOCIATION Nico states that as per the constitution, the executive committees give tasks to the executive. What is important to note is that day-to-day running of the committee cannot stand still and wait for 12 members to agree to move forward. Geraldene and Ore asks for examples of where/which tasks the EXCO had given to the Executive. Nico could not come up with an example but Yvette explained that in the communications area which is difficult to provide but will point it out for future reference. Junior notes that it is important to remember that each portfolio manager has a mandate to act in the best interest of MLPORA and the residents and that decision-making rests with the Portfolio manager and the chair. Should the chair decide to take the decision to the committee it is his prerogative. Yvette pointed out that Geraldene was always asking for 12 members to vote on a matter, such as the accounting program, which has now cost Ziaad and Yvette a month of not being able to hand-over. This is not effective, its frustrating and unnecessary. The meeting agreed that: 1. Matters cannot stand still and wait for all 12 members to make a decision; 2. Day-to-day matters can be dealt with between the portfolio manager and the chair; 3. The chair has the final decision to escalate the matter to the committee for a decision.
	5.4	VIRTUAL PLATFORM POLICY: WHATSAPP GROUPS Yvette drafted a virtual policy and requested it to be implemented as "admin" of the groups are exposed to personal liability (Yvette | Nico | Dean). The draft policy will be shared for input before Thursday 4pm whereafter it will be accepted and implemented. Junior notes that it is important to have a legal person provide a proper policy to protect the admin of the groups as well as the committee members. Renet also pointed out that committee members should think twice before posting on the groups as their posts can now reflect on MLPORA and be interpreted as the views of MLPORA. Should they wish to post or ask questions that can be a negative reflection on MLPORA, they should kindly send it privately or state that it is done in their personal capacity. Yvette adds that MLPORA committee members do not discuss MLPORA matters on any public platform and that it is done at a committee meeting or to contact the person directly.

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Commented [G7]: Colleagues, this is an accurate reflection of what was pointed out at this juncture.

Commented [G8]: Colleagues this was not agreed and I do not recall that we voted on this matter…we can only do what is constitutionally permitted?

		The meeting agreed that: 1. Yvette will share the draft and all will provide input prior to 4pm Thursday 4 Apr; 2. A legal person be appointed and paid to draft a proper policy to protect the admin and committee members; 3. The policy be shared on the website and implemented on the groups giving residents an option to leave the groups if they do not wish to subscribe to the policy. 4. This policy will be effective till a legally drafted policy is implemented; 5. The committee members should not raise a concern about an action taken by admin on the groups in public but should rather discuss at the committee; 6. Committee members are reminded that their posts now represent MLPORA and that personal posts should be thought over carefully on public forums. Should you wish to post in our personal capacity, you should mention that on your post.
	5.5	VIRTUAL PLATFORM POLICY: EXEC COMMITTEE WHATSAPP GROUP *Stand over till next meeting.*
	5.6	COMPLAINT RECEIVED FROM NDUMISO DLADLA & ANJULI WEBSTER *(demand re-instatement to the social media platforms and serious allegations against MLPORA)* *Stand over till next meeting.*
6.		ACTION ITEMS FROM PREVIOUS MEETINGS *Refer to notes*
7.		NEXT MEETING Meeting adjourned at…. The next meeting will be on 8 May 2024

Commented [G9]: There was some discussion on this matter…how insistently the member carried on…how accusation are paints MLPORA in a bad light
Please can you capture that as well

Commented [G10]: This was not discussed so STANDOVER

ACTION LIST EXTRACTED FROM PREVIOUS MEETINGS HELD:

