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**KINGSWOOD HOA  
TRUSTEE UPDATE**  
INTERIM MONTHLY UPDATE  
FEBRUARY/MARCH 2019



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Further to our previous updates, which can be found [here](#), please find below our Trustee meeting update for February 2019.

## MATTERS OF NOTE

### 1. SECURITY

A Security upgrade proposal was prepared by Fidelity ADT on 22 March 2019 and will be submitted to the Security Committee for their review and comment in due course.

### 2. COMMUNICATION

Trustees have received positive feedback on communication and current practices will be maintained. Please feel free should you have any suggested ideas or feedback on items for inclusion in the monthly Estate Manager or Trustee Update newsletter.

## COMMENTS/COMPLAINTS

A memorable e-mail address ([hoa@kingswood.co.za](mailto:hoa@kingswood.co.za)) has been set up to submit all your comments, complaints or suggestions to the HOA. Please make use of this facility to be our eyes and ears on the ground and to help make Kingswood better.

[HOA@KINGSWOOD.CO.ZA](mailto:HOA@KINGSWOOD.CO.ZA)

## HOA PORTAL

The Home-owner portal is back online and can be accessed here: <http://www.kingswood.co.za/home-owners/>. Please note that due to system upgrades Home Owners are requested to re-register to obtain new login credentials. Portal improvements will be considered for the future and your suggestions are welcome as always.

## HOME OWNERS PORTAL

### 3. CHANGES TO THE CONSTITUTION

Certain changes to the constitution have been proposed by the Developer to incorporate rights of the non-residential and sectional title erven. As directed by Home-owners at the SGM, the matter has been referred back to the Trustees for review and the Trustees are assessing the implications and have sought legal advice. Progress is being made towards

## 4. ROADS TRANSFER

[Previous newsletters](#) can be consulted for the history on this matter.

The matters in dispute can be briefly summarised as follows:

- Cracked pavers have been noted on the completion certificates of certain roads at the time of completion and the KGEHOA is seeking repair of the defects noted in the certificates before the roads can be transferred from KGE to the KGEHOA.
- Defects exist on the stormwater system and the KGEHOA is seeking repair of the defects before the roads can be transferred from KGE to the KGEHOA.
- The Municipal Service Agreement states that KGE would be responsible for the maintenance and repairs of the roads up until the time of transfer of the roads to the KGEHOA, thus any expense expended by the KGEHOA towards the roads up until transfer may be recoverable from KGE.
- The Developer submitted a legal opinion which states that he is not liable for levy payments and the KGEHOA have noted that they disagree hereon.

The course of action to resolve above disputes have been defined as follows:

1. It is agreed that the arbitration process will only commence once Willie van Breda has returned from leave in March / April 2019.
2. That Willie van Breda and Mias Schreuder will agree on the terms of reference that the arbitrator must give his ruling on.
3. That before we move to arbitration KGE and the KGEHOA will endeavour to find a settlement agreement for the Roads, Stormwater and Levy payment by the Developer.

## 5. GOLF RELATED MATTERS

### 5.1. GOLF COURSE FUTURE

Informal discussions remain ongoing to secure a sustainable future for the golf course.

## 6. ESTATE MANAGEMENT MATTERS

### 6.1 MANAGEMENT COMPANY AGREEMENT

A new entity is currently being registered within which the new Estate Management Services will be operated. A suitable Memorandum of Incorporation, Shares Agreement and Service Agreement will be obtained from Willie van Breda from Raubenheimers Attorneys.

It is to be noted that current Estate Management resources are to be retained under the new entity.

### 6.2 KINGSWOOD CEO

### **6.3 FORMALISATION OF AGREEMENTS, GOVERNING DOCUMENTATION & FEE STRUCTURES**

A number of different documents, policies and procedures have been identified for review and reconfirmation, including the Building Control and Architectural Center agreement to ensure that funds are being properly allocated and applied for purpose. Reviews remain ongoing and will be concluded by the newly appointed CEO.

## **7. COMMITTEES**

Trustees were in agreement that in line with principles of good governance the Trustees need to ensure inclusiveness and transparency. Specific Trustees will be tasked to take leadership of these committees and engage with them for inputs and advisory. It remains the prerogative of the Trustee to consider these inputs for merit and inclusion.

The following committees have now been formally constituted in following areas:

#### **Security**

Andre Steenkamp (Lead), Bennie van der Schyff, Ricardo Stümke, Japie Steyl)

#### **Golf Course Future Structures**

Maritza Botha (Facilitator), Mark Wiltshire (Lead), Deon Kruger, Eugene Schoombie, Earle Peterson, Roy Edge, Michelle Murray

#### **Finance**

Mias Strauss(Lead), Roy Edge

#### **Community**

Wendy Thompson (Lead)

#### **Communications**

Maritza Botha (Lead)

Meetings will be facilitated with the committees in as required and according to need expressed.

