

CITY OF CAPE TOWN
ISIXHO SASAKAPA
SIDO KAAPSTAD

MAYOR: PROGRESSIVE TOGETHER

November & December 2015

Cityweb Home | Site Search

English | English | Council

Council home

About Council

Councillors

Council meetings ▶

Executive Support & Committee Services ▶

Systems of delegation

Subcouncils

Subcouncil Resolution Details

Sub-Council Resolution Details

Agenda Item No.	19SUB 22/11/2015
Subject	PROPOSED CLOSURE AND DISPOSAL OF A PORTION OF A PUBLIC STREET, BEING A PORTION OF ERF 7000, FISH HOEK, ABUTTING BERG ROAD, FISH HOEK: GAVIN PETER CHRISTOPHER
SubCouncil	Subcouncil 19
Meeting Date	Monday, November 16, 2015
Resolution	
Date Closed	

Resolution Detail

RESOLVED that for reasons set out in the report

a) Council resolve that, in terms of section 14 of the Local Government: Municipal Finance Act, Act 56 of 2003, that portion of ERF 7000, Fish Hoek, a portion of a public street abutting Berg Road, Fish Hoek, in extent approximately 100 m² shown hatched and lettered ABCD on plan LT 1217vo attached as annexure A, not be required to provide the minimum level of basic municipal services.

b) Council approve of the closure of a portion of ERF 7000, Fish Hoek, a portion of a public street abutting Berg Road, Fish Hoek, in extent approximately 100 m² shown hatched and lettered ABCD on plan LT 1217vo attached as annexure A, 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) Council approve the disposal of a portion of ERF 7000 Fish Hoek, a portion of a public street abutting Berg Road, Fish Hoek, in extent approximately 100 m² shown hatched and lettered ABCD on plan LT 1217vo attached as annexure A, to Gavin Peter Christopher or his successor(s) in title, subject inter alia to the following conditions, that:

i) The property be sold at a market-related price of R70 000 exclusive of VAT 14%, being R9 800 (in total R79 800);

ii) The purchase price is to adjusted on the basis of 5% per annum compounded annually on a pro rata basis commencing 6 months form date of valuation. Accordingly the above recommended purchase price is to adjusted as from 2015-01-01 (i.e. by 5% + 12 months x number of months after 6 month period);

iii) Subject to such further conditions to be imposed to 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 applicant;

vi) Telkom services are shown to exist within the vicinity and the following conditions will apply:

(aa) It is the responsibility of the applicant to notify Telkom immediately should the applicant locate any Telkom plant which might not be indicated on the plan;

