

ITEM NUMBER : SPC 09/06/11

RECOMMENDATION FROM THE EXECUTIVE MAYOR

MC 16/05/11 APPLICATION FOR THE DETERMINATION OF A SPECIAL RATING AREA (SRA) IN THE ZWAANSWYK AREA

AANSOEK OM BEPALING VAN 'N SPESIALE-AANSLAGGEBIED (SRA) IN DIE ZWAANSWYK-GEBIED

ISICELO SOKUMISELWA KWENDAWO ENERHAFU EYODWA (SRA) KUMMANDLA WASE-ZWAANSWYK

RECOMMENDED that:

- (a) in terms of the Special Rating Area (SRA) By-Law, the City of Cape Town determine the area as reflected in the body of the report on the agenda to be declared a Special Rating Area, called Zwaanswyk Special Rating Area
- (b) in terms of Section 8 of the SRA By-Law, the City of Cape Town approve the application submitted by Mr Robert Tiffin, being a registered owner of Erf 4657, Zwaanswyk to establish a SRA in the Zwaanswyk area and that it be declared a SRA
- (c) the City of Cape Town impose the levying of an additional rate in terms of Section 22(1)(b) of the Municipal Property Rates Act at a rate of R0,001463 rand-in-the-rand on property value after Section 10 of the SRA By-Law has been met
- (d) in terms of Section 12(6) of the SRA By-Law, a Finance Agreement be concluded between the City of Cape Town and the Zwaanswyk SRA Management Committee.

AANBEVEEL dat:

- (a) die Stad Kaapstad die gebied in die liggaam van die verslag op die agenda ingevolge die Verordening op Spesiale-aanslaggebiede (SRA) as 'n spesiale-aanslaggebied bekend as die Zwaanswyk-spesiale-aanslaggebied verklaar
- (b) die Stad ingevolge artikel 8 van die SRA-verordening die aansoek deur mnr Robert Tiffin, synde die geregistreerde eienaar van erf 4657, Zwaanswyk, om die stigting van 'n SRA in die Zwaanswyk-gebied goedgekeur word en dat dit as 'n SRA verklaar word

- (c) die Stad Kaapstad 'n bykomende tarief ingevolge artikel 22(1)(b) van die Wet op Munisipale Eiendomsbelasting hef teen 'n koers van R0,001463 rand-in-die-rand op eiendoms waarde nadat daar aan artikel 10 van die SRA-verordening voldoen is
- (d) 'n finansiële ooreenkoms ingevolge artikel 12(6) van die SRA-verordening tussen die Stad Kaapstad en die bestuurskomitee van die Zwaanswyk-SRA gesluit word.

KUNDULULWE ukuba:

- (a) ngokungqinelana noMthetho kaMasipala weeNdawo ezineeRhafu eziZodwa (SRA), isiXeko saseKapa masimisele indawo ebonakaliswe kwisiqu sengxelo ekwi-ajenda ukubhengezwa kweNdawo eneeRhafu eziZodwa, ebizwa ngokuba yiNdawo eneeRhafu eziZodwa yase-Zwaanswyk
- (b) ngokungqinelana neCandelo 8 loMthetho kaMasipala weeNdawo ezineeRhafu eziZodwa, isiXeko saseKapa masiphumeze isicelo esingeniswe nguMnu Robert Tiffin, ongumnini obhalisiweyo weSiza 4657, Zwaanswyk ukuba amisele iNdawo eneeRhafu eziZodwa kummandla wase-Zwaanswyk kwaye ibhengezwe njengeNdawo eneeRhafu eziZodwa
- (c) isiXeko saseKapa masimisele ukurhafiswa kwenkonzo yobuhlali eyongezelelweyo ngokungqinelana neCandelo 22(1)(b) loMthetho weeNkoko zobuhlali zeePropati zikaMasipala ngexabiso le-R0,001463 elrandi kwirandi kwixabiso lepropati emva kokuba kuhlangatyezwene neemfuno zeCandelo 10 loMthetho kaMasipala weeNdawo ezineeRhafu eziZodwa
- (d) ngokungqinelana neCandelo 12(6) loMthetho kaMasipala weeNdawo ezineeRhafu eziZodwa, makuqukunjelwe iSivumelwano sezeMali phakathi kwesiXeko saseKapa neKomiti eLawula iNdawo eneRhafu eYodwa yase-Zwaanswyk.



1. ITEM NUMBER : MC 16/05/11

2. SUBJECT

APPLICATION FOR THE DETERMINATION OF A SPECIAL RATING AREA (SRA) IN THE ZWAANSWYK AREA:

ONDERWERP

AANSOEK OM BEPALING VAN 'N SPESIALE-AANSLAGGEBIED (SRA) IN DIE ZWAANSWYK-GEBIED

ISIHLOKO

ISICELO SOKUMISELWA KOMMANDLA OHLAWULA IRHAFU
EKHETHEKILEYO KUMMANDLA WE-ZWAANSWYK:

LSUB1475

3. PURPOSE

To approve a Special Rating Area in the Zwaanswyk area.

4. FOR DECISION BY

This report must be approved by Council.

5. EXECUTIVE SUMMARY

In terms of the Special Rating Area By-Law, Council has received an application to determine a Special Rating Area (SRA) in the Zwaanswyk area.

The application complies with all legal aspects as per the By-Law.

This report recommends that the application be approved and that a SRA be declared in the Zwaanswyk Area.

That the comment is noted but not upheld for the reasons set out in the report.

That an additional rate be levied in terms of Section 22 of the MPRA.

6. RECOMMENDATIONS

Not delegated: for decision by Council

It is recommended that:

- a) in terms of the SRA By-Law, the City of Cape Town determine the area as reflected in the body of this report to be declared a SRA called Zwaanswyk SRA.
- b) in terms of Section 8 of the By-Law, the City of Cape Town approve the application submitted by Mr Robert Tiffin, being a registered owner of Erf 4657, Zwaanswyk to establish a SRA in the Zwaanswyk area and that it be declared a SRA.
- c) the City of Cape Town impose the levying of an additional rate in terms of Section 22(1)(b) of the MPRA at a rate of R0,001463 rand-in-the-rand on property value after Section 10 of the By-Law has been met.
- d) in terms of Section 12(6) of the By-Law a Finance Agreement be concluded between the City of Cape Town and the Zwaanswyk SRA Management Committee.

AANBEVELINGS

Nie gedelegeer nie: vir besluit deur die Raad

Daar word aanbeveel dat:

- (a) die Stad Kaapstad die gebied in die liggaam van hierdie verslag ingevolge die Verordening op Spesiale-aanslaggebiede as 'n SRA bekend as die Zwaanswyk-SRA verklaar.
- (b) die Stad ingevolge artikel 8 van die verordening die aansoek deur mnr Robert Tiffin, synde die geregistreerde eienaar van erf 4657, Zwaanswyk om die stigting van 'n SRA in die Zwaanswyk-gebied goedkeur en dat dit as 'n SRA verklaar word.
- (c) die Stad Kaapstad 'n bykomende tarief ingevolge artikel 22(1)(b) van die MPRA hef teen 'n koers van R0,001463 rand-in-die-rand op eiendoms waarde nadat daar aan artikel 10 van die verordening voldoen is.
- (d) 'n finansiële ooreenkoms ingevolge artikel 12(6) van die verordening tussen die Stad Kaapstad en die bestuurskomitee van die Zwaanswyk-SRA gesluit word.

IZINDULULO

Zigunyazisiwe: isiqqibo seseBhunga

Kundululwe ukuba:

- a) ngokwemigaqo yoMthetho kaMasipala olawula iMimandla ehlawula iRhafu eKhethekileyo, isiXeko saseKapa simisela indawo ebonoswe kule ngxelo ukuba ibhengezwe njengeNdawo ehlawuliswa iRhafu eKhethekileyo eyaziwa ngokuba nguMmandla ohlawuliswa iRhafu eKhethekileyo wase-Zwaanswyk.
- b) ngokwemigaqo yeCandelo 8 loMthetho kaMasipala, isiXeko saseKapa masiphumeze isicelo esingeniswe nguMnu. Robert Tiffin, ongumnini obhalisiweyo weSiza 4657, eZwaanswyk ngenjongo yokumisela iNdawo ehlawuliswa iRhafu eKhethekileyo kummandla we-Zwaanswyk kunye nokuba le ndawo mayibhengezwe njengoMmandla ohlawuliswa iRhafu eKhethekileyo.
- c) isiXeko saseKapa masimisele ukurhafiswa kweqondo elongeziweyo lerhafu ngokwemigaqo yecandelo lama-22(1)(b) le-MPRA ngeqondo elifikelela kwi-R0,001463 irandi kwirandi kwixabiso lepropati emva kokuba kuhiangatyezwene neemfuno zeCandelo le-10 loMthetho kaMasipala.
- d) ngokwemigaqo yeCandelo 12(6) loMthetho kaMasipala makuphethwe iSivumelwano sezeMali phakathi kwesiXeko saseKapa kunye neKomiti eLawula uMmandla ohlawuliswa iRhafu eKhethekileyo eZwaanswyk.

7. DISCUSSION/CONTENTS

7.1 Constitutional and Policy Implications

The City of Cape Town, as with most of the major cities in South Africa, is grappling with the challenge of providing an equitable level of service to all its inhabitants. It acknowledges that property owners within an area require a mechanism to create a friendly environment and to enhance its current service delivery capacity. The SRA model allows property owners to organize additional municipal services to improve and upgrade the SRA with the additional rates levied on commercial properties.

Council approved the Establishment of the Zwaanswyk CID on 27 May 2009 (C 61/05/09) for the period 1 July 2009 to 31 June 2012. The Steering Committee requested Council not to levy any additional rates before written permission be obtained from SANPARK allowing them to erect the security/baboon fence as per the Business Plan. When the approval was finally obtained more than half of the approval term had expired and Council requested that a new application be submitted in accordance with the SRA legislation.

Accordingly the Steering Committee pursued the process of establishing an SRA under the guidance of the ISL Department.

The Steering Committee submitted written proof, attached as annexure A that:

- the public meeting was held to inform property owners of the content of the Zwaanswyk Business Plan.
- 64% of property owners support the formation of the SRA as per the proposed Zwaanswyk Business Plan. An affidavit from the coordinator confirming the above is included.

The application has been advertised officially for comments and objections and was available for scrutiny at the offices of the City and the Steering Committee.

The comments / objections / concerns are summarized in the schedule attached as Annexure B and include comments and recommended actions from Council which is considered to be in the public interest. The bulk of the objectors do not believe that the fence will deter the baboons or other undesirables from entering the area. Annexure C reflects the comments of the Zwaanswyk SRA Steering Committee regarding the objections received. Annexure D - copies of the objection letters.

The application of the Zwaanswyk SRA, attached as Annexure A, complied with all requirements for setting up a Special Rating Area as per the By-Law for the establishment of special rating areas.

To enable Council to collect the SRA budget of R 1 171 237.00 an additional SRA rate was calculated on the total municipal valuation of all properties in this area amounting to R0.001463 rand-in-the-rand for property except those properties belonging to owners exempted from paying the additional levy.

7.2 Environmental implications

Does your report have any environmental implications: No Yes

7.3 Legal Implications

- Municipal Property Rates Act No.6 of 2004
- Municipal Financial Management Act No.56 of 2003
- Special Rating By-Law

7.4 Staff mplications

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

No

Yes


7.5 Other Services Consulted

None

ANNEXURES

- Annexure A - Application to establish a SRA in Zwaanswyk.
- Business Plan
 - Minutes of Public meeting
 - List of properties consenting
 - Affidavit of applicant
- Annexure B - Summary of objections with comments from Council officials.
- Annexure C - Summary of objections with comments from the applicant.
- Annexure D - Copies of all objection letters.

FOR FURTHER DETAILS CONTACT:

NAME	Runan Rossouw
CONTACT NUMBERS	(021) 400-5148
E-MAIL ADDRESS	Runan.Rossouw@capetown.gov.za
DIRECTORATE	Finance: ISL
FILE REF NO	
SIGNATURE : DIRECTOR	

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

SUBJECT TO :

NB

NON-COMPLIANT

LEGAL COMPLIANCE

NAME LES BARCHARD
TEL 400 4840
DATE 2011 | 04 | 14

Comment:

1 ALL OF THE NECESSARY ANNEXES BEING ATTACHED TO THE REPORT

2 COUNCIL RESOLUTION C 61/05/09 OF 27 MAY, 2009 BEING REVIEWED AND RESCINDED. COPY OF RESOLUTION ANNEXED.

3 COUNCIL NOTE THAT THE SRA IS ESTABLISHED IN TERMS OF BY-LAW P. S. 6651 OF 21 AUGUST, 2009.

EXECUTIVE DIRECTOR
Mike Richardson

DATE

13/4/11

2008/2009 financial year covering the period 01 July 2008 to 31 March 2009 (performance year to date) be noted.

ACTION : W CLAASSENS, M MARSDEN

C 61/05/09 APPLICATION FOR THE DETERMINATION OF A SPECIAL RATING AREA AND THE ESTABLISHMENT OF A CITY IMPROVEMENT DISTRICT IN THE ZWAANSWYK RESIDENTIAL AREA

RESOLVED that:

- (a) in terms of Section 22(1)(a) of the Municipal Property Rates Act, No. 6 of 2004 (MPRA), the City of Cape Town determines the area that encompasses the following roads, Zwaanswyk Close, Charnwood Avenue, Charnwood Close, Suddie Close, Debaren Close, Thorpe Close and Almondbury Close be declared as a special rating area
- (b) in terms of Section 8.1(b) of the City Improvement By-Law, the City of Cape Town approves the application submitted by Mr. Robert Tiffin, the registered owner of Erf 4657, Zwaanswyk to establish a City Improvement District in the Zwaanswyk residential area and that it be declared a City Improvement District subject to –
 - (i) the conclusion of a Finance Agreement between the City of Cape Town and the Zwaanswyk City Improvement District Management Committee. The City Manager or his nominee be hereby authorised to finally settle and conclude the Finance Agreement on behalf of the City of Cape Town
 - (ii) the written approval of the Articles of Association of the Zwaanswyk City Improvement District Management Committee (Section 21 company), in terms of Section 12 of the CID By-Law
 - (iii) the applicant provides proof that more than 75% of the property owners in number and in rates base value support the formation of the City Improvement District per the proposed Business Plan before 30 June 2009.
- (c) the objections to the establishment of the Zwaanswyk City Improvement District be noted but not upheld for the reasons discussed in the report on the agenda

- (d) the City of Cape Town furthermore approves the levying of an additional rate in terms of section 22(1)(b) of the MPRA at a rate of 0.001922 cents-in-the-rand on property value.

The ANC requested that their vote be recorded against the above decision.

ACTION : R ROSSOUW, M MOHAMED

C 62/05/09 APPLICATION FOR THE DETERMINATION OF A SPECIAL RATING AREA AND THE ESTABLISHMENT OF A CITY IMPROVEMENT DISTRICT IN THE VREDEKLOOF AREA

RESOLVED that:

- (a) in terms of Section 22(1)(a) of the Municipal Property Rates Act, No. 6 of 2004 (MPRA), the City of Cape Town determines the area bounded by the R300 Freeway Road reserve, De Bron Road, Brackenfell Boulevard and the N1 Freeway be declared as a special rating area
- (b) in terms of Section 8.1(b) of the City Improvement District By-Law, the City of Cape Town approves the application submitted by Mr Leon Brynard, the registered owner of Erf 7731, Brackenfell to establish a City Improvement District in the Vredeloof area and that it be declared a City Improvement District subject to:
- (i) the conclusion of a Finance Agreement between the City of Cape Town and the Vredeloof City Improvement District Management Committee. The City Manager or his nominee be hereby authorized to finally settle and conclude the Finance Agreement on behalf of the City of Cape Town
 - (ii) the written approval of the Articles of Association of the Vredeloof City Improvement District Management Committee (Section 21 company), in terms of Section 12 of the CID By-Law
 - (iii) the applicant provides proof that more than 75% of the property owners in number and in rates base value support the formation of the City Improvement District as per the proposed Business Plan before 30 June 2009

RG Tiffin, 3 Charnwood Ave, Zwaanswyk, 021 713 3040

11 November 2010

The CFO
Directorate: Finance
City Of Cape Town
7th Floor
12 Hertzog Boulevard
CAPE TOWN
8000

Attention: Mr. Scott

APPLICATION FOR THE ESTABLISHMENT OF THE ZWAANSWYK SPECIAL RATING AREA ("SRA").

I Robert George Tiffin, registered owner of erf 4657, Zwaanswyk, hereby wish to make application for the City Council's approval for the establishment of the Zwaanswyk SRA.

This application is made to Council in terms of Section 4 of the City of Cape Town's: Special Rating Area By-Law, 2009, read together with the City of Cape Town's: Special Rating Area Policy 2010.

The proposed five year implementation plan of the Zwaanswyk SRA is: To ensure that Zwaanswyk is a secure, clean and attractive residential area with a vibrant community spirit, safeguarding its equestrian character.

In support of the application, I attach the following:

1. The Motivation report, Implementation plan and Budget , marked "A";
2. the written consent of the majority of property owners within the proposed SRA who will be liable for paying the additional rate, marked "B"; and an Affidavit declaring that a majority vote has been obtain, marked "C"; and
3. adverts and notices of Public meeting(s) and minutes thereof, marked "D".

The City's approval of this application would be greatly appreciated.

