

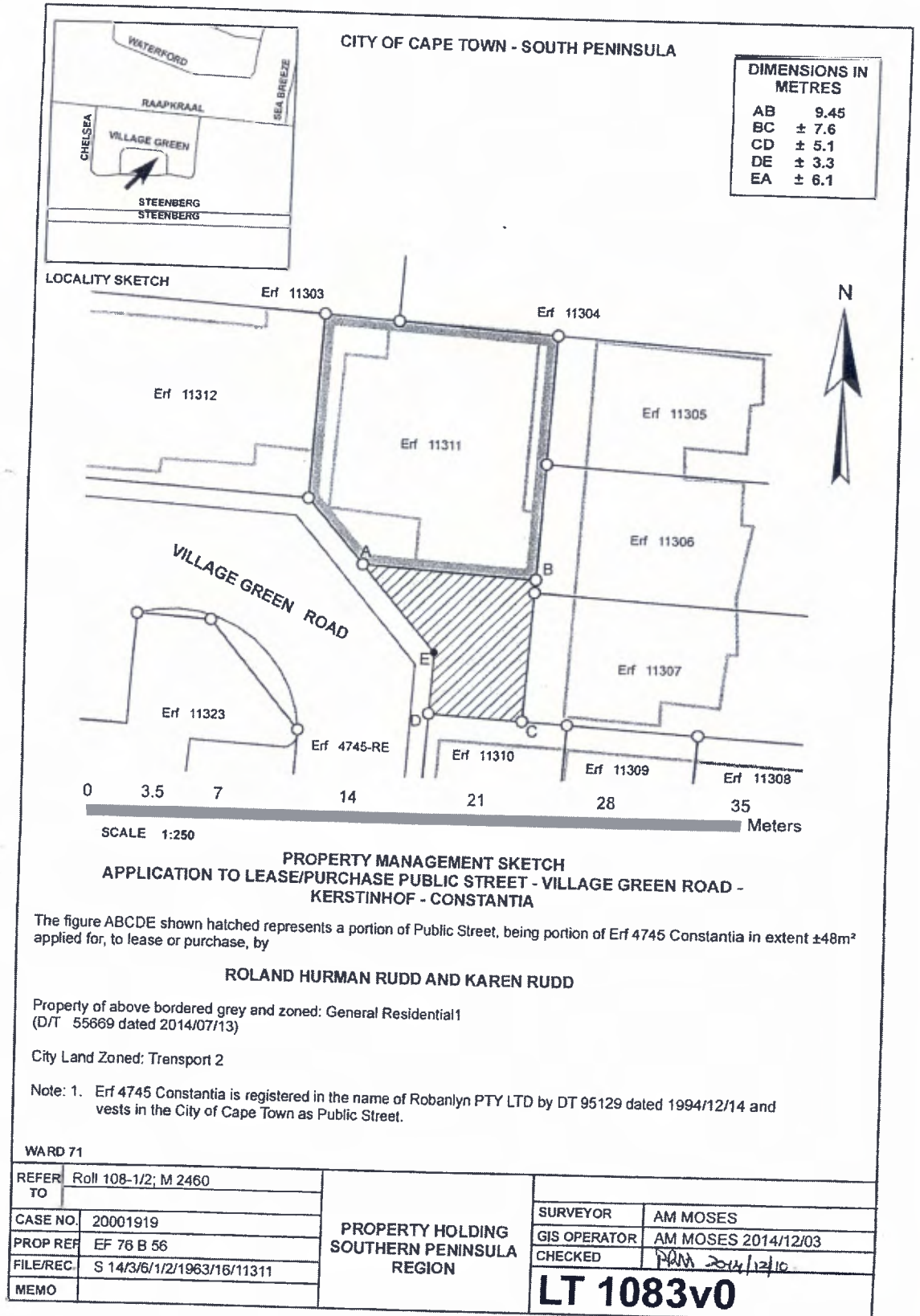
Gerda Du Plessis

From: Brigitte Francis
Sent: 27 January 2016 02:12 PM
To: Gerda Du Plessis
Subject: Subcouncil resolved - 20SUB 47/1/2016

