



REPORT TO SUBCOUNCIL 18

1 **ITEM NUMBER** 18SUB9/9/2023

2 **SUBJECT:**

RESERVATION OF PORTIONS OF ERVEN 6828-RE & 6693 GRASSY PARK, SITUATE AT KLIP ROAD, LOTUS RIVER: SAFETY AND SECURITY - DISASTER RISK MANAGEMENT

2 **ONDERWERP**

RESERVERING VAN GEDEELTES VAN ERF 6828-RE EN 6693 GRASSY PARK, GELEË TE KLIPWEG, LOTUSRIVIER: VEILIGHEID EN SEKURITEIT – RAMPRISIKOBESTUUR

2 **ISIHLOKO**

UKUBEKELWA BUCALA KWEZIQEPHU ZESIZA 6828-RE NESIZA 6693 GRASSY PARK, EZIME EKLIP ROAD, LOTUS RIVER: KULUNGISELELWA EZOKHUSELO NOKHUSELEKO – ULAWULO LOMNGCIPHEKO WENTLEKELE

**Translation Reference: Q0224
PTMS NO: 130009705
File ref no: S14/3/12/2/261/30/6828 (1)
(Category 1)**

3 **DELEGATED AUTHORITY**

- ☒ The report is for comment by Subcouncil to the competent authority in terms of Part 25, Delegation 10(3).
- ☐ In terms of Part 32B Paragraph 1(6) of Council's System of Delegations authorises the Director: Property Management:

"To approve, refuse, and cancel the reservation of immovable city owned property for municipal purposes."
- ☐ Final delegation lies with Director: Property Management.

4 EXECUTIVE SUMMARY

This report is submitted in terms of Clause 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:	Safety and Security		
	Department:	Disaster Risk Management		
	Branch:	Training and Capacity Building: Volunteers		
Responsible Official	Deon Le Roux			
Director	Johan Minnie			
Land applied for	Portions of Erven 6828-RE & 6693 Grassy Park			
LP Key	403320 & 371162			
Location	Klip Road, Lotus River			
Extent reserved:	Approximately 4386 m²			
Current Zoning	Transport 2 & Open Space 2			
Current Usage	Vacant Building & Vacant Land			
Proposed Project/ Usage	The Disaster Risk Management Department has identified the site for the purpose of relocating the base of operations of their Training and Capacity Building: Volunteers Branch's Ottery Unit			
Recommendation:	Approve		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 portions of Erven 6828-RE & 6693 Grassy Park situated at Klip Road, Lotus River, in extent of approximately 4386 m² and as indicated as ABCD on Plan 130009705 attached as Annexure "A", be reserved for the Disaster Risk Management Department, subject to the following conditions:

- a) The subject property shall be utilised by the Department for the purpose of relocating the base of operations of the Training and Capacity Building: Volunteers Branch's Ottery Unit;
- b) The Disaster Risk 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 Disaster Risk Management Department.

AANBEVELINGS VIR OORWEGING EN KOMMENTAAR DEUR DIE BETROKKE SUBRAAD

Daar word aanbeveel dat gedeeltes van erf 6828-RE en 6693 Grassy Park, geleë te Klipweg, Lotusrivier, ongeveer 4 386 m² groot en aangetoon as ABCD op plan 130009705, gemerk bylae "A", vir die departement ramprisikobestuur gereserveer word, onderworpe aan die volgende voorwaardes:

- a) Die departement moet die betrokke eiendom vir die hervestiging van die bedryfsbasis van die vrywilligerstak se Ottery-eenheid gebruik;
- b) Die departement ramprisikobestuur aanvaar verantwoordelikheid vir die vereiste grondgebruikprosesse, asook die nakoming van enige verwante wetgewing;
- c) Die gemelde departement aanvaar volle verantwoordelikheid vir die bestuur en instandhouding van die grond en enige struktuur wat daarop opgerig word, wat insluit instandhouding, nutsverbruik, sekuriteit en inhoudsversekering, soos van toepassing;
- d) Alle koste verbonde aan die bogenoemde moet deur die departement ramprisikobestuur gedra word.

