



REPORT TO SUBCOUNCIL:9

1 ITEM NUMBER

2 RESERVATION OF ERVEN 6153, 6154, 6156, 6157, 6158, 6159 AND A PORTION OF 18394 KHAYELITSHA: DEPARTMENT: INFORMAL SETTLEMENTS AND BACKYARDERS

RESERVERING VAN ERF 6153, 6154, 6156, 6157, 6158, 6159 EN 'n GEDEELTE VAN ERF 18394 KHAYELITSHA: DEPARTEMENT INFORMELE NEDERSETTINGS EN AGTERPLAASBEWONERS

UKUBEKELWA BUCALA KWEZIZA-6153, 6154, 6156, 6157, 6158, 6159 NESIQEPHU SESIZA-18394 ESISEKHAYELITSHA: KULUNGISELELWA ISEBE LEZAMATYOTYOMBE NABO BAHLELA KWIIYADI EZINGEMVA KWEZINYE

Translation Reference L3153
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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 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	New Reservation (New project/ Operational requirements)	X
2	Amendment to an existing Reservation	
3	Reservation Benefit Transfer (Consensual handover between Departments)	

Application Summary:

Applicant	Directorate:	Human Settlements		
	Department:	Informal Settlements		
	Branch:	Planning		
Responsible Official	Gerhard Hanekom			
Director	Riana Pretorius			
Land applied for	Erven 6153, 6154, 6156, 6157, 6158, 6159 and a portion of erf 18394 Khayelitsha			
LP Key	609718-609742, 724657			
Location	Sigwele Avenue and Bangiso Drive			
Extent reserved:	12 600m ²			
Current Zoning	Erven 6153, 6154 and 6159 Khayelitsha are zoned General Business 4 Erven 6156 and 6158 Khayelitsha are zoned Limited Use Zone Erf 1657 Khayelitsha is zoned Transport 2 (Public Road and Public Parking)			
Current Usage	Informal Structures			
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 Immoveable 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 erven 6153, 6154, 6156, 6157, 6158, 6159 and a portion of 18394 Khayelitsha situated at Bangiso Drive and Sigwele Avenue, Khayelitsha, in extent 12 600 m² and as indicated as ABCDEFGHJKLMNQRS on Plan ET 812 attached as Annexure "A", be reserved for the Informal Settlements Department, subject to the following conditions:

- a) The subject properties shall be utilised for the purpose of residential use only;
- b) The Informal Settlement 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 Informal Settlements Department.

AANBEVELINGS VIR OORWEGING EN KOMMENTAAR DEUR DIE BETROKKE SUBRAAD

Daar word aanbeveel dat erf 6153, 6154, 6156, 6157, 6158, 6159 en 'n gedeelte van erf 18394 Khayelitsha, geleë te Bangiso-rylaan en Sigwele-laan, Khayelitsha, ongeveer 12 600 m² groot en aangetoon deur die letters

ABCDEFGHIJKLMNQRS op plan ET 812, aangeheg as bylae "A", vir die departement informele nedersettings gereserveer word, onderworpe aan die volgende voorwaardes:

- a) Die betrokke eiendomme mag slegs vir residensiële doeleindes gebruik word;
- b) Die departement informele nedersettings moet verantwoordelikheid aanvaar vir die nodige grondgebruikprosesse, asook nakoming van enige verwante wetgewing;
- c) Die betrokke departement moet volle verantwoordelikheid aanvaar vir die bestuur en instandhouding van die grond en enige struktuur wat daarop opgerig word, insluitende instandhouding, nutsgebruik, sekuriteit en inhoudsversekering, soos van toepassing;
- d) Alle koste wat met bogenoemde verband hou, moet deur die departement informele nedersettings gedek word.