Good day,

The Subcouncil at its meeting of 20/01/2016 resolved as follows:

Report Subject	WARD 71 PROPOSED CLOSURE AND DISPOSAL OF A PORTION OF ERF 4745 CONSTANTIA, A PUBLIC STREET, SITUATED AT VILLAGE GREEN ROAD, KIRSTENHOF, CONSTANTIA: ROLAND HERMAN RUDD AND KAREN RUDD
Date Sent	27/01/2016
Directorates	FINANCE
Author	Wilson Baartman
Author Contact No	0214442584
Delegation Information	12(1)
Agenda Item No	20SUB 47/1/2016
Preamble	The Subcouncil unanimously supported the recommendation
Resolution	Comment, Recommend
Resolution Details	RESOLVED TO RECOMMEND (a) Subcouncil 20 recommends that Council resolve that, in terms of Section 14 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, the property not be required to provide the minimum level of basic municipal services. (b) Subcouncil 20 recommends that Council approves the closure of the portion of the subject property, being a Public Street, in terms of Section 6 of the By-law relating to the Management and Administration of the City of Cape Town's Immovable Property. (c) Subcouncil 20 recommends that Council approves the disposal of a portion of Erf 4745 Constantia, a public street situated at Village Green Road, Kirstenhof, Constantia, in extent approximately 48 m ² and shown lettered ABCDE on the Plan No LT 1083v0 attached and marked Annexure A, to Roland Herman Rudd and Karen Rudd or their successors in title, subject inter alia to the following conditions that: (i) A market-related purchase price of R80 000 excluding VAT of 14%, being R11 200 (in total R91 200), be payable; (ii) The purchase price is to be escalated by 6% per annum compounded annually on a pro rata basis commencing 6 months from date of valuation. Accordingly the above recommended purchase price is to be adjusted as from 2016-01-01; (iii) Subject to such further conditions to be imposed by the Director: Property Management in the exercise of her delegated authority; (iv) Subject to compliance with any other statutory requirements; (v) All costs related to the transaction be borne by the applicants; (vi) The City of Cape Town's Water By-law be adhered to. (vii) Any alteration or deviation to electricity services necessary as a consequence of the proposal, or requested by the applicants, will be carried out at the applicant's cost; (viii) As important Telkom optic fibre cables will be affected, Telkom must be contacted at least 48 hours prior to the commencement of any construction work on the property; (ix) Should the applicant erect a structure on the property or fence the property an application for consent for air and underground rights will be required. ACTION: Wilson Baartman and Gerda du Plessis
How Resolved	Consensus