It was again emphasized that the committees have no executive powers but only oversight of the management and recommendations / suggestions. Should you wish to participate voluntarily in these committees. The invitation remains open, please indicate your interest, or nominate an individual for participation here:

### **NOMINATE OR VOLUNTEER**

## **8. BUILDING CONTROL & ARCHITECTURAL CENTRE**

The detailed breakdown of cost structures for the Building Control Fee and the Architectural Center is being freshly prepared and formalised.

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An emergency action plan is pending finalisation.

## 10. MINUTES OF MEETINGS

The status of minutes of the meetings are as follows:

18 June 2018 AGM/SGM - Approved, Uploaded to Home-owners Portal

17 July 2018 - Approved, Uploaded to Home-owners Portal

14 August 2018 - Approved, Uploaded to Home-owners Portal

18 September 2018 - Approved, Uploaded to Home-owners Portal

16 October 2018 - Approved, Uploaded to Home-owners Portal

20 November 2018 - Approved, Uploaded to Home-owners Portal

22 January 2019 - Approved, Uploaded to Home-owners Portal

19 February 2019 - Under Review

19 March 2019 - Under Review

## 11. TRUSTEE MEETING DATES & SGM/AGM

17 April 2019 08h00

20 May 2019 12h00 & SGM, AGM at 17h30

24 June 2019

23 July 2019

20 August 2019

17 September 2019

22 October 2019

19 November 2019

Please feel free to submit any requests, comments and feedback using the feedback button below.

\* Dates may vary slightly, notices will be posted should changes occur.

## 12. DEBTORS

The Developer has stopped paying levies on unsold registered stands and has submitted a legal opinion hereon. An outcome hereon is subject to actions listed in point 4 of this newsletter.

Debtors otherwise are being managed well. Thank you Lize and team for your good work in this regard.

## 13. WASTE DUMPING

Dumping of waste, of any nature, on any area of the Estate is strictly prohibited and hefty fines will be issued for those that transgress. Please notify the HOA office immediately should you witness anything of the sort.

## 14. AGM 2019

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Kingswood Restaurant, Kingswood Golf Estate. Please diarise this date.

Kindly submit any agenda items to [hoa@kingswood.co.za](mailto:hoa@kingswood.co.za), with a short exposé of the proposed agenda item, that you may wish the Board of Trustees to consider for discussion at the AGM under "General" by no later than Friday 5 April 2019.

Please note that points submitted for discussion need to be of general concern to all homeowners.

Attached please find a Member Trustee Nomination Form. Should you wish to nominate a Member Trustee, the form needs to be completed and submitted to the HOA office by Friday 5 April 2019. The nominations received will then be circulated to the Members.

We encourage and appeal to all interested parties to please consider making themselves available to be nominated as a Member Trustee.

More details on the AGM will be sent out in due course.

Please note that as per the Constitution, only fully paid up Members are eligible to participate at an GM/AGM/SGM.

## TRUSTEE NOMINATION FORM

### IN CLOSING

The following items are areas of focus:

1. Security needs to be continuously upgraded to a standard that meets the requirements set by the HOA;
2. Estate Communication and the management of estate information needs streamlining;
3. Matters related to the transfer of roads and storm water system needs resolve;
4. A sustainable solution to the future of the golf course needs to be attained;
5. Estate Management resources need to enforce good service delivery according to a strong service agreement, estate rules, policies and procedures.

Trustees are working hard towards addressing the matters above and to see Kingswood Golf Estate thriving into the future. We thank residents for their patience in the process of achieving the above and extend a special thanks to all involved in the committees, extending their support and inputs freely.

## SUBMIT YOUR FEEDBACK

Kind Regards,

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## KINGSWOOD GROUPS

### Kingswood Community Group (Whatsapp)

Whatsapp group for discussing Kingswood related matters unrelated to urgent security matters.

### Kingswood Security Issues Group (Whatsapp)

Whatsapp group for notifying Kingswood residents of important security related matters and incidents.

### Kingswood Green Fingers (Whatsapp)

Whatsapp group for gardening enthusiasts in Kingswood.

### Kingswood Home Owners Interest Group (Facebook)

Facebook group for Home Owners only to discuss estate and HOA related matters. Strict member approvals. Home Owners only.

### Kingswood Golf Estate Community Group (Facebook)

Facebook group for individuals interested in Kingswood Golf Estate community matters. Less strict member approvals. Public welcome.

## ESTATE CONTACTS

### Requests Compliments Complaints

hoa@kingswood.co.za

### Lize Baard

Contact for general estate matters, accounts, and matters for the attention of Kingswood HOA Trustees.

lizeb@kingswood.co.za

### Daniel de Wet

Contact for estate matters related to building sites, security and maintenance.

daniel@kingswood.co.za

### General Enquiries

044 802 0700

086 172 7170

### Security - Gate 1

044 874 6877

### Security - Gate 2

044 874 4797

072 404 3700 (Warren Francis)

### Security - Gate 3

044 874 4597

### Restaurant

044 802 0704

### Pro Shop

044 802 0701

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groups are endorsed or administrated by the Kingswood HOA, but are merely mentioned for the benefit of your participation.

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