

ITEM NUMBER: C 44/05/16

**RECOMMENDATION FROM THE EXECUTIVE MAYOR: 17 MAY 2016**

**MC 33/05/16 PROPOSED GRANTING OF IN-PRINCIPLE APPROVAL FOR THE SALE BY PUBLIC COMPETITION OF A PORTION OF ERF 48536, CAPE TOWN AT NEWLANDS, FOR SINGLE RESIDENTIAL PURPOSES**

It is **RECOMMENDED** that:

- (a) in terms of Sections 14(2)(a) and (b) of the Municipal Finance Management Act (MFMA), Act 56 of 2003:
  - (i) Council resolve that a Portion of Erf 48536, Cape Town at Newlands, in extent approximately 1 668 m<sup>2</sup>, situated at Palmboom Road, Newlands, zoned Single Residential Zone 1: Conventional Housing (SR1), shown lettered ABCDEFGHJ on Plan LIS 1287v0 attached as Annexure A 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 asset described in (a)(i) and the economic and community value to be received in exchange for the asset 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 a Portion of Erf 48536, Cape Town at Newlands, as described in (a)(i) above
- (c) a portion of Erf 48536, Cape Town at Newlands, 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 asset 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 54/03/2016 PROPOSED GRANTING OF IN-PRINCIPLE APPROVAL FOR THE SALE, BY PUBLIC COMPETITION, OF A PORTION OF ERF 48536 CAPE TOWN AT NEWLANDS, FOR SINGLE RESIDENTIAL PURPOSES.

MC 33/05/16 VOORGESTELDE VERLENING VAN BEGINSELGOEDKEURING VIR DIE VERKOOP DEUR OPENBARE MEDEDINGING VAN 'N GEDEELTE VAN ERF 48536 KAAPSTAD TE NUWELAND, VIR ENKELRESIDENSIËLE DOELEINDES.

ISIPHAKAMISO SOKUNIKEZELWA KWESIPHUMEZO NGOKOMTHETHO-SISEKO SOKUTHENGISA NGOKOKHUPHISWANO LOLUNTU ISIQEPHU SESIZA 48536, EKAPA ENEWLANDS, NGEENJONGO ZENDAWO YOKUHLALA USAPHO OLUNYE

*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 sections 14(2)(a) and (b) of the Municipal Finance Management Act (MFMA), Act 56 of 2003:
  - i) Council resolve that a Portion of Erf 48536 Cape Town at Newlands, in extent approximately 1 668 m<sup>2</sup>, situate at Palmboom Road, Newlands, zoned Single Residential Zone 1: Conventional Housing (SR1), shown lettered ABCDEFGHJ on Plan LIS 1287v0 (**Annexure "A"**), not be required for the provision of the minimum level of basic municipal services;
  - ii) Council confirm that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset 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 a Portion of Erf 48536 Cape Town at Newlands, as described in (a)(i);
- c) A Portion of Erf 48536 Cape Town at Newlands, 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 asset 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:



h

a) Ingevolge artikels 14(2)(a) en (b) van die Wet op Munisipale Finansiële Bestuur (MFMA), Wet 56 van 2003: **189**

- i) Die Raad besluit dat 'n gedeelte van erf 48536 Kaapstad te Nuweland, ongeveer 1 668 m<sup>2</sup> groot, geleë te Palmboomweg, Nuweland, gesoneer as enkelresidensiële sone 1: konvensionele behuising (SR1), aangetoon deur letters ABCDEFGHJ op plan LIS 1287v0 (**bylae "A"**), nie vir die verskaffing van die minimum vlak munisipale dienste benodig word nie;
  - ii) Die Raad bevestig dat die billike markwaarde van die bate wat in (a)(i) beskryf word en die ekonomiese en gemeenskapswaarde wat in ruil ontvang sal word vir die bate wat in (a)(i) beskryf word, in aanmerking geneem is;
- b) Ingevolge regulasie 5(1)(b) van die regulasies op die oordrag van munisipale bates (MATR), R.878 gepromulgeer op 22 Augustus 2008, die Raad die verkoop van 'n gedeelte van erf 48536 Kaapstad te Nuweland, soos in (a)(i) beskryf, in beginsel goedkeur;
- c) 'n Gedeelte van erf 48536 Kaapstad te Nuweland deur openbare mededinging verkoop word onderworpe aan voorwaardes wat die direkteur: eiendomsbestuur in die uitoefening van haar gedelegeerde bevoegdheid oplê;
- d) Enige wins of verlies vir die munisipaliteit ten opsigte van die oordrag van die bate in die aansuiweringsbegroting van die munisipaliteit ingesluit word (artikel 28 en 87 van die MFMA), indien daar nie in die goedgekeurde jaarlikse begroting daarvoor voorsiening gemaak is nie.

