

**REPORT TO SUBCOUNCIL 16**

---

- 1     ITEM NUMBER     16 SUB 19/01/20**
- 2     RESERVATION OF MUNICIPAL PROPERTY: A PORTION OF ERF 192  
ROGGEBAAI SITUATED AT THE CORNER OF HERTZOG BOULEVARD  
AND CHRISTIAAN BARNARD STREET CAPE TOWN: FACILITIES  
MANAGEMENT     DEPARTMENT     (DIRECTORATE:     ECONOMIC  
OPPORTUNITIES AND ASSET MANAGEMENT)**

**RESERVERING VAN MUNISIPALE EIENDOM: 'N GEDEELTE VAN ERF  
192 ROGGEBAAI GELEË OP DIE HOEK VAN HERTZOG-BOULEVARD EN  
CHRISTIAAN BARNARDSTRAAT KAAPSTAD: DEPARTEMENT  
FASILITEITSBESTUUR (DIREKTORAAT: EKONOMIESE GELEENTHEDE  
EN BATEBESTUUR)**

**UKUBEKELWA BUCALA KWEPROPATI KAMASIPALA: ISIQEPHU  
SESIZA 192 EROGGEBAAI ESIME KWIKONA YEHERTZOG BOULEVARD  
NECHRISTIAAN BARNARD STREET EKAPA: ISEBE LOLAWULO  
LWEZAKHEKO (ICANDELO: LAMATHUBA OQOQOSHO NOLAWULO  
LWEE-ASETHI)**

**Translation: L2142  
PTMS NO: 130006512  
File Ref No: 14/3/12/1/2/247/192/A00  
(Category 9)**

☒ 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 delegation 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	<b>New Reservation</b> (New project/ Operational requirements)	<b>X</b>
2	<b>Amendment to an existing Reservation</b>	
3	<b>Reservation Benefit Transfer</b> (Consensual handover between Departments)	

##### Application Summary:

Applicant	Directorate:	Economic Opportunities and Asset Management
	Department:	Facilities Management
	Branch:	Transversal Facilities Management and Maintenance Services
Responsible Official	Ulfah Booley Abrahams (021) 4448783	
Director	Bhekuyise Mxolisi Nzimande	
Land applied for	Portion of Erf 192 Roggebaai	
LP Key	123065	
Location	Corner of Hertzog Boulevard and Christiaan Barnard Street Cape Town	
Extent reserved:	2538m <sup>2</sup>	
Current Zoning	Public Road and Public Street	
Current Usage	Parking	
Proposed Project/ Usage	Parking	

TOD Assessment	Cat 1 – TOD N/A		Cat 1	
	N/A			
	Potential Cat 2 & 3			
	N/A			
	Date submitted to TDA:		N/A	
	Date TDA Comment Received:		N/A	
	TDA Comment Attached:		N/A	
Property Management Comment on TOD Assessment	Not required in view of the proposed utilization of the properties by the Economic Opportunities and Asset Management Directorate.			
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:

1. A Portion Erf 192 Roggebaai situated at the corner of Hertzog Boulevard and Christiaan Barnard Street in extent 2538m<sup>2</sup>, indicated as ABCDEFGHJKLMNPQRS on Plan STC 3657, attached as **Annexure "A"**, be reserved for the Facilities Management Department, subject to the following conditions:
  - a) The subject property shall be utilised for parking purposes only;
  - b) The Facilities Management Department takes responsibility for the required land use processes, as well as compliance with any related legislation;
  - c) The said Department accepts 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) That all costs related to the above be provided for by the Facilities Management Department.
2. The current lease over the subject property entered into between The City of Cape Town and Cape Town Partnership be terminated with effect from the date of approval of the Reservation in favour of the Facilities Management Department.

## 6 AANBEVELINGS VIR OORWEGING EN KOMMENTAAR DEUR DIE BETROKKE SUBRAAD

1. 'n Gedeelte van erf 192 Roggebaai geleë op die hoek van Hertzog-boulevard en Christiaan Barnardstraat, ongeveer 2 538 m<sup>2</sup> groot, aangetoon as ABCDEFGHJKLMNPQRS op plan STC 3657, aangeheg as bylae A, vir die departement fasiliteitsbestuur gereserveer word, onderworpe aan die volgende voorwaardes:
  - a) Die onderhawige eiendom slegs vir parkeerdoeleindes gebruik word;
  - b) Die departement fasiliteitsbestuur verantwoordelikheid aanvaar vir die vereiste grondgebruikprosesse, asook die nakoming van enige verwante wetgewing;
  - c) Die gemelde departement volle verantwoordelikheid aanvaar vir die bestuur en instandhouding van die betrokke grond en enige struktuur wat daarop opgerig word, insluitende instandhouding,

nutsdiensverbruik, sekuriteit en versekering van die inhoud, soos van toepassing;

- d) Dat alle koste met betrekking tot die boonste deur die departement fasiliteitsbestuur verskaf word.
2. Die huidige huurooreenkoms oor die onderhawige eiendom aangegaan tussen die Stad Kaapstad en Cape Town Partnership beëindig word met ingang vanaf die datum van goedkeuring van die reservering ten gunste van die departement fasiliteitsbestuur.

