

ITEM NUMBER: C 18/04/16

RECOMMENDATION FROM THE EXECUTIVE MAYOR: 19 APRIL 2016

MC 38/04/16 PROPOSED GRANTING OF IN-PRICIPLE APPROVAL FOR THE SALE BY PUBLIC COMPETITION OF VACANT ERF 38751, DADE STREET, KHAYELITSHA AND ERF 35448, LUMA STREET, KHAYELITSHA (AN UNREGISTERED PORTION OF ERF 34942, KHAYELITSHA, FOR GENERAL BUSINESS PURPOSES)

It is **RECOMMENDED** that:

- (a) in terms of Section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
 - (i) Council resolve that Erf 38751, Dade Street, Khayelitsha, and Erf 35448, Luma Street, Khayelitsha (an unregistered portion of Erf 34942, Khayelitsha), in extent approximately 339 m² and 245 m², zoned General Business Subzone 4 (GB4), shown lettered ABCDE on Plan LIS 1437v0 attached as Annexure A to the report on the agenda and ABCDE on Plan LIS 1413v0 Annexure B to the report on the agenda, is not required for the provision of the minimum level of basic municipal services;
 - (ii) Council confirm that the fair market value of the assets described in (a)(i) above and the economic and community value to be received in exchange for the assets described in (a)(i) above have been considered.
- (b) in terms of Regulation 5(1)(b) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, Council approve in principle the sale of Erf 38751, Dade Street, Khayelitsha, and Erf 35448, Luma Street, Khayelitsha (an unregistered portion of Erf 34942, Khayelitsha), as described in (a)(i) above
- (c) Erf 38751, Dade Street, Khayelitsha, and Erf 35448, Luma Street, Khayelitsha (an unregistered portion of Erf 34942, Khayelitsha), be sold by public competition, subject to conditions to be imposed by the Director: Property Management in the exercise of her delegated authority
- (d) any gain or loss incurred by the municipality in respect of the transfer of the assets be included in the adjustment budget of the municipality (Sections 28 and 87 of the MFMA), if not budgeted for in the approved annual budget.

IPAC 24/03/2016

PROPOSED GRANTING OF IN-PRINCIPLE APPROVAL FOR THE SALE BY PUBLIC COMPETITION OF VACANT ERF 38751, DADE STREET, KHAYELITSHA, AND ERF 35448, LUMA STREET, KHAYELITSHA (AN UNREGISTERED PORTION OF ERF 34942, KHAYELITSHA), FOR GENERAL BUSINESS PURPOSES

MC 38/04/16

VOORGESTELDE TOESTAAN VAN BEGINSSELGOEDKEURING VIR DIE VERKOOP DEUR OPENBARE MEDEDINGING VAN VAKANTE ERF 38751, DADESTRAAT, KHAYELITSHA, EN ERF 35448, LUMASTRAAT, KHAYELITSHA (’N ONGEREGISTREERDE GEDEELTE VAN ERF 34942, KHAYELITSHA), VIR ALGEMENE SAKEDOELLEINDES

ISIPHAKAMISO SOKUNIKEZELWA KWESIPHUMEZO NGOKOKOMTHETHO-SISEKO SOKUTHENGISA NGOKOKHUPHISWANO LOLUNTU ISIZA ESINGENANTO 38751, DADE STREET, KHAYELITSHA, NESIZA-35448, LUMA STREET, EKHAYELITSHA (ISIQEPHU ESINGABHALISWANGA SESIZA-34942, KHAYELITSHA), NGEENJONGO ZOSHISHINO JIKELELE

Property Management representative was present to answer any question for clarity

RECOMMENDATIONS

Not delegated: for decision by Council

It is recommended that:

- a) In terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
 - i) Council resolve that erf 38751, Dade Street, Khayelitsha, and erf 35448, Luma Street, Khayelitsha (an unregistered portion of erf 34942, Khayelitsha), in extent approximately 339 m² and 245 m², zoned General Business Subzone 4 (GB4), shown lettered ABCDE on Plan LIS 1437v0 (**annexure A**) and ABCDE on Plan LIS 1413v0 (**annexure B**), not be required for the provision of the minimum level of basic municipal services;
 - ii) Council confirm that the fair market value of the assets described in (a)(i) and the economic and community value to be received in exchange for the assets described in (a)(i) have been considered;
- b) In terms of Regulation 5(1)(b) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, Council approve in principle the sale of erf 38751, Dade Street, Khayelitsha, and erf 35448, Luma Street, Khayelitsha (an unregistered portion of erf 34942, Khayelitsha), as described in (a)(i);
- c) Erf 38751, Dade Street, Khayelitsha, and erf 35448, Luma Street, Khayelitsha (an unregistered portion of erf 34942, Khayelitsha), be sold by public competition, subject to conditions to be imposed by the Director: Property Management in the exercise of her delegated authority;

- d) Any gain or loss incurred by the municipality in respect of the transfer of the assets be included in the adjustment budget of the municipality (sections 28 and 87 of the MFMA), if not budgeted for in the approved annual budget.

085

AANBEVELINGS

Nie gedeleger nie: vir besluitneming deur die Raad

Daar word aanbeveel dat:

- a) Ingevolge artikel 14(2)(a) en (b) van die Plaaslike Regering: Wet op Munisipale Finansiële Bestuur (MFMA), Wet 56 van 2003:
- i) Die Raad besluit dat erf 38751, Dadestraat, Khayelitsha, en erf 35448, Lumastraat, Khayelitsha ('n ongeregisteerde gedeelte van erf 34942, Khayelitsha), onderskeidelik ongeveer 339 m² en 245 m² groot, gesoneer as algemenesakesubsone 4 (GB4), aangetoon met letters ABCDE op plan LIS 1437v0 (**bylae A**) en ABCDE op plan LIS 1413v0 (**bylae B**), nie nodig is vir die voorsiening van die minimum vlak basiese munisipale dienste nie;
- ii) Die Raad bevestig dat die billike markwaardes van die bates wat in (a)(i) beskryf word en die ekonomiese en gemeenskapswaarde wat ontvang staan te word in ruil vir die bates wat in (a)(i) beskryf word, in aanmerking geneem is;
- b) Ingevolge regulasie 5(1)(b) van die Munisipale Bate-oordragregulasies (MATR), R.878 gepromulgeer op 22 Augustus 2008, die Raad beginselgoedkeuring verleen vir die verkoop van erf 38751, Dadestraat, Khayelitsha, en erf 35448, Lumastraat, Khayelitsha ('n ongeregisteerde gedeelte van erf 34942, Khayelitsha), soos in (a)(i) beskryf;
- c) Erf 38751, Dadestraat, Khayelitsha, en erf 35448, Lumastraat, Khayelitsha ('n ongeregisteerde gedeelte van erf 34942, Khayelitsha), per openbare mededinging verkoop word onderworpe aan die voorwaardes wat die direkteur: eiendomsbestuur in die uitoefening van haar gedelegerde gesag oplê;
- d) Enige wins of verlies vir die munisipaliteit ten opsigte van die oordrag van die bates in die aansuiweringsbegroting van die munisipaliteit ingesluit word (artikels 28 en 87 van die MFMA), indien daar nie in die goedgekeurde jaarlikse begroting daarvoor voorsiening gemaak is nie.

IZINDULULO

Azigunyaziswanga: isigqibo seseBhunga:

Kundululwe ukuba:

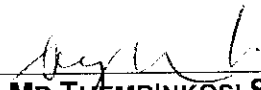
- a) Ngokwecandelo 14(2) (a) no(b) loRhulumente woMmandla: ojongene noLawulo lweeMali zikaMasipala (MFMA), uMthetho 56 wango-2003:
- i) IBhunga ligqibe ukuba isiza-38751, Dade Street, eKhayelitsha, nesiza-35448, Luma Street, eKhayelitsha (isiqephu esingabhaliswanga sesiza-34942, eKhayelitsha) ezibukhulu

bumalunga ne-339 m² ne-245 m², ezicandwe njengoMmandla wezoShishino Jikelele 4 (GB4), ezibonakaliswe ngoonobumba ABCDE kwiplani LIS 1437v0 (**isihlomelo A**) no-ABCDE kwiplani LIS 1413v0 (**isihlomelo B**), azifuneki ukuba zibonelele ngeenkonzo ezingundoqo zikamasipala; **086**