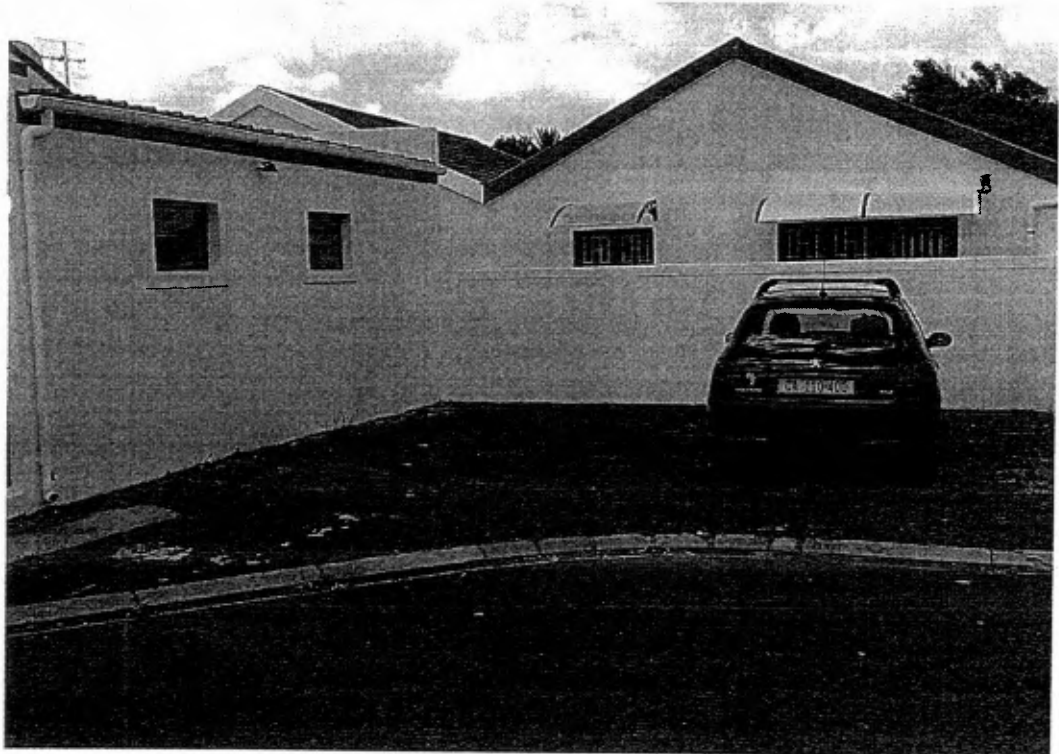
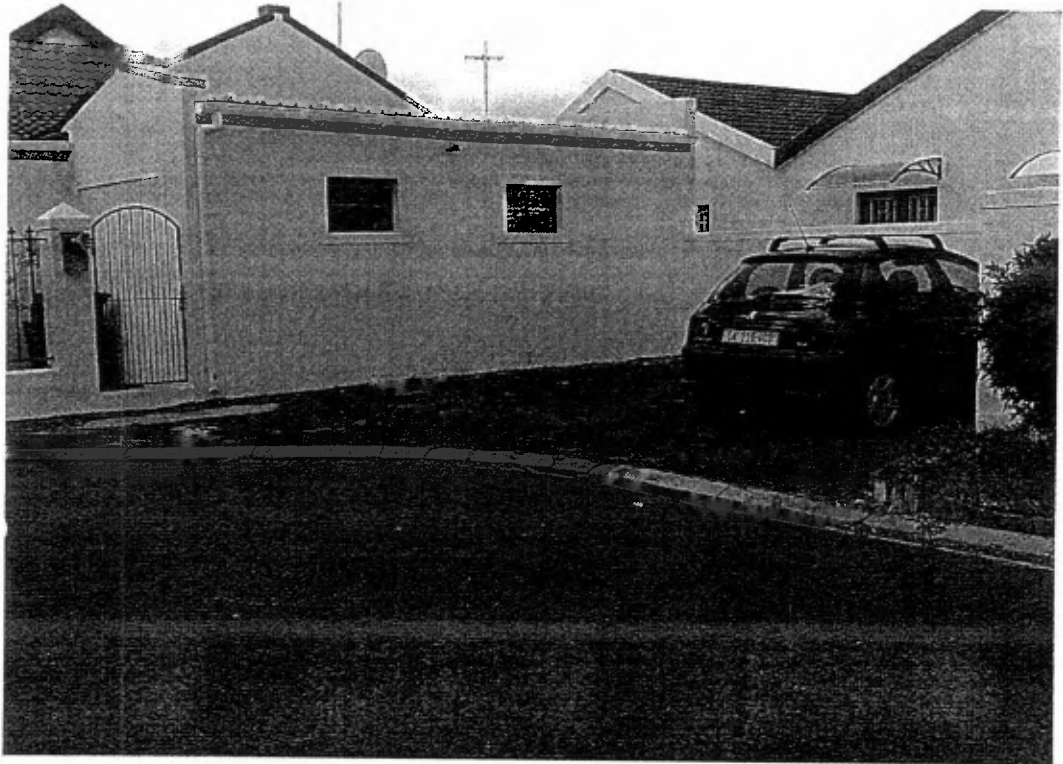


