

CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

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

Date/Datum/Urnha: 29/01/19

Signature/Handtekening/Utyikityo:

REPORT TO SUBCOUNCIL 24

1. ITEM NUMBER:
2. SUBJECT: 24SUB 36/5/2019

RESERVATION OF ERF 721 FIRGROVE: ENVIRONMENTAL
MANAGEMENT

RESERVERING VAN ERF 721 FIRGROVE: OMGEWINGSBESTUUR

UKUBEKELWA BUCALA KWESIZA-721 FIRGROVE KULUNGISELELWA
ABEZOLAWULO LOKUSINGQONGILEYO

K3925
PTMS NO: 130003610
File Ref No: H14/3/12/2/33
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 721 Firgrove			
LP Key	1037697			
Location	Along Eerste River Off Macassar Road			
Extent reserved:	66 933 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 environmental 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 721 Firgrove situated along the Eerste River off Macassar Road, in extent 66 933 m² and as indicated as ABCDEFGHJKLM on Plan EZ 105 attached as annexure "A", be reserved for the Environmental Management Department, subject to the following conditions, that

- a) The subject property will be utilised for the purpose of the 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.

AANBEVELINGS VIR OORWEGING EN KOMMENTAAR DEUR DIE BETROKKE SUBRAAD

Daar word aanbeveel dat erf 721 Firgrove, geleë aan die Eersterivier uit Macassarweg, ongeveer 66 933 m² groot en soos aangetoon as ABCDEFGHJKLM op plan EZ 105 aangeheg as bylae "A", vir die departement omgewingsbestuur gereserveer word, onderworpe aan die volgende voorwaardes, naamlik dat:

- a) Die betrokke eiendom slegs vir die doel van die bewaring van die groter Macassar-bewarea, vir omgewingsopvoedings-, ontspannings- en bewaringsdoeleindes, gebruik word;
- b) Die departement omgewingsbestuur verantwoordelikheid aanvaar vir die vereiste grondgebruikprosesse, asook nakoming van enige verwante wetgewing;
- c) Die gemelde departement volle verantwoordelikheid aanvaar vir die bestuur en instandhouding van die grond en enige struktuur wat daarop opgerig sal word, insluitende instandhouding, nutsdiensverbruik, sekuriteit en versekering van die inhoud, soos van toepassing;
- d) Alle koste verbonde aan die bogenoemde deur die departement omgewingsbestuur voorsien word.

IZINDULULO UKUBA ZIQWALASELWE KWAYE KUVAKALISWE ULUVO LIBHUNGANA ELIFANELEKILEYO

Kundululwe ukuba isiza-721 Firgrove esikwi- Eerste River off Macassar Road, esibukhulu obumalunga nama-66 933 m² nesibonakaliswe ngoonobumba abakhulu u- ABCDEFGHJKLM kwiplani engu- EZ 105 eqhotyoshelwe kwisihlomelo-A, masibekelwe bucala kulungiselelwa iSebe loLawulo lokuSingqongileyo, ngokuxhomekeke kule miqathango ilandelayo, yokuba:

- a) Ipropati le ichaphazlekayo iyakuthi isetyenziselwe umbandela ongezolondolozo lwendalo kuMmandla omkhulu wezoLondolozo 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 ngokuphelelelo 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.

7. BACKGROUND/ MOTIVATION

The Environmental Management Department is already managing erf 721 Firgrove 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 Elize Mendelsohn (021 850 4047)	SUPPORTED
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	
Integrated Transport Portfolio Bill Jones (021 444 1916)	SUPPORTED
Departmental Comment	
No comment	
Energy & Climate Change Electrical Generation & Distribution	
Distribution System Development Lee-Grant McFayden (021 444 8365)	SUPPORTED
Departmental Comment	
No comment – Eskom supply area	

Water & Sanitation	
Water Demand Management T Wallendorf (021 444 1239)	SUPPORTED
Departmental Comment	
No comment	
Community Services & Health	
City Health Claude Byillingiro (021 444 4826)	SUPPORTED
Departmental Comment	
No comment	
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 Mgcineni Sandiso (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	
Support Services: Traffic Wendy Daniels (021 444 3832)	SUPPORTED
Departmental Comment	
No comment	
Safety and Security	
Support Services: Fire Services Edward Labuschagne (021 444 0394)	SUPPORTED

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	
HUMAN SETTLEMENTS	
Urban Integrated Management Stefan Grobler (021 400 3837)	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 105

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	H14/3/12/2/33

2019-04-03
 REGIONAL HEAD: EAST

NAME DONAVON GEYSMAN

Comment:

SUPPND

Schnackenberg

MANAGER : PROPERTY HOLDING

NAME RACHEL SCHNACKENBERG

DATE 10-04-2019

Comment:

Gelderbloem

DIRECTOR : PROPERTY MANAGEMENT

NAME RUBY GELDERBLOEM

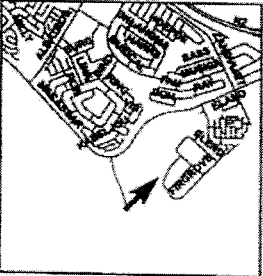
DATE 2019.04.17

☐ APPROVED

☐ REFUSED

☐ REFERRED BACK

Comment:

CITY OF CAPE TOWN																											
 <p>LOCALITY SKETCH</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center;">DIMENSIONS IN METRES</th> </tr> </thead> <tbody> <tr><td>AB</td><td>61,15</td></tr> <tr><td>BC</td><td>58,00</td></tr> <tr><td>CD</td><td>47,00</td></tr> <tr><td>DE</td><td>54,00</td></tr> <tr><td>EF</td><td>65,00</td></tr> <tr><td>FG</td><td>85,00</td></tr> <tr><td>GH</td><td>23,00</td></tr> <tr><td>HJ</td><td>27,00</td></tr> <tr><td>JK</td><td>16,00</td></tr> <tr><td>KL</td><td>225,48</td></tr> <tr><td>LM</td><td>297,66</td></tr> <tr><td>MA</td><td>717,78</td></tr> </tbody> </table>	DIMENSIONS IN METRES		AB	61,15	BC	58,00	CD	47,00	DE	54,00	EF	65,00	FG	85,00	GH	23,00	HJ	27,00	JK	16,00	KL	225,48	LM	297,66	MA	717,78
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<p>RESERVATION OF PUBLIC PLACE - (ALONG EERSTE RIVER) OFF MACASSAR ROAD - FIRGROVE</p> <p>The figure ABCDEFGHJKLM shown bordered grey represents Public Place, Erf 721 Firgrove in extent 6,6933 hectares available for reservation to</p> <p>DEPARTMENT: ENVIRONMENTAL RESOURCE MANAGEMENT</p> <p>Public Place Erf 721 Firgrove shown bordered grey and Zoned: Open Space 2 (Public Open Space)</p> <p>Note: Erf 721 Firgrove is registered in the name of AnnenProp 5 PTY LTD by D/T 8158 dated 2009-02-27 and vests in the name of the City of Cape Town as Public Place.</p>																											
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