

RECOMMENDATIONS OF THE IMMOVABLE PROPERTY ADJUDICATION
COMMITTEE TO COUNCIL: 9 MARCH 2011

C 19/03/11

IPAC 08/03/11 APPLICATION TO CLOSE PUBLIC PASSAGE, PORTION OF
ERF 225, OFF SEACLIFF ROAD, BANTRY BAY FOR
SECURITY PURPOSES: MS CARINA PRINS

ISICELO SOKUVALA INDLEDLANA YOLUNTU, ISIQEPHU
SESIZA 225,EPHUMA –E- SEACLIFF ROAD, BANTRY BAY
UKWENZELA IINJONGO ZOKHUSELEKO: NKSZ CARINA
PRINS

AANSOEK OM OPENBARE STEEG TE SLUIT, GEDEELTE
VAN ERF 225, UIT SEACLIFFWEG, BANTRYBAAI OM
SEKURITEITSDOELEINDES: ME CARINA PRINS

RECOMMENDED TO COUNCIL that the application to close
public passage with a proposed lockable gate, being portion of
Erf 225, Seacliffe Road, Bantry Bay shown lettered AB on the
attached Sketch marked "Annexure A" for security purposes be
refused.

ISINDULULO

Ngokwezizathu ezidweliswe kwingxelo, kundululwe ukuba
makukhaywe isicelo sokuvala indledlana yoluntu
kukwaphakanyiswa neheke etshixwayo, esisiqephu seSiza 225,
Seacliffe Road, Bantry Bay esibonakaliswe ngoonobumba AB
kwiSazobe esiqhotyoshelwe saphawulwanjenge"siHlomelo
A"ukwenzela iinjongo zokhuseleko

Dat om die redes in hierdie verslag uiteengesit, daar aanbeveel word dat die aansoek om openbare steeg te sluit met 'n voorgestelde sluitbare hek, synde gedeelte van erf 225, Seacliffeweg, Bantrybaai, met die letters AB op die aangehegte skets, gemerk as "bylae A", aangetoon, vir sekuriteitsdoeleindes, van die hand gewys word.

ACTION: M SIMS, R GELDERBLOEM

It is noted that this resolution is in line with the Supply Chain Management Policy and tenderers/contractors from the HDI group were considered when the decision was made.

COMMENTS:



.....
RICHARD WOOTTON EMPLOYEE NO. 10207948
CHAIRPERSON
IMMOVABLE PROPERTY ADJUDICATION
COMMITTEE
.....

DATE: 14/3/11

**REPORT TO SUPPLY CHAIN MANAGEMENT
 BID ADJUDICATION COMMITTEE**

CITY OF CAPE TOWN | ISIXEKO SASEKAPA | STAD KAAPSTAD

**IPAC 08/03/11
 07 MARCH 2011**

2011-01-10

1 ITEM NUMBER:

2. SUBJECT:

APPLICATION TO CLOSE PUBLIC PASSAGE, PORTION OF ERF 225, OFF SEACLIFF ROAD, BANTRY BAY FOR SECURITY PURPOSES: MS CARINA PRINS

2. ONDERWERP:

AANSOEK OM OPENBARE STEEG TE SLUIT, GEDEELTE VAN ERF 225, UIT SEACLIFFWEG, BANTRYBAAI OM SEKURITEITSDOELEINDES: ME CARINA PRINS

2. ISIHLOKO:

ISICELO SOKUVALA INDLEDLANA YOLUNTU, ISIQEPHU SESIZA 225,EPHUMA -E- SEACLIFF ROAD, BANTRY BAY UKWENZELA IINJONGO ZOKHUSELEKO: NKSZ CARINA PRINS

**CT14/3/10/2/6/00/225
 Category 2**

3. EXECUTIVE SUMMARY:

The report is submitted in order to consider the application received to close public passage with a proposed lockable gate, being portion of Erf 225, Seacliffe Road, Bantry Bay shown lettered AB on the attached Sketch marked "Annexure A" for security purposes.

The proposal has been circulated to the relevant branches of Council for comment and objections were received.

The land applied for is portion of a public street and too remote form the applicants' property. The City should not prohibit public access in favour of security concerns for private property owners. This will set a precedent for the closure of all similar access points in the rocks in Bantry Bay.

It is therefore recommended that the application to close public passage with a proposed lockable gate, being portion of Erf 225, Seacliffe Road, Bantry Bay, be refused.