erf 11311



SCALE 1:250

ANNEXURE D



02/10/2014

LAND USE APPLICATIONS • REMOVAL OF RESTRICTIONS • ROAD CLOSURES • PROPERTY SALES/LEASES

In terms of development rights, the General Business 2 zone of section 21.12.33.304, will be deemed to be the development controls contained in the zoning scheme, and a condition needs to be imposed that any application for the rights to be exercised by an LRP and ERMS zoning submitted to the City be approved.

The final zoning and sub zoning will be required for the development application to be approved.

The sub zoning plan is attached in Annexure A to Report 2015/2304/21

Application 1: Deed of Land Use Rights

The sub zoning plan is attached in Annexure A to Report 2015/2304/21

The final zoning and sub zoning will be required for the development application to be approved.

The sub zoning plan is attached in Annexure A to Report 2015/2304/21

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Case ID: 7024921
Applicant: [Redacted]
Owner: [Redacted]
Address: [Redacted]

Reasons for Application:
- Removal of a restriction that the Council must ensure the property is not used for other purposes
- Removing the Single Residential Zone to be a General Residential Zone
- The following Applications from the Cape Town Zoning Schemes Regulation are required:
- Section 19.2: To permit the removal of the restriction on the use of the land for other than residential purposes
- Section 19.3: To permit the removal of the restriction on the use of the land for other than residential purposes
- Section 19.4: To permit the removal of the restriction on the use of the land for other than residential purposes

Part of City Land, being a Part of section 3 of Cape Town 932, Woodstock, Amsterdam, Chels, Woodstock, Chapman's Peak Neighbourhood Watch

There is hereby given that the Council, in terms of Section 15(2) of Council By-Law 12 of 2015, has resolved to approve the application for the removal of the restriction on the use of the land for other than residential purposes.

Applicant: Chapman's Peak Neighbourhood Watch
Ed Number: [Redacted]
Date of Issue: [Redacted]
Reasons for Application: [Redacted]

Part of Public Street, Village Green Road, Kirstenbosch

There is hereby given that the Council, in terms of Section 15(2) of Council By-Law 12 of 2015, has resolved to approve the application for the removal of the restriction on the use of the land for other than residential purposes.

Applicant: [Redacted]
Ed Number: [Redacted]
Date of Issue: [Redacted]
Reasons for Application: [Redacted]

TABLE BAY DISTRICT
REMOVAL OF RESTRICTIONS

Address: 25 Main Road, Green Point

Case ID: 7024922
Applicant: [Redacted]
Owner: [Redacted]
Address: [Redacted]

Reasons for Application:
- Removal of a restriction that the Council must ensure the property is not used for other purposes
- Removing the Single Residential Zone to be a General Residential Zone

Part of Public Street, Village Green Road, Kirstenbosch

There is hereby given that the Council, in terms of Section 15(2) of Council By-Law 12 of 2015, has resolved to approve the application for the removal of the restriction on the use of the land for other than residential purposes.

Applicant: [Redacted]
Ed Number: [Redacted]
Date of Issue: [Redacted]
Reasons for Application: [Redacted]

25 Main Road, Green Point

Case ID: 7024923
Applicant: [Redacted]
Owner: [Redacted]
Address: [Redacted]

Reasons for Application:
- Removal of a restriction that the Council must ensure the property is not used for other purposes
- Removing the Single Residential Zone to be a General Residential Zone

Part of Public Street, Village Green Road, Kirstenbosch

There is hereby given that the Council, in terms of Section 15(2) of Council By-Law 12 of 2015, has resolved to approve the application for the removal of the restriction on the use of the land for other than residential purposes.

