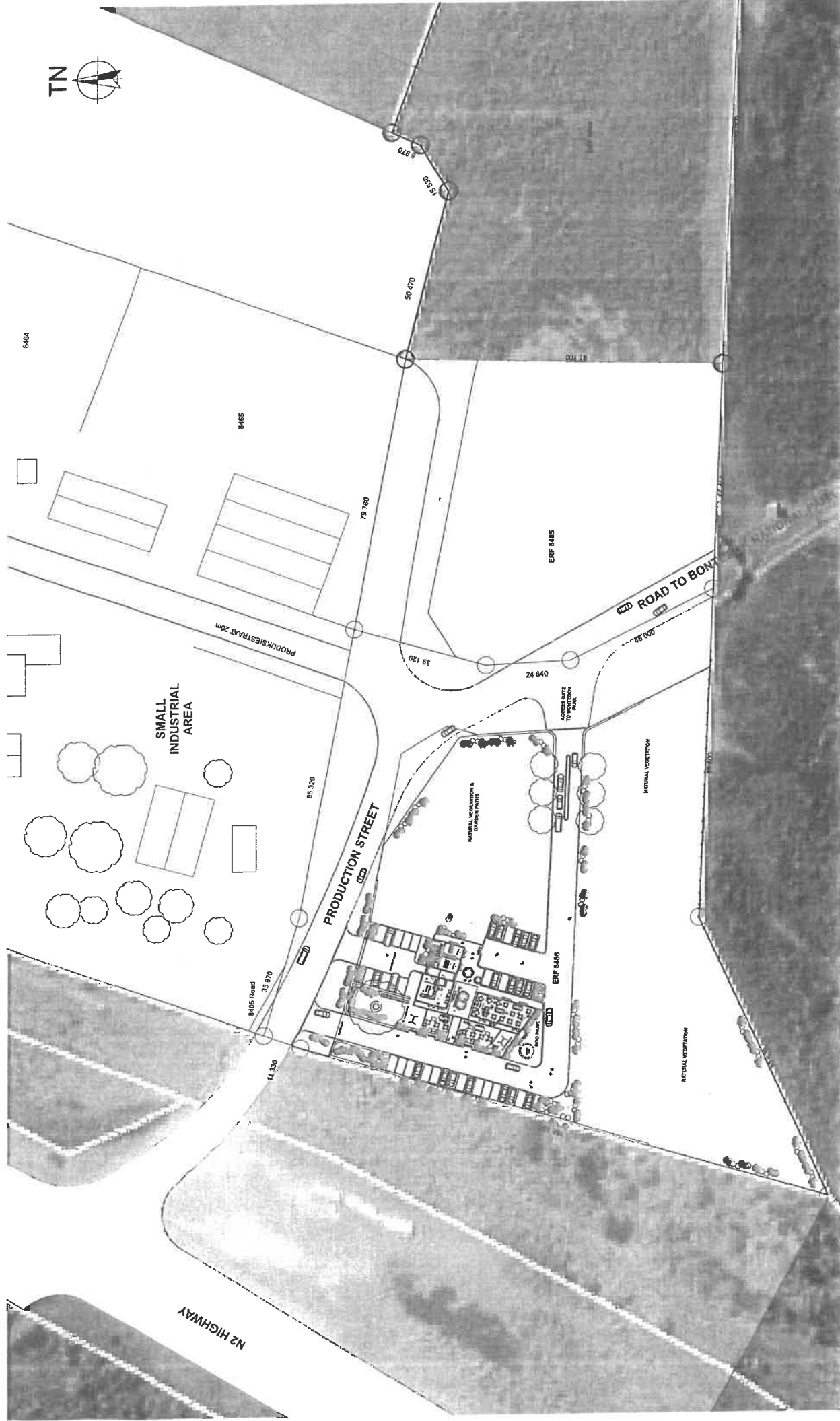


ANNEXURES

COUNCIL MEETING

31 OCTOBER 2023



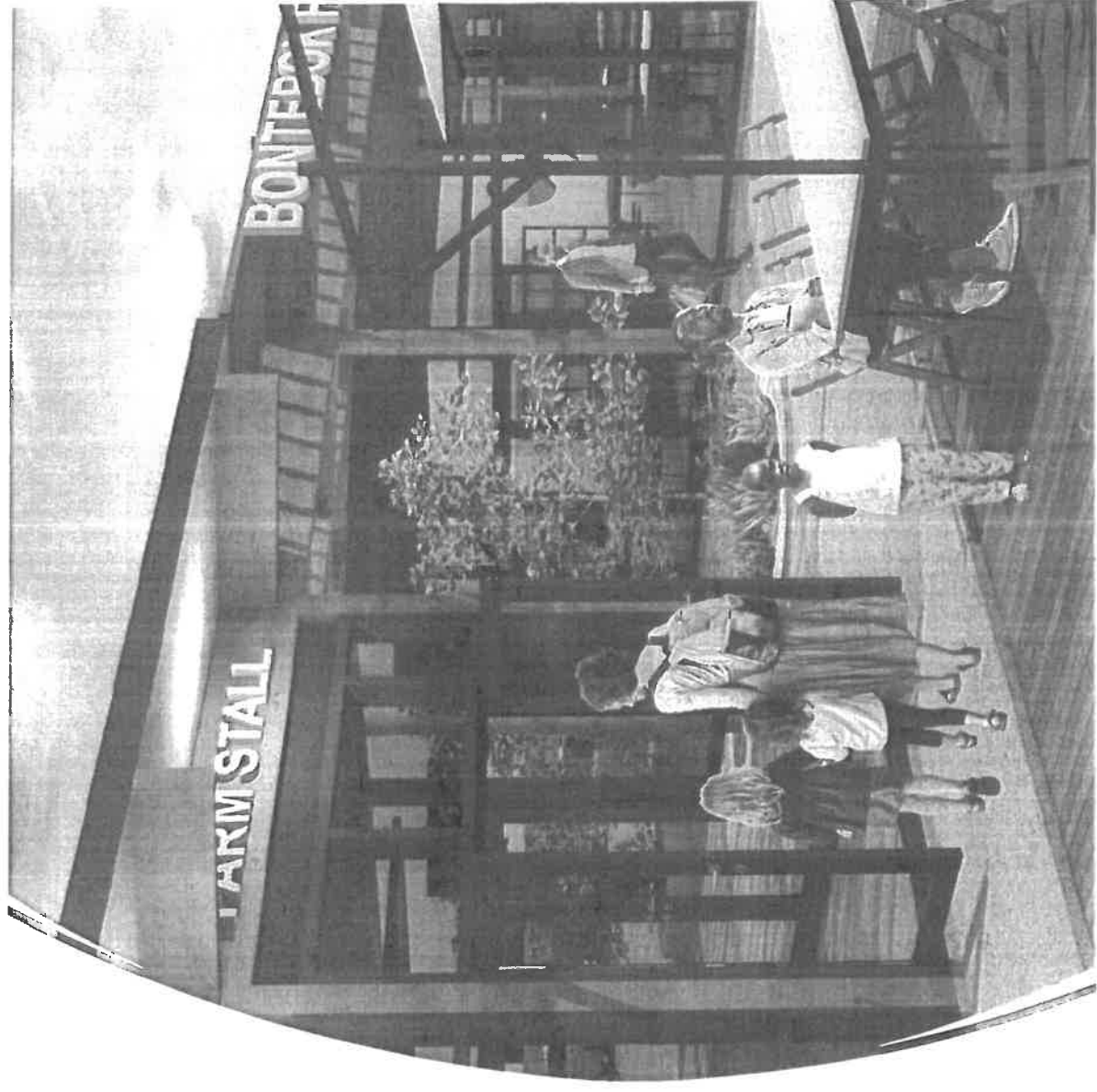
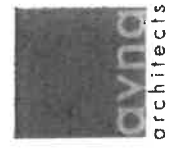
BONTEBOK FARMSTALL & CAFE CONCEPT DESIGN
 SITE PLAN
 SCALE 1 : 1000 @ A3

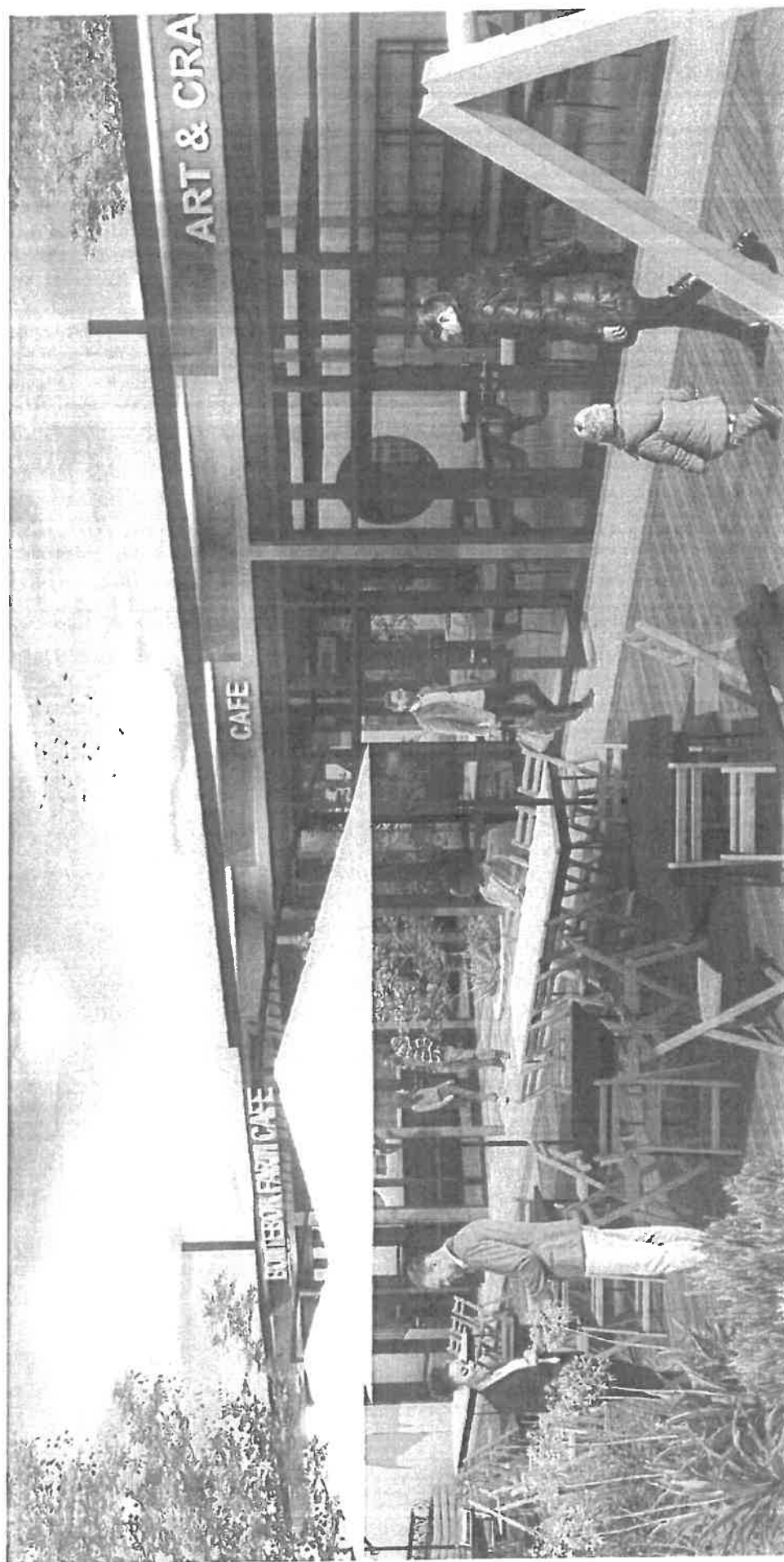
BONTEBOK FARM STALL & CAFE

CONCEPT

BONTEBOK
NATIONAL PARK

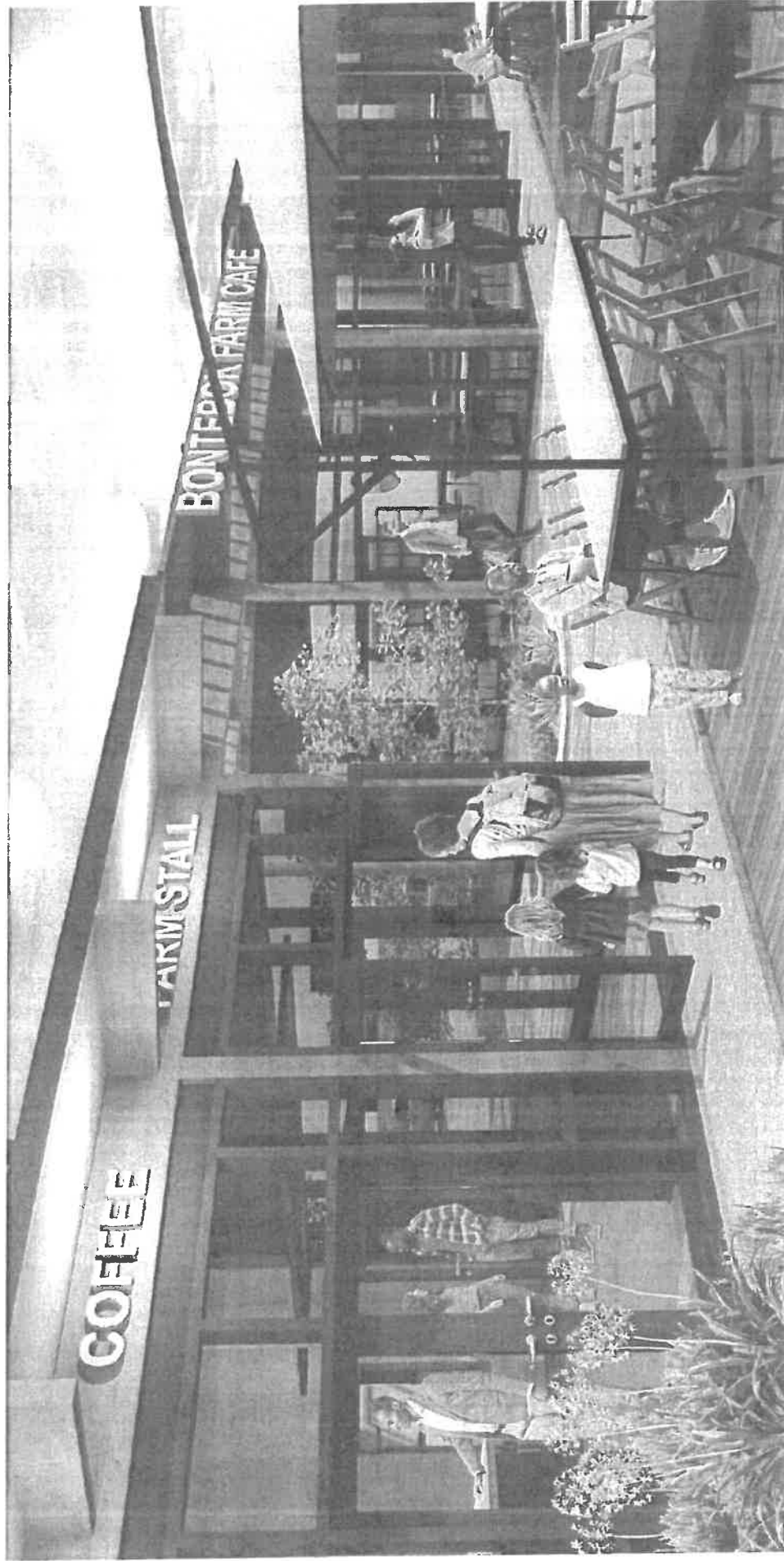
SWELLENDAM - WESTERN CAPE
29 NOVEMBER 2022



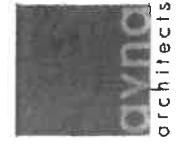


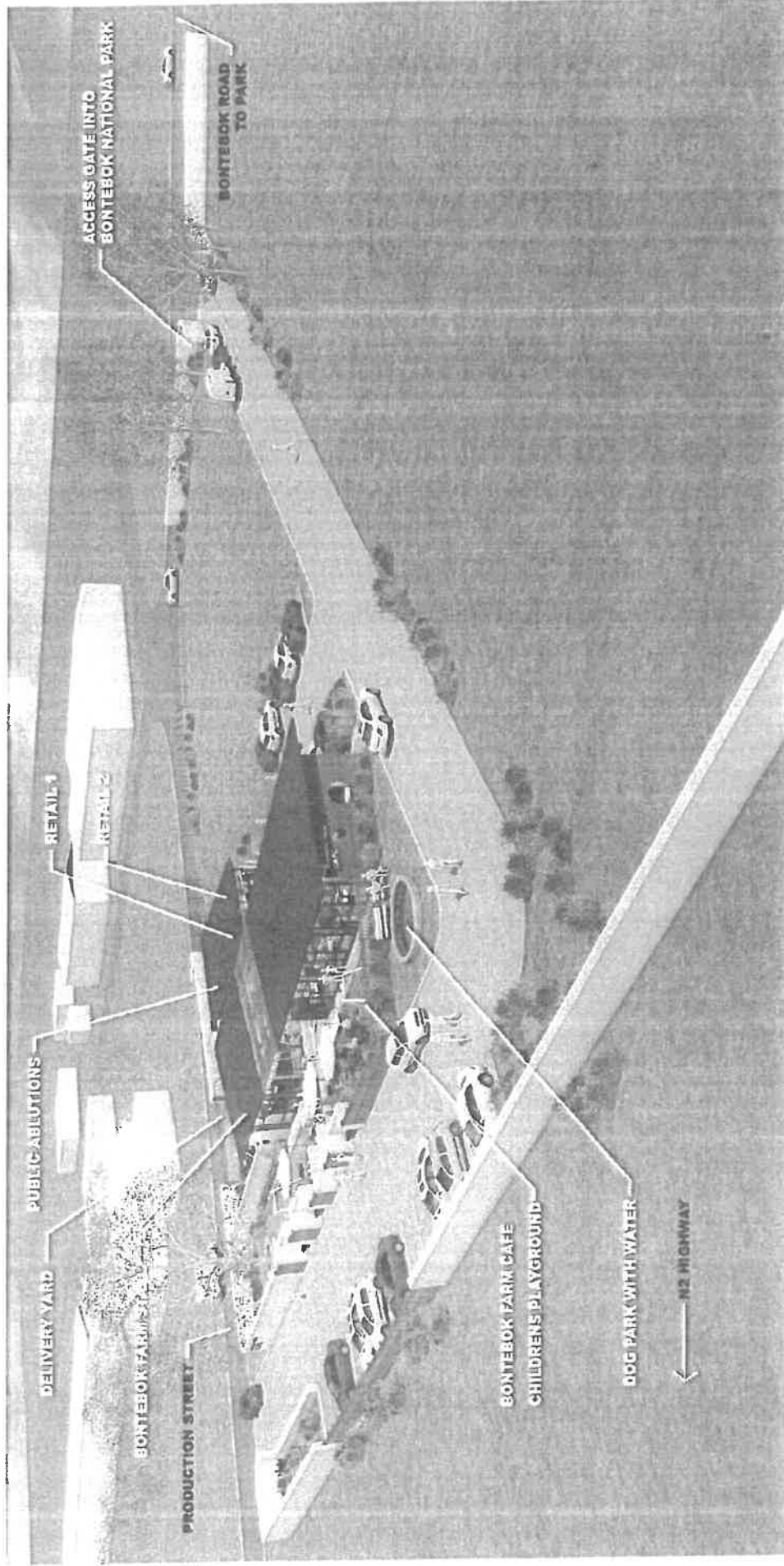
BONTBOK FARM STALL & CAFÉ
 BONTBOK NATIONAL PARK
3D VIEW - CAFÉ & PLAYGROUND



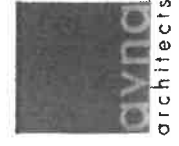


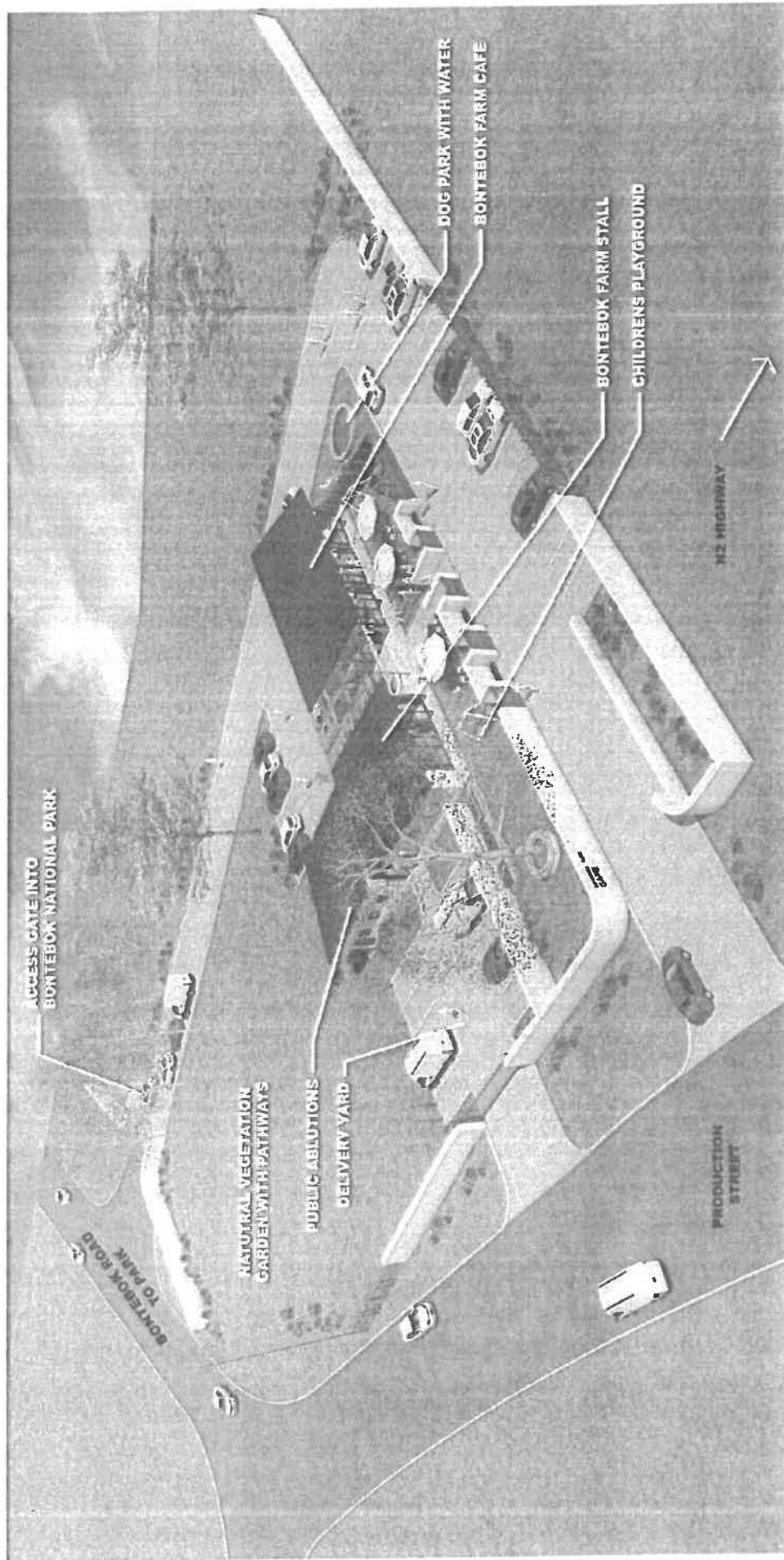
BONTEBOK FARM STALL & CAFÉ
 BONTEBOK NATIONAL PARK
3D VIEW - FARM STALL & CAFÉ



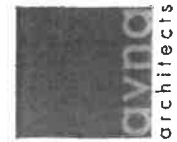


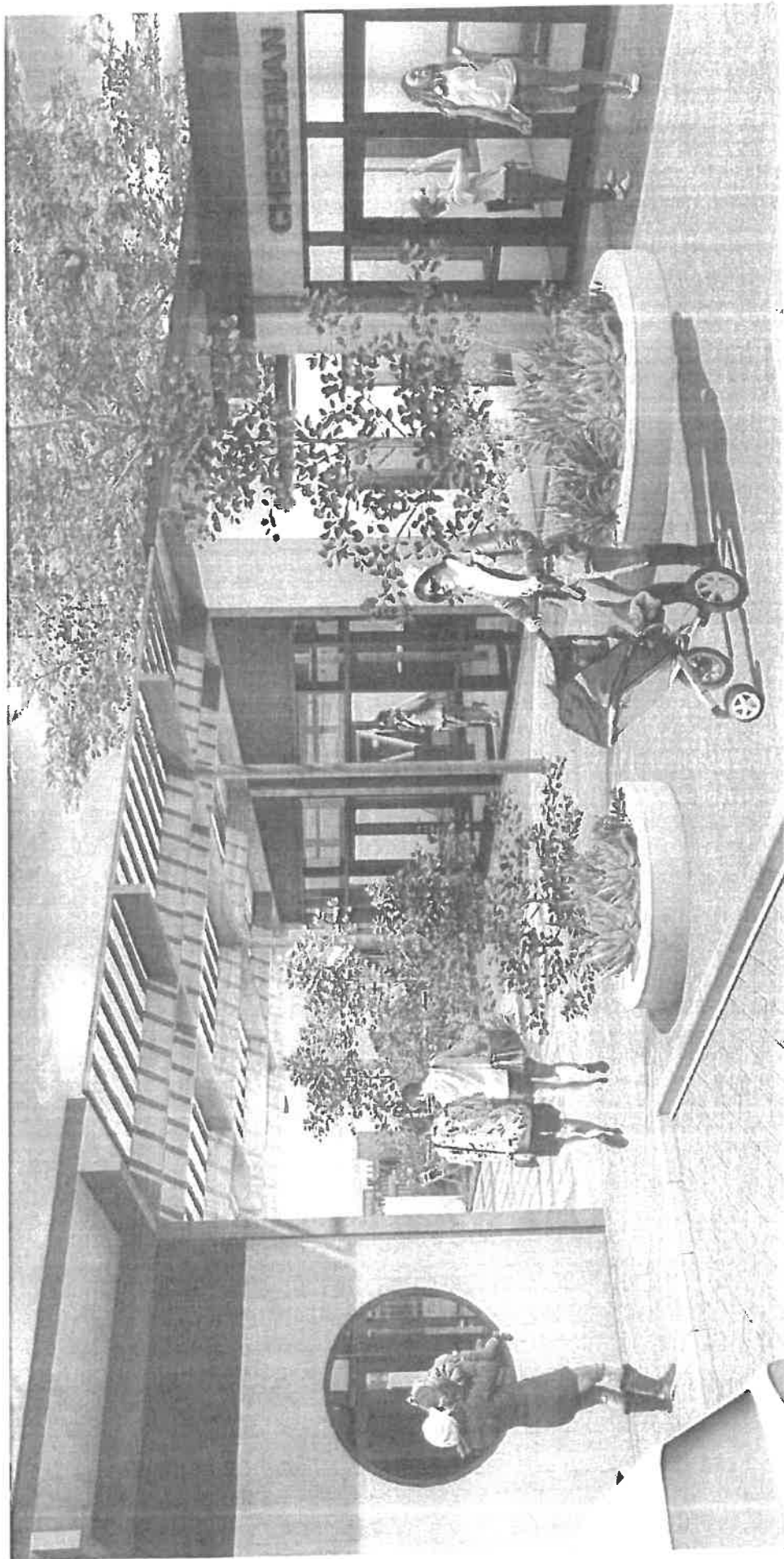
BONTEBOK FARM STALL & CAFÉ
 BONTEBOK NATIONAL PARK
 3D BIRDS EYE VIEW



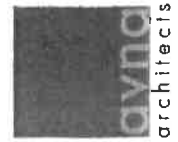


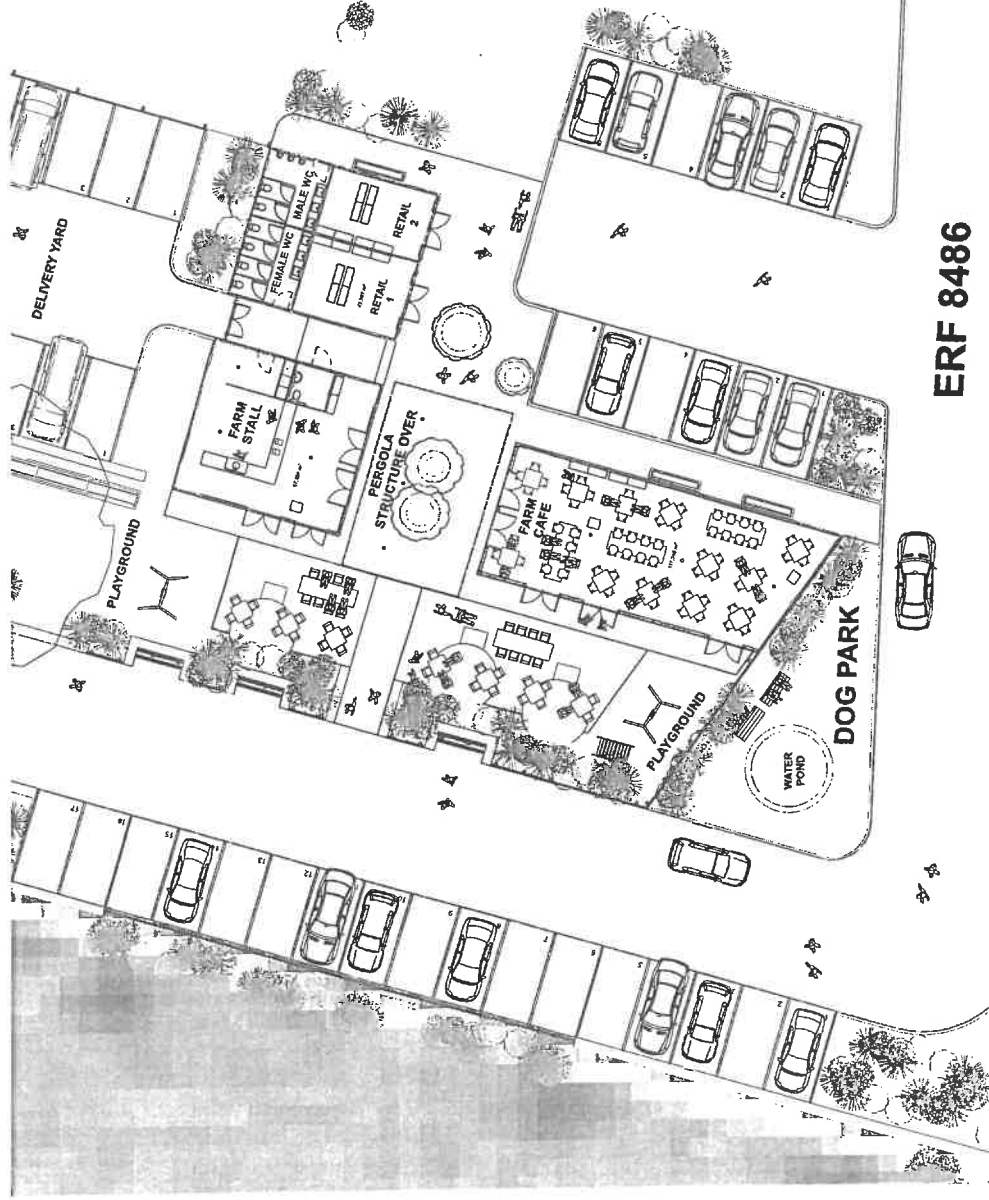
BONTTEBOK FARM STALL & CAFÉ
 BONTTEBOK NATIONAL PARK
3D BIRDS EYE VIEW





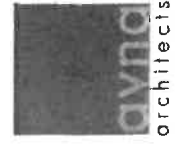
BONTEBOK FARM STALL & CAFÉ
 BONTEBOK NATIONAL PARK
3D VIEW - PERGOLA ENTRANCE & RETAIL



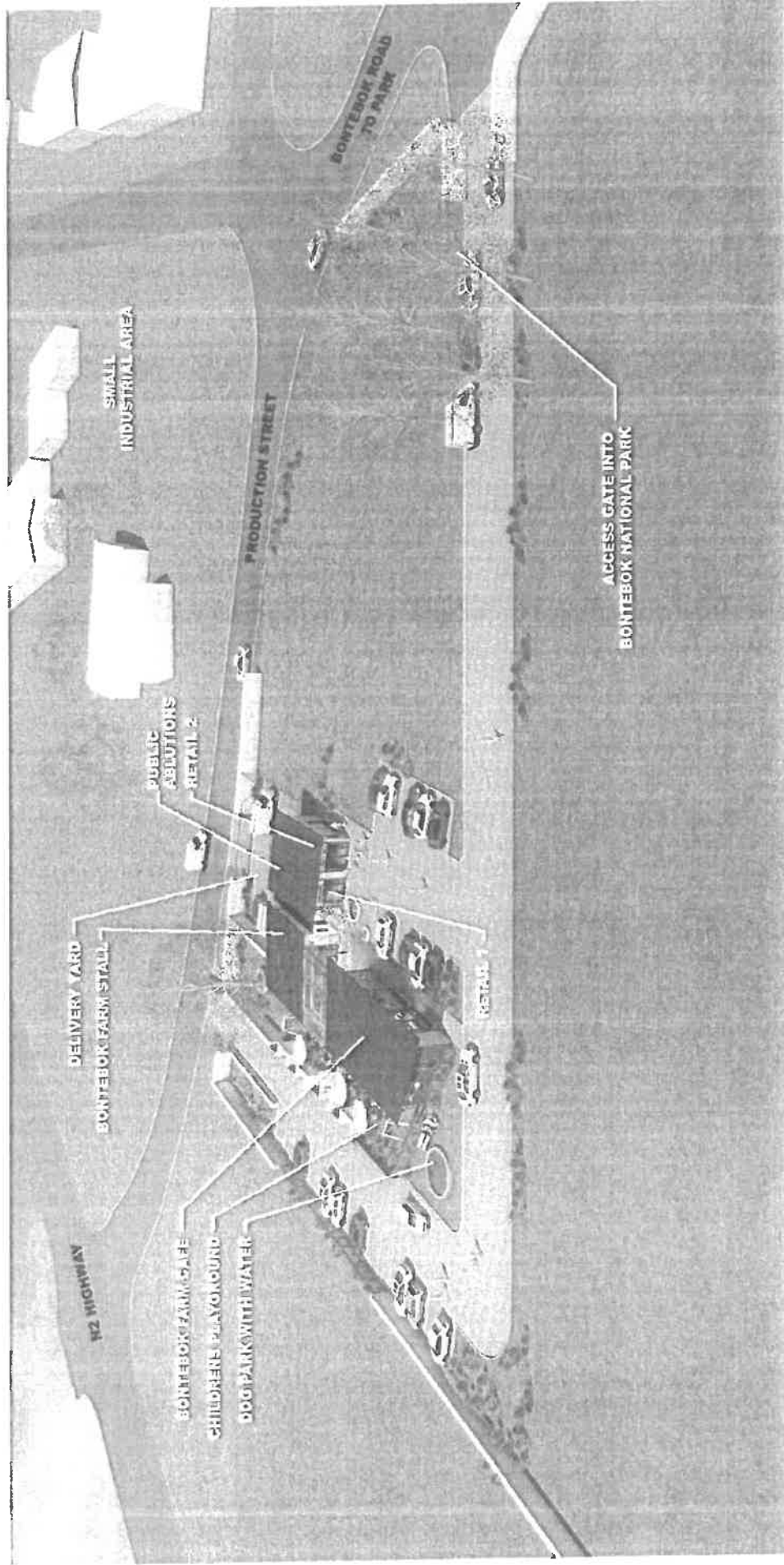


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BONTEBOK FARM STALL & CAFÉ
BONTEBOK NATIONAL PARK
GROUND LEVEL PLAN

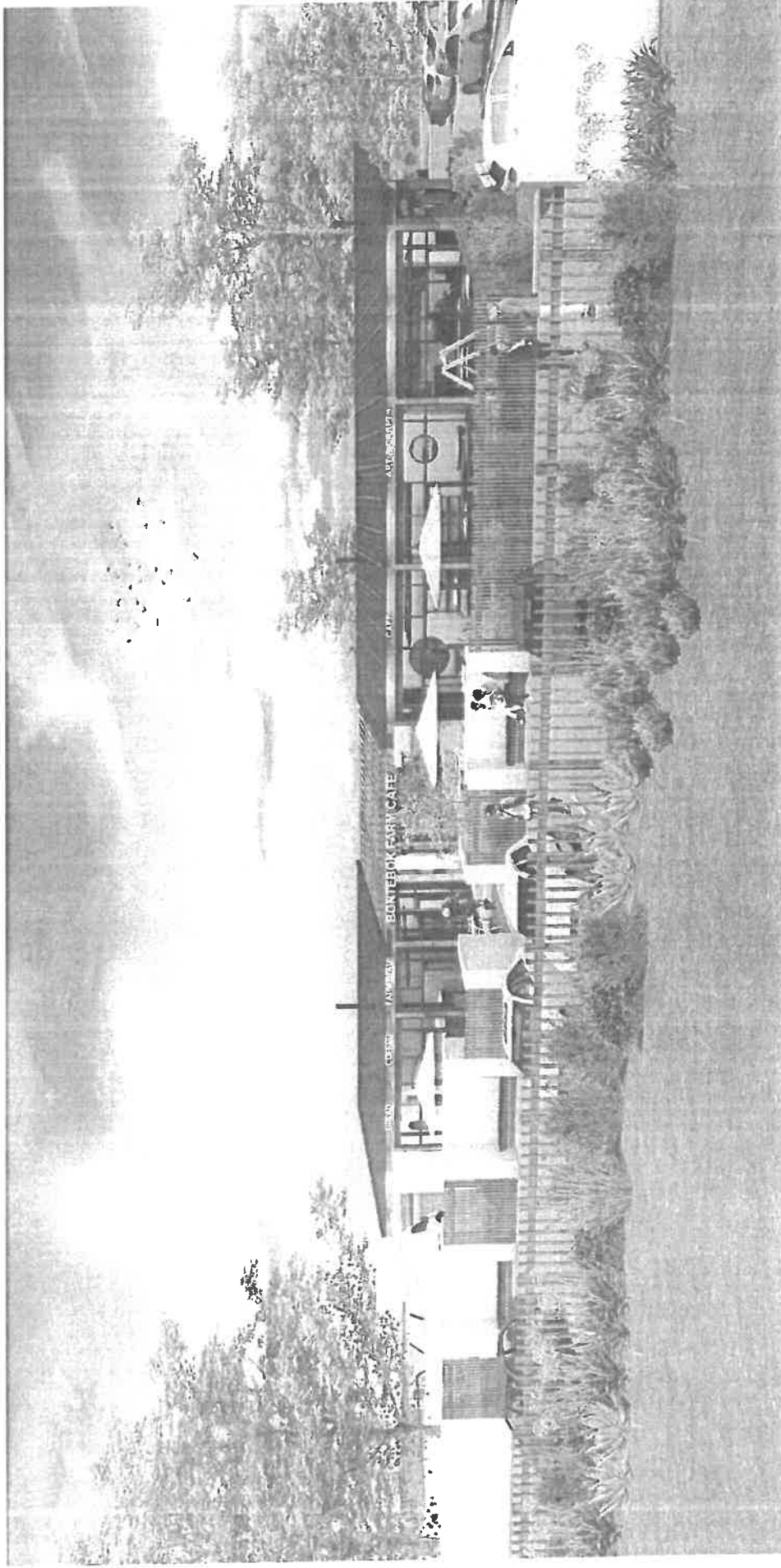


a.