4. RECOMMENDATION:

For the reasons set out in the report, it is recommended that the application to close public passage with a proposed lockable gate, being portion of Erf 225, Seacliffe Road, Bantry Bay

shown lettered AB on the attached Sketch marked "Annexure A" for security purposes be refused.

4. AANBEVELING:

Dat om die redes in hierdie verslag uiteengesit, daar aanbeveel word dat die aansoek om openbare steeg te sluit met 'n voorgestelde sluitbare hek, synde gedeelte van erf 225, Seacliffeweg, Bantrybaai, met die letters AB op die aangehegte skets, gemerk as "bylae A", aangetoon, vir sekuriteitsdoeleindes, van die hand gewys word.

4. ISINDULULO:

Ngokwezizathu ezidweliswe kwingxelo, kundululwe ukuba makukhaywe isicelo sokuvala indledlana yoluntu kukwaphakanyiswa neheke etshixwayo, esisiqephu seSiza 225, Seacliffe Road, Bantry Bay esibonakaliswe ngoonobumba AB kwiSazobe esiqhotyoshelwe saphawulwanjenge "siHlomelo A" ukwenzela iinjongo zokhuseleko

5. DISCUSSION:

5.1 Background

An application has been received to close public passage with a proposed lockable gate, being portion of Erf 225, Seacliffe Road, Bantry Bay shown lettered AB on the attached Sketch marked "Annexure A" for security purposes.

The application was submitted as vagrants and homeless have been sleeping on top and next to the council pump station making fires, noises and littering the area and there have been several attempted break ins in the area.

5.2 Compliance with strategic objectives

Not applicable in light of the intention to refuse the application.

5.3 Consultation with the Branches

The application was circulated to the various branches of Council for comment and the following branches are not in support of the proposal:

Roads and Stormwater:

Roads and Stormwater does not support the closure of the public passage as it is too remote from the applicants' property.

Environmental Planning:

Environmental Planning does not support the closure of the above passage for the following reasons:

- The stairs and path provide easy access to the rocky shoreline where people can walk over the rocks or sit and watch the sea, an amenity to be enjoyed by all.

- In terms of the National Coastal Management Policy access to our coastal heritage must be promoted to all, the City should not prohibit public access in favour of the security concerns of private property owners. The alternative access route proposed by the applicant for public involves walking over coastal vegetation and slippery rocks and is not suitable for providing access down to rock shore.

Urban Design:

Urban Design do not support the closure of the public passage as this will set a precedent for the closure of all similar access points to the rocks in Bantry Bay.

5.4 Factors motivating recommendation

The application was opposed by the Branches mainly on the grounds that the public passage is an amenity to be used by all, access to our coastal heritage must be promoted by all. The public passage is too remote from the applicants' property and the closure of the public passage will set a precedent to close similar access points in the area.

6. VALUATION:

Not applicable in light of the intention to refuse the application.

7. VAT:

Not applicable in light of the intention to refuse the application.

8. BLACK ECONOMIC EMPOWERMENT (BEE) STATUS:

Not applicable in light of the intention to refuse the application.

9. CONSTITUTIONAL AND POLICY IMPLICATIONS:

Not applicable in light of the intention to refuse the application.

10. FINANCIAL IMPLICATIONS:

Not applicable in light of the intention to refuse the application.

11. LEGAL IMPLICATIONS:

Not applicable in light of the intention to refuse the application.

12. TAX COMPLIANCE:

Not applicable in light of the intention to refuse the application.

ANNEXURES:

Annexure A: Copy of Sketch

NAME	Mike Sims
CONTACT NUMBERS	(021) 400 5766
E-MAIL ADDRESS	Mike.Sims@capetown.gov.za
DIRECTORATE	Property Holdings
FILE REFERENCE	CT14/3/10/2/6/00/225 (record no: 18871)
SUB-COUNCIL	Good Hope (Sub Council 16)
WARD COUNCILLOR	Jean-Pierre Smith (Ward 54)

**MANAGER : FINANCE
PROJECT, STRATEGY AND SUPPORT
CHERYL JAFTHA**

TELE NO 021 400 9504

DATE

DIRECTOR: HOUSING, FINANCE & LEASING

WAYNE MULLER

TELE NO 021 400 5122

DATE

**ACTING MANAGER : PROPERTY HOLDING
MIKE SIMS**

TELE NO 021 400 6552

DATE 2011/02/10

DIRECTOR : PROPERTY MANAGEMENT

RUBY GELDERBLOEM

TELE NO 021 400 1361

DATE 2011-02-15