	Responsible	Matter	Action to be taken:
MEETING HELD ON: 31/10/2023			
1.	Renet	570 Sibelius str: Consent of use	Tribunal hearing was attended on 30 January 2024 and await ruling.
2.	Renet	361 Berea Street: Ampath Development	Objections were lodged. Await tribunal hearing date, and Ampath requested to meet to discuss Mlpora's objection.
MEETING HELD ON: 7/02/2024			
3.	Anya / Renet	Oos Kerk involvement	Anya and Renet to meet up and discuss how the church can get involved or we can get involved with church activities.
4.	Nico	UNISA / Elandspoort park	Unisa still interested to contribute funds for project.
5.	Martin / Junior	"Speed kills" graffiti wall	Residents were asked for proposals but only one person submitted. The committee liked the concept. Martin engaged with AHS about an art project for the boys and AHS is very keen. Martin will engage with the school to refine the concept and suggest to paint end of February. The colours were decided to be the same as the "map". It is noted that once this wall is successfully painted, there is a wall in Dougall street that can also be attended to.  
6.	Martin	Huckleberry grass enbankment	Johalize will design to speak to the design of all the entrances to Muckleneuk. Martin to engage with Johalize. Nico engaged with Crawford and they are discussing the budget for this project.
7.	Nico	Absa Account access	Paperwork completed and will be given to Absa. By end Feb 2024, the signatories will be changed
8.	Renet	34 Ormonde Street: Review court application	An attorney has been appointed and is dealing with this matter in preparation for review application in court.
9.	Nico	Street Closure	The traffic engineer confirmed that a study will be done after 19 Feb 2024 (dates to be confirmed) so that the university traffic is also taken into consideration. There is a request to include Sibelius Street into the count. Nico will confirm the streets that are part of the count during Feb and if Sibelius can be added.
10.	Renet	183 John Street: Development app	The core group is dealing with this matter and have sent a letter to the developer. Await the developer feedback.
11.	Renet	569 Berea Street: Guest house	The owner is currently having meetings with the neighbours. We await the advertisement for consent of use. Meeting decides that it will oppose the consent of use application.
MEETING HELD ON: 3/03/2024			
12.	Ziaad	Accounting take over	Ziaad to engage with Robert for the hand over. Engage with Yvette about the accounting software.
13.	Renet	Legal Opinion: Berea 569 Conflict of Interest	Renet to engage with Mike v Blommenstein & Steven Klagsburn to obtain a legal opinion on the matter.
14.	Geraldene	Community Unity Portfolio	Geraldene to define what the Community Unity portfolio will be responsible for / objectives
15.	Geraldene	Governance	Geraldene to define what the Governance portfolio will be responsible for / objectives
16.	Anya	Community Care Portfolio	Anya to define what the Community Care portfolio will be responsible for / objectives
17.	Neville	Maintenance	Neville to define what the Maintenance portfolio will be responsible for / objectives
18.	Wendy / Dean	Illegal Land Use	Dean to discuss Wendy's portfolio. Wendy to define what the Illegal Land Use portfolio be responsible for / objectives
19.	Nico	Organogram	Nico to draft new organogram with each portfolio manager's responsibility
20.	ALL MEMBERS	Virtual Policy	Yvette to share the draft virtual policy with all members for input. ALL members to provide input before 4pm Thursday 4Apr.
21.	??	Legal Virtual Policy	Engage with a qualified legal person to draft a virtual policy for the committee

19.

MLPORA VICE PRESIDENT ENQUIRY Inbox ×

Nico van der Merwe <vdmnico@mweb.co.za> 1:52 PM

to me, Info@mlpora.co.za, Lukas

Dear Geraldene,

Thank you for attending our first meeting of the newly elected MLPORA executive committee for 2024.

I was sitting next to you at this meeting and heard you answer to questions directed at you as follows:

1. Renet question 1: What do you do for a living? Your answer: I am retired.
2. Renet question 2: What did you do before retirement? Your answer: I worked at the Electoral Commission.
3. Renet question 3: Were you ever a practicing lawyer? Your answer: No

I am confused by your answers as you presented yourself as an advocate to the audience at the AGM on 13 March 2024.

You also confirmed that you are an advocate on the what's app group of the MLPORA executive committee on 16 March 2024.

Please can you confirm that you are indeed an advocate and if so, do you have proof? It is important that we have the correct facts.

Kind Regards,

Nico van der Merwe
MLPORA
CHAIRMAN

.