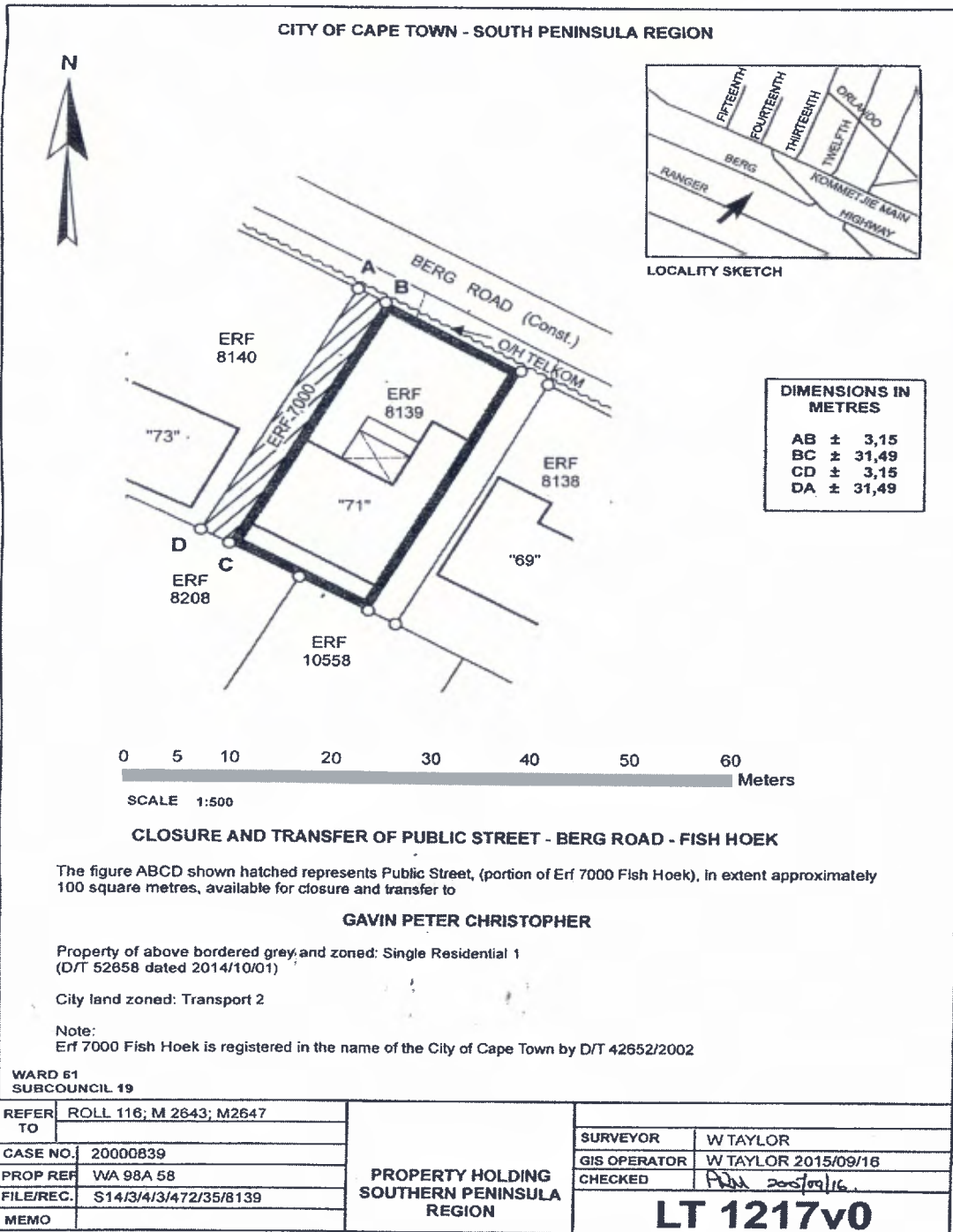
(bi) It must be made known to the applicant that Telkom requires access to carry out maintenance or upgrade existing plants at all times.

(cc) Telkom's way leave with reference WWIP_WF1*535_13 must be brought to the attention of the applicant.

Action: Wilson Baartman

City of Cape Town 2015-6 | Copyright | Disclaimer | Privacy

<http://cityweb.capetown.gov.za/en/CouncilOnline/Pages/ViewSubcouncilResolutionD...> 2015/12/08



Making progress possible. Together.

CAPE TIMES Friday, August 7, 2015

LAND USE APPLICATIONS • REMOVE • PROPERTY

Nature of application:

- Removal/ amendment of restrictive title conditions to enable the owner to subdivide the property into 2 portions, in order to consolidate Portion 1 with Erf 938 Constantia to be utilised for garden purposes.
- Subdivision into 2 portions (Portion 1 ± 4131m² and Remainder ± 4000m²).
- The following departure has also been applied for:
- Section 7.7(i) of the Appendix of the Cape Town Zoning Scheme Regulations: To permit a departure from the minimum erf size of 8000m².

Removal/Amendment of restrictive title conditions to enable the owner to make alterations to the block encroached upon.

Removal of restriction, consent departures

No 43 De Wet Road, Bantry Bay (second

Council has received the following planning applica

Owner/ Applicant: Kevin Ba
Case ID: 7024162

Nature of application

The removal of the following restrictive conditions:

- Condition E 2: No more than one house shall be on the site.
- Condition E 3: Each house shall be used only for residential purposes.
- Condition G 1: That a space of not less than 3m wide, marked "Road", on the annexed Diagram then be provided.
- Condition G 2: That not more than one dwelling be situated on the site.
- City of Cape Town and that not more than one

The application may be viewed at the Table Bay District Office, 8000. Direct enquiries on weekdays between 08:00 and 16:00. Direct written comments and/or objections, fax or postal address, or comments, objection application number, your erf number, your address. If you are unable to submit an objection or comment, comments and/or objections form part of the application. Comments and/or objections received after the closing date may be considered and objections is 7 September 2015.