## IZINDULULO

Azigunyaziswanga: isiqqibo seseBhunga:

Kundululwe ukuba:

- a) Ngokungqinelana namacandelo 14(2)(a) no-(b) loMthetho woLawulo lweeMali zikaMasipala (MFMA) uMthetho 56 ka-2003:
  - i) IBhunga liggibe ukuba isiqephu sesiza- 48536 eKapa eNewlands esibukhulu bumalunga ne-1 668 m<sup>2</sup>, esime ePalmboom Road, Newlands, ezicandwe njengoMmandla weNdawo yokuHlala usapho olunye: izindlu eziqhelekileyo(SR1), ezibonakaliswe ngoonobumba ABCDEFGHJ kwiplani LIS 1287v0 (**isihlomelo "A"**) asifuneki 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) yeMigaqo engokuTshintshelwa kweMpahla kaMasipala (MATR), R. 878 owamiselwa ngowama-22 Agasti 2008, iBhunga maliphumeze ngokomthetho-siseko ukuthengiswa kwesiqephu sesiza- 48536 eKapa eNewlands), njengoko kukhankanywe ku-(a) (i);

c) Isiqephu                      sesiza-                      48536                      eKapa                      eNewlands

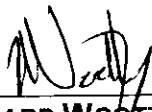


masithengiswe ngokokhuphiswano loluntu, ngokuxhomekeke kwimiqathango eyakuthi inyanzeliswe nguMlawuli woLawulo lwePropati esebenzisa amagunya akhe awagunyaziselweyo; **190**

- 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**

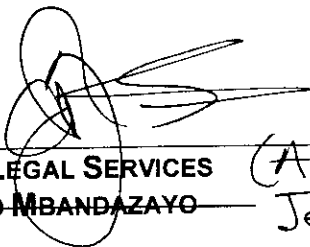
**It is noted that this resolution is in line with Supply Chain Management Policy.**



**MR RICHARD WOOTTON**  
**EMPLOYEE NO: 10207948**  
**CHAIRPERSON : IMMOVABLE PROPERTY**  
**ADJUDICATION COMMITTEE**

DATE: 12/4/16

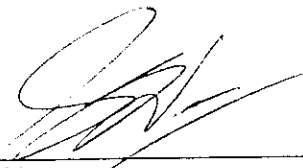
COMMENT:  
\_\_\_\_\_  
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**DIRECTOR : LEGAL SERVICES** (Acting)  
**LUNGELO MBANDAZAYO** Jean Roman

DATE: 14/04/2016

COMMENT:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**ALDERMAN IAN NEILSON**  
**MAYORAL COMMITTEE MEMBER : FINANCE**

DATE: 18/4/16

COMMENT:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**REPORT TO IMMOVABLE PROPERTY  
ADJUDICATION COMMITTEE**



**CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD**

Making progress possible. Together.

**1. ITEM NUMBER:**

**2. SUBJECT**

**PROPOSED GRANTING OF IN-PRINCIPLE APPROVAL FOR THE SALE, BY PUBLIC COMPETITION, OF A PORTION OF ERF 48536 CAPE TOWN AT NEWLANDS, FOR SINGLE RESIDENTIAL PURPOSES.**

**ONDERWERP**

**VOORGESTELDE VERLENING VAN BEGINSELGOEDKEURING VIR DIE VERKOOP DEUR OPENBARE MEDEDINGING VAN 'N GEDEELTE VAN ERF 48536 KAAPSTAD TE NUWELAND, VIR ENKELRESIDENSIËLE DOELEINDES.**

