

RECOMMENDATIONS OF THE IMMOVABLE PROPERTY ADJUDICATION
COMMITTEE TO COUNCIL: 9 MARCH 2011

C 15/03/11

IPAC 04/03/11 APPLICATION TO PURCHASE PUBLIC STREET, ERF 649,
ABUTTING ERF 163, VICTORIA ROAD, BANTRY BAY: MR
JUDD HARVEY SMITH

ISICELO SOKUTHENGA ISITALATO SOLUNTU ESISIZA
649,ESIMELEME NESIZA 163,VICTORIA ROAD, BANTRY
BAY: MNU JUDD HARVEY SMITH

AANSOEK OM OPENBARE STRAAT TE KOOP, ERF 649,
GRENSEND AAN ERF 163, VICTORIAWEG, BANTRYBAAI:
MNR JUDD HARVEY SMITH

RECOMMENDED TO COUNCIL that for the reasons set out in
the report, the application to purchase public street, Erf 649,
abutting Erf 163, Victoria Road, Bantry Bay shown lettered
ABCDEFG on the attached Sketch marked "Annexure A" in
extent approximately 75 m² be refused.

AANBEVELING:

Dat om die redes in die verslag uiteengesit, word daar
aanbeveel word dat die aansoek om openbare straat te koop, erf
649, grensend aan erf 163, Victoriaweg, Bantrybaai, met die
letters ABCDEFG op die aangehegte skets, gemerk as "bylae A"
aangetoon en ongeveer 75 m² groot, van die hand gewys word.

ISINDULULO:

Ngokwezizathu ezidweliswe kwingxelo, kundululwe ukuba
makukhatywe isicelo sokuthenga isitalato soluntu esiSiza 649,
esimelene neSiza 163, Victoria Road, Bantry Bayesibonakaliswe
ngoonobumba ABCDEFG kwiSazobe esiqhotyoshelwe
saphawulwa njenge"siHlomeloA"esibukhulu bumalunga nama-
75 m².

It is noted that this resolution is in line with the Supply Chain Management Policy and tenderers/contractors from the HDI group were considered when the decision was made.

COMMENTS:



.....
RICHARD WOOTTON EMPLOYEE NO. 10207948
CHAIRPERSON
IMMOVABLE PROPERTY ADJUDICATION
COMMITTEE
.....

DATE: 14/3/11

**REPORT TO SUPPLY CHAIN MANAGEMENT
 BID ADJUDICATION COMMITTEE**



**IPAC 04/03/11
 07 MARCH 2011**

2011-01-06

1 ITEM NUMBER:

2. SUBJECT:

APPLICATION TO PURCHASE PUBLIC STREET, ERF 649, ABUTTING ERF 163, VICTORIA ROAD, BANTRY BAY: MR JUDD HARVEY SMITH

2. ONDERWERP:

AANSOEK OM OPENBARE STRAAT TE KOOP, ERF 649, GRESEND AAN ERF 163, VICTORIAWEG, BANTRYBAAI: MNR JUDD HARVEY SMITH

2. ISIHLOKO:

ISICELO SOKUTHENGA ISITALATO SOLUNTU ESISIZA 649, ESIMELEME NESIZA 163, VICTORIA ROAD, BANTRY BAY: MNU JUDD HARVEY SMITH

**CT14/3/4/3/177/00/163
 Category 2**

3. EXECUTIVE SUMMARY:

The report is submitted in order to consider the application received to purchase public street, Erf 649, abutting Erf 163, Victoria Road, Bantry Bay shown lettered ABCDEFG on the attached Sketch marked "Annexure A" in extent approximately 75 m² to consolidate with their property.

The proposal has been circulated to the relevant branches of Council for comment and objections were received.

The public street forms part of the PMR 103 Road Widening Scheme in this area.

It is therefore recommended that the application to purchase public street Erf 649, abutting Erf 163, Victoria Road, Bantry Bay shown lettered ABCDEFG on the attached Sketch marked "Annexure A" in extent approximately 75 m², be refused.

4. RECOMMENDATION:

For the reasons set out in the report, it is recommended that the application to purchase public street, Erf 649, abutting Erf 163, Victoria Road, Bantry Bay shown lettered ABCDEFG on the attached Sketch marked "Annexure A" in extent approximately 75 m² be refused.