Relevant legislation

This notice is given in terms of section 3(6) of the Use Planning Ordinance (No. 15 of 1985) and Section 3(6) of the

Lease

Portion of Public Street, Abutting Erf 1

Notice is hereby given that the Council is, in terms of 28 February 2003 and the Policy on the Management of Council on 26 August 2010, considering the fees Cape Town to 51 Wale Street Properties (PTY) Ltd.

Applicant: 51 Wale

Disposal

Portion of Public Street Being Portion Erf 7000 Fish Hoek

Notice is hereby given that the Council is, in terms of Section 4(3)(a) of Council By-Law LA.12783 promulgated on 28 February 2003 and the Policy on the Management of certain of the City of Cape Town's Immovable Property, approved by Council on 26 August 2010, considering an application for the closure and sale of portion of Public Street being portion of Erf 7000 Fish Hoek to Gavin Christopher, the registered owner of Erf 8139 Fish Hoek or his successors in title, in extent approximately 100m², at a purchase price of R70 000.00, excluding VAT and cost. The purchase price to be adjusted by 5% per annum compounded annually on a pro-rata basis from 1 June 2015. For further details of the transaction contact Amanda Phillips, tel 021 444 2583, Property Holding 3 Victoria Road, Plumstead, 7800 between 08:00-16:00 on weekdays. Any objections to the proposal must be submitted in writing, together with reasons therefor, to the Regional Head: Property Holding, South Peninsula Region, Private Bag X5, Plumstead 7800, fax 021 444 2583 or email amanda.phillips@capetown.gov.za on or before 7 September 2015.

TABLE BAY DISTRICT

Removal of restrictions

Erf 904, Sea Point (second placement)

Notice is hereby given in terms of section 3(6) of the Removal of Restrictions Act, Act 84 of 1967 that the under-mentioned application has been received and is open to inspection at the office of the District Manager: Planning & Building Development Management, 2nd Floor, Media City Building, corner Hertzog Boulevard & Heerengracht, Cape Town, and any enquiries may be directed to Qudsiyyah Samaai, Planning & Building Development Management, 2nd Floor, Media City Building, corner Hertzog Boulevard & Heerengracht, Cape Town, tel 021 400 6566 week days during 08:00-13:30. The application is also open to inspection at the office of the Director, Development Management: Region B1, Provincial Government of the Western Cape, 41 Room 604, 1 Dorp Street, Cape Town, from 08:00 - 12:30 and 13:00 - 15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at 021 483 4640 and the Directorate's fax number is 021 483 3098. Any objections or comments with full reasons therefor must be lodged in writing, quoting the above Act, the relevant reference number, the objector's street and postal address and contact telephone numbers at the office of the abovementioned Director: Development Management: Region B1 at Private Bag X9086, Cape Town, 8000, with a copy to the Director: Planning & Building Development Management, PO Box 4529, Cape Town, 8000, or hand-delivered to the abovementioned address City of Cape Town, Media City Building or email comments_objections.tablebay@capetown.gov.za on or before 7 September 2015. Any comments received after the abovementioned closing date may be disregarded.

Applicant: Tim Spencer Town Planning (on behalf of the Barkly Terraces Body Corporate).

Nature of application

Council approval for the disposal of a portion of erf 7000, Fish Hoek, a portion of a public street situated at Berg Road, Fish Hoek, in extent approximately 100 m² shown hatched and lettered ABCD on the plan LT 1217v0 attached as annexure A, to Gavin Peter Christopher or his successor(s) in title, will be subject inter alia to the following conditions, that:

- (i) The property be sold at a market-related sale price of R70 000 exclusive of VAT of 14%, being R9 800 (in total R79 800);
- (ii) The purchase price is to be adjusted on the basis of 5% 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 2015-01-01 (i.e. by $5\% \div 12 \text{ months} \times \text{number of months after the 6 month period}$);
- (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 applicant;
- (vi) Telkom services are shown to exist within the vicinity and the following conditions will apply:
 - (aa) It is the responsibility of the applicant to notify Telkom immediately should the applicant locate any Telkom plant which might not be indicated on the plan;
 - (bb) It must be made known to the applicant that Telkom requires access to carry out maintenance or upgrade existing plants at all times.
 - (cc) Telkom's wayleave with reference WWIP_WFI+535_13 must be brought to the attention of the applicant.