**ISIHLOKO**

**ISIPHAKAMISO SOKUNIKEZELWA KWESIPHUMEZO NGOKOMTHETHO-SISEKO SOKUTHENGISA NGOKOKHUPHISWANO LOLUNTU ISIQEPHU SESIZA 48536, EKAPA ENEWLANDS, NGEENJONGO ZENDAWO YOKUHLALA USAPHO OLUNYE**

**[G4602]**

**3. STRATEGIC INTENT**

**SFA 1: THE OPPORTUNITY CITY**

<b>Objective 1.5</b>	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 a Portion of Erf 48536 Cape Town at Newlands, in extent approximately 1 668 m<sup>2</sup>, situate at Palmboom Road, Newlands, zoned Single Residential Zone 1:

*[Handwritten signature]*

Conventional Housing (SR1), shown lettered ABCDEFGHJ on Plan LIS 1287v0 (**Annexure "A"**) to be used for residential 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

This report is submitted in order to obtain authority from Council to proceed with the sale by public competition of a Portion of Erf 48536 Cape Town at Newlands, in extent approximately 1 668 m<sup>2</sup>, situate at Palmboom Road, Newlands, zoned Single Residential Zone 1: Conventional Housing (SR1), shown lettered ABCDEFGHJ on Plan LIS 1287v0 (**Annexure "A"**) to be used for residential purposes.

The subject property has been included in the Property Disposal Programme as it has been found to be surplus to Council's requirements and available for sale by public competition.

## 7. RECOMMENDATIONS

Not delegated: for decision by Council

It is recommended that:

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

- i) Council resolve that a Portion of Erf 48536 Cape Town at Newlands, in extent approximately 1 668 m<sup>2</sup>, situate at Palmboom Road, Newlands, zoned Single Residential Zone 1: Conventional Housing (SR1), shown lettered ABCDEFGHJ on Plan LIS 1287v0 (**Annexure "A"**), not be required for the provision of the minimum level of basic municipal services;
- ii) Council confirm that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset 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 a Portion of Erf 48536 Cape Town at Newlands, as described in (a)(i);
- c) A Portion of Erf 48536 Cape Town at Newlands, 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 asset 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 artikels 14(2)(a) en (b) van die Wet op Munisipale Finansiële Bestuur (MFMA), Wet 56 van 2003:
  - i) Die Raad besluit dat 'n gedeelte van erf 48536 Kaapstad te Nuweland, ongeveer 1 668 m<sup>2</sup> groot, geleë te Palmboomweg, Nuweland, gesoneer as enkelresidensiële sone 1: konvensionele behuising (SR1), aangetoon deur letters ABCDEFGHJ op plan LIS 1287v0 (**bylae "A"**), nie vir die verskaffing van die minimum vlak munisipale dienste benodig word nie;
  - ii) Die Raad bevestig dat die billike markwaarde van die bate wat in (a)(i) beskryf word en die ekonomiese en gemeenskapswaarde wat in ruil ontvang sal word vir die bate wat in (a)(i) beskryf word, in aanmerking geneem is;
- b) Ingevolge regulasie 5(1)(b) van die regulasies op die oordrag van munisipale bates (MATR), R.878 gepromulgeer op 22 Augustus 2008, die Raad die verkoop van 'n gedeelte van erf 48536 Kaapstad te Nuweland, soos in (a)(i) beskryf, in beginsel goedkeur;
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- d) Enige wins of verlies vir die munisipaliteit ten opsigte van die oordrag van die bate in die aansuiweringsbegroting van die munisipaliteit ingesluit word (artikel 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) Ngokungqinelana namacandelo 14(2)(a) no-(b) loMthetho woLawulo lweeMali zikaMasipala (MFMA) uMthetho 56 ka-2003:
- i) IBhunga ligqibe ukuba isiqephu sesiza- 48536 eKapa eNewlands esibukhulu bumalunga ne-1 668 m<sup>2</sup>, esime ePalmbloom Road, Newlands, ezicandwe njengoMmandla weNdawo yokuHlala usapho olunye: izindlu eziqhelekileyo(SR1), ezibonakaliswe ngoonobumba ABCDEFGHJ kwiplani LIS 1287v0 (**isihlomelo "A"**) asifuneki ukuba zibonelele ngeenkonzozo ezingundoqo zikamasipala;
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- c) Isiqephu sesiza- 48536 eKapa eNewlands masithengiswe ngokokhuphiswano loluntu, 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-B7 le-MFMA) ukuba ayibhajethelwanga kuhlahlo-lwabiwo-mali lonyaka oluphunyeziweyo.



