

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

C 18/03/11

IPAC 07/03/11 APPLICATION TO PURCHASE PUBLIC STREET ERVEN
4133 AND 4132, ABUTTING ERF 4134, CORNER NEW
CHURCH STREET AND BUITENGRACHT, CAPE TOWN:
UPTOWN MOTORS TRUST

ISICELO SOKUTHENGA ISITALATO SOLUNTU ISIZA 4133
NESIZA 4132, EZIMELENE NESIZA 4134, KWIKONA
YEZITALATO I-NEW CHURCH NE-BUITENGRACHT, EKAPA:
UPTOWN MOTORS TRUST

AANSOEK OM OPENBARE STRAAT TE KOOP, ERWE 4133
EN 4132, GRESEND AAN ERF 4134, HOEK VAN NUWE
KERKSTRAAT EN BUITENGRAGT, KAAPSTAD: UPTOWN
MOTORS-TRUST

RECOMMENDED TO COUNCIL that the application to
purchase Public Street abutting Erf 4134, corner New Church
street and Buitengracht, Cape Town shown lettered ABCD on
the attached Sketch plan marked "Annexure A" in extent
approximately 82 m² be refused.

ISINDULULO

Ngenxa yezizathu ezichazwe kule ngxelo, kundululwa ukuba
masikhatywe isicelo sokuthenga iSitalato soLuntu esimelene
neSiza 4134, kwikona yeZitalato iNew Church ne-Buitengracht,
eKapa nezibonakaliswe ngoonobumba ABCD kwisicwangciso
soMbzobo oqhotyoshelweyo ophawulwe "isiHlomelo A"
ngobukhulu esimalunga ne-82 m².


AANBEVELING

Om die redes in hierdie verslag uiteengesit, daar aanbeveel word dat die aansoek om openbare straat te koop, wat grens aan erf 4134, op die hoek van Nuwe Kerkstraat en Buitengragt, Kaapstad, ongeveer 82 m² groot en met die letters ABCD op die aangehegte sketsplan, gemerk "bylae A" aangetoon, van die hand gewys word.

ACTION: M SIMS, R GELDERBLOEM

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 07/03/11
 07 MARCH 2011

2010-12-23

1. ITEM NUMBER:

2. SUBJECT:

APPLICATION TO PURCHASE PUBLIC STREET ERVEN 4133 AND 4132, ABUTTING ERF 4134, CORNER NEW CHURCH STREET AND BUITENGRACHT, CAPE TOWN: UPTOWN MOTORS TRUST

2. ONDERWERP:

AANSOEK OM OPENBARE STRAAT TE KOOP, ERWE 4133 EN 4132, GRESEND AAN ERF 4134, HOEK VAN NUWE KERKSTRAAT EN BUITENGRAGT, KAAPSTAD: UPTOWN MOTORS-TRUST

2. ISIHLOKO:

ISICELO SOKUTHENGA ISITALATO SOLUNTU ISIZA 4133 NESIZA 4132, EZIMELENE NESIZA 4134, KWIKONA YEZITALATO I-NEW CHURCH NE-BUITENGRACHT, EKAPA: UPTOWN MOTORS TRUST

CT14/3/4/3/178/00/4133
 Category 2

3. EXECUTIVE SUMMARY:

The report is submitted in order to consider the application received to purchase Public Street abutting Erf 4134, corner New Church street and Buitengracht, Cape Town shown lettered ABCD on the attached Sketch plan marked "Annexure A" in extent approximately 82 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 is a walkway used by pedestrians and site lines will be affected.

It is therefore recommended that the application to purchase Public Street abutting Erf 4134, corner of New Church and Buitengracht streets, Cape Town, be refused.

4. RECOMMENDATION:

For the reasons set out in the report, it is recommended that the application to purchase Public Street abutting Erf 4134, corner New Church street and Buitengracht, Cape Town shown lettered

ABCD on the attached Sketch plan marked "Annexure A" in extent approximately 82 m² be refused.