Applicant: [Redacted]
Ed Number: [Redacted]
Date of Issue: [Redacted]
Reasons for Application: [Redacted]

Part of Public Street, Village Green Road, Kirstenbosch

There is hereby given that the Council, in terms of Section 15(2) of Council By-Law 12 of 2015, has resolved to approve the application for the removal of the restriction on the use of the land for other than residential purposes.

Applicant: [Redacted]
Ed Number: [Redacted]
Date of Issue: [Redacted]
Reasons for Application: [Redacted]

Part of Public Street, Village Green Road, Kirstenbosch

There is hereby given that the Council, in terms of Section 15(2) of Council By-Law 12 of 2015, has resolved to approve the application for the removal of the restriction on the use of the land for other than residential purposes.

Applicant: [Redacted]
Ed Number: [Redacted]
Date of Issue: [Redacted]
Reasons for Application: [Redacted]

Part of Public Street, Village Green Road, Kirstenbosch

TYGERBERG DISTRICT
REMOVAL OF RESTRICTIONS

Address: 677921, Bellville

Reasons for Application:
- Removal of a restriction that the Council must ensure the property is not used for other purposes
- Removing the Single Residential Zone to be a General Residential Zone

Part of Public Street, Village Green Road, Kirstenbosch

There is hereby given that the Council, in terms of Section 15(2) of Council By-Law 12 of 2015, has resolved to approve the application for the removal of the restriction on the use of the land for other than residential purposes.

Applicant: [Redacted]
Ed Number: [Redacted]
Date of Issue: [Redacted]
Reasons for Application: [Redacted]

Part of Public Street, Village Green Road, Kirstenbosch

There is hereby given that the Council, in terms of Section 15(2) of Council By-Law 12 of 2015, has resolved to approve the application for the removal of the restriction on the use of the land for other than residential purposes.

Applicant: [Redacted]
Ed Number: [Redacted]
Date of Issue: [Redacted]
Reasons for Application: [Redacted]

Part of Public Street, Village Green Road, Kirstenbosch

There is hereby given that the Council, in terms of Section 15(2) of Council By-Law 12 of 2015, has resolved to approve the application for the removal of the restriction on the use of the land for other than residential purposes.

Applicant: [Redacted]
Ed Number: [Redacted]
Date of Issue: [Redacted]
Reasons for Application: [Redacted]

Part of Public Street, Village Green Road, Kirstenbosch

There is hereby given that the Council, in terms of Section 15(2) of Council By-Law 12 of 2015, has resolved to approve the application for the removal of the restriction on the use of the land for other than residential purposes.

Applicant: [Redacted]
Ed Number: [Redacted]
Date of Issue: [Redacted]
Reasons for Application: [Redacted]

Part of Public Street, Village Green Road, Kirstenbosch

There is hereby given that the Council, in terms of Section 15(2) of Council By-Law 12 of 2015, has resolved to approve the application for the removal of the restriction on the use of the land for other than residential purposes.

Applicant: [Redacted]
Ed Number: [Redacted]
Date of Issue: [Redacted]
Reasons for Application: [Redacted]

Part of Public Street, Village Green Road, Kirstenbosch

There is hereby given that the Council, in terms of Section 15(2) of Council By-Law 12 of 2015, has resolved to approve the application for the removal of the restriction on the use of the land for other than residential purposes.

Applicant: [Redacted]
Ed Number: [Redacted]
Date of Issue: [Redacted]
Reasons for Application: [Redacted]

Part of Public Street, Village Green Road, Kirstenbosch

There is hereby given that the Council, in terms of Section 15(2) of Council By-Law 12 of 2015, has resolved to approve the application for the removal of the restriction on the use of the land for other than residential purposes.