## 8. DISCUSSION/CONTENTS

### 8.1. Background

A Portion of Erf 48536, Palmboom Road, Newlands has been identified for inclusion on the City's annual Disposal Program for the Financial Year 2014/2015 in order to contribute to the objectives of the City's Integrated Development Plan in the shortest possible time. The criteria for the identification and selection of the properties included a number of strategic development goals, for example, whether the properties lend themselves to the intensification of urban development and economic activity and whether their disposal will meet public demand for residential or social care opportunities.

The Portion of Erf 48536, Palmboom Road, Newlands, in extent approximately 1 668m<sup>2</sup>, shown lettered ABCDEFGHJ on Plan LIS 1287v0 attached hereto (**Annexure "A"**), is zoned Single Residential Zone 1: Conventional Housing (SR1), and is improved by a three bedroom single storey dwelling. The age of the buildings exceeds 60 years and the building is protected in terms of the National Heritage Resource Act.

The site was rezoned from Public Open Space to Single Residential Zone 1 on 08/01/2014. An application for the extension of the rezoning approval has been submitted in order to avoid the lapsing of the approval after two years. The northeast portion of the property may be affected by 1:50 – 1:100 year flood levels of the watercourse located to the northeast of the property. Development on such northeast portion may therefore be prohibited by the City's Catchment Planning Manager, who may require an appropriate servitude to be registered. A servitude right of way in favour of the City needs to be registered over the south-east portion of the property to enable City access to the adjacent depot and no mature trees maybe felled without the consent of the City's Director Environment Resources Management.

The current tenant will be given appropriate notice to vacate the dwelling.

### 8.2 Public Participation

In accordance with the authority obtained from the Director: Property Management on 23<sup>rd</sup> March 2015, Council's intention to sale of the subject property was advertised as follows:

Advertising	Cape Times & Burger	27 March 2015
	Provincial & National Treasury	1 April 2015
	Ward Councillor	1 April 2015
	Subcouncil Chair & Manager	1 April 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 approved 26 August 2010 (C54/08/10), permits the disposal of immovable property.
- (ii) A resolution to proceed with the disposal of this property 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 dispose of 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 erf (asset) is not needed for basic municipal services;
- The fair market value of the asset and the economic and community value to be received in exchange for the asset have been considered.

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 dispose of non-exempted capital assets and it is herewith confirmed that:

**Factor A: Whether asset is 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 asset is not required for its own purposes.

*BB*

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

Council will not make a loss, but a gain on receipt of fair market value, future rates and taxes.

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

Council will receive a financial benefit in the form of the sales proceeds as well as rates and taxes following the development of the property. A desktop valuation estimates the market value of the property to be R6 500 000 (excluding Vat and transfer costs) see **Annexure "B"**).

**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 disposal**

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 asset**

None

**Factor I: Stakeholder comments and recommendations**

The Council's intention to alienate a Portion of Erf 48536 Cape Town at Newlands was duly advertised to the public in the Cape Times and Die Burger on 27<sup>th</sup> March 2015. The relevant Subcouncil Chairperson, Subcouncil co-ordinator, Ward Councillors, Ratepayers Associations and Regional Offices were notified for comment and notification. No objections to the intended alienation 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 asset - in fact they will be supported.

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

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

**8.6 Staff Implications**

Does your 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 proposal was circulated to all relevant planning and service branches of the City for comment. No objections were received however, the following departments have stipulated conditions of sale:

(i) **City Parks** – Jennifer Fabing – 021 710 8072 – 12 February 2015

No objection provided that the new owner to notify the City Parks Department or the relevant Department of the following:-

1. The building of the common boundary wall or vice versa;
2. The construction of the driveway proposed or vice versa;
3. The removal or the planting of trees on the road verge.