MLPORA VICE PRESIDENT ENQUIRY Inbox x

Nico van der Merwe <vdmnico@mweb.co.za> 1:52 PM

to me, info@mlpora.co.za, Lukas

from: **Nico van der Merwe** <vdmnico@mweb.co.za>
to: "Troye 246 [Geraldene Chaplog-Louw & Lolo Louw]" <chaplogc@gmail.com>
cc: "Info@mlpora.co.za" <info@mlpora.co.za>,
"Lukas 465 [O: Ziaad Abrahams | T: Alwyn Potgieter]" <ziaad007@gmail.com>
date: Apr 5, 2024, 1:52 PM
subject: MLPORA VICE PRESIDENT ENQUIRY
mailed-by: mweb.co.za
signed-by: mweb.co.za
security: Standard encryption (TLS) Learn more
: Important according to Google magic.

Dear Geraldene,

Thank you for attending

I was sitting next to you

1. Renet questio
2. Renet questio ... Commission.
3. Renet questio

I am confused by your a

You also confirmed that you are an advocate on the what's app group of the MLPORA executive committee on 16 March 2024.

Please can you confirm that you are indeed an advocate and if so, do you have proof? It is important that we have the correct facts.

Kind Regards,

Nico van der Merwe
MLPORA
CHAIRMAN

Qualifications

- LLB
- BA PPEL (Philosophy, Political Science, Economics, Law)
- Diploma Corporate Governance
- Associate General Accountant (SAICA)
- ACG/ACIS Associated Chartered Governance/ Chartered Secretary

G.P.-S.12504-1979-80-5 000 J36

CASE NO: 76014A/2014

IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, PRETORIA)

AT PRETORIA, this the 8TH DAY of DECEMBER 2014

BEFORE THE HONOURABLE MR JUSTICE MANAMELA, AJ
BEFORE THE HONOURABLE MADAM JUSTICESCHOLTZ, AJ

IT APPEARING THAT

GERALDENE CAROL CHAPLOG-LOUW

is duly qualified in terms of the Admission of Advocates Act, 1964 (Act 74 of 1964), to be admitted and authorised to practise and to be enrolled as an advocate of the High Court.

SAPS LYTTELTON
2022 -01- 23
COMMUNITY SERVICE CENTRE
SOUTH AFRICAN POLICE SERVICE

IT IS HEREBY ORDERED THAT

GERALDENE CAROL CHAPLOG-LOUW

be admitted to practise as an advocate of the High Court of South Africa and that his/her name be enrolled as such by the proper officer.

BY ORDER OF THE COURT

REGISTRAR

From: Carol Chaplog <chaplogc@gmail.com>
Sent: 03 May 2024 17:00
To: mlpora <info@mlpora.co.za>
Cc: Berea 468 [Renet van Wyk] <renet@vanwyklegal.co.za>; Nico van der Merwe <vdmnico@mweb.co.za>; Dean Gillespie <gillespiecaptain@hotmail.com>; Junior Truter <jtruter@sh.co.za>; Smith 243 [Martin & Elizna Brutten] <martin.brutten@gmail.com>; Berea 381 [Wendy Isaacs-Martin & Zane Martin] <wjmartis@gmail.com>; Berea 560 | Berea 569 [Oreofe & Niyi Odunsi] <ore.odunsi@gmail.com>; Ormonde 42 [Neville & Leone Hessel | Catherine Lineker] <healing.ts@gmail.com>; Lukas 465 [O: Ziaad Abrahams | T: Alwyn Potgieter] <ziaad007@gmail.com>
Subject: Re: Agenda: 8May

Good Affternoon Chair and Colleagues. I have quite a few agenda items. Wowever, I realise that very little is doable in the short time allocated for the meeting. Accordingly, I trust we will have the REVISED draft minutes together with the updated ACTION LIST/MATTERS ARISING circulated ASAP so that we can do justice but yet deal with it expeditiously.

I then add the following:
URGENT
A. re-admission of suspended members
1. Readmission
2 communication to inform residents of decision
2. consideration of facts/documentation of what transpired with a view to inform necessary action.