6

## **IZINDULULO UKUBA ZIQWALASELWE KWAYE KUVAKALISWE ULUVO LIBHUNGANA ELIFANELEKILEYO**

1. Kundululwe ukuba isiqephu sesiza 192 esiseKapa esime kwikona yeHertzog Boulevard neChristiaan Barnard Street esibukhulu bumalunga ne-2538m<sup>2</sup>, esibonakaliswe ngoonobumba ABCDEFGHJKLMNPQRS kwiplani engu-STC 3657, eqhotyoshelwe **njengesihlomelo A**, masibekelwe bucala kulungiselelwa iSebe loLawulo lweZakheko ngokuxhomekeke kule miqathango:
  - a) Ipropati ekhankanyiweyo kufuneka isetyenziselwe imibandela yeendawo zokupaka kuphela;
  - b) ISebe loLawulo lweZakheko malithathe uxanduva kwimigaqo efunekayo engokusetyenziswa komhlaba, kwakunye nokuthotyelwa kwawo nawuphi na umthetho onxulumene noku;
  - c) ISebe elikhankanyiweyo malamkele uxanduva olupheleleyo lolawulo nonophelo lwalo mhlaba kunye nesakheko esakuthi sakhiwe emva koko, kuquka unonophelo, ukusetyenziswa kwenkonzo zoncedo, ukhuseleko kunye ne-inshorensi yezinto zangaphakathi , njengoko kufanelekile;
  - d) Zonke iindleko eziphathelene noku kungentla mazikhutshelwe iSebe loLawulo lweZakheko.
2. Inggqeshiso ekhoyo yepropati ekhannkanyiweyo ekungenwe kuyo phakathi kweSixeko saseKapa noBudlelwane baseKapa mayirhoxiswe ukususela ngomhla wokuphunyezwa kokubekelwa bucala ukulungiselela iSebe loLawulo lweZakheko.

## **7 BACKGROUND/MOTIVATION:**

344

The Director: Facilities Management submitted a formal request that a Portion of Erf 192 Roggebaai situated at the corner of Hertzog Boulevard and Christiaan Barnard Street, Cape Town, indicated ABCDEFGHJKLMNPQRS on the attached Plan STC 3657 marked annexure "A", be reserved for the Facilities Management Department.

The subject property is registered in name of the City of Cape Town and held under D/T 4259 dated 1979/03/01.

## **8 DISCUSSION**

In order to address the parking shortage, demand and need as well to address the safety of staff utilising parking at the Woodstock Flyover, the Director: Facilities Management submitted a formal request that a Portion of Erf 192 Roggebaai situated on the corner of Hertzog Boulevard and Christiaan Barnard Street, Cape Town, indicated ABCDEFGHJKLMNPQRS on the attached Plan STC 3657 marked annexure "A", be reserved for the Facilities Management Department.

The current lease over the subject property entered into between The City of Cape Town and Cape Town Partnership be terminated with effect from the date of approval of the Reservation in favour of the Facilities Management Department due to the fact that the property is required for municipal use.

There is no objection to the reservation being approved.

## **9 COMMENTS FROM THE SERVICE BRANCHES**

The application was circulated to the service branches, and no objections were received.

## **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 Facilities Management Department.

## **13 LEGAL IMPLICATIONS**

None

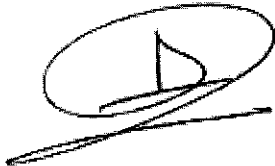
## **14 ANNEXURES**

ANNEXURE A: PLAN STC 3657



## FOR FURTHER DETAILS CONTACT:

<b>NAME</b>	SAUL JACOBS (JN)
<b>CONTACT NUMBERS</b>	021 400 6419
<b>E-MAIL ADDRESS</b>	SAUL.JACOBS@CAPETOWN.GOV.ZA
<b>DIRECTORATE</b>	ECONOMIC OPPORTUNITIES & ASSET MANAGEMENT
<b>FILE REF No</b>	CT14/3/12/1/2/247/192/A00 (130006512)



Comment:

## REGIONAL HEAD: CAPE TOWN REGION

NAME CHARLENE DAVIS



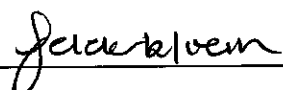
## MANAGER : PROPERTY HOLDING

NAME RACHEL SCHNACKENBERG

DATE 17-12-2019

Comment:

impact on public parking to be  
considered.



## DIRECTOR : PROPERTY MANAGEMENT

NAME RUBY GELDERBLOEM

DATE 2019.12.31

☒ APPROVED☐ REFUSED☐ REFERRED BACK

Comment:



## ANNEXURE A