BONTEBOK FARM STALL & CAFÉ
 BONTEBOK NATIONAL PARK
3D BIRDS EYE VIEW





BONTEBOK FARM STALL & CAFÉ
 BONTEBOK NATIONAL PARK
3D VIEW - FRONT ELEVATION FACING N2

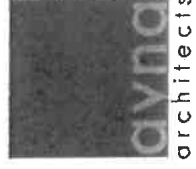




BONTEBOK FARM STALL & CAFÉ
BONTEBOK NATIONAL PARK
3D VIEW - DOG PARK



THANKYOU



SWELLENDAM MUNICIPALITY

DRAFT POLICY: PUBLIC ART

Purpose

To guide the application, installation and display of public art within in the jurisdiction of the Swellendam Municipality.

Definition

Public Art, by broad definition and for the purposes of this policy, is art erected, applied or installed for public consumption and enjoyment. Public Art is usually located in public spaces and / or on publicly owned land. Public art commonly takes the form of outdoor sculptures, installations, or murals.

1. For the purposes of application, management and control, public art is to be considered broadly in the same manner as graffiti, as it is similarly visible to the broader public.
2. Any individual, collective, corporation or institution which intends applying / erecting a mural or any one of (or a combination of) any inscription, word, figure, letter, sign, symbol, sketch, picture, drawing, mural, or design to any natural or man-made surface, a sculpture or a purpose-built installation, on any municipality owned property or structure, and / or which will be visible / accessible to a person from a public place, must apply in writing to the delegated authorised official for a permit to do so.
3. The application for a permit to be made on the requisite application form, and be accompanied by the written consent of all adjoining property owners and / or any other interested and affected parties.
4. The application for a permit must include full details as to the motivation (and where necessary, an explanation) for the inscription, word, figure, letter, sign, symbol, sketch, picture, drawing, mural, design, sculpture or installation as applicable, as well as the intended extent, height and width, and the materials and implements to be used. The application is also to include an accurate likeness, illustration or description of the intended work.
5. The application must include a Curriculum Vitae of the artist responsible for the work to be installed, who is preferably to be a registered member of the Visual Arts Network of South Africa, or similar.
6. The delegated authorised official must, on receipt of the application, consult with all affected Departments of the Municipality, before preparing an Item to Council for a decision.
7. Council may grant or refuse an application for a permit, and is to advise the applicant in writing within 30 days of the decision.
8. In the event of Council granting an application, a permit will be issued to the applicant, subject to such conditions as may be imposed.
9. Council may designate specific spaces to be utilised for said inscriptions, words, figures, letters, signs, symbols, sketches, pictures, drawings, murals, designs, sculptures or installations, which are to be identified after consultation with the relevant communities, ward committee and interested and affected parties. Said spaces may be altered / varied over time.
10. A person may apply to utilise a designated space, for a period of 3 months, which may be extended for a further, but final 3 months, thereafter.
11. In considering applications, Council is to be circumspect, whilst remaining mindful of citizens' freedom of speech. Council ought also to deliberate on whether the intended work does not offend, discriminate, or exhibit overtly political messaging. Works are similarly to be considered in terms of safety, integrity, visual impact and overall standard and quality. Essentially a work is to contribute positively to the public spaces, by way of its aesthetics and visual interest, but should also encourage contemplation and thought.
12. Council's decision on applications is final.



PUBLIC ART PERMIT: APPLICATION FORM

Address: 49 Voortrek Street, Swellendam | P.O Box 20, Swellendam 6740
Telephone: 028 514 8500
Email: info@swellendam.gov.za

1. PURPOSE OF PROPOSED ARTWORK

State whether the work to be undertaken is:

☐	Private	☐	Commercial	☐	For another purpose
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If other, please specify:

2. DETAILS OF PROPOSED ARTWORK (PLEASE ATTACH A DETAILED SKETCH)

Dimensions:

Material/s to be used (e.g. spray brush, board markers, cement, steel, paper, fabric etc.):

How long will the artwork be in place?

From:

To:

Location: (e.g. wall, sidewalk, public square etc.)

Details of the artwork (Bird, landscape, abstract, colour block etc.)

Is the work to be located on:	☐	Private Property	☐	Municipal Property
	☐	Provincial Government Property	☐	National Government Property

3. DETAILS OF ARTIST/S, COMPANY OR ORGANISATION COMMISSIONED TO PRODUCE ARTWORK

# 1:	Full Name and Surname:				
	Address:				
		Postal Code:			

	Email:		Mobile:	
# 2:	Full Name and Surname:			
	Address:			
			Postal Code:	
	Email:		Mobile:	
# 3:	Full Name and Surname:			
	Address:			
			Postal Code:	
	Email:		Mobile:	
# 4:	Full Name and Surname:			
	Address:			
			Postal Code:	
	Email:		Mobile:	

4. PROPERTY OWNER DETAILS

Full Name and Surname:			
Full Name and Surname:			
Address:			
Postal Code			
			Erf Number:
Telephone:		Mobile:	
Email:			

5. PROPERTY OWNER DECLARATION

I/ We, the owner/s of the abovementioned property have no objections to the artwork/s being installed at my /our property at the above address, and the applicant has made me/us aware of the Applicable and Law and Guidelines.

Signature:		Date:	
Signature:		Date:	

6. PROPERTY OWNER CONDITIONS

Do the property owner/s have any special conditions?

☐

Yes

☐

No

If yes, please elaborate:

7. NEIGHBOURING OWNER/S DETAILS AND DECLARATION

I/ We, the owner/s of the below-mentioned property/properties, have no objections to the artwork/s being installed at the abovementioned neighbouring address.

# 1:	Full Name and Surname:			
	Address:			
		Postal Code:		
	Signature:		Date:	
# 2:	Full Name and Surname:			
	Address:			
		Postal Code:		
	Signature:		Date:	
# 3:	Full Name and Surname:			
	Address:			
		Postal Code:		
	Signature:		Date:	
# 4:	Full Name and Surname:			
	Address:			

		Postal Code:	
	Signature:	Date:	
8. NEIGHBOURING OWNER/S CONDITIONS			
Do the neighbouring property owners have any special conditions?		☐	Yes ☐ No
If yes, please elaborate:			
9. APPLICANT DETAILS			
Full Name and Surname:			
Address:			
		Postal Code:	
Telephone:		Mobile:	
Email:			
10. APPLICANT DECLARATION			
I, the undersigned, hereby undertake that all the information supplied is correct and that I will comply with the Graffiti By-Law and guidelines.			
Date:		Place:	
Signature:			

Email your completed application form, together with all supporting documents to: info@swellendam.gov.za

PLEASE NOTE:

Approval for this permit will be considered only once all the affected internal departments have been consulted.

The Personal information requested here will only be used to keep track of the program participants and to regularly assess whether the programs is meeting its objectives. Further to this, the Personal Information collected will not be shared or used for any other purpose than set out above. The personal information will be destroyed or irreversibly anonymized when no longer needed or when no longer required to retain it. For further information, please refer to the Swellendam Privacy Policy.

CITY OF CAPE TOWN
GRAFFITI BY-LAW, 2010

APPROVED BY COUNCIL : 31 MARCH 2010

C 57/03/10

PROMULGATED 9 JULY 2010
PG 6767; LA 22044

Provincial Gazette

Provinsiale Koerant

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Friday, 9 July 2010

Vrydag, 9 Julie 2010

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**CITY OF CAPE TOWN
GRAFFITI BY-LAW, 2010**

To provide for prohibition of graffiti within the area of jurisdiction of the City of Cape Town; to regulate the display of mural art; to provide for removal of graffiti and restoration of surfaces affected by graffiti; and to provide for matters connected therewith.

Preamble

WHEREAS section 156 (2) of the Constitution of the Republic of South Africa, 1996 provides that a municipality may make and administer by-laws for the effective administration of the matters which it has the right to administer;

WHEREAS the City has, in terms of section 156(1) read with Part B of Schedule 5 of the Constitution, the right to administer the control of public nuisances, billboards and the display of advertisements in public places;

WHEREAS graffiti affects the quality of life of all residents and visitors, and constitutes a public nuisance which damages the image of the City known worldwide for its beauty and makes it a less desirable place to visit, live and work in;

AND WHEREAS the City wishes to provide for the removal of graffiti on both public property and private property, the restoration of such property and the protection of public and private property from acts of graffiti vandalism;

AND NOW THEREFORE, BE IT ENACTED by the Council of the City of Cape Town, as follows:—

Definitions

1. In this By-law, unless the context indicates otherwise—

“**apply**” means to paint, including to spray paint, draw, write, mark, engrave, etch, scratch, or otherwise affix to or express on any natural surface or man-made surface, utilising any graffiti implement whatsoever, and “**applying**”, “**applied**” and “**application**” have corresponding meanings;

“**authorised official**” means an employee of the City responsible for the enforcement or the implementation of this By-law or such service provider as has been authorized by the City;

“**City**” means the City of Cape Town established by Provincial Notice 479 of 2000 dated 22 September 2000 in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), and includes any committee or sub-council established by the City or any employee or duly authorised agent of the City, acting in connection with this By-law by virtue of a power vested in the City and delegated to such committee, sub-council, employee or agent;

“**compliance notice**” means a notice served in terms of section 4;

“**graffiti**” means any one of or a combination of any inscription, word, figure other than a figure indicating a street number, letter, sign, symbol, sketch, picture, drawing, mural or design that is applied to any natural surface or man-made surface on any property and which is visible to a person from a public place and which has not been authorised by the City;

“**graffiti implement**” includes an aerosol paint container, a broad tipped marker, gum label, etching equipment, brush or any other device capable of leaving a visible mark on or scarring any natural surface or man-made surface;

“**mural art**” means art in the form of a painting, applied directly to a wall, fence or structure;

“**natural surface**” means the surface of any rock, tree or other natural feature;

“**offensive content**” includes content of any art work which, whether in form, content or both, may reasonably be expected to—

- (a) cause offence or danger to any person or property, or to any member of the public in a manner which is contemplated in section 16(2)(a),(b) and (c) of the Constitution of the Republic of South Africa, 1996; or
- (b) be detrimental or otherwise have a negative impact on the environment;

“**organ of state**” means—

- (a) any department of state or administration in the national, provincial or local sphere of government; or
- (b) any other functionary or institution—
 - (i) exercising a power or performing a function in terms of the Constitution or a provincial constitution; or
 - (ii) exercising a public power or performing a public function in terms of any legislation, but does not include a court or a judicial officer;

“**owner**” means—

- (a) the owner of any property or any person in whose name the land on which a building was or is erected and is registered in the deeds office;
- (b) any person who, as agent or otherwise, undertakes the management, maintenance or collection of rentals or other monies in respect of the property; and
- (c) any person who is entitled to the benefit of the use of such building or land, or who enjoys such benefit;

“**person**” includes any organ of state, natural or juristic person including companies incorporated or registered as such under any law and any body of persons, whether incorporated or not, functioning as a single entity for whatever purpose;

“**public place**” means—

- (a) any public land, square, public swimming bath, public resort, public recreation site, zoological, botanical or other public garden, park or hiking trail, including any portion thereof and any facility or apparatus therein or thereon, as well as any public open space, public road, road reserve, reserve street, lake, dam, or river;
- (b) any public building, structure, hall, room or office including any part thereof and any facility or apparatus therein, which is the property

of, or possessed, controlled or leased by the City and to which the general public has access, whether on payment of admission fees or not;

- (c) any nature conservation area including —
 - (i) nature reserves;
 - (ii) protected natural areas;
 - (iii) nature conservation worthy areas; or
 - (iv) natural open spaces;

“**public property**” means immovable property owned by an organ of state;

“**private property**” means immovable property owned by a private person;

“**remove**” means restore the surface with full functionality of purpose to the same or to a better condition than prior to the application of graffiti to the satisfaction of the City, and “**removal**”, “**removing**” and “**removed**” have corresponding meanings; and

“**self-permit mechanism**” refers to the mechanism referred to in section 10 for an application and approval to effect a self-permit.

Declaration of nuisance

(2) The City declares the existence of graffiti anywhere within its area of jurisdiction to be a public nuisance, which is subject to removal in terms of this By-law.

Prohibition

3. (1) No person shall within the area of jurisdiction of the City, without a permit issued by the City, apply graffiti or cause graffiti to be applied to any—

- (a) property;
- (b) natural surface; or
- (c) wall, fence, structure or thing in any street or other public place.

(2) Any person who aids or assists the person referred to in subsection (1) in the application of graffiti as contemplated therein, in contravention of this By-law, shall be guilty of an offence.

Compliance notice

4. (1) The authorised official may, where a person has contravened section 3, serve a notice on such person ordering him or her to remove the graffiti by a date specified in the notice which shall not be more than 30 days from the date of issuing the notice, and such notice must—

- (a) specify the address or location of the property, natural surface or any other structure or thing to which the graffiti has been applied;
- (b) describe in general terms the graffiti which has been applied; and
- (c) state that if the graffiti in question is not removed in accordance with the notice, the City or an outside agent appointed by the City may effect such removal at the cost of the person to whom the notice is addressed.

(2) The authorised official may, where he or she is unable to determine the identity of the person referred to in subsection (1), serve a notice on the owner requiring him or her to remove the graffiti as contemplated in subsection (1).

(3) Any costs incurred by the City in terms of subsection (1) (c), as certified by the Director: Expenditure in the Directorate of Finance in the City, shall constitute a liquid claim in favour of the City and recoverable in terms of the Credit Control and Debt Collection Policy of the City and the Credit Control and Debt Collection By-law of the City.

(4) Where the recovery of the costs referred to in subsection (3) will—

- (a) impose on an owner of property a financial burden beyond the ability or financial capacity of such owner; or
- (b) affect the same property repeatedly, the authorised official, subject to any law or any policy of the City, may waive the whole or a part of the costs incurred.

Service of notices

5. (1) Where a compliance notice is served on any person in terms of section 4, it is deemed to have been properly served on such person when it has been served—

- (a) personally to him or her or in the case of a juristic person to a person apparently employed at its registered office;
- (b) at his or her place of residence or business to a person apparently over the age of 16 years;
- (c) by registered or certified mail to such person's last known residential or business address as appears in the records of the City or records at the Deeds Office, or in the case of a juristic person, to its registered office and an acknowledgment of posting is produced;
- (d) on the agent or representative of such person in the Republic in one of the aforesaid manners, if an address in the Republic is unknown;
- (e) by posting it in a conspicuous place on the property to which it relates, for a period of 14 calendar days, if the address and agent are unknown.

(2) The failure to make proper service on any person as required in terms of this By-law shall not invalidate any proceedings held in respect of contraventions of this By-law.

Duty of owner

6. (1) Every owner and every occupant of property must, at all times maintain free of graffiti any wall, fence, building, structure or thing located on such property.
- (2) Every owner of property must remove from that property any unsightly graffiti within 10 days of the owner becoming aware of the graffiti on his or her property.

Right of entry

7. (1) An authorised official may, where—
- (a) property is not maintained in accordance with section 6; and
 - (b) a compliance notice was served to a person in terms of sections 4 and 5 but such person has failed to comply therewith, enter the property and remove the graffiti, provided that he or she first gives at least 15 days' notice to the owner by way of registered mail to the last known address of such owner, or by posting a notice on the property.
- (2) The 15 days' notice served on the owner in terms of subsection (1) must include—
- (a) the address of the property to which the authorised official intends to enter;
 - (b) the date and time on which the authorised official intends to enter the premises, provided that such entry may be gained only between 08h00 and 18h00 from Monday to Friday; and
 - (c) the reason for the entry and the specific provision of this By-law which has been contravened by the owner.

Costs

8. (1) The City shall keep an account of the costs referred to in section 4, including all direct and indirect expenses incurred in removing graffiti and shall render a statement of such costs to the person responsible for the removal thereof, once the graffiti has been removed.
- (2) If the costs and expenses, or any portion thereof, incurred by the City in the removal of the graffiti remains unpaid after 30 days calculated from the date of rendering of the statement in terms of subsection (1), such costs and expenses or portion shall constitute a municipal service fee as contemplated in section 118(1)(b) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

Permits for art work and decorations

9. (1) Any person who intends applying a mural or any one of or a combination of any inscription, word, figure, letter, sign, symbol, sketch, picture, drawing or design to any natural surface or man-made surface on any property, which will be visible to a person from a public place, must apply in writing to the authorised official for a permit to do so.
- (2) The application for a permit referred to in subsection (1) must be accompanied by proof of the consent of the owner of the property, surrounding property owners and any other interested and affected parties.
- (3) In the application, full details must be provided as to the motivation for applying the inscription, word, figure, letter, sign, symbol, sketch, picture, drawing, mural or design, the intended size thereof and the materials and implements to be used, and an accurate likeness, illustration or depiction of the intended work.
- (4) The authorised official must, on receipt of the application referred to in subsection (2), consult with any affected department of the City or person.
- (5) The City may refuse or grant an application for a permit, and must within 30 days of its decision advise the applicant in writing.
- (6) In the event of the City granting such application, a permit will be issued in writing to the applicant, subject to such conditions as may be imposed by the City.
- (7) The City may designate certain spaces to be utilized for murals or any inscription, word, figure, letter, sign, symbol, sketch, picture, drawing or design, and these spaces will be identified after consultation with the relevant communities, ward forums and subcouncils.
- (8) A person may apply to utilize a designated space referred to in subsection (7) in writing to the authorised official, and—
- (a) may be authorised to utilize a designated space for mural art or decorations;
 - (b) must remove the art or decorations after the expiry of a three month period; and
 - (c) may apply for a three month extension of the authorisation.

Artist database and self-permitting mechanism

10. (1)(a) The authorised official must keep, maintain and update a register of mural artists and other artists within the area of jurisdiction of the City who have been granted approval in terms of paragraph (b).
- (b) A mural artist may be recorded in the register in terms of paragraph (a) upon the submission of an application in a manner or form determined by the authorised official, subject to the artist meeting the following conditions:
- (i) the artist has obtained approval for at least five consecutive applications submitted by him or her in terms of section 9;
 - (ii) the artist is a registered member of the Visual Arts Network of South Africa (VANSA); and
 - (iii) the artist has no previous conviction for malicious damage to property or any offence relating to graffiti.
- (2) Mural artists registered as contemplated in subsection (1) may, subject to subsection (3), self-permit their future works of art.
- (3) A mural artist registered in terms of subsection (1) must, for every mural work of art and prior to the creation of such works of art, submit a self-permitting notice to the authorised official—

- (a) in a manner or form determined by him or her;
- (b) containing proof of the consent of the owner of the property and adjacent property owners; and
- (b) accompanied by a sketch or other image of the intended work of art,

in order to effect a self-permit.

Penalties

11. (1) Any person who fails to comply with any provision of this By-Law shall be guilty of an offence.

(2) Any person convicted of an offence in terms of this By-law shall—

- (a) upon conviction for a first offence be liable to a fine of R15 000 or 3 months imprisonment;
- (b) upon conviction for a second offence or subsequent offences, be liable to a fine of R30 000 or 6 months imprisonment, or to both such fine and such imprisonment.

(3) In addition to a penalty contemplated in subsection (1), the convicted person may be liable—

- (a) to pay an amount equal to the cost or estimated cost of removal of the graffiti from the affected property, and where the cost of removal of the graffiti from the affected property has been borne by the City or by the owner of the property, to pay the amount so ordered to the City or to the owner, as the case may be;
- (b) to a further penalty deemed appropriate by the court in default of payment of the ordered amount to the City or to the owner of the property, as the case may be.

(4) In the case of a continuing offence, the person convicted shall be liable to any additional penalty the court may deem appropriate.

(5) A court convicting a person of an offence under this By-law may impose alternative sentencing as an appropriate penalty.

Short title

12. This By-Law is called the City of Cape Town: Graffiti By-Law, 2010.

9 July 2010

22044

STAD KAAPSTAD

VERORDENING OP GRAFFITI, 2010

Om vir die verbod op graffiti binne die regsgebied van die Stad Kaapstad voorsiening te maak; om die vertoon van muurkuns te reguleer; om vir die verwydering van graffiti en die herstel van oppervlakke wat deur graffiti geraak word, voorsiening te maak; en om vir aange-leenthede wat daarmee verband hou, voorsiening te maak.

AANHEF

NADEMAAL artikel 156(2) van die Grondwet van die Republiek van Suid-Afrika, 1996, bepaal dat 'n munisipaliteit verordeninge kan uitvaardig en toepas vir die doeltreffende administrasie van die aangeleenthede waarop hy die reg op administrasie het;

NADEMAAL die Stad ingevolge artikel 156(1), gelees met deel B van bylae 5 van die Grondwet, die reg het om die beheer van openbare oorlaste en reklameborde en die vertoon van advertensies op openbare plekke te administreer;

NADEMAAL graffiti die lewensgehalte van alle inwoners en besoekers raak, en 'n openbare oorlaste uitmaak wat aan die beeld van die Stad, wêreldwyd om sy prag bekend, afbreuk doen en dit 'n minder gewenste plek maak om te besoek en in te leef en te werk;

EN NADEMAAL die Stad vir die verwydering van graffiti op openbare sowel as privaat eiendom, die herstel van sodanige eiendom, en die beskerming van openbare en privaat eiendom teen dade van graffitivandalisme voorsiening wil maak;

WORD DAAR DUS NOU soos volg deur die raad van die Stad Kaapstad **VERORDEN:**

Definisies

1. In dié Verordening, tensy die konteks die teendeel bewys, beteken -

“aanbring” verf, met inbegrip van spuitverf, teken, skryf, merk, graveer, ets, krap of andersins aanbring of uitdruk, op enige natuurlike of mensgemaakte oppervlak deur die gebruik van welke graffitigereedskap ook al, en het **“aangebring”** dieselfde betekenis;

“aanstootlike inhoud” ook die inhoud van enige kunswerk wat, hetsy in vorm of albei, billikerwys verwag kan word om

- (a) aanstoot te gee aan of gevaar in te hou vir enige persoon of eiendom, enige lid van die publiek op 'n wyse wat bedoel word in artikel 16(2)(a), (b) en (c) van die Grondwet van die Republiek van Suid-Afrika, 1996; of
- (b) vir die omgewing nadelig te wees of andersins 'n nadelige uitwerking daarop te hê;

“eienaar”—

- (a) die eienaar van enige eiendom of enige persoon op wie se naam die grond waarop 'n gebou opgerig is of word, by die Aktekantoor geregistreer is;
- (b) enige persoon wat as agent, of andersins, die bestuur, instandhouding of invordering van huurgeld of ander gelde ten opsigte van die eiendom behartig; en
- (c) enige persoon wat daarop geregtig is om voordeel uit die gebruik van sodanige grond of gebou te trek, of wat sodanige voordeel geniet;

“**gemagtigde amptenaar**” ’n werknemer van die Stad, of sodanige diensverskaffer wat deur die Stad gemagtig is, wat vir die toepassing en implementering van dié Verordening verantwoordelik is;

“**graffiti**” enige enkele of kombinasie van enige inskripsie, woord, syfer (anders as ’n syfer wat ’n straatnommer aantoon), letter, teken, simbool, skets, prent, tekening, muurskildering of ontwerp wat op enige natuurlike of mensgemaakte oppervlak op enige gebou aangebring word en wat ’n persoon van ’n openbare plek af kan sien, en wat nie deur die Stad gemagtig is nie;

“**graffitigereedskap**” ’n spuitverfhouer, ’n breëpuntmerker, plaketiket, etstoerusting, kwas of enige toestel wat ’n sigbare merk op ’n natuurlike of mensgemaakte oppervlak kan laat of dit kan skend;

“**muurkuns**” kuns in die vorm van ’n skildery wat regstreeks op ’n muur aangebring is;

“**natuurlike oppervlak**” die oppervlak van enige rots, boom of ander natuurlike verskynsel;

“**openbare eiendom**” vaste eiendom wat deur ’n staatsinstelling besit word;

“**openbare plek**”—

- (a) enige openbare grond, plein, swembad, openbare oord, openbare ontspanningsterrein, diere-, botaniese of ander openbare tuin, park of voetslaanpad, met inbegrip van enige gedeelte daarvan en enige fasiliteit of apparaat daarin of daarop, sowel as enige openbare oop ruimte, openbare pad, padreserwe, reserwestraat, meer, dam of rivier;
- (b) enige openbare gebou, struktuur, saal, vertrek of kantoor, met inbegrip van enige gedeelte daarvan en enige fasiliteit of apparaat daarin, wat Stads-eiendom is of deur die Stad besit of beheer of verhuur word en waartoe die gewone publiek toegang het, hetsy toegangsgeld betaal word, al dan nie;
- (c) enige natuurbewarea, met inbegrip van
 - (i) natuurreservate;
 - (ii) beskermde natuurgebiede;
 - (iii) gebiede wat natuurbewaringswaardig is; of
 - (iv) natuurlike oop ruimtes;

“**persoon**” ook enige staatsinstelling, regs- of natuurlike persoon, met inbegrip van maatskappye wat ingevolge enige wet as sodanig geïnkorporeer of geregistreer is, en enige groep persone, hetsy geïnkorporeer al dan nie, wat om welke rede ook al as enkele entiteit funksioneer;

“**privaat eiendom**” vaste eiendom wat deur ’n privaat persoon besit word;

“**selfpermitmeganisme**” die meganisme waarin daar in artikel 10 verwys word vir ’n aansoek en goedkeuring ten einde ’n selfpermit te bewerkstellig;

“**staatsinstelling**”—

- (a) enige staatsdepartement of -administrasie in die nasionale, provinsiale of plaaslike regeringsfeer; of
- (b) enige ander ampsbekleder of instelling—
 - (i) wat ’n bevoegdheid uitoefen of ’n funksie verrig ingevolge die Grondwet of ’n provinsiale grondwet; of
 - (ii) wat ’n openbare bevoegdheid uitoefen of ’n openbare funksie verrig ingevolge enige wetgewing, maar met uitsluiting van ’n hof of ’n regterlike beampte;

“**Stad**” die Stad Kaapstad wat ingevolge Provinsiale Kennisgewing 479 van 22 September 2000 tot stand gebring is ingevolge artikel 12 van die Wet op Plaaslike Regering: Munisipale Strukture, Wet 117 van 1998, met inbegrip van enige komitee of subkomitee of subraad wat deur die Stad gestig is, of enige werknemer of behoorlik gemagtigde agent van die Stad wat in verband met dié Verordening optree uit hoofde van ’n bevoegdheid wat in die Stad setel en aan sodanige werknemers of agent gedelegeer is;

“**verwyder**” die herstel van die oppervlak tot volle bedoelde funksie tot dieselfde of beter toestand as voor die aanbring van graffiti, tot bevrediging van die Stad, en het “**verwyder**”, “**verwydering**” en “**is verwyder**” ooreenstemmende betekenisse;

“**voldoeningskennisgewing**” ’n kennisgewing wat ingevolge artikel 4 uitgereik is.

Verklaring van oorlas

2. Die Stad verklaar die bestaan van graffiti op enige plek binne sy regsgebied as openbare oorlas, wat ingevolge dié Verordening aan verwydering onderhewig is.

Verbod

3. (1) Geen persoon mag sonder ’n permit wat deur die Stad uitgereik is, binne die regsgebied van die Stad graffiti aanbring of laat aanbring op enige—

- (a) eiendom;
- (b) natuurlike oppervlak; of
- (c) muur, heining, struktuur of voorwerp in enige straat of ander openbare plek nie.

(2) Enige persoon wat die persoon waarna in subartikel (1) verwys word, help of bystaan om graffiti soos hierin bedoel, in stryd met dié Verordening aan te bring, is aan ’n misdryf skuldig.

Voldoeningskennisgewing

4. (1) Die gemagtigde amptenaar mag, waar ’n persoon artikel 3 oortree het, ’n kennisgewing aan sodanige persoon beteken wat hom/haar beveel om die graffiti te verwyder teen ’n datum wat in die kennisgewing gespesifiseer word, welke datum nie later as 30 dae na die uitreikingsdatum van die kennisgewing is nie, en sodanige kennisgewing moet—

- (a) die adres of ligging van die eiendom, die natuurlike oppervlak of enige struktuur of voorwerp spesifiseer waarop die graffiti aangebring is;
 - (b) die graffiti wat aangebring is, in algemene terme beskryf; en
 - (c) meld dat as die betrokke graffiti nie in ooreenstemming met die kennisgewing verwyder word nie, die Stad, of 'n buite-agent wat deur die Stad aangestel is, sodanige verwydering kan doen op koste van die persoon aan wie die kennisgewing geadresseer is.
- (2) Die gemagtigde amptenaar mag, waar hy of sy nie die identiteit kan bepaal van die persoon waarna daar in subartikel (1) verwys word nie, 'n kennisgewing aan die eienaar beteken wat vereis dat hy/sy die graffiti bedoel in subartikel (1) verwyder.
- (3) Enige koste wat die Stad ingevolge subartikel (1)(c) aangaan, soos gesertifiseer deur die direkteur: besteding in die Stad se finansiesdirekoraat, maak 'n likiede eis ten gunste van die Stad uit, en sal verhaalbaar wees ingevolge die Stad se beleid oor kredietbeheer en skuldinvordering en die Stad se Verordening op Kredietbeheer en Skuldinvordering.
- (4) Waar die verhalings van die koste waarna in subartikel (3) verwys word—
- (a) 'n finansiële las op die eienaar van 'n eiendom sal op lê wat die vermoë of finansiële kapasiteit van sodanige eienaar te bowe gaan; of
 - (b) dieselfde eiendom herhaaldelik raak;
- kan die gemagtigde amptenaar, onderhewig aan enige wet of enige beleid van die Stad, al die koste wat aangegaan is, of 'n deel daarvan kwytsteld.

Betekening van kennisgewings

5. (1) Waar 'n voldoeningskennisgewing aan enige persoon ingevolge artikel 4 beteken word, word dit geag behoorlik aan sodanige persoon beteken te wees, as dit

- (a) persoonlik aan hom of haar, of in die geval van 'n regspersoon, aan 'n persoon wat klaarblyklik by sy geregistreerde kantoor in diens is, beteken is;
- (b) by sy of haar woonplek of sakeonderneming beteken is aan 'n persoon wat klaarblyklik ouer as 16 jaar is;
- (c) per geregistreerde of gesertifiseerde pos na sodanige persoon se laaste bekende woon- of sakeadres ge-pos is, soos dit in die Stad se rekords of dié van die Aktekantoor verskyn, of in die geval van 'n regspersoon, na sy geregistreerde kantoor gestuur is, en bewys gelewer word dat dit ge-pos is;
- (d) op een van bogenoemde wyses aan die agent of verteenwoordiger van sodanige persoon in die Republiek beteken is, as 'n adres in die Republiek onbekend is;
- (e) as dit op 'n duidelik sigbare plek aangebring is op die eiendom waarop dit van toepassing is, vir 'n tydperk van 14 kalenderdae, as die adres en die agent onbekend is.

(2) Die versuim om 'n kennisgewing behoorlik aan enige persoon te beteken, soos daar ingevolge dié Verordening vereis word, sal geen regstappe wat ten opsigte van dié Verordening ingestel word, ongeldig maak nie.

Plig van eienaar

6. (1) Elke eienaar en elke bewoner van eiendom moet te alle tye enige muur, heining, gebou, struktuur of voorwerp wat op sodanige eiendom geleë is, vry van graffiti hou.

(2) Elke eienaar van eiendom moet enige onoorgelate aanwas van graffiti van sodanige eiendom verwyder binne 10 dae nadat die eienaar van die graffiti op sy of haar eiendom bewus geword het.

Reg van toegang

7. (1) 'n Gemagtigde amptenaar kan,

- (a) waar 'n eiendom nie in ooreenstemming met artikel 6 in stand gehou word nie; en
 - (b) waar 'n voldoeningskennisgewing ingevolge artikels 4 en 5 aan 'n persoon beteken is, en die persoon versuim het om daaraan te voldoen;
- die eiendom betree en die graffiti verwyder, met dien verstande dat hy of sy die eienaar eers minstens 15 dae vooraf per geregistreerde pos na sodanige eienaar se laaste bekende adres kennis gee, of deur 'n kennisgewing op die eiendom aan te bring.

(2) Die kennisgewing van 15 dae wat ingevolge subartikel (1) aan die eienaar beteken word, moet die volgende insluit:

- (a) Die adres van die eiendom wat die gemagtigde amptenaar beoog om te betree.
- (b) Die datum en tyd waarop die gemagtigde amptenaar beoog om die perseel te betree, met dien verstande dat sodanige toegang slegs tussen 08:00 en 18:00 van Maandag tot Vrydag verkry kan word.
- (c) Die rede vir die betreding en die spesifieke bepaling van dié Verordening wat deur die eienaar oortree is.

Koste

8. (1) Die Stad hou boek van al die koste waarna daar in artikel 4 verwys word, met inbegrip van alle regstreekse en onregstreekse uitgawes wat aangegaan is om graffiti te verwyder, en lewer 'n rekening van sodanige koste aan die persoon wat vir die verwydering van graffiti verantwoordelik is, sodra dit verwyder is.

(2) As die koste en uitgawes, of enige gedeelte daarvan, wat die Stad by die verwydering van die graffiti aangegaan het, na 30 dae, bereken van die datum waarop die rekening ingevolge subartikel (1) gelewer is, steeds onvereffen bly, maak sodanige koste en uitgawes 'n munisipaliedienstheffing uit soos bedoel in artikel 118(1)(b) van die Wet op Plaaslike Regering: Munisipale Stelsels, Wet 32 van 2000.

Permitte vir muurkuns en -versierings

9. (1) Enige persoon wat beoog om enige enkele of kombinasie van enige inskripsie, woord, syfer, letter, teken, simbool, skets, prent, tekening of ontwerp op enige natuurlike of mensgemaakte oppervlak op enige eiendom aan te bring, wat 'n persoon van 'n openbare plek af kan sien, moet skriftelik by die gemagtigde amptenaar om 'n permit aansoek doen om dit te doen.
- (2) Die aansoek om 'n permit waarna in subartikel (1) verwys word, moet van bewys van toestemming deur die eienaar van die eiendom, belanghebbendes en partye wat geraak word, en omliggende eiendomseienaars vergesel word.
- (3) In die aansoek moet volledige besonderhede rakende die motivering vir die aanbring van die inskripsie, woord, syfer, letter, teken, simbool, skets, prent, tekening en muurskildering verstrek word, asook besonderhede van die beoogde grootte daarvan, die materiaal en gereedskap wat gebruik gaan word, en 'n akkurate beeltenis, illustrasie of beskrywing van die beoogde werk.
- (4) Die gemagtigde amptenaar moet by ontvangs van die sodanige aansoek waarna in subartikel (2) verwys word, met enige Stadsdepartement of persoon wat geraak word, oorleg pleeg.
- (5) Die stad kan 'n aansoek om 'n permit van die hand wys of goedkeur en moet die aansoeker binne 30 dae skriftelik van sy besluit verwittig.
- (6) Ingeval die Stad sodanige aansoek toestaan, sal 'n skriftelike permit aan die aansoeker uitgereik word, onderhewig aan sodanige voorwaardes na gelang die Stad kan ople.
- (7) Die Stad kan bepaalde ruimtes aanwys wat vir sodanige muurkuns of enige inskripsie, letter, teken, simbool, skets, prent, tekening of ontwerp gebruik mag word, en dié ruimtes sal in oorleg met die betrokke gemeenskappe, wyksforums en subrade geïdentifiseer word.
- (8) 'n Persoon kan skriftelik by die gemagtigde amptenaar aansoek doen om 'n aangewese ruimte waarna daar in subartikel (7) verwys word, te gebruik, en
- (a) kan gemagtig word om 'n aangewese ruimte vir muurkuns of -versierings te gebruik;
 - (b) moet die kuns of versierings na verstryking van die driemaandetydperk verwyder;
 - (c) kan om 'n driemaandeverlenging van die magtiging aansoek doen.

Kunstenaarsdatabasis en selfpermitmeganisme

10. (1) (a) Die gemagtigde amptenaar moet 'n register hou, in stand hou en bywerk van muur- en ander kunstenaars binne die Stad se regsgebied aan wie goedkeuring ingevolge paragraaf (b) verleen is.
- (b) 'n Muurkunstenaar kan ingevolge paragraaf (a) in die register opgeteken word na voorlegging van 'n aansoek op 'n wyse of vorm wat deur die gemagtigde amptenaar bepaal word, onderhewig daaraan dat die kunstenaar aan die volgende voorwaardes voldoen:
- (i) Die kunstenaar het vir minstens vyf agtereenvolgende aansoeke wat hy/sy ingevolge artikel 9 voorgelê het, goedkeuring verkry.
 - (ii) Die kunstenaar is 'n geregistreerde lid van die Visuele-kunsnetwerk van Suid-Afrika (VANSa).
 - (iii) Die kunstenaar het geen vorige veroordeling vir kwaadwillige beskadiging van eiendom of enige ander oortreding wat met graffiti verband hou nie.
- (2) Muurkunstenaars wat geregistreer is soos bedoel in subartikel (1) mag, onderhewig aan subartikel (3), self 'n permit vir hulle toekomstige kunswerke bewerkstellig.
- (3) 'n Muurkunstenaar wat ingevolge subartikel (1) geregistreer is, moet vir elke muurkunswerk en voor die skepping van sodanige kunswerke 'n selfpermitkennisgewing aan die gemagtigde amptenaar voorlê,
- (a) op 'n wyse of vorm wat deur hom of haar bepaal is;
 - (b) wat bewys van die toestemming van die eienaar van die eiendom en aanliggende eiendomseienaars bevat; en
 - (c) wat vergesel word deur 'n skets of ander beeltenis van die beoogde kunswerk,
- ten einde 'n selfpermit te bewerkstellig.

Boetes

11. (1) Enige persoon wat versuim om aan enige bepaling van dié Verordening te voldoen, sal aan 'n misdryf skuldig wees.
- (2) Enige persoon wat ingevolge dié Verordening aan 'n misdryf skuldig bevind word,
- (a) is by skuldigbevinding aan 'n eerste misdryf aan 'n boete van R15 000 of tronkstraf van 3 maande blootgestel;
 - (b) is by skuldigbevinding aan 'n tweede misdryf of daaropvolgende misdrywe aan 'n boete van R30 000 of tronkstraf van 6 maande blootgestel, of aan sodanige boete sowel as sodanige tronkstraf.
- (3) Benewens 'n boete bedoel in subartikel (1), is die veroordeelde blootgestel—
- (a) daaraan om 'n bedrag gelykstaande met die koste of geraamde koste van die verwydering van die graffiti van die betrokke eiendom te betaal, en waar die koste van die verwydering van die graffiti van die betrokke eiendom deur die Stad of die eienaar van die eiendomsgedra is, om die bedrag wat dienooreenkomstig gelas word, aan die Stad of die eienaar te betaal, na gelang van die geval;
 - (b) aan 'n verdere boete wat die hof toepaslik ag by versuim van betaling van die voorgeskrewe bedrag aan die Stad of die eienaar van die eiendom, na gelang van die geval.
- (4) In die geval van 'n voortgesette misdryf, word die veroordeelde aan enige bykomende boete blootgestel wat die hof toepaslik mag ag.
- (5) 'n Hof wat 'n persoon aan 'n misdryf ingevolge dié Verordening skuldig bevind, kan 'n alternatiewe vonnis as toepaslike straf ople.

Kort titel

12. Dié Verordening staan as die Stad Kaapstad: Verordening op Graffiti, 2010, bekend.

ISIXEKO SASEKAPA

UMTHETHO KAMASIPALA OYILWAYO WEGRAFITI

Ukubonelela ngothintelo lwegrafiti kwingingqi ephantsi kolawulo lweSixeko saseKapa; ukubonelela ngokususwa kwegrafiti nokuvuselela kweendonga ezichatshazelwa yigrafiti; nokubonelela kwimiba enxulumene noko.

INTSHAYELELO

NJENGOKUBA icandelo le-156 (2) lo Mgaqo-siseko weRiphabliki yoMzantsi Afrika, we-1996 ubonelela ngento yokuba umasipala unakho ukwenza nokulawula imithetho kamasipala ukulungiselela ulawulo olusebenzayo lwemiba athe wanelungelo lokuyilawula;

NJENGOKUBA iSixeko, ngokwemiqathango yecandelo 156(1) elifundwa kunye neSahlulo B seShedyuli yesi-5 yoMgaqo-siseko, sinelungelo lokulawula nokuphatha iinkathazo zikawonke-wonke, iibhodi zopapasho nokubonisa izaziso kwiindawo zoluntu.

NJENGOKUBA igrafiti inempembelelo kukulunga kwendlela yokuphila yabo bonke abahlali nabatyeleli, yaye iba yenye eyinkathazo kuluntu ethi yonakalise imbonakalo yeSixeko eyaziwa kwilizwe lonke ngobuhle bayo iyenze ibe yindawo enganqweneleki kakhulu ukuba ityelelwe, kuhlalwe yaye kusetyenzwe kuyo;

YAYE NJENGOKUBA iSixeko sifuna ukubonelela ngokususwa kwegrafiti kwizakhiwo zikarhulumente nezakhiwo zangasese, ukuvuselela ngokutsha kwezakhiwo ezinjalo nokukhuselwa kwezakhiwo zikarhulumente nezangasese kwizenzo zolonakaliso ngenkohlakalo yegrafiti;

YAYE NJENGOKO KUNJALO NGOKU, KUMISELWA liBhunga leSixeko saseKapa njengoku kulandelayo:—

IINKCAZELO

1. Kulo Mthetho kaMasipala, ngaphandle kokuba ubume bubonisa enye into, la magama namabinzana alandelayo aya kuba nezi ntsingiselo zabelwe wona, yaye—

“ukuqaba” kuthetha ukupeyinta, kubandakanywa ukutshiza ngepeyinti, ukuzoba, ukubhala, ukuphawula, ukukrola, ukukrwela, okanye ukuncanyatheliswa okanye ukuboniswa nakuwuphi na umphandle wendalo okanye wesakhiwo, kusetyenziswa naluphi na umiliseko lwegrafiti nangayiphi na indlela yaye **“ukuqaba”**, **“iqatywe”** kunye **“ukuqatywa”** kuneentsingiselo ezihambelanayo;

“igosa eligunyazisiweyo” lithetha umqeshwa weSixeko onoxanduva lokunyanzelisa okanye ukumiliseka lo Mthetho kaMasipala okanye umniki-nkonzo lowo ugunyazisiweyo siSixeko;

“iSixeko” sithetha iSixeko saseKapa esisekwe ngeSaziso sePhondo sama-479 sowama-2000 somhla wama-22 kuSeptemba wama-2000 ngokwemiqathango yecandelo le-12 loMthetho weZakhiwo zikaMasipala: kaMasipala, we-1998 (uMthetho onguNombolo 117 we-1998), ze sibandakanywe nayiphi na ikomiti okanye icandelo lebhunga elisekwe siSixeko okanye nawuphi na umqeshwa okanye iarhente egunyaziswe ngokusesikweni yeSixeko, esebenza ngokunxulumene nalo Mthetho kaMasipala ngenxa yamagunya aselungelweni leSixeko ze anikezelwa kuloo mqeshwa okanye iarhente;

“isaziso sohambelwano” sithetha isaziso esikhutshwe ngokwemiqathango yecandelo lesi-4;

“Igrafti” ithetha nawuphi na okanye nayiphi na intlanganisela yayo nayiphi na imibhalo, amagama, isazobe engaphandle kwesazobe esibonisa inombolo yesitalato, inani, uphawu, umqondiso, umfanekiso, umzobo, umzobo oseludongeni okanye uyilo oluncanyatheliswa nakuwuphi na umphandle okanye ophandle owenziweyo nakusiphi na isakhiwo obonakalayo kumntu okwindawo kawonke wonke yaye ongagunyaziswanga siSixeko;

“Isixhobo segrafti” sithetha inkonxa enesixhobo esitshiza ipeyinti, isidyobhi esinencamu yokubhala ebanzi, ilebhele yentlaka, isixhobo sokukrola, ibhrashi okanye nasiphi na esinye isixhobo esikwaziyo ukushiya uphawu olubonakalayo okanye umkrwelo nakuwuphi na umgangatho wendalo okanye umgangatho owenziwe ngumntu;

“Ubugcisa obuseludongeni” buthetha ubugcisa obukwimo yokupeyintwa, obuqatywa ngqo eludongeni;

“umgangatho wendalo” uthetha nawuphi na umgangatho walo naliphi na ilitye, isiqu somthi okanye nayiphi na imbonakalo yendalo;

“umntu” ubandakanya naliphi na isebe likarhulumente, umntu onguye okanye umntu osemagunyeni kubandakanywa iinkampani ezimanyanisiweyo okanye ezibhalisiweyo phantsi komthetho nalo naliphi na iqumru labantu, nokokuba limanyanisiwe okanye hayi, elisebenza njengequmru elinye nangayiphi na injongo

“indawo kawonke wonke” ithetha nayiphi na indlela kawonke wonke, isitalato sikawonke wonke, indlela ecanda phakathi kwezindlu, ibhulorho, indlela ephuma ngaphantsi, indledlana yabahamba ngenyawo, ipavumente yabahamba ngenyawo, indledlana yabahamba ngenyawo esecaleni komgaqo okanye isahlulo sendlela esiyeleleyo sabahamba ngenyawo, isitrato esimxinwa esiphakathi kwezindlu, isikwere, isithuba esingena nto, isitiya, ipaki okanye indawo evalelekileyo ephantsi kolawulo lweSixeko, okanye ogunyaziwe abangabanye bakarhulumente okanye ababonakaliswe ngolo hlobo kwiincwadi ezisemthethweni.

“indlela yokuzinika imvume” ibhekiselele kwindlela ekubhekiselelwe kuyo kwicandelo 10 ukulungiselela isicelo nolwamkelo ukwenzela ukuqalisa ngokuzinika imvume.

“umhlaba/isakhiwo sangasese” sithetha isakhiwo esingashukumayo esiselungelweni lomntu;

“umhlaba/isakhiwo sikarhulumente” sithetha isakhiwo esingshukumayo esiselungelweni likarhulumente;

“ukususa” kuthetha ukuvuselela ngokutsha isebenze ngenjongo epheleleyo kwindlela ebe iyiyo ngaphambili okanye isebenze ngcono ngaphambi kokufakwa kwegrafiti ngokwanelisa iSixeko, yaye **“ukususa”**, no- **“ukususwa”** kuneentsingiselo ezingqameneyo;

“okuqulathiweyo okubi” kubandakanya okuqulathiweyo kwawo nawuphi na umsebenzi wobugcisa, nokokuba ungokobume, ungokokuqulathiweyo okanye ungazo zombini iindlela, kunokuthi kulindeleke—

- Ukuba kubangele isithuko okanye ingozi nakuwuphi na umntu okanye isakhiwo, okanye nakuliphi na ilungu loluntu ngendlela equlathwe kwicandelo 16(2)(a),(b) kunye (c) loMgaqo-siseko weRiphabliki yoMzantsi Afrika, we-1996, okanye
- ukuba ibangele umonakalo okanye ngenye indlela ibe nefuthe elibi kwindalo;

“amasebe karhulumente” athetha—

- naliphi na isebe likarhulumente okanye olawulo kurhulumente wesizwe, owephondo okanye umasipala; okanye

(b) Naliphi na igosa likarhulumente/umphathiswa okanye iziko—

- (i) elisebenzisa ubunganga balo okanye elenza umsebenzi ngokwemiqathango yoMgaqo-siseko okanye umgaqo-siseko wephondo; okanye
- (ii) elisebenzisa igunya likarhulumente okanye elenza umsebenzi karhulumente ngokwemiqathango yawo nawuphi na umthetho, kodwa akubandakanywa inkundla okanye igosa lenkundla;

“umnini” uthetha—

- (a) Umnini wawo nawuphi na umhlaba okanye nawuphi na umntu othe umhlaba wasegameni lakhe apho kukho khona isakhiwo okanye sakhiwe kuwo yaye sibhalisiwe kwiofisi yeencwadi zezigqibo;
- (b) Nawuphi na umntu, osebenza njengearhente okanye nangenye indlela, olawulayo, ogcina okanye oqokelela irhente okanye nayiphi na imali ebhekiselele kwisakhiwo; yaye
- (c) Nawuphi na umntu oselungelweni lwezibonelelo zokusetyenziswa kwesakhiwo eso okanye umhlaba, okanye oxhamla ezo zibonelelo.

“indawo kawonke wonke” ithetha—

- (a) Nawuphi na umhlaba, iskwere, idami lokuqubha likawonke wonke, indawo yekhefu yoluntu, isiza sokuzonwabisa soluntu, umezo wezilwanyana, indawo yezityalo neentyatyambo or nasiphi na isitiya soluntu, ipaki, indledlana yokuthatha uhambo ngenyawo, kubandakanywa nasiphi na isiqanaqwana yaye nayiphi na indawo okanye isixhobo kuyo, ngokunjalo nasiphi na isithuba esivulekileyo soluntu, uholo, umgaqo owodwa, isitalato esisodwa, idama, ichibi, okanye umlambo;
- (b) Nasiphi na isakhiwo soluntu, iholo, igumbi okanye iofisi kubandakanywa nasiphi na isahlulo apho kunye nayiphi na indawo okanye isixhobo esilapho, esiselungelweni okanye esilawulwa okanye esirhentsiswa siSixeko yaye apho uluntu lunelungelo lokungena, nokokuba kuhlululwa umrhumo wokungena okanye hayi;
- (c) Nayiphi na indawo yolondolozo lwendalo kubandakanywa—
 - (i) Indawo yolondolozo lwendalo;
 - (ii) lingingqi zendalo ezikhuselweyo;
 - (iii) lingingqi ezinexabiso zolondolozo lwendalo; okanye
 - (iv) Izithuba zendalo ezingena nto.

UKUBHENGEZWA KWENKATHAZO

(2) ISixeko sibhengeza ubukho begraffiti naphi na kwingingqi yaso yolawulo buyinkathazo karhulumente, ekufuneka isusiwe ngokwemiqathango yalo Mthetho kaMasipala.

UTHINTELO

3. (1) Akukho mntu oya kuthi, ekwiningqi ephantsi kolawulo lweSixeko, aqabe igraffiti okanye enze into yokuba kuqatywe nakusiphi na—

- (a) isakhiwo;
- (b) umgangatho wendalo; okanye
- (c) udonga, uthango, isakhiwo okanye into nakusiphi isitalato okanye nakwenye indawo kawonke wonke.

(2) Nawuphi na osiza okanye oncedisa umntu ekubhekiselelwe kuye kwicandelwana (1) ekuqatyweni kwegraffiti njengoko kucamngcwe apha, esaphula lo Mthetho kaMasipala, uya kuba nobutyala bolwaphulo-mthetho.

ISAZISO SOKUTHOBELA

4. (1) Igosa eligunyazisiweyol linakho, apho umntu athe waphula umthetho wecandelo lesi-3, ukuthumela isaziso kumntu lowo sigunyazisa ukuba asuse igraffiti ngomhla othile ochaziweyo kwisaziso, yaye isaziso eso kufuneka—

- (a) sichaze idilesi okanye indawo leyo yesakhiwo, yomgangatho wendalo okanye esinye nje isakhiwo okanye into apho kuqatywe khona igraffiti;
- (b) sichaze ngemiba ebanzi le graffiti ethe yaqatywa; yaye
- (c) sichaze into yokokuba ukuba ngaba ithe igraffiti ayasuswa ngokuhambelana nesaziso, iSixeko okanye iarhente yangasese etyunjwesiSixeko inakho ukuyisusa ngcandleko zomntu lowo isaziso besithunyelwe kuye.

(2) Igosa eligunyazisiweyo linakho, apho singakwaziyo ukumazi umntu lowo ekubhekiselelwe kuye kwicandelwana (1), ukuthumela isaziso kumnini sigunyazisa ukuba asuse igraffiti njengoko kucamangiwe kwicandelwana (1).

(3) Naziphi na iindleko ezithe zathwalwa siSixeko ngokwemiqathango yecandelwana (1) (c), njengoko kuqinisekisiwe ngugunyaziwe onesakhono kwiSixeko, siya kumiselwa njengebango lemali eselungelweni leSixeko yaye liya kufunyanwa sisixeko kwinkundla yamatyala esiphantsi kolawulo lwaso.

(4) Apho ukufunyanwa kweendleko ekubhekiselelwe kuko kwicandelwana (3) kuya—

- (a) kubeka emagxeni kumnini wesakhiwo uxanduva lwemali olungaphezulu kwekhono okanye ikhono lakhe lemali lomnini lowo; okanye
- (b) kuya kuba nempembelelo amaxesha amaninzi aphinda-phindeneyo kweso sakhiwo,

Igosa eligunyazisiweyo, kuxhonyekwe nakuwuphi na umthetho okanye nawuphi na umgaqo-nkqubo weSixeko, linakho ukuzirhoxisa iindleko ngokupheleleyo okanye inxalenye yazo..

UMSEBENZI WOMNINI

5. (1) Nawuphi na umnini yaye nawuphi na umntu ohlala kwisakhiwo eso kufuneka ngawo onke amaxesha agcine isakhiwo eso singenagrafiti nakuluphi na udonga, uthango, kwisakhiwo, isakhiwo okanye into ekulo mhlaba.

(2) Nawuphi na umnini womhlaba kufuneka asuse kumhlaba ukwanda okufihlakeleyo kwegrafiti kwiintsuku ezili-10 akuba umnini ethe wazi ngobukho begrafiti kumhlaba wakhe.

UKUNIKEZELWA KWEZAZISO

6. (1) Apho kunikezelwe ngesaziso sokuthobela nakuwuphi na umntu ngokwemiqathango yecandelo lesi-4 sithathwa njengesinikezelwe ngendlela eyiyo kumntu lowo xa sihe sanikezelwa—

- (a) ngqo kumntu lowo okanye kwimeko yomntu osemthethweni okanye kumntu oqeshwe kwiofisi yaso yobhaliso;
- (b) kwindawo yakhe ahlala kuyo okanye yoshishino kumntu ongaphezulu kubudala beminyaka eli-16;
- (c) ngeleta ethunyelwe ngerejista okanye ileta eqinisekisiweyo kwidilesi yokugqibela eyaziwayo ebehlala kuyo umntu lowo okanye idilesi yoshishino njengoko ibonakala kwiinkcukacha ezibhaliweyo zeSixeko okanye ezeOfisi yeziGqibo, okanye kwimeko yomntu osemthethweni, kwiofisi yakhe yobhaliso ze isaziso sokuposa siveliswe;
- (d) kwirhente okanye ummeli womntu lowo kwiRiphabliki ngenye yezi ndlela zichazwe apha ngasentla, ukuba ngaba idilesi kwiRiphabliki ayaziwa;
- (e) ngokuyigxumeka kwindawo ebonakalayo kumhlaba lowo ekubhekiselelwe kuwo, kangangesithuba seentsuku ezili-14, ukuba idilesi kunye nearhente ayaziwa.

(2) Ukusilela ukunganikezelwa kwesaziso nakuwuphi na umntu njengoko kugunyaziswa ngokwemiqathango yalo Mthetho kaMasipala akuyi kuzenza zingabi semthethweni naziphi na iinkqubo eziqhutywayo ngokubhekiselele kulwaphulo mthetho lwalo Mthetho kaMasipala.

ILUNGELO LOKUNGENA

7. (1) Igosa eligunyazisiweyo linakho, apho—

- (a) umhlaba/isakhiwo singagcinwanga ngokuhambelana necandelo lesi-6; yaye;
- (b) Isaziso sokuhambelana sanikezelwa kumntu ngokwemiqathango yamacandelo 4 kunye nele-5 kodwa umntu lowo usilele ukuhambelana nawo.

Ukungena kumhlaba/kwisakhiwo ze lisuse igrafiti, ngaphandle kokuba libe linikeze isaziso seentsuku ezimalunga ne-15 kumnini ngokuthumela ileta eqinisekisiweyo kwidilesi yokugqibela eyaziwayo yaloo mnini, okanye ngokuncamathisela isaziso kumhlaba/kwisakhiwo eso.

(2) Isaziso seentsuku ezili-15 esinikezwe umnini ngokwemiqathango yecandelwana (1) kufuneka sibandakanye—

- (a) Idilesi yomhlaba/yesakhiwo elixhabe ukungena kuwo igosa eligunyazisiweyo;
- (b) Umhla kunye nexesha elijonge ukungena ngalo kulo mhlaba/ kwisakhiwo igosa eligunyazisiweyo, ngaphandle kokuba ukungena apho kuya kuvumeleka kuphela phakathi kwesithuba sentsimbi yesi-8 kusasa ukuya kwintsimbi yesi-6 malanga ukususela ngoMvulo ukuya kutsho ngolwesiHlanu; yaye
- (c) Isizathu sokungena kunye nesibonelelo esithe ngqo salo Mthetho kaMasipala esithe saphulwa ngumnini.

IINDLEKO

8. (1) ISixeko siya kugcina iakhawunti yeendleko ekubhekiselelwe kuzo kwicandelo lesi-4, kubandakanywa inkcitho yonke ethe ngqo nengathanga ngqo, ezithe zenzeka ekususweni kwegrafiti yaye siya kukhupha ingxelo yeendleko ezo kumntu onoxanduva lokususa ngoko, xa ithe igrafiti yasuswa.

(2) Ukuba ngaba iindleko nenkcitho, okanye nayiphi na inxalenye ngoko, ethe yenziwa siSixeko ekususweni kwegrafiti yaza yahlala ingahlawulwanga emva kweentsuku ezingama-30 ebalwe ukususela kumhla wokukhutshwa kwengxelo ngokwemiqathango yecandelwana (1), iindleko ezinjalo kunye nenkcitho okanye inxalenye ziya kuqulunqwa zibe ngumrhumo wenkonzo kamasipala ocamngcwe kwicandelo 118(1)(b) kuMthetho weeNkqubo zikaMasipala wama-2000 (uMthetho onguNombolo 32 wama-2000).

IIMVUME IMIFANEKISO YEMIZOBO ESELUDONGENI KUNYE NEMIHOMBISO

9. (1) Nawuphi na umntu ozimisele ukwenza isicelo sawo nawuphi na okanye indibaniselane yombhalo, igama, umzobo, unobumba, uphawu, umqondiso, isazobe, umfanekiso, umzobo oseludongeni okanye uyilo olukuwo nawuphi na umgangatho wendalo okanye umgangatho owenziwe ngumntu nakusiphi na isakhiwo eso, okanye esiya kuthi sibonakale kumntu okwindawo kawonke wonke, kufuneka enze isicelo esibhaliweyo ngokubhalela igosa eligunyazisiweyo ukuze afumane imvume yokwenza njalo.

(2) Isicelo sephepha mvume ekubhekiselelwe kuso kwicandelwana (1) kufuneka sikhathshwe bubungqina bemvume yomnini womhlaba, nayanawuphi na omnye umntu onomdla namaqela achaphazelekayo.

(3) Kwisicelo iinkcukacha ezipheleleyo kufuneka zinikezelwe njengempembelelo yokwenziwa kwesicelo sombhalo, igama, umzobo, unobumba, uphawu, umqondiso, isazobe, umfanekiso, umzobo oseludongeni okanye uyilo, ubungakanani ekujongwe kubo ngoko kunye nempahla nezixhobo eziza kusetyenziswa, nokufana okuthe ngqo, umzobo nomfanekiso yomsebenzi lowo kuxhitywe ukuba wenziwe.

(4) Igosa eligunyazisiweyo kufuneka, ekufumaneni kwakhe esi sicelo kubhekiselelwe kuso kwicandelwana (1), athethane nesebe elichaphazelekayo leSixeko okanye umntu.

(5) ISixeko sinakho ukusala okanye asinikezele isicelo eso sinjalo, kuxhonyekwe kwimiqathango enokuthi ibekwe, yaye kufuneka kwisithuba seentsuku ezingama-30 azise umenzi wesicelo ngesigqibo saso ngembalelwano.

(6) Kwimeko apho iSixeko sihe sanikezela ngesicelo esinjalo, iphepha mvume elibhaliweyo liya kukhutshelwa umenzi wesicelo, kuxhonyekwe kwimiqathango enjalo enjengaleyo ikhutshwa siSixeko.

(7) ISixeko sinakho ukunyula izithuba ezithile ezingena nto emazisetyenziselwe le mizobo iseludongeni, yaye ezi zithuba zingena nto ziya kutyunjwa ngothethwano noluntu oluchaphazelekayo, iiforam zewadi kunye namacandelo ebhunga.

(8) Umntu unakho ukwenza isicelo sokusebenzisa isithuba esingena nto esityunjiweyo ekubhekiselelwe kuso kwicandelwano (7) kangangesithuba seenyanga ezintathu ngokuthi abhalele uMlawuli woBugcisa neNkcubeko kwiCandelo lezoQoqosho uPhuhliso lweNtlalo, yaye—

- (a) unakho ukugunyazisa ukusetyenziswa kwesithuba esingena nto esityunjiweyo ukulungiselela imizobo eseludongeni okanye imihombiso;
- (b) kufuneka asuse imizobo okanye imihombiso emva kokuba ixesha liphelile leenyanga ezintathu;
- (c) Unakho ukwenza isicelo sokwandiswa kwesigunyaziso kangangeenyanga ezintathu.

Ulublu lweenkcukacha zegcisa kunye neendlela ezamkelayo

10. (1)(a) Igosa eligunyazisiweyo kufuneka ligcine, lilolongo ze lihlaize irejista labazobi abazoba eludongeni nabanye abazobi kwingingqi ephantsi kolawulo lweSixeko abathe banikwa imvume ngokwemiqathango yomhlathi (b).

(b) Umzobi ozoba eludongeni unakho ukubhaliswa kwirejista ngokwemiqathango yomhlathi (a) xa athe wangenisa isicelo ngendlela egqitywe ligosa eligunyazisiweyo, kuxhonyekeke ekufezekisweni kwale miqathango ilandelayo ngumzobi:

- (i) Umzobi uthe wafumana imvume kwizicelo ezingenisweyo ezihlanu ezilandelelanayo ngokwemiqathango yecandelo lesi-9;
- (ii) Umzobi ubhalisiwe njengelungu leVisual Arts Network of South Africa (VANSA); yaye
- (iii) Umzobi akazange agwetywe ngaphambili ngokonakalisa isakhiwo okanye naliphi na ityala elinxulumene negrafiti.

(2) abazobi abazoba eludongeni njengoko kuqulunqwe kwicandelwana (1) banakho, kuxhonyekeke kwecandelwana (3), ukunika imvume yomsebenzi wabo wobugcisa wexa elizayo.

(3) Umzobi ozoba eludongeni obhalisiweyo ngokwemiqathango yecandelwana (1) kufuneka, nangawuphi na umsebenzi wokuzoba eludongeni yaye naphambi kokuyila umsebenzi onjalo wobugcisa, angenise isaziso sokuvuma kwigosa eligunyazisiweyo—

- (a) Ngendlela apha okanye ngobume obugqitywe nguye;
- (b) Siqulathe ubungqina bemvume yomnini wesakhiwo kunye nezakhiwo ezikufutshane; kunye
- (c) sikhathshwe ngumzobo okanye omnye umboniso womsebenzi wobugcisa ekuxhitywe wona.

Ukulungiselela ukuqalisa ngemvume.

IZOHLWAYO

11. (1) Nawuphi na umntu othe wasilela ukuhambelana naso nasiphi na isibonelelo salo Mthetho kaMasipala uya kuba nobutyala.

(2) Nawuphi na umntu ogwetyelwe ityala ngokwemiqathango yamacandelo 3 alo Mthetho kaMasipala oya kuthi—

- (a) emva kokuba egwetyiwe kwityala lakhe lokuqala abe noxanduva lwesohlwayo se-R15 000 okanye iinyanga ezintathu etolongweni;
- (b) emva kokuba egwetyiwe kwityala lakhe lesibini okanye amatyala alandelayo, uya kuba noxanduva lokuthwala isohlwayo sama-R30 000 okanye iinyanga ezi-6 etolongweni, okanye kuzo zozibini izohlwayo ezinjalo kunye nokuvallelwa entolongweni oko.

(3) Ngaphezulu kwesohlwayo esicamngcwe kwicandelwana (1), umntu ogwetyiweyo uya kuthwala uxanduva—

- (a) Lokuhlawula isixa-mali esilingana neendleko okanye iindleko ezithelekelelweyo zokususwa kwegrafiti kweso sakhiwo sichaphazelekayo, ze apho iindleko zokususwa kwegrafiti kwisakhiwo esichaphazelekayo zibe zithwalwa siSixeko okanye ngumnini wesakhiwo, ukuhlawula isixa-mali esigunyazisiweyo kwiSixeko okanye kumnini njengoko kusenokuba njalo;
- (b) Lokuhlawula isohlwayo esingaphezulu esibonwa sifanelekile yinkundla xa esilele kwintlawulo yesixa-mali esigunyazisiweyo kwiSixeko okanye kumnini wesakhiwo, njengoko imeko inokuba njalo.

(4) Kwimeko yokuhubeka ngolwaphulo mthetho, umntu ogwetyiweyo uya kuthwala uxanduva lwesohlwayo esangezelelweyo enokuthi inkundla isibone sifanelekile.

(5) Inkundla egwebe umntu owaphule umthetho phantsi kwalo Mthetho kaMasipala inakho ukubeka phezu kamagxa akhe isigwebo esisesinye njengesohlwayo esifanelekileyo.

ISIHLOKO ESIFUTSHANE

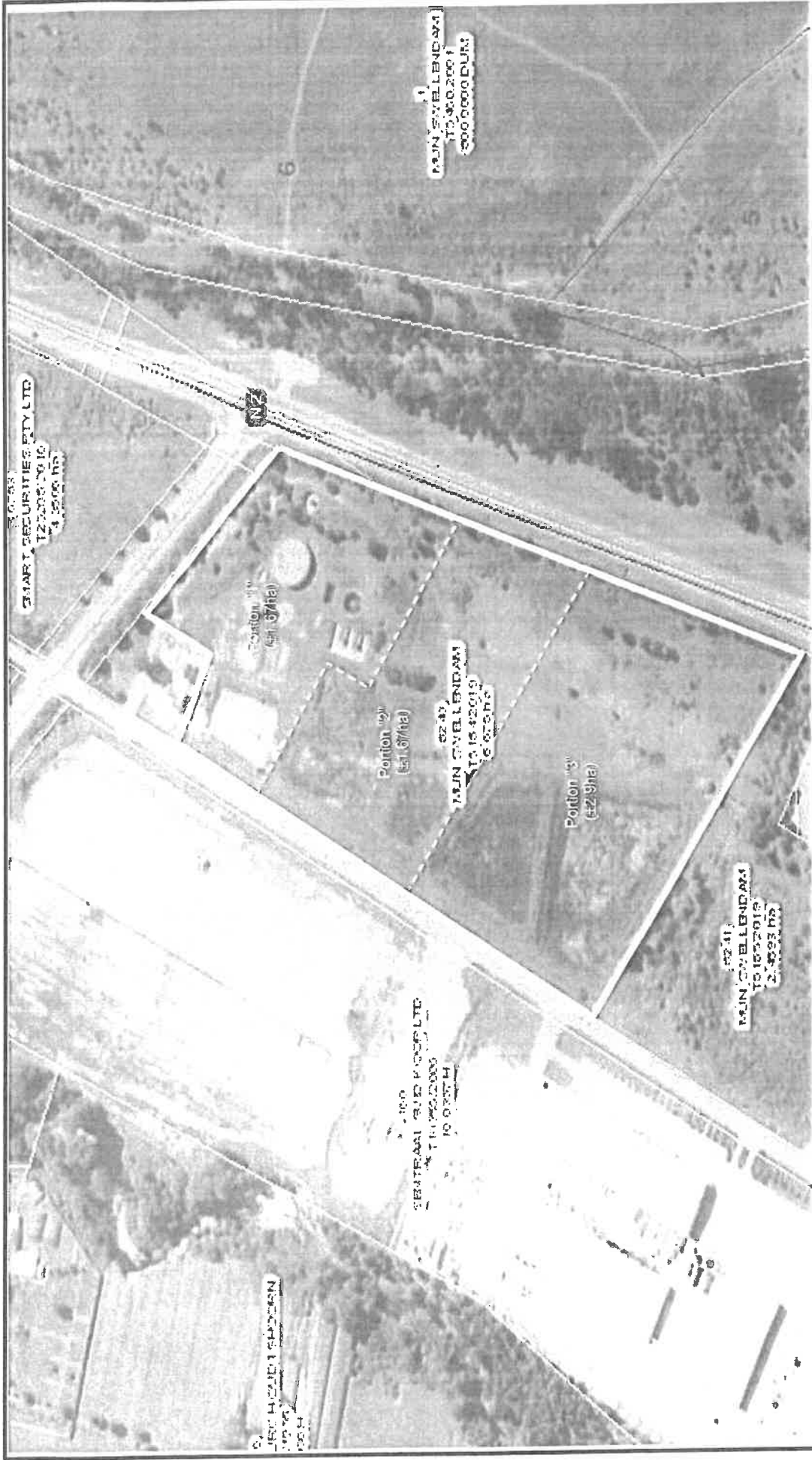
12. Lo Mthetho kaMasipala ubizwa ngokuba iSixeko saseKapa: uMthetho kaMasipala weGrafiti, wama-2010.