4. AANBEVELING:

Om die redes in hierdie verslag uiteengesit, daar aanbeveel word dat die aansoek om openbare straat te koop, wat grens aan erf 4134, op die hoek van Nuwe Kerkstraat en Buitengragt, Kaapstad, ongeveer 82 m² groot en met die letters ABCD op die aangehegte sketsplan, gemerk "bylae A" aangetoon, van die hand gewys word.

4. ISINDULULO:

Ngenxa yezizathu ezichazwe kule ngxelo, kundululwa ukuba masikhatywe isicelo sokuthenga iSitalato soLuntu esimelene neSiza 4134, kwikona yeZitalato iNew Church ne-Buitengracht, eKapa nezibonakaliswe ngoonobumba ABCD kwisicwangciso soMbzobo oqhotyoshelweyo ophawulwe "isiHlomelo A" ngobukhulu esimalunga ne-82 m².

5. DISCUSSION:

5.1 Background

An application has been received to purchase Public Street abutting Erf 4134, corner New Church street and Buitengracht, Cape Town shown lettered ABCD on the attached Sketch plan marked "Annexure A" in extent approximately 82 m² to consolidate with their property

The application was submitted as the property is an integral part of the applicant business and it would give cohesion to a particularly visible street corner and avoid future disharmonious development of fragmented use.

Approval of this application would impact negatively on pedestrian movement, site lines will be affected and the location of the site is in a heritage conservation area.

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:

Transportation Planning:

Transportation planning branch does not support the sale as it is a pedestrian walkway and site lines and services will be affected.

Strategy and Planning:

Strategy and planning branch does not support the sale for the following reasons:

- Consolidation of the Erven will increase bulk rights and facilitate a form of development that is not sensitive to the existing fine scale urban fabric. Large, bulky developments are not supported in this area which has conservation status.
- An increase in bulk rights could lead the applicant to motivate for later height departures in order to realize these perceived property rights. Departures for heights in this specific area of the City are not supported due to heritage status and its specific topographic characteristics

Environmental Planning

Environmental planning branch does not support the sale as it is a pedestrian walkway, street width and visibility will be affected and the building on Erf 4135 is over 60 years old and is a Graded building.

Roads and Stormwater

Roads and Stormwater branch objects to the sale due to the age and condition of the buildings and the site should be retained for future street purposes.

5.4 Factors motivating recommendation

The application was opposed by the Branches mainly on the grounds that it is a pedestrian walkway, sightlines and services will be affected and the location of the site is in a heritage conservation area.

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 Sketch plan

NAME	Mike Sims
CONTACT NUMBERS	(021) 400 5766
E-MAIL ADDRESS	Mike.Sims@capetown.gov.za
DIRECTORATE	Property Holdings
FILE REFERENCE	CT14/3/4/3/178/00/4133 (record No: 3412)
SUB-COUNCIL	Good Hope (Sub Council 16)
WARD COUNCILLOR	Vivienne Walker (Ward 77)

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

TELE NO 021 400 9504

DATE

N/A

Comment:

RECOMMENDATION IS TO
REFUSE APPLICATION

**DIRECTOR: HOUSING, FINANCE & LEASING
WAYNE MULLER**

TELE NO 021 400 5122

DATE

N/A

Comment:

**ACTING MANAGER : PROPERTY HOLDING
MIKE SIMS**

TELE NO 021 400 6552

DATE 2011/02/10

[Signature]

Comment:

**DIRECTOR : PROPERTY MANAGEMENT
RUBY GELDERBLOEM**

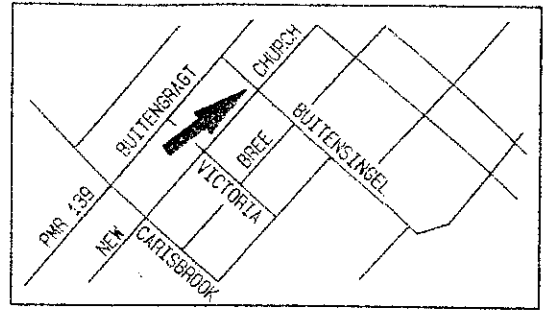
TELE NO 021 400 1361

DATE 2011-02-15

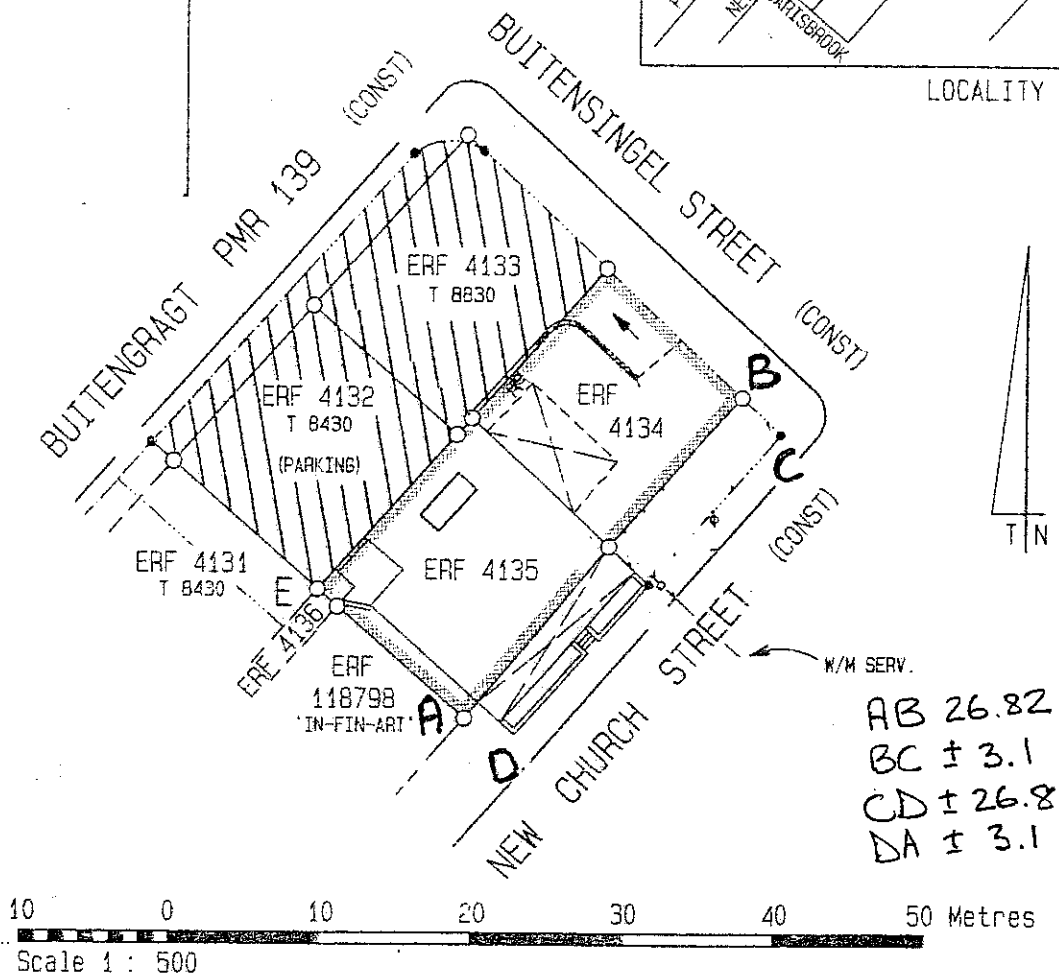
[Signature]

Comment:

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LOCALITY SKETCH



**LAND INFORMATION SKETCH
SCALE 1/500**

APPLICATION TO PURCHASE PUBLIC STREET – NEW CHURCH STREET – CAPE TOWN

The figure ABCD represents Public Street (Unregistered State Land) in extent approximately 82 square metres applied for by

UPTOWN MOTORS TRUST

Property of above bordered grey & zoned: General Commercial C2

Note: Area shown hatched in the process of being disposed of to the above

Roll:7
Property Ref: WD 23D 58,60
File:S2428/1(3412)
Surveyor: d brown