Regards


RG Tiffin

A

Zwaanswyk Special Rating Area

BUSINESS PLAN

FOR THE ESTABLISHMENT AND MANAGEMENT

OF

A Special Rating Area

**In terms of the Special Rating Area By-Law, as promulgated under
6651/2009 in the Western Cape Provincial Gazette**

IN

ZWAANSWYK, CAPE TOWN

OCTOBER 2010

473

SRA IDENTIFICATION

Name of SRA: Zwaanswyk Special Rating Area
Date: October 2010
Name of Municipality having jurisdiction: City of Cape Town
Principal Contact Persons:

Rob Tiffin
3 Charnwood Ave
Zwaanswyk
7945
Tel: (021) 514 3100

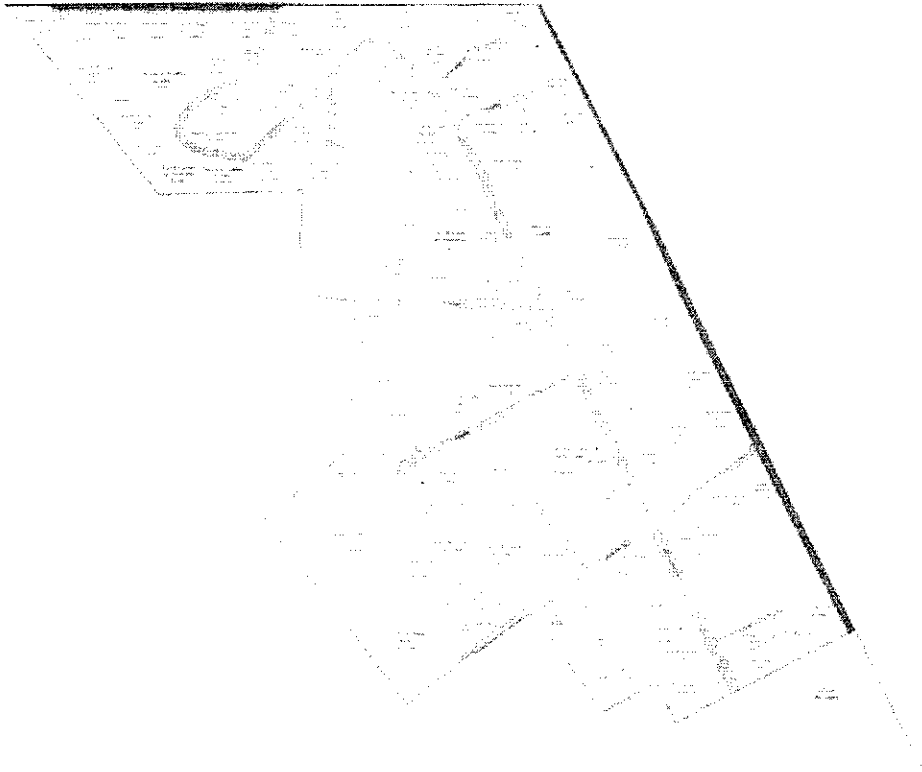
Alison Ward
10 Debaren Close
Zwaanswyk
7945
Tel: (021) 715 1133

E-mail: rob@scentpac.co.za

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Geographic Area:

**ZWAANSWYK
Special Rating Area**



Motivation Report

Introduction

Over the past few years the residents of Zwaanswyk have been increasing the communal security within the area. We have had a security service provider patrolling for the past four years which has been reasonably effective in stopping crime from the road. Our threat from the plantation was exposed when 16 incursions occurred over a period in 2008 and 2009. After the perpetrators were apprehended there has been one home invasion (in early 2010) and a few break ins, where in some cases, fences along the plantation were cut.

There have been increasing incidents of baboon invasions, and some dogs have been mauled. As the plantation is felled the baboons have become more wide-ranging in their quest for food and sleeping locations and thus Zwaanswyk is frequently visited.

Our area has unkempt, littered grass verges, potholes in the road, unpainted street lamps and neglected storm-water reticulation.

Implementation Plan

- Establish a Section 21 Company to administer the Zwaanswyk SRA
- Appoint the Directors of the Company to look after the interests of property owners, implementing this business plan and budget and control and manage the expenditure in accordance with the business plan and budget.
- Erect a baboon/security electrified fence and limited CCTV monitoring cameras within the Tokai plantation in accordance with the fence agreement negotiated with SANParks.
- Appoint a service provider to monitor the fence and cameras against incursions by baboons and intruders.
- Establish meaningful liaison with the baboon-monitoring service provider, relevant other stakeholders and SAPS.
- Appoint a part-time area manager to act as the liaison with the City Council and the service providers. The manager will be the point of first call for any resident reporting an incident or repairs required to the common areas of the neighbourhood.

Linked to the Area

Money raised by the SRA levy will only be spent in the designated SRA area. The costs of the improvements in the SRA will not be funded by the Council, thus diverting much needed resources to underprivileged areas, thus mitigating the existing inequities that exist across the city. This SRA concept is consistent with the Council's IDP and strategic vision for a world-class city.

Exemptions from SRA levy

In accordance with Council policy, property owners who are indigent or disabled, in line with the City of Cape Town's criteria for rates relief, will be 100% exempt from SRA additional levies. There are no properties that have a municipal valuation of less than R200 000 or which are used as a place of worship.

Institutional Arrangements

The Zwaanswyk SRA will commence operation on the 1 July 2011 and will be incorporated as an association not for gain as specified as a Section 21 Company as per the Companies Act of 1973. This company will be managed by a board of directors elected annually by the property owners within the boundaries of the SRA.

Dissolution

The Section 21 company will be dissolved if voted on by the majority of property owners in the area. This could happen only after the initial five-year period, any accumulated funds that the Section 21 Company has will be retained by the City Council, which will spend the accrued monies on supplementary services in accordance with this business plan. There will be no refund to property owners.

Vision

To ensure that Zwaanswyk is a secure, clean and attractive residential area with a vibrant community spirit, safeguarding its equestrian character.

Mission for the SRA

The Zwaanswyk SRA will, in close co-operation with the Council, SAN Parks, adjoining neighbourhood watches, baboon monitoring service providers and SAPS, provide and manage supplementary services to all property owners in the SRA. This will ensure the area will be made safe, clean and aesthetically pleasing for the benefit of property owners, residents, employees and visitors.

Goals

- ◆ To enhance and supplement municipal services.
- ◆ To build a perimeter fence along the Zwaanswyk border with Tokai plantation, so that we can minimise incursions from baboons and generally improve security, yet retain access for residents to the plantation.
- ◆ Restricting the baboons to the plantation area by means of the fence and co-operation with the baboon monitors and SANParks thereby minimising the potential for human-baboon conflict.
Promote and safeguard the equestrian character of the area and provide a safe and enhanced environment for young and old alike.
- ◆ To secure our area with a combined community approach to security and greater road safety measures.
- ◆ To improve the value of our properties by making our area more attractive and secure.
- ◆ To develop a close and mutually beneficial working relationship with the City Council.
- ◆ To coordinate security within Zwaanswyk and neighbouring areas as well as with SAPS.

Management

We have formed a Section 21 Company (not for profit) that will administer the SRA on behalf of the residents. Conduct of these activities via the section 21 company will serve to ensure that the owners do not incur individual liability for any of the obligations assumed by the SRA. It is envisaged that the company will be run by a managing board that meets every six weeks under an elected chairman. At the Annual General Meeting, the residents can elect a new board. All ratepayers should become members of the Section 21 company, this is not mandatory, but we would recommend this for governance reasons. The Section 21 Company will control the SRA once the property owners approve of the concept and the five year business plan.

It is proposed that the Board of Directors of the Zwaanswyk SRA will appoint a part-time SRA Manager who will manage the following:

- ◆ Sub-contractors who will be providing services to the SRA.
- ◆ Liaison with the City Council on all matters dealing with the common areas under the Council's control.
- ◆ Responsible for assisting the security committee with the neighbourhood watch, liaising with the SAPS and the baboon monitoring service provider.
- ◆ Act as the first point of contact between residents and management.
- ◆ Maintaining the books of account and records of the Section 21 Company.
- ◆ The annual external audit of the Section 21 Company books of account.

Proposed Services and Levels of Services to be provided by the SRA

1. Capital Improvements

The only capital provision that will be incurred in the first three years will be the construction of the baboon/security fence along the boundary between the Tokai Plantation and the Zwaanswyk residential area. The total cost of the baboon/security fence, together with some CCTV surveillance cameras, will be approximately R 1,000,000. The cost of the fence will be funded by loans to be concluded by the Board of Directors of the Section 21 Company.

2. Public Safety and Security

- Electronic and partial camera monitoring of the baboon/security fence on the plantation border.
- Building and then maintaining a good working relationship with the baboon monitoring service providers and SANParks to minimise baboon incursions.
- Mobile vehicle patrol in area 24 hours a day 365 days a year.
- Providing a guarding post near the bottom of the road between dusk and dawn.
- Building the relationship with the SAPS, and other relevant stakeholders.

3. Maintenance and Cleaning

- ◆ Maintenance of security fence.
- ◆ Vegetation clearing around the fence.
- ◆ Supplemental cleaning and litter clearing of road verges and common areas.
- ◆ Improved general landscaping and maintenance of streetlights, poles, trees, litter bins, traffic signage, storm water gullies and road verges.
- ◆ Create, where possible, child friendly, secure pathways and traffic separated routes for horses.

4. Marketing and Communications

- Communication to all residents on security and general matters by newsletters and posts on the SRA website
- Establish a website for community communication, notices and a forum for residents concerns/requests.
- Section 21 Company Annual General Meeting.

5. Financial plan

The 5 year Financial Budget

EXPENDITURE	R		R		R		R		R	
Employee Related	36 000	3%	38 160	3%	40 450	3%	42 877	3%	45 664	5%
Salaries	36 000		38 160		40 450		42 877		45 664	
Bonus provision										
Core Business	592 000	51%	627 520	52%	665 171	53%	705 081	57%	750 316	82%
Cleansing services	100 000		106 000		112 360		119 101		126 247	
Environmental upgrading (Greening, landscaping, recycling, etc.)										
Security services	492 000		521 520		552 811		585 980		624 069	
Social upliftment										
Depreciation; fence cameras	57 500	5%	57 500	5%	57 500	5%	57 500	5%	57 500	6%
Repairs and Maintenance	30 000	3%	31 800	3%	33 708	3%	35 730	3%		0%
Services Accounts ex CCT		0%		0%		0%		0%		0%
Interest Paid	77 666	7%	49 154	4%	17 970	1%		0%		0%
General Expenditure	39 000	3%	25 440	2%	26 966	2%	28 584	2%	30 299	3%
Accommodation (Rent)										
Audit / Accounting fees	15 000		15 900		16 854		17 865		18 937	
Advertising										
Bank charges	2 000		2 120		2 247		2 382		2 525	
Computer expenses										
Contingencies	2 000		2 120		2 247		2 382		2 525	
Establishment Cost	15 000									
Insurance										
Marketing and promotions										
Meeting expenses										
Printing and stationery	1 000		1 060		1 124		1 191		1 262	
Projects										
Staff welfare										
Subscriptions										
Sundry expenses	1 000		1 060		1 124		1 191		1 262	
Telephone and fax	3 000		3 180		3 371		3 573		3 787	
Training										
Capital Expenditure	303 934	26%	332 446	28%	381 600	30%	335 150	27%		0%
Cameras	33 300		33 300		33 300					
Office equipment										
Computer equipment										
Security Fence	270 634		299 146		348 300					
Bad Debt Provision 3%	35 137	3%	35 939	3%	37 836	3%	37 266	3%	27 333	3%
TOTAL EXPENDITURE	1 171 237	100%	1 197 959	100%	1 261 201	100%	1 242 188	100%	911 113	100%
INCOME	R		R		R		R		R	
Revenue - SRA Levy	-1 171 237	100%	-1 197 959	100%	-1 261 201	100%	-1 242 188	100%	-911 113	100%
TOTAL INCOME	-1 171 237		-1 197 959		-1 261 201		-1 242 188		-911 113	
(SURPLUS) / SHORTFALL	-		-		-		-		-	
BUDGET GRDWTB			2.28%		5.28%		-1.51%		-26.65%	

Implementation Plan

FINANCIAL YEARS 01/07/2011 TO 30/06/2016

Board of Directors Portfolios

Chairperson	Performance of Board and major communications
Finance	Maintaining the requisite books of account and records, Bank account , Vat and tax affairs, Annual Audit, staff remuneration and providing monthly financial reports to the council
Fence Technical	Specification and construction of the fence and installation of CCTV cameras. Compliance with SANParks Environment Management Plan. Maintenance of the fence and cameras.
Environment	General Landscaping, Cleaning, General Maintenance, Clearing and planting 4 metre strip inside fence and all environmental issues.
Legal/ Employment	All contracts with service providers, legal issues, staff appointments and dismissals
Security	Liaison with baboon monitoring service providers, Performance of security service providers, fence and camera monitoring services, Liaison with SAPS and relevant stakeholders.
Communication	Establish Website, communication with property owners and residents

Goal 1	Action 2	Measurement criteria and 3 Performance indicators	Timetable 4	Portfolio Responsible 5
1 Establish Section 21 Company	Advise property owners of process Call for nominations for Board members. Arrange voting for Board members by proxy and in attendance at General Meeting. Appoint Chairman Allocate service responsibilities to Board members and establish meeting dates	City Council representative to be invited to attend meetings as an observer.	Prior to 01/07/2011	Steering committee Newly appointed Board

<p>2 Erect a baboon/ security fence along the perimeter with the Tokai Plantation</p>	<p>Finalise specifications of both the fence and the CCTV camera installations.</p> <p>Prepare tender documents</p> <p>Request tenders from preselected experienced service providers</p> <p>Secure loan funding from SRA property owners on terms contained within the budget</p> <p>Conclude Environmental Construction Plan with SANParks and successful contractor</p> <p>Ensure timeous construction of the fence</p>	<p>Specification to be approved by SANParks and any other relevant authority</p> <p>Tender price to be within budget</p> <p>Funding to be obtained within terms of budget</p> <p>Fence and CCTV installation to be complete before 30th June 2011</p>	<p>By 30/07/2011</p>	<p>Fence Technical</p> <p>Fence Technical</p> <p>Finance and legal To be approved by full Board</p> <p>Fence Technical</p>
<p>3 Appoint service providers to monitor fence and CCTV cameras, to undertake guarding duties and to provide mobile surveillance security in the SRA area and to undertake the fence maintenance</p>	<p>Prepare tender documents for both service contracts</p> <p>Call for tenders</p> <p>Conclude service agreements with successful tenderer which include KPI's</p>	<p>Service contracts to be finalised prior to completion of the fence</p> <p>Successful tender to be within budget</p> <p>Create a working relationship with the baboon monitors</p> <p>Establish an incident reporting protocol</p>	<p>Prior to 1/09/2011</p> <p>Prior to 1/09/2011</p> <p>Report quarterly</p> <p>Report Quarterly</p>	<p>Security and Legal</p> <p>Security Fence Technical and Legal</p> <p>Security</p> <p>Security</p>
<p>4 Establish a Board Security sub committee</p>	<p>The sub committee to establish a working/reporting relationship with baboon monitoring service providers, adjoining neighbourhood watches, SAPS and Metro Police</p> <p>Establish an SMS data base of all property owners and residents</p>	<p>Establish a reporting framework</p> <p>Establish kpi's for service providers</p> <p>Monitor the incidence records</p> <p>Communicate with relevant property owners and residents of any incidents or fence incursions</p>	<p>Establish by 1/9/2011</p> <p>Report Quarterly</p> <p>Report Quarterly</p> <p>Ongoing updates but report Quarterly</p>	<p>Security</p>
<p>5 Appoint a part time manager</p>	<p>Establish job specification for the post and remuneration package in line with budget</p> <p>Define delegated responsibilities and authorities</p> <p>Create a reporting channel with the City Council for any necessary repairs to roads and services</p> <p>Report to portfolio Board members</p> <p>Ensure property owners and residents are aware of lines of communication with the manager</p>	<p>Remuneration package to be in line with budget</p> <p>Measure performance of service providers against kpi's agreed with manager</p> <p>Ensure that all Council services are in good working order</p> <p>Ensure manager reports to relevant Board members on a weekly basis and to the Board at each meeting.</p>	<p>Prior to 1/9/2011</p> <p>Monthly contact or case specific</p> <p>Case specific but monthly</p>	<p>Chairman, Finance and Legal</p> <p>Environment/Security/Fence Technical</p> <p>Environment/ Security</p>

6 Maintenance of the fence strip, verges, stormwater drains, road common areas and tree planting, litter	Appoint by a tender process a service provider to maintain all common areas excluding the Council's services. Establish kpi's	Manager to monitor performance. Achievement of kpi's Cleanliness and tidiness of the common areas which enhance the beauty of the Zwaanswyk area.	Prior to 1/9/2011	Environment
7 Keep property owners informed	Establish website Newsletters	Communications every 6 weeks with residents	Prior to 30/06/2011	Communications

B

482

Erf owners that have approved the Zwaanswyk SRA

no	ERF No	Rates CA Name	street no	Street address
61	4567	DU PLESSIS MR M A & MRS L P	68	ZWAANSWYK ROAD
58	4572	TRUSTEES/THE ALLANDALE TRUST	72	ZWAANSWYK ROAD
59	4576	MR NC GORRE	5	ZWAANSWYK CLOSE
60	4578	KROUKAMP GR & MCMAHON CL	78	ZWAANSWYK ROAO
55	4580	MR RH OE JAGER	86	ZWAANSWYK ROAO
56	4583	MR EM JANSEN	90	ZWAANSWYK ROAD
57	4585	SAHIBI ARABIAN STUO FARM	92	ZWAANSWYK ROAD
48	4587	SAHIBI ARABIAN STUD FARM	92	ZWAANSWYK ROAD
49	4588	SAHIBI ARABIAN STUO FARM	92	ZWAANSWYK ROAO
50	4591	SAHIBI ARABIAN STUD FARM	92	ZWAANSWYK ROAD
51	4593	MILNER M & WOOD CJ	7	THORPE CLOSE
52	4594	MS ME LAVIES	6	THORPE CLOSE
53	4595	MR. & MRS. DA & SPE LINOER	4	THORPE CLOSE
54	4596	THE HOWIESON FAMILY TRUST	104	ZWAANSWYK ROAO
46	4597	MR GL WAREHAM	2	THORPE CLOSE
78	4599	AMANDA KIM; SAMANTHA LYNN; BIANC	2	ALMONDBURY LANE
76	4600	JUSTIN ADRIAN JA & GINA G STEWART	4	ALMONDBURY LANE
47	4601	MR CA DE GENOT	1	ALMONDBURY LANE
44	4605	MRS CM COATES	118	ZWAANSWYK ROAO
45	4606	MOSTERT MR G G & NAUDE MRS L	128	ZWAANSWYK ROAD
42	4626	MRS WAKEFIELD	14	DEBAREN CLOSE.
43	4642	MR BG RICHARDS	10	CHARNWOOD AVENUE
40	4643	MR RM CABION	8	CHARNWOOD AVENUE
77	4644	THE QJG SHARE TRUST	7	SUDDIE CLOSE.
75	4646	MR CPM KING	24	CHARNWOOD AVENUE
41	4647	MR B RAE	26	CHARNWOOD AVENUE
36	4649	MR JK MAURICE-GREEN	67	ZWAANSWYK ROAD
37	4651	MR DCA PRIOR	1	CHARNWOOD AVENUE
38	4653	MR BW SWAIN	69	ZWAANSWYK ROAO
39	4655	MR. & MRS. GEORGE QJ & GEORGE LJ	7	CHARNWOOD AVENUE
35	4657	MR RG TIFFIN	0	CHARNWOOD AVENUE
34	4726	MR GR COLLINGS	6	THORPE CLOSE
33	4776	MR LJ PRINS	71	ZWAANSWYK ROAD
32	5290	MR NB TIPPING	5	ALMONDBURY LANE
30	6245	THE JSBC FAMILY TRUST	85	ZWAANSWYK ROAD
31	6249	THE JSBC FAMILY TRUST	6	CHARNWOOD CLOSE
29	6966	MRS JL HYMAN	133	ZWAANSWYK ROAD
25	6967	THE FLICKER FAMILY TRUST	135	SWAANSWYK ROAO
26	6968	MR CP O'SHEA	137	ZWAAN5WYK ROAD
27	6969	SALLY ANNE HARRIS FAMILY TRUST	139	SWAANSWYK ROAD
28	6970	THE FLICKER FAMILY TRUST	141	SWAANSWYK ROAD
24	6973	DORMELL PROPERTIES 19 (PTY) LTD	129	ZWAANSWYK ROAD
2	7435	THE NCWANA FAMILY TRUST	122	ZWAANSWYK ROAO
73	7514	DISTANT SUNSET INVESTMENTS 16 (PTY)	124	ZWAANSWYK ROAD
23	7662	MS SMP DE OLIVEIRA NETO	9	CHARNWOOD AVENUE
22	7766	MR JAN DE LEEUW	0	ZWAANSWYK ROAD

