



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

SUBCOUNCIL 24
SUBRAAD 24
IBHUNGA 24
Acknowledge Receipt
Erken Ontvangs
Isiqinisekiso sokufumanoka

Date/Datum/Urnhiat: 29/04/19

REPORT TO SUBCOUNCIL 24

Signature/Handtekening/Utyikityo:

1. ITEM NUMBER:
2. SUBJECT: **24SUB 37/5/2019**

RESERVATION OF ERF 1062 MACASSAR: ENVIRONMENTAL
MANAGEMENT

RESERVERING VAN ERF 1062 MACASSAR: OMGEWINGSBESTUUR

UKUBEKELWA BUCALA KWESIZA-1062, ESISE- MACASSAR
KULUNGISELELWA ABEZOLAWULO LOKUSINGQONGILEYO

K2967
PTMS NO: 130005180
File Ref No: H14/3/12/2/38
Category 9

3. DELEGATED AUTHORITY

- ☒ The report is for comment by Subcouncil to the competent authority in terms of Part 24, Delegation 10(3).
- ☐ In terms of Part 34 Paragraph 2(5) of the Council's System of delegations and as subdelegated by the Executive Director: Economic Opportunities & Asset Management authorises the Director: Property Management:

"To reserve property for municipal purposes."

- ☐ Final decision lies with Director: Property Management.

4. EXECUTIVE SUMMARY

This report is submitted in terms of Section 17 of the Policy on the Management of Certain of the City of Cape Town's Immovable Property to the Director: Property Management to consider the following application for the reservation of municipal land:

Reservation Category

		Mark X
1	New Reservation (Operational Requirement)	X
2	Deemed Reservation (Regularizing use of existing facility/operation)	
3	Reservation Benefit Transfer (Change in dept. managing facility)	

Application Summary:

Applicant	Directorate:	Spatial Planning and Environment		
	Department:	Environmental Management		
	Branch:	Biodiversity Management		
Responsible Official	Clifford Dorse / Andre Rossouw			
Director	Osman Asmal			
Land applied for	Erf 1062 Macassar			
LP Key	414892			
Location	Off Macassar Road			
Extent reserved:	51 751 m ²			
Current Zoning	Open Space 2 (Public Open Space)			
Current Usage	Vacant			
Proposed Project/ Usage	Conservation of the larger Macassar Conservation Area for management by Biodiversity Management Branch, for enviromental education, recreation and conservation purposes.			
TOD Assessment	Cat 1 – TOD	N/A	Cat 1	
	Based on the TOD (Transit Oriented Development) strategic screening of the proposed erf to be disposed of, the subject property was found to have no TOD potential (also known as Category 1 in terms of the TOD land Disposal Assessment Process) and did not meet the minimum TOD criteria due to its size, lack of consolidation potential and/or locational characteristics relevant to the City's TOD Strategic Framework.			
	Potential Cat 2 & 3			N/A
	Deemed to have potential in terms of Key Objectives therefore a detailed assessment in terms of the TOD Land Disposal Assessment Process was requested.			
	Date submitted to TDA:		N/A	
	Date TDA Comment Received:		N/A	
	TDA Comment Attached:		Annexure	
Property Management Comment on TOD Assessment	No TOD potential			
Recommendation:	Approve	X	Decline	

5. GENERAL INFORMATION REGARDING THE RESERVATION OF CITY LAND

In terms of Clause 17 of the Policy on the Management of Certain of the City of Cape Town's Immovable Property, land required by line departments for municipal purposes needs to be officially applied for by, and reserved for the subject department, after which process they will become accountable for the property. "Accountability" means the responsibility for use, management and control of an immovable property asset including but not limited to operations, relationship management, security, maintenance, budgeting, income and expenditure management and performance reporting.