IZINDULULO UKUBA ZIQWALASELWE KWAYE KUVAKALISWE ULUVO LIBHUNGANA ELIFANELEKILEYO

Kundululwe ukuba makubekelwe bucal iziqephu zesiza 6828-RE nesiza 6693 eziseGrassy Park ezime eKlip Road, Lotus River ezibukhulu obumalunga nama4386 m² nezibonakaliswe ngoonobumba ABCD kwiplani engu130009705 eqhotyoshelwe njengesihlomelo A ukulungiselela iSebe loLawulo loMngcipheko weNtlekele, ngokuxhomekeke kule miqathango ilandelayo:

- a) Ipropati ekhankanyiweyo kufuneka isetyenziswe liSebe ngeenjongo sokufudusa indawo yokusebenza yeYunithi yaMavolontiya yeSetyana laseOttery;
- b) ISebe loLawulo loMngcipheko weNtlekele 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 neinshorensi yezinto ezingaphakathi, njengoko kufanelekile;

- d) Zonke iindleko eziphathelele noku kungentla mazikhutshelwe iSebe loLawulo loMngcipheko weNtlekele.

7 BACKGROUND/MOTIVATION:

An application was received from the Director: Disaster Risk Management for the reservation of portions of Erven 6828-RE & 6693 Grassy Park situated at Klip Road, Lotus River, in extent of approximately 4386 m² as indicated by the figure ABCD on Plan 130009705 attached as **Annexure "A"**, which is to be reserved for the Disaster Risk Management Department and be used for the purpose of relocating the base of operations for the Training and Capacity Building: Volunteers Branch's Ottery Unit.

The Training and Capacity Building: Volunteers Branch is a fast growing branch of the Disaster Risk Management Department and currently the Ottery Unit has 120 members based in a 120 m² pre-fab with no room for extension. The Department has now applied to relocate this unit to a bigger premises.

Erf 6828-RE Grassy Park is registered in the name of the City of Cape Town by Deed of Transfer No. 66422 dated 9 July 2004.

Erf 6693 Grassy Park is registered in the name of the City of Cape Town by Deed of Transfer No. 6181 dated 11 March 1974.

8 DISCUSSION

The Disaster Risk Management Department requires the subject property to be reserved for the purpose of relocating the base of operations for the Training and Capacity Building: Volunteers Branch's Ottery Unit.

All costs, funding source and model to be derived and determined by the Disaster Risk Management Department.

There is thus 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, subject thereto the following conditions complied with:

DIRECTORATE/DEPARTMENT	
Spatial Planning & Environment	
Environmental & Heritage Management Branch Crispin Barrett	SUPPORTED
Departmental Comment	
This Branch supports the Reservation request, on condition that it is compliant with legislation that the City of Cape Town Land Use Management Section delegated to process.	
Energy & Climate Change	

Electrical Generation & Distribution	
Susan Nel	SUPPORTED
Departmental Comment	
<p>The Department has no objection to the abovementioned proposal subject to the following conditions:</p> <ul style="list-style-type: none"> Any alterations or deviations to electricity services necessary as a consequence of the proposal, or requested by the applicant, will be carried out at the applicant's cost. Unrestricted 24 hour vehicular and personnel access to the area is to be maintained for the purpose of accessing and maintaining electricity services. This department has the right to construct and/or erect and lay such poles, stays, cables, wires or equipment relating thereto as may be necessary, together with the right to use, inspect, maintain, repair, alter, relay and/or remove all such poles, stays, cables, wires or equipment aforesaid. This includes the right to bring machinery onto the property and to carry out excavations. No building, containers or structure shall be erected within 3 m of the electrical services. Electrical infrastructure may exist on the property or in its vicinity. A wayleave shall be obtained from the Electricity Generation and Distribution Department before any excavation work may commence. In this regard, please contact the Drawing and Record Centre Office South: Andre.Upton@capetown.gov.za. 	
Urban Services	
Water and Sanitation Department Za-eemah Hare	SUPPORTED
Departmental Comment	
<p>This department has no objection to the proposed application as it wouldn't have any negative impact on the existing system.</p>	
Community Services & Health	
Recreation and Parks	SUPPORTED
Departmental Comment	
<p>After three circulations, no response was received and no request for an extension was received - in terms of the Operational Procedure for commenting on Property Management transactions, duly signed by the City Manager on 27 May 2014, Departments are required to furnish their comments within the required circulation period, If they do not request an extension to the required response time or provide us with a comment by the stipulated date, they will be deemed to have supported the matter.</p>	
Economic Growth	
Immovable Property Planning Lungelo Dlamini	SUPPORTED
Departmental Comment	
<p>The department has no objection to the reservation subject to:</p>	