21	8163 MR JD WINTER	131 ZWAANSWYK ROAD
20	8525 MR PET BAKER	95 ZWAANSWYK ROAD
74	8526 MRM LESTER & CR BROWN	93 ZWAANSWYK ROAD
19	8529 LATINA INVESTMENTS 5 CC	10 DEBAREN CLOSE.
18	8531 MRS LG BRUCHHAUSEN	4 ZWAANSWYK ROAD
17	8988 MRS JM COLLYER	125 ZWAANSWYK ROAD
16	9309 MS E COLLINS	130 ZWAANSWYK ROAD
15	9391 CAIRNS FAMILY TRUST	121 ZWAANSWYK ROAD
14	9675 LORENZ RW & LORENZ DE	66 ZWAANSWYK ROAD
12	9715 DE WET MR CM & MRS NM	1 DEBAREN CLOSE.
13	9718 SWANVEST 172 CC	4 SUDDIE CLOSE.
10	9719 PICARD M	6 SUDDIE CLOSE.
11	9720 MRS C ADLER	8 SUDDIE CLOSE.
9	10395 MR BL & REICH	105 ZWAANSWYK ROAD
3	10396 MRS JA LAMBRECHT	103 ZWAANSWYK ROAD
4	10397 MRS A BARNETT	101 ZWAANSWYK ROAD
5	10400 CAMAQRO HEIGHTS PROP. PTY LTD	115 ZWAANSWYK ROAD
6	10401 CAMARO PROP.PTY LTD	116 ZWAANSWYK ROAD
7	10402 CAMARO PROPERTIES PTY LTD	115 ZWAANSWYK ROAD
8	10404 FOREST STREAM PROPERTIES CC	109 ZWAANSWYK ROAD
70	10437 ROSEVEAN INVESTMENTS 0020 PTY LTD	9 DEBAREN CLOSE.
71	10438 MR. & MRS. HOWARD AJ & HOWARD CL	11 DE BAREN CLOSE
72	10457 MS C COWLEY	70 ZWAANSWYK ROAD
69	10789 THE TRUSTEES	72 ZWAANSWYK ROAD
68	11444 THE HR PEEL FAMILY TRUST	16 SUDDIE CLOSE.
65	11448 MR. & MRS. LP & PA RAWSTORNE	14 CHARNWOOD AVENUE
66	11449 THE SASKIA JOHNSON TRUST	0 CHARNWOOD AVENUE
67	11452 THE TYSON TRUST	12 CHARNWOOD AVENUE
63	12365 THE SWAANSWYK TRUST	0 CHARNWOOD AVENUE
64	12367 THE TURNER PRESERVATION TRUST	20 CHARNWOOD AVENUE
62	12921 MR V R KENT	84 ZWAANSWYK ROAD
1	13018 WILSON RJ & WILSON KJ	88 ZWAANSWYK CLOSE

122

78

64%

AFFIDAVIT

I, **ROBERT GEORGE TIFFIN** of erf 4657, ZWAANSWYK STATE UNDER OATH the following;

That we have received the written consent of 78 Ervin, that constitutes 64% of the Ervin in the designated Zwaanswyk Special Rating Area as at Friday 12 November 2010.



DEPONENT

I certify that the above statement was taken by me and that the deponent has acknowledged that he/she understands the contents of this statement. This statement was sworn/affirmed before me and deponent's signature was placed thereon in my presence.

COMMISSIONER OF OATHS

COMMISSIONER SIGNATURE
CEW 16/11/2010
CHRISTOPHER EDWARD WILSON
6th Floor BDO House 119 Hertzog Boulevard
Foreshore Cape Town 8001
Commissioner of Oaths
Ex-Officio: Director
Kilgetty Statutory Services (Pty) Ltd
Reference Number 9/1/8/2 Cape Town
Date: 1 September 2009

NOTICE:
INTENTION TO ESTABLISH A SPECIAL RATING AREA ("SRA")
FOR
ZWAANSWYK

Notice is hereby given that:

1. Robert George Tiffin registered owner of Erf 4657, Zwaanswyk situated at 3 Charnwood Road, Zwaanswyk, Tokai, intends applying to establish a SRA, to be called the Zwaanswyk Special Rating Area in terms of the City of Cape Town: Special Rating Area By-Law, 2009, read together with the City of Cape Town: Special Rating Area Policy, 2009 . The affected area includes all rate paying properties bounded by: Steenberg Golf Estate and Tokai Plantation.
2. A public meeting will be held, the purpose of which shall be to:
 - i) Inform all attendees of relevant information pertaining to the application, and to
 - ii) Discuss the practical implications relating thereto.

DATE : : **28th October 2010**
TIME : : **19:30 for 20:00**
PLACE : **The Range**
ADDRESS : **Orpen Road, Tokai**

**ALL PROPERTY OWNERS IN THE PROPOSED SRA
ARE REQUESTED TO ATTEND THIS MEETING.**

Enquiries, kindly contact Rob Tiffin at Tel: 021 514 3100

Please note: If you are not the registered owner of this property, kindly forward this notice to the registered owner immediately, alternatively inform Alison Ward 021 715 1133 of the registered owner's contact details so that contact could be made with the registered owner.

ZWAANSWYK SPECIAL RATING AREA**MINUTES OF COMMUNITY MEETING HELD AT THE RANGE, TOKAI, 26 OCTOBER 2010**

The meeting was opened promptly at 20:00 by interim steering committee member Nick Harris, who welcomed residents and asked if there were apologies. See list below. Three officials from the City of Cape Town attended (Runan Roussow, Eddie Scott and Joop Joubert) to answer technical or legal questions and observe the meeting.

Introduction (Nick Harris)

Nick Harris referred to the previous process undertaken by the steering committee, chaired by Rob Tiffin, which was to have resulted in the formation of what was then called a residential improvement district (RID).

Since then, the City of Cape Town had introduced a new policy on special rating areas (SRA), with new regulations, and this was now what the Zwaanswyk process would also refer to. The main changes were that the SRA could be established for five years, instead of three years, and that the threshold for approval was now a simple majority of residents (50% plus 1), instead of 75% by value of rates and number of residents.

The process for establishing the SRA includes circulating the detailed business plan and budget, along with consent forms which each property owner would be asked to sign and return to the committee. The deadline for consent forms is 12 November. If sufficient residents agree then the SRA application will be submitted to the Council for approval, with Rob Tiffin as the applicant.

He stressed that this meeting was for information purposes and was not a decision-making forum. He urged all residents to read the business plan thoroughly and forward signed consent forms to the committee. There would also be a process for objections, which would be considered in due course by the Council. If approved, the SRA would come into effect from the Council's next financial year, 1 July 2011, with an additional levy being charged on the rates account of all residents and transferred to the SRA.

Presentation (Rob Tiffin)

Rob Tiffin said that the previous process in 2008 resulted in the City Council approving the establishment of a RID (now SRA) and a Section 21 company (not for profit) had been established to run it. The proposal was backed by 77% of residents in property value and number. However, there were several reasons why the RID had not been implemented, which included:

- An 18-month delay in SAN Parks approval for the electrified fence, which would run from the top of Zwaanswyk, down the length of the plantation, ending at the entrance to the SHORA

horse field where it would cut towards the road. This is where it is proposed that a hut be positioned for monitoring, in terms of the SRA business plan.

- The delay resulted in only one year being available in terms of the previous three-year plan which would be insufficient to recoup the capital cost of the fence.
- Changes to the Council's policy with the new SRA by-law.

These were the reasons why the Council had requested that the process be restarted. Rob Tiffin said that, given the high levels of support for the previous proposal, he was confident that this current application would also be successful.

The vision for Zwaanswyk was for a clean, secure, attractive residential area, with a vibrant community spirit. In the past few years the security situation had improved but baboon incursions into the residential were increasing, and the Council needed to be held to account for the proper delivery of services and maintenance, while there were improvements that could be undertaken to common property.

He said that ideally every property owner should become a shareholder in the Section 21 company that would run the SRA, and anyone who was interested could stand for election as one of seven directors at the AGM. This would ensure good governance, but shareholders would not assume any form of liability. The SRA would be run on business-like grounds with strict oversight by the Council, with each director being responsible for a portfolio.

Some of the details in the business plan include:

- The 2.1 m fence, which experts consulted said would deter baboons. The fence is to be electrified on the SAN Parks side and would have cameras that would be monitored by an outside company. It would be built 4 m, more in some places, into the firebreak, with four gates planned into the plantation. The horse-riding community has been consulted and all efforts will be made to ensure the fence and gates are accessible to horse-riders. All residents will have access to keys. the fence would cost around R1-million, and residents would invited to lend the SRA capital for its construction, to be repaid at 9% interest.
- The SRA would contract through a tender process a security company to patrol the area in a car. The plan was to move the guarding hut to the bottom entrance to SHORA, where the new fence will meet the road, visible from Tokai Road. This would be manned from dusk to dawn. While the Council would not permit a boom, cars coming in and out could be monitored, and residents would have stickers for their vehicles. (It was explained that if the area wanted to become a gated community, like Steenberg, the property owners would have to take over responsibility for all municipal infrastructure and services.)
- Any cleaning and maintenance of the common areas would be done in such a way as to ensure that Council continued to perform the services for which residents were paying large amounts of rates.
- There would be a website for basic information, the email communication would continue and there would be an SMS security alert system to notify residents of any issues or situations.

- There was provision for a part-time manager, preferably someone from the area, who would be responsible for managing the SRA's interaction with the Council, the security and other service providers, SAPS, SAN Parks and other stakeholders.

Questions

The meeting was opened up for discussion and questions. Inputs included:

- A resident, an estate agent, urged residents to go the SRA route, saying that this would boost property values and prove a good investment in the long run.
- There was a question of whether the fence would completely prevent baboon incursions. The committee said the design had been workshopped with experts, and would prove effective, though not completely.
- The quotes for the fence have remained the same, even though cameras are now included. The committee said this was because of rapid strides in wireless technology and lower costs of equipment, as well as a change in the mesh recommended by baboon experts.
- A resident asked why a flat fee wasn't charged, instead of a levy linked to property value, as this seemed more fair. The committee, backed by a Council official, said the law didn't provide for any other basis for charging residents. The recent property valuation has resulted in a more uniform set of valuations across the area. For example, on a property valuation of R6m, the monthly cost would be in the region of R500.
- There were questions about individual responsibility for paying for armed response. The committee (confirmed by the Council representative) that in terms of the Council bylaw the SRA would not be able to pay for security (armed response) at individual properties, but property owners would possibly be able to negotiate a discounted rate with the security company appointed by the SRA through a tender process.
- A resident asked why the emphasis had changed from a pure security focus to a broader one. The committee answered that the particular crime threat from a gang had abated, though vigilance was needed, and that the new plan was more in line with Council bylaw.
- A resident asked whether there were any objections from residents. It was confirmed that, as with the last process, there were people who would object and this was their democratic right. There would be a 30-day period for objections, which would be considered by the Council. The committee said that, although only 50% plus 1 votes were needed, they would be happier to have a much higher approval and hoped to get to the 75% plus they had last time round. They were also confident that the process would be transparent, fair, democratic and in line with due process.
- The timelines were explained by the Council representatives as follows. The deadline for consent forms was 12 November, and the application would be advertised for objections which would have to be in by 13 December. Any objections having been considered, the matter would go before Council at the end of February and, if approved, come into effect on 1 July 2011 for a period of five years.

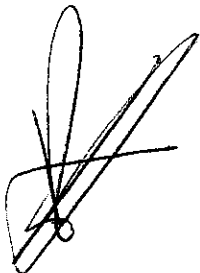
- Assurances were sought that the horse-riding community, specifically SHORA, had been consulted and were happy with the fence proposal. This was confirmed and a resident who was a rider said that 4m was ample space to ride down. The committee said the end result would be a safe corridor from the area down to SHORA.
- A resident from the top of the road said not only a horse-friendly but also a child and pedestrian friendly environment needed to be created. The committee said that any suggestion pertinent to the top of the road could be tackled through the SRA and input was welcomed.
- An AGM of the Section 21 company would be held annually and residents would have an opportunity to change the directors if they were not happy with them or the performance of the SRA. After that, residents could decide to continue for another five years, with a reduced budget, because the fence would have been paid for, or abandon the SRA and dissolve the Section 21 company.

Closure

When there were no more inputs, residents were thanked for coming, reminded to sign their consent forms as soon as possible (deadline 12 November) and the meeting was closed.

Apologies received

Hans de Leeuw, the Conradies, Jenny Dickerson, the Hymans, Mays and Dreyers.

A handwritten signature in black ink, appearing to be 'RG Tiffin', written over a set of horizontal lines.

RG Tiffin

Chairman

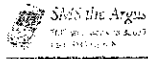
Interim committee

Two 'bad boy' magistrates back on the job

Paid in full during suspensions

WIMB WAREY

A MAGISTRATE'S OFFICE has handed internal police officers on his staff complete control over his staff and control over his own staff. The magistrates' office has handed internal police officers on his staff complete control over his staff and control over his own staff.



The magistrates' office has handed internal police officers on his staff complete control over his staff and control over his own staff.

Two magistrates, who were suspended for a period of 12 months, have been reinstated to their posts. The magistrates' office has handed internal police officers on his staff complete control over his staff and control over his own staff.

Look Ma, no wings



SOARING: A group of about 20 Gurman and Swedish paragliders took off from the top of Lion's Head yesterday, taking advantage of the light southerly wind. They arrived at the Mead in Camps Bay.

Info bill: media will be consulted

THE MEDIA will be consulted when the cabinet discusses the introduction of the Freedom of Information Bill in the State Assembly.

The cabinet will discuss the bill on Wednesday. The bill will be introduced in the State Assembly on Thursday. The cabinet will discuss the bill on Wednesday.

MPs rush to wrap up unfinished work

GRAIG DODDS

WITH JUST a few weeks left before Parliament goes on holiday, Members of Parliament are rushing to complete their unfinished work.



PHENVI Patricia de Lille, a voice the ANC will not miss.

Members of Parliament are rushing to complete their unfinished work. The cabinet will discuss the bill on Wednesday.

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It's That Time of the Year Again!

SALES AND PROMOTIONS

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Authentic Cape Town. Member 22 Member 26. The Jewellery and Watches. Contact us today for more information.

Violent acts herald community campaign

Violent acts herald community campaign. Contact us today for more information.

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ADVERTISEMENT / NOTICE OF APPLICATION TO ESTABLISH ZWAMSWYK SPECIAL RATING AREA ("SRA")

Public hearing notice. Contact us today for more information.

South African art sells best on home turf

South African art sells best on home turf. Contact us today for more information.

obezehi Notra

Six killed in brazen attack on Chechnya's parliament

Musa Sadayev
SAPAP

Two bodies, severed head carried away by ambulance

At least two other bodies were found in the rubble, one of them a severed head, which was carried away by ambulance. The bodies were found in the rubble of the parliament building, which was destroyed by a massive explosion on October 27. The explosion killed six people and injured many others. The bodies were found in the rubble of the parliament building, which was destroyed by a massive explosion on October 27. The explosion killed six people and injured many others.

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US PLOTTER THE SOURCE

'Pakistan aided Mumbai attacks'

Ravi Nessman
and Ashok Sharma
SAPAP

NEW DELHI: Pakistan's intelligence agency was deeply involved in planning the 2008 terrorist attack on Mumbai, going so far as to train hundreds of operatives in the last few months of the operation, according to a report from a US citizen who claims to be the source.

The source, who provided the information to the FBI, claims that Pakistan's intelligence agency was deeply involved in planning the 2008 terrorist attack on Mumbai, going so far as to train hundreds of operatives in the last few months of the operation, according to a report from a US citizen who claims to be the source.

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HOT SPOT: Private and public sector workers demonstrate over pension reforms in Warsaw yesterday. France faced its own set of nationwide strikes, and protests in two months yesterday as trade unions sought to force the government to back down on an unpopular pension reform raising the retirement age by two years.

Pupils in the forefront as strike turns violent

Jenny Birchfield
SAPAP

PARIS: School children in France have taken to the streets in support of their teachers' strike, turning a peaceful demonstration into a violent one. The children were seen carrying signs and banners, and some were seen shouting slogans. The violence broke out in several cities across France, with reports of injuries and property damage.

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NOTICE:
INTENTION TO ESTABLISH A SPECIAL ZONE FOR ZANGIYAT
... [Detailed notice text regarding a special zone for Zangiayat] ...

Chinese miners found dead
... [Text about Chinese miners found dead] ...
Tearful Yonni tells of his underground ordeal
... [Text about Yonni's underground ordeal] ...

Technology
... [Advertisement for technology services] ...

world

Prince could get life for killing aide

Prince Sultan bin Abdul Aziz could face a life sentence for the killing of his aide, according to a court ruling in Saudi Arabia. The prince was accused of ordering the execution of a high-ranking official. The court found the prince guilty and sentenced him to life in prison.

Baby among dead in Iraqi blast

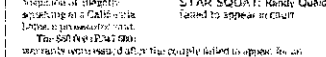
A baby was among the dead in a suicide bombing in Baghdad, Iraq. The blast occurred in a crowded market area, and the death toll included several children. The bomber was killed in the explosion.

105 tons of marijuana seized

Mexican authorities have seized 105 tons of marijuana in a major drug bust. The seizure took place in a remote area of Mexico, and the drugs were found hidden in a large shipment. The value of the drugs is estimated to be in the hundreds of millions of dollars.

\$50 000 arrest warrants for Quid and wife

A judge has issued arrest warrants for a man and his wife, valued at \$50,000. The warrants were issued in connection with a criminal case. The man and his wife are wanted for questioning in the case.



STAR SQUAT: Ready Quid failed to appear in court.

africa

Two killed by police ahead of poll

Two people were killed by police in a clash ahead of an election in Africa. The incident occurred in a town where there were reports of tension between different groups. The police were responding to a disturbance, and the deaths were a result of the clash.

Big Bob is watching ... you

A group of people are watching a man, known as Big Bob, in a town in Africa. The man is being watched because of his activities in the town. The group of people is concerned about his actions and is keeping a close eye on him.

Buses charged after miners shot

Police have charged buses after a shooting incident involving miners. The shooting occurred in a mining area, and the buses were used to transport the miners. The police are investigating the incident and have charged the buses with carrying the miners.

Pentagon sealed off after panels shot out

The Pentagon in Washington has been sealed off after several windows were shot out. The shooting occurred in the early morning hours, and the Pentagon was evacuated. The police are investigating the incident and have sealed off the area around the Pentagon.

Fierce floods hamper search for missing bus

Fierce flooding has hampered the search for a missing bus in a rural area. The bus was last seen in the area, and the search has been difficult due to the high water levels. The searchers are trying to locate the bus, but the floods are making it very difficult.