- ii) IBhunga maliqinisekise ukuba kuthathelwa ingqalelo ixabiso lemarike elifanelekileyo lezinto zexabiso ezicaciswe ku-(a)(i) nexabiso lezoqoqosho noluntu eliza kufunyanwa ngotshintshiselwano ngezinto zexabiso ezicaciswe ku-(a)(i);
- b) NgokoMgaqo-5(1)(b) weMigaqo engokuTshintshelwa kweMpahla kaMasipala (MATR), R. 878 owamiselwa ngowama-22 Agasti 2008, iBhunga maliphumeze ngokomthetho-siseko ukunikezelwa kwesiza-38751, Dade Street, eKhayelitsha, , nesiza-35448, Luma Street, eKhayelitsha (isiqephu esingabhaliswanga sesiza-34942, eKhayelitsha) njengoko kuchazwe kumhlathi-(a) (i);
- c) Isiza-38751, Dade Street, eKhayelitsha, nesiza-35448, Luma Street, eKhayelitsha (isiqephu esingabhaliswanga sesiza-34942, eKhayelitsha) masithengiswe ngokokhuphiswano lwethenda yoluntu, ngokuxhomekeke kwimiqathango eyakuthi inyanzeliswe nguMlawuli woLawulo lwePropati esebenzisa amagunya akhe awagunyaziselweyo;
- d) Nayiphina ingeniso okanye ilahleko kumasipala ngokujoliswe ekutshintshelweni kwempahla, mayiqukwe kulungelelaniso lohlahlo-lwabiwo-mali lukamasipala (amacandelo-28 nele-87 le-MFMA) ukuba ayibhajethelwanga kuhlahlo-lwabiwo-mali lonyaka oluphunyeziweyo.

ACTION: A HUMAN; R GELDERBLOEM

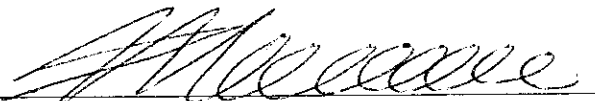
It is noted that this resolution is in line with Supply Chain Management Policy.



MR THEMBINKOSI SIGANDA
EMPLOYEE NO: 10020234
ACTING CHAIRPERSON : IMMOVABLE PROPERTY
ADJUDICATION COMMITTEE

DATE: 17/03/2016

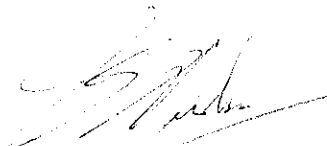
COMMENT:



DIRECTOR : LEGAL SERVICES
MR LUNGELO MBANDAZAYO

COMMENT: 087

DATE: 2016-03-18



ALDERMAN IAN NEILSON
MAYORAL COMMITTEE MEMBER : FINANCE

COMMENT:

DATE: 22/3/2016

088



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Making progress possible. Together.

REPORT TO IMMOVABLE PROPERTY ADJUDICATION COMMITTEE

1. ITEM NUMBER :

2. SUBJECT: PROPOSED GRANTING OF IN-PRINCIPLE APPROVAL FOR THE SALE BY PUBLIC COMPETITION OF VACANT ERF 38751, DADE STREET, KHAYELITSHA, AND ERF 35448, LUMA STREET, KHAYELITSHA (AN UNREGISTERED PORTION OF ERF 34942, KHAYELITSHA), FOR GENERAL BUSINESS PURPOSES