<ul style="list-style-type: none"> • Consensus for reservation is reached between accountable departments; • the Department satisfying itself of the business case for alignment of the proposal with the City's strategic objectives and tools (including MSDF); and • the Department undertakes to assume responsibility for compliance with the regulatory framework including land use rights. 	
Safety and Security	
Fire and Rescue Services DA Ramedies	SUPPORTED
Departmental Comment	
This department has no objections to the reservation as stipulated; however, any erection of Buildings or other structure/s must comply with the NBR.	
Telkom	
Gideon Rossouw	SUPPORTED
Departmental Comment	
Open Serve has no objection as no services affected. See Annexure "B"	
Human Settlements	
Implementation and Delivery	SUPPORTED
Departmental Comment	
After circulation, no response was received and no request for an extension was received - in terms of the Operational Procedure for commenting on Property Management transactions, duly signed by the City Manager on 27 May 2014, Departments are required to furnish their comments within the required circulation period, If they do not request an extension to the required response time or provide us with a comment by the stipulated date, they will be deemed to have supported the matter.	
Human Settlements	
Land and Forward Planning	SUPPORTED
Departmental Comment	
After circulation, no response was received and no request for an extension was received - in terms of the Operational Procedure for commenting on Property Management transactions, duly signed by the City Manager on 27 May 2014, Departments are required to furnish their comments within the required circulation period, If they do not request an extension to the required response time or provide us with a comment by the stipulated date, they will be deemed to have supported the matter.	

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 Disaster Risk Management Department.

13 LEGAL IMPLICATIONS

None

14 ANNEXURES

ANNEXURE A: LOCALITY MAP

ANNEXURE B: OPEN SERVE INFRASTRUCTURE

FOR FURTHER DETAILS CONTACT:

NAME	YUSUF EBRAHIM MOHAMED	CONTACT NUMBER	021 444 2595
E-MAIL ADDRESS	YUSUF.MOHAMED2@CAPETOWN.GOV.ZA		
DIRECTORATE	ECONOMIC GROWTH		
FILE REF No	S14/3/12/2/261/30/6828 (1)	PTMS NO	130009705

HEAD: RAAFIQ KOLIA

Raafiq Kolia	Digitally signed by Raafiq Kolia Date: 2023.08.28 10:48:49 +02'00'
Rachel Schnackenberg	Digitally signed by Rachel Schnackenberg Date: 2023.09.06 17:33:20 +02'00'