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Notice of meetings

KENNISGEWINGAANSOEK OM STIGTING VAN DIE
ZWAANSWYK SPESIALE-AANSLAG-GEBIED (SAG)**Kennisgewing geskied hiermee dat:**

1. Robert Tiffin, die gerigestreerde eienaar van Erf 4667, Zwaanswyk, het aansoek gedoen om die stigting van die Zwaanswyk Spesiale-aanslag-gebied ingevolge Kaapstad se Spesiale-aanslag-gebied-verordening 2009, saam gelees met Kaapstad se Spesiale-aanslag-gebied-beleid 2010 in die gebied wat begrens word deur Steenberg Golf landgoed en Tokai Plantasie.
2. Die aansoek, tesame met ander besonderhede van die aansoek, lê ter insse in die SAG kantoor, Allendale, 72 Zwaanswyk rd, Zwaanswyk en by die Stad Kaapstad, Inter Services Liaison-kantoor, 7de Verdieping, Burgersentrum, Hertzog Boulevard 12, Kaapstad (Navrae: R Rossouw, Tel: 021 400 5148).
3. Enige besware teen die stigting van die Zwaanswyk Spesiale-aanslag-gebied moet skriftelik gerig word aan die Stadsbestuurder, Posbus 298, Kaapstad 8000 of per hand afgelewer word by die Stadsbestuurder, 5de Verdieping, Podiumblok, Burgersentrum, Hertzog Boulevard 12, Kaapstad.
4. Besware moet die Stadsbestuurder se kantoor teen nie later as 13 Desember 2010 bereik nie.

Burgersentrum
Vrydag 12 Nov

SCHEDULE OF OBJECTIONS RECEIVED REGARDING ESTABLISHMENT OF ZWAANSWYK SPECIAL RATING AREA

From:	Comments and Objections:	Responses:
1. P O'Shea	<p>a) The propose fence will not preclude intruders or baboons to enter the area.</p> <p>b) SRA will not improve property values.</p>	<p>a) The fence will limit the interaction of baboons and humans. It will also serve as deterrent for intruders. Will also be monitored by CCTV cameras.</p> <p>b) The goals of the SRA are to improve the level of Municipal services and living conditions. Property value could be a product of these improvements.</p>
2. N S Valdislavich	<p>a) The propose fence will be ineffective.</p> <p>b) Erection and maintenance of fence is a waste of money.</p> <p>c) Existing rates plus propose SRA levy make the undertaking unaffordable.</p> <p>d) Properties for sale in area must not be able to consent to establishment of SRA</p>	<p>a) Noted</p> <p>b) Noted</p> <p>c) Noted</p> <p>d) Any property owner that sold their properties and consented must disclose the possible establishment of the SRA.</p>
3. B L Reich	<p>a) Retracted consent</p> <p>b) The propose fence will not preclude intruders or baboons to enter the area.</p> <p>c) Have own security service provider.</p>	<p>a) Noted</p> <p>b) Refer to 1(a).</p> <p>c) SRA will not replace own security service. Will only provide services in common areas.</p>
4. R Dolle	<p>a) The propose fence will not preclude intruders or baboons to enter the area.</p> <p>b) Existing rates plus proposes SRA levies merely add further cost.</p>	<p>a) Refer to 1(a).</p> <p>b) Noted</p>
5. Dr P A. Russell	<p>a) The propose fence will not preclude intruders or baboons to enter the area.</p> <p>b) Existing rates plus proposes SRA levies merely add further cost.</p>	<p>a) Refer to 1(a).</p> <p>b) Noted</p>
6. G A Schlechter	<p>a) The propose fence will not preclude intruders or baboons to enter the area and is an unnecessary expense.</p> <p>b) Inadequate for the area security needs.</p>	<p>a) Refer to 1(a).</p> <p>b) Noted</p>
7. G A Van Zyl	<p>a) The propose fence will be costly.</p> <p>b) Fence will not provide benefits as originally proposed.</p> <p>c) More effective and less costly solutions must be investigated.</p>	<p>a) Noted</p> <p>b) This is a new application with a new business plan.</p> <p>c) Noted</p>
8. Anthony Johnson	<p>a) The propose fence will not preclude intruders or baboons to enter the</p>	<p>a) Refer to 1(a).</p>

	<p>area and is an unnecessary expense.</p> <p>b) Inadequate for the area security needs.</p>	<p>b) Noted</p>
9. Tom & Ann Carse	<p>a) The propose fence will not preclude intruders or baboons to enter the area and is an unnecessary expense.</p> <p>b) Inadequate for the area security needs.</p>	<p>a) Refer to comment 1(a).</p> <p>b) Noted</p>
10. Nicolas Edwards	<p>a) Emphases of new application shift regarding security on private property and community was not alerted to this.</p> <p>b) The propose fence will not provide the envisage security and anti-baboon benefits.</p> <p>c) Fence will be white elephant with maintenance cost have been underestimated.</p> <p>d) More effective and less costly solutions must be investigated.</p>	<p>a) The new Business plan was duly communicated and 64% of the property owners gave consent.</p> <p>b) Refer to comment 1(a).</p> <p>c) Noted</p> <p>d) Noted</p>
11. P K Mahue	<p>a) Emphases of new application shift regarding security on private property and community was not alerted to this.</p> <p>b) Applicant did not provide evidence of cost estimations.</p> <p>c) Cost of fence escalated substantially and no provision for maintenance has been made.</p> <p>d) Manager salary and audit fees are questionable.</p> <p>e) Fence will not provide the security benefits envisaged.</p> <p>f) Require that steering committee propose alternative to proposed fence.</p> <p>g) Setting up a Section 21 Company to erect a fence that 105 properties have to pay for make no sense in the difficult economic climate.</p> <p>h) Application must be financially viable.</p> <p>i) Application was poorly communicate.</p> <ul style="list-style-type: none"> - Never had the opportunity to view fence quote - Never communicate the alternative proposals regarding the fence - Were not granted access to consent forms - Application failed to notify property owners as per legislation requirements - Did Council accepted late consent forms 	<p>a) Refer to 10(a)</p> <p>b) Noted – all appointments of contracts will be made by an open tender process.</p> <p>c) Noted</p> <p>d) Noted – refer to 11(b)</p> <p>e) Noted</p> <p>f) Business plan is a proposal. Once operational final proposals and cost will be obtained.</p> <p>g) The SRA is not only about the fence – refer to application.</p> <p>h) Proposed services and budget are in line with other SRAs.</p> <p>i) Application were processed ito legal requirements</p> <ul style="list-style-type: none"> - Noted - Final proposal for fence will be further communicated - Consent forms were available at Council for inspection - Applicant did not notify all property owners the first time round. Were instructed to redo notification of application. - No late consent forms were accepted.

	<p>j) How many properties constituted the SRA (124 or 122).</p> <p>k) SRA exclude SHORA property at entrance of Zwaanswyk and Steenberg CC land that have access through Zwaanswyk.</p> <p>l) Only one side of Zwaanswyk will be protected by the new fence. The properties on the other side also experience burglaries and baboon invasions. No provision is made in the Business plan to address this.</p> <p>m) Council must provide same level of service to all residents before spending SRA levies.</p> <p>n) SRA proposed the erection of the fence on SANPark land that is outside the SRA.</p> <p>o) Financing of fence would be funded done by lending from residents.</p> <p>p) Application was not completed by end of October as required ito SRA legislation.</p>	<p>j) The SRA have 124 properties. Only 122 properties are liable for paying rates and SRA levies.</p> <p>k) The applicant determines the boundary of the SRA. If excluded in error applicant have to apply ito SRA legislation requirements to include these erven.</p> <p>l) Noted – property owners must ensure that their needs is also reflected in new proposals.</p> <p>m) Council has to provide basic services with SRA providing top-up services in the area.</p> <p>n) Although the fence will be erected outside the area the purpose of it is to secure the SRA.</p> <p>o) The MoA and AoA of the Section 21 Company only allow that funds be obtained from financial institutions.</p> <p>p) The applicant obtained the necessary extensions.</p>
12. C A Berry	<p>a) Emphases of new application shift and original focus (private security) is no longer addressed.</p> <p>b) The propose fence will not preclude intruders or baboons to enter the area.</p> <p>c) Fence will require a lot of maintenance and will hinder security provision.</p> <p>d) Fence will be white elephant and become a liability to the community.</p> <p>e) Business Plan proposes maintenance to infrastructure. We do pay rate for this.</p> <p>f) No more cost effective alternatives for fence were considered.</p> <p>g) Large number of property has been sold without opportunity to participate in establishment process.</p>	<p>a) Refer to 10(a)</p> <p>b) Noted</p> <p>c) Noted</p> <p>d) Noted</p> <p>e) Refer to 11(m)</p> <p>f) Refer to 11(f)</p> <p>g) Noted</p>
13. R & H Cooke	<p>a) Motivation regarding security and baboon deterrence were not well founded and objectives will not be met.</p> <p>b) Cost will escalate due to SRA exceeding the estimates initially given and higher rates.</p> <p>c) Do not support neighborhoods that buy special local authority services or obtain elitist status by introducing SRA services.</p> <p>d) Majority of property owners may not force all to participate</p>	<p>a) Noted</p> <p>b) Approved SRA may not exceed the propose Budget without approval of property owners.</p> <p>c) Noted</p> <p>d) The SRA legislation is based on National legislation (Section 22 of MPRA) that allows this</p>

<p>14. T Mauerberg</p>	<p>a) Business Plan detail and cost are not clearly defined. b) Fence to be erected outside of the SRA boundary. c) The propose fence will not preclude intruders or baboons to enter the area. d) May SRA borrow money to erect an asset on property outside the SRA. e) Is the fence regarded as an upgrade of Municipal services delivery.</p> <p>f) Happy with Council services and service delivery. No need for SRA. g) Business Plan does not make provision for insurance or legal costs that could be required.</p>	<p>a) Noted b) Refer to 11(n) c) Noted</p> <p>d) Refer to 11(o) e) Yes, the fence will assist with general protection services within the community and is regarded as a service/improvement. f) Noted g) Noted – Steering committee will need to address this.</p>
<p>15. LR & PA Dreyer</p>	<p>a) Owners were not notified in December of the objection period.</p> <p>b) Owners were not informed of change in SRA legislation and subsequent Business Plan alignment.</p> <p>c) Steering committee does not inform community on process like design detail of fence.</p> <p>d) The propose fence will not preclude intruders or baboons to enter the area.</p> <p>e) Business Plan does not explain how the fence and other areas would be patrolled.</p> <p>f) Misleading info regarding alarm monitoring and armed response services were distributed by the steering committee.</p> <p>g) May residents lend money to the SRA.</p> <p>h) Who would be legally responsible if someone get injured by the fence.</p> <p>i) Happy with Council services and service delivery. No need for SRA. j) Requests to examine consent forms. k) Properties for sale in area must not be able to consent to establishment of SRA . l) Majority support not obtained.</p> <p>m) Legislative processes were not followed – end of October. n) Who were elected on the Section 21 Board.</p>	<p>a) Applicant was requested to re-advertise to comply with legal process. b) The current application was treated as a new application. c) Steering committee must appoint contractor for erection of fence by means of open tender. d) Noted</p> <p>e) Steering committee has to arrange these patrols with the successful service provider. f) SRA may only implement top-up municipal services as per approved Business Plan. g) Refer to 11(o) h) Board have to ensure that the SRA do have sufficient public liability insurance i) Noted j) Refer to 11(i) k) Refer to 2(c).</p> <p>l) The applicant submitted 64% of property owners consent forms. Much more than the 50% plus 1 required. m) Refer to 11(p) n) The Section 21 Board will only be elected at a SGM once operational.</p>

16. M & H Hallauer	a) Opposed to formation of SRA – No explanation provided	a) Noted
17. K Kitchin	a) Opposed to formation of SRA – No explanation provided	a) Noted
18. S M Durr	a) Miss representing in terms of Section 16 of SRA By-Law – refer to correct procedure when a SRA dissolved. b) The Motivation report under the heading Dissolution implies that the SRA could only dissolve after the five year term.	a) Noted b) The SRA legislation stipulates three options for dissolution. - Majority support by property owners (50% plus 1) - By Council - By the SRA Board applying to Council
19. A & A P Serritslev	a) SRA imposing an unnecessary expense. b) Additional cost will be a real burden. c) Baboons are Council and SAN Parks responsibility. They must be more pro-active. d) Fence will hinder access to Zwaanswyk but not keep determined people out. e) Accessibility of fence to do maintenance is restrictive. f) Extra SRA levy will force people with fixed budgets to cancel home security. SRA do not provide this service.	a) Noted b) Noted c) Noted d) Noted e) Noted f) Noted
20. D Seewer	a) SRA is a waste of time and money. b) Happy with things as they are. c) Refuse to pay SRA levies. d) Property would become more expensive in Zwaanswyk because of the SRA.	a) Noted b) Noted c) Noted d) Noted
21. J McHarg	a) Opposed to formation of SRA – attached a circular posing some questions regarding the SRA	a) Noted
22. J L Bird	a) Opposed to formation of SRA – No explanation provided	a) Noted
23. D & R May	a) Do not support the erection of any kind of perimeter fence line to keep out any unwanted elements (animal and human). b) Want to be able to manage own security arrangements within available budget.	a) Noted b) Noted
24.E N Clur	a) Within 5 years rates will escalate four fold. As pensioners we could not afford any further increases. b) Original application requiring 75% were not approved. Legislation	a) Noted b) National legislation changed and Council

	<p>amended to reduce requires support of 51%.</p> <p>c) Calculation of contribution towards SRA budget based on Property Valuation which is most unfair as everyone gets same benefits.</p> <p>d) Fence to keep baboons out of Zwaanswyk are a waste of money and serve no real purpose.</p> <p>e) Services proposed in Business Plan must be provided by Council from rates money already paid.</p>	<p>conform to this (MPRA Section 22). Original application had been approved as more than 75% support was achieved.</p> <p>c) MPRA Section 22 dictates this.</p> <p>d) Noted</p> <p>e) Refer to 11(m)</p>
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APPLICATION FOR ZWAANSWYK SPECIAL RATING AREA				
SUMMARY OF OBJECTIONS AND COMMENTS IN RESPONSE				
CC No	Name/entity	Property	Summary of objection	Comment
23	Mrs JL Bird	3 Debaren Close	No reason given	None
18	Kathy Kitchin	10 Suddie Close	No reason given	None
17	Mike Hallauer		No reason given	None
21	Diana Seewer	5 Debaren Close	Waste of time and money.	We don't agree.
	Helvezia Properties		Happy with things as is.	Majority are not.
	JS Oak Trust		Buyers will have to pay more, and I refuse to pay more.	Will not affect price paid for property, only about 10% more in rates.
20	A Serritslev	5 Suddie Close	Object to cost of fence.	SRA will ensure best possible value for money in fence option.
			City and SANParks should monitor baboons.	Agree, but residents must help to deter incursions.
			Doubts effectiveness of fence.	SRA working with UCT Baboon Research Unit, SANPARKS and other experts to get the best possible fence.
2	NS Vladislavich	11 Suddie Close	Fencing shown to be completely ineffective.	Disagree, cannot be 100% effective, but experts believe it is an effective solution and necessary.
			Cost implications	Property owners will pay slightly more, but we believe benefits outweigh costs.
			Would like to exclude sellers of houses on the market.	Unfortunately, this isn't possible in terms of by-law.
22	J McHarg	143 Zwaanswyk Rd	The fence will not be baboon proof.	Not entirely, but expert believe it will be a deterrent - and baboon problem is escalating.
			Will not stop human incursions.	Disagree, we believe it will add an extra layer of security.
			Concern about access to private property in event of alarm activation.	There will be at least 4m space to allow access to the fence in event of alarm activation.
			SRA may not raise funding for fence.	We will be guided by council on borrowing policy, according to SRA rules.
			Fence is not safe.	It's non-lethal, but we will consider public liability insurance.
			Purchasers of houses bound by seller's support for SRA.	True.
			Will not increase property values.	Not aim of SRA, but experience has shown increased desirability of more secure areas.
			I choose to live without an SRA telling me what to do.	Other residents in favour of SRA.
3	B Reich		Withdraws previous support.	Democratic right to do so. Form has been taken out of file
			Fence will not prevent baboon incursions.	Disagree, for reasons mentioned above.

			Fence will not stop human incursions.	Disagree, for reasons mentioned above.
14	R and H Cooke	127 Zwaanswyk Rd	SRA motivation on security and baboon deterrence not well-founded.	Disagree, for reasons mentioned above.
			Cost implications	Property owners will pay slightly more, but we believe benefits outweigh costs.
			SRA creates an elitist status, expecting favoured treatment from council.	Disagree, all entitled to standards of service delivery.
1	P O'Shea	117 Zwaanswyk Rd	Fence will not assist with baboon problem or deter intruders.	Disagree, for reasons mentioned above.
			Will not enhance property values.	Not intention of SRA, but believe will enhance desirability of area.
4	R Dolle	123 Zwaanswyk Rd	Fence will not assist with baboon problem or deter intruders.	Disagree, for reasons mentioned above.
			Will not enhance property values.	Not intention of SRA, but believe will enhance desirability of area.
5	Dr P Russell	65 Zwaanswyk Rd	Fence will not assist with baboon problem or deter intruders.	Disagree, for reasons mentioned above.
			Will not enhance property values.	Not intention of SRA, but believe will enhance desirability of area.
6	GA Schlechter	6 Debaren Close	Fence will not assist with baboon problem or deter intruders.	Disagree, for reasons mentioned above.
			Will not enhance property values.	Not intention of SRA, but believe will enhance desirability of area.
8	A Johnson	116 Zwaanswyk Rd	Fence will not assist with baboon problem or deter intruders.	Disagree, for reasons mentioned above.
			Will not enhance property values.	Not intention of SRA, but believe will enhance desirability of area.
9	T Carse	112 Zwaanswyk Rd	Fence will not assist with baboon problem or deter intruders.	Disagree, for reasons mentioned above.
			Will not enhance property values.	Not intention of SRA, but believe will enhance desirability of area.
7	Mrs Van Zyl	8 Debaren Close	Baboon fence will not provide benefits to residents.	We believe it will help to reduce incursions.
			Consider alternatives proposed.	Will continue to do so, but current expert thinking is this is most effective measure.
11	N Edwards		Fence will not provide security or deter baboons.	Disagree, for reasons mentioned above.
			Fence will be "white elephant".	Disagree.
			Maintenance costs underestimated.	R30 000 a year budgeted (3% of capital), which we believe is adequate.