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INHOUD—(Vervolg)

	Bladsy
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Swellendam Munisipaliteit: Hersonerings en Vergunningsgebruik	1083
Swellendam Munisipaliteit: Vergunningsgebruik en afwyking	1083
Swellendam Munisipaliteit: Vergunningsgebruik en afwyking	1083



July 2022

CONCEPTUAL - Measurements VERY Indicative



SWELLENDAM: INDUSTRIAL AREA

ERF 8240
(6.6 ha)

**SUBDIVISION SKETCH
PLAN**

**Division
Town Planning &
Building Control**

CERTIFIED COPY FOR REGISTRATION

FOR SURVEYOR-GENERAL

DATE

21-05-2018

SWELLENDAM MUNICIPALITY

CERTIFIED IN TERMS OF SECTION 20(6) AND
SECTION 28 OF THE SWELLENDAM MUNICIPALITY
BY-LAW ON MUNICIPAL LAND USE PLANNING 2016

Authorised Official

Date

30/7/2018

EXEMPT FROM PROVISIONS OF

ACT 70 OF 1970

SECTION 1(a)

Approved i.to Section 50

Of Municipal Bylaw of Act 3/2014

Ref: 15/2/3/420 & 15/2/2/110

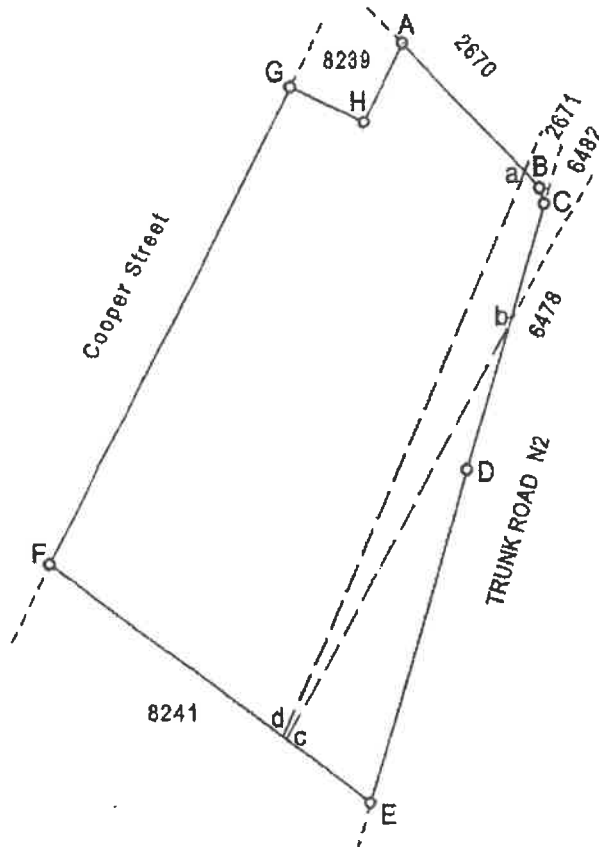
Date: 23.03.2018

SIDES metres		ANGLES OF DIRECTION	CO-ORDINATES Y System: WG 21° X		
			Constants	0,00	+3 700 000,00
A B	110,38	316.37.50	A	+52 641,56	+68 500,47
B C	8,89	342.52.10	B	+52 565,76	+68 580,71
C D	153,17	16.37.10	C	+52 563,14	+68 589,21
D E	190,52	16.34.40	D	+52 606,95	+68 735,98
E F	219,14	127.30.50	E	+52 661,31	+68 918,58
F G	293,06	206.39.30	F	+52 835,13	+68 785,13
G H	45,29	296.39.20	G	+52 703,65	+68 523,23
H A	48,19	206.38.30	H	+52 663,17	+68 543,55
43A4			⊕	+52 502,40	+68 108,65
88A4			⊕	+53 112,52	+68 018,13

BEACON DESCRIPTIONS

B,C,D,E : Wooden Fence Post in Concrete

All other beacons : 12mm Iron Peg



Scale: 1/ 4000

The figure A B C D E F G H
represents 6,0675 hectares of land being**ERF 8240, portion of Erf 8238 SWELLENDAM**situate in the Swellendam Municipality
Administrative District of Swellendam
Province of Western Cape
Surveyed by me in January 2016 & April 2018PLS 1141 F. Truter
Professional Land SurveyorThis Diagram is annexed to
No.The original diagram is
S.G. No. 878/2018

File No.: S/581 V.5

Dated

Transfer No.

S.R. 489/2018

Registrar of Deeds

Filed as Plan 878/2018

Comp. AJ-1BB/Y31(543)
AJ-1BB/Y33(544)
LPI C0730008

Erf 8240 Swellendam



LANDMETERS / LAND SURVEYORS

Deeltitels, Kadastrale-, Topografiese-, Ingenieurs en Fotogrammetriese Opmetings
Sectional Titles, Cadastral, Topographical, Engineering and Photogrammetric Surveys

TEL. 028 – 514 2615
FAKS. 028 – 514 1873
SEL. 082 564 4815
E-mail: info@houterman.co.za

Bakerstraat 13A
Swellendam
6740

Posbus / P.O. Box 132
Swellendam
6740

ONS VERW: S202

Per E-pos!!

5 Julie 2023

Swellendam Munisipaliteit
Posbus 20
SWELLENDAM
6740

Aandag: Mev Liezel Baranski
Per E-pos: liezel@swellendam.co.za

**AANSOEK VAN DIE SWELLENDAM MUNISIPALITIET SE STANDAARD
VERORDENING OP MUNISIPALE GRONDGEBRUIKBEPLANNING, 2015 VIR
AANKOOP VAN ERF 4604 SWELLENDAM OM GEKONSOLIDEER TE WORD
MET ERF 4594 SWELLENDAM**

Hiermee saam ontvang die volgende stukke vir u ondersoek en goedkeuring:

- a) Aansoekvorm
- b) Motiveringsverslag
- c) Resolusie
- d) Volmag
- e) I.D. Afskrifte
- f) Uitlegplan
- g) Ligginsplan

Ons vertrou u vind bogenoemde in orde.

Die uwe

pp:

P.T. Houterman
Prof. Landmeter
Reg. Nr. PLS 0914

PROJEK:

Konsolidasie van Erwe 4604 & 4594 Swellendam
vir Cape Feed & Grain

ERF 4604 & 4594 SWELLENDAM

Voorgestelde konsolidasie van Erwe 4604 & 4594 Swellendam
vir 'n totale grootte van 7605 m² in terme van Artikel 15(2)(e)
van Swellendam Munisipaliteit: Verordening op Grondgebruik-
beplanning. (2015).

Notas:

1. Die figuur ABCDE stel voor Erf 4594 Swellendam
2. Die figuur EDF stel voor Erf 4604 Swellendam.

NOTAS:

1. Erf 4594 Swellendam is onderverdeel in 2019 in
Erf 8370 en Restant. Kaart L.G. Nr. 851/2019 (Erf
8370) is nie geregistreer nie en moet teruggetrek
word.
2. Erwe 4124 en 4604 Swellendam is gekonsolideer
in 1996 om Erf 4605 Swellendam, Kaart L.G. Nr.
9113/1996, te vorm. Kaart is nie geregistreer nie
en moet teruggetrek word.

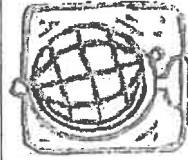
Geleë in die Swellendam Munisipaliteit en
Administratiewe Distrik Swellendam.
Provinsie: Wes Kaap

BELANGRIK: ALLE AFMETINGS IS BENADERD TOT FINALE OPMETING

BEKKER AND HOUTERMAN LAND SURVEYORS
Professional Land Surveyors

Address:
PO Box 132, Swellendam, 6740
13A Baker street, Swellendam

Contact details:
Tel: 028 - 5142615
Mobile: 082 564 4815
email: pieter@houterman.co.za

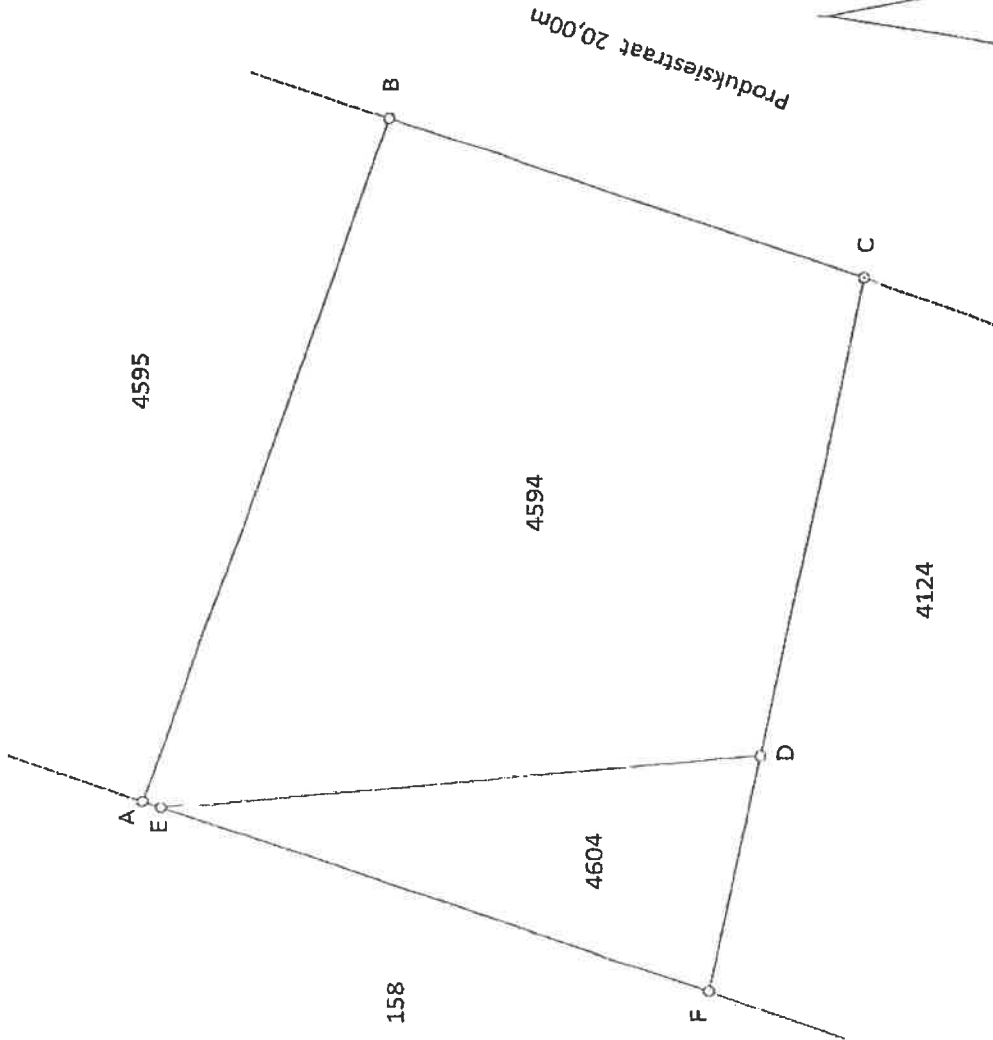


FILE Nr.: 5202/erf4604s_kons

SCALE: 1/1000

DRAWN BY: PTH

DATE: May 2023



VOLMAG

Hiermee gee ek/ons, CHRISTOFFEL JACOBUS KOTZÉ die gereistreerde eienaar/s van Erwe 4604 & 4594 Swellendam volmag aan **BEKKER & HOUTERMAN LANDMETERS, Bakerstraat 13A, Swellendam**, om namens my/ons aansoek te doen vir onderverdeling/konsolidasie van bogenoemde kragtens Artikel 15.2(a) van die Standaard Verordening op Munisipale Grondgebruikbeplanning 2020, en om enige dokumente namens my/ons te onderteken en in te dien, ook om my/ons te verteenwoordig by enige vergadering, ondersoek, inspeksie of navraag in verband met bogenoemde aansoek.

Geteken te GEORGE op hierdie 15de dag van MEI 2023.

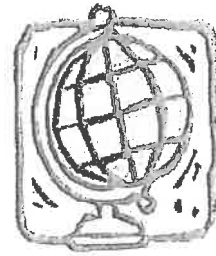
GETUIES:

1.



2.


EIGENAAR/S



TEL. 028 – 514 2615
FAKS. 028 – 514 1873
SEL. 082 564 4815
E-mail: info@houterman.co.za

Bakerstraat 13A
Swellendam
6740

Posbus / P.O. Box 132
Swellendam
6740

Motiveringsverslag

Achtergrond:

Erf 4604 Swellendam is oorspronklik geskep in 1996 en kom voor op Algemene Plan Nr. 9114/1996. Hierdie erf is geskep om spoor-toegang te verleen na Erf 4124 Swellendam. Daar is ook tydens die genoemde opmeting van 1996, 'n konsolidasiekaart opgestel naamlik Erf 4605 Swellendam. Laasgenoemde kaart is goedgekeur maar weer teruggetrek by die kantoor van die Landmeter Generaal.

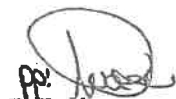
Huidige omstandighede:

Die eienaar van Erf 4124 Swellendam is onder die indruk dat Erf 4604 Swellendam aan hulle behoort, maar dit behoort steeds aan die Swellendam Munisipaliteit. Dit was dan die voorneme van die eienaar om Erf 4604 Swellendam te vervreem aan die eienaar van Erf 4594 Swellendam. Die rede vir die aanvanklike terugtrekking is aan my onbekend.

Die eienaar van Erf 4594 Swellendam stel steeds belang om die betrokke erf aan te koop en te konsolideer met hulle erf.

Aansoek:

Ons, Bekker & Houterman Landmeters, doen hiermee aansoek namens die eienaars van Erf 4594 Swellendam vir die aankoop van Erf 4604 Swellendam om gekonsolideer te word met Erf 4594. Die eiendom kan slegs aan 2 eienaars vervreem word, en die eienaar van Erf 4124 het te kenne gegee dat hulle nie belangstel nie en dus kan dit slegs vervreem word aan die eienaars van Erf 4594 Swellendam.


P.T. Houterman
Prof. Landmeter
Reg. Nr. PLS 0914
Ons Verw: S202
Datum: Julie 2023

**Liggingsplan: Erwe 4604
& 4594 Swellendam**

Legend
Farm Portions
Erf

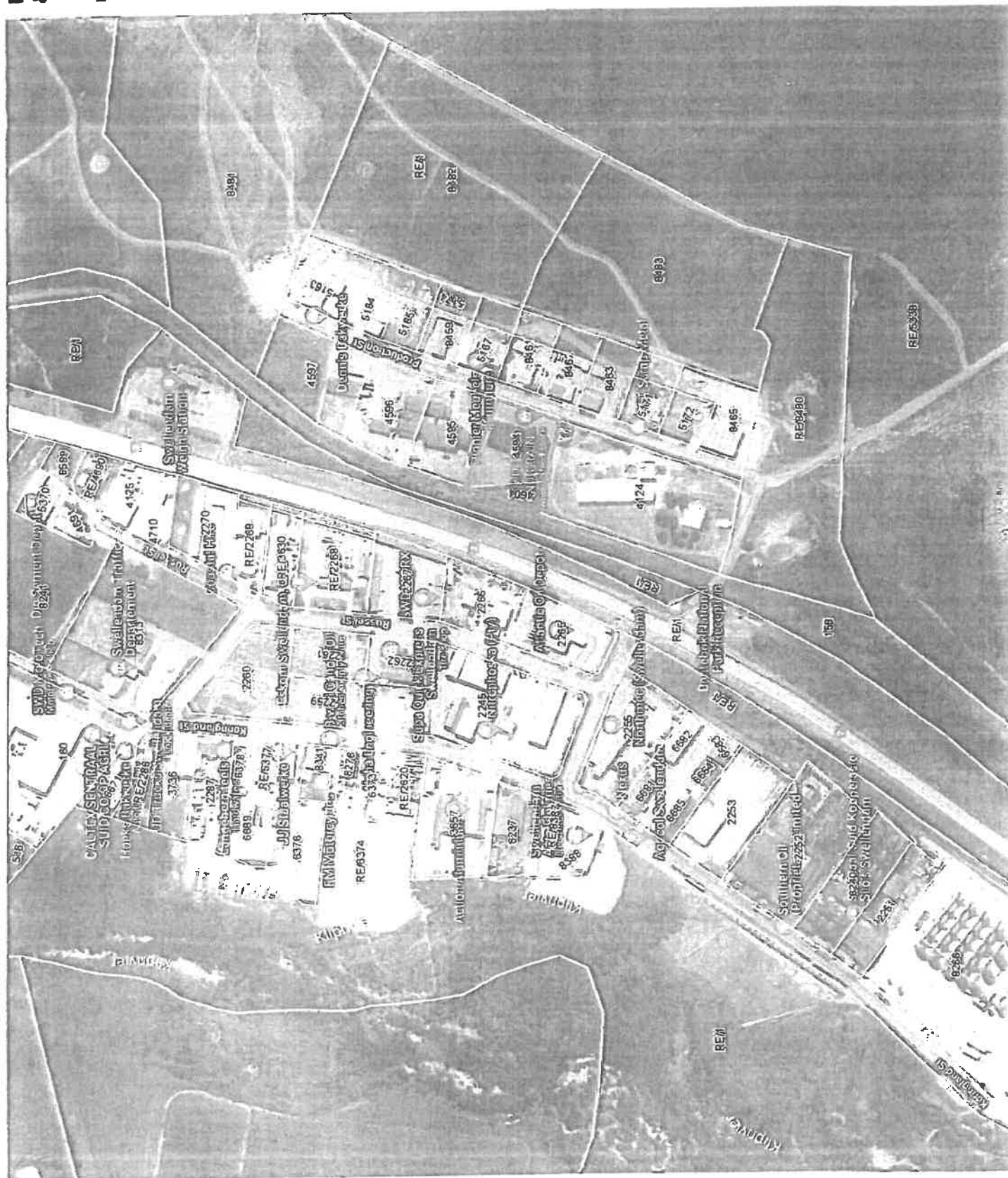
Map Center: Lon: 20°25'39.8"E
Lat: 34°3'2.3"S

Scale: 1:4 514

Date created: June 18, 2023



**Western Cape
Government
FOR YOU**



Emerentia Patientia
1 Bellhome Street.
Highbury, Kuilsriver
7580

22 May 2023

THE MUNICIPAL MANAGER, SWELLENDAM MUNICIPALITY
P.O. Box 20
SWELLENDAM
6740

Dear Madam,

MOTIVATION FOR THE PURCHASE OF A PORTION OF ROTHMAN STREET, ADJACENT TO ERF 165 SWELLENDAM, BY THE OWNERS OF ERF 165 SWELLENDAM.

The descendants of Andrew Matthysen, previous owner of erf 165, are the current owners of this property. All of Andrew Matthysen's children grew up on this property and were raised there and educated in Swellendam. They all hold an equal undivided share in this property.

The Matthysen family are desirous of rezoning the property to permit a general residential development of the property in order that they may share in the family property more beneficially. Their objective is consistent with Swellendam's Municipal Spatial Development Framework as far as it reflects the proposed land use for this property and is also consistent with the Municipality's densification policy. The property falls outside of the Municipality's designated Heritage Zone.

In the past, significant portions of the original (close to 12 Ha.) property were expropriated and deducted by SANRAL and others, resulting in a significantly diminished remainder of just under 1 Ha.

To the south south-east, there is a road reserve for a portion of Rothmans Street that appears to be closed, but has not been constructed and serves no apparent purpose. Across the road to the east is an undeveloped "agricultural" property, with an allocated land-use of "mixed development" with its north-eastern boundary running all the way down Rothman Street's south-western edge, to across the Koorndals river.

The Matthysen family would like to acquire that portion of Rothman Street that abuts its south south-west boundary in approximate extent of 1 620 odd square metres and to consolidate it with the remainder of erf 165 so that the resultant enlarged property can be more generously shared among the surviving heirs.

Kindly contact the writer should you have any further questions in the above regard.

Yours faithfully,



EMERENTIA PATIENTIA

OFFER TO PURCHASE

Made and entered into by and between:-

THE MATTHYSEN FAMILY DESCENDANTS
(refer to definition in introduction hereto)

Herein represented by Emerentia Vanessa Patientia in her capacity as duly authorized representative of the Purchaser
(**"PURCHASER"**)

AND

THE MUNICIPALITY OF SWELLENDAM
Registration no

Herein represented by Anneleen Vorster in her capacity as Municipal Manager, duly authorized by the Council of the Municipality of Swellendam
(**"SELLER"**)

INTRODUCTION:

The Purchaser owns the Erf 155 Swellendam in extent of approximately 1,16 Ha., which is located on the north-east corner of Cooper and Rothman Streets in Swellendam. The purchaser is defined as the Matthyssen Family Descendants who are:

- a. ROSELINE JOSEPHINE GERTZE (I.D. 500706 0041 08 4)
- b. THOMAS MALCOLM MATTHYSEN (I.D. 550117 5068 08 1)
- c. JULIAN ALAN MATTHYSEN (I.D. 560704 5138 08 5)
- d. RALPH LIONEL MATTHYSEN (I.D. 570725 5156 08 0)
- e. HENRY FREDERICK MATTHYSEN (I.D. 581213 5139 08 0)
- f. PETER EDGAR MATTHYSEN (I.D. 631119 5240 08 5)
- g. JEFFREY RUBEN MATTHYSEN (I.D. 651026 5694 08 5)
- h. EMERENTIA VANESSA PATIENTIA (I.D. 720511 0175 08 8)

The portion of Rothman Street that abuts the Purchaser's property is approximately 1 622 square metres in extent and has not been constructed, nor does it serve any purpose or is it likely to serve any purpose in the future.

The Purchaser is desirous of purchasing the extent of Rothman Street in 2 above, which extent stretches from the north-east corner of the intersection of Rothmans Street with Cooper Street, up to abeam the common boundary between the remainder of erf 165 and erf 6486 Swellendam.

1 CONDITIONS OF SALE

- 1.1 The Seller hereby sells to the Purchaser who purchases a certain piece of land known as Portion "A" of Rothman Street, which is more fully described in the accompanying diagram referred to as Annexure "A", which is to be sub-divided from its parent erf and consolidated with erf 165 Swellendam.
- 1.2 The property sold is subject to every condition and servitude specified in the original and subsequent Title Deeds and which property is sold "voetstoots" as it is and as it stands, without any warranty against latent or patent defects, the Seller not benefiting from any surplus or being liable for any deficiency in extent.
- 1.3 The Seller shall have arranged for the closure of Rothman Street east of its intersection with Cooper Street and the rezoning of the Property to Residential 1 use zone by no later than 6 months from the date of signature by both parties to this Agreement, failing which this Agreement shall lapse and be of no further force or effect.
- 1.4 The property being sold by the Seller and purchased by the Purchaser being:-

Portion "A" of Rothman Street, Swellendam in the Swellendam Municipal Division, Province of the Western Cape, as per attached diagram (Annexure "A")

In Extent:

Approx. 1.621,5 (One Thousand Six Hundred and Twenty-One comma Five) Hectares

Held by:

Deed of Transfer No.:

As depicted on Annexure "A" hereto and initialed by the parties for identification purposes.

(hereinafter referred to as the "Property")

2 PURCHASE PRICE

- 2.1 The purchase price of the property is the sum of R 5 000.00 (Five Thousand Rand only) and is payable by the Purchaser to the Seller, as follows:

Within 14 days of the date of signature by all parties hereto, the Purchaser shall make full payment of the Purchase price into trust with De Wet Du Plessis Attorneys ("Conveyancer"), who shall immediately on receipt of such monies invest same in an interest bearing account opened by the Conveyancer, on behalf of the Purchaser, the monthly interest accruing to the Purchaser.

2.1 All payments shall be effected, free of exchange and bank charges.

3 TRANSFER, SUB-DIVISION AND COSTS

3.1 Transfer shall be given and taken immediately or as soon as possible after receipt of written approval of successful sub-division and rezoning of the Property by the local Swellendam Municipality or authorized Provincial Government as may be applicable.

3.2 The Seller shall initiate and finalize the sub-division and rezoning applications of the Property and the Purchaser shall on demand from the Conveyancer, pay all costs of sub-division, transfer duty, stamp duty, survey fees, diagrams, cost of registering diagrams, cost of registering any mortgage bond, if any, and the costs of an incidental to this Deed of Sale.

3.3 Transfer shall be passed and registered by De Wet Du Plessis Attorneys (conveyancing department), Cape Town - Telephone number 078-406 6245.

4 POSSESSION

4.1 Possession of the Property shall be given and taken by the Purchaser from the Seller on the date of the fulfilment of the conditions in 1 herein.

4.2 Occupational rent shall not be paid.

5 ROAD CLOSURE

The Purchaser shall on demand from the Seller pay for the costs of the road closure and the rezoning of the Property including the sub-division and consolidation of the Property, which shall be limited to the published application, advertising and administrative fees of the Municipality,

6 BREACH

In the event of either one of the parties ("the defaulting party") committing a breach of any of the terms of this Agreement, specifically excluding paragraphs 2.1 herein above and failing to remedy such breach within a period of thirty (30) calendar days from date of such written notice from the other party ("the aggrieved party") to remedy such breach, the then aggrieved party, which includes the Seller, shall be entitled at its sole discretion and without prejudice to any of its other rights in law, either to claim specific performance of the terms of this Agreement or to cancel this Agreement forthwith and without further notice, and claim and recover damages from the defaulting party.

7. BEACONS

The Seller shall not be required to indicate to the Purchaser the position of the beacons or pegs upon the property and/or boundaries thereof, nor shall the Seller be liable for the costs of locating same. The Purchaser shall, as stated in paragraph 3 hereof, appoint the services of a professional land surveyor to act in accordance with the instructions and directions of the Seller, which costs shall be borne by the Purchaser.

8 VARIATION

This Deed of Sale constitutes the entire Agreement between the parties and no modification, variation or alteration thereto shall be valid unless in writing and signed by both parties hereto.

9 WAIVER

Notwithstanding any express or implied provisions of this Deed of Sale to the contrary, any latitude or extension of time which may be allowed by the Seller in respect of any matter or thing that the Purchaser is bound to perform or observe in terms hereof, shall not under any circumstance be deemed to be a waiver of the Seller's rights at any time, and without notice, to require strict and punctual compliance with each and every provision or term hereof.

10 DOMICILIA

It is agreed by the parties that their respective addresses hereinafter set out shall be the address to which all notices or other documents may be sent.

SELLER: Swellendam Municipality, Municipal Office
Postal Address: P.O. Box 20, or 49 Voortrekker Street, Swellendam, 6740
Telephone No: (028) - 5148500
Facsimile No: (028) - 5142694

PURCHASER: The Matthysen Family Descendants
Postal Address: 1 Bellhome Street, Highbury, Kuilsriver 7580
Telephone: 073-848 9760
eMail: emarentiap@mweb.co.za

11 OFFER

The first signature to this Agreement shall constitute an offer and such is open for acceptance for a period of 60 days from the date of the first signature, after which such offer will lapse.

11 WARRANTIES

The parties hereto acknowledge that the foregoing when accepted by the Seller or Purchaser shall constitute the entire contract between them and that no other conditions, stipulations, warranties or representations whatsoever have been made by either party or his agent than such as may be included herein.

12 GENERAL

In this Agreement words importing the singular shall include the plural and vice versa, and words importing the masculine gender shall include the feminine and words importing persons shall include bodies corporate. The head notes to the paragraphs have been inserted for reference purposes only and shall not affect the wording to which they relate.

13 COSTS

It is agreed that the Purchaser will bear all legal costs associated with the drafting and constitution of this and/or other associated agreements.

14 COMMISSION

The Parties record that no commission shall be payable on this transaction to any third party by the Seller upon the date of registration.

FOR AND ON BEHALF OF THE PURCHASER, DATED at
2023.

on this day of May

AS WITNESS:

1.

2.

(Purchaser)

FOR AND ON BEHALF OF THE SELLER, DATED at
2023.

on this day of May

AS WITNESS:

1.

2.

(Seller)

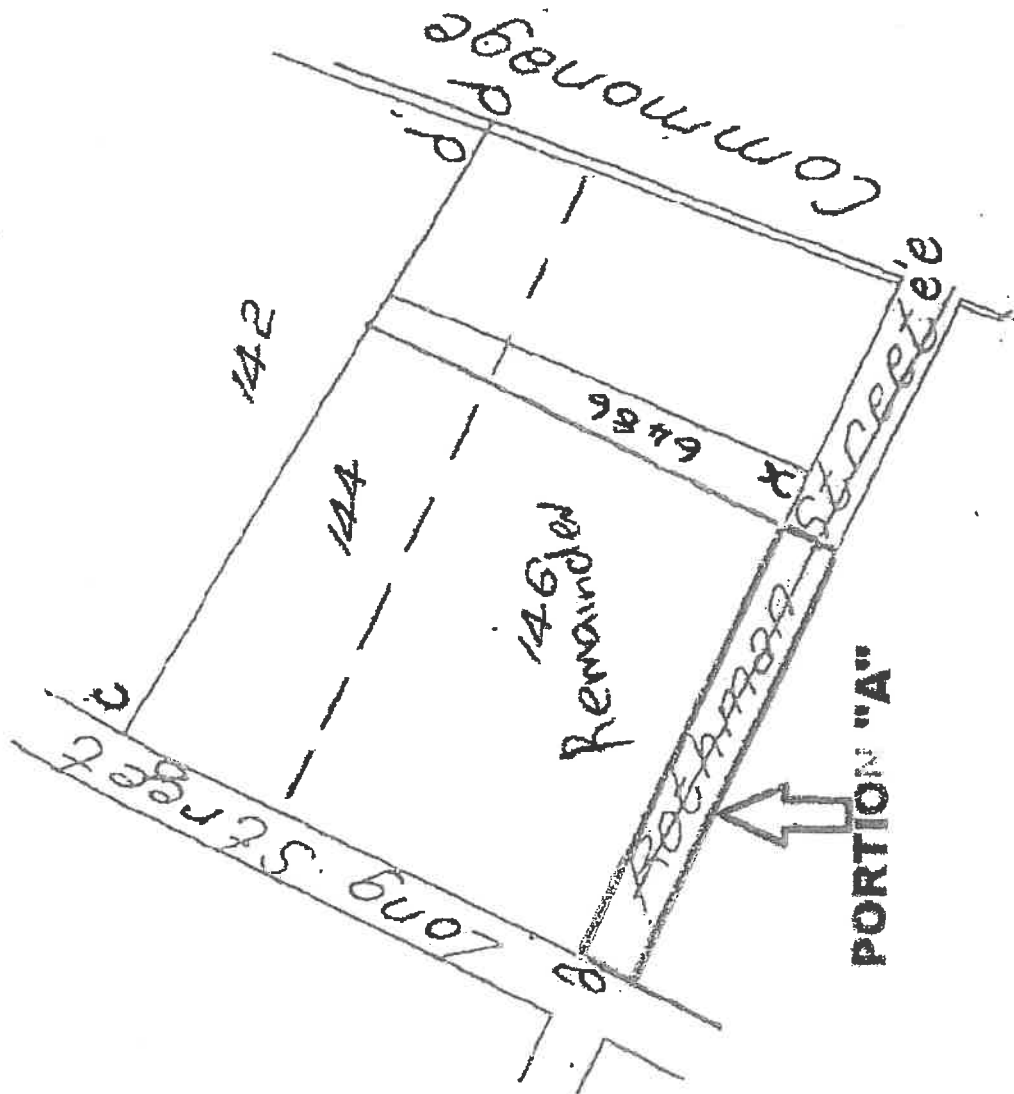
ANNEXURE "A"

DATA.

As per Beacons.	
Sides.	Angles.
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bc 34.90	b 74.0.0
cd 475.11	c 90.0.0
de 302.36	d 01.18.40
ea 504.15	e 84.41.20

Area: 1 Morg. 507 S.R.
3 Sq. Ft.

For Transfer.	
SIDES.	ANGLES.
ab 316.00	a 90.0.0
bc 34.90	b 174.0.0
cd 476.64	c 90.0.0
de 302.14	d 101.13.30
ee 505.19	e 84.46.30



KNOW ERF 165
SWELLENDAM

T. N.

47

S.G. Dgm. No. 1605/1900.

C.S. Dgm. No 1605/1900

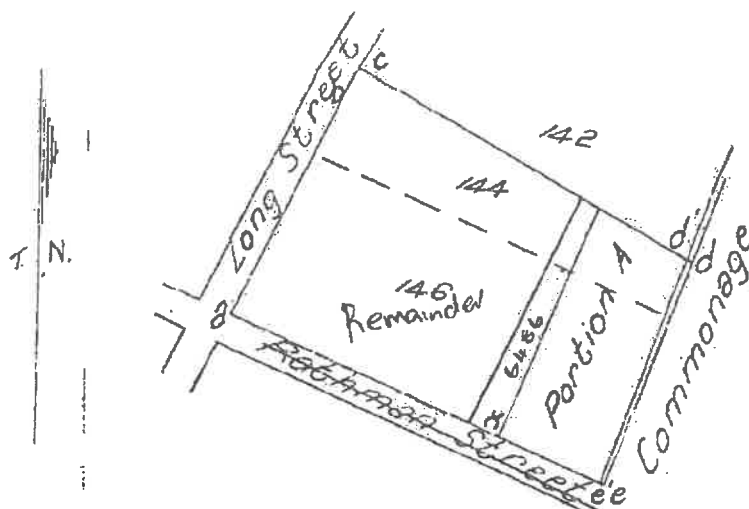
The numerical data of this diagram are sufficiently consistent.
(Sgd.) J.J. Bosman.
Examiner.

DATA.

As per Beacons.			
Sides.		Angles.	
ab	316.00	a	90.0.0
bc	34.90	b	174.0.0
cd	475.11	c	90.0.0
de	302.36	d	101.18.40
ea	504.15	e	84.41.20

Area: 1 Morg. 507 S.R.
3 Sq. Ft.

For Transfer.			
SIDES.		ANGLES.	
ab	316.00	a	90.0.0
bc	34.90	b	174.0.0
cd	476.64	c	90.0.0
de	302.14	d	101.13.30
ea	505.19	e	84.46.30



KNOW ERF 165
SWELLEN DAM

Scale: 200 Cape Feet = 1 Inch.

The above diagram a.b.c.d.e. represents 1 Morgen 509 Square Roods, 99 Square Feet of Ground, being Lots Nos. 144 & 146 situated SWELLENDAAM EAST TOWNSHIP, being portion of the Land granted to the Commissioners of the Municipality of Swellendam on 18th July, 1861.

Road letters/along Bdy.....27.
 closed. Vide T/C's Notice d.d.1978.12.01
 File S. 158161..... p. 63.
 Hel.
 SURVEYOR GENERAL
 Date..17-12-1978.

Bounded NE by Lot 142
SE " Commonage
SW " Rothman Street
NW " Long Street

Framed from actual Survey, by me.
(Sgd.) Wilson Greathead.
Govt. Land Surveyor.
July, 1899.

Copies from the diagram relating to
Transfer Title Deed No. 242
dated 14th January 1901 in favour of
Susan M. Siebert, (born van Eeden)

for SURVEYOR-GENERAL,
CAPE TOWN.