MANAGER: PROPERTY HOLDING
RACHEL SCHNACKENBERG

DIRECTOR: PROPERTY MANAGEMENT

NAME DAWID JOUBERT

☒ APPROVED

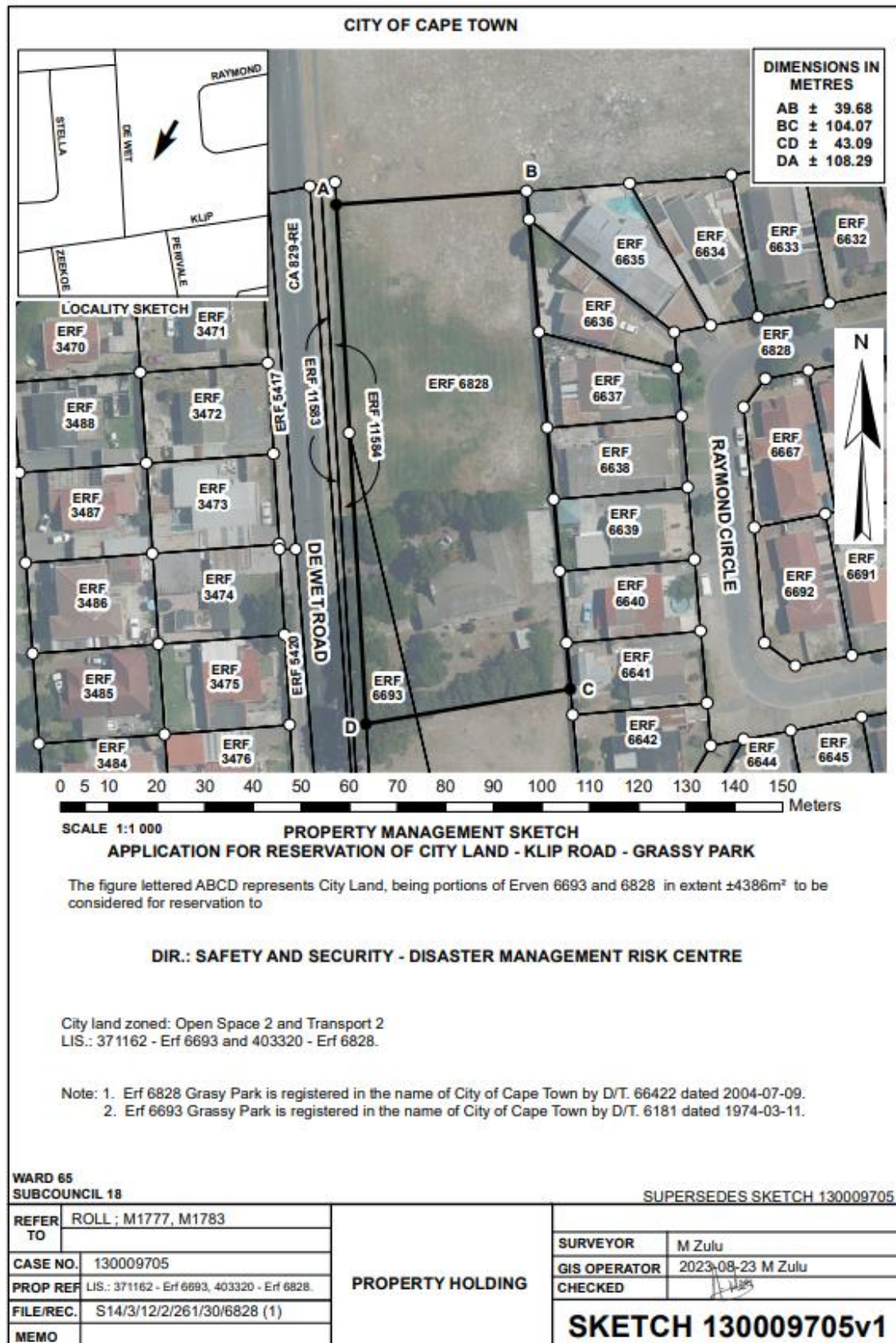
☐ REFUSED

☐ REFERRED BACK

COMMENT:

SIGNATURE

Dawid Joubert	Digitally signed by Dawid Joubert Date: 2023.09.07 08:22:20 +02'00'
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10 Jan Smuts Drive
Pinelands
7404

Gideon Rossouw
Tel: 0614193857
Email: GideonR@openserve.co.za

Our Ref.: WWIP_WGYK0035_23
Your Ref.: 130009705

10 January 2023

Attention : Mishka Davids
COCT ECONOMIC GROWTH
3 VICTORIA RD
PLUMSTEAD
CAPE TOWN
7801

NO SERVICES AFFECTED

WAYLEAVE APPLICATION : APPLICATION FOR RESERVATION OF CITY LAND – LOTUS RIVER : DISASTER MANAGEMENT RISK CENTR

With reference to your letter received **09 January 2023**

I hereby inform you that Open Serve approves the proposed work indicated on your drawing in principle. This approval is valid for 6 months only, after which reapplication must be made if the work has not been completed.

61 Oak Avenue, Highveld, Techno Park, Centurion 0157,
Private Bag X881, Pretoria, Gauteng, 0001



Any changes or deviations from the original planning during or prior to construction must immediately be communicated to this office.

Approval is granted, subject to the following conditions.

As per the drawing supplied, Open Serve infrastructure will not be affected. However, care should still be taken should it be evident that there is in fact Open Serve network present on the actual sites.

Please notify this office immediately if you locate any Open Serve plant that was not indicated. Please contact our representative [Elias Solomon](mailto:EliasSolomon@openserve.co.za) at telephone number [081 3927083](tel:0813927083)/EliasS1@openserve.co.za

It would be appreciated if this office can be notified within 30 days of completion of the construction work. Confirmation is required on completion of construction as per agreed requirements.

Should Open Serve infrastructure be damaged while work is undertaken, kindly contact our representative immediately.

All Open Serve rights remain reserved.