			There are less costly and more effective solutions.	SRA welcomes input from residents.
19	5 Durr	5 Charnwood Close	Business plan presented is contrary to section 16 of by-law.	Not correct.
			Applicant did not inform residents of correct procedure for dissolving Section 21.	By-law was available.
			SRA may not raise loans from private parties to fund fence.	Correct, we will be guided by council on borrowing policy, according to SRA rules.
13	CA Berry	22 Charnwood Ave	Initial motivation of SRA was security both criminals and baboons - not legal.	Current SRA application complies with by-law requirements.
			The fence will not be baboon or human-proof, access from roads and over walls.	Won't be 100% effective, experts believe it is an effective solution and baboon problem is escalating
			The fence will need a lot of maintenance.	We believe adequate provision made in the budget.
			The fence will hinder security companies gaining access to properties.	4m setback will ensure this doesn't happen.
			The fence will become a white elephant.	Disagree.
			Part of the levies are for maintenance of infrastructure, rates are intended for this.	Agree, but top-up services will improve common area.
			Applicant has not considered more cost-effective alternatives.	A wide range of alternatives have been considered.
			Purchasers would be part of SRA without having agreed to formation.	This is the case in all similar SRAs and estates that have levies.
15	T Mauerberger	6 Charnwood Ave	Clause 5.6 of City Council SRA - no realistic detail of costs provided.	Disagree, budget is detailed.
			Clause 5.7 of City Council SRA Policy - fence to be erected on SANPARKs land.	Noted.
			The fence will not prevent human or baboon incursions.	Disagree, for reasons mentioned above.
			The fence will not result in improved or upgraded municipal service delivery.	Agree, but not intended to.
			Application does not address issues such as insurance, spread of fire, and issues	SANPARKs to insure fence for replacement value. SRA will consider

			such as director and shareholder liability and legal costs.	public liability insurance, no liability for directors and shareholders.
16	P Dreyer	3 Charnwood Close	Query by letter on 4 Jan only responded to on 10 Feb - poor communication.	Noted.
			The change that the SRA could not provide private security was not communicated.	Dealt with at public meeting, referred to in minutes.
			No reason given for two-year delay in SANPARKs signing fence agreement.	Bureaucracy.
			No concrete foundation. Mascott design only effective one. No detailed design.	SRA working with UCT Baboon Research Unit, SANPARKS and other experts to get the best possible fence.
			Fence cannot be adequately patrolled.	4m setback means it can be effectively patrolled.
			Uncertainty as to how the fence will tie in with Steenberg farms.	It will join at right angles to fence on Steenberg Mountain (Louw) boundary.
			After five years residents can anticipate that upgrades will be needed.	We don't believe so, but may happen. Residents will have to agree.
			The fence can only be patrolled on foot.	A quadbike could also be used, and cameras monitored.
			Access to houses from the forest side can only be gained through one of four gates.	True.
			The SRA would not provide individual property security.	Agree, SRA not involved in private security.
			Property owners may be able to negotiate discount, but added cost.	Perhaps, but that's a private arrangement not involving SRA.
			Why do we need to paint lamp poles and plant trees? Not a tourist area.	Agreed, but will improve common spaces.
			Request to examine consentor's forms was denied.	Not true, available at Allandale. Objector examined them on 18 Feb.
			Challenges resolutions from property-owning trusts and companies.	SRA accepts consent as properly mandated in good faith.
			Purchasers of properties should not be bound by seller's consent.	That's the way the SRA works.
			There are 74 signed consents, and 107 owners. Surely sufficient objectors.	SRA has over required 50% consent.

			Levy would be better spent on what all residents want to improve security and control the baboons.	All residents are welcome to give their suggestions and input.
			The process had to be completed by November. The deadline is passed.	Application guided by Council timeframes.
			We do not know who is on the Board of the Section 21 Company.	Interim board members: R Tiffin, N Harris, C van Gendt, A Ward, R van der Linden.
12	P Mahue	16 Debaren Close	The application for the SRA bears little resemblance to initial CID application.	Complies with new SRA by-law since introduced.
			No evidence of financial viability. The cost of the fence is estimated at R1m over	Disagree. Figures as are in budget.
			5 years (capital R13m and interest R144 000). Mascott fence is R900 000 for 900 m.	Best fence will be obtained for the price with consultation of SANParks and baboon experts
			Why budget R3000 for SRA manager and R15 000 a month for auditing?	Reasonable for manager. Figure for auditing is annual, but may be less.
			Fence is costly and will not provide security benefits.	Disagree, for reasons mentioned above.
			There are less costly and more effective solutions that have been suggested.	SRA welcomes all input.
			The Zwaanswyk residents raising issues were heckled at meetings.	Noted.
			The steering committee has done little to encourage other ideas.	Disagree.
			The Zwaansyk SRA is the smallest in the Cape Peninsula.	Rates base is relatively high.
			There is no evidence that it will be financially viable to have an SRA.	Business plan details viability.
			It would be a violation of the SRA by-law and policy for council to approve this.	Council will decide.
			Lack of transparency.	Meetings have been held, input requested.
			No fencing quotes supplied.	Budget based on fencing quotes received.
			Two owners were asked to look into the fence matter as experts. One says too expensive. Other says existing fences should be upgraded.	Upgrading individual owners' fences problematic. Issues with overhanging foliage and trees.

			Have been denied access to consent forms.	File has been available at Allandale.
			Queried correct procedure for Company and Trust resolutions.	SRA accepts consent as properly mandated in good faith.
			Confirm exact number of valid consents.	currently have signed consent forms covering 80 erven.
			Failure to follow proper procedure regarding objections.	Process guided by council.
			Confirm that consents received after application made complies with SRA by-law.	Does comply.
			What is the Zwaanswyk Area? Please supply list of properties.	Request noted.
			Have the owners of SHORA been notified? Awaiting rights for five houses and	No, not included. No dwellings, minimal rateable value.
			guard house will be on their land.	Province overturned council permission to rezone. Guard house on council verge.
			Steenberg Mountain CC should be included - no longer leased by Steenberg.	Consulted with owners. Erf never included in SRA.
			Fence between Steenberg mountain and Zwaanswyk not upgraded. Not fair.	Fence examined. Seems adequate for now. Limited baboon activity according to UCT researchers
			Debaren Close is only lane not to be tarmacked, inadequate municipal services.	SRA will seek to ensure better service from council.
			Zwwanswyk resident killed at Tokai Road intersection. Poor lighting.	Noted.
			Fence on SANPARKs land violates SRA policy.	Incorrect.
24	D and R May	2 Suddie Close	Prefer to live in 'free area' without rules and regulations.	Entitled to their views.
			Object to fence aiming to keep out baboons and people.	noted
			Believe property owners need to more responsible re baboons and security.	agree

SCHEDULE OF OBJECTIONS
ZWAANSWYK SPECIAL RATING AREA

Runan Rossouw

To: Patrick O'Shea
Cc: Eddie Scott
Subject: RE: objection : SRA : Zwaanswyk area: proposed by ZAPO

Dear Sir

Receipt of your objection is hereby confirmed.

Regards

Runan Rossouw
SRA - Compliance & Establishment
Finance: Inter Service Liaison
8th Floor, Civic Centre
Cape Town

- +27 21 400 5148
- 084 233 0715
- 086 5885 414
- Runan.Rossouw@capetown.gov.za

www.capetown.gov.za

-----Original Message-----

From: Patrick O'Shea [mailto:patricko@mweb.co.za]
Sent: 10 March 2011 08:53 AM
To: Runan Rossouw
Cc: Patrick O'Shea
Subject: objection : SRA : Zwaanswyk area: proposed by ZAPO

Dear Sir

We formally object to the proposed SRA for the Zwaanswyk area and the proposed fencing in thereof, as it will not include intruders from entering the area, nor will it assist with the baboon problem and it certainly wont improve property values.

It will merely ad a further cost and upkeep to an already high rates base,

No 117 Zwaanswyk Road.

Sincerely

Patrick O'Shea

email:patricko@mweb.co.za
mobile: +27 (0)79 9316370
fax: 0866 858 698
skype:patricko134

RECEIVED AT THE
OFFICE OF THE CFO
09 MAR 2011
CITY OF CAPE TOWN

509

28 Feb. 2011 (2)

H.S. Vladislavich

11 Suddie Close

TOHAI

EEF 11446

7945

City Manager
P.O. Box 298
Cape Town 8000

I wish to advise you that I am lodging an Objection to the establishment of the Swarowsky S.R.A.

Fencing the perimeter has been shown to be completely ineffective.

The cost of erecting the fencing & maintaining thereof is a total waste of money in my opinion.

The extra amount which would become payable, together with the current Rates - which are already very high - makes this undertaking totally impractical.

I would furthermore like to point out that at present there are ± 20 Properties for sale in the Swarowsky area; as these people are more than likely leaving the area within the next 6 months, I feel that they should not be included in the voting process.

Thanking you
Yours faithfully

H.S. Vladislavich

Runan Rossouw

From: brian@wadg.co.za
Sent: 09 March 2011 10:27 AM
To: Runan Rossouw
Subject: SRA in Zwaanswyk Road

Dear Mr Rossouw

re: Objection to the Application to form an SRA in Zwaanswyk Road, Tokai

As owners at 105 Zwaanswyk Road (ERF 16-10395 Constantia) we are becoming increasingly concerned about the ZAPO application above and, therefore, we wish to retract any approval we have given in the past. We have discussed this matter with owners here and, after considering all the relevant facts, we believe that a 2.2km electrified fence will not be able to prevent incursions either by humans (as stated by the Kirstenhof SAPS Sector 1 Commander) or baboons. As victims of a break-in with threatened violence by criminals who, on record, easily negotiated high walls and fences, we would rather be responsible for our own security and are happy with the security services supplied by the Mountain Men who remain ever vigilant.

Yours sincerely

Brian Leslie Reich
Yvonne Janet Reich

Runan Rossouw

From: Interglobe <interglobe@bucknet.co.za>
Sent: 10 March 2011 11:24 AM
To: Runan Rossouw
Cc: 'Patrick Mahue'
Subject: FW: objection : SRA : Zwaanswyk area: proposed by ZAPO
Attachments: 20110306 OBJECTION TO THE FORMATION OF AN SRA.pdf

Dear Sir

We formally object to the proposed SRA for the Zwaanswyk area and the proposed fencing in thereof, as it will not preclude intruders from entering the area, nor will it assist with the baboon problem and it certainly wont improve property values. Our position was carefully established together with other residents as you get a copy of the final version. We appreciate your careful and serious consideration

It will merely ad a further cost and upkeep to an already high rates base,

No 123 Zwaanswyk Road.

Sincerely

Reiner Dolle

OBJECTION TO THE APPLICATION TO FORM AN SRA IN SWAANSWYK ROAD

An increasing number of Swaanswyk residents are concerned over several aspects of the ZAPO application to form a Special Rating Area (SRA) – and therefore oppose it. When the process began in 2008, the stated aims for its formation were that:

- (a) An SRA would make the area safer;
- (b) All residents would use one security provider (probably Mountain Men);
- (c) The 2.2km electrified fence would prevent incursions from the forest as well as act as a baboon deterrent;
- (d) Improved delivery of services and maintenance.

MOST OF THESE STATED AIMS CANNOT SUCCEED BECAUSE:

1 Updated Council regulations regarding SRAs have forced the emphasis to change from security to baboon control regarding the fence. Legislation now prohibits an SRA from using levies to pay for private security and “the SRA would contract through a tender process a security company to patrol the area in a car.” Mountain Men will not necessarily be the designated service provider. Owners will still be liable for their own security costs. Residents will have to pay for the successful company which will only patrol and monitor the fence but will only be able to patrol the fence properly if on foot. The stated figure of reducing householders’ MM costs to R100 is not possible. Some residents cannot afford to pay.

2 It is accepted that the fence will not be baboon-proof and as it will not stop human incursions (as stated by the Kirstenhof SAPS Sector 1 Commander Rodney Franks). It is therefore totally inadequate and will become a costly white elephant – so why have it? Should a house alarm be triggered, how will the security personnel gain access to the property, particularly if the householder is not contracted to them? There will be 4 access gates – how will security gain quick access?

3 The SRA may not raise funds for the fence by means of loans as stated.

4 Is the fence safe for accidental contact such as when a rider is thrown off its horse?

We do NOT believe that creating an SRA will increase property values. Prospective buyers will be paying higher rates which can be increased annually according to the provincial budget.

There are at least 25 properties for sale in the area (over 20% of all properties concerned). All new owners will be obliged to belong to the SRA – their membership will be automatic and mandatory.

It is your right to choose how you wish to live in Swaanswyk Road.

It is your right to object to the application.

If you have signed a consent form without being fully aware of all relevant facts, it is your right to retract this.

If you do not wish to have an SRA, you must object (in writing) to the City Manager, P O Box 298, Cape Town, 8000 or hand deliver your objection to the City Manager, 5th Floor, Podium Block, Civic Centre, 12 Hertzog Boulevard, Cape Town by no later than 16 March 2011.

Your objection can also be emailed to Runan Rossouw at runan.rossouw@capetown.gov.za or sent by fax to his attention on 021-400 2891.

If you have any questions, please do not hesitate to contact one of the people listed below:

Storm Durr:	Cell: 082 774 1578	Email: stormd@iafrica.com
Nicolas Edwards:	Cell: 082 625 8356	Email: nicolas@uyaphi.com
Patrick Mahue:	Cell: 082 068 8297	Email: pmahue@inercore.net

Runan Rossouw

From: Runan Rossouw
Sent: 17 March 2011 07:54 AM
To: 'patrick Russell'
Subject: RE: Objection 65 Zwaanswyk road, Tokai

Dear Patrick Russell


Your objection submission is hereby acknowledged. Council will inform you of the final outcome.


Best wishes


Runan Rossouw


SRA - Compliance & Establishment

Finance: Inter Service Liaison
8th Floor, Civic Centre
Cape Town

 07 21 400 5148

 084 233 0715

 086 5885 414

 Runan.Rossouw@capetown.gov.za



CITY OF CAPE TOWN / ISIZINDO SASEKAPA / IZINDO NAAPISINDO

THIS CITY WORKS FOR YOU

www.capetown.gov.za

From: patrick Russell [mailto:info@agastoves.co.za]
Sent: 10 March 2011 04:52 PM
To: Runan Rossouw
Subject: Objection 65 Zwaanswyk road, Tokai

Dear ..

We formally object to the proposed SRA for the Zwaanswyk area and the proposed fencing in thereof, as it will not preclude intruders from entering the area, nor will it assist with the baboon problem and it certainly wont improve property values. Our position was carefully established together with other residents as you get a copy of the final version. We appreciate your careful and serious consideration

It will merely ad a further cost and upkeep to an already high rates base,

No 65 Zwaanswyk Road.

Sincerely

Dr Patrick A. Russell

Runan Rossouw

From: Gabrielle <gabyb@telkomsa.net>
Sent: 10 March 2011 07:36 PM
To: Runan Rossouw
Subject: Fw: 6 debaren close off zwaanswyk road tokai / erf 8528

From: Gabrielle
Sent: Thursday, March 10, 2011 4:40 PM
To: runan.rossouw@capetown.gov.za
Subject: Fw: 6 debaren close off zwaanswyk road tokai / erf 8528

From: Gabrielle
Sent: Thursday, March 10, 2011 4:38 PM
To: runan.rossouw@capetown.gov.za
Subject: Fw: 6 debaren close off zwaanswyk road tokai / erf 8528

From: Gabrielle
Sent: Thursday, March 10, 2011 4:34 PM
To: runan.rossouw@capetown.gov.za
Subject: 6 debaren close off zwaanswyk road tokai

ATT: CITY MANAGER
CAPE TOWN

To whom it may concern

I would like to make a formal objection to the formation of the SRA in this area and I feel that it is unnecessary expense to put up an electrified fence that with ,neither, keep out baboons, nor prospective robbers, and feel it is totally inadequate for our security needs in this area

Yours truly
G A SCHLECHTER
OWNER OF 6 DEBAREN CLOSE
ZWAANSWYK ROAD
TOKAI ERF 8528
021 7131228
0825543111
gabyb@telkomsa.net

P.O. Box 30203
TOKAI
7966
Tel: 021 713 1669
Fax: 021 713 1670

11 March, 2011

Runan Rossouw
SRA - Compliance & Establishment
Finance: Inter Service Liaison
8th Floor, Civic Centre
Cape Town

Fax 086 5885 414
Email Runan.Rossouw@capetown.gov.za

Dear Sir

OBJECTION TO THE APPLICATION TO FORM AN SRA IN SWAANSWYK ROAD

I would like to place on record my objection to the proposed SRA in Zwaanswyk Road. Much of what was originally proposed has changed over the years and the attendant costs have escalated correspondingly. Specifically the erection of a baboon proof fence on the borders of Zwaanswyk on SANP land appears to be a very costly exercise which will not provide the benefits to residents that were originally envisaged. We believe that less costly and more effective solutions can be introduced and believe that residents should have the opportunity to revisit the issues and appraise the alternatives that have been suggested and brought to our attention by some of the members of the Zwaanswyk community.

Yours sincerely



GA Van Zyl (Mrs)
Erf 8530
8 Debaren Close
Tokai
7945

Runan Rossouw

From: Anthony Johnson <johnson699@gmail.com>
Sent: 11 March 2011 10:28 AM
To: Runan Rossouw
Subject: Objection : SRA : Zwaanswyk area: proposed by ZAPO

tt Mr Roussow

Dear Sir

We formally object to the proposed SRA for the Zwaanswyk area and the proposed fencing in thereof, as it will not preclude intruders from entering the area, nor will it assist with the baboon problem and it certainly wont improve property values. Our position was carefully established together with other residents as you get a copy of the final version. We appreciate your careful and serious consideration.

It will merely ad a further cost and upkeep to an already high rates base,

No 116 Zwaanswyk Road.

Sincerely

Anthony Johnson

Anthony Johnson
116 Zwaanswyk Road
Tokai, Cape Town 7945
tel : 021 713 1375
cell : 072 207 8258
johnson699@gmail.com

OBJECTION TO THE APPLICATION TO FORM AN SRA IN SWAANSWYK ROAD

An increasing number of Swaanswyk residents are concerned over several aspects of the ZAPO application to form a Special Rating Area (SRA) – and therefore oppose it. When the process began in 2008, the stated aims for its formation were that:

(a) An SRA would make the area safer; (b) All residents would use one security provider (probably Mountain Men); (c) The 2.2km electrified fence would prevent incursions from the forest as well as act as a baboon deterrent; d) Improved delivery of services and maintenance.

MOST OF THESE STATED AIMS CANNOT SUCCEED BECAUSE:

1 Updated Council regulations regarding SRAs have forced the emphasis to change from security to baboon control regarding the fence. Legislation now prohibits an SRA from using levies to pay for private security and "the SRA would contract through a tender process a security company to patrol the area in a car." Mountain Men will not necessarily be the designated service provider. Owners will still be liable for their own security costs. Residents will have to pay for the successful company which will only patrol and monitor the fence but will only be able to patrol the fence properly if on foot. The stated figure of reducing householders' MM costs to R100 is not possible. Some residents cannot afford to pay.

2 It is accepted that the fence will not be baboon-proof and as it will not stop human incursions (as stated by the Kirstenhof SAPS Sector 1 Commander Rodney Franks). It is therefore totally inadequate and will become a

costly white elephant – so why have it? Should a house alarm be triggered, how will the security personnel gain access to the property, particularly if the householder is not contracted to them? There will be 4 access gates – how will security gain quick access?

3 The SRA may not raise funds for the fence by means of loans as stated.

4 Is the fence safe for accidental contact such as when a rider is thrown of its horse?

We do NOT believe that creating an SRA will increase property values. Prospective buyers will be paying higher rates which can be increased annually according to the provincial budget.