ONDERWERP: VOORGESTELDE TOESTAAN VAN BEGINSSELGOEDKEURING VIR DIE VERKOOP DEUR OPENBARE MEDEDINGING VAN VAKANTE ERF 38751, DADESTRAAT, KHAYELITSHA, EN ERF 35448, LUMASTRAAT, KHAYELITSHA ('N ONGEREGISTREERDE GEDEELTE VAN ERF 34942, KHAYELITSHA), VIR ALGEMENE SAKEDOELLEINDES

ISIHLOKO: ISIPHAKAMISO SOKUNIKEZELWA KWESIPHUMEZO NGOKOKOMTHETHO-SISEKO SOKUTHENGISA NGOKOKHUPHISWANO LOLUNTU ISIZA ESINGENANTO 38751, DADE STREET, KHAYELITSHA, NESIZA-35448, LUMA STREET, EKHAYELITSHA (ISIQEPHU ESINGABHALISWANGA SESIZA-34942, KHAYELITSHA), NGEENJONGO ZOSHISHINO JIKELELE

G4207

3. STRATEGIC INTENT

SFA 1: THE OPPORTUNITY CITY

Objective 1.5	Leverage the City's assets to drive economic growth and sustainable development
Programme 1.5(a)	City strategic assets investigation

4. PURPOSE

To obtain Council's in-principle approval to proceed with the sale by public competition of City-owned vacant land being erf 38751, Dade Street, Khayelitsha, and erf 35448, Luma Street, Khayelitsha (an unregistered portion of erf 34942, Khayelitsha), in extent approximately 339 m² (erf 38751) and 245 m² (erf 35448) respectively, for General Business purposes.

5. FOR DECISION BY

This report is for decision by Council

The legal provision for this non-delegable authority can be found in section 14 of the Municipal Finance Management Act, Act 56 of 2003 and regulation 5 of the Municipal Asset Transfer Regulations of 2008.

6. EXECUTIVE SUMMARY

PURPOSE	To obtain Council's in-principle approval for the sale by public competition of City-owned vacant land erf 38751, Dade Street, Khayelitsha, and erf 35448, Luma Street, Khayelitsha (an unregistered portion of erf 34942, Khayelitsha), for General Business purposes	
Property description	Erf 38751, Dade Street, Khayelitsha, and erf 35448, Luma Street, Khayelitsha (an unregistered portion of erf 34942, Khayelitsha)	
Site extent	339 m ² (erf 38751) and 245 m ² (erf 35448)	
Current zoning	General Business Subzone 4 (GB4)	
Current usage	Vacant land with illegal structures and encroachments on both sites	
Proposed usage	General Business Subzone 4 (GB4)	
Desktop values	R55 000 (erf 38751) and R50 000 (erf 35448) excluding VAT	
Public participation outcome summary	No objections	
WARD COUNCILLOR Anele Gabuza	NOTICE DATE 16 October 2015	WARD 98

7. RECOMMENDATIONS

Not delegated: for decision by Council

It is recommended that:

a) In terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:

- i) Council resolve that erf 38751, Dade Street, Khayelitsha, and erf 35448, Luma Street, Khayelitsha (an unregistered portion of erf 34942, Khayelitsha), in extent approximately 339 m² and 245 m², zoned General Business Subzone 4 (GB4), shown lettered ABCDE on Plan LIS 1437v0 (**annexure A**) and ABCDE on Plan LIS 1413v0 (**annexure B**), not be required for the provision of the minimum level of basic municipal services;
- ii) Council confirm that the fair market value of the assets described in (a)(i) and the economic and community value to be received in exchange for the assets described in (a)(i) have been considered;

b) In terms of Regulation 5(1)(b) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, Council approve in principle the sale of erf 38751, Dade

Street, Khayelitsha, and erf 35448, Luma Street, Khayelitsha (an unregistered portion of erf 34942, Khayelitsha), as described in (a)(i);

- c) Erf 38751, Dade Street, Khayelitsha, and erf 35448, Luma Street, Khayelitsha (an unregistered portion of erf 34942, Khayelitsha), be sold by public competition, subject to conditions to be imposed by the Director: Property Management in the exercise of her delegated authority;
- d) Any gain or loss incurred by the municipality in respect of the transfer of the assets be included in the adjustment budget of the municipality (sections 28 and 87 of the MFMA), if not budgeted for in the approved annual budget.