4. AANBEVELING:

Dat om die redes in die verslag uiteengesit, daar aanbeveel word dat die aansoek om openbare straat te koop, erf 649, grensend aan erf 163, Victoriaweg, Bantrybaai, met die letters ABCDEFG op die aangehegte skets, gemerk as "bylae A" aangetoon en ongeveer 75 m² groot, van die hand gewys word.

4. ISINDULULO:

Ngokwezizathu ezidweliswe kwingxelo, kundululwe ukuba makukhatywe isicelo sokuthenga isitalato soluntu esiSiza 649, esimelene neSiza 163, Victoria Road, Bantry Bayesibonakaliswe ngoonobumba ABCDEFG kwiSazobe esiqhotyoshelwe saphawulwa njenge"siHlomeloA"esibukhulu bumalunga nama-75 m².

5. DISCUSSION:

5.1 Background

An application has been received to purchase public street, Erf 649, abutting Erf 163, Victoria Road, Bantry Bay shown lettered ABCDEFG on the attached Sketch marked "Annexure A" in extent approximately 75 m² to consolidate with their property.

The application was submitted as the applicant has been leasing the property for many years and the property was part of the applicants' property (Erf 643) and was acquired for a road improvement scheme that has not yet been implemented.

5.2 Compliance with strategic objectives

Not applicable in light of the intention to refuse the application.

5.3 Consultation with the Branches

The application was circulated to the various branches of Council for comment and the following branches are not in support of the proposal:

Transport and Public Works:

Transport and public works does not support the sale of this property as it forms part of the PMR 103 Road Widening Scheme which is still applicable.

5.4 Factors motivating recommendation

The application was opposed by the Branches mainly on the grounds that the said property is part of the PMR 103 Road Widening Scheme.

6. VALUATION:

Not applicable in light of the intention to refuse the application.

7. VAT:

Not applicable in light of the intention to refuse the application.

8. BLACK ECONOMIC EMPOWERMENT (BEE) STATUS:

Not applicable in light of the intention to refuse the application.

9. CONSTITUTIONAL AND POLICY IMPLICATIONS:

Not applicable in light of the intention to refuse the application.

10. FINANCIAL IMPLICATIONS:

Not applicable in light of the intention to refuse the application.

11. LEGAL IMPLICATIONS:

Not applicable in light of the intention to refuse the application.

12. TAX COMPLIANCE:

Not applicable in light of the intention to refuse the application.

ANNEXURES:

Annexure A: Copy of plan

NAME	Mike Sims
CONTACT NUMBERS	(021) 400 5766
E-MAIL ADDRESS	Mike.Sims@capetown.gov.za
DIRECTORATE	Property Holdings
FILE REFERENCE	CT14/3/4/3/177/00/163 (record No: 10643)
SUB-COUNCIL	Good Hope (Sub Council 16)
WARD COUNCILLOR	Jean-Pierre Smith (Ward 54)

Comment:

**MANAGER : FINANCE
PROJECT, STRATEGY AND SUPPORT
CHERYL JAFTHA**

TELE NO 021 400 9504

DATE

N/A

*RECOMMENDATION IS TO
REFUSE APPLICATION*

Comment:

DIRECTOR: HOUSING, FINANCE & LEASING

WAYNE MULLER

TELE NO 021 400 5122

DATE

Comment:

**ACTING MANAGER : PROPERTY HOLDING
MIKE SIMS**

TELE NO 021 400 6552

DATE

2011/02/10

Comment:

DIRECTOR : PROPERTY MANAGEMENT

RUBY GELDERBLOEM

TELE NO 021 400 1361

DATE

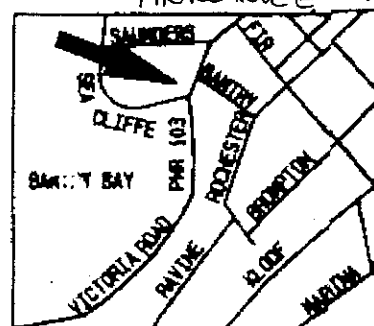
2011-02-15

DIMENSIONS IN METRES

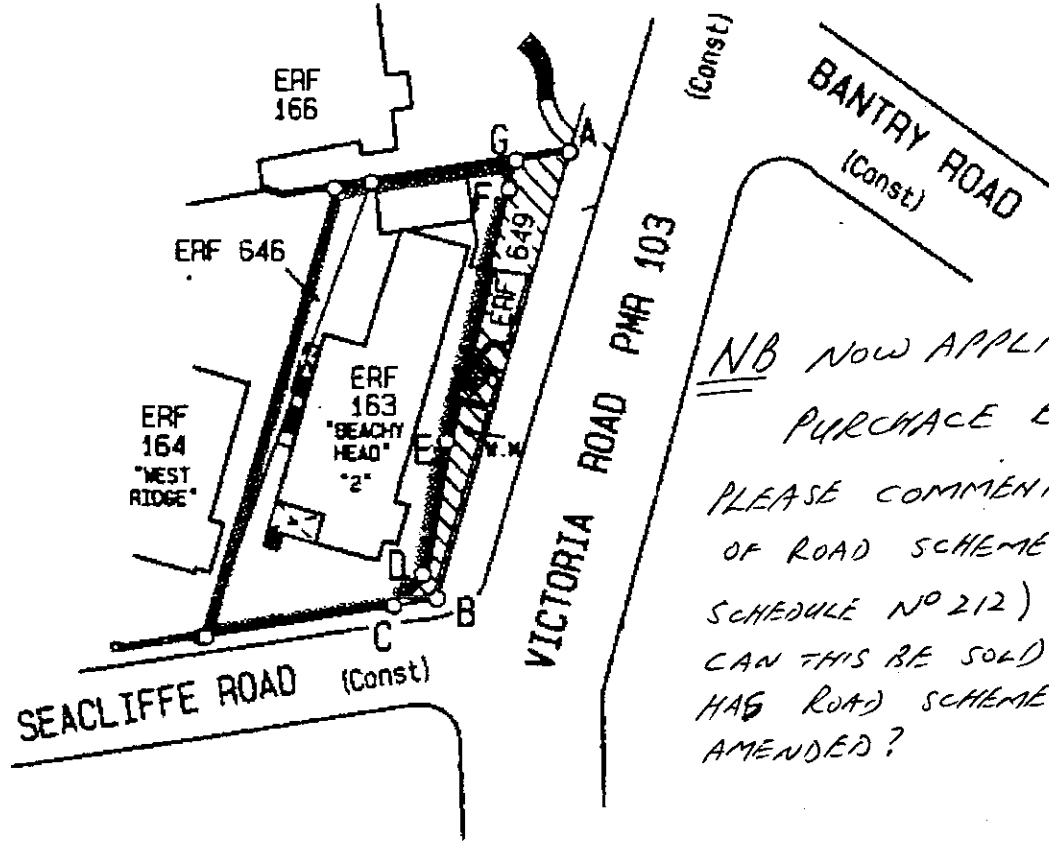
AB	29,68
BC	3,28
CD	3,23
DE	8,36
EF	16,56
FG	1,96
GA	3,39



142



LOCALITY SKETCH



NB NOW APPLICATION TO PURCHASE ERF 649!
 PLEASE COMMENT ON STATUS OF ROAD SCHEME (SEE ATTACHED SCHEDULE NO 212)
 CAN THIS BE SOLD?
 HAS ROAD SCHEME BEEN AMENDED?

A. Laubscher
 31/05/10



Scale 1 : 500

ENCROACHMENT ONTO VICTORIA ROAD - BANTRY BAY

The figure ABCDEFG shown hatched represents Public Street, Erf 649 (T 5532) in extent 75 square metres encroached upon by

JUDO HARVEY SMITH

Property of above bordered grey and zoned: R4 - General Residential Use Zone. (Transfer Pending).

Note: Erf 649 is registered in the name of the Municipality of Cape Town by O/T 5851 dated 1959-05-14.

WARD 58 / REVISION: CHANGE OF OWNER SUPERSEDES ST 4377/4

REFER TO	Roll 3; SG Sheet (994, 966) M 1576, 1603	S A PARKER MANAGER LAND INFORMATION	SURVEYOR	(2001-07-11) Ebrahams
PROP. REF	MJ 228 45, 67, 70		DRAUGHTSMAN	L BRANDT (2002/06/27)
FILE/REC.	S.2589 (10643)	A LAUBSCHER EXECUTIVE DIRECTOR DEVELOPMENT	CHECKED BY	<i>[Signature]</i>
MEMO DATE	2002-06-07		ST 4377/5	