There are at least 25 properties for sale in the area (over 20% of all properties concerned). All new owners will be obliged to belong to the SRA – their membership will be automatic and mandatory. ng Area (SRA) – and therefore oppose it.

When the process began in 2008, the stated aims for its formation were that:

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2 It is accepted that the fence will not be baboon-proof and as it will not stop human incursions (as stated by the Kirstenhof SAPS Sector 1 Commander Rodney Franks). It is therefore totally inadequate and will become a costly white elephant – so why have it? Should a house alarm be triggered, how will the security personnel gain access to the property, particularly if the householder is not contracted to them? There will be 4 access gates – how will security gain quick access?

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4 Is the fence safe for accidental contact such as when a rider is thrown of its horse?

We do NOT believe that creating an SRA will increase property values. Prospective buyers will be paying higher rates which can be increased annually according to the provincial budget.

There are at least 25 properties for sale in the area (over 20% of all properties concerned). All new owners will be obliged to belong to the SRA – their membership will be automatic and mandatory.

Many thanks,

Anthony Johnson.

asir

Runan Rossouw

From: Tom Carse <atpman@mweb.co.za>
Sent: 11 March 2011 12:08 PM
To: Runan Rossouw
Subject: Objection to the formation of an SRA

Dear Mr Roussow,

We formally object to the proposed SRA for the Zwaanswyk Road area and the proposed fencing in thereof, as it will not preclude intruders from entering the area, nor will it assist with the baboon problem and it certainly won't improve property values. It will merely add a further cost and upkeep to an already high rates base.

Please refer to the under mentioned Objection of the Application to form an SRA in Zwaanswyk Road explaining the reasons why the stated aims cannot succeed.

We appreciate your serious and careful consideration of this matter.

Yours sincerely

Tom & Ann Carse (112 Zwaanswyk Road)

OBJECTION TO THE APPLICATION TO FORM AN SRA IN SWAANSWYK ROAD

An increasing number of Zwaanswyk residents are concerned over several aspects of the ZAPO application to form a Special Rating Area (SRA) – and therefore oppose it. When the process began in 2008, the stated aims for its formation were that:

- (a) An SRA would make the area safer;
- (b) All residents would use one security provider (probably Mountain Men);
- (c) The 2.2km electrified fence would prevent incursions from the forest as well as act as a baboon deterrent;
- (d) Improved delivery of services and maintenance.

MOST OF THESE STATED AIMS CANNOT SUCCEED BECAUSE:

1 Updated Council regulations regarding SRAs have forced the emphasis to change from security to baboon control regarding the fence. Legislation now prohibits an SRA from using levies to pay for private security and "the SRA would contract through a tender process a security company to patrol the area in a car." Mountain Men will not necessarily be the designated service provider. Owners will still be liable for their own security costs. Residents will have to pay for the successful company which will only patrol and monitor the fence but will only be able to patrol the fence properly if on foot. The stated figure of reducing householders' MM costs to R100 is not possible. Some residents cannot afford to pay.

2 It is accepted that the fence will not be baboon-proof and as it will not stop human incursions (as stated by the Kirstenhof SAPS Sector 1 Commander Rodney Franks). It is therefore totally inadequate and will become a costly white elephant – so why have it? Should a house alarm be triggered, how will the security personnel gain access to the property, particularly if the householder is not contracted to them? There will be 4 access gates – how will security gain quick access?

3 The SRA may not raise funds for the fence by means of loans as stated.

4 Is the fence safe for accidental contact such as when a rider is thrown of its horse?

We do NOT believe that creating an SRA will increase property values. Prospective buyers will be paying higher

rates which can be increased annually according to the provincial budget. 519

There are at least 25 properties for sale in the area (over 20% of all properties concerned). All new owners will be obliged to belong to the SRA – their membership will be automatic and mandatory.

No virus found in this incoming message.
Checked by AVG - www.avg.com
Version: 9.0.872 / Virus Database: 271.1.1/3495 - Release Date: 03/09/11 19:53:00

ces



Runan Rossouw

From: nicolas <nicolas@uyaphi.com>
Sent: 16 March 2011 03:36 PM
To: Runan Rossouw
Subject: OBJECTION TO SWAANSWYK SRA

Dear Sir

I would like to place on record my objection to the proposed SRA for Swaanswyk.

Whereas the form of the meetings proposing the SRA has been correct, the spirit has been somewhat distorted. Residents of Swaanswyk were originally solicited to form the SRA as a security solution to the large spate of robberies at that time. Since that date, because of changes in SRA legislation it has transpired that an SRA cannot exist as a pure security solution with its budget being expended solely for that purpose. Consequently, the emphasis of the last meeting was on baboons, street and pothole maintenance and so on. This represents somewhat of a volte face and I strongly believe that the majority of residents are unaware of the change in dynamic.

Furthermore, the proposed fence will not provide the envisaged security and anti-baboon benefits as currently envisaged I strongly believe that this fence will be a white elephant and that the maintenance costs thereof have been underestimated. Several residents have vociferously offered alternatives. For example, my neighbour in Swaanswyk, Mr Hans de Leeuw (a past GM of Chubb Security SA) believes that this fence is a waste of money and a much cheaper alternative using existing fence lines can be utilised.

I believe the current Swaanswyk SRA steering committee are well meaning but have gone so far down an avenue concerning the fence that they are refusing to look at less costly and more effective solutions.

At the very least residents ought to be given the chance to revisit all these issues and make a more up to date judgement on their various merits. Consequently, the proposed SRA ought to be put on hold for the moment.

Nicolas Edwards-Director
Limosa Investments 107 Pty Ltd
ERF 6248
2 Charnwood Close, Tokai 7945

15 March 2011

Mr Runan Roussow

City of Cape Town Council

BY EMAIL: runan.rossouw@capetown.gov.za

SRA - Compliance & Establishment

Finance: Inter Service Liaison

Cape Town Civic Centre

7th Floor – Tower Block

12 Hertzog Boulevard

Cape Town

8000

**Subject: Zwaanswyk SRA Application dated 11 November 2010
Objections from Owner of ERF 4267 Constantia
Address: 16 Debaren Close, Off Zwaanswyk, Tokai 7945**

Dear Sir,

We refer to the Zwaanswyk SRA application submitted to Council on 11 November 2010. We are the owners of **ERF 4627 Constantia** and wish to place on record our objections to the proposed Zwaanswyk SRA.

I - CHANGE IN BASIS FOR ZWAANSWYK SRA

Much of what was originally proposed by the ZAPO Steering Committee for an R.I.D. has changed over the last 3 years and the costs have escalated correspondingly. The current SRA application bears no relation to the initial proposals and discussions which always centred on security until the public meeting of 26 October 2010 which you attended. The fact that no private security charges can be paid out of SRA levies collected means that the real basis for this SRA – security - will need to be funded from alternative sources. The Zwaanswyk SRA application bears little resemblance to the initial Zwaanswyk R.I.D. application.

II – NO EVIDENCE OF FINANCIAL VIABILITY

1/ The SRA costs budgeted by the Applicant have not been supported by any kind of material evidence and the basis for the assumptions in this budget is not sufficiently explained. It would appear that a lot of guess work is involved. If these cost assumptions are supported by some kind of evidence, it is highly unusual that this would not be provided to the owners.

2/ A simple 12 wire strand fence with no cement base or cameras was quoted to ZAPO at R950,000 almost 3 years ago. The Applicant now describes a more complex fence with cameras and 24h monitoring which ZAPO estimated at a capital expenditure of R1 million for 2.2 km in a document provided for the public meeting of 26 October 2010 but is included over 5 years as a

capital expenditure of R1,353,130 and interest of R144,790 or **a total fence cost excluding maintenance and repairs of R1,497,920?!**

3/ The ZAPO response to this has been that **"rapid strides in wireless technology and lower costs of equipment as well as a change in the mesh recommended by baboon experts" made a reduction in price possible** (Minutes of Meeting of 26 October 2010).?! A better fence (MASCOTT) built on a baboon sanctuary close to Barrydale cost **well in excess of R1 million for approximately 900 metres** according to its owner. This is the type of fence described by baboon expert Dr Justin O'Riain.

4/ We simply do not believe that the numbers provided by the Applicant are founded on solid assumptions and consider that these should be carefully checked independently **before any approval is made by Council**. Are there any SRAs who budgeted a monthly remuneration of R3,000 for a "part time CID Manager"?! Or R15,000 monthly in Audit/Accounting fees with the type of compliance required?

5/ The erection of a baboon proof fence on the borders of Swaanswyk on SANParks land appears to be a very costly exercise that will **not provide the security benefits** to residents that were originally envisaged.

6/ We believe that less costly and more effective solutions can be introduced and believe that owners should have the opportunity to revisit the issue and **appraise the alternatives** that have been suggested by some of the Zwaanswyk owners.

7/ The few Zwaanswyk owners who attempted to do this in the public meetings organised by ZAPO were heckled and not given the opportunity to speak calmly. You personally witnessed this and heard the insults that were hurled by some of the SRA supporters in the early meetings. With the exception of the last meeting - when the Chairman did intervene - the ZAPO Steering Committee did **little to encourage other ideas or discuss alternatives**. And ZAPO has never communicated any of these through its emails.

8/ With 105 owners and 122 properties (according to the Applicant) - or 124 properties (according to the Applicant's drawing), or 129 properties (according to the number often given by ZAPO in public meetings) -, the ZWAANSWYK SRA may be the **smallest SRA in the Cape Peninsula** if not in the country. We have been told that the smallest SRA in place today is Fish Hoek with **several thousand property owners**.

9/ The costs of running a Section 21 company and going to the trouble of setting up an SRA for what is essentially (over 90% of budgeted costs) the construction of a fence on half of the Zwaanswyk area makes no sense and imposes an unrealistic burden on 105 owners, some of which have already lost their businesses in the current recession and are unable to pay their current rates and charges to the City of Cape Town.

According to clause 5.8 of the SRA Policy, the Council must have **"evidence that it will be financially viable to use a Special Rating Area to raise funds for the proposed improvement or upgrade"**. There is simply **no such evidence**. And much evidence to the contrary.

It would therefore be a **violation of the SRA By-Law and SRA Policy** for the Council to approve this SRA application.

III - PROCEDURAL FAILURES BODES ILL FOR THE FUTURE

The lack of transparency from ZAPO and the Applicant is a constant thread throughout this process.

1/ None of the current objectors have ever been given a copy of the initial fencing quotes received. We personally requested this in a meeting with the Applicant. We never received them.

2/ After 2 owners (who have consented to the SRA) were asked by the ZAPO Steering Committee to look into the fence matter as security experts, they presented their conclusions to the ZAPO Steering Committee. Only to be told that no written report would be required. But their findings were nonetheless extremely important to the residents. One of these security experts believes that the proposed fence would be **too expensive and too complicated** in terms of its electrification at the level of the access gates and concluded that a **much better and cheaper alternative** would be to **build a fence from the existing fences of the owners bordering that area**. This was **never communicated to the residents** either by email or at any of the public meetings. When we queried the Applicant on this at the public meeting of 26 October 2010, he ignored it and you witnessed this personally. No mention of this issue was made in the Minutes of Meeting of 26 October 2010 sent out by ZAPO.

3/ We were **not granted access to the consent forms** when they were made "available" at Allandale Cottages. As per your suggestion over the phone in November 2010, we then formally requested access to these consent forms by email sent to ZAPO (Annexure A) and received **no response**. We informed you of this in 2 emails (Annexures B and C). We still have no response to our email. But you did tell us we were entitled to see these consents.

We therefore kindly ask you to confirm in writing that the consents which make up the list provided by the Applicant in his application ("78 consents from 122 properties") are all valid consents as per the terms of the SRA By-Law and SRA policy and, in the case of properties belonging to trusts or corporations, that these consents were signed by the trustees or individuals who were duly mandated to sign these. Not having been able to verify this for ourselves due to ZAPO's lack of transparency, we insist on having your written confirmation on this issue should the Council decide to approve this SRA. Also please confirm the exact number of **valid consents that were provided to Council within the delays stipulated by the SRA By-Law and SRA Policy**.

4/ The Applicant **failed to observe proper procedure** by failing to notify the Zwaanswyk owners of the objections procedure. Following complaints to your office, the Applicant corrected this error 3 months after the date of his application. But yet we find that many owners were still not aware of the exact objections procedure as of last week and many of the owners we contacted had either **not received the emails sent out by ZAPO** or were **not aware that they could still object**. Much of the confusion came from the Applicant's December email in which he assured all that "a number of objections have been received by Council". Many owners simply did not bother to send their objections because of the flawed procedure.

5/ In an email dated 15 December 2010 from ZAPO, the Applicant stated the following:

Due to the rush of the application, once we achieved a good majority, we did not pursue some residents who said they would send back the forms, or agreed in principle, but had some specific queries. We would appreciate if those people could contact the interim committee so we can try and resolve their queries or address their concerns. The greater number of acceptances and support we have the better. The Council will still accept consent forms even though the application has been submitted.

Would you please confirm in writing that consents that were provided **late** (after the application was filed) **were "accepted by Council"** and that this is **in accordance with the SRA By-Law and SRA Policy** in force?

6/ The Applicant also stated in the same email:

On 12th November 2010 a notice was placed in the newspapers giving the notice of the application that I, as the applicant, submitted to the City Council. Objectors had until the 13th December 2010 to lodge their objections with the Council. A number [of] objections have been received by the Council, which will require the interim steering committee to meet with the objectors to address their concerns and report back to the Council.

It is our understanding that you confirmed to Zwaanswyk owner Mr Storm Durr (over the phone in December) that **NO objections had actually been received by the Council at that stage**. In fact the formal notification to residents of their right to object and the procedure for such objection was emailed to residents by the Applicant on **10 February 2011**, almost 3 months after the application. Your assistance on this is much appreciated and we understand that the violation of the procedures described in clause 7 of the SRA By-Law has been partially remedied. But it is a **procedural violation of the SRA By-Law** nonetheless and we contend that this violation renders the **entire application process null and void**.

Clause 2.3.3 of the SRA Policy 2010/11 clearly states that **commitment to good, fair and transparent governance** by the managing body must be ensured. This has clearly not been the case until now.

IV - "ZWAANSWYK AREA" – COMPLETE CONFUSION AND INEQUITIES

1/ Which properties actually fall under the proposed Zwaanswyk Area (its "geographical location")? There is **complete confusion** on this for many of the residents. Would you please confirm the **exact list of properties which are part of the proposed ZWAANSWYK SRA area** by email?

2/ We have been given various property numbers to date on which no-one can agree including that of 129 properties and 105 owners by ZAPO in the past. This is clearly very different from the 122 properties mentioned in the Applicant's letter of 11 November 2010. Which actually includes a drawing showing 124 properties?!

3/ We are unclear on why the SHORA property on the right hand side of Zwaanswyk Road does not appear to be included in the Zwaanswyk SRA Application. We wonder if the current owners of SHORA have been notified of the SRA and have been given the opportunity to object (?). The previous RID drawings provided in the past by ZAPO always included the SHORA land and the proposed fence came right down to Zwaanswyk Road along their property. It now appears in the Applicant's documents to stop just before their property which leaves a **major area of Zwaanswyk completely open and outside of the Zwaanswyk SRA geographical**

location. Please clarify. As developers still awaiting rights for 5 future homes and as owners of land along which a guard house is planned by ZAPO, the owners of the SHORA land should surely be included in this process and properly notified?

4/ The Steenberg Mountain CC land which borders our property on 2 sides is not part of the proposed ZWAANSWYK SRA area. This agricultural land is often confused with the Steenberg Estate because it shares a common fence but it is no longer leased by Steenberg Vineyard since 31 December 2010. And is **definitely part of the Zwaanswyk area in terms of access.**

Access to this property is through Debaren Close (next to our entrance gate) where a gate has been temporarily removed and fenced in error by Steenberg Vineyards when they recently upgraded their electric fence. If this land is excluded from the Zwaanswyk Area based on the Application's geographic area, it is our contention that **our own ERF 4627 has been wrongly included in the Zwaanswyk Area and should be left out of it.**

We kindly ask you to **clarify this issue as soon as possible in writing** and confirm that we are either not part of the Zwaanswyk SRA area or that Steenberg Mountain cc should be part of it as well. In which case, we confirm that, as of today, they have not been formally notified by the Applicant and that this **SRA application must therefore be rejected by Council.**

V – FAIRNESS IN SERVICE PROVISION IS LACKING, INEQUITIES REMAIN

Throughout its SRA By-Law and SRA Policy, the City of Cape Town legislation seems focused on implementing a fair process for Special Rating Areas.

1/ Very little has been done by ZAPO and the Applicant to make sure that the budgeted capital expenditure and operating expenses will actually be spent fairly for all residents. Although there is general consensus on the fact that the main properties at risk of incursions (baboon incursions and other incursions) are on the plantation side, we believe this to be **completely wrong**. Yet the Applicant proposes to spend millions of rands over 5 years in SRA levies of which more than 90% will be spent on a 2.2 km fence on the plantation side...

(a) Our property (on the other side) has suffered **2 burglaries** by the "Hout Bay Namibian Ovambos" in August 2009 and December 2009 (both involved weapons). This is **twice what most other properties have suffered** in the Zwaanswyk area during this period. Why is no fence upgrade proposed for the Steenberg Mountain CC side of the Zwaanswyk area?

(b) We also suffered **baboon incursions every other day** for the last 12 months since a troop took up residence in the forest just inside the Steenberg Mountain CC land. Why is a baboon proof fence not being planned for the Steenberg Mountain CC of the Zwaanswyk area?

2/ No new fence or upgrade is planned in the Zwaanswyk SRA application for the residents on this side of the Zwaanswyk area. Yet these residents also suffer from baboon incursions or burglaries. Why should they be asked to pay for a fence on the plantation side knowing that nothing will be done to improve this side of Zwaanswyk? This is **completely unfair**. The fact that many of the owners bordering the Steenberg Mountain CC fence (not the Steenberg Estate fence) oppose this SRA Application should be of strong relevance to the Council's decision.

3/ The ZAPO assumption is that the new fence on the plantation side will resolve most of these issues. But it will resolve nothing. Unless the Steenberg Mountain CC fence is upgraded substantially and made baboon-proof as well - which could double the costs of the SRA - **baboon and other incursions will continue**. The electrified fence does nothing to stop them as evidenced every other day.

4/ Due to the changes in the SRA legislation in 2009-2010, the Applicant has added a flurry of services to be provided to the residents by the SRA: "liaising with the City of Cape Town through the SRA Manager on general improvements and maintenance, with regards to roads, storm water, paths, lighting, litter and other issues".

Our property is situated on Debaren Close, the **only lane in Zwaanswyk that was not re-tarmacked** by the City 2 years ago. The reason advanced by the local supervisor is "lack of budget". We are also one of many properties which remain **without mains sewage**. This requires expensive Council sewage trucks to enter our property every 2 weeks, violate Council limitations in vehicle size and weight and destroy our paved driveway. Yet we have not seen any mention of mains sewage in this application.