- (ii) **Planning and Building Development Management** – Pierre Hoffa –  
021 710 8039 – 20 January 2015

It must be noted that various conditions were imposed as part of the subdivision approval.

- (iii) **Spatial Planning and Urban Design** – Kier Hennessy – 021 444 8320 –  
4 February 2015

The site falls within an area acknowledged as one of high heritage value due to its distinctive character, and is now proposed as a (the Newlands Village) Local Area Overlay Zone area. Any further development of the site is therefore likely to be required to conform with the (currently draft) parameters included within this proposed Local Area Overlay Zone. The site is immediately adjacent to a spring which forms one of a system in the area. Any future development of the site should not compromise the future of this spring as a future resource to the local (and even wider) community, and also its possible role as a local public amenity.

**Sport, Recreation and Amenities** – Trevor Wright – 021 400 3481 – 18<sup>th</sup> February 2015

Sport and Recreation is working close with UCT on rationalizing facilities. Although this is a residential property, it is well located for some UCT use, for example accommodation for visiting lecturers, or guests. We therefore suggest that this property be made available to UCT in terms of our rationalization engagement; should they not consider it to be viable, only then it should be sold by tender.

**Water and Sanitation** – David de Klerk 021 400 6577 – 18<sup>th</sup> February 2015

The Reticulation branch is not affected by the application to dispose of city land therefore has no objections, however there is a metered spring water main on this property which belongs to the Bulk Water Department. A servitude needs to be registered.

**TCT Maintenance** – Justin Smit – 021 400 5985 – 24<sup>th</sup> January 2015

It should be noted that there is a system of open stormwater channels, canals, culverts and pipes that run parallel along the property border with SACS. The following conditions however would apply.

1. The owner shall supply to the Manager: Stormwater and Sustainability the 1:50 and 1:100 year floods levels of the watercourse located to the north east of the property, as well as relevant heights on the property. The flood levels and heights shall be determined by a professional consulting engineer.
2. If the floodlines extend ~~a~~ into portion of Erf 48536 Cape Town at Newlands, a servitude shall be registered, in favour of the City of Cape Town, in the title deed of Portion 1 on the north eastern side of the property. The north eastern extent of the servitude shall be defined by the north-eastern boundary of the property and the south western extent of the servitude shall be defined by a distance as determined by the Manager: Stormwater and Sustainability.

The servitude conditions shall state that unless with written permission of the City of Cape Town, the owner shall not:

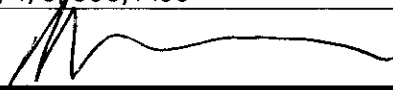
- Construct, erect or lay down any building, structure or thing over or within the servitude area;
- After the level of the ground, nor undertake any excavation or fill or compaction within the servitude are;
- Use the servitude area for storage of plant equipment and or material;
- Discharge swimming pool overflow or any other effluent into the servitude are;
- Manipulate the watercourse within the servitude area.
- Lastly, environmental buffers also need to be determined for this watercourse.

Appropriate conditions to accommodate these comments will be included in the sale agreement.

## 9. SUBCOUNCIL RECOMMENDATION

Subcouncil 20 on 17<sup>th</sup> June 2015 (See Item 20/SUB/17/06/15) attached as **Annexure "C"**) resolved to recommend the sale of a Portion of Erf 48536, Palmboom Road, Newlands.

FOR FURTHER DETAILS CONTACT:

NAME	MERLE VISAGIE
CONTACT NUMBERS	(021) 400 8018
E-MAIL ADDRESS	Merle.Visagie@capetown.gov.za
DIRECTORATE	FINANCE
FILE REF No	14/3/4/3/303/A00
SIGNATURE : MANAGER PROPERTY DEVELOPMENT	 24.03.2016

Comment:

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

DATE 2016-03-29

  
**LEGAL COMPLIANCE**

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

NAME CHARLYNNE ARENDESE  
 TEL 021 400 1265  
 DATE 31 /3/2016

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