AANBEVELINGS

Nie gedelegeer nie: vir besluitneming deur die Raad

Daar word aanbeveel dat:

- a) Ingevolge artikel 14(2)(a) en (b) van die Plaaslike Regering: Wet op Munisipale Finansiële Bestuur (MFMA), Wet 56 van 2003:
- i) Die Raad besluit dat erf 38751, Dadestraat, Khayelitsha, en erf 35448, Lumastraat, Khayelitsha ('n ongeregistreerde gedeelte van erf 34942, Khayelitsha), onderskeidelik ongeveer 339 m² en 245 m² groot, gesoneer as algemenesakesubsone 4 (GB4), aangetoon met letters ABCDE op plan LIS 1437v0 (**bylae A**) en ABCDE op plan LIS 1413v0 (**bylae B**), nie nodig is vir die voorsiening van die minimum vlak basiese munisipale dienste nie;
 - ii) Die Raad bevestig dat die billike markwaardes van die bates wat in (a)(i) beskryf word en die ekonomiese en gemeenskapswaarde wat ontvang staan te word in ruil vir die bates wat in (a)(i) beskryf word, in aanmerking geneem is;
- b) Ingevolge regulasie 5(1)(b) van die Munisipale Bate-oordragregulasies (MATR), R.878 gepromulgeer op 22 Augustus 2008, die Raad beginselgoedkeuring verleen vir die verkoop van erf 38751, Dadestraat, Khayelitsha, en erf 35448, Lumastraat, Khayelitsha ('n ongeregistreerde gedeelte van erf 34942, Khayelitsha), soos in (a)(i) beskryf;
- c) Erf 38751, Dadestraat, Khayelitsha, en erf 35448, Lumastraat, Khayelitsha ('n ongeregistreerde gedeelte van erf 34942, Khayelitsha), per openbare mededinging verkoop word onderworpe aan die voorwaardes wat die direkteur: eiendomsbestuur in die uitoefening van haar gedelegeerde gesag opê;
- d) Enige wins of verlies vir die munisipaliteit ten opsigte van die oordrag van die bates in die aansuiweringsbegroting van die munisipaliteit ingesluit word (artikels 28 en 87 van die MFMA), indien daar nie in die goedgekeurde jaarlikse begroting daarvoor voorsiening gemaak is nie.

IZINDULULO

Aziqunyaziswanga: isigqibo seseBhunga:

Kundululwe ukuba:

- a) Ngokwecandelo 14(2) (a) no(b) loRhulumente woMmandla: ojongene noLawulo lweeMali zikaMasipala (MFMA), uMthetho 56 wango-2003:
- i) IBhunga ligqibe ukuba isiza-38751, Dade Street, eKhayelitsha, , nesiza-35448, Luma Street, eKhayelitsha (isiqephu esingabhaliswanga sesiza-34942, eKhayelitsha) ezibukhulu bumalunga ne-339 m² ne-245 m², ezicandwe njengoMmandla wezoShishino Jikelele 4 (GB4), ezibonakaliswe ngoonobumba ABCDE kwiplani LIS 1437v0 (**isihlomelo A**) no-ABCDE kwiplani LIS 1413v0 (**isihlomelo B**), azifuneki ukuba zibonelele ngeenkonzo ezingundoqo zikamasipala;
 - ii) IBhunga maliqinisekise ukuba kuthathelwa ingqalelo ixabiso lemarike elifanelekileyo lezinto zexabiso ezicaciswe ku-(a)(i) nexabiso lezoqoqosho noluntu eliza kufunyanwa ngotshintshiselwano ngezinto zexabiso ezicaciswe ku-(a)(i);
- b) NgokoMgaqo-5(1)(b) weMigaqo engokuTshintshelwa kweMpahla kaMasipala (MATR), R. 878 owamiselwa ngowama-22 Agasti 2008, iBhunga maliphumeze ngokomthetho-siseko ukunikezelwa kwesiza-38751, Dade Street, eKhayelitsha, , nesiza-35448, Luma Street, eKhayelitsha (isiqephu esingabhaliswanga sesiza-34942, eKhayelitsha) njengoko kuchazwe kumhlathi-(a) (i);
- c) Isiza-38751, Dade Street, eKhayelitsha, nesiza-35448, Luma Street, eKhayelitsha (isiqephu esingabhaliswanga sesiza-34942, eKhayelitsha) masithengiswe ngokokhuphiswano lwethenda yoluntu, ngokuxhomekeke kwimiqathango eyakuthi inyanzeliswe nguMlawuli woLawulo lwePropati esebenzisa amagunya akhe awagunyaziselweyo;
- d) Nayiphina ingeniso okanye ilahleko kumasipala ngokujoliswe ekutshintshelweni kwempahla, mayiqukwe kulungelelaniso lohlahlo-lwabiwo-mali lukamasipala (amacandelo-28 nele-87 le-MFMA) ukuba ayibhajethewanga kuhlahlo-lwabiwo-mali lonyaka oluphunyeziweyo.