We strongly believe that all residents should be treated equally by the SRA and the City of Cape Town and **brought to the same level of services before a single rand is spent from SRA levies to avoid further inequities**.

We trust that we will enjoy the **same level of services from Council as all the other Zwaanswyk residents** before we are forced to pay levies for an SRA we completely disagree with.

Having assisted just over a year ago a Zwaanswyk resident who died of his injuries at the intersection of Zwaanswyk Road and Tokai Road after having been hit whilst riding a bicycle in the dark, we do not think that an SRA is required for better lighting and signage to be implemented immediately by Council. Unbelievably..., little or nothing has been done to this day to secure this intersection. As it is not part of the proposed Zwaanswyk area, the SRA levies will not be of any help for this.

5/ Provision is made in the SRA By-Law for the determination of a limited special rating area (clause 9) if the application is "not accompanied by the majority of the members of the local community". Although it appears to be, we strongly urge the Council to consider the option of a **limited special rating area** which would be limited to those properties that may actually benefit from the proposed fence and those that support it for its supposed indirect benefits. There is no reason to impose an SRA to the 30-40 owners who object to the SRA and see no benefit whatsoever in having an expensive fence they cannot really afford. **In all fairness...**

VI - ZWAANSWYK SRA APPLICATION VIOLATES THE SRA BY-LAW AND SRA POLICY

The purpose of the Special Rating Area is to "allow an additional rate to be levied on property in the defined area to raise funds for improving or upgrading the area" (SRA Policy 2010/11).

1/ The Applicant proposes to spend a major part of the SRA budget on a fence to be built on SANParks land. The Section 21 will therefore own a fence on a public entity's property (?). How does this improve or upgrade the Zwaanswyk area? It doesn't. It improves SANParks's land and

gives it an asset it cannot fund itself and always considered to be the City's responsibility (baboon fencing issues refer). But we, as an SRA, would end up **improving upgrading an asset NOT of the area but located outside our area.**

This is a **violation** of the SRA By-Law and the SRA Policy.

2/ It has taken almost 3 years for SANParks to approve the building of this fence. Will it also take 3 years for it to approve access to the fence by private contractors for monitoring and maintenance purposes? Or another 3 years to approve construction of an access road when the Applicant finally realises that, without easy access to the fence in SANParks land, the fence cannot be monitored or maintained easily and at a reasonable cost?

These delays would represent additional costs but these costs would be spent on maintaining an asset **outside the Zwaanswyk area.**

This is a **violation** of the SRA By-Law and the SRA Policy.

3/ No solution is provided by the Applicant for the funding of a R1 million capital expenditure although interest charges of 9% per annum are mentioned. It was repeated for the last 3 years in several public meetings that this would be financed by some of the residents who could afford to do this. Presumably this solution is not mentioned in the application because it would violate countless credit laws (NCA?) and would constitute profiteering by these residents at the expense of the Section 21 company and its members.

It is our belief that the fence proposed by the Applicant will cost much more than the budgeted amount of R1 million for the reasons exposed above and it will be extremely difficult to finance externally an asset situated on SANParks land which generates no profit.

This leaves few options: City of Cape Town funding (highly unlikely as it would create a precedent for other areas suffering from baboon invasions) or a special SRA levy. Assuming a realistic all-in cost including accrued interest of R2 million, this represents close to R20,000 per owner (excluding interest). Should this capital expenditure be financed somehow, it still represents R20,000 per owner over the period of financing.

There is **no evidence** at all that this would be **financially viable.**

Approving this SRA application would be a **violation of the SRA By-Law and the SRA Policy.**

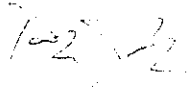
4/ The City of Cape Town Special Rating Areas Policy 2010/2011 clearly states (clause 7.1) that "The Special Rating Area establishment **process must be completed by end October of the financial year preceding the establishment of the Special Rating Area**".

- It is now March 2011 and the "establishment process" (which is not clearly defined in the SRA policy or SRA By-Law) is definitely not complete;
- The notification to residents of their right to object and the correct details were only sent on 10 February 2011 after complaints by residents to your office;

- Objections have yet to be heard.

We fail to see how the SRA can legally be established by 1 July 2011 and urge you to reject this application in order to give Zwaanswyk residents time to find simpler and less costly alternatives. At the very minimum, this application needs to be amended to 1 July 2012.

Yours sincerely,



Patrick Mahue
(Managing Director)

ANNEXURE A

From: P K Mahue [mailto:pkmahue@gmail.com]
Sent: Friday, November 12, 2010 3:46 PM
To: 'theoffice@mwp.co.za'
Subject: Allandale

Alison:

Further to our telephone conversation earlier this afternoon, I have tried to make an appointment with Allandale to inspect the documents as per your suggestion. Allandale are not informed of this, are not aware that the documents are available to the public. The lady I spoke to had asked for your number and will be calling you.

Please clarify ASAP.

With thanks,

Patrick



ANNEXURE B

From: P K Mahue
Sent: 15 November 2010 16:31
To: 'Runan.Rossouw@capetown.gov.za'
Subject: ZAPO SRA (Zwaanswyk)

Dear Mr Roussow:

Further to our telephone conversation, I followed your advice and called Alison Ward on Thursday. I was told that the letters of consent were still at Allandale and I should physically go there to see them. When I called Allandale, they did not know anything about this, were surprised to hear that we were being told to visit Allandale and the lady who responded was not sure of what the procedure should be. She mentioned that she would call Alison Ward who I informed of this by email asking her to clarify what the procedure was.

I have not heard back from Alison Ward since then. I would appreciate your clarification on all of this and how the system works (affidavits from ZAPO, etc...). Can you also send me a full electronic copy of the legislation on SRAs as well as any useful link you may have.

With thanks,

Patrick Mahue

Patrick Mahue



ANNEXURE C

From: P K Mahue [mailto:pkmahue@gmail.com]
Sent: Monday, December 13, 2010 2:39 PM
To: 'runan.rousow@capetown.gov.za'
Subject: FW: ZAPO SRA (Zwaanswyk)

Dear Mr Rousow:

Further to my email of 15 November 2010 to your attention (see hereunder) and my email of 12 November 2010 to Alison Ward (see attached), I have not received any reply and still have not been able to view the consents. I also have not received any formal notification from the SRA applicant concerning the delay for objections and am extremely worried about this.

Would you please kindly urgently confirm by return email what is happening and why ZAPO are not communicating with me.

I have a series of strong objections to this SRA and would like to be able to communicate these but need to know what the procedure is.

With thanks,
Kind regards,
Patrick

Patrick Mahue



The City Manager

533

P O Box 298

Cape Town

8000

ATTENTION RUNAN RUSSOUW

OBJECTION: SRA ZWAANZWYK ROAD

I would like to lodge an objection to the formation of the SRA in Zwaanzwyk Road.

1. Initially the SRA was motivated to all residents as a method of raising funds to increase the security in the area, both from the criminal element and the baboons. With the updating of the council regulations private security is prohibited from SRA levies and thus the initial focus of the SRA is not legal.
2. The persons proposing the formation of the Sra have subtly changed their purpose of the fence erection from security to Baboon control. The fence as proposed will not be baboon or human proof. The baboons will merely enter the area via the verges on Zwaanswyk road and over the walls of the properties at the northern end (Bottom) of the road as the fence in question does not enclose the entire area.
3. The fence will require a lot of maintenance and may in fact hinder the security companies in gaining access to properties in cases of intruders.
4. The SRA committee is landing the community with a fence that will render them liable for on going costs and will infact become a white elephant.
5. The SRA committee contends that part of the levies will be used for maintenance of the infrastructure within the SRA area. Is this not what we pay our rates for?
6. The SRA committee does not appear to have considered any other more cost effective alternatives to the fence that they seem to be determined to have built.
7. Since the meetings concerning the SRA there has been a large number of properties put on the market (about 25) the new owners would automatically become members of the SRA (if formed) and would be liable for the increased rates without having had a say in the matter.

Yours faithfully

CA Berry

22 Charnwood Avenue (Erf 464B)

Tokai

7945



Runan Rossouw

534

From: Richard & Helene Cooke <cooke@sybaweb.co.za>
 Sent: 14 March 2011 06:36 PM
 To: Runan Rossouw
 Subject: OBJECTION: SRA ZWAANSWYK ROAD TOKAI AREA; PROPOSED BY ZAPO

Attention: Mr Runan Rossouw

Dear Mr Rossouw

My wife and I wish to lodge an objection to ZAPO's proposed SRA for the Zwaanswyk Road Tokai Area. It appears that ZAPO's motivation, particularly regarding security and baboon deterrence, may not be well founded and that their objectives in this regard will not be met by the proposed SRA. Secondly, my wife and I are concerned by the cost implications of an SRA. It appears costs will exceed significantly the estimates initially given in ZAPO's motivation, including the costs of the City of Cape Town's now much higher rates on properties in the Zwaanswyk Road area. Thirdly, we do not support a move by neighbours to buy special local authority treatment, or elitist status, as this SRA application appears to be directed towards. It is one thing for neighbours privately to cooperate to make their neighbourhood a safe, congenial environment, such as by way of a Neighbourhood Watch, or a private security firm's dedicated surveillance of the area, as Zwaanswyk Road neighbours organised some years ago, and they have voluntarily and privately paid for ever since. It is quite another to buy, by way of an SRA, a legal right to a local authority's favoured treatment as regards security, roads maintenance etc. We object also to an SRA, brought about by some neighbours, binding all current (and presumably future) neighbours including those not supportive of the SRA. The neighbours in Zwaanswyk Road are independent title holders of free-standing properties, who are all ordinary citizens and ratepayers of Cape Town. We are not some superior, selected group in an exclusive enclave entitled to claim elitist status and deserving of the local authority's favoured treatment.

My wife and I would be grateful for your careful consideration of this very important matter. If this email does not constitute a written objection please would you let me know and I shall fax a signed copy to your office.

With kind regards
 Richard Cooke

Richard & Helene Cooke
 P O Box 30574 Tokai 7966 South Africa
 Silvermine Cottage, 127 Swaanswyk Road, Tokai 7945
 Tel 021 715 6069

Runan Rossouw

From: Tessa <tessa@evergreentokai.com>
Sent: 14 March 2011 10:33 PM
To: Runan Rossouw
Subject: FW: Objection to the formation of an SRA in Zwaanswyk, Cape Town

Runan email sent again as I have not yet received confirmation that you have received this. Please could you acknowledge receipt.

Thank you
Tessa Mauerberger

From: Tessa [mailto:tessa@evergreentokai.com]
Sent: Thursday, March 10, 2011 9:28 PM
To: Runan Rossouw (Runan.Rossouw@capetown.gov.za)
Subject: Objection to the formation of an SRA in Zwaanswyk, Cape Town

City of Cape Town

Att. Mr Runan Rossouw

Dear Mr Rossouw,

I hereby object to the application for a SRA in Zwaanswyk, Cape Town dated October 2010 based on issues as follows;

Refer 5.6 of the City of Cape Town Special Rating Areas Policy 2010/2011.

Nothing has been clearly or fully defined, the application has partly been based on opinion and there is no detail defined or realistic detail of costs to be incurred, provided.

Refer 5.7 of the City of Cape Town Special Rating Areas Policy 2010/2011.

The proposed baboon/security fence is not within the area designated by the Business Plan. The application ref. to 'along the boundary between the Tokai Plantation and the Zwaanswyk residential area'. The ZAPO SRA Proposal to property owners dated October 2010 refers to the fence being erected approx. 4metres into SANparks land – "this is not along the common boundary between property owners and SANparks". Spending borrowed money on an asset erected on land owned by others is unacceptable. The 'Zwaanswyk' residential boundary does not extend to include SANparks land.

The proposed fence will not prevent human or baboon incursions as intimated in the ZAPO SRA Proposal dated October 2010 nor via the entrance to Zwaanswyk road and/or the SHORA field.

[Does the City of Cape Town Special Rating Areas Policy 2010/11 encourage the borrowing of money to erect assets on land owned by others. Should the application be approved, as Council has the final say, then one must assume this to be the case].

Refer 5.8 of the City of Cape Town Special Rating Areas Policy 2010/2011.

Considering the limited size of the area with only approx. 105 property owners vs the excessive expenditure – well in excess of R1,000,000-00 on the 'baboon/security fence' which will only "assist in preventing incursions" will not result in any improvement or upgrade of Municipal Services Delivery.

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Rates: Considering the fairly small Zwaanswyk residential area with property owners contributing to a considerable City of Cape Town rates account, there is no need for a SRA as for example fixing potholes is only an sms away. Our local ward councilor is there to assist in any other issues concerning some that may see the need for some basic area upliftment.

In conclusion the application does not address insurance of the proposed asset or potential issues related to personal liability, spread of fire (e.g. malfunction of fence) directors liability, shareholder liability or legal defence costs.

Please acknowledge receipt.

Yours sincerely

T Mauerberger
Restful Investments
Erf 6253
6 Charnwood Avenue
TC .I



Runan Rossouw

From: Pat Dreyer <pdreyer@icon.co.za>
Sent: 14 March 2011 10:33 PM
To: Runan Rossouw
Subject: Objection to Swaanswyk Road SRA

Dear Mr Rossouw

My husband and I are the registered owners of erf 6252 Constantia. The physical address is 3 Charnwood Close Tokai. We have lived here for 18 years.

We object to the application for an SRA in the Swaanswk Road area (10 February 2011). The motivation to residents from mid-2008 to secure their consent was that primarily, security would be upgraded; that the cost to residents using Mountain Men for their security would decrease; that a 2.2km long fence would be a near-total deterrent to human and baboon invasions; that there would be improved maintenance and services and that the increase in rates would be affordable.

All notes below in blue and italics are from the steering committee. Text in bold highlights the point.

After writing to the applicant Rob Tiffin on 4 January this year and querying why we had not been informed that objections could be lodged in December, no reply was received, but a letter to the residents was then sent out on 10 February. *"The reason for this notice is that property owners were not correctly notified of the period in which to object during November last year when the notices appeared in the newspapers."* Poor communication.

Following changes to legislation the goalposts have moved, but the steering committee has not been very transparent or forthcoming with these changes. Instead, they have rather been prophets of doom, circulating crime incidents to the residents on a far more regular basis than any progress reports. No details of exactly what changes have had to be made through amendments to the SRA legislation have been circulated - just vague references such as in the minutes of the October 2010 meeting: *"Since then, the City of Cape Town had introduced a new policy on special rating areas (SRA), with new regulations, and this was now what the Zwaanswyk process would also refer to. The main changes were that the SRA could be established for five years, instead of three years, and that the threshold for approval was now a simple majority of residents (50% plus 1), instead of 75% by value of rates and number of residents.* Nothing about the SRA not being able to use levies to contract to a security company. There was no attendance register or any indication of how many residents attended.

Since 29 July 2009 and again on 14/8/2009, 12/11/2009, 13/1/2010, 14/5/2010 and the one quoted 15/12/2010, every single communication which refers to the fence has stated that ZAPO expects the agreement to be signed within a couple of weeks or "soon." The terms of the agreement are totally unknown - or even whether it has been finalised... *"The agreement has finalised by both parties (SAN Parks and ourselves). We signed the final agreement two weeks ago and now we are waiting for the SAN Parks CEO to sign it off."* The question of insurance including public liability which was raised at an earlier meeting, has never been answered. We have similarly never been told WHY there has been a two year delay. Dr Justin O'Riain, head of the Baboon Research Unit at UCT, states: *"My support for your proposed fence is conditional on Mascott being the designer and supplier. IF the proposed ZAPO fence is nothing like the fence built in Barrydale and is like the fence built behind Steenberg then I agree there is a problem."*

For a start, there is not a concrete foundation running under the fence. According to the limited description we

have been given, it will fall far short of a Mascott quality fence. incidentally, the fence at Barrydale which Dr O'Riain says is the only one he would back as being baboon-proof (confirmed by the owner) cost over a million rand for 900m of fencing. **How on earth can ZAPO claim that the fence will be suitable following consultations with experts and how can they expect to build a suitable 2.2km fence for less money?** Why then, should we be forced to contribute to a fence which is definitely sub-standard according to an expert in baboon behaviour?

We have not been privy to any detailed fence design (no sketches or diagrams), but it will keep out neither baboons nor criminals and will therefore be a very expensive stretch of inadequate fencing, on SANparks land, **which cannot be patrolled effectively.** The planned SRA fence will soon be proven to be a white elephant. At an earlier meeting, it was stated that the fence would apparently stop short of the last house at the top of the road as the owner vehemently objects to having his property enclosed. How can he be excluded from the plan which is to fence the length of Swaanswyk Road (as we were informed at a meeting a couple of years ago)? *"Securing the exposed northern and western perimeters of Zwaanswyk with a continuous electric fence that ties into Steenberg Estate both at the top and bottom of Zwaanswyk Road."* After 5 years, residents can anticipate being told that the fence is inadequate and that upgrades are a necessity (as happened at Steenberg Estate at a cost of R25 000 per resident). There are many very wealthy residents in Swaanswyk Road, to whom a sum like this is no problem. These will probably vote to upgrade the fence and gain a majority to do so. **What will happen to those (and there are many) who cannot afford to do this?**

"Appoint a service provider to monitor the fence and cameras against incursions by baboons and intruders." We have not been informed how the committee intend to deal with a break-in along the fence line - when this can only be patrolled on foot and access to houses from the forest side can only be gained through one of four gates - and the home could be contracted to a different security company, which means that access cannot be gained to the property.

In the minutes of the meeting held on October 28 2010, it was stated: *"There were questions about individual responsibility for paying for armed response. The committee (confirmed by the Council representative) that in terms of the Council bylaw the SRA would not be able to pay for security (armed response) at individual properties, but property owners would possibly be able to negotiate a discounted rate with the security company appointed by the SRA through a tender process."*

What if Mountain Men do not win the tender?

A few years ago, residents were encouraged and persuaded to use Mountain Men. Once 60 residents had been signed up, the contract fee would be reduced. This did not happen. The business plan stated then that those residents who did not use MM would have to pay their own providers and also MM. Should MM not win the tender, it is logical that if we wished to retain MM, it would no doubt be at an increased cost, as well as through the SRA to have to contribute to the company awarded the tender. The 42 residents who do not use MM will be forced to pay for both.

In their proposal, it was stated: *"There are currently 80 households subscribing to Mountain Men for alarm monitoring and armed response services. This service will remain essentially unchanged. The costs will be substantially reduced to R100 per month per household. This is to meet the requirement of the Council that private security is not funded by the SRA levy."* If there are 122 properties in Swaanswyk Road and only 80 people subscribe to MM, the R8000 these will pay will be totally inadequate for payment of services - which means that by some means or other, the residents will have to pay the costs of a service provider.

October 2010: *"Forming an SRA so that all residents share the costs of the security improvements, through a levy collected by the City Council as a percentage of rates."* Is it not correct to say that this is no longer legal? Their comment is misleading, as per comments above.