Applicant: [Redacted]
Ed Number: [Redacted]
Date of Issue: [Redacted]
Reasons for Application: [Redacted]

Part of Public Street, Village Green Road, Kirstenbosch

There is hereby given that the Council, in terms of Section 15(2) of Council By-Law 12 of 2015, has resolved to approve the application for the removal of the restriction on the use of the land for other than residential purposes.

Applicant: [Redacted]
Ed Number: [Redacted]
Date of Issue: [Redacted]
Reasons for Application: [Redacted]

ACHMAT EBRAHIM
CITY MANAGER
14 August 2015

Making progress possible. Together.

ANNEXURE F

Council approval of the disposal of a portion of Erf 4745 Constantia, a Public Street, situated at Village Green Road, Kirstenhof, Constantia, in extent approximately 48 m² and shown lettered ABCDE on the plan attached and marked **Annexure A**, to Roland Herman Rudd and Karen Rudd or their successors in title, will be subject inter alia to the following conditions, that:

- (i) A market-related purchase price of R80 000 excluding VAT of 14%, being R11 200 (in total R91 200), be payable;
- (ii) The purchase price is to be escalated by 6% per annum compounded annually on a pro rata basis commencing 6 months from date of valuation. Accordingly the above recommended purchase price is to be adjusted as from 2016-01-01;
- (iii) Subject to such further conditions to be imposed by the Director: Property Management in the exercise of her delegated authority;
- (iv) Subject to compliance with any other statutory requirements;
- (v) All costs related to the transaction be borne by the applicants;
- (vi) The City of Cape Town's water by-law be adhered to;
- (vii) Any alteration or deviation to electricity services necessary as a consequence of the proposal, or requested by the applicants, will be carried out at the applicants' cost.
- (viii) As important Telkom optic fibre cables will be affected, Telkom must be contacted at least 48 hours prior to the commencement of any construction work on the property;
- (ix) Should the applicant erect a structure on the property or fence the property an application for consent for air and underground rights will be required.

Annexure

VALUATION SYNOPSIS: VALUATION OF A PORTION OF PUBLIC STREET, BEING A PORTION OF ERF 4745, KIRSTENHOF- PROPOSED TO BE CLOSED AND SOLD TO ROLAND HERMAN RUDD AND KARIN RUDD

Brief and Background

Market Valuations was requested to determine a market value of a portion of Public Street, indicated on plan LT 1083v0 as the figure ABCDE, which is a portion of Erf 4745, Kirstenhof, Constantia (hereafter the 'subject property'), measuring approximately 48m² and which is proposed to be closed and sold to the abutting owner of Erf 11311, Kirstenhof, Constantia, Roland Herman and Karin Rudd (hereafter the 'applicants').

The applicants applied to purchase the subject property with the intention to use the area for vehicular parking purposes or possible building extension.

This valuation was done as at 2015-06-30.

Valuation Methodology

We applied the *comparable sales method*, which entails the following steps:

- o Identifying recent sales transactions of similar properties in the same neighbourhood (or further afield if need be) for which information is available.
- o Comparing the comparable properties' value-forming characteristics with those of the subject property, viz. micro and macro location, stand size, topography, access and egress, etc.
- o Adjusting (if deemed necessary) the sales prices of the comparable properties for effluxion of time between the sales dates and valuation date.
- o Deducing the value of the subject property after taking due cognisance of all incomparable characteristics and their potential influence on the sale's price.

Findings: comparable sales

The nearest comparable transactions were traced in Lakeside, which is a comparable suburb about two kilometers south of the applicants' property (refer table below).