Immovable Property Asset User Directorates and Departments must:

- 1) Use immovable property assets for purposes reserved;
- 2) Inform the Property Management Department of any changes in use and attributes of immovable property assets that might impact on the data in IPAR and the integrity thereof;
- 3) Embrace accountability for immovable property assets and performance;
- 4) Use, manage and control immovable property assets in an economic, efficient, and effective (and compliant) manner;
- 5) Engage Property Management Department as Custodian in the execution of activities and responsibilities pertinent to the management of immovable property assets;
- 6) Participate actively in the implementation and operation of the IPAMF by accurately recording performance data, collaborating with Custodian on development and execution of portfolio strategies and business plans;
- 7) Ensure establishment and capacitation of the roles of Department Representative and Departmental Assessors in support of the Immovable Property Asset Management Framework implementation;
- 8) Accept full responsibility for the management and maintenance of the reserved land and building/s erected thereon, including maintenance, utility consumption, security and insurance;
- 9) Obtaining and complying with the Land-use, Fire & Safety, Occupational Health or any other related legislative or regulatory requirements that might be applicable to the utilization of the property; and
- 10) Is authorized to initiate Agreements, if required, subject to compliance with the Municipal Asset Transfer Regulations, Supply Chain legislation as well as the Council's System of Delegations.

6. RECOMMENDATIONS FOR CONSIDERATION AND COMMENT BY THE RELEVANT SUBCOUNCIL

It is recommended that erf 1062 Macassar situated off Macassar Road, in extent 51 751 m² and as indicated as ABCDE on Plan EZ 102 attached as annexure "A", be reserved for the Environmental Management Department, subject to the following conditions:

- a) The subject property shall be utilised for the purpose of conservation of the larger Macassar Conservation Area, for environmental education, recreation and conservation purposes;

- b) The Environmental Management Department take responsibility for the required land use processes, as well as compliance with any related legislation;
- c) The said Department accept full responsibility for the management and maintenance of the land and any structure to be erected thereon, including maintenance, utility consumption, security and content insurance, as is applicable;
- d) All costs related to the above be provided for by the Environmental Management Department;
- e) No structures permitted closer than 3 m to existing 200 mm and 250 mm water pipes and 900 mm sewer pipe.

AANBEVELINGS VIR OORWEGING EN KOMMENTAAR DEUR DIE BETROKKE SUBRAAD

Daar word aanbeveel dat erf 1062 Macassar, geleë uit Macassarweg, 51 751 m² groot, soos aangetoon deur die letters ABCDE op plan EZ 102 aangeheg as bylae A, gereserveer word vir die departement omgewingsbestuur, onderworpe aan die volgende voorwaardes:

- a) Die betrokke eiendom slegs vir die doeleindes van bewaring van die groter Macassar-bewarea, omgewingsopvoeding, ontspanning en bewaring gebruik word;
- b) Die departement omgewingsbestuur verantwoordelikheid aanvaar vir die nodige grondgebruikprosesse, asook nakoming van enige toepaslike wetgewing;
- c) Die betrokke departement volle verantwoordelikheid aanvaar vir die bestuur en instandhouding van die grond en enige struktuur wat daarop opgerig word, insluitende instandhouding, nutsgebruik, sekuriteit en inhoudversekering, soos van toepassing;
- d) Alle koste wat met bogenoemde verband hou deur die departement omgewingsbestuur gedra word;
- e) Geen strukture nader as 3 m aan die bestaande 200 mm- en 250 mm-waterpype en 900 mm-rioolpyp toegelaat word nie.

