

# FISH HOEK VALLEY RATEPAYERS & RESIDENTS ASSOCIATION

*(Incorporating Fish Hoek, Clovelly and Sun Valley)*

P.O. Box 22125, Fish Hoek 7974  
Web: [www.fishhoekratepayers.com](http://www.fishhoekratepayers.com)

Date : 2019.01.09

TO: Andre Golding  
E-mail: [AndrePaul.Golding@capetown.gov.za](mailto:AndrePaul.Golding@capetown.gov.za)

TO: Shireen Miller  
E-Mail: [Shireen.Miller@capetown.gov.za](mailto:Shireen.Miller@capetown.gov.za)

SUBJECT: LEASE 22 BERG ROAD – FISH HOEK

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## 1. DISCUSSION

Mr Newton Phillips, the owner of Erf 7867 (22 Berg Road) Fish Hoek, has approached us for assistance in respect of the matter as detailed in the correspondence below in italics:

**From:** Andre Golding [<mailto:AndrePaul.Golding@capetown.gov.za>]

**Sent:** Monday, December 03, 2018 11:23 AM

**To:** Newton Phillips

**Subject:** RE: Lease 22 Berg Road Fishhoek

*Dear Mr Phillips*

*My apologies for the delay in getting back to you. I have been having problems with my telephone which will hopefully be sorted soon with a replacement.*

*Your matter has been discussed and the decision reached is that the portion of City land that has been fenced will have to be leased. Alternatively should you not wish to proceed with the renewal of the lease the fence will have to be moved back to the common boundary.*

*Kind regards*

**Andre Golding**

Property Holding (Leasing) – Property Management - Assets and Facilities Management

3 Victoria Road, Plumstead

**Tel:** 021 4442584 | **Email:** [AndrePaul.Golding@capetown.gov.za](mailto:AndrePaul.Golding@capetown.gov.za) | **Web:** [www.capetown.gov.za](http://www.capetown.gov.za)

**From:** Newton Phillips <[nnphillips@vodamail.co.za](mailto:nnphillips@vodamail.co.za)>

**Sent:** Tuesday, 20 November 2018 6:32 PM

**To:** Andre Golding <[AndrePaul.Golding@capetown.gov.za](mailto:AndrePaul.Golding@capetown.gov.za)>

**Subject:** lease 22 Berg Road Fishhoek

*Dear Mr Golding*

*I came to see you a couple of weeks ago where we discussed the options going forward in regard to the lease at the above property.*

*I have tried phoning you on numerous occasions but unfortunately I have not managed to connect.*

*Could you please let me know when is the best time to call so maybe I can come and visit again and /or could you tell me how it is going with your ideas to change the situation as discussed,*

*Best regards*

*N N Phillips (082 454 5544)*

**From:** Shireen Miller [mailto:Shireen.Miller@capetown.gov.za]  
**Sent:** Tuesday, October 30, 2018 10:42 AM  
**To:** [NNPHILLIPS@VODAMAIL.CO.ZA](mailto:NNPHILLIPS@VODAMAIL.CO.ZA)  
**Subject:** RENEWAL OF LEASE ABUTTING ERF 7867 FISH HOEK: NN PHILLIPS

Dear Mr Phillips

Your lease agreement is due to expire on 31-01-2019. Attached is our renewal letter and application form to be completed and forwarded to us so that the renewal process can be proceeded with.

Kind regards

Shireen Miller  
Administrative Officer  
Property Management - Property Holding  
3 Victoria Road, Plumstead  
Tel: 021 444 2592  
[shireen.miller@capetown.gov.za](mailto:shireen.miller@capetown.gov.za)

## 2. REVIEW OF THE PROPERTY

You are requesting Mr Phillips to:

1. Renew the lease at R835.96 + VAT = R961.35 for the year from 2019.02 01;
2. Pay a Leasing Application Fee of R2401.00 (incl VAT).

We have visited the property and have taken four photographs, which we attach hereto as:

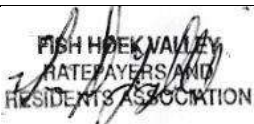
- Annexure A: 22 Berg Road – 1
- Annexure B: 22 Berg Road – 2
- Annexure C: 22 Berg Road – 3
- Annexure D: 22 Berg Road – 4

From these you will see that the vertical gradient from the pavement level to the common boundary [City of Cape Town – Erf 7867 (22 Berg Road)] in line with the garages of 22 Berg Road and 24 Berg Road is some five metres.

**It would be a tenuous task for the City to maintain this area safely and we submit that the City would have to fence in this area as a matter of safety as has been done by Mr Phillips.**

In our view Mr Phillips has done the City a favour by fencing in the area between the pavement and his property boundary and maintaining it as a garden.

**We therefore submit that the City should not charge Mr Phillips any rental but, if this is not acceptable from a legal viewpoint, then the rental should be a very nominal amount as pertains to other properties on Berg Road.**

<b>NAME &amp; SURNAME</b>	Brian Youngblood, Chair: Fish Hoek Valley Ratepayers and Residents Association (FHVRRA)
<b>CONTACT NUMBERS</b>	Cell: 084 399 99 33
<b>E-MAIL ADDRESS</b>	<a href="mailto:bdyoungblood@gmail.co.za">bdyoungblood@gmail.co.za</a>
<b>SIGNATURE</b>	
<b>DATE</b>	9 January 2019

Annexures



**Annexure A: 22 Berg Road – 1**



**Annexure B: 22 Berg Road – 2**





**Annexure C: 22 Berg Road – 3**



**Annexure D: 22 Berg Road – 4**