8. DISCUSSION/CONTENTS**8.1. Background**

The Property Development Division has compiled a five-year program of land sales, the Property Release Program, to be implemented between July 2012 and June 2017, based on factors and priorities such as readiness for sale, demand for erven and Council's strategic objectives. The properties on the Program were extracted from the broad database of Council erven that have been identified for possible alienation. From the Program, erf 38751, Dade Street, Khayelitsha, and erf 35448, Luma Street, Khayelitsha (an unregistered portion of erf 34942, Khayelitsha), have been identified for early release. It must be noted that illegal structures and encroachments exist on both sites.

8.2 Public Participation

In accordance with the authority obtained from the Director: Property Management on 5 October 2015, Council's intention to sell the subject properties was advertised as follows:

Advertising	Cape Times & Burger	16 October 2015
	Provincial & National Treasury	16 October 2015
	Ward Councillor	16 October 2015
	Subcouncil Chair & Manager	16 October 2015
Outcome	Objections	No
	Ward Councillor's support	Yes

8.3 Constitutional and Policy Implications

- (i) Chapter B of Council's policy relating to the Management of certain of the City of Cape Town's Immovable Property, as approved by Council on 26 August 2010 (C54/08/10), permits the sale of immovable property.
- (ii) A resolution to proceed with the sale of these properties is supported by the applicable policies.

8.4 Sustainability Implications

Does the activity in this report have any sustainability implications for the City? No Yes

8.5 Legal Implications

- (i) The proposal complies with section 14 of the Municipal Finance Management Act, Act 56 of 2003.
- (ii) The sale of municipal capital assets is governed by Chapter 2 of the MATR;

Council may in terms of **Reg 5(1)(b)(i) of the MATR** transfer or sell non-exempted capital assets after it has, in a meeting open to the public, made the determinations required by section 14(2)(a) and (b) of the MFMA:

- The erven (assets) are not needed for basic municipal services;
- Considered the fair market value of the assets and the economic and community value to be received in exchange for the assets.

In terms of **Reg 7 of the MATR**, Council must take into account a number of factors (highlighted in bold) when considering any proposal to transfer or sell non-exempted capital assets and it is herewith confirmed that:

Factor A: Whether assets are required for municipality's own use at later date (also Sec 14(1), Sec 14(2)(a) and Sec 90(1) of MFMA)

Council's service branches have confirmed that the assets are not required for its own purposes.

Factor B: Loss or gain expected to result from proposed transfer

Council will not make a loss, but a gain on receipt of market value, future rates and taxes, and the sales will stimulate economic growth.

Factor C: Significant economic or financial cost or benefit to municipality/ compensation

Council will receive a financial benefit in the form of the sales price as well as future rates and taxes in respect of the properties. A desktop valuation (**annexures C & D**) carried out by Property Management's Market Valuations Branch estimates the Market value of the properties to be in the region of R55 000 (Erf 38751) and R50 000 (Erf 35448), exclusive of VAT and transfer costs.

