

**From:** Brent Moore brentandrewmoore@icloud.com

**Subject:** FORMAL OBJECTION: Unauthorized Access Restriction and Non-Compliance with Resolution 16SUB 43/11/2025 – Erf 1154 Vredehoek



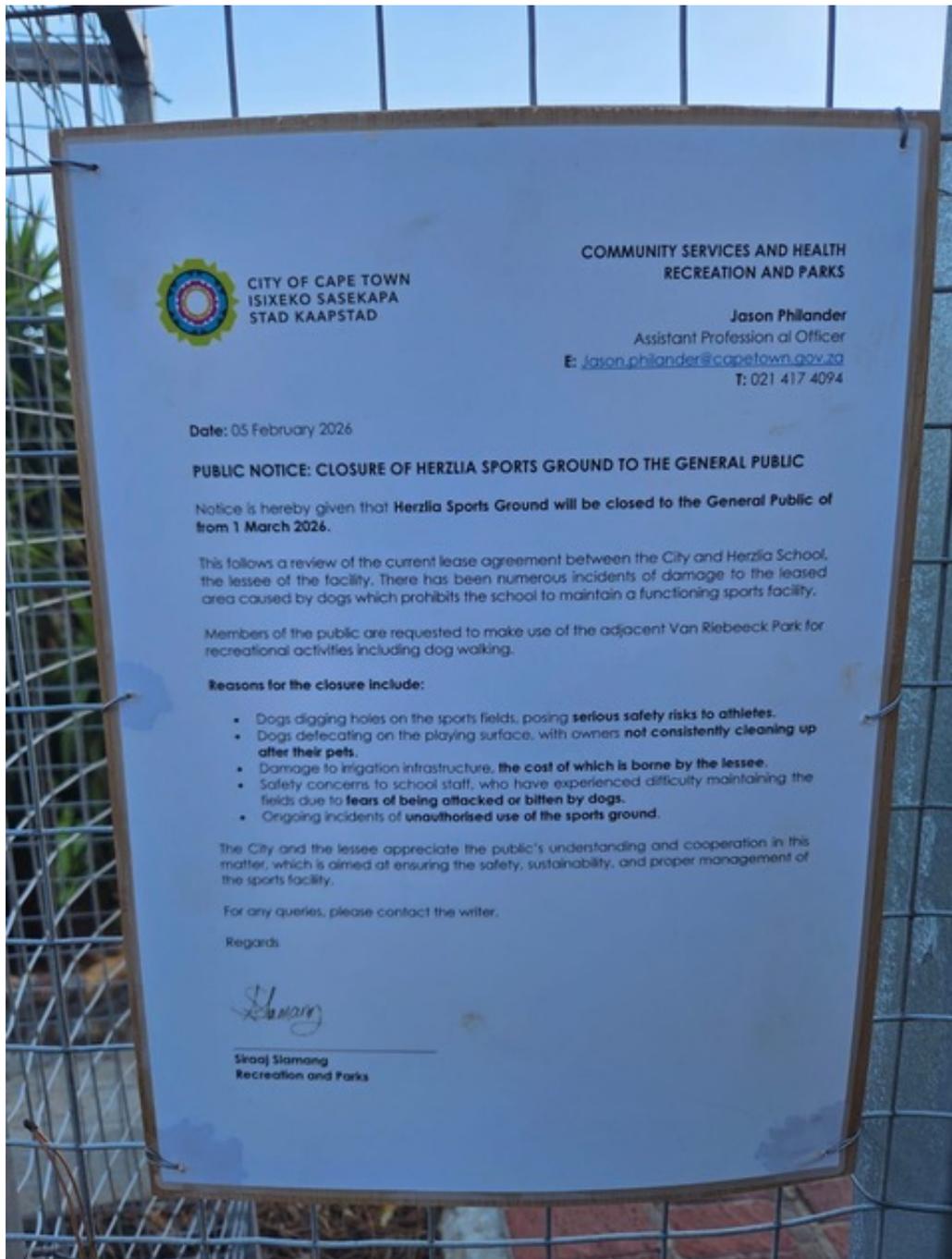
**Date:** 12 February 2026 at 14:07

**To:** Girshwin.Fouldien@capetown.gov.za

**Cc:** Jason.Drummer@capetown.gov.za, Ian.McMahon@capetown.gov.za, Francine Higham francine.higham@capetown.gov.za, Property.Management@capetown.gov.za, Brent Moore brentandrewmoore@icloud.com

Dear Mr. Fouldien,

I am writing to you as a resident and member of the public to lodge a formal objection regarding the restrictive notice currently posted at the sports fields on Erf 1154 Vredehoek (Van Riebeeck Park), leased to United Herzlia Schools - see attached.



Having reviewed the official records of the City of Cape Town, it is evident that the current restriction is both a breach of the standing lease agreement and a direct violation of a recent Subcouncil resolution.

### 1. Breach of Existing Lease Conditions

The current lease agreement, as recognized in report 16 SUB 06/10/19 and specifically identified in report

16SUB 43/11/2025, contains clause vii, which mandates: "*Full public access when the field is not used for sporting purposes by Lessee.*" Any notice on the field that restricts this access, or characterizes this Public Open Space as "Private Property," is a material breach of the lease and a failure of oversight by the City of Cape Town as the lessor.

## **2. Unauthorized Enforcement of a Deferred Proposal**

A proposal to remove the aforementioned public access clause was tabled on 17 November 2025 (Item 16SUB 43/11/2025). Subcouncil resolved that this matter be deferred until consultation has taken place. The continued display of restrictive signage while the matter is deferred suggests that the City is enforcing a proposed rule change that has not been legally ratified or subjected to the required public scrutiny.

## **3. Administrative Procedural Fairness**

The removal of historical public access rights to Public Open Space constitutes an administrative action that materially and adversely affects the rights of the public. Under the Promotion of Administrative Justice Act, the City is required to conduct a fair public participation process *before* such a change can be implemented. The current notice attempts to establish a "fait accompli" without the mandated consultation.

### **Formal Demands:**

#### **Immediate Removal of Signage:**

I request that the City orders the immediate removal of all signage that contradicts the "full public access" mandate and the inaccurate "private property" designation.

#### **Compliance with Resolution:**

I request confirmation that no further steps to amend the lease will be taken until the formal public consultation process, as ordered by the Subcouncil, has reached a conclusion.

#### **Notification of Consultation:**

I request to be formally notified when the public participation period for the amendment of the lease on Erf 1154 commences.

I look forward to your confirmation that the unauthorized notices have been removed and that the public's rights to this asset will be protected.

Sincerely,

Brent Moore 10 Serpentine Road, Oranjezicht Cell: 082 551 0077