IZINDULULO UKUBA ZIQWALASELWE KWAYE KUVAKALISWE ULUVO LIBHUNGANA ELIFANELEKILEYO

Kundululwe ukuba isiza-1062 Macassar, ukususela kwi-Macassar Road, esibukhulu obumalunga nama-51 751 m² nesibonakaliswe ngoonobumba abakhulu u-ABCDE kwiplani engu-EZ 102 eqhotyoshelwe kwisihlomelo-A, masibekelwe bucala kulungiselelwa iSebe loLawulo lokuSingqongileyo, ngokuxhomekeke kule miqathango ilandelayo, yokuba:

- a) Ipropati le ichaphazelekayo iyakuthi isetyenziselwe umbandela ongezolondolozo lwendalo kuMmandla omkhulu wezoLondolozo lwendalo wase-Macassar, imfundiso engezendalo/engokusingqongileyo, ezolonwabo nezolondolozo lwendalo;
- b) ISebe loLawulo lokuSingqongileyo malithabathe uxanduva ngokujoliswe kwiinkqubo ezifunekayo zosetyenziso lomhlaba kunye nokuthotyelwa kwawo nawuphina umthetho onxulumene noko;
- c) ISebe elisele likhankanyiwe malamkele uxanduva ngokupheleleyo lolawulo nononotshelo lomhlaba naso nasiphina isakheko esiyakuthi sakhawe, kuquka unonotshelo, usetyenziselo uncedo, ukhuseleko ne-inshorensi njengoko kufanelekile;
- d) Zonke iindleko ezimalunga noku kungentla, mazibonelelwe liSebe loLawulo lokuSingqongileyo;
- e) Akuvumelekanga izakheko kufutshane ne-3 m ngokujoliswe kwimibhobho yamanzi engama-200 mm nama-250 mm kunye nombhobho wogutyulo ongama-900 mm.

7. BACKGROUND/ MOTIVATION

The Environmental Management Department is already managing erf 1062 Macassar in terms of alien vegetation, fire suspension, land invasion, etc.

The erf contains high quality endangered Cape Flats Dune Strandveld (CFDS).

CFDS is endemic to Cape Town, but unfortunately only 7% of the original extent is conserved making the conservation of every remnant critical to reach the national conservation target of 24%.

As the applicant department is already managing the property, the reservation of the erf for Biodiversity will not have an effect on the said department's budget.

8. DISCUSSION

The application was duly circulated to the effected services departments for comments/objections.

No objection was received and there is thus no reason why the reservation cannot be recommended for approval.

9. COMMENTS FROM THE SERVICE BRANCHES

The application was circulated to the service branches, and no objections were received, subject thereto the following conditions should be complied with:

DIRECTORATE/DEPARMENT	
Spatial Planning & Environment	
Areas Environment and Heritage Johan van Wyk (021 850 4104)	SUPPORTED

Eliza Joubert (021 850 4047)	
Departmental Comment	
The size of the property any development which will change the character and nature of the site will trigger section 38(1)(c)(i) of the National Heritage Resources Act, Act 25 of 1999 and as a result the applicant will have obtain authorization from Heritage Western Cape before commencing any work or planning activity.	
Transport	
Asset Management and Maintenance Roauwhen Thomas (021 444 4696)	SUPPORTED
Departmental Comment	
No comment	
Transport	
Integrated Transport Portfolio Bill Jones (021 444 1916)	SUPPORTED
Departmental Comment	
No comment	
Energy & Climate Change Electrical Generation & Distribution	
Leon Swart (021 444 8372)	SUPPORTED
No comment – Eskom supply area	
Water and Sanitation	
Reticulation T Wallendorf (021 444 1239)	SUPPORTED
Departmental Comment	
No structures permitted closer than 3 m to existing 200 mm and 250 mm water pipes and 900 mm sewer pipe as indicated on Plan EZ102	
Community Services & Health	
Recreation and Parks Theo Booysen (021 417 4909)	SUPPORTED
Departmental Comment	
No comment	
Economic Opportunities & Asset Management	
Property Disposals and Acquisitions Jason Drummer (021 400 1977)	SUPPORTED
Departmental Comment	
No comment	
Economic Opportunities & Asset Management	
Property Transaction Management Sandiso Mgcineni (021 400 9328)	SUPPORTED
Departmental Comment	
No comment	

Economic Opportunities & Asset Management	
Immovable Property Planning Deidre Khan (021 400 1016)	SUPPORTED
Departmental Comment	
No comment	
Economic Opportunities & Asset Management	
Transversal Real Estate Services Garth Johnson (021 400 2831)	SUPPORTED
Departmental Comment	
No comment	
Safety and Security	
Fire Services Edward Labuschagne (021 444 0394)	SUPPORTED
Departmental Comment	
No comment	
Safety and Security	SUPPORTED
Traffic Services Joe Taylor (021 444 3830)	
Departmental Comment	
No comment	
Solid Waste Management	
Chantel Erlank (021 400 5576)	SUPPORTED
Departmental Comment	
Must make use of all Solid Waste Services and will be responsible for the clean-up of the area	
Telkom	
Candice Spammer (021 414 5582)	SUPPORTED
Departmental Comment	
No comment	

10. VALUATION

Not applicable.

11. CONSTITUTIONAL AND POLICY IMPLICATIONS

Council's policy relating to the Management of Certain of the City of Cape Town's Immovable Property permits the reservation of immovable property for other departments.

12. FINANCIAL IMPLICATIONS

Funding for the required land-use process and maintaining the facility will be provided for by the Environmental Management Department.

13. LEGAL IMPLICATIONS

None.

15. ANNEXURES

ANNEXURE A: PLAN EZ 102

FOR FURTHER DETAILS CONTACT:

NAME	ANNEKE KLUE
CONTACT NUMBERS	021 444 4613
E-MAIL ADDRESS	ANNEKE.KLUE@CAPETOWN.GOV.ZA
DIRECTORATE	ECONOMIC OPPORTUNITIES & ASSET MANAGEMENT
FILE REF NO	H14/3/12/2/38

DCG
REGIONAL HEAD: EAST

NAME DONAVON GEYSMAN

Comment:

SUPPRESSED.

Schnackenberg

MANAGER : PROPERTY HOLDING

NAME RACHEL SCHNACKENBERG

DATE 10-04-2019

Comment:

J Gelderbloem

DIRECTOR : PROPERTY MANAGEMENT

NAME RUBY GELDERBLOEM

DATE 2019.04.15

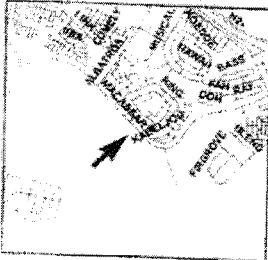
☐ APPROVED

☐ REFUSED

☐ REFERRED BACK

Comment:

ANNEXURE A

CITY OF CAPE TOWN																					
 <p>LOCALITY SKETCH</p>	<p>DIMENSIONS IN METRES</p> <table border="1"> <tbody> <tr> <td>AB</td> <td>829,38</td> </tr> <tr> <td>BC</td> <td>102,00</td> </tr> <tr> <td>CD</td> <td>27,00</td> </tr> <tr> <td>DE</td> <td>96,05</td> </tr> <tr> <td>FG</td> <td>98,65</td> </tr> <tr> <td>GA</td> <td>290,00</td> </tr> </tbody> </table>	AB	829,38	BC	102,00	CD	27,00	DE	96,05	FG	98,65	GA	290,00								
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<p>RESERVATION OF PUBLIC PLACE - OFF MACASSAR ROAD - MACASSAR</p> <p>The figure ABCDE Left Bank of Eerste River FGA shown bordered grey represents Public Place Erf 1062 Macassar in extent 5,1751 hectares available for reservation to</p> <p>DEPARTMENT : ENVIRONMENTAL MANAGEMENT</p> <p>Public Place Erf 1062 Macassar shown bordered grey and Zoned: Open Space 2 (Public Open Space)</p> <p>Note: Erf 1062 Macassar is registered in the name of the City of Cape Town by D/T 24661 dated 1977-09-28.</p> <p>WARD 109 SUBCOUNCIL 24</p>																					
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