My item B is Leadership and decorum
C is outstanding info/documentation requests

As indicated the list is long but this will suffice for now

On Tue, Apr 30, 2024 at 1:55 PM mlpora <info@mlpora.co.za> wrote:

> Afternoon,
> Can you please send through all agenda items **before close of business Friday 3 May at 4pm** for the meeting to be held 8 May 2024
> Kind Regards
>
> Yvette Loots
> secretary

AGENDA FOR AN EXECUTIVE COMMITTEE MEETING
MUCKLENEUK LUKASRAND PROPERTY OWNERS AND RESIDENTS ASSOCIATION
(The “ASSOCIATION”)

DATE: 8 May 2024
TIME: 18:30
PLACE: Huckleberry

Executive invited
Chairperson: Nico vd Merwe: vdmnico@mweb.co.za
Vice-Chairperson: Geraldene Chiplog-Louw: chaplogc@gmail.com
Secretary: Yvette Loots: yvette@yellowjacket.co.za
Treasurer: Ziaad Abrahams: ziaad007@gmail.com

Portfolio Managers invited
Town Planning: Renet van Wyk: renet@vanwyklegal.co.za
Parks & Pavements: Junior Trutor & Martin Brütten: jtruter@sh.co.za; martin.brutten@gmail.com
Residential Safety: Dean Gillespie: gillespiecaptain@hotmail.com
Caring: Anya Calantzis: anya@superultra.co
Maintenance: Neville Hessel: nevmed@telkomsa.net
New Volunteer: Ore Odunsi: ore.odunsi@gmail.com
New Volunteer: Wendy Isaacs-Martin: wjmartis@gmail.com

1.		WELCOME
2.		APOLOGIES
3.		QUORUM: In accordance with clause 8(f)(iii) *“for Executive Committee meetings, six (6) members shall be deemed a quorum”*
4.		ACCEPTANCE OF PREVIOUS MINUTES
5.		NEW BUSINESS
	5.1	Concert for the honorary residents
	5.2	UPGRADING OF PREPAID METERS Neville will follow up with the councillor and electric dept.
	5.3	Accounting: Elzaan
	5.4	COMPLAINT RECEIVED FROM NDUMISO DLADLA & ANJULI WEBSTER: 1. Readmission 2. Communication to inform residents of decision 3. Consideration of facts/documentation of what transpired with a view to inform necessary action.

6.		ACTION ITEMS FROM PREVIOUS MEETINGS *Refer to notes below.*
7.		NEXT MEETING Next meeting be held on 5 June 2024

ACTION LIST EXTRACTED FROM PREVIOUS MEETINGS HELD:

	Responsible	Matter	Action to be taken:
MEETING HELD ON: 3/04/2024			
1.	Ziaad	Accounting take over	Ziaad to engage with Robert for the hand over. Engage with Yvette about the accounting software.
2.	Renet	Legal Opinion: Berea 569 Conflict of Interest	Renet to engage with Mike v Blommenstein & Steven Klagsburn to obtain a legal opinion on the matter.
3.	Geraldene	Community Unity Portfolio	Geraldene to define what the Community Unity portfolio will be responsible for / objectives
4.	Geraldene	Governance	Geraldene to define what the Governance portfolio will be responsible for / objectives
5.	Anya	Community Care Portfolio	Anya to define what the Community Care portfolio will be responsible for / objectives
6.	Neville	Maintenance	Neville to define what the Maintenance portfolio will be responsible for / objectives
7.	Wendy / Dean	Illegal Land Use	Dean to discuss Wendy's portfolio. Wendy to define what the Illegal Land Use portfolio be responsible for / objectives
8.	Nico	Organogram	Nico to share new organogram with each portfolio manager's responsibility
9.	ALL MEMBERS	Virtual Policy	Yvette to share the draft virtual policy with all members for input. ALL members to provide input before 4pm Thursday 4Apr.
10.	??	Legal Virtual Policy	Engage with a qualified legal person to draft a virtual policy for the committee
MEETING HELD ON: 31/10/2023			
11.	Renet	570 Sibelius str: Consent of use	Tribunal hearing was attended on 30 January 2024 and await ruling.
12.	Renet	361 Berea Street: Ampath Development	Objections were lodged. Await tribunal hearing date, and Ampath requested to meet to discuss Mlpora's objection.
MEETING HELD ON: 7/02/2024			
13.	Anya / Renet	Oos Kerk involvement	Anya and Renet to meet up and discuss how the church can get involved or we can get involved with church activities.
14.	Nico	UNISA / Elandspoort park	Unisa still interested to contribute funds for project.
15.	Martin / Junior	"Speed kills" graffiti wall	Residents were asked for proposals but only one person submitted. The committee liked the concept. Martin engaged with AHS about an art project for the boys and AHS is very keen. Martin will engage with the school to refine the concept and suggest to paint end of February. The colours were decided to be the same as the "map". It is noted that once this wall is successfully painted, there is a wall in Dougall street that can also be attended to. 