For list of
deductions see
back of diagram

**CHECKED
DATA CHECKED**

AvL

DEED AND MAPS, LAND SURVEYORS, SWERST WEST (KAZB/A)

SIDES Metres	DIRECTIONS	CO-ORDINATES W 21°		E.C. No. 1647/2006
		Y	X	
AB 8,08	Constant	0,00	3 700 000,00	Approved <i>Atkinson</i> Surveyor- General 15-5-2006
BC 57,65	302 35 50	A + 52 358,54	68 062,49	
CD 41,41	25 21 50	B + 52 351,75	68 066,83	
DE 13,06	22 54 40	C + 52 376,45	68 118,92	
EA 99,79	116 39 30	D + 52 292,57	68 157,06	
	207 15 00	E + 52 404,23	68 151,20	
	29A4	⊕ + 50 727,92	66 150,97	
	108A4	⊕ + 50 632,60	65 809,44	

Description of Beacons
 A, E : Y type iron standard
 B, C, D : Not beacons

The figure A B C D E represents 995 square metres of land, being
 ERF 6485 (a portion of Erf 165) SWELLENDAM
 Situate in the Swellendam Municipality
 Administrative District of Swellendam
 Province of Western Cape
 Surveyed in January to March 2006 by me *[Signature]*
 J. L. Land Surveyor (PLS 0328)

This diagram is annexed to	The original diagram is No. 605/1900	File No. 5/56/01 LPJ C0730006 S.R. No. E642/2006 Bound B and boundary 40 measured and dated 10/03/1945 COMP. A. J. B. B. / V. S. (543) AJNC-4363/144746
No. dated	annexed to	
1:10.	Deed of Transfer	
Register of Deeds	No. 1901- 3 -242	

Er: 6486 Swellendam

EXEMPT FROM PROVISIONS OF ACT
 90 OF 1979
 SECTION 8(1)

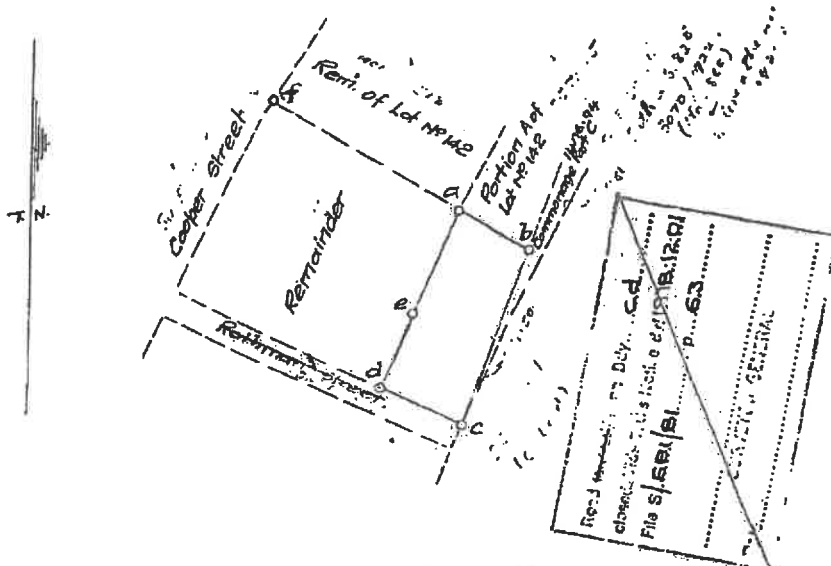
THE SURVEYOR GENERAL
 OFFICE OF THE SURVEYOR
 GENERAL

SIDES		ANGLES OF DIRECTION	SYSTEM 1° 21' 21"	CO-ORDINATES
Cape	Feet			
ab	127.49	302.35.50	a	+166093.65 + 66659.40
bc	202.36	21.23.30	b	+165986.24 + 66729.08
cd	141.83	116.89.30	c	+166086.53 + 67009.81
de	151.52	202.54.40	d	+166223.28 + 66945.98
ea	183.10	205.21.60	e	+166172.08 + 66824.84
af	348.11	122.35.50	f	+166386.93 + 66471.86

S. G. No. 558/45

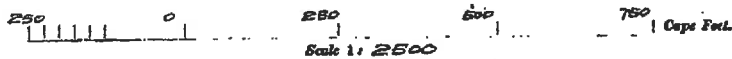
Approved

W. J. van der Merwe
 Surveyor-General.



Description of Beacons:

- a, b, d, e = Iron pipes not less than 1 1/2" x 3/4"
- c = Iron waggon band about 2 1/2" x 1/2"
- f = Iron peg about 1 1/2" x 1/2"



The figure a, b, c, d, e

represents

41,708 Square Feet

of land being

Portion A of Lots Nos 144 & 146.

Municipality and

situate in the Division of Swellendam,

Province of Cape of Good Hope.

Surveyed in Nov 1944 by me

T. J. van der Merwe

Land Surveyor.

This diagram is annexed to D/T No 765 Dated 22.1.1946 I.F.O. the Council of the Municipality of Swellendam.

Registrar of Deeds.

The original diagram is No. 1605/1900 annexed to D/T 1901-3-242

S. G. File No. S. 558/45
 S.E. No. E. 125/1
 Noting Plan 3102

A. S. E. G. T.

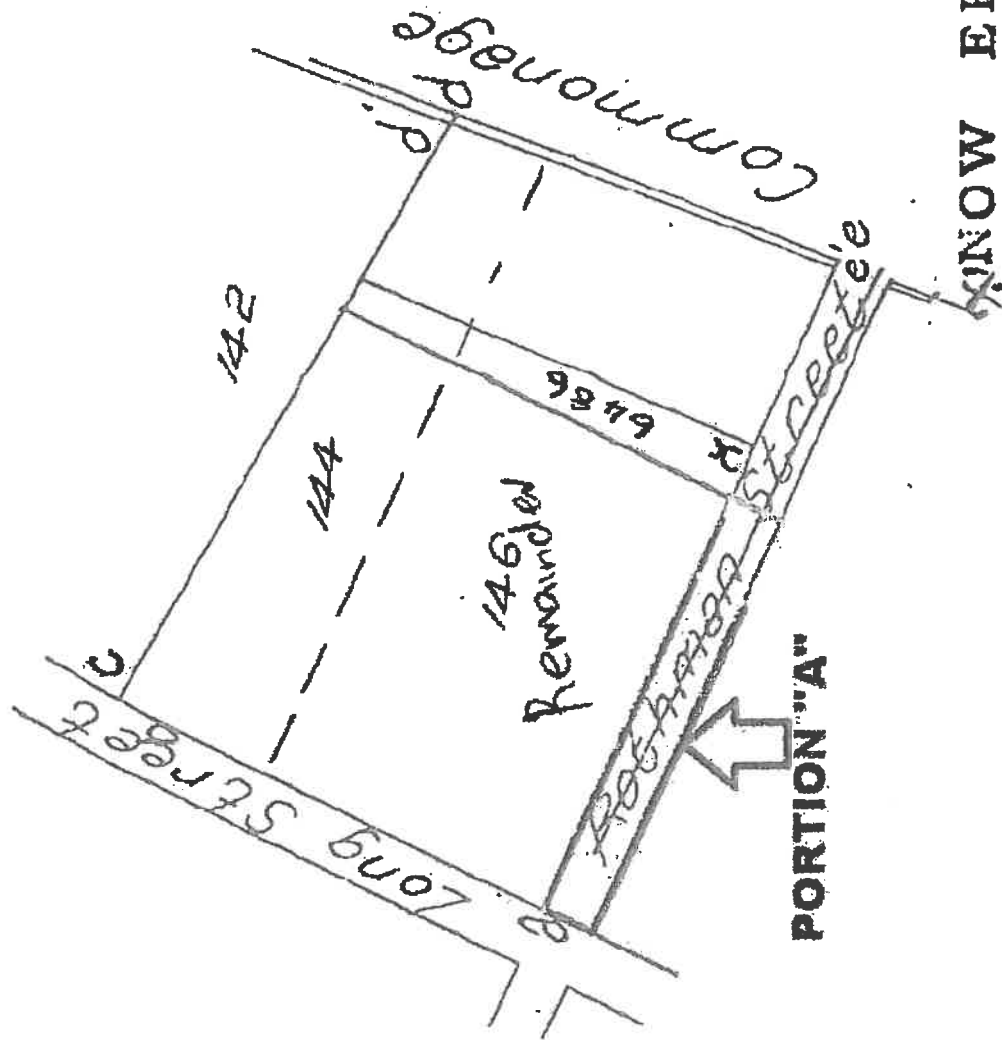
ANNEXURE "A"

DATA.

As per Beacons.		
Sides.	Angles.	
ab 316.00	a	90.0.0
bc 34.90	b	174.0.0
cd 475.11	c	90.0.0
de 302.36	d	101.13.40
ea 504.15	e	84.46.30

Area: 1 Morg. 507 S.R.
3 Sq.Ft.

For Transfer.		
SIDES.	ANGLES.	
ab 316.00	a	90.0.0
bc 34.90	b	174.0.0
cd 476.64	c	90.0.0
de 302.14	d	101.13.30
ea 505.19	e	84.46.30



KINOW ERF 165
SWELLEN DAM

57.
N.

er St. Swellendam

ition for your map.

Legend

- 72 Cooper St
- Bethany Ado
- Bloomerstate
- Feature 1

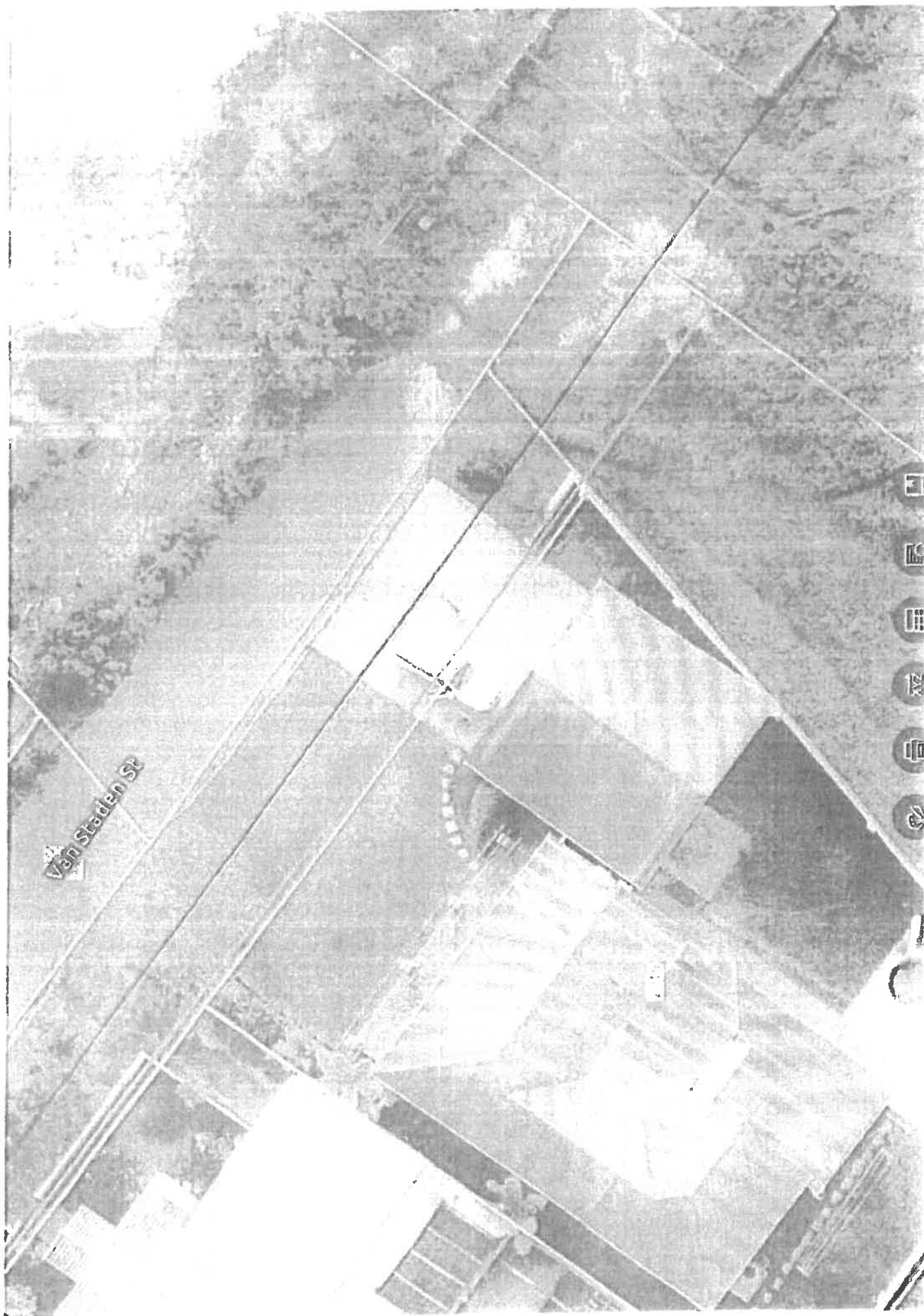


Motivering

1. Sekuriteit is 'n groot probleem hier en die behoefte is om 'n sekuriteits heining van "clear view" aan die voorkant van die erf aan te bring. Langs die sykant en agter is reeds ge-elektrifiseer.
2. Die probleem is egter dat die afstand tussen die betstaande motorhuis en die boulyn te kort is dat 'n motorvoertuig daar sal inpas.
3. Die versoek is dat toestemming verleen word om die heining met 2 meter vanaf die landmeter penne nader aan die straat opgerig word.
4. Die sypaadjie vanaf die landmeter penne tot by die randsteen is 5.5 meter. Vanaf die lyn wat die ander huise in die straat se heinings tot by die randsteen vorm is 4.5 meter. Effektief sal dit dus beteken dat ek die heining slegs 1 meter nader aan die straat wil skuif.
5. Die erf is geleë aan die einde van Van Staden straat en die straat loop hier dood. Daar is dus geen deurverkeer nie en hier is dus baie min beweging van ander voertuie en mense.
6. Langs en agter die erf is munisipale grond wat begroei is met lang gras (wat van tyd tot tyd gesny word), maar sekuriteit is 'n groot probleem aangesien ons die afgelope maand reeds verskeie probleme ondervind het.
7. Indien die motor uit die motorhuis getrek word is die heining te naby om die deure toe te maak en die motor nog binne die heining te parkeer. Sekuriteit gaan dus tot niet aangesien alles dan sou oop staan. Dit is belangrik vir sekuriteit dat daar nie toegang tot die erf sal wees wanneer die motorhuis deure of enige ander deure sou oop staan nie. Ook is dit belangrik om eers die veiligheids heining se hek toe te maak voordat eninge ander deure oopgemaak word by jou tuiskoms.
8. Volgens die lugfoto, wat Mnr Schutte aan my voorsien het, sou die skuif van die heining nie 'n risiko vir betaande dienslyne wees nie aangesien die dienslyne nog steeds buite die beplande heining sal wees.
9. Sekuriteit is vir ons van die grootste belang aangesien ek en my vrou soms nie hier sal wees nie en dan sal my dogter, wat by ons inwoon, alleen hier wees. Ons kan nie die risiko loop om haar hier alleen te los nie.
10. Na die onlangse moord en tragiese dood van 'n egpaar van Piketberg kan ek seker veiligheid nie genoeg beklemtoon nie. Veiligheid en sekuriteit het vir te lank nie deel van ons bestaan uitgemaak nie, maar sal nou dringend en daadwerklik aangespreek moet word.
11. Soos ek dit sien sal die skuif van die heining niemand benadeel of verontrief nie. Dit sal egter net 'n nuwe intrekker baie meer gerus en gelukkig maak in Swellendam.

Baie dankie

Niekie Nel



ArcGIS Web Map



8/11/2023, 9:27:10 AM

Registered (Deeds) Cadastre Image

Municipal Boundary

Wards

Image

Red: Band_1

Green: Band_2

Blue: Band_3

Image

Red: Band_1

Green: Band_2

Blue: Band_3

55

Red: Band_1

Green: Band_2

Blue: Band_3

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasystelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Swellendam Municipality, Esri



INSAKE STRAATSLUITING BY 36,38 & 40 KERKSTRAAT

Gedurende die afgelope paar maande het ons by Aan de Leisure 'n drastiese toename gesien in die hoeveelheid insidente waar mense toegang probeer kry en/of peuter aan ons eiendomme. Gaste het al oortreders op die perseel aangetref by bogenoemde drie huisies.

Dus is ons genoodsaak om na oplossings te kyk om die veiligheid van ons kliënte te verseker. Weens die feit dat ons nie hoë grensmure mag bou binne die munisipale regulasies nie, moet ons na ander oplossings kyk.

Twee oorwegings vir die bogenoemde drie eiendomme is of om elektriese drade bo op die bestaande grensmure te sit of om die doodloop straat se toegang te beheer met 'n skuifhek.

Ons voel dat elektriese heinings nie die oplossing is nie aangesien dit onooglik is.

Ons tesame met ons twee bure is die enigste gebruikers van die doodloop straat. Al die eienaars sal toegang verkry tot die straat by wyse van 'n skuifhek op die hoek van kerkstraat.

Die straat raak dan die verantwoordelikheid van die eienaars en nie meer die munisipaliteit nie.

Ons vra dus die raad om die verkoop of sluiting van die doodloop straat te oorweeg.

Kontak my gerus indien daar enige vrae is.

Groete,

Casper Bosman
0828592707

Accommodation made perfect

AAN DE OEVER
I E T

21 Faure St

AAN DE EIKE
I

13 Swellengrebel St

AAN DE HEUVEL
I I N

38 Kerk St

SWELLENDAM. 6740 | TEL: +27 (0) 28 514 1066
Directors: C.J. Bosman | J.N. Lourens | C.A. Smit | Reg. No: 2008/020507/07

56 .



Deeds Registration Office

Property Report

Erf Enquiry

General Information

Date Requested 2023-06-19
Deed Office Cape Town
Information Source Deed Office

Property Details

Deeds registry CAPE TOWN
Property type ERF
Township SWELLEN DAM
Erf number 1191
Portion 0 (REMAINING EXTENT)
Province WESTERN CAPE
Registration division/Administrative district SWELLEN DAM RD
Local authority SWELLEN DAM MUN
Previous description -
Diagram deed number SWF20-21/1920
Extent 3790000 SQM
LPI Code C07300080000119100000

Deeds Title Details

#	Document	Registration Date	Purchase Date	Amount (R)
1	T96388/1996	19961205	19960805	R10.00

Owner Information

#	Document	Full name	Identity Number	Share
1	T96388/1996	OORGANGSRAAD-SWELLEN DAM	-	-

Endorsements/Encumbrances

No data found for this search criteria

Historic Documents

#	Document	Holder	Amount (R)	Image Reference
1	T29461/1981	BURGER JOHAN KELLERMAN 1/2	-	1996 0988 4866
2	T29461/1981	DIEDERICKS WILLEM GABRIEL 1/2	-	1996 0988 4866

Disclaimer:

The Office of the Chief Registrar of Deeds hereby confirms that, on the basis of information at the Deeds Office's disposal that the contents of this report accurately reflects property information held in our records. As per Deeds Registration process, this information is valid for seven (7) days.

Photocopies of this report are not valid.

This report is issued subject to costs as specified in the fee schedule. <http://deeds.dalrdd.gov.za/fees.php>.

Printed: 2023-06-19

Zimbra

liezel@swellendam.gov.za

RE: Erf 1191

From : Wilhelm Schutte <wschutte@swellendam.gov.za>

Mon, Jun 19, 2023 09:02 AM

Subject : RE: Erf 1191

 2 attachments

To : Liezel Fabricius <liezel@swellendam.gov.za>, Ron
Brunings <rbrunings@swellendam.gov.za>

Liesel

Dit was destyds die tussentydse Raad met die skep van nuwe munisipaliteite rondom Jy kan dit nou net lees as Swellendam Munisipaliteit se Raad.

Groete



Wilhelm Schutte Pr. Pln (A/1230/2002)

Town Planner (Town Planning and Building Contr

Phone: +27 (0)28 514 8541

Fax: +27 (0)28 514 2694

E-mail: wschutte@swellendam.gov.za

Web: <https://www.swellendam.gov.za>

Swellendam Municipality

P.O.Box 20, Swellendam, 6740, Western Cape

Â

From: Liesel Fabricius <liesel@swellendam.gov.za>

Sent: Monday, June 19, 2023 8:51 AM

To: Ron Brunings <rbrunings@swellendam.gov.za>; Wilhelm Schutte <wschutte@swellendam.gov.za>

Subject: Fwd: Erf 1191

More, weet julle dalk wie is die oorgangsraad in Swellendam?



Liesel Baransky

Administrative Officer (Property Mngt)

Phone: +27 (0)28 514 8513

Fax: +27 (0)28 514 2694

E-mail: liesel@swellendam.gov.za

Web: <https://www.swellendam.gov.za>

Swellendam Municipality

P.O.Box 20, Swellendam, 6740, Western Cape.

From: "Dioline Beukes" <dbeukes@swellendam.gov.za>
To: "Liesel Fabricius" <liezel@swellendam.gov.za>
Sent: Monday, June 19, 2023 8:50:03 AM
Subject: Erf 1191

Liesel,

Vind aangeheg akte soos aangevra.

Groete



Dioline Beukes

Accountant (Rates and Taxes)

Phone: +27 (0)28 514 8520

Fax: +27 (0)28 514 2694

E-mail: dbeukes@swellendam.gov.za

Web: <https://www.swellendam.gov.za>

Swellendam Municipality

P.O Box 20, Swellendam, 6740, Western Cape,

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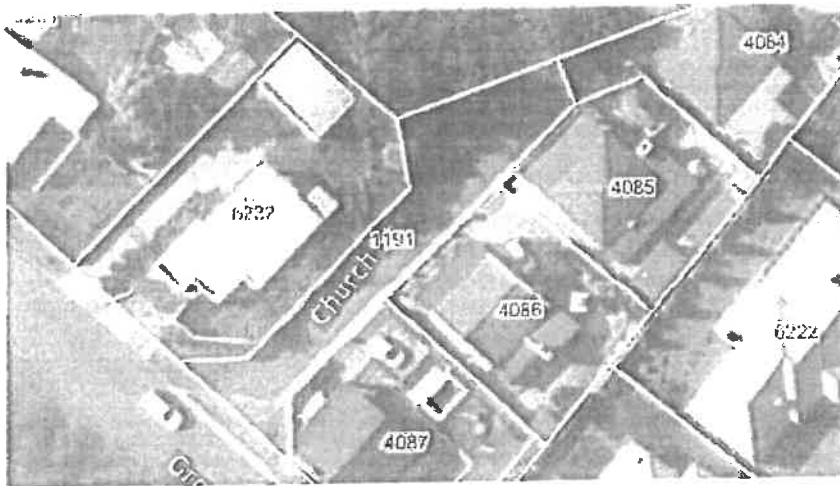
Hi Liezel,

Ek sien dis net die Oorgangs raad. Genade ek weet nie of dit die Distriksmunis is nie.

Ej het op GIS viewer gaan kyk, dit is 'n padgedeelte.

Ek heg vir jou aan.

Groete



Rolien Campher

Accountant (Customer Care and Cashiering)

Phone: +27 (0)28 514 8508

Fax: +27 (0)28 514 2694

E-mail: rolien@swellendam.gov.za

Web: <https://www.swellendam.gov.za>

Swellendam Municipality

P.O Box 20, Swellendam, 6740, Western Cape,

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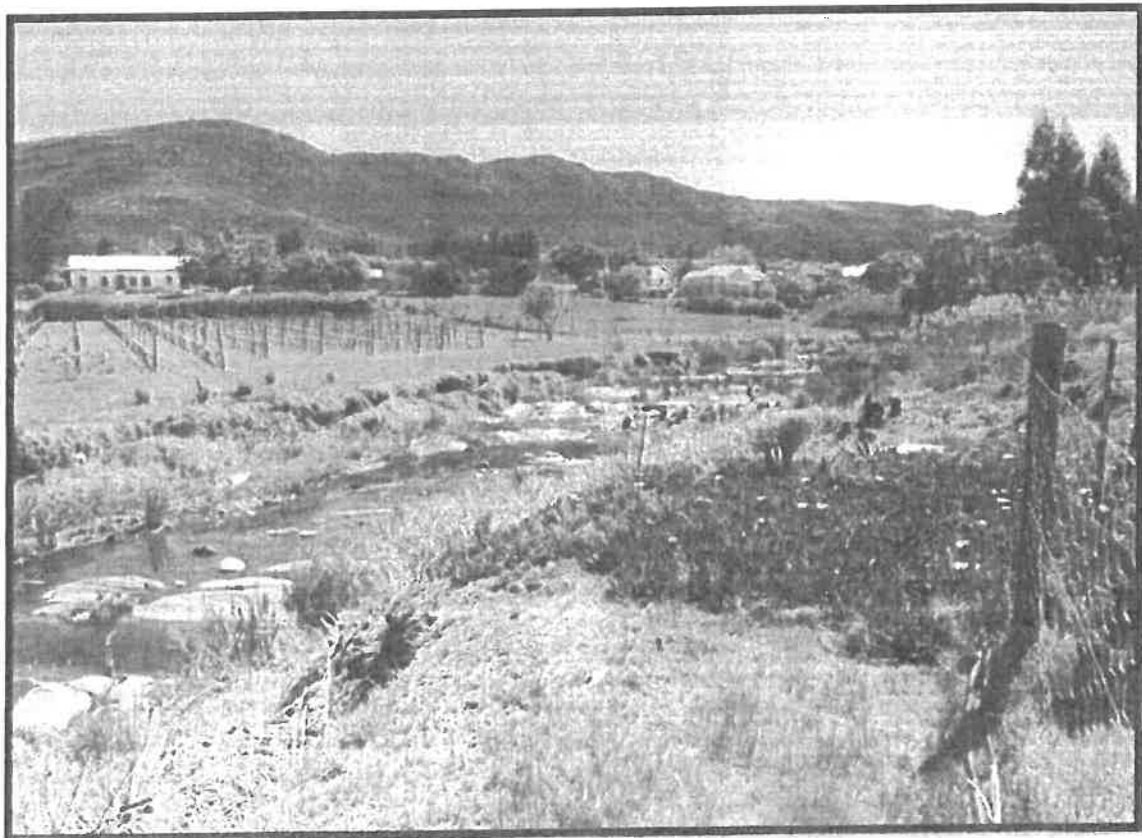
VALUATION REPORT

Property: Erven 1715 (Remainder), 1717 & 1718, Barrydale, Western Cape

Owner: Swellendam Municipality

Value:	Remainder of Erf 1715, Barrydale:	R415 000
	Erf 1717, Barrydale:	R520 000
	Erf 1718, Barrydale:	R360 000

Date: 2023/06/01



COMPILED BY:
Matthys Heyns
Professional Valuer
N Dip in Real Estate in Prop Val
Reg. No. 5312/5

1. Instruction and purpose

Instruction was received from Swellendam Municipality to determine the market value of Erven 1715 (Remainder), 1717 & 1718, Barrydale, for transactional purposes.

The properties have been inspected at earlier this year, while the valuation of the property was determined on 1 June 2023.

2. The subject properties

The subject properties are vacant plots and comprise the following:

- Remainder of Erf 1715 – 2 067m² (Residential Zone 1), Barrydale
- Erf 1717 – 2 611m² (Residential Zone 1), Barrydale
- Erf 1718 – 1 783m² (Residential Zone 1), Barrydale

The above properties are located in the northern part of Barrydale town in the Western Cape, near the popular Route 62.

Previous Municipal valuations:

Rem. of Erf 1715: R280 000 (R135/m²)

Erf 1717: R350 000 (R134/m²)

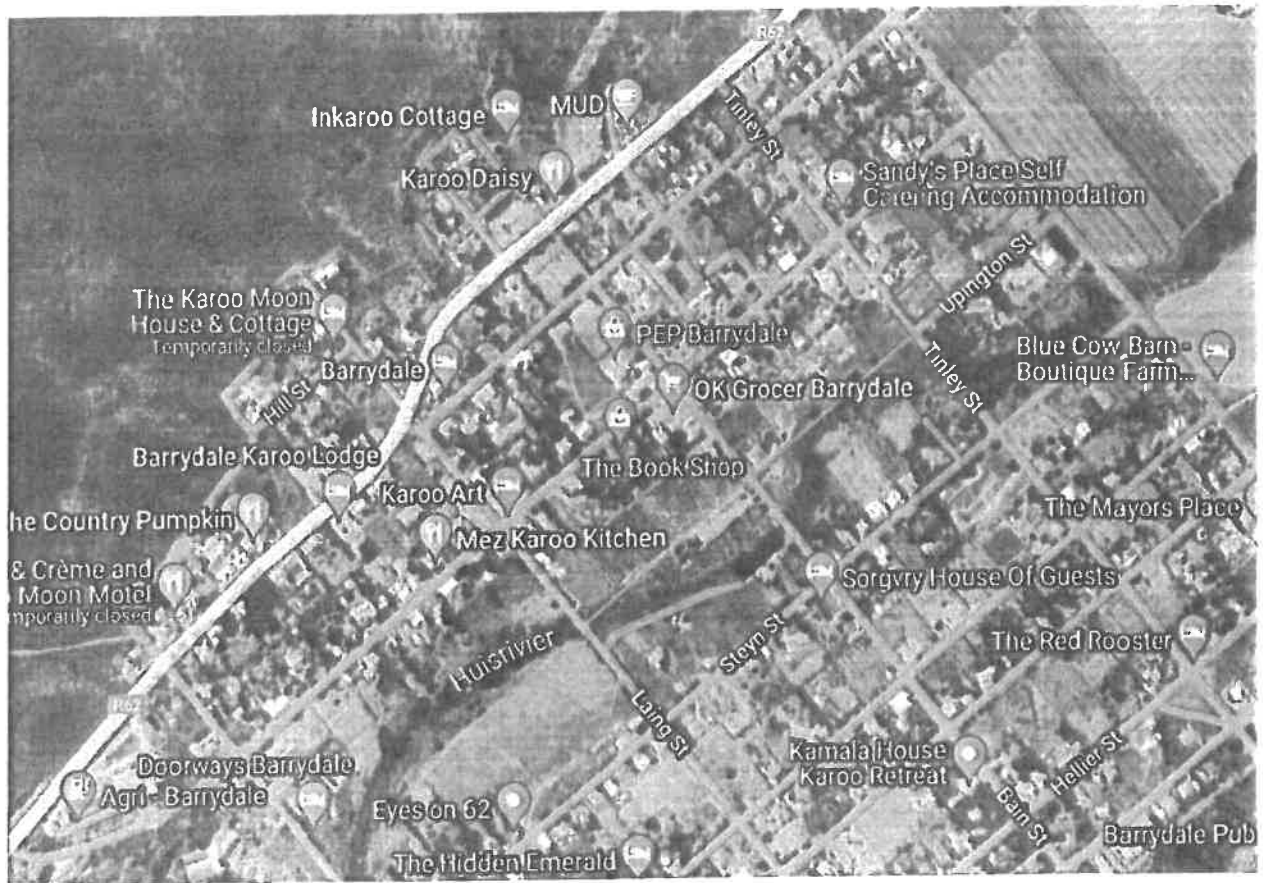
Erf 1718: R240 000 (R135/m²)

These values are considered lower than the current market values.

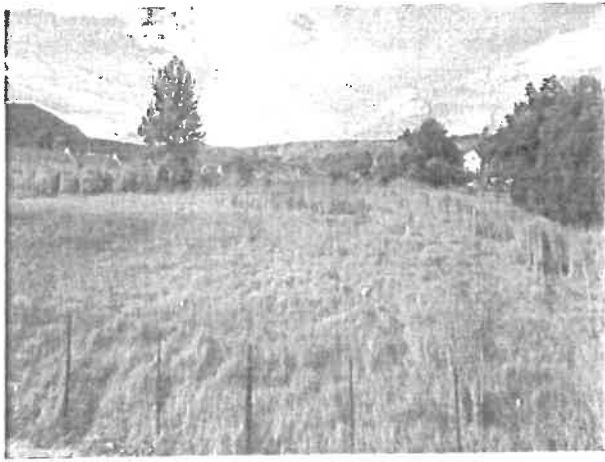
Aerial view



Location – Erven 1715 (Remainder), 1717 & 1718



Photos

Erven 1718 & 1717	Rem. of Erf 1715
	

3. Current market conditions

Barrydale is a small rural town with agriculture and tourism being the main drivers for economic activity. High building costs and economic constraints are negative for the demand for vacant land in rural towns. Interest rates are now in an upward cycle and it is expected that vacant land prices will move sideways in the foreseeable future. According to an estate agent in Barrydale, there is a reasonable demand for vacant plots in the specific area.

4. Valuation Method

Analysing comparable sales are the most reliable method to determine the market value of vacant land.

The generally accepted definition of market value is:

"The estimated amount for which an asset should exchange on the date of valuation between a willing buyer and a willing seller in an arm's length transaction after proper marketing where the parties of each acted knowledgeably, prudently and without compulsion."

5. Comparable Sales

The comparable sales approach is to our knowledge the best approach to value vacant land.

Location	Erf	Size	Sales date	Sales Price	Comments
Milner Street, Barrydale	Erf 282	2974m ²	2022/01/17	R490 000 (R165/m ²)	Vacant residential erf located to the eastern side of Barrydale. Location similar to the subject properties, yet being a larger erf, a lower rate per m ² was paid. Value per m ² for the subject properties should be higher.
High Level Street, Barrydale	Erf 678	991 m ²	2022/06/20	R245 000 (R247/m ²)	Vacant residential erf located to the eastern side of Barrydale. Location comparable with the subject properties, but being a smaller erf, a higher rate per m ² was paid. Value per m ² for the subject properties should be lower.
Milner Street, Barrydale	Erf 151	2974m ²	2021/03/14	R550 000 (R185/m ²)	Vacant residential erf located in a less favourable area when compared with the subject properties. Value of subject properties should be higher.

High Level Street Barrydale	Erf 447	991m ²	2021/08/31	R140 000 (R141/m ²)	Vacant residential erf located in a less favourable area when compared with the subject properties. Value per m ² for the subject properties should be higher.
--------------------------------	---------	-------------------	------------	------------------------------------	---

The following factors regarding the subject properties were considered:

Positive aspects

- The location of these erven is favourable.
- The erven have a relatively flat topography, making it more suitable for construction.
- There is reasonable demand for vacant residential land in the specific area.
- The erven all have access to bulk municipal services.

Negative aspects

- Due to the large size of the erven, they might be on the market for longer.
- Rising interest rates.
- High building costs are negative for the demand for vacant land.

6. Calculation

When studying the comparable sales over the past few years in Barrydale, vacant residential erven were sold between R140 000 and R550 000 per erf, or R140/m² to R250/m². The value per m² for the subject properties should fall within this price range.

The residential erven are situated closer to the Route 62 main road and have a fairly flat topography. When compared with the above sales, a rate per m² within the indicated price range will be applicable. In our professional opinion, a rate of R200/m² is deemed market related.

Note: The details of the subject properties and the local market conditions were discussed in detail with an experienced estate agent from Barrydale (working for Seeff). Our assessment is based on his inputs as well as our own database and experience.

If the characteristics of the subject properties and the comparable sales are considered, the subject properties are valued as follows:

Land value

- Remainder of Erf 1715: 2 067m² x R200/m² = R413 400 **Rounded say: R415 000**
- Erf 1717: 2 611m² x R200/m² = R522 200 **Rounded say: R520 000**
- Erf 1718: 1 783m² x R200/m² = R356 600 **Rounded say: R350 000**

7. Conditions with regard to the valuation

(a) Property rights

Title deeds of the property are studied when it is available during the research. Where the title deeds are not available, the assumption is made that ownership and unusual servitudes or expenses do not limit property rights.

(b) Bonds, loans or other costs

The property was valued as if it is fully owned and any bonds, loans or costs were not brought into account.

(c) Expenses and hidden conditions

It is assumed that, except where mentioned otherwise, the property is only subject to normal owner's costs, and there are no limitations or unusual agreements that are known of. Furthermore, it is assumed that there are no hidden or problematic circumstances that will make the property more or less valuable.

(d) Statuette notice or illegal use

It is assumed that the property and values are not influenced by any state enticement and that neither the property nor use of it will be illegal.

(e) Confidentiality

This report has especially been written for the owner or principal. It could be given to other professional advisors for this purpose, but I am not accepting responsibility to any other party than yourself.

(f) Ban on publication

Take notice that this document, or part there-of, or any reference in this regard, may not be published in any form or medium, without the applicable written approval from the authors of this report.

(g) Obtaining information

Information in this valuation is obtained from external sources, mostly from the client and/or their representatives. This is verified as far as possible, yet no guarantee is given for the accuracy of this information. Should new information arise that influences the valuation, we retain the right to amend our calculations, even with a possible impact on value.

(h) Legal

This valuation has been prepared in accordance with the guidelines of the South African Council for the Property Valuers Profession as established by Section 2 of the Property Valuers Profession Act, 2000 (Act No. 47 of 2000); in accordance with the RICS Valuation Professional Standards (2014); and in accordance with International Valuation Standards, Seventh Edition (2017).