Annexure

VALUATION SYNOPSIS: VALUATION OF A PORTION OF PUBLIC STREET, BEING PORTION OF ERF 7000, FISH HOEK, WHICH IS PROPOSED TO BE CLOSED AND SOLD TO MW AND NK JEFFERY**Brief and background**

Market Valuations has been tasked with estimating the current market value of a portion of Public Street, being portion of Erf 7000, Fish Hoek, shown by the hatched figure ABCD on sketch PH 26376/2 (hereafter referred to as the 'subject property'), in extent approximately 100m², which is proposed to be sold to the applicant.

The applicant indicated his intention to purchase the subject property for use as an additional garage and braai area.

The valuation date is as at 2014-06-30.

Utility of Subject Property

In applying to purchase the subject property, the applicant confirmed his intention of building an additional garage and braai area on part thereof. For purposes of our valuation we assumed that, say, half of the site (i.e. 50m²) is developable and, therefore, should be sold at full market value (100% utility). The remainder is assumed to be usable for gardening and yard space, which we valued at 25% of the full market value rate.

Method of Valuation

In determining the market value of the subject property for disposal purposes, sales of vacant land that can be compared to the subject property are analysed by taking into account the various differences/value-forming attributes between the subject property and those properties sold in order to arrive at a recommended value.

Findings on comparable sales transactions

The following vacant land sales were used for deducing the subject property's market value:

#	Description	Area (m ²)	Purchase Price	Purchase Date	Comment
1	Erf 8237 73 Ranger Rd Fish hoek	496	R550 000 (R1 108/m ²)	2013/12	Nearby located, rectangular-shaped property. Similar location to applicant's property
2	Erf 15803 75 Ranger Rd Fish hoek	595	R558 000 (R938m ²)	2012/05	Nearby located, rectangular-shaped property. Similar location to applicant's property

[http://cityreans.capetown.gov.za/files/Engoprogram/valuations/files/airfon_upperman/2014/Fish Hoek/0518_Piner7000_BergRd_Jeffery_01.doc](http://cityreans.capetown.gov.za/files/Engoprogram/valuations/files/airfon_upperman/2014/Fish%20Hoek/0518_Piner7000_BergRd_Jeffery_01.doc)

Conclusion

Based on the evidence, the market value of the applicant's stand, assuming it was unimproved, is deemed to be in the order of R550 000 or R1 111/m² of land.

Adjusting for the utility factors discussed earlier, we deem the market value of the subject property to be in the order of:

$$(50\text{m}^2 \times \text{R}1\,111/\text{m}^2 \times 100\%) + (50\text{m}^2 \times \text{R}1\,111/\text{m}^2 \times 25\%) = \text{R}70\,000 \text{ (excluding VAT)}$$

Recommendation

It is recommended that the subject property, being a portion of Erf 7000, Fish Hoek, shown by the hatched figure ABCD on sketch PH 26376/2 and measuring approximately 100m², be closed and sold to Gavin Peter Christopher (or successors-in-title) for the sum of R70 000, exclusive of VAT.

Note:

- The purchase price is to be adjusted on the basis of 5% 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 2015-01-01 (i.e. by 5% +12 months x number of months after the 6 month period).
- This valuation is to be reviewed if not implemented within 18 months (i.e. by 2016-01-01) from date of valuation.



Anton Opperman
Professional Associated Valuer



Garth Johnson
Principal Professional Valuer- Disposals
2014-06-25

http://cityofcapetown.gov.za/sites/default/files/valuation/valuations/valuers/anton_opperman/2014/Fish_Hoek/0516_Pinerf7000_BergRd_Jeffery_D1.doc



South African Revenue Service

Tax Clearance Certificate Number
0002/2/2015/0007193493

Tax Clearance Certificate - Good Standing

Enquiries
0800 00 7277
Approved Date
2015-06-03
Expiry Date
2016-06-02

Identity Number/ Passport Number	4707015115005
Company Registration Number	
Income Tax	0208016022 - GP CHRISTOPHER
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.

Making progress possible. Together.

GAVIN PETER CHRISTOPHER

Page 19 of 19