			
16.	Martin	Huckleberry grass enbankment	Johalize will design to speak to the design of all the entrances to Muckleneuk. Martin to engage with Johalize. Nico engaged with Crawford and they are discussing the budget for this project.
17.	Nico	Absa Account access	Paperwork completed and will be given to Absa. By end Feb 2024, the signatories will be changed
18.	Renet	34 Ormonde Street: Review court application	An attorney has been appointed and is dealing with this matter in preparation for review application in court.
19.	Nico	Street Closure	The traffic engineer confirmed that a study will be done after 19 Feb 2024 (dates to be confirmed) so that the university traffic is also taken into consideration. There is a request to include Sibelius Street into the count. Nico will confirm the streets that are part of the count during Feb and if Sibelius can be added.
20.	Renet	183 John Street: Development app	The core group is dealing with this matter and have sent a letter to the developer. Await the developer feedback.
21.	Renet	569 Berea Street: Guest house	The owner is currently having meetings with the neighbours. We await the advertisement for consent of use. Meeting decides that it will oppose the consent of use application.

MINUTES FOR AN EXECUTIVE COMMITTEE MEETING
MUCKLENEUK LUKASRAND PROPERTY OWNERS AND RESIDENTS ASSOCIATION
(The "ASSOCIATION")

DATE: 8 May 2024
TIME: 18:30
PLACE: Huckleberry

Executive attended:
Chairperson: Nico vd Merwe: vdmnico@mweb.co.za
Vice-Chairperson: Geraldene Chiplog-Louw: chaplogc@gmail.com
Secretary: Yvette Loots: yvette@yellowjacket.co.za

Portfolio Managers attended:
Town Planning: Renet van Wyk: renet@vanwyklegal.co.za
Parks & Pavements: Junior Trutor: jtruter@sh.co.za
Residential Safety: Dean Gillespie: gillespiecaptain@hotmail.com
Caring: Anya Calantzis: anya@superultra.co
New Volunteer: Ore Odunsi: ore.odunsi@gmail.com
New Volunteer: Wendy Isaacs-Martin: wjmartis@gmail.com

Apologies:
Treasurer: Ziaad Abrahams: ziaad007@gmail.com
Parks & Pavements: Martin Brütten: martin.brutten@gmail.com
Maintenance: Neville Hessel: nevmed@telkomsa.net

1.		WELCOME The Chair welcomed all attendees.
2.		APOLOGIES Ziaad, Neville and Martin tendered their apologies.
3.		QUORUM: In accordance with clause 8(f)(iii) "*for Executive Committee meetings, six (6) members shall be deemed a quorum*" Quorum is present.
4.		ACCEPTANCE OF PREVIOUS MINUTES Geraldene objected to the minutes of the 3 April 2024 The approval of the minutes will stand over to the next meeting on 5 June 2024.
5.		NEW BUSINESS
	5.1	Safety for Elections discussion Discussion takes place around the residential safety pre- and post-elections and how CPF is preparing for all scenarios. Communication will be sent out for a public meeting at the

Commented [G1]: This was reported in my absence but it does not reflect the fact that I submitted substantive corrections/additions to ensure factual correctness of these minutes. Furthermore what was also not reported was that another member called for the minutes to be recirculated after all inputs had been effected. This was not yet done by the time the 8May2024 took place.
Accordingly, a revised draft taking these points into consideration must still be re-circulated before approval.