Yours faithfully

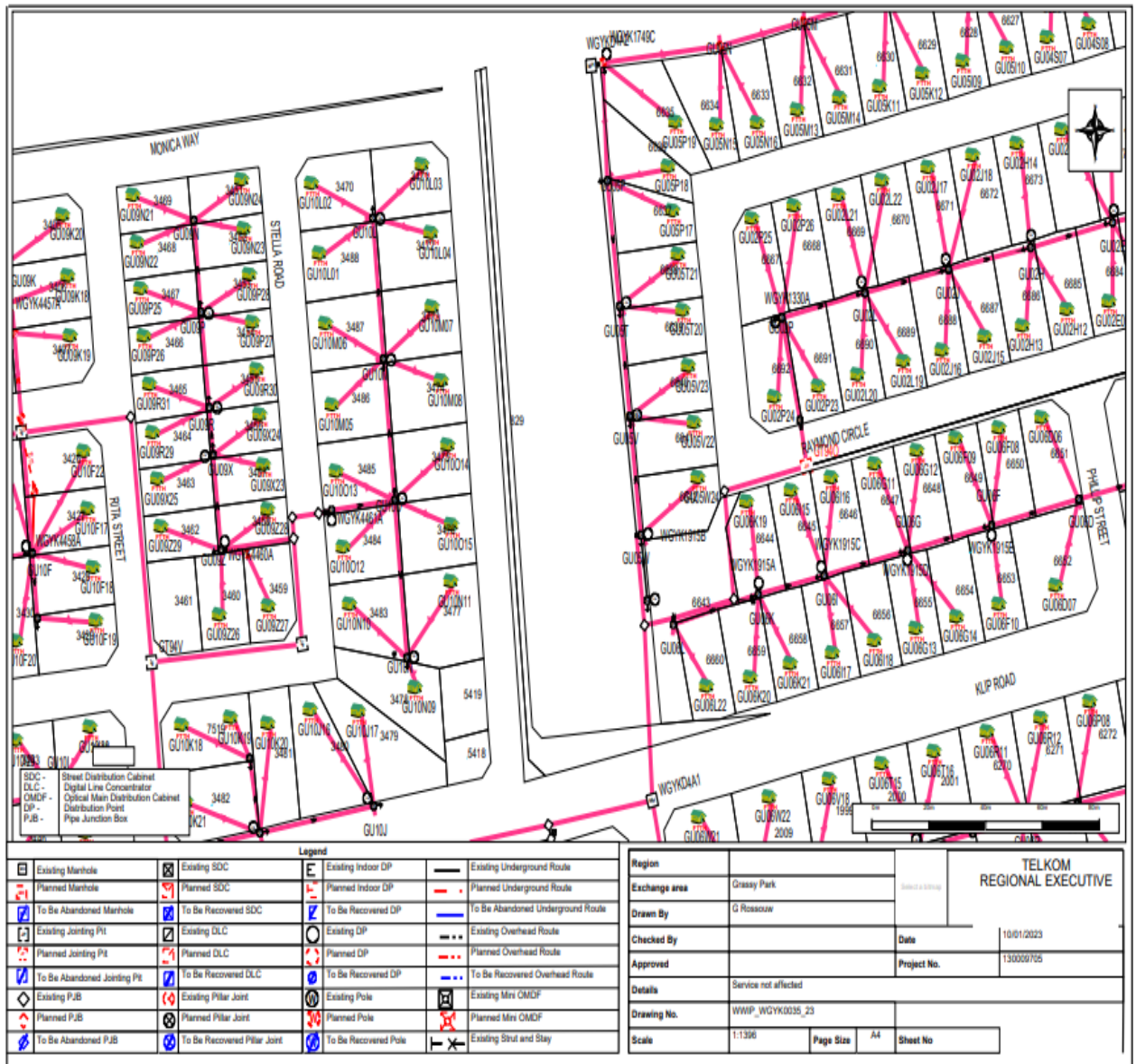
Gideon Rossouw

for

Selwyn Bowers

Operations Manager

Wayleave Management: Western Region



SUBCOUNCIL 18 CHAIRPERSON

COMMENTS

NAME: CLLR K SOUTHGATE

SIGNATURE: Cllr Kevin Southgate
Digitally signed by Cllr Kevin Southgate
Date: 2023.09.14 15:31:55 +02'00'

TEL: 021 444 1370

DATE: _____

SUBCOUNCIL 18 MANAGER

COMMENTS

NAME: MR FRED MONK

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