Factor D: Management of risk

No operational or control risk to the City

Factor E: Impact on credit rating, financial position, cash flow of municipality

No impact

Factor F: Limitations and conditions attached to capital assets

None

Factor G: Cost of transfer or sale

The normal costs related to advertisements and land surveying, if applicable, will be incurred by Council. The purchaser will be responsible for the transfer costs.

Factor H: Transfer of liabilities and reserve funds associated with the assets

None

Factor I: Stakeholder comments and recommendations

The City's intention to alienate erf 38751, Dade Street, Khayelitsha, and erf 35448, Luma Street, Khayelitsha (an unregistered portion of erf 34942, Khayelitsha), was duly advertised to the public in the Cape Times and Die Burger on 16 October 2015. The relevant subcouncil Chairperson, subcouncil Manager, Ward Councillors and Regional Offices were notified for comment. No objections were received.

Factor J: Views from National and Provincial Treasury

No comments were received.

Factor K: Strategic, legal, and economic interests

None of these interests will be compromised through the alienation of the assets - in fact they will be supported.

Factor L: Compliance with legislative regime that is applicable to proposed transfer or sale

Alienation of these assets is compliant with the MFMA and the Municipal Asset Transfer Regulations, Reg. 12(1).

8.6 Staff Implications

Does this report impact on staff resources, budget, grading, remuneration, allowances, designation, job description, location or your organisational structure?

No

8.7 Risk Implications

No operational or control risk to the City

8.8 Other Services Consulted

The proposed sale of the properties was circulated to the relevant departments of the City and to external departments for comment. No objections were received; however the following departments have provided comments:

Planning and Building Development Management (BDM) – Gerrit Sauls – 021 360 1106

- Erf 38751 - Informal 5m x 3m prefabricated structure is on site and is used as a business.
- Erf 35448 - Occupied by informal business with an unauthorised structure. There is also an encroachment from Erf 35447.

Property Holdings – Allison Ford – 021 900 1883

- Note that illegal structures and encroachments exist on both properties.


9. SUBCOUNCIL RECOMMENDATION/COMMENTS

Subcouncil 24 on 21 January 2016 noted the sale of vacant land erf 38751, Dade Street, Khayelitsha, and erf 35448, Luma Street, Khayelitsha, an unregistered portion of erf 34942, Khayelitsha, for General Business purposes. (See Item 24SUB 10/01/16) attached as **annexure E**).

ANNEXURES

- Annexure A: Plan LIS 1437v0
- Annexure B: Plan LIS 1413v0
- Annexure C: Desktop valuation dated 2015-09-18
- Annexure D: Desktop valuation dated 2015-09-17
- Annexure E: Subcouncil Minutes (Item 24SUB 10/01/16)

FOR FURTHER DETAILS CONTACT:

NAME	Angelene Kelland
CONTACT NUMBERS	(021) 400 1076
E-MAIL ADDRESS	angelene.kelland@capetown.gov.za
DIRECTORATE	FINANCE
FILE REF NO	HO14/3/4/3/1039/A37 & 14/3/4/3/1147/A37
SIGNATURE : MANAGER PROPERTY DEVELOPMENT	 7. 03. 2016

Comment:

Ruby Gelderbloem

**DIRECTOR: PROPERTY MANAGEMENT IN HER
CAPACITY AS NOMINEE FOR THE EXECUTIVE
DIRECTOR: FINANCE
RUBY GELDERBLOEM**

NAME RUBY GELDERBLOEM

DATE 2016-03-09

REPORT COMPLIANT WITH THE PROVISIONS OF COUNCIL'S DELEGATIONS, POLICIES, BY-LAWS AND ALL LEGISLATION RELATING TO THE MATTER UNDER CONSIDERATION.

NON-COMPLIANT

LEGAL COMPLIANCE

NAME CHARLYNNE ARENOSE

TEL 021 400 1265

DATE 10/3/2016

Comment:
Certified as legally compliant:
Based on the contents of the report.

BA