The answer given to a resident querying why the focus had changed from a pure security focus to a broader one... *"The committee answered that the particular crime threat from a gang had abated, though vigilance was needed, and that the new plan was more in line with Council bylaw."* Not a very informative answer and unrealistic as crime outbreaks can never be predicted. The changes to the bylaw have not been explained. *"...the fence would cost around R1-million, and residents would invited to lend the SRA capital for its construction, to be repaid at 9% interest."* **It is believed that this cannot be done as it is against Council legislation.** If this is correct, why has the committee not informed residents?

Should the SRA be sued in the event of a person being injured by the fence, who is responsible? **SANparks or the SRA?** We have been told that if the SRA cannot meet its obligations, the Section 21 company simply dissolves itself. And then we're back to square one?

Regarding maintenance of verges - why should we be levied to pay for residents who make no effort to keep theirs neat and cut? Regarding other service "improvements" - we are generally satisfied with Council services; we are not on mains sewerage and are happy to remain so. This is not a tourist area, so why do we need to plant trees, paint light poles etc? The residents voted many years ago to retain the rural character of the area and not have pathways and street lighting everywhere.

From what could be found from the valuations roll, there are 122 homeowners in Swaanswyk Road. **44 belong to trusts or private companies.** We have no information on whether those who have consented held the **required meetings with the trustees or partners and gained a majority in writing (or have a lawyer's letter stating that they have Power of Attorney) in order to consent.** Requests to examine the consentors' forms have been denied.

There are at least 26 houses for sale in Swaanswyk Road. There are already new owners in a few sold houses. Previous owners signed the consent form - **these should surely no longer be valid as the new owners will be forced to accept the vote in favour?** In essence, more than two dozen prospective new homeowners will be obliged to belong to an SRA - and not given any choice in how they wish to live in the area.

Currently there are 74 signed consentors. The steering committee says that there are 107 registered owners - this is incorrect! Even if one person owns more than one property, the number given is still incorrect. This means that the percentage of consentors is incorrect and is lower than stated. If you deduct the new owners who had no say in the matter, plus a further few who are thinking that they would like to retract their consent signing, there is a very slim majority indeed. By the same token, a number of objectors own more than one property. **Surely there are sufficient objectors to prove to Council that forming an SRA would not be a popular decision?**

Not all residents in Swaanswyk Road are wealthy - and to be forced to pay increases in rates (on top of recent council increases) - would, in our opinion, be a waste of money which could be better spent on finding what ALL the residents would like to have, in order to improve security and baboon control. There ARE other options....

We are told that the value of the properties will increase - but then, so will the rates. It is seen from the length of time most of the properties have been on the market that they are already overpriced.

*The Special Rating Area establishment process must be completed by end of October of the financial year preceding the establishment of the Special Rating Area. **If the process has to be completed, does this not include objections - if it does, then the deadline has passed.***

We do not know who is on the board of the section 21 company. To my knowledge, this has never been

circulated.

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For all the above reasons, we strongly object to the formation of an SRA in Swaanswyk Road.

LR DREYER
PA DREYER

If you require signatures, please let me know and I will fax through a copy. Our home phone number is 021 713 1313 and my cell is 083 996 8208.



541

Runan Rossouw

From: Michael Hallauer <Michael.Hallauer@S1.com>
Sent: 15 March 2011 07:50 AM
To: Runan Rossouw
Subject: objection to the application to form an SRA in Swaanswyk

As a resident of Swaanswyk (ERF 11445 Constantia) I hereby place on record my objection to the plans to form an SRA in Swaanswyk.

Please confirm receipt of this objection and let me know if there is anything else I must do.

Regards,
Mike and Heather Hallauer
(Cell: 084 840 0342)
(home: 021 712 3811)

Mike Hallauer

S1 Corporation
Tel (direct): +27 (0)21 525 5098
Tel (switchboard): +27 (0)21 525 5000
Tel (mobile): +27 (0)84 840 0342
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michael.hallauer@s1.com
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Runan Rossouw

From: Kathy <kathy@kingsley.co.za>
Sent: 15 March 2011 04:03 PM
To: Runan Rossouw
Subject: Objection to the application to form an SRA in Swaanswyk
Importance: High

I am the owner and reside at 10 Suddie Close, Tokai which is off Swaanswyk road. (Erf 9721 Constantia).

I would like to object to the formation of an SRA in Swaanswyk.

Regards
Kathy Kitchin
021 715 9431
082 376 1897



543

S. M. Durr
P O Box 18550
Wynberg, 78245 Charnwood Close
Zwaanswyk
7945Tel: (021) 715 7044
Fax: (086) 689 7265
Email: stamdi@africa.com

14 March 2011

Attention : Mr R Rossouw

The City Manager
City of Cape Town
Cape TownPer fax: ~~021-4002891~~

086-576 0050

Dear Mr Rossouw

OBJECTION TO THE ZWAANSWYK SPECAIL RATING AREA

I am the owner of Erf 12537, Cape Town situated at 5 Charnwood Close, Zwaanswyk and hereby formally object to the formation of the Zwaanswyk SRA.

My reason for the objection is that the Business Plan as presented by the applicant Mr R Tiffan to the community is contrary to Section 16 of the Special Rating Area By-law approved by the City of Cape Town on 27 May 2009. Mr Tiffan has in his business plan as well as the public meeting held in October 2010 not informed the residents of Zwaanswyk of the correct procedure in the event that the Section 21 administration of the Zwaanswyk SRA will be dissolved

In the Motivation report drawn up by the applicant in the paragraph referring to Dissolution of the Section 21 company the applicant states that " This (Section 21 company) may only be dissolved after the initial five- year period."(See page 3 of Motivation report) It is my assumption that this minimum five year period is due to the intention of the Section 21 company to raise loans from private third parties for the sole purpose of erecting the security fence. This action is further not permissible by the City of Cape Town.

It is clear in the relevant by-law that the " the Council may dissolve a special rating area upon written application signed by the majority of owners". (Section 16). No minimum period is EVER

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March 15, 2011

(8/1)

referred to and it is the residents rights to withdraw from a SRA at any time once it has majority support. This may be one month after the initial establishment.

Thus, what the applicant has informed the residents of Zwaanswyk is contrary to the Special Rates Area By-Law approved by the City of Cape Town in May 2009.

In conclusion,

- It is my submission that if in the event the applicant wishes to change the motivation report to bring it in line with regulations as gazetted in the specific by-law all residents would need to be informed at a public meeting of such changes.
- It is my further contention that the City of Cape Town may not approve such a SRA which has found to be contrary to an existing by-law of the Council.

Yours faithfully



S. M. Durr


A. & A.P. Serritslev,

5 Suddie Close,
Tokai, 7945.

mob - 083 281 8298
tel - 021 713 0123
fax - 0866 896 292
e-mail - serrit@iafrica.com

15th March, 2011.

City of Cape Town,
The City Manager,
P.O.Box 298,
Cape Town, 8000.

RECEIVED AT THE CITY MANAGER'S OFFICE	
Date: 2011/03/15	Time: 10:25
By: (Print Name).....	STOFFEL
Signature:.....	

Att: The City Manager.

Dear Sir,

RE: ZWAANSWYK SPECIAL RATING AREA ("SRA") – OBJECTION.

We are opposed to the proposed special rating area as we consider its imposition an unnecessary expense.

The cost of the fence will be added to the rates. With the value of the properties being fairly high because of the special nature of the area, this additional cost will be a real burden.

The object of the fence appears to be to keep baboons out and improve security.

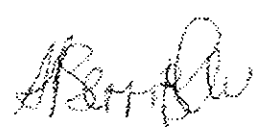
We consider it the duty of the City Council and SAN Parks to monitor and keep the baboons in check. Saying this, a more pro-active approach should be taken by the Council and SAN Parks.

With regards to the security issue, the fence may help to hinder the access to the Swaanswyk area but the issue is not so simple. If one looks at the measures Steenberg Golf Estate has had to take to improve and upgrade their security fence, we have severe doubts that the proposed fence will keep determined people out. The Steenberg fence is also easily accessible for the purposes of maintenance and repair, thus ensuring it is fully operational at all times. This is not the case as for the proposed fence within the firebreak.

For the people on a tight budget, should the SRA be implemented, they will be left with no home security as the SRA does not provide this. They will have cancel their home security to help fund the SRA.



A.SERRITSLEV. Pr.Eng 840621.



A.P.SERRITSLEV

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5, Debaren Close
Swanswyk Road
Tokai

7945

14/3/2011

TO WHOM IT MAY CONCERN

I, Diana Seewes object
to the Swanswyk Special
Rating area. because

- 1) Its a waste of time & money.
- 2) I am quite happy as things are and have been.
- 3) I refuse to pay more rates than I am at the moment because of having the S. R. A placed in Swanswyk.
- 4) Buyers of Swanswyk will

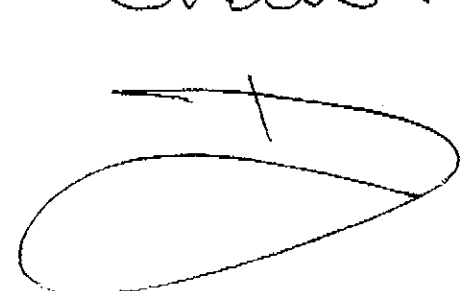
have to pay more money
just to buy into the S.R.A.

So, for those reasons
I object fully and that
is my final answer.

My ~~ent~~ NOS are:-

- 1) 10385 } Helvezia Rapertus
- 2) 10436 } Diana Seewes Director
- 3) 10695 - Diana Seewes
- 4) 4777 } - J.S. Oak Trust
- 4569 } / Diana Seewes Director

Thank you



Diana Seewes

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Signature: _____

Dated at _____ this _____ day of _____

Office use	
LIS nr:	Hanging properties:

(1/1) Diana Seewer object

Diana Seewer

550

ATTENTION MR RUNAN ROSSOUW

runan.rossouw@capetown.gov.za

Fax 021-400 2891

I, James McHarg am the registered owner of erf 6971 Constantia, which is 143 Swaanswyk Road and I OBJECT TO THE APPLICATION TO FORM AN SRA IN SWAANSWYK ROAD

When the process began in 2008, the stated aims for its formation were that:

- (a) An SRA would make the area safer;
- (b) All residents would use one security provider (probably Mountain Men);
- (c) The 2.2km electrified fence would prevent incursions from the forest as well as act as a baboon deterrent;
- (d) Improved delivery of services and maintenance.

MOST OF THESE STATED AIMS CANNOT SUCCEED BECAUSE:

1 Updated Council regulations regarding SRAs have forced the emphasis to change from security to baboon control regarding the fence. Legislation now prohibits an SRA from using levies to pay for private security and "the SRA would contract through a tender process a security company to patrol the area in a car." Mountain Men will not necessarily be the designated service provider. Owners will still be liable for their own security costs. Residents will have to pay for the successful company which will only patrol and monitor the fence but will only be able to patrol the fence properly if on foot. The stated figure of reducing householders' MM costs to R100 is not possible. Some residents cannot afford to pay.

2 It is accepted that the fence will not be baboon-proof and as it will not stop human incursions (as stated by the Kirstenhof SAPS Sector 1 Commander Rodney Franks). It is therefore totally inadequate and will become a costly white elephant – so why have it? Should a house alarm be triggered, how will the security personnel gain access to the property, particularly if the householder is not contracted to them? There will be 4 access gates – how will security gain quick access?

I live at the top of the road and object strongly to the plan to be totally enclosed by the SRA fence.

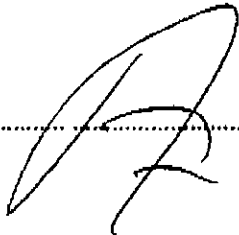
3 The SRA may not raise funds for the fence by means of loans as stated.

4 The fence is not safe for accidental contact such as when a rider is thrown of its horse.

I do NOT believe that creating an SRA will increase property values. Prospective buyers will be paying higher rates which can be increased annually according to the provincial budget.

There are at least 25 properties for sale in the area (over 20% of all properties concerned). All new owners will be obliged to belong to the SRA – their membership will be automatic and mandatory.

I choose to live without an SRA telling me how what to do in Swaanswyk Road.

SIGNED.....


DATE..... 10 / 03 / 2011

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Runan Rossouw

From: Proton Marine <nbird@mweb.co.za>
Sent: 17 March 2011 11:38 AM
To: Runan Rossouw
Cc: Runan Rossouw
Subject: Fw: RE OBJECTION IN ZWAANSWYK

----- Original Message -----

From: Proton Marine
To: Ruan Roussow
Cc: Ruan Roussow
Sent: Thursday, March 17, 2011 10:53 AM
Subject: RE OBJECTION IN ZWAANSWYK

Dear Mr Rossouw,

As a resident in the area of Zwaanswyk, address Appleby,3 Debaren Close Tokai,7945.

I strongly object to the proposed Zwaanswyk SRA application.

Yours Sincerely

Mrs J.L.Bird

Runan Rossouw

From: TheMays <themays@southafricarent.co.za>
Sent: 16 March 2011 06:23 AM
To: Runan Rossouw
Subject: Proposed SRA in Swaanswyk Road
Attachments: image002.gif; image001.jpg

Erf 9717, 2 Suddie Close, Swaanswyk, Tokai.

David & Rachael May wish it to be recorded that we do not support and indeed do oppose the proposed SRA for the neighbourhood.

We have chosen to live in Swaanswyk, being a 'free area' without rules and regulations where we are able to make our own decisions about security and access within our chosen budget.

With regard to the baboons, we accept that we live in their environment and respect this situation. We compromise and live accordingly with 2 young children and a dog and 2 cats with locks on our windows and gates on our doors. We manage our refuse in a way that we will not be raided, the bins are locked and even before the baboon monitors, the baboons realized there was nothing on our property for them. We have no need to erect any kind of fence, electric or otherwise in order to keep baboons out of their territory. WE DO NOT SUPPORT THE ERECTION OF ANY KIND OF PERIMETER FENCE LINE TO KEEP OUT ANY UNWANTED ELEMENT OF ANIMAL OR HUMAN NATURE. We do support the baboon monitors to protect the baboons from those who consider them a threat and danger to themselves and property by not educating themselves adequately for living in this situation. IF SOMEONE MOVED TO KRUGER NATIONAL PARK, SHOULD THEY ASK THAT THE LIONS BE REMOVED ?

We wish to manage our own security arrangements within our budget.

We are satisfied with the services currently provided by the City of Cape, council and sub council.

It would be very heartening to see other property owners being responsible for their own perimeters, drain and gutters and not blindly allow refuse either human or vegetation to collect to unacceptable limits and then wonder why the council will not respond to their calls. PROPERTY OWNERS ACCOUNTABILITY AND RESPONSIBILITY NEEDS TO BE ADDRESSED AS WELL. There are some property owners who will always want someone else to take care of them and their property while they could have taken other measures themselves. For those wanting to live a Steenberg like existence as regard security should consider moving there and not try to change the nature of Swaanswyk.

David & Rachael May

Tel & Fax : 021 712 6052
Mobile : 082 782 1579

e-mail themays@southafricarent.co.za
rmay@cabs.co.za

553

Mr & Mrs. E.N.Clur.

3 Zwaanswyk Close.

Tokai.

Cape Town.

7945.

P.O.Box 521

Constantia.

7848.

City of Cape Town.

Inter Services Liason Office

7th Floor,

Civic Centre,

12 Hertzog Boulevard,

Cape Town.

Attention Mr R.Rossouw

SUBJECT:OBJECTION TO APPLICATION TO ESTABLISH ZWAANSWYK SPECIAL RATING AREA:

Dear Sir,

I would hereby like to lodge my OBJECTION to the establishment of a SRA in Zwaanswyk. Our specific objections to the proposed establishment of an SRA in Zwaanswyk are itemized below.

- 1.) My wife and I are both retired and reside at 3 Zwaanswyk Close Tokai.
- 2.) The property in which we live was purchased in the name of a Company in 2001 when we retired to Cape Town. Namely Choice Decisions 76 (Pty) Ltd.
- 3.) When we initially arrived in Cape Town our rates on the property were R1112.86 per month based on a property value of (Site Value R405000.00 and building Value of R995000.00)
- 4.) Our Rates for our Property have increased significantly over the past 10 years with the municipal valuation increasing from R1400000.00 in 2001 to R11,361,400.00 in 2011 and this increase is without any improvements taking place to the property in any way. Our monthly account for Rates is now in excess of R5000.00.
- 5.) The "ORIGINAL PROPOSAL FOR THE ESTABLISHMENT OF A SRA IN ZWAANSWYK" was as a result of a spate crime in the area. The erection of an "ELECTRIFIED FENCE" was proposed between Zwaanswyk and the Tokai forests as a means of controlling access to the area by the "CRIMINAL ELEMENTS" . The cost of erecting this fence was to be R1,000,000.00 . The plan also

tried to force residents to sign up with "Mountain Men " as their "Security Company". We currently use ADT as our Security Company and are quite happy with the service they provide and have no wish or intent of changing to "Mountain Men".

- 6.) At the time of the initial application a 75% majority of residents were required to accept the proposal and Mr Robert Tiffin the applicant was unable to get 75% acceptance and the proposal did not go ahead. Apparently the Municipal bylaws have now changed and only 51% of the residents are required to get it approved.
- 7.) There are 107 properties in Zwaanswyk and should the SRA go ahead then all the residents would enjoy the same benefits if any. Why then? Must the additional rates to be paid be based on "PROPERTY VALUATIONS". This means that property owners with properties at a lower municipal valuation would pay less than property owners whose properties have a higher municipal valuation. MOST UNFAIR and totally unacceptable.
- 8.) With regard to the Motivation Report as submitted by Mr Rob Tiffin the whole emphasis of the necessity to spend R1,000,000.00 to erect a fence between Zwaanswyk and the Tokai Forest is to keep the baboons out. We consider that the expenditure of R1,000,000.00 is a TOTAL WASTE OF MONEY and will serve no real purpose.
- 9.) The Motivation Report further states and we quote " Our area has unkempt , littered grass verges , potholes in the road, unpainted street lamps and neglected storm-water reticulation." THIS SHOULD NOT BE PART OF ANY MOTIVATION TO ESTABLISH A SPECIAL RATING AREA FOR ZWAANSWYK. All that is necessary is for someone to contact the Council and request that something be done about the problems which are present ! This is surely why we are all paying the EXORBANTLY HIGH RATES as it is for this type of service.
- 10.) To accept the establishment of the SRA will add .01% of the ratable value of our property to our present VERY HIGH RATES . IE .01% of R11,361,400.00 or R1136.14 per month additional to the present Rates. These are calculated as follows $R11,361,400.00 @ 0.0053000$ divided by $365 \times 31 = R5114.18$ monthly + $R1136.14 = R6250.32$ monthly TOTALLY UNAFFORDABLE TO PENSIONERS ON A FIXED INCOME.
- 11.) THE ABOVE POINTS COVER OUR MAIN OBJECTIONS TO THE PROPOSED ESTABLISHMENT OF A SPECIAL RATING AREA FOR ZWAANSWYK.
- 12.) WE CERTAINLY DO NOT WISH TO PANDER TO THE ALTO-EGO OF MR ROBERT TIFFIN THE PROPOSER OF THE SRA.

Trusting that the above OBJECTION is accepted and included in any deliberations that take place.

Yours Faithfully

Eric N Clur