		Commons on the 19 May. The intention is not to create fear but rather equip residents with relevant information.
		Geraldene and Wendy attend the meeting later. (18:40)
	5.1	Yvette tender her resignation Yvette announce her immediate resignation from the Committee. She explained that she has been working on communication platform to benefit the residents but other associations and estates approached her to launch and manage the platform for them. She thought it best to rather resign from the committee and propose to enter into a service relationship with MLPORA enabling her to build the business with MLPORA's support. She suggested that her functions be delegated as follows. **Secretary** (assistance to Nico | Membership) – She suggested that Renet takes over the secretary position but have assistance from Wendy, Ore and Geraldene for tasks that reside under her. She has the industry knowledge of MLPORA and has served for many years on the exco and was the prone candidate for Vice-Chair 2023. She is a lawyer and will stay compliant with the POPI Act regarding protection of membership information. The **Communication** (whatsapp | connect | website | Instagram | facebook | advertisement posts) role be delegated to Wendy with support from Ore. She suggested that the **Minutes** be take over by Geraldene as her attention to detail will be valuable to the committee. Geraldene indicated that she is willing to do the minutes in the interim until a new secretary is appointed. The committee requested 3 days to consider the suggestions made and get back to Yvette for proper hand overs. ~~Nico and Renet disclosed that they have been assisting Yvette~~. Geraldene pointed out that that there might be a perceived conflict of interest with Nico continuing in Yvette business venture. She noted that with Renet running a legal practise she may provide legal services to anyone as long as she ensures objectivity and that no conflict arose. ~~Renet is a qualified attorney, she will be able to stay objective.~~ Geraldene noted that the discussion regarding disclosure of interest made by Yvette and Nico must be discussed at the next meeting ~~This discussion need to stand over to the next meeting~~. Yvette requested a special meeting to present the concept to the committee. The committee indicated that it is willing to meet and will view Yvette's business in the same light as any other external supplier. Yvette brought with a box of old minutes and paperwork received from Niel Roux. Geraldene requested to have the box and the chair agreed. **The meeting agreed that:** 1. ~~Yvette can set up a meeting for a presentation~~ Yvette will be afforded an opportunity to make a presentation of her service offering;

Commented [G2]: This creates a wrong impression. The meeting was formally set down for 18h30. A WA message was sent late in the day to request an earlier start and I indicated my availability only for the 18h30 start.

Commented [G3]: this is not an accurate reflection of what transpired…this was how the discussion flowed!
Renet asked Yvette if she had given thought to how best her functions should be continued within the Committee. Yvette responded in the affirmative and then tabled her suggestions!

Commented [G4]: This in not accurate… …Yvette clearly stated the following:
….It was always the plan for Renet to become the VC

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Commented [G5]: This is not accurate… the true reflection is as follows:
Yvette requested the Committee to get back to her by Saturday regarding who will be taking over her areas of responsibilities so that she can proceed to schedule the handover meetings as soon as possible. Geraldene requested to be part of all the handover sessions so that she can document the processes and procedures in Yvette's area of responsibility. Nico suggested instead that Yvette record voice notes to describe how she went about doing the tasks and post them on the EXCO group so that all members can be informed. Geraldene agreed that this was a more efficient way to and a good idea that every member will come to know what the tasks entailed.

Commented [G6]: This is incorrect…this is what was reported:
Yvette indicated that Nico and Renet has been assisting in her venture. Nico confirmed and indicated that initially the application was developed for MLPORA. He also indicated that he will continue to assist Yvette.

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Commented [G7]: My inline corrections are a true reflection of the points I raised. Moreover it can never be said that a person is objective by virtue of professional standing ONLY…most professions have codes of conduct but it remains the responsibility of the practitioner to ensure that conflict of interest do not occur in the course of them plying their trade. Accordingly I strongly object that such an irresponsible statement can be wrongfully attributed to me!!