VALUATION CERTIFICATE

I, the undersigned, **MATTHEUS LOURENS HEYNS**, a professional valuer, registered in terms of the Property Valuers Profession Act of 2000, hereby certify that I personally inspected the property consisting of:

Erven 1715 (Remainder), 1717 & 1718, Barrydale, Western Cape Province

And determined to the best of my ability and knowledge, and without fear, favour or prejudice, that the market value of the property with improvements as on 1 June 2023, is as follows:

- Erf 1715, Barrydale: R415 000 (FOUR HUNDRED AND FIFTEEN THOUSAND RAND)
- Erf 1717, Barrydale: R520 000 (FIVE HUNDRED AND TWENTY THOUSAND RAND)
- Erf 1718, Barrydale: R360 000 (THREE HUNDRED AND SIXTY THOUSAND RAND)

***Note:** Values exclude VAT.



M L HEYNS
PROFESSIONAL VALUER
REGISTRATION NUMBER 5312

1 June 2023
DATE

9. Aktex searches



ERF 1715, BARRYDALE (CAPE TOWN) Database Property Erf

Site: GDI Waterview 2 Waterview Close Century
City
Tel: +27 8C 044 3333
Website: <https://www.searchworks.co.za>

SEARCH INFORMATION

Summary	
Search Type	DATABASE PROPERTY ERF
Search Description	ERF 1715, BARRYDALE (CAPE TOWN)
Reference	MATTHYS
Date	31/05/2023

ERF INFORMATION

Summary	
Deeds Office	CAPE TOWN
Property Type	ERF
Township	BARRYDALE
Erf Number	1715
Portion Number	0
Remainder	YES
Registration Division	SWELLENDAM RD
Municipality	BARRYDALE MUN
Province	WESTERN CAPE
Diagram Deed	T52189/2019
Size (Registered)	2067 m²
Size (Cadastral)	2067
Registration Date	04/12/2019
Last Sale Date	-
Last Sale Price	-
LPI Code	C07300010000171500000
Street Address	-

ENDORSEMENT(S)

Bond Number	Institution	Reg. Date	Amount
CONSOLIDATE FROM	TOWN BARRYDALE,ERF 342,PRTN 0	-	0
CONSOLIDATE FROM	TOWN BARRYDALE,ERF 343,PRTN 0	-	0
CONSOLIDATE FROM	TOWN BARRYDALE,ERF 348,PRTN 0	-	0
CONSOLIDATE FROM	TOWN BARRYDALE,ERF 349,PRTN 0	-	0
NOW SUBDIVISION	TOWN BARRYDALE,ERF 1716,PRTN 0	-	0
NOW SUBDIVISION	TOWN BARRYDALE,ERF 1717,PRTN 0	-	0
NOW SUBDIVISION	TOWN BARRYDALE,ERF 1718,PRTN 0	-	0

OWNER INFORMATION

Owner 1 of 1	
Owner Name	MUN SWELLENDAM
Owner Type	UNKNOWN
ID / Reg. Number	-
Title Deed	T52189/2019
Share	0



ERF 1717, BARRYDALE (CAPE TOWN)

Database Property Erf

Suite G01, Waterview 2, Waterview Close, Century
City
Tel. +27 85 044 3333
Website: <https://www.searchworks.co.za>

SEARCH INFORMATION

Summary

Search Type	DATABASE PROPERTY ERF
Search Description	ERF 1717, BARRYDALE (CAPE TOWN)
Reference	MATTHYS
Date	31/05/2023

ERF INFORMATION

Summary

Deeds Office	CAPE TOWN
Property Type	ERF
Township	BARRYDALE
Erf Number	1717
Portion Number	0
Remainder	NO
Registration Division	SWELLENDAM RD
Municipality	BARRYDALE MUN
Province	WESTERN CAPE
Diagram Deed	T52191/2019
Size (Registered)	2611 m²
Size (Cadastral)	2611
Registration Date	04/12/2019
Last Sale Date	-
Last Sale Price	-
LPI Code	C07300010000171700300
Street Address	-

ENDORSEMENT(S)

Bond Number	Institution	Reg. Date	Amount
SUBDIVISION FROM	TOWN BARRYDALE, ERF 1715, PRTN 0	-	0

OWNER INFORMATION

Owner 1 of 1

Owner Name	MUN SWELLENDAM
Owner Type	UNKNOWN
ID / Reg. Number	-
Title Deed	T52191/2019
Share	0



ERF 1718, BARRYDALE (CAPE TOWN)

Database Property Erf

Suite G01, Waterview 2, Waterview Close, Century
City
Tel: +27 85 044 3333
Website: <http://www.searchworks.co.za>

SEARCH INFORMATION

Summary

Search Type	DATABASE PROPERTY ERF
Search Description	ERF 1718, BARRYDALE (CAPE TOWN)
Reference	MATTHYS
Date	31/05/2023

ERF INFORMATION

Summary

Deeds Office	CAPE TOWN
Property Type	ERF
Township	BARRYDALE
Erf Number	1718
Portion Number	0
Remainder	NO
Registration Division	SWELLENDAM RD
Municipality	BARRYDALE MUN
Province	WESTERN CAPE
Diagram Deed	T5219U/2019
Size (Registered)	1783 m ²
Size (Cadastral)	1783
Registration Date	04/12/2019
Last Sale Date	-
Last Sale Price	-
LPI Code	C07300010000171800000
Street Address	-

ENDORSEMENTS

Bond Number	Institution	Reg. Date	Amount
SUBDIVISION FROM	TOWN BARRYDALE, ERF 1715, PTN 0	-	0

OWNER INFORMATION

Owner 1 of 1

Owner Name	MUN SWELLENDAM
Owner Type	UNKNOWN
ID / Reg. Number	-
Title Deed	T5219U/2019
Share	0

10. SG Diagram

OFFICE COPY

bekker en houterman (ons vers: B55)

SYE meter		RIGTINGS- HOEKE		KOÖRDINATE Y Stelsel: WG 21	
		Konstantes:		0,00	3700 000,00
AB	125,92	320.23.50	A	+ 25 463,19	+ 52 783,59
BC	94,48	50.21.40	B	+ 25 382,93	+ 52 890,61
CD	76,27	140.23.50	C	+ 25 455,68	+ 52 950,89
DE	19,62	224.20.20	D	+ 25 504,30	+ 52 892,12
EF	47,57	140.24.30	E	+ 25 490,59	+ 52 878,09
FA	74,97	230.20.40	F	+ 25 520,81	+ 52 841,43
KONNEKSIES:					
CG	4,73	230.21.40	G	+ 25 452,04	+ 52 847,87
CH	4,72	140.23.50	H	+ 25 458,69	+ 52 947,25
PEILBAKENS:					
TRADOUW		Δ 63		+ 20 533,03	+ 57 932,83
FORI		Δ 135		+ 25 016,00	+ 53 724,40

L.G.No.
1146/2019

Goedgekeur
[Handwritten Signature]
MRS.
LANDMETER-
GENERAAL
2017-08-19

BAKENBESKRYWING:

A, B, D, E, H ... 12m Ysterpen
F 12m Gat op pilaar
G 25m Ysterpen
C Geen baken

W N

Skaal: 1/2500

KOMPONENTE:

- Die figuur Acba stel voor Erf 348 BARRYDALE. Sien kaart L.G Nr. 452/1879 Transportakte Nr. 1880.19.312
- Die figuur abedef stel voor Restant van Erf 349 BARRYDALE. Sien kaart L.G Nr. 453/1879; Transportakte Nr. 1880.19.313
- Die figuur bdce stel voor Erf 342 BARRYDALE. Sien kaart L.G Nr. 490/1879; Transportakte Nr. 1880.19.322
- Die figuur cdbb stel voor Erf 343 BARRYDALE. Sien kaart L.G Nr. 2659/1879; Transportakte Nr. 1880.19.323

Die figuur ABCDEF
stel voor 1,0948 hektaar

grond synde

ERF 1715 BARRYDALE

(en bevat komponente 1 tot 4 soos hierbo genoem.)

geleë in die Swellendam Munisipaliteit

Administratiewe Distrik Swellendam

Opgemeet in Desember 2015 en Mei 2018

deur my,

P.T. Houterman

Professionele Landmeter Registrasienommer: PLS 0914

Provinsie Wes Kaap

[Handwritten Signature]

Hierdie kaart is geheg aan

No. CCT. 52180/2019

ged.

t.g.v.

Registrateur van Aktes.

Die oorspronklike kaart is
soos hierbo genoem.

Leer S/10447/20

M.B. No. 756/2019

LPI C0730001

BJ-BCB/X42 (1657)

Komp. BJ-BCB/X51 (1660)

FOR ENDORSEMENTS

ERF 1715 BARRYDALE

S

Approved i.t.o. Section 60
Of Municipal Land Use Planning Bylaw

Ref: 152/3/BD/207

Date: 20 December 2018

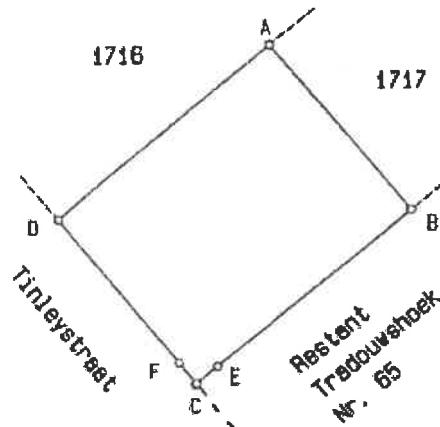
OFFICE COPY

bekker en houtermen (ons verry: Bbb)

SYE meter		RIGTINGS- HOEKE		KOÖRDINATE Y Stelsel: NG 21°		L. G. No. 1149/2019
		Konstantes: +		0,00		Goedgekeur  nos. LANDMETER- GENERAAL 2019.08.19
AB	37,75	320.23.50	A	+ 25 443,37	+ 52 801,67	
BC	47,24	50.21.40	B	+ 25 418,30	+ 52 820,75	
CD	37,75	140.23.50	C	+ 25 455,68	+ 52 950,89	
DA	47,24	230.21.40	D	+ 25 479,74	+ 52 921,80	
KONNEKSIES:						
CE	4,73	230.21.40	E	+ 25 452,04	+ 52 947,87	
CF	4,72	140.23.50	F	+ 25 458,69	+ 52 947,25	
PEILBAKENS:						
TRADOUW		Δ 63		+ 20 533,03	+ 57 932,83	
FORT		Δ 135		+ 25 016,00	+ 53 724,40	

BAKENBESKRYWING:

A, B, D, F .. 12mm Ysterpen
E 25mm Ysterpen
C Geen baken



Skale: 1/1000

Die figuur ABCD
stel voor 1783 vierkante meter

grond synde

ERF 1718 (n gedeelte van Erf 1715) BARRYDALE

geleë in die Swellendam Munisipaliteit
Administratiewe Distrik Swellendam
Opgemaak in Desember 2015 en Mei 2018
deur my,

Provinsie Wes Kaap

P.T. Houterman

Professionele Landmeter Registrasienommer: PLS 0914

Hierdie kaart is gehêp van	Die oorspronklike kaart is	Leer S/10447/20
No. T. 52191/2019	No. 1146/2019	M. S. No. 756/2019
ged.	Transport	LPI C0730001
t. g. v.	Grondbrief	Komp. 8J-8CB/X51 (1560)
Registateur van Aktes.		ERF 1718 BARRYDALE

EXEMPT FROM PROVISIONS OF

ACT 70 OF 1970

SECTION 1(a)

Approved i.t.o. Section 80
Of Municipal Land Use Planning Bylaw

Ref: 15/23/BD 207

Date: 20 December 2018

C L L VAN WYK

PROFESSIONAL ASSOCIATED VALUER IN TERMS OF SECTION 20(2)(a) OF THE PROPERTY VALUERS PROFESSION ACT,
APPRAISER FOR HESSEQUA MUNICIPALITY IN TERMS OF SECTION 6 OF THE ESTATE ACT 66 OF 1965

27 Warden Street
Riversdale, 6670

E-mail: cllvanwyk@gmail.com
Cell phone: 082 - 458 8454

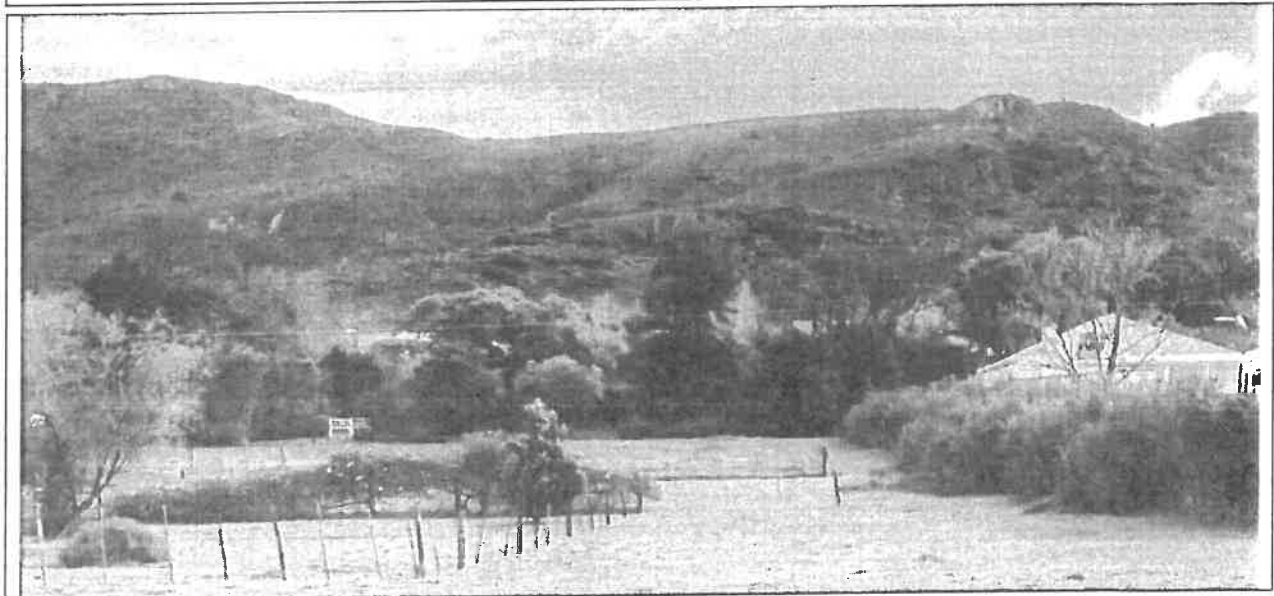
VALUATION REPORT

OF

ERF 1715, BARRYDALE

SWELLENDAM MUNICIPALITY

WESTERN CAPE PROVINCE



MARKET VALUE	R430,000.00
MARKET VALUE PER M²	R208.03 / m²
DATE OF VALUATION	14th June 2023

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1. COMMISSION, PURPOSE AND DATE OF VALUATION.

1.1 Commission.

Commission was received by Swellendam Municipality for a due diligence investigation of the subject property which includes the following instructions:

- 1.1.1 Identification of the subject property and inspection of the land.
- 1.1.2 Calculation of the current rental value of the subject property as on the date of valuation
- 1.1.3 Presentation of a valuation report with the certificate of appraisalment.

1.2 Purpose of the valuation.

The purpose of the valuation is to determine a market value of the subject property for a possible transaction.

1.3 Date of valuation.

Die date of the valuation is **14th of June 2023.**

1.4 Date of inspection.

Die date of the inspection was **14th of June 2023.**

2. SUBJECT PROPERTY.

2.1 Description.

The subject property is described in Title Deed No. T52189/2019 as Erf 1715, Barrydale.

2.2 Extent.

The extent of the subject property is $\pm 2,067\text{m}^2$.

2.3 Location.

The subject property is a rectangular piece of land, situated in Van Riebeeck Street, Barrydale. The co-ordinates of the subject property are -33.902029 / 20.724798. (See Annexure A; Location of the subject property).

2.4 Title Deed information.

2.4.1 Titel Deed Number:	T52189/2019
2.4.2 Registered Owner	Swellendam Municipality
2.4.3 Registered Bonds	None
2.4.4 Registered servitudes:	Unknown

2.5 Municipal Information.

2.5.1 Local Authority:	Swellendam Municipality
2.5.2 Zoning:	Residential I
2.5.3 Current use:	Vacant land
2.5.4 Highest & best use:	As the subject property is zoned as residential, the highest and best use of the property will be as a residential property
2.5.5 Building regulations:	According to the regulations of the local authority
2.5.6 Municipal services:	Not serviced but bulk services are available.
2.5.7 Municipal valuation:	R280,000 (As on 1 st July 2018)

3. IMPROVEMENTS ON THE SUBJECT PROPERTY.

There are no improvements on the subject property.

4. VALUATION OF THE MARKET VALUE OF THE SUBJECT PROPERTY.

4.1 Method of Valuation.

For the valuation of the market value of the subject property, the comparable sales method of valuation will be used. The subject property is compared with similar properties in Barrydale which had been sold recently taking account of all the factors which may influence the value of the subject property.

4.2 Factors which influence the value of properties.

According to the analysis of sales of properties in Barrydale, the value of properties is influenced by several factors. The most important factors are location, extent, character, potential and best use of the property, subdivision, rezoning and consolidation of the property as well as the improvements on the property. These factors of the subject property are compared with that of the comparable properties and it is a combination of the factors which are considered for determining the market value of the subject property.

4.2.1 Location.

The location of properties in Barrydale plays a particularly important role in the value of properties. According to historical sales of properties in Barrydale, the value per m² of properties closer to the R62 Highway as well as Van Riebeeck Street, were significantly higher than the value per m² of properties further away from the R62 Highway and Van Riebeeck Street.

The subject property is situated on the eastern portion of Van Riebeeck Street, Barrydale. In comparing the location of the comparable properties with that of the subject property, adjustments were made to the value per m² of the properties to bring the location of the properties in line with that of the subject property.

4.2.2 Extent.

It is a well-known fact there is a negative correlation between the extent of properties and the value per m² of the properties. The value per m² of smaller properties tend to be higher than larger properties.

In comparing the extent of the comparable properties with that of the subject property, account had to be taken of this tendency. Increased adjustments were made to the value per m² of the properties larger than the subject property and decreased adjustments were made to the value per m² of the properties smaller than the subject property to bring the extent of the properties in line with that of the subject property.

4.2.3 Character.

The character of the properties relates to the overall picture which is made by the property in terms of general layout, topography, improvements, and appearance which would be appealing to a client.

The character of the subject property compares well with the character of the comparable properties. The necessary adjustments were made accordingly to the value per m² of the comparable properties to bring the character of the properties in line with that of the subject property.

4.2.4 Potential and best use.

The potential and best use of properties refer to what income potential the properties may have. Properties which have the potential of leasing space would obviously be more appealing to buyers than properties which are used for residential purposes only.

The best use of the subject property would be for residential purposes. In comparing the potential and best use of the comparable properties with that of the subject property, adjustments were made to the value per m² of the comparable properties to bring it in line with the potential and best use of the subject property.

4.2.5 Improvements.

The extent, age, quality, and condition of the improvements on properties have a direct influence on the value of properties and is in general directly correlated to the value per m² of properties.

As there are no improvements on the subject property, the improvements will not be considered for the valuation and this factor is irrelevant for the purpose of this valuation report.

4.2.6 Subdivision, consolidation, rezoning and services.

In the event of properties sold by the Municipality, the purpose for which the property will be used would influence the value of the property. If the property is subject to subdivision, rezoning and consolidation to another property, the conditions of the purchase agreement would also influence the value of the property, depending on which party is responsible for the costs of the subdivision, rezoning and consolidation of the property.

The availability and supply of municipal services would also influence the value of a property in the sense that the value of serviced properties would be higher than the value of un-serviced properties.

In the case of the subject property, the property is an erf and subdivision is not applicable. The property however is not serviced by the Municipality, but bulk services are available, and the buyer of the property is responsible for the cost involved in the connection of the services.

In comparing factors that influence the market value of the comparable properties, with that of the subject property, a percentage adjustment is attributed to each factor as discussed in the previous paragraphs. The sum of the percentages of each factor is then applied to the adjustments to the value per m² of each comparable property. The average adjusted value per m² of the comparable properties is an indication of the value per m² of the subject property and the market value of the subject property is determined by multiplying this value with the extent of the property.

4.3 Market Research.

The history of property sales in Barrydale over the past three years show that the average prices of the properties increased by $\pm 6\%$ per annum, and the number of sales decreased slightly from 2018 to 2020 and increased from 2021 to 2022.

Market research on recent sales of comparable properties for determining the market value of the subject property, focussed on all properties sold in the vicinity of the subject property over the past three years.

4.4 Comparable Properties.

Research on sales of vacant properties which occurred in Barrydale, identified five vacant stands in the region of the subject property. To be able to get a realistic value per m² of the land of the subject property, the value of the land of the five comparable properties were used to determine the land value per m² of the subject property.

According to the trends of the average sales prices in Barrydale as mentioned in paragraph 4.3, there was an increase of $\pm 6\%$ in the value of properties since 2020 and therefore the selling prices of the comparable properties will be adjusted by 6% per annum to the date of valuation.

The adjustments in the value per m², which are suggested for each comparable property is the total of the combination of the adjustments in the value per m² of the properties in terms of the different factors discussed in paragraph 4.2. The market value of the land of the subject property is calculated from the average adjusted value per m² of the comparable properties.

The land value of the following five properties, in sequence of last sale from the most recent sale, were used to determine the market value of the subject property. The values excluded VAT and commission for agents. (See Annexure B; Location of the subject property and the comparable properties).

4.4.1 Erf 678, Barrydale.

This property is situated in High Level Street, Barrydale, approximately 630 meters from the subject property and was sold on 20/06/2022 for **R245,000**.

The extent of the property is **991m²** and there were no improvements on the property at the time of sale.

To adjust the selling price of this property to the date of valuation, the following calculation had to be made:

Selling price of property in June 2022 **R245,000**

Plus 6%; Adjusted value to June 2023 **R259,700**

The analysis of the market value of this property is presented in Table 1 below.

Table 1: Analysis of Erf 678, Barrydale.

Land	Extent m ²	Value per m ²	Total value
Extent and value of land	991	R 262.06	R 259 700

The location and zoning of this property compares well with that of the subject property, the property is smaller than the subject property, the character of this property is superior to that of the subject property, the potential and best use of this property is residential.

The value per m² of the land of this property is **R262,06/m²** and taking account of the location, extent, character, potential of the land, and the zoning of the property, a decrease of **21%** will be allowed on the value per m² of the land of this property to make it comparable to the value per m² of the land of the subject property.

4.4.2 Erf 282, Barrydale.

This property is situated in Milner Street, Barrydale, approximately 520 meters from the subject property and was sold on 17/01/2022 for **R490,000**.

The extent of the property is **2,974m²** and there were no improvements on the property at the time of sale.

To adjust the selling price of this property to the date of valuation, the following calculation had to be made:

Selling price of property in January 2022 **R490,000**

Plus 6%; Adjusted value to January 2023 **R519,400**

Plus 2.5%; Adjusted value to June 2023 **R532,385**

The analysis of the market value of this property is presented in Table 2 below.

Table 2: Analysis of Erf 282, Barrydale.

Land	Extent m ²	Value per m ²	Total value
Extent and value of land	2 974	R 179.01	R 532 385

The location, extent and zoning of this property compares well with that of the subject property, the character of this property is similar to that of the subject property, the potential and best use of this property is residential.

The value per m² of the land of this property is **R179.01/m²** and taking account of the location, extent, character, potential of the land, and zoning of the property, an increase of **16%** will be allowed on the value per m² of the land of this property to make it comparable to the value per m² of the land of the subject property.

4.4.3 **Erf 447, Barrydale.**

This property is situated in High Level Street, Barrydale, approximately 828 meters from the subject property and was sold on 31/08/2021 for **R140,000**.

The extent of the property is **991m²** and there were no improvements on the property at the time of sale.

To adjust the selling price of this property to the date of valuation, the following calculation had to be made:

Selling price of property in August 2021	R140,000
Plus 6%; Adjusted value to August 2022	R148,400
Plus 5%; Adjusted value to June 2023	R155,820

The analysis of the market value of this property is presented in Table 3 below.

Table 3: Analysis of Erf 447, Barrydale.

Land	Extent m ²	Value per m ²	Total value
Extent and value of land	991	R 157.24	R 155 820

The location, character and zoning of this property compares well with that of the subject property, the property is smaller than the subject property, and the potential and best use of this property is residential.

The value per m² of the land of this property is **R157,24/m²** and taking account of the location, extent, character, potential of the land, and the zoning of the property, an increase of **32%** will be allowed on the value per m² of the land of this property to make it comparable to the value per m² of the land of the subject property.

4.4.4 Erf 151, Barrydale.

This property is situated in Milner Street, Barrydale, approximately 667 meters from the subject property and was sold on 14/03/2021 for **R550,000**.

The extent of the property is **2,974m²** and there were no improvements on the property at the time of sale.

To adjust the selling price of this property to the date of valuation, the following calculation had to be made:

Selling price of property in March 2021	R550,000
Plus 6%; Adjusted value to March 2022	R583,000
Plus 6%; Adjusted value to March 2023	R617,980
Plus 1,5%; Adjusted value to June 2023	R627,250

The analysis of the market value of this property is presented in Table 4 below.

Table 4: Analysis of Erf 151, Barrydale.

Land	Extent m ²	Value per m ²	Total value
Extent and value of land	2 974	R 210.91	R 627 250

The location, extent, character and zoning of this property compares well with that of the subject property, and the potential and best use of this property is residential.

The value per m² of the land of this property is **R210,91/m²** and taking account of the location, extent, character, potential of the land, and the zoning of the property, a decrease of **1%** will be allowed on the value per m² of the land of this property to make it comparable to the value per m² of the land of the subject property.

4.4.5 Erf 1703, Barrydale.

This property is situated in 8 Upington Street, Barrydale, approximately 803 meters from the subject property and was sold on 01/03/2021 for **R165,000**.

The extent of the property is **2,974m²** and there were no improvements on the property at the time of sale.

To adjust the selling price of this property to the date of valuation, the following calculation had to be made:

Selling price of property in March 2021	R165,000
Plus 6%; Adjusted value to March 2022	R174,900
Plus 6%; Adjusted value to March 2023	R185,394
Plus 1.5%; Adjusted value to June 2023	R188,175

The analysis of the market value of this property is presented in Table 5 below.

Table 5: Analysis of Erf 1703, Barrydale.

Land	Extent m ²	Value per m ²	Total value
Extent and value of land	2 974	R 63.27	R 188 175

The location and character of this property does not compare well with that of the subject property, the extent compares well with that of the subject property, and the potential and best use of this property is residential. The Huis River runs through this property and only a portion of the property can be utilised, explaining the very low value per m² of this property.

The value per m² of the land of this property is **R63.27/m²** and taking account of the location, extent, character, potential of the land, and zoning of the property, an increase of **230%** will be allowed on the value per m² of the land of this property to make it comparable to the value per m² of the land of the subject property.

4.5 Valuation of the subject property by means of the comparable sales method.

When comparing the different comparable properties with the subject property, it is a combination of all the factors which influence the value per m² of the properties, as mentioned in Paragraph 4.2, which need to be considered when determining the value of the subject property.

This is done by applying a certain percentage adjustment to the value per m² of the comparable properties in terms of each of the factors. The adjustments in the value per m², which are suggested for each comparable property in paragraph 4.4, is the total of the combination of the adjustments in the value per m² of the properties in terms of the different factors discussed in paragraph 4.2.

The adjusted value of the five properties were used to determine the market value of the subject property. The values excluded VAT and commission for agents.

The extent, adjusted land value, land value per m², percentage adjustment and adjusted value per m² of the comparable properties in paragraph 4.4, is shown in Table 6 below.

Table 6: Extent, sales price, value per m², percentage adjustment and adjusted per m² of the comparable properties.

Ref. No.	Erf No.	Extent m ²	Adjusted Land value	Land Value per m ²	Percentage adjustment	Adjusted Value/m ²
4.4.1	678	991	R 259 700	R 262	-21%	R 207
4.4.2	282	2974	R 532 385	R 179	16%	R 208
4.4.3	447	991	R 155 820	R 157	32%	R 208
4.4.4	151	2974	R 627 250	R 211	-1%	R 209
4.4.5	1703	2974	R 188 175	R 63	230%	R 209
Average adjusted value per m²						R 208

According to the calculations in Table 6, the average value per m² of the comparable properties is **R208/m²**, which will be used to calculate the market value of the land of the subject property.

The calculation of the market value of the subject property by means of the comparable method of valuation, based on the land value per m² as presented in Table 6, is shown in Table 7 below.

Table 7: The calculation of the market value of subject property by means of the comparable sales method.

Land	Extent m ²	Value per m ²	Total value
Extent and value of land	2 067	R 208.00	R 429 936

According to the calculations in Table 7, the market value of the subject property as calculated by means of the comparable method of valuation is **R429,936.00**.

4.6 Market value of the subject property.

After thorough consideration of all the factors and information discussed in the previous paragraphs, comparing the subject property with other transactions, and taking account of all the relevant factors, the market value (Exclusive of VAT) of the subject property as on the 14th of June 2023, is calculated at:

R430,000.00 (FOUR HUNDRED AND THIRTY THOUSAND RAND)
(EXCLUSIVE OF VAT)

4.7 Market value per m² of the subject property.

After thorough consideration of all the factors and information discussed in the previous paragraphs, comparing the subject property with other transactions, and taking account of all the relevant factors, the market value per m² (Exclusive of VAT) of the subject property as on the 14th of June 2023, is calculated at:

R208.03

**(TWO HUNDRED AND EIGHT RAND THREE CENTS
PER M²) (EXCLUSIVE OF VAT)**

5. CAVEAT

- 5.1 This valuation report has been prepared in accordance with the requirements of International Valuation Standards that have been adopted by both the South African Council for the Property Valuers Profession and the South African Institute of Valuers.
- 5.2 This valuation report has been compiled for the exclusive use of the authority that gave the instruction for such valuation and may not be divulged to any other party, as it is confidential.
- 5.3 This valuation report has been prepared on the basis that full disclosure of all the relevant information and factors, which may affect the valuation, has been made known to the Valuer. No liability or responsibility whatsoever for this valuation can be accepted unless such full disclosure has been made.
- 5.4 Sensitive and confidential market information obtained from third parties (estate agents, valuers, etc.) during research for and being used in this valuation report, shall not be divulged, verbally or in writing, to any party without the written consent of the source.
- 5.5 It is understood that no onerous easements, right-of-way, or encroachments exist, by, or on the subject property, other than those in favour of statutory bodies, applicable to all such properties or which could be regarded as customary.
- 5.6 It is assumed that there are no hidden or unapparent conditions of the property or sub-soil that render it more or less valuable. It is also assumed that the improvements on the property are within the boundaries of the property, that the improvements are, where applicable, lawfully on the property and constructed in accordance with the Local Authority By-Laws, National Building Regulations and Town Planning Regulations. It is also emphasised that no structural survey of the improvements or examination of timber infestation has been conducted and accordingly no responsibility can be taken for possible defects in this regard.
- 5.7 It is assumed that all actual income and expenditure data being used in this valuation report is correct as a basis for assessing capitalised values. In the absence of such data, plausible assumptions have been made.

- 5.8 It is assumed that by reason of this valuation, no further consultation, testimony, or attendance in court regarding the subject property is required, unless arrangements have been made beforehand. It is also assumed that this valuation has been done on the strict understanding that indemnity is granted against all and any claims, loss, demands, liability, costs and expenses of whatsoever nature which may be suffered, sustained or incurred by reason of it, or in consequence, whether directly or indirectly of this valuation.
- 5.9 This Valuation Report and the Valuation Certificate or part of it, may not be used for any published document, circular letter, report, or declaration without the written consent of the valuer.
- 5.10 Market Value means an amount at which an interest in Real Estate might reasonably be expected to have sold unconditionally for cash consideration on the date of valuation assuming:
- (i) A willing, able and informed seller and a willing, able and informed buyer where both parties have acted prudently and without compulsion.
 - (ii) That prior to the date of valuation, there had been a reasonable period, having regard to the nature of the property and the state of the market, for the proper marketing of the interest, for the agreement of price and terms, and for the completion of the sale.
 - (iii) That no account is taken of any additional bid by a purchaser with a special interest.
- 5.11 Market Rental is based on the highest and best use of the subject property and means the estimated amount for which a property or space within a property, should lease on the date of valuation between a willing lessor and a willing lessee on appropriate lease terms in an arm's length transaction after proper marketing, wherein the parties have each acted knowledgeably, prudently and without compulsion.
- 5.12 The highest and best use of a property means the most probable use of the property, which is physically possible, appropriately justified, legally permissible, financially feasible and which results in the highest value of the property being valued.
- 5.13 Unless otherwise indicated, all figures quoted are exclusive of Value Added Tax.
- 5.14 All the information in this report was obtained from the Swellendam Municipality, the Deeds Office in Cape Town and Cape Farm Mapper.
No information was deliberately withheld and no guarantee for accuracy of the obtained information can be given.

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C L L VAN WYK

Professional Associated Valuer registered with the South African Council of Valuers in terms of
The Property Valuers Profession Act 47 of 2000

Appraiser for the Hessequa District in terms of The Administration of Estates Act 66 of 1965

27 Warden Street
Riversdale, 6670

E-mail: cllvanwyk@gmail.com
Cell phone: 082 - 458 8454

CERTIFICATE OF APPRAISAL

DESCRIPTION OF PROPERTY: Erf 1715, Barrydale.
EXTENT: 2,067m²
REGISTERED OWNER: Swellendam Municipality.
DATE OF VALUATION: 14th June 2023
DATE OF INSPECTION: 14th June 2023
PURPOSE OF VALUATION: Market value as on date of valuation.

I, the undersigned, **Charles Louis Louw van Wyk**, Professional Associated Valuer and Appraiser for the Hessequa Municipality, hereby certify that I personally inspected the above mentioned property, that I do not have any interest regarding the property and that the valuation was done independently and impartially.

The market value (Exclusive of VAT) of the subject property as on the 14th of June 2023, is calculated at:

R430,000.00 (FOUR HUNDRED AND THIRTY THOUSAND RAND)
(EXCLUSIVE OF VAT)

The market value per m² (Exclusive of VAT) of the subject property as on the 14th of June 2023, is calculated at:

R208.03 / m² (TWO HUNDRED AND EIGHT RAND THREE CENTS)
(EXCLUSIVE OF VAT)

Signed at **RIVERSDALE** on 19th June 2023.