#	Description	m ²	Sale's price	Sale's date	Comment
1	Erf 174530 46 Verwoord Rd Lakeside	579	R720 000 (R1 243m ²)	2013-08	Good comparable in terms of location, but much larger extent.
2	Erf 171197 42 Verwoord Rd Lakeside	489	R650 000 (R1 329m ²)	2012-07	Good comparable in terms of location but much larger extent.
3	Erf 171196 40 Verwoord Rd Lakeside	478	R700 000 (R1 464/m ²)	2013-05	Good comparable in terms of location, but much larger extent.

http://cityteams.capetown.gov.za/sites/inpropmanpi/valuations/Users/anton.oppennar/2015/Kirstenhof0420_PlnErf4745_VillageGreenRd_Rudd_DL.docx

#	Description	m ²	Sale's price	Sale's date	Comment
4	Erf 166771 21 Bryn Road Lakeside	536	R650 000 (R1 212/m ²)	2012-05	Good comparable in terms of location, but much larger extent
5	Erf 151990 19 Verwoerd Road Lakeside	568	R800 000 (R1 408/m ²)	2013-08	Good comparable in terms of location, but much larger extent.
6	Erf 151986 17 Craig Road Lakeside	262	R600 000 (R2 290/m ²)	2013-04	Good comparable in terms of location but larger extent.

Conclusion

Based on the evidence the market value of the consolidated site is deemed to be in the order of R350 000 or R1 650/m². Hence we deem the market value of the subject property to be:

$$48\text{m}^2 \times \text{R}1\,650/\text{m}^2 \times 100\% \text{ (utility value)} = \text{R}80\,000 \text{ (excluding VAT) (rounded)}$$

Recommendation

It is recommended that a portion of Public Street, being Portion of Erf 4745, Kirstenhof, Constantia, shown by the hatched figure ABCDE on plan LT 1083v0, in extent approximately 48m², be closed and sold to Roland Herman Rudd and Karin Rudd (or their successors-in-title) for the sum of **R80 000 (excluding VAT)**.

Note:

- The purchase price is to be escalated by 6% per annum compounded annually, commencing 6 months from date of valuation. Accordingly the above recommended purchase price is to be adjusted as from 2016-01-01.
- This valuation is to be reviewed if not implemented within 18 months from date of valuation (i.e. by 2017-01-01).



Anton Opperman
Professional Associated Valuer



Garth Johnston
Principle Professional Valuer: Disposals

2015-07-28

http://cityteams.capelown.gov.za/sites/inpropanpi/valuations/Users/anton.opperman/2015/Kirstenhof/0420_PtnErf4745_VillageGreenRd_Rudd_DL.docx



South African Revenue Service

Tax Clearance Certificate Number 0023/2/2015/0007653507

Tax Clearance Certificate - Good Standing

Enquiries
 0800 00 7277
Approved Date
 2015-10-15
Expiry Date
 2016-10-14

Identity Number/ Passport Number	8209090090084
Company Registration Number	
Income Tax	2816495143 - K RUDD
Trading Name	
Tender Number	GoodStanding

It is hereby confirmed that, on the basis of the information at my disposal, the above-mentioned taxpayer has complied with the requirements as set out in section 256(3) of the Tax Administration Act.

This certificate is valid for a period of 12 months unless otherwise communicated by SARS.

Verification of this certificate can be done at any SARS Revenue office nationwide.

Photo copies of this certificate are not valid.

SARS reserves the right to withdraw this certificate at any time should any taxes, levies or duties become due and outstanding by the above taxpayer during the one year period for which the certificate is valid.

This certificate is issued free of charge by SARS.



South African Revenue Service

Tax Clearance Certificate Number 0023/2/2015/0007653460

Tax Clearance Certificate - Good Standing

Enquiries
 0800 00 7277
Approved Date
 2015-10-15
Expiry Date
 2016-10-14

Identity Number/ Passport Number	8303115031080
Company Registration Number	
Income Tax	0473580157 - RH RUDD
Trading Name	
Tender Number	GoodStanding

It is hereby confirmed that, on the basis of the information at my disposal, the above-mentioned taxpayer has complied with the requirements as set out in section 256(3) of the Tax Administration Act.

This certificate is valid for a period of 12 months unless otherwise communicated by SARS.

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