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		2. Yvette should stay on the MLPORA committee whatsapp group till the new portfolio managers have been appointed and the hand-over process is completed; 3. The committee will consider the suggestions and revert back to Yvette within 3 days (Saturday 11 May) regarding a decision of who will take offer her tasks ~~with the new portfolio managers~~; 4. Geraldene will list all content in the box and contact Niel Roux regarding a way forward with the Gautrain files he has in his possession.
	5.2	Concert for the honorary residents Anya reported that Renet had contacted her regarding a group of musicians that are willing to perform in a concert event celebrating long-standing residents in the area on 1 June. Geraldene enquired if this was targeted at a specific age group and Yvette explained that it was aimed at all residents that has been staying here for longer than 25years. There is currently 10 attending and 7 maybe. Anya will engage with Ore regarding other venue options. The meeting agreed that the event can proceed.
	5.3	Upgrading of Prepaid meters Neville will follow up with the councillor and electric dept.
	5.4	Accounting: Elzaan Yvette reported that Ziaad is not responding to her requests for him to get around to the day-to-day bookkeeping and that some paid-up residents are receiving emails automated prompts for payment of outstanding contributions as the reconciliations have not been done. She informed the committee that Elzaan (a resident in the area) is willing to assist Ziaad as a sub-committee member. She explained that the budget of R500 already approved to buy the SAGE accounting software will suffice to cover Elzaan's cost to use her own SAGE software instead. Geraldene indicated that per the website Ziaad was on the Committee the previous year and she wanted to know the reasons why Ziaad is not able to perform his responsibilities. She requested the Chair to call Ziaad to confirm if he will be able to make time to attend to the matters raised by Yvette. Some members explained that Ziaad had not in fact been a member of the Committee although he was in fact elected at the AGM ~~not favorable about Ziaad's lack of involvement~~. Dean explained that Ziaad is busy with his studies but will be available to focus on MLPORA from June. The meeting agreed that the matter will be discussed with Ziaad at the next meeting. The meeting agreed to engage Elzaan to assist Ziaad with bookkeeping functions as a sub-committee member.
	5.5	Complaint received from Ndumiso Dladla & Anjuli Webster: Yvette presented a document wherein she gave her own account of the events that transpired before the residents were removed from the group. She pointed out that she

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Commented [G8]: I have no recollection that this was mentioned at this meeting but I stand to be corrected!

Commented [G9]: My corrections/additions here is to ensure factual correctness of the discussion.

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Commented [G10]: This discussion cannot be left out of the minutes. Yvette distributed a document which she requested must be held in confidence. You will recall that I had returned my copy without reading it and requested an email circulation which Yvette agreed to. However, this was never circulated to date. I do support that minutes in in such matters can be less detailed but they should still remain factually correct. Accordingly, I offer my high-level recollection for your further input/corrections please. As indicated, the final minute should be very cryptic!

		had been in consultation with the Chair throughout the ordeal and that he had asked her to give them opportunity to relent. She reported that they however continued and she then had to remove them. Geraldene pointed out that it will take time for the Committee to adjudicate the complaint as the history of what transpired on the chat is required. Yvette reported that once she deleted the WA messages it was not possible to retrieve the trail. Geraldene motivated that her understanding was that the members in reacting to MLPORA's political post also made a political post to prove a point. Renet indicated that Yvette had apologised for the mistake she made. The Chair asserted that the members acted intentionally. Wendy objected and stated that the Chair has no proof to substantiate such a claim Geraldene agreed and asserted that the members must be allowed back on the group on condition that they accept the rules which must be re-communicated. She also motivated that communication to this effect should be sent to them. Wendy agreed that the members be allowed back but opposed that formal communication be sent as this would serve no purpose given that the matter had died down and further debates should not be resuscitated. Renet asserted that the members must not be reinstated. The Chair shared his draft letter wherein he informs these members that they will not be reinstated. Geraldene and Wendy objected and furthermore motivated that the members be reinstated. The Chair ruled that discussions stand over to the next meeting.
	5.6	Junior tendered his resignation Junior announces his immediate resignation from the committee. His explained that family responsibilities are his priority and he feels that he does not have the time that MLPORA deserve. He recommended that the committee consider appointing Elnari as she is doing a great job.
	5.7	Legal Opinion: Ore Odunsi Opinion has been circulated but discussion will stand over to the next meeting.
6.		ACTION ITEMS DISCUSSED FROM PREVIOUS MEETINGS *Refer to notes below point 1 - 4*
7.		NEXT MEETING Next meeting be held on 5 June 2024

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ACTION LIST EXTRACTED FROM PREVIOUS MEETINGS HELD:

	Responsible	Matter	Action to be taken:
MEETING HELD ON: 8 MAY 2024			
1.	Nico	UNISA / Elandspoort park	There are a lot of complaints regarding the current state of the park. There is information shared that a white gentlemen with a white bakkie set the branches alight in the park and Dean will investigate and ask MHSI for their possible video footage. UNISA will be paying over their funds but in the meantime, Nico suggest that MLPORA advance R40k to fix up the park and finish the berm. Nico will discuss a date with Johalize to hold a public "walk-through-the-park" to involve the community. **The meeting agreed that R40k can be advanced to the project and be reimbursed once UNISA pays their funds.**
2.	Martin / Nico / Anya	"Speed kills" graffiti wall	Nico ask Anya if she can arrange someone to draw the outlines of the skyline as approved. Nico will engage with Junior about the sponsored paint and get a date for a community event.
3.	Nico	Absa Account	The bank signatories are still not changed and this should be getting the committee's attention. Nico suggest that a new bank account is opened and that all funds be transferred over. Nico will investigate the best Bank to switch over to or stay with Absa and a decision will be made at the next meeting.
4.	Nico	Street Closure	The traffic count is done and they are ready to submit the application for the street closures. There is one business (La Vita Living Products) in John street who is not available to discuss and give consent about the fence but the traffic engineer suggest that the committee investigates the zoning rights of the business and then proceed with consent. Nico will proceed to investigate the zoning rights and get the business' consent. There will be a public meeting to inform the residents.
MEETING HELD ON: 3 APRIL 2024			
5.	Renet	Legal Opinion: Berea 569 Conflict of Interest	Renet to engage with Mike v Blommenstein & Steven Klagsburn to obtain a legal opinion on the matter.
6.	Geraldene	Community Unity Portfolio	Geraldene to define what the Community Unity portfolio will be responsible for / objectives
7.	Geraldene	Governance	Geraldene to define what the Governance portfolio will be responsible for / objectives
8.	Anya	Community Care Portfolio	Anya to define what the Community Care portfolio will be responsible for / objectives
9.	Neville	Maintenance	Neville to define what the Maintenance portfolio will be responsible for / objectives
10.	Wendy / Dean	Illegal Land Use	Dean to discuss Wendy's portfolio. Wendy to define what the Illegal Land Use portfolio be responsible for / objectives
11.	??	Legal Virtual Policy	Engage with a qualified legal person to draft a virtual policy for the committee

MEETING HELD ON: 7 FEB 2024			
12.	Martin	Huckleberry grass enbankment	Johalize will design to speak to the design of all the entrances to Muckleneuk. Martin to engage with Johalize. Nico engaged with Crawford and they are discussing the budget for this project.
13.	Renet	34 Ormonde Street: Review court application	An attorney has been appointed and is dealing with this matter in preparation for review application in court.
14.	Renet	183 John Street: Development app	The core group is dealing with this matter and have sent a letter to the developer. Await the developer feedback.
15.	Renet	569 Berea Street: Guest house	The owner is currently having meetings with the neighbours. We await the advertisement for consent of use. Meeting decides that it will oppose the consent of use application.
16.	Renet	570 Sibelius str: Consent of use	Tribunal hearing was attended on 30 January 2024 and await ruling.
17.	Renet	361 Berea Street: Ampath Development	Objections were lodged. Await tribunal hearing date, and Ampath requested to meet to discuss Mlpora's objection.