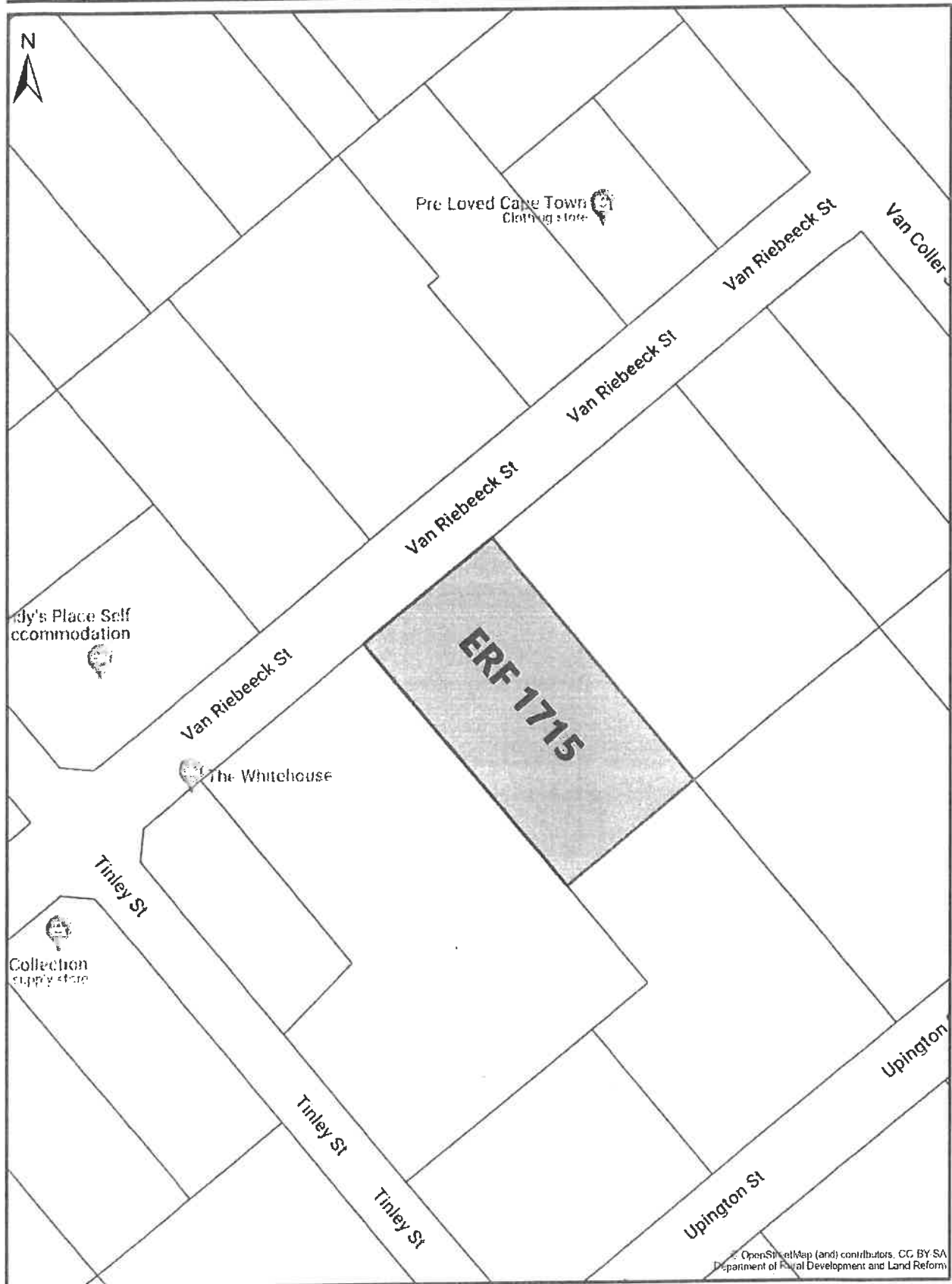


C L L van Wyk (ID 461104 5006 08 7)

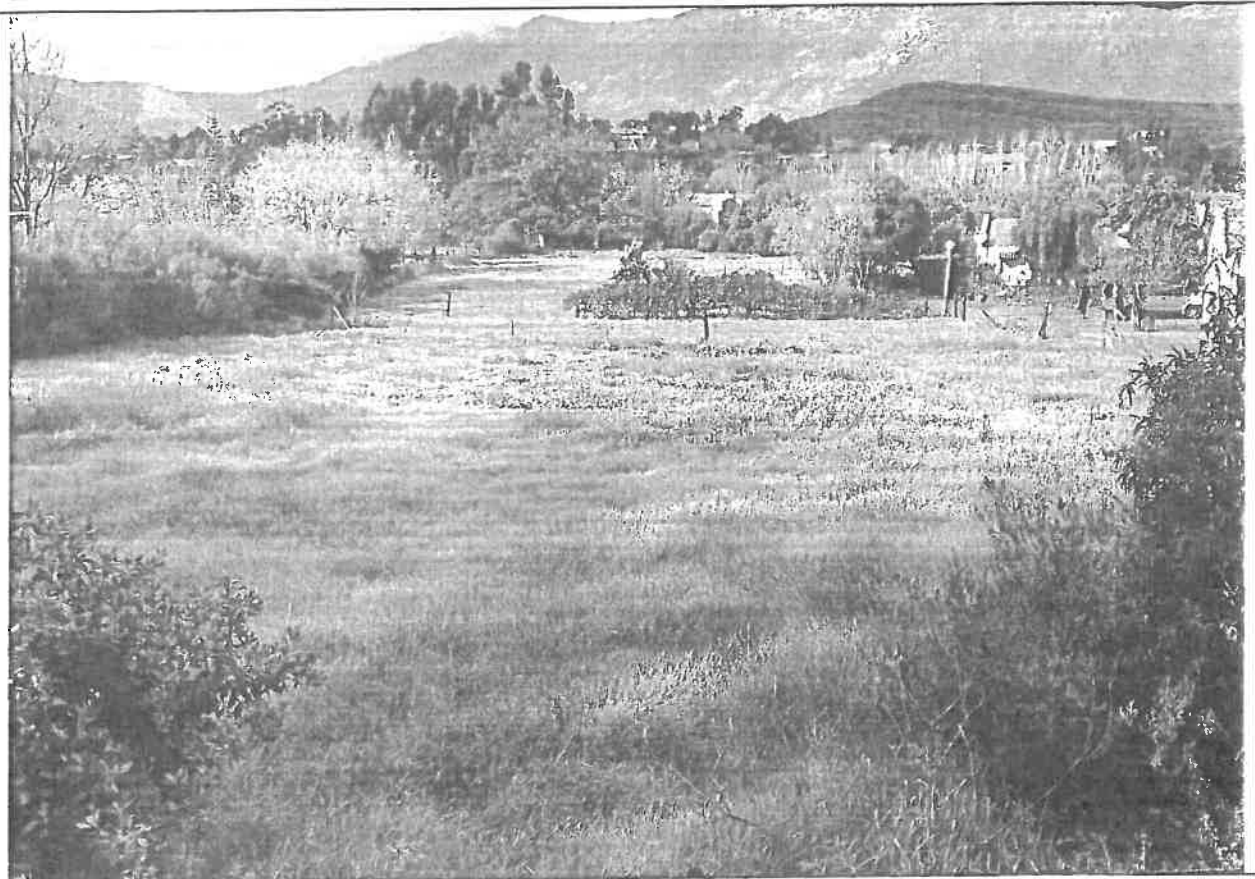
Professional Associated Valuer:

Certificate No. 6090/1

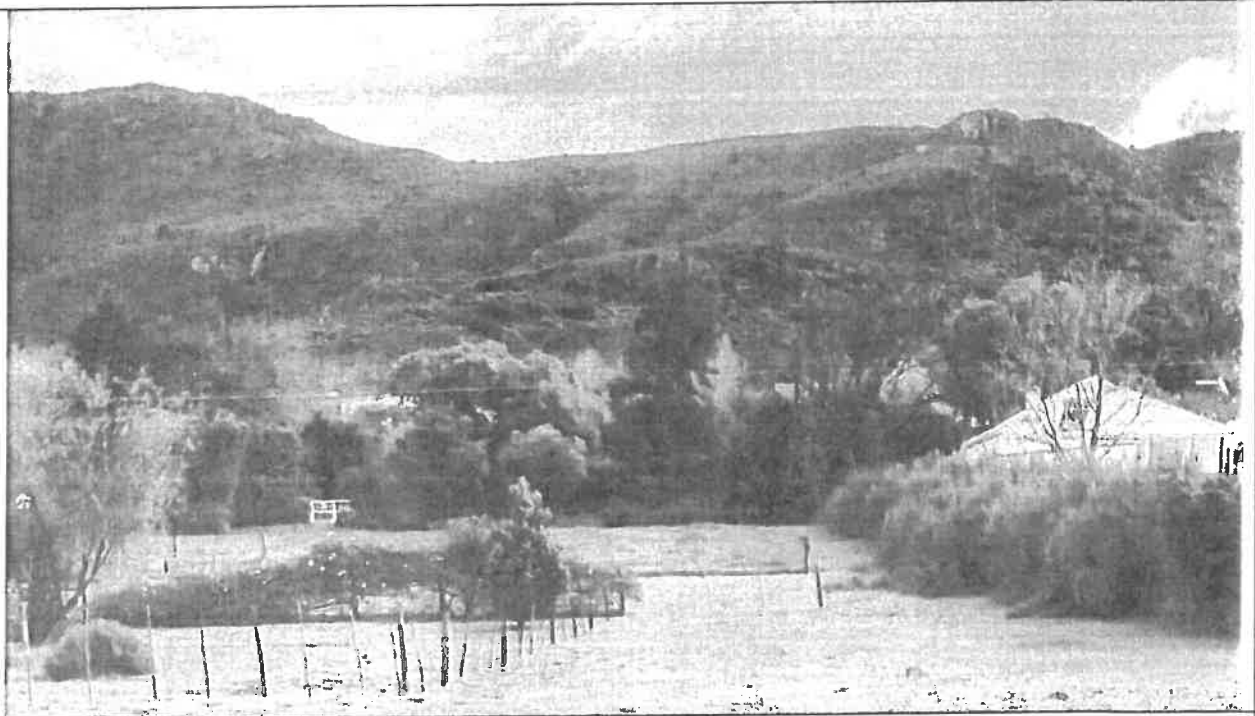
ANNEXURE A: LOCATION OF THE SUBJECT PROPERTY.



ANNEXURE C: PHOTO GALLERY OF THE SUBJECT PROPERTY.



Erf 1715, Barrydale – northwestern view



Erf 1715, Barrydale – southeastern view

C L L VAN WYK

PROFESSIONAL ASSOCIATED VALUER IN TERMS OF SECTION 20(2)(a) OF THE PROPERTY VALUERS PROFESSION ACT,
APPRAISER FOR HESSEQUA MUNICIPALITY IN TERMS OF SECTION 6 OF THE ESTATE ACT 66 OF 1965

27 Warden Street
Riversdale, 6670

E-mail: cllvanwyk@gmail.com
Cell phone: 082 - 458 8454

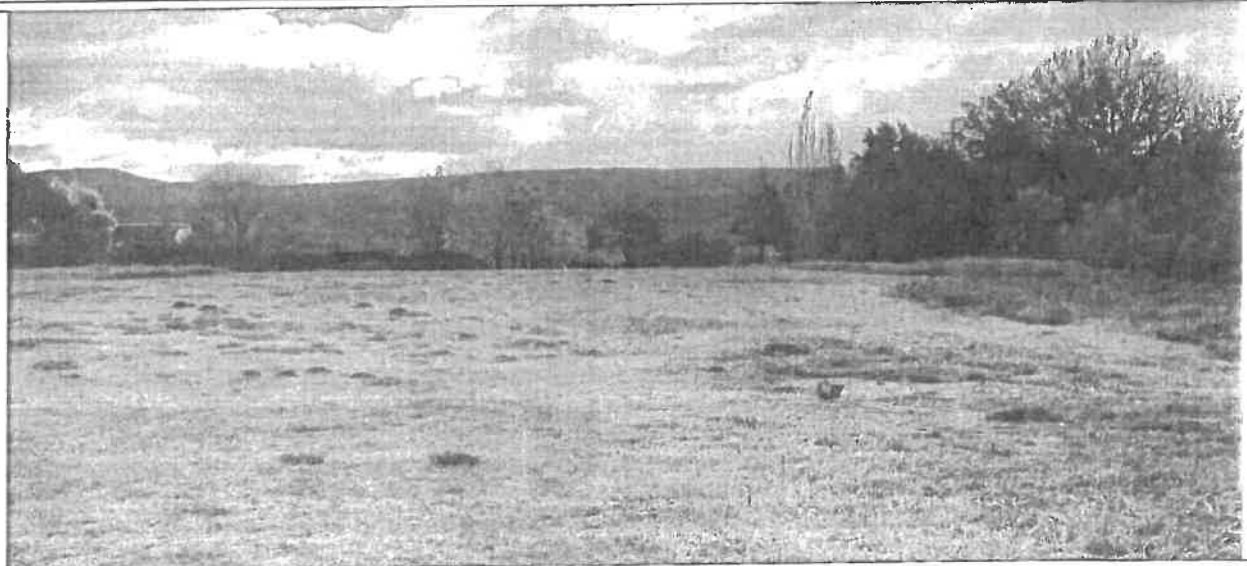
VALUATION REPORT

OF

ERF 1717, BARRYDALE

SWELLENDAM MUNICIPALITY

WESTERN CAPE PROVINCE



MARKET VALUE	R500,000.00
MARKET VALUE PER M²	R192.00 / m²
DATE OF VALUATION	14th June 2023

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1. COMMISSION, PURPOSE AND DATE OF VALUATION.

1.1 Commission.

Commission was received by Swellendam Municipality for a due diligence investigation of the subject property which includes the following instructions:

- 1.1.1 Identification of the subject property and inspection of the land.
- 1.1.2 Calculation of the current rental value of the subject property as on the date of valuation
- 1.1.3 Presentation of a valuation report with the certificate of appraisalment.

1.2 Purpose of the valuation.

The purpose of the valuation is to determine a market value of the subject property for a possible transaction.

1.3 Date of valuation.

Die date of the valuation is **14th of June 2023.**

1.4 Date of inspection.

Die date of the inspection was **14th of June 2023.**

2. SUBJECT PROPERTY.

2.1 Description.

The subject property is described in Title Deed No. T52191/2019 as Erf 1717, Barrydale.

2.2 Extent.

The extent of the subject property is $\pm 2,611\text{m}^2$.

2.3 Location.

The subject property is a L-shaped piece of land, situated on the eastern portion of Uppington Street, Barrydale. The co-ordinates of the subject property are - 33.902499 / 20.725225. (See Annexure A; Location of the subject property).

2.4 Title Deed information.

2.4.1 Titel Deed Number:	T52191/2019
2.4.2 Registered Owner	Swellendam Municipality
2.4.3 Registered Bonds	None
2.4.4 Registered servitudes:	Unknown

2.5 Municipal Information.

2.5.1 Local Authority:	Swellendam Municipality
2.5.2 Zoning:	Residential I
2.5.3 Current use:	Vacant land
2.5.4 Highest & best use:	As the subject property is zoned as residential, the highest and best use of the property will be as a residential property
2.5.5 Building regulations:	According to the regulations of the local authority
2.5.6 Municipal services:	Not serviced but bulk services are available.
2.5.7 Municipal valuation:	R350,000 (As on 1 st July 2018)

3. IMPROVEMENTS ON THE SUBJECT PROPERTY.

There are no improvements on the subject property.

4. VALUATION OF THE MARKET VALUE OF THE SUBJECT PROPERTY.

4.1 Method of Valuation.

For the valuation of the market value of the subject property, the comparable sales method of valuation will be used. The subject property is compared with similar properties in Barrydale which had been sold recently taking account of all the factors which may influence the value of the subject property.

4.2 Factors which influence the value of properties.

According to the analysis of sales of properties in Barrydale, the value of properties is influenced by several factors. The most important factors are location, extent, character, potential and best use of the property, subdivision, rezoning and consolidation of the property as well as the improvements on the property. These factors of the subject property are compared with that of the comparable properties and it is a combination of the factors which are considered for determining the market value of the subject property.

4.2.1 Location.

The location of properties in Barrydale plays a particularly important role in the value of properties. According to historical sales of properties in Barrydale, the value per m² of properties closer to the R62 Highway as well as Van Riebeeck Street, were significantly higher than the value per m² of properties further away from the R62 Highway and Van Riebeeck Street.

The subject property is situated on the eastern portion of Upington Street, Barrydale. In comparing the location of the comparable properties with that of the subject property, adjustments were made to the value per m² of the properties, to bring the location of the properties in line with that of the subject property.

4.2.2 Extent.

It is a well-known fact there is a negative correlation between the extent of properties and the value per m² of the properties. The value per m² of smaller properties tend to be higher than larger properties.

In comparing the extent of the comparable properties with that of the subject property, account had to be taken of this tendency. Increased adjustments were made to the value per m² of the properties larger than the subject property and decreased adjustments were made to the value per m² of the properties smaller than the subject property to bring the extent of the properties in line with that of the subject property.

4.2.3 Character.

The character of the properties relates to the overall picture which is made by the property in terms of general layout, topography, improvements, and appearance which would be appealing to a client.

The character of the subject property compares well with the character of the comparable properties. The necessary adjustments were made accordingly to the value per m² of the comparable properties to bring the character of the properties in line with that of the subject property.

4.2.4 Potential and best use.

The potential and best use of properties refer to what income potential the properties may have. Properties which have the potential of leasing space would obviously be more appealing to buyers than properties which are used for residential purposes only.

The best use of the subject property would be for residential purposes. In comparing the potential and best use of the comparable properties with that of the subject property, adjustments were made to the value per m² of the comparable properties to bring it in line with the potential and best use of the subject property.

4.2.5 Improvements.

The extent, age, quality, and condition of the improvements on properties have a direct influence on the value of properties and is in general directly correlated to the value per m² of properties.

As there are no improvements on the subject property, the improvements will not be considered for the valuation and this factor is irrelevant for the purpose of this valuation report.

4.2.6 Subdivision, consolidation, rezoning and services.

In the event of properties sold by the Municipality, the purpose for which the property will be used would influence the value of the property. If the property is subject to subdivision, rezoning and consolidation to another property, the conditions of the purchase agreement would also influence the value of the property, depending on which party is responsible for the costs of the subdivision, rezoning and consolidation of the property.

The availability and supply of municipal services would also influence the value of a property in the sense that the value of serviced properties would be higher than the value of un-serviced properties.

In the case of the subject property, the property is an erf and subdivision is not applicable. The property however is not serviced by the Municipality, but bulk services are available, and the buyer of the property is responsible for the cost involved in the connection of the services.

In comparing factors that influence the market value of the comparable properties, with that of the subject property, a percentage adjustment is attributed to each factor as discussed in the previous paragraphs. The sum of the percentages of each factor is then applied to the adjustments to the value per m² of each comparable property. The average adjusted value per m² of the comparable properties is an indication of the value per m² of the subject property and the market value of the subject property is determined by multiplying this value with the extent of the property.

4.3 Market Research.

The history of property sales in Barrydale over the past three years show that the average prices of the properties increased by $\pm 6\%$ per annum, and the number of sales decreased slightly from 2018 to 2020 and increased from 2021 to 2022.

Market research on recent sales of comparable properties for determining the market value of the subject property, focussed on all properties sold in the vicinity of the subject property over the past three years.

4.4 Comparable Properties.

Research on sales of vacant properties which occurred in Barrydale, identified five vacant stands in the region of the subject property. To be able to get a realistic value per m² of the land of the subject property, the value of the land of the five comparable properties were used to determine the land value per m² of the subject property.

According to the trends of the average sales prices in Barrydale as mentioned in paragraph 4.3, there was an increase of $\pm 6\%$ in the value of properties since 2020 and therefore the selling prices of the comparable properties will be adjusted by 6% per annum to the date of valuation.

The adjustments in the value per m², which are suggested for each comparable property is the total of the combination of the adjustments in the value per m² of the properties in terms of the different factors discussed in paragraph 4.2. The market value of the land of the subject property is calculated from the average adjusted value per m² of the comparable properties.

The land value of the following five properties, in sequence of last sale from the most recent sale, were used to determine the market value of the subject property. The values excluded VAT and commission for agents. (See Annexure B; Location of the subject property and the comparable properties).

4.4.1 Erf 678, Barrydale.

This property is situated in High Level Street, Barrydale, approximately 570 meters from the subject property and was sold on 20/06/2022 for **R245,000**.

The extent of the property is **991m²** and there were no improvements on the property at the time of sale.

To adjust the selling price of this property to the date of valuation, the following calculation had to be made:

Selling price of property in June 2022	R245,000
Plus 6%; Adjusted value to June 2023	R259,700

The analysis of the market value of this property is presented in Table 1 below.

Table 1: Analysis of Erf 678, Barrydale.

Land	Extent m ²	Value per m ²	Total value
Extent and value of land	991	R 262.06	R 259 700

The location and zoning of this property compares well with that of the subject property, the property is smaller than the subject property, the character of this property is superior to that of the subject property, the potential and best use of this property is residential.

The value per m² of the land of this property is **R262,06/m²** and taking account of the location, extent, character, potential of the land, and the zoning of the property, a decrease of **27%** will be allowed on the value per m² of the land of this property to make it comparable to the value per m² of the land of the subject property.

4.4.2 Erf 282, Barrydale.

This property is situated in Milner Street, Barrydale, approximately 458 meters from the subject property and was sold on 17/01/2022 for **R490,000**.

The extent of the property is **2,974m²** and there were no improvements on the property at the time of sale.

To adjust the selling price of this property to the date of valuation, the following calculation had to be made:

Selling price of property in January 2022	R490,000
Plus 6%; Adjusted value to January 2023	R519,400
Plus 2.5%; Adjusted value to June 2023	R532,385

The analysis of the market value of this property is presented in Table 2 below.

Table 2: Analysis of Erf 282, Barrydale.

Land	Extent m ²	Value per m ²	Total value
Extent and value of land	2 974	R 179.01	R 532 385

The location, extent and zoning of this property compares well with that of the subject property, the character of this property is similar to that of the subject property, the potential and best use of this property is residential.

The value per m² of the land of this property is **R179.01/m²** and taking account of the location, extent, character, potential of the land, and zoning of the property, an increase of **7%** will be allowed on the value per m² of the land of this property to make it comparable to the value per m² of the land of the subject property.

4.4.3 Erf 447, Barrydale.

This property is situated in High Level Street, Barrydale, approximately 780 meters from the subject property and was sold on 31/08/2021 for **R140,000**.

The extent of the property is **991m²** and there were no improvements on the property at the time of sale.

To adjust the selling price of this property to the date of valuation, the following calculation had to be made:

Selling price of property in August 2021	R140,000
Plus 6%; Adjusted value to August 2022	R148,400
Plus 5%; Adjusted value to June 2023	R155,820

The analysis of the market value of this property is presented in Table 3 below.

Table 3: Analysis of Erf 447, Barrydale.

Land	Extent m ²	Value per m ²	Total value
Extent and value of land	991	R 157.24	R 155 820

The location, character and zoning of this property compares well with that of the subject property, the property is smaller than the subject property, and the potential and best use of this property is residential.

The value per m² of the land of this property is **R157,24/m²** and taking account of the location, extent, character, potential of the land, and the zoning of the property, an increase of **22%** will be allowed on the value per m² of the land of this property to make it comparable to the value per m² of the land of the subject property.

4.4.4 Erf 151, Barrydale.

This property is situated in Milner Street, Barrydale, approximately 620 meters from the subject property and was sold on 14/03/2021 for **R550,000**.

The extent of the property is **2,974m²** and there were no improvements on the property at the time of sale.

To adjust the selling price of this property to the date of valuation, the following calculation had to be made:

Selling price of property in March 2021	R550,000
Plus 6%; Adjusted value to March 2022	R583,000
Plus 6%; Adjusted value to March 2023	R617,980
Plus 1,5%; Adjusted value to June 2023	R627,250

The analysis of the market value of this property is presented in Table 4 below.

Table 4: Analysis of Erf 151, Barrydale.

Land	Extent m ²	Value per m ²	Total value
Extent and value of land	2 974	R 210.91	R 627 250

The location, extent, character and zoning of this property compares well with that of the subject property, and the potential and best use of this property is residential.

The value per m² of the land of this property is **R210,91/m²** and taking account of the location, extent, character, potential of the land, and the zoning of the property, a decrease of **9%** will be allowed on the value per m² of the land of this property to make it comparable to the value per m² of the land of the subject property.

4.4.5 Erf 1703, Barrydale.

This property is situated in 8 Uppington Street, Barrydale, approximately 800 meters from the subject property and was sold on 01/03/2021 for **R165,000**.

The extent of the property is **2,974m²** and there were no improvements on the property at the time of sale.

To adjust the selling price of this property to the date of valuation, the following calculation had to be made:

Selling price of property in March 2021	R165,000
Plus 6%; Adjusted value to March 2022	R174,900
Plus 6%; Adjusted value to March 2023	R185,394
Plus 1.5%; Adjusted value to June 2023	R188,175

The analysis of the market value of this property is presented in Table 5 below.

Table 5: Analysis of Erf 1703, Barrydale.

Land	Extent m ²	Value per m ²	Total value
Extent and value of land	2 974	R 63.27	R 188 175

The location and character of this property does not compare well with that of the subject property, the extent compares well with that of the subject property, and the potential and best use of this property is residential. The Huis River runs through this property and only a portion of the property can be utilised, explaining the very low value per m² of this property.

The value per m² of the land of this property is **R63.27/m²** and taking account of the location, extent, character, potential of the land, and zoning of the property, an increase of **205%** will be allowed on the value per m² of the land of this property to make it comparable to the value per m² of the land of the subject property.

4.5 Valuation of the subject property by means of the comparable sales method.

When comparing the different comparable properties with the subject property, it is a combination of all the factors which influence the value per m² of the properties, as mentioned in Paragraph 4.2, which need to be considered when determining the value of the subject property.

This is done by applying a certain percentage adjustment to the value per m² of the comparable properties in terms of each of the factors. The adjustments in the value per m², which are suggested for each comparable property in paragraph 4.4, is the total of the combination of the adjustments in the value per m² of the properties in terms of the different factors discussed in paragraph 4.2.

The adjusted value of the five properties were used to determine the market value of the subject property. The values excluded VAT and commission for agents.

The extent, adjusted land value, land value per m², percentage adjustment and adjusted value per m² of the comparable properties in paragraph 4.4, is shown in Table 6 below.

Table 6: Extent, sales price, value per m², percentage adjustment and adjusted per m² of the comparable properties.

Ref. No.	Erf No.	Extent m ²	Adjusted Land value	Land Value per m ²	Percentage adjustment	Adjusted Value/m ²
4.4.1	678	991	R 259 700	R 262	-27%	R 191
4.4.2	282	2974	R 532 385	R 179	7%	R 192
4.4.3	447	991	R 155 820	R 157	22%	R 192
4.4.4	151	2974	R 627 250	R 211	-9%	R 192
4.4.5	1703	2974	R 188 175	R 63	205%	R 193
Average adjusted value per m²						R 192

According to the calculations in Table 6, the average value per m² of the comparable properties is **R192/m²**, which will be used to calculate the market value of the land of the subject property.

The calculation of the market value of the subject property by means of the comparable method of valuation, based on the land value per m² as presented in Table 6, is shown in Table 7 below.

Table 7: The calculation of the market value of subject property by means of the comparable sales method.

Land	Extent m ²	Value per m ²	Total value
Extent and value of land	2 611	R 192.00	R 501 312

According to the calculations in Table 7, the market value of the subject property as calculated by means of the comparable method of valuation is **R501,312.00**.

4.6 Market value of the subject property.

After thorough consideration of all the factors and information discussed in the previous paragraphs, comparing the subject property with other transactions, and taking account of all the relevant factors, the market value (Exclusive of VAT) of the subject property as on the 14th of June 2023, is calculated at:

R500,000.00 (FIVE HUNDRED THOUSAND RAND)
(EXCLUSIVE OF VAT)

4.7 Market value per m² of the subject property.

After thorough consideration of all the factors and information discussed in the previous paragraphs, comparing the subject property with other transactions, and taking account of all the relevant factors, the market value per m² (Exclusive of VAT) of the subject property as on the 14th of June 2023, is calculated at:

**R192.00 / m² (ONE HUNDRED AND NINETY TWO RAND PER M²)
(EXCLUSIVE OF VAT)**

5. CAVEAT

- 5.1 This valuation report has been prepared in accordance with the requirements of International Valuation Standards that have been adopted by both the South African Council for the Property Valuers Profession and the South African Institute of Valuers.
- 5.2 This valuation report has been compiled for the exclusive use of the authority that gave the instruction for such valuation and may not be divulged to any other party, as it is confidential.
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- 5.14 All the information in this report was obtained from the Swellendam Municipality, the Deeds Office in Cape Town and Cape Farm Mapper.
No information was deliberately withheld and no guarantee for accuracy of the obtained information can be given.

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C L L VAN WYK

Professional Associated Valuer registered with the South African Council of Valuers in terms of
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Appraiser for the Hessequa District in terms of The Administration of Estates Act 66 of 1965

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DATE OF VALUATION: 14th June 2023
DATE OF INSPECTION: 14th June 2023
PURPOSE OF VALUATION: Market value as on date of valuation.

I, the undersigned, **Charles Louis Louw van Wyk**, Professional Associated Valuer and Appraiser for the Hessequa Municipality, hereby certify that I personally inspected the above mentioned property, that I do not have any interest regarding the property and that the valuation was done independently and impartially.

The market value (Exclusive of VAT) of the subject property as on the 14th of June 2023, is calculated at:

R500,000.00 (FIVE HUNDRED THOUSAND RAND)
(EXCLUSIVE OF VAT)

The market value per m² (Exclusive of VAT) of the subject property as on the 14th of June 2023, is calculated at:

R192.00 / m² (ONE HUNDRED AND NINETY TWO RAND)
(EXCLUSIVE OF VAT)

Signed at **RIVERSDALE** on 19th June 2023.

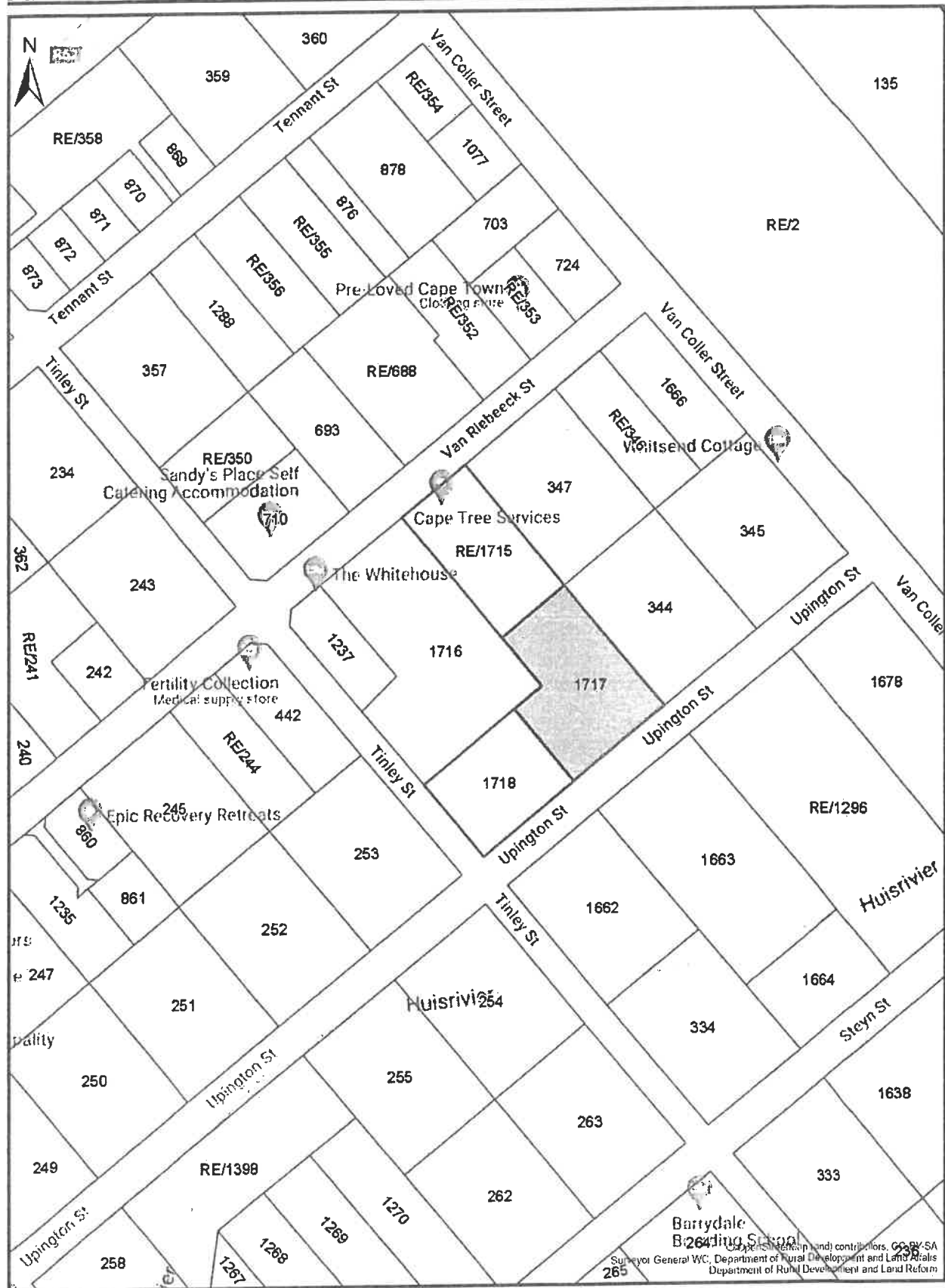


C L L van Wyk (ID 461104 5006 08 7)

Professional Associated Valuer:

Certificate No. 6090/1

ANNEXURE A: LOCATION OF THE SUBJECT PROPERTY.



ANNEXURE C: PHOTO GALLERY OF THE SUBJECT PROPERTY.



Erf 1715, Barrydale – southeastern view



Erf 1715, Barrydale – southwestern view

C L L VAN WYK

PROFESSIONAL ASSOCIATED VALUER IN TERMS OF SECTION 20(2)(a) OF THE PROPERTY VALUERS PROFESSION ACT,
APPRAISER FOR HESSEQUA MUNICIPALITY IN TERMS OF SECTION 6 OF THE ESTATE ACT 66 OF 1965

27 Warden Street
Riversdale, 6670

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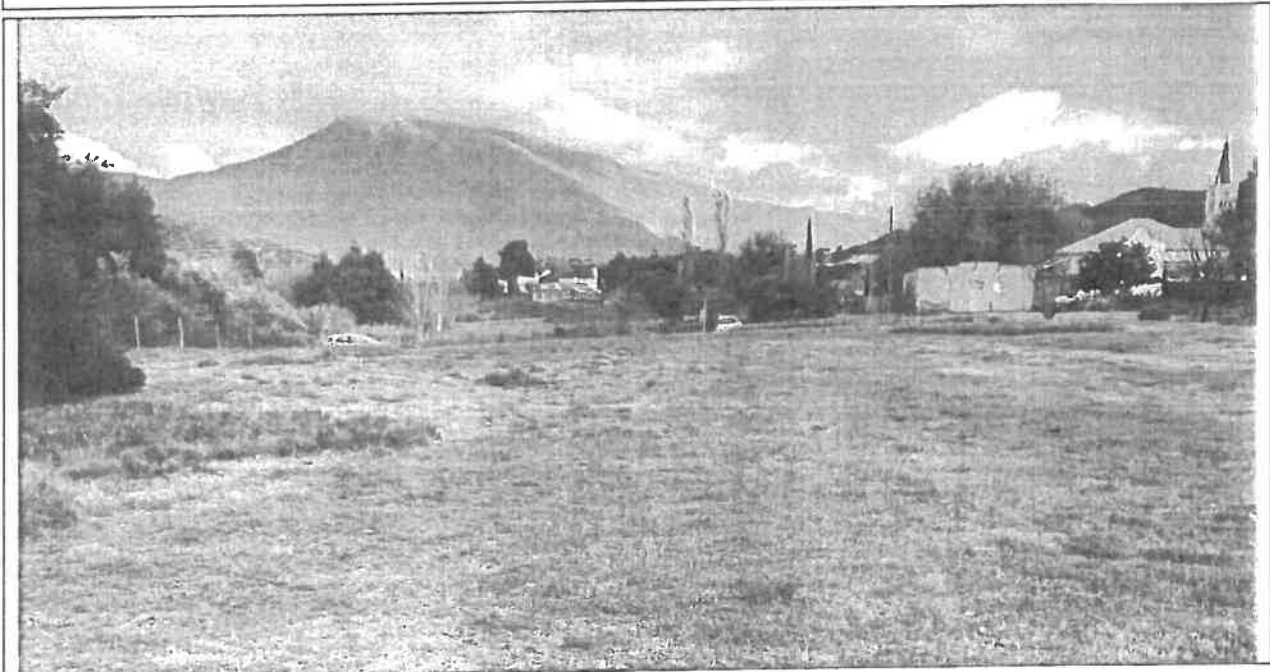
VALUATION REPORT

OF

ERF 1718, BARRYDALE

SWELLENDAM MUNICIPALITY

WESTERN CAPE PROVINCE



MARKET VALUE	R380,000.00
MARKET VALUE PER M²	R213.12 / m²
DATE OF VALUATION	14th June 2023

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1. COMMISSION, PURPOSE AND DATE OF VALUATION.

1.1 Commission.

Commission was received by Swellendam Municipality for a due diligence investigation of the subject property which includes the following instructions:

- 1.1.1 Identification of the subject property and inspection of the land.
- 1.1.2 Calculation of the current rental value of the subject property as on the date of valuation
- 1.1.3 Presentation of a valuation report with the certificate of appraisalment.

1.2 Purpose of the valuation.

The purpose of the valuation is to determine a market value of the subject property for a possible transaction.

1.3 Date of valuation.

Die date of the valuation is **14th of June 2023.**

1.4 Date of inspection.

Die date of the inspection was **14th of June 2023.**

2. SUBJECT PROPERTY.

2.1 Description.

The subject property is described in Title Deed No. T52191/2019 as Erf 1718, Barrydale.

2.2 Extent.

The extent of the subject property is $\pm 1,783\text{m}^2$.

2.3 Location.

The subject property is a rectangular piece of land, situated in Upington Street, Barrydale. The co-ordinates of the subject property are -33.902856 / 20.724855. (See Annexure A; Location of the subject property).

2.4 Title Deed information.

2.4.1 Titel Deed Number:	T52191/2019
2.4.2 Registered Owner	Swellendam Municipality
2.4.3 Registered Bonds	None
2.4.4 Registered servitudes:	Unknown

2.5 Municipal Information.

2.5.1 Local Authority:	Swellendam Municipality
2.5.2 Zoning:	Residential I
2.5.3 Current use:	Vacant land
2.5.4 Highest & best use:	As the subject property is zoned as residential, the highest and best use of the property will be as a residential property
2.5.5 Building regulations:	According to the regulations of the local authority
2.5.6 Municipal services:	Not serviced but bulk services are available.
2.5.7 Municipal valuation:	R240,000 (As on 1 st July 2018)

3. IMPROVEMENTS ON THE SUBJECT PROPERTY.

There are no improvements on the subject property.

4. VALUATION OF THE MARKET VALUE OF THE SUBJECT PROPERTY.

4.1 Method of Valuation.

For the valuation of the market value of the subject property, the comparable sales method of valuation will be used. The subject property is compared with similar properties in Barrydale which had been sold recently taking account of all the factors which may influence the value of the subject property.

4.2 Factors which influence the value of properties.

According to the analysis of sales of properties in Barrydale, the value of properties is influenced by several factors. The most important factors are location, extent, character, potential and best use of the property, subdivision, rezoning and consolidation of the property as well as the improvements on the property. These factors of the subject property are compared with that of the comparable properties and it is a combination of the factors which are considered for determining the market value of the subject property.

4.2.1 Location.

The location of properties in Barrydale plays a particularly important role in the value of properties. According to historical sales of properties in Barrydale, the value per m² of properties closer to the R62 Highway as well as Van Riebeeck Street, were significantly higher than the value per m² of properties further away from the R62 Highway and Van Riebeeck Street.

The subject property is situated on the eastern portion of Upington Street, Barrydale. In comparing the location of the comparable properties with that of the subject property, adjustments were made to the value per m² of the properties to bring the location of the properties in line with that of the subject property.

4.2.2 Extent.

It is a well-known fact there is a negative correlation between the extent of properties and the value per m² of the properties. The value per m² of smaller properties tend to be higher than larger properties.

In comparing the extent of the comparable properties with that of the subject property, account had to be taken of this tendency. Increased adjustments were made to the value per m² of the properties larger than the subject property and decreased adjustments were made to the value per m² of the properties smaller than the subject property to bring the extent of the properties in line with that of the subject property.

4.2.3 Character.

The character of the properties relates to the overall picture which is made by the property in terms of general layout, topography, improvements, and appearance which would be appealing to a client.

The character of the subject property compares well with the character of the comparable properties. The necessary adjustments were made accordingly to the value per m² of the comparable properties to bring the character of the properties in line with that of the subject property.

4.2.4 Potential and best use.

The potential and best use of properties refer to what income potential the properties may have. Properties which have the potential of leasing space would obviously be more appealing to buyers than properties which are used for residential purposes only.

The best use of the subject property would be for residential purposes. In comparing the potential and best use of the comparable properties with that of the subject property, adjustments were made to the value per m² of the comparable properties to bring it in line with the potential and best use of the subject property.

4.2.5 Improvements.

The extent, age, quality, and condition of the improvements on properties have a direct influence on the value of properties and is in general directly correlated to the value per m² of properties.

As there are no improvements on the subject property, the improvements will not be considered for the valuation and this factor is irrelevant for the purpose of this valuation report.

4.2.6 Subdivision, consolidation, rezoning and services.

In the event of properties sold by the Municipality, the purpose for which the property will be used would influence the value of the property. If the property is subject to subdivision, rezoning and consolidation to another property, the conditions of the purchase agreement would also influence the value of the property, depending on which party is responsible for the costs of the subdivision, rezoning and consolidation of the property.

The availability and supply of municipal services would also influence the value of a property in the sense that the value of serviced properties would be higher than the value of un-serviced properties.

In the case of the subject property, the property is an erf and subdivision is not applicable. The property however is not serviced by the Municipality, but bulk services are available, and the buyer of the property is responsible for the cost involved in the connection of the services.

In comparing factors that influence the market value of the comparable properties, with that of the subject property, a percentage adjustment is attributed to each factor as discussed in the previous paragraphs. The sum of the percentages of each factor is then applied to the adjustments to the value per m² of each comparable property. The average adjusted value per m² of the comparable properties is an indication of the value per m² of the subject property and the market value of the subject property is determined by multiplying this value with the extent of the property.

4.3 Market Research.

The history of property sales in Barrydale over the past three years show that the average prices of the properties increased by $\pm 6\%$ per annum, and the number of sales decreased slightly from 2018 to 2020 and increased from 2021 to 2022.

Market research on recent sales of comparable properties for determining the market value of the subject property, focussed on all properties sold in the vicinity of the subject property over the past three years.

4.4 Comparable Properties.

Research on sales of vacant properties which occurred in Barrydale, identified five vacant stands in the region of the subject property. To be able to get a realistic value per m² of the land of the subject property, the value of the land of the five comparable properties were used to determine the land value per m² of the subject property.

According to the trends of the average sales prices in Barrydale as mentioned in paragraph 4.3, there was an increase of $\pm 6\%$ in the value of properties since 2020 and therefore the selling prices of the comparable properties will be adjusted by 6% per annum to the date of valuation.

The adjustments in the value per m², which are suggested for each comparable property is the total of the combination of the adjustments in the value per m² of the properties in terms of the different factors discussed in paragraph 4.2. The market value of the land of the subject property is calculated from the average adjusted value per m² of the comparable properties.

The land value of the following five properties, in sequence of last sale from the most recent sale, were used to determine the market value of the subject property. The values excluded VAT and commission for agents. (See Annexure B; Location of the subject property and the comparable properties).

4.4.1 Erf 678, Barrydale.

This property is situated in High Level Street, Barrydale, approximately 570 meters from the subject property and was sold on 20/06/2022 for **R245,000**.

The extent of the property is **991m²** and there were no improvements on the property at the time of sale.

To adjust the selling price of this property to the date of valuation, the following calculation had to be made:

Selling price of property in June 2022 R245,000

Plus 6%; Adjusted value to June 2023 **R259,700**

The analysis of the market value of this property is presented in Table 1 below.

Table 1: Analysis of Erf 678, Barrydale.

Land	Extent m ²	Value per m ²	Total value
Extent and value of land	991	R 262.06	R 259 700

The location and zoning of this property compares well with that of the subject property, the property is smaller than the subject property, the character of this property is superior to that of the subject property, the potential and best use of this property is residential.

The value per m² of the land of this property is **R262,06/m²** and taking account of the location, extent, character, potential of the land, and the zoning of the property, a decrease of **19%** will be allowed on the value per m² of the land of this property to make it comparable to the value per m² of the land of the subject property.

4.4.2 Erf 282, Barrydale.

This property is situated in Milner Street, Barrydale, approximately 440 meters from the subject property and was sold on 17/01/2022 for **R490,000**.

The extent of the property is **2,974m²** and there were no improvements on the property at the time of sale.

To adjust the selling price of this property to the date of valuation, the following calculation had to be made:

Selling price of property in January 2022 R490,000

Plus 6%; Adjusted value to January 2023 R519,400

Plus 2.5%; Adjusted value to June 2023 **R532,385**

The analysis of the market value of this property is presented in Table 2 below.

Table 2: Analysis of Erf 282, Barrydale.

Land	Extent m ²	Value per m ²	Total value
Extent and value of land	2 974	R 179.01	R 532 385

The location, extent and zoning of this property compares well with that of the subject property, the character of this property is similar to that of the subject property, the potential and best use of this property is residential.

The value per m² of the land of this property is **R179.01/m²** and taking account of the location, extent, character, potential of the land, and zoning of the property, an increase of **19%** will be allowed on the value per m² of the land of this property to make it comparable to the value per m² of the land of the subject property.

4.4.3 Erf 447, Barrydale.

This property is situated in High Level Street, Barrydale, approximately 733 meters from the subject property and was sold on 31/08/2021 for **R140,000**.

The extent of the property is **991m²** and there were no improvements on the property at the time of sale.

To adjust the selling price of this property to the date of valuation, the following calculation had to be made:

Selling price of property in August 2021	R140,000
Plus 6%; Adjusted value to August 2022	R148,400
Plus 5%; Adjusted value to June 2023	R155,820

The analysis of the market value of this property is presented in Table 3 below.

Table 3: Analysis of Erf 447, Barrydale.

Land	Extent m ²	Value per m ²	Total value
Extent and value of land	991	R 157.24	R 155 820

The location, character and zoning of this property compares well with that of the subject property, the property is smaller than the subject property, and the potential and best use of this property is residential.

The value per m² of the land of this property is **R157,24/m²** and taking account of the location, extent, character, potential of the land, and the zoning of the property, an increase of **36%** will be allowed on the value per m² of the land of this property to make it comparable to the value per m² of the land of the subject property.

4.4.4 Erf 151, Barrydale.

This property is situated in Milner Street, Barrydale, approximately 586 meters from the subject property and was sold on 14/03/2021 for **R550,000**.

The extent of the property is **2,974m²** and there were no improvements on the property at the time of sale.

To adjust the selling price of this property to the date of valuation, the following calculation had to be made:

Selling price of property in March 2021	R550,000
Plus 6%; Adjusted value to March 2022	R583,000
Plus 6%; Adjusted value to March 2023	R617,980
Plus 1,5%; Adjusted value to June 2023	R627,250

The analysis of the market value of this property is presented in Table 4 below.

Table 4: Analysis of Erf 151, Barrydale.

Land	Extent m ²	Value per m ²	Total value
Extent and value of land	2 974	R 210.91	R 627 250

The location, extent, character and zoning of this property compares well with that of the subject property, and the potential and best use of this property is residential.

The value per m² of the land of this property is **R210,91/m²** and taking account of the location, extent, character, potential of the land, and the zoning of the property, an increase of 1% will be allowed on the value per m² of the land of this property to make it comparable to the value per m² of the land of the subject property.

4.4.5 Erf 1703, Barrydale.

This property is situated in 8 Upington Street, Barrydale, approximately 750 meters from the subject property and was sold on 01/03/2021 for **R165,000**.

The extent of the property is **2,974m²** and there were no improvements on the property at the time of sale.

To adjust the selling price of this property to the date of valuation, the following calculation had to be made:

Selling price of property in March 2021	R165,000
Plus 6%; Adjusted value to March 2022	R174,900
Plus 6%; Adjusted value to March 2023	R185,394
Plus 1.5%; Adjusted value to June 2023	R188,175

The analysis of the market value of this property is presented in Table 5 below.

Table 5: Analysis of Erf 1703, Barrydale.

Land	Extent m ²	Value per m ²	Total value
Extent and value of land	2 974	R 63.27	R 188 175

The location and character of this property does not compare well with that of the subject property, the extent compares well with that of the subject property, and the potential and best use of this property is residential. The Huis River runs through this property and only a portion of the property can be utilised, explaining the very low value per m² of this property.

The value per m² of the land of this property is **R63.27/m²** and taking account of the location, extent, character, potential of the land, and zoning of the property, an increase of **238%** will be allowed on the value per m² of the land of this property to make it comparable to the value per m² of the land of the subject property.

4.5 Valuation of the subject property by means of the comparable sales method.

When comparing the different comparable properties with the subject property, it is a combination of all the factors which influence the value per m² of the properties, as mentioned in Paragraph 4.2, which need to be considered when determining the value of the subject property.

This is done by applying a certain percentage adjustment to the value per m² of the comparable properties in terms of each of the factors. The adjustments in the value per m², which are suggested for each comparable property in paragraph 4.4, is the total of the combination of the adjustments in the value per m² of the properties in terms of the different factors discussed in paragraph 4.2.

The adjusted value of the five properties were used to determine the market value of the subject property. The values excluded VAT and commission for agents.

The extent, adjusted land value, land value per m², percentage adjustment and adjusted value per m² of the comparable properties in paragraph 4.4, is shown in Table 6 below.

Table 6: Extent, sales price, value per m², percentage adjustment and adjusted per m² of the comparable properties.

Ref. No.	Erf No.	Extent m ²	Adjusted Land value	Land Value per m ²	Percentage adjustment	Adjusted Value/m ²
4.4.1	678	991	R 259 700	R 262	-19%	R 212
4.4.2	282	2974	R 532 385	R 179	19%	R 213
4.4.3	447	991	R 155 820	R 157	36%	R 214
4.4.4	151	2974	R 627 250	R 211	1%	R 213
4.4.5	1703	2974	R 188 175	R 63	238%	R 214
Average adjusted value per m²						R 213

According to the calculations in Table 6, the average value per m² of the comparable properties is **R213/m²**, which will be used to calculate the market value of the land of the subject property.

The calculation of the market value of the subject property by means of the comparable method of valuation, based on the land value per m² as presented in Table 6, is shown in Table 7 below.

Table 7: The calculation of the market value of subject property by means of the comparable sales method.

Land	Extent m ²	Value per m ²	Total value
Extent and value of land	1 783	R 213.00	R 379 779

According to the calculations in Table 7, the market value of the subject property as calculated by means of the comparable method of valuation is **R379,779.00**.

4.6 Market value of the subject property.

After thorough consideration of all the factors and information discussed in the previous paragraphs, comparing the subject property with other transactions, and taking account of all the relevant factors, the market value (Exclusive of VAT) of the subject property as on the 14th of June 2023, is calculated at:

R380,000.00 (THREE HUNDRED AND EIGHTY THOUSAND RAND) (EXCLUSIVE OF VAT)

4.7 Market value per m² of the subject property.

After thorough consideration of all the factors and information discussed in the previous paragraphs, comparing the subject property with other transactions, and taking account of all the relevant factors, the market value per m² (Exclusive of VAT) of the subject property as on the 14th of June 2023, is calculated at:

R213.12 / m² (TWO HUNDRED AND THIRTEEN RAND TWELVE CENTS PER M²) (EXCLUSIVE OF VAT)

5. CAVEAT

- 5.1 This valuation report has been prepared in accordance with the requirements of International Valuation Standards that have been adopted by both the South African Council for the Property Valuers Profession and the South African Institute of Valuers.
- 5.2 This valuation report has been compiled for the exclusive use of the authority that gave the instruction for such valuation and may not be divulged to any other party, as it is confidential.
- 5.3 This valuation report has been prepared on the basis that full disclosure of all the relevant information and factors, which may affect the valuation, has been made known to the Valuer. No liability or responsibility whatsoever for this valuation can be accepted unless such full disclosure has been made.
- 5.4 Sensitive and confidential market information obtained from third parties (estate agents, valuers, etc.) during research for and being used in this valuation report, shall not be divulged, verbally or in writing, to any party without the written consent of the source.
- 5.5 It is understood that no onerous easements, right-of-way, or encroachments exist, by, or on the subject property, other than those in favour of statutory bodies, applicable to all such properties or which could be regarded as customary.
- 5.6 It is assumed that there are no hidden or unapparent conditions of the property or sub-soil that render it more or less valuable. It is also assumed that the improvements on the property are within the boundaries of the property, that the improvements are, where applicable, lawfully on the property and constructed in accordance with the Local Authority By-Laws, National Building Regulations and Town Planning Regulations. It is also emphasised that no structural survey of the improvements or examination of timber infestation has been conducted and accordingly no responsibility can be taken for possible defects in this regard.
- 5.7 It is assumed that all actual income and expenditure data being used in this valuation report is correct as a basis for assessing capitalised values. In the absence of such data, plausible assumptions have been made.

- 5.8 It is assumed that by reason of this valuation, no further consultation, testimony, or attendance in court regarding the subject property is required, unless arrangements have been made beforehand. It is also assumed that this valuation has been done on the strict understanding that indemnity is granted against all and any claims, loss, demands, liability, costs and expenses of whatsoever nature which may be suffered, sustained or incurred by reason of it, or in consequence, whether directly or indirectly of this valuation.
- 5.9 This Valuation Report and the Valuation Certificate or part of it, may not be used for any published document, circular letter, report, or declaration without the written consent of the valuer.
- 5.10 Market Value means an amount at which an interest in Real Estate might reasonably be expected to have sold unconditionally for cash consideration on the date of valuation assuming:
- (i) A willing, able and informed seller and a willing, able and informed buyer where both parties have acted prudently and without compulsion.
 - (ii) That prior to the date of valuation, there had been a reasonable period, having regard to the nature of the property and the state of the market, for the proper marketing of the interest, for the agreement of price and terms, and for the completion of the sale.
 - (iii) That no account is taken of any additional bid by a purchaser with a special interest.
- 5.11 Market Rental is based on the highest and best use of the subject property and means the estimated amount for which a property or space within a property, should lease on the date of valuation between a willing lessor and a willing lessee on appropriate lease terms in an arm's length transaction after proper marketing, wherein the parties have each acted knowledgeably, prudently and without compulsion.
- 5.12 The highest and best use of a property means the most probable use of the property, which is physically possible, appropriately justified, legally permissible, financially feasible and which results in the highest value of the property being valued.
- 5.13 Unless otherwise indicated, all figures quoted are exclusive of Value Added Tax.
- 5.14 All the information in this report was obtained from the Swellendam Municipality, the Deeds Office in Cape Town and Cape Farm Mapper.
No information was deliberately withheld and no guarantee for accuracy of the obtained information can be given.

~o~

C L L VAN WYK

Professional Associated Valuer registered with the South African Council of Valuers in terms of
The Property Valuers Profession Act 47 of 2000

Appraiser for the Hessequa District in terms of The Administration of Estates Act 66 of 1965

27 Warden Street
Riversdale, 6670

E-mail: cllvanwyk@gmail.com
Cell phone: 082 - 458 8454

CERTIFICATE OF APPRAISAL

DESCRIPTION OF PROPERTY: Erf 1718, Barrydale.

EXTENT: 1,783m²

REGISTERED OWNER: Swellendam Municipality.

DATE OF VALUATION: 14th June 2023

DATE OF INSPECTION: 14th June 2023

PURPOSE OF VALUATION: Market value as on date of valuation.

I, the undersigned, **Charles Louis Louw van Wyk**, Professional Associated Valuer and Appraiser for the Hessequa Municipality, hereby certify that I personally inspected the above mentioned property, that I do not have any interest regarding the property and that the valuation was done independently and impartially.

The market value (Exclusive of VAT) of the subject property as on the 14th of June 2023, is calculated at:

R380,000.00

(THREE HUNDRED AND EIGHTY THOUSAND
RAND) (EXCLUSIVE OF VAT)

The market value (Exclusive of VAT) of the subject property as on the 14th of June 2023, is calculated at:

R213.12 / m²

(TWO HUNDRED AND THIRTEEN RAND TWELVE
CENTS PER M²) (EXCLUSIVE OF VAT)

Signed at **RIVERSDALE** on 19th June 2023.

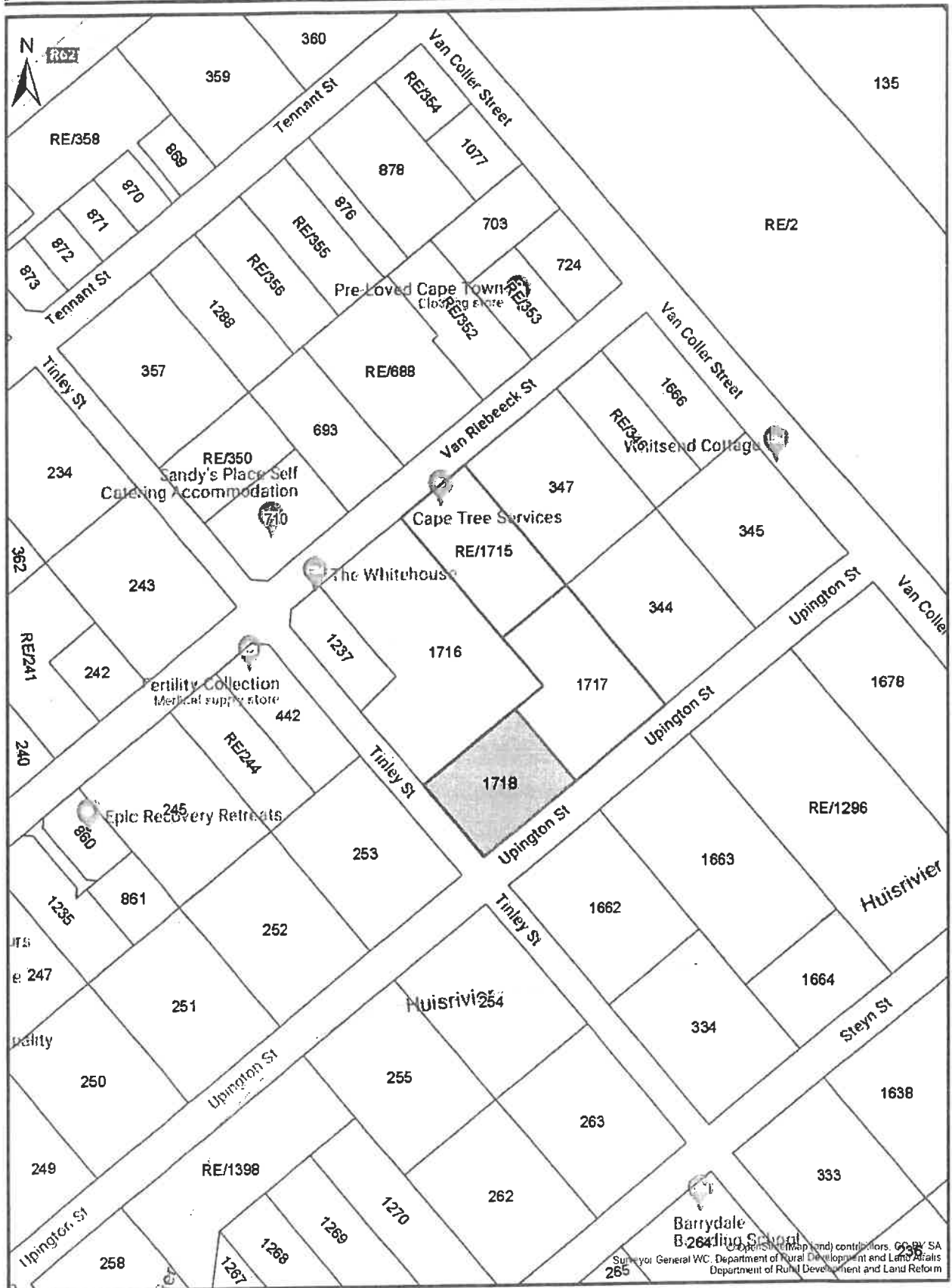


C L L van Wyk (ID 461104 5006 08 7)

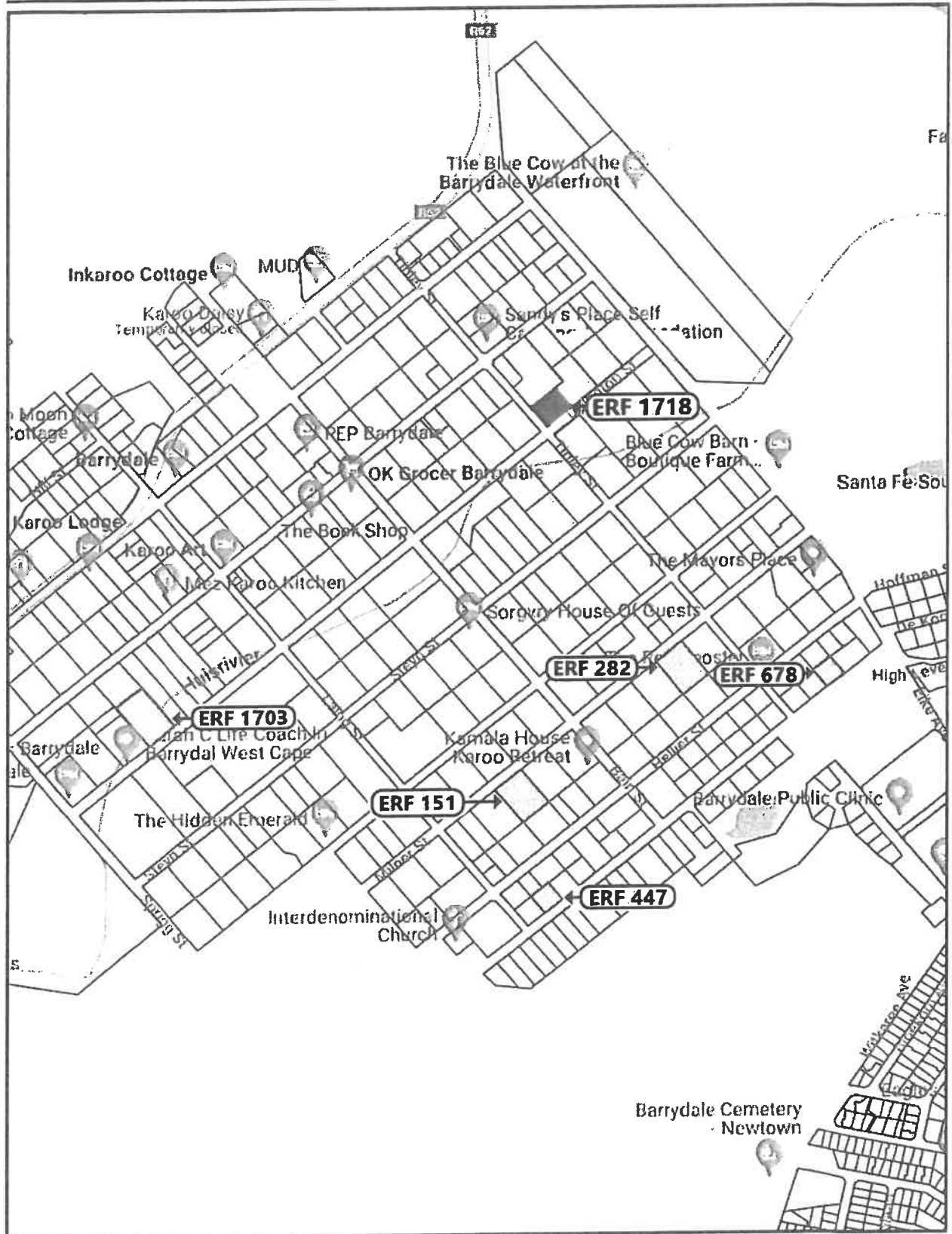
Professional Associated Valuer:

Certificate No. 6090/1

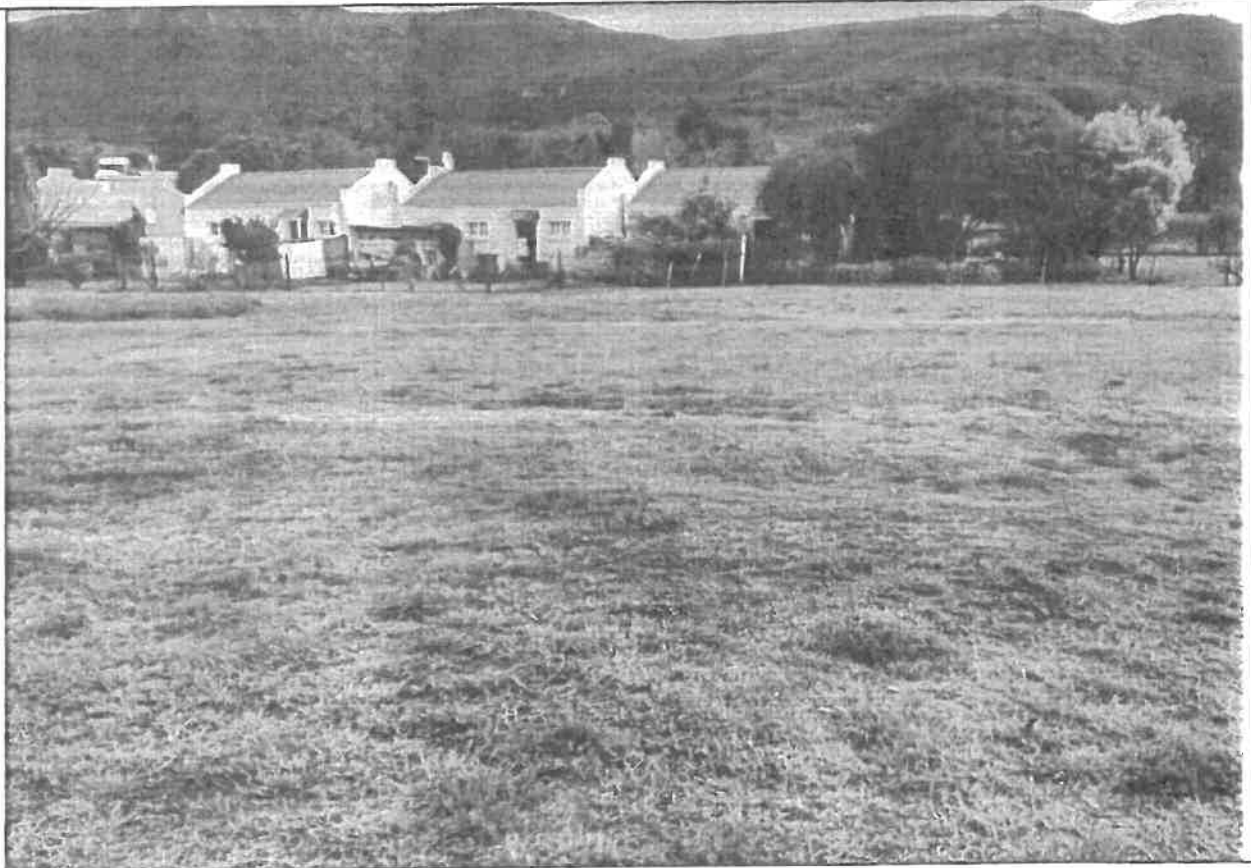
ANNEXURE A: LOCATION OF THE SUBJECT PROPERTY.



ANNEXURE B: LOCATION OF THE SUBJECT PROPERTY AND THE COMPARABLE PROPERTIES.



ANNEXURE C: PHOTO GALLERY OF THE SUBJECT PROPERTY.



Erf 1718, Barrydale – southeastern view



Erf 1718, Barrydale – southwestern view

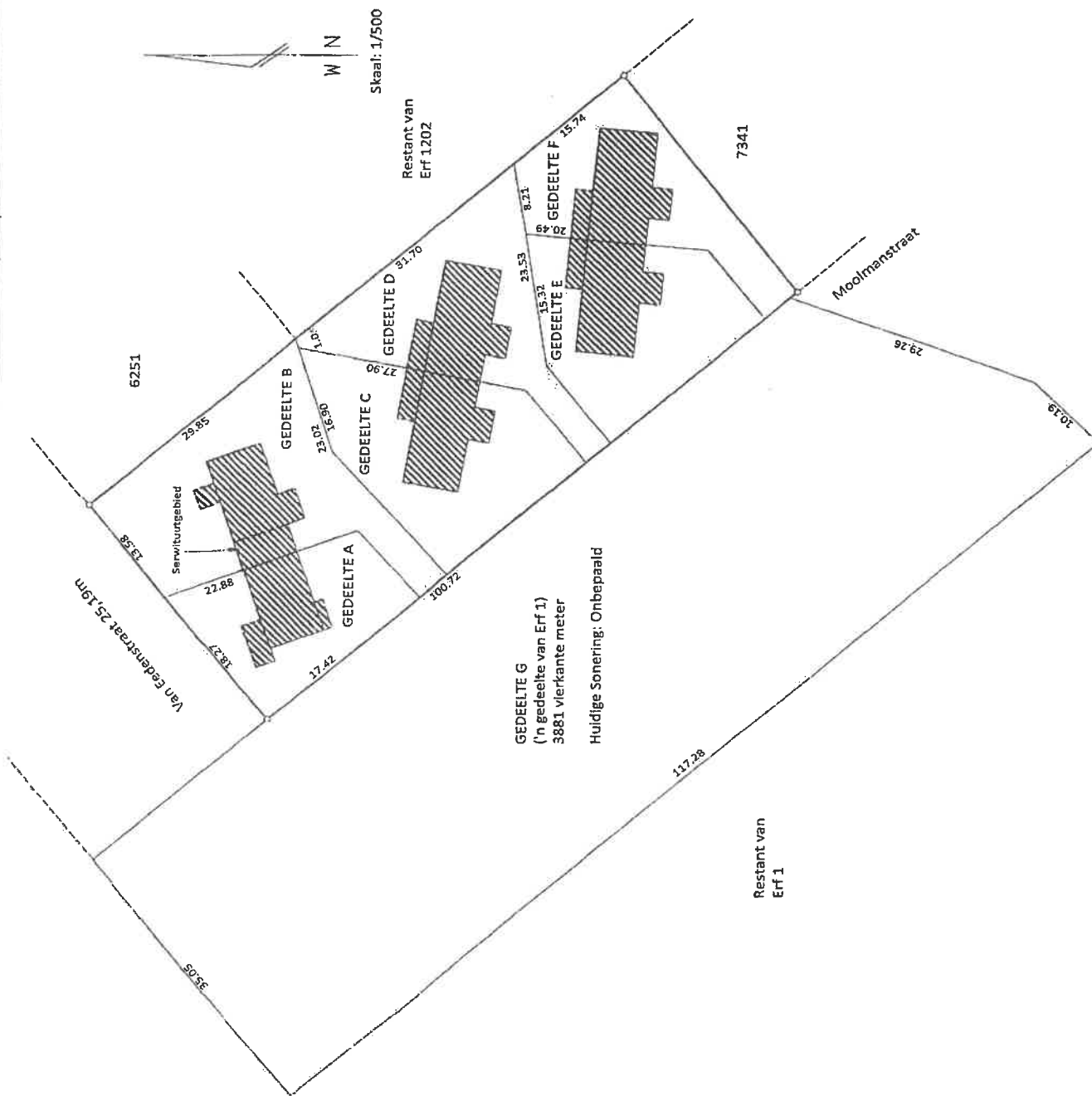
VOORGESTELDE AANKOOP VAN 'n GEDEELTE VAN RESTANT VAN ERF 1 SWELLENDAM
 GEDEELTE G, groot 3881 vierkante meter
 (om deel te vorm van die toekomstige voorstel soos hieronder genoem asook om die nodige toegang te verleen na die Gedeeltes)
 TOEKOMSTIGE VOORGESTELDE ONDERVERDELING VAN RESTANT VAN ERF 1203 SWELLENDAM - (groot : 2413 vierkante meter)

In Gedeelte A (groot : 310 vierkante meter)
 en Gedeelte B (groot : 525 vierkante meter)
 en Gedeelte C (groot : 450 vierkante meter)
 en Gedeelte D (groot : 415 vierkante meter)
 en Gedeelte E (groot : 390 vierkante meter)
 en Gedeelte F (groot : 353 vierkante meter)

Geleë in die Munisipaliteit en Administratiewe Distrik Swellendam

L.W.: alle afmetings is benaderd tot finale opmeting.

LIGGINGSPLAN:- skaal: 1/3000



VOORGESTELDE AANKOOP VAN 'n GEDEELTE VAN RESTANT VAN ERF 1
SWELLENDAM

GEDEELTE G, groot 3881 vierkante meter
(om deel te vorm van die toekomstige voorstel soos hieronder
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TOEKOMSTIGE VOORGESTELDE ONDERVERDELING VAN RESTANT VAN
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en Gedeelte D (groot : 415 vierkante meter)
en Gedeelte E (groot : 390 vierkante meter)
en Gedeelte F (groot : 353 vierkante meter)

Geleë in die Munisipaliteit en Administratiewe Distrik Swellendam

L.W.: alle afmetings is benaderd tot finale opmeting.

LIGGINGSPLAN:- skaal: 1/3000