IZINDULULO UKUBA ZIQWALASELWE KWAYE KUVAKALISWE ULUVO LIBHUNGANA ELIFANELEKILEYO

Kundululwe ukuba makubekelwe bucala iziza-6153, 6154, 6156, 6157, 6158, 6159 nesiqephu sesiza-18394 eKhayelitsha, Bangiso Drive neSigwele Avenue, eKhayelitsha, ezibukhulu obumalunga ne-12 600 m² nezibonakaliswe ngoonobumba abakhulu u-ABCDEFGHIJKLMNQRS kwiplani engu-ET 812 esiqhotyoshelwe kwisihlomelo-A,

- a) Ngokuxhomekeke ekubeni iipropati zithi zisetyenziselwe imibandela yokuhlala kuphela;
- b) ISebe lezaMatyotyombe 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 sakhiwe, kuquka unonotshelo, usetyenziselo uncedo, ukhuseleko ne-inshorensi njengoko kufanelekile;
- d) Ukuba zonke iindleko ezimalunga noku kungentla, mazibonelelwe liSebe lezamaTyotyombe neeYadi ezingemva kwezinye

7 BACKGROUND/MOTIVATION:

The Department: Informal Settlements needs to formalise and provide services infrastructure to the existing informal settlements on erven 6153, 6154, 6156, 6157, 6158, 6159 and a portion of 18394 Khayelitsha in order to improve service delivery.

The settlement is situated in the Victoria Mxenge suburb of Khayelitsha and forms part of a large number of erven in the area with informal settlements on that is planned to be provided formalised with services.

The application was circulated to the services departments in the City and all are in support.

There is thus no objection to the reservation being approved.

8 COMMENTS FROM THE SERVICE BRANCHES

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

DIRECTORATE/DEPARTMENT	
Spatial Planning & Environment	
Development Management Gerrit Sauls	SUPPORTED
Departmental Comment	
No objection	
Environment & Heritage Management	
Heritage Contact Person: Johan van Wyk	SUPPORTED
Departmental Comment	
<p>The character of the properties under discussion will not change because of the reservation of the said properties for housing purposes, the Heritage Section of the Environment & Heritage Management Branch has no objection to the reservation of the said properties.</p> <p>It should however be noted that any future form of land development longer than 300 m in length (such as a road, wall, pipeline, etc) will trigger the requirements of Section 38 of the National Heritage Resources Act (25 of 1999), which will require that a NID (Notification of Intent to develop) be submitted to HWC and for a ROD to be issued by the latter prior to such development being undertaken.</p>	
Spatial Planning & Environment	
Areas Environment Alexander Forbes	SUPPORTED
Departmental Comment	
No comment	
Transport	
Roads Infrastructure and Management Yolisa Mpendulo	SUPPORTED

Departmental Comment	
No objection	
Solid Waste Management: Collections	
Research and Development Contact Person: Chantel Erlank	SUPPORTED
Departmental Comment	
No objection	
Community Services & Health	
City Health A. Allah	SUPPORTED
Departmental Comment	
No objection	
Economic Opportunities & Asset Management	
Property Disposals and Acquisitions Jason Drummer	SUPPORTED
Departmental Comment	
No objection	
Economic Opportunities & Asset Management	
Property Transaction Management Nabilah Jaffa	SUPPORTED
Departmental Comment	
No objection	
Economic Opportunities & Asset Management	
Immovable Property Planning Faaiza Ahmed	SUPPORTED
Departmental Comment	
No objection – the properties have not been subjected to an immovable property asset management performance assessment.	
Safety and Security	
Fire Services Ian Schnetler	SUPPORTED
Departmental Comment	
No objection	
Safety and Security	
Support Services: Traffic & Coordination Contact Person: Stanley Rothman	SUPPORTED
Departmental Comment	
No objection	
Telkom	
Janice Forte	SUPPORTED
Departmental Comment	
No comment	

9 VALUATION

Not applicable.

10 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.

11 FINANCIAL IMPLICATIONS

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

12 LEGAL IMPLICATIONS

None

13 ANNEXURES

ANNEXURE A: PLAN ET 812

FOR FURTHER DETAILS CONTACT:

NAME	JEFFREY T STAMPU
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DIRECTORATE	ECONOMIC OPPORTUNITIES & ASSET MANAGEMENT
FILE REF NO	T/CO 14/3/12/2/102

[Signature]
2020-02-06

REGIONAL HEAD: EAST

NAME DONAVON GEYSMAN

Comment:

[Signature]

[Signature]

MANAGER: PROPERTY HOLDING

NAME RACHEL SCHNACKENBERG

DATE 17-02-2020

Comment:

[Signature]
DIRECTOR: PROPERTY MANAGEMENT

NAME RUBY GELDERBLOEM

DATE 2020-02-24

☐ APPROVED

☐ REFUSED

☐ REFERRED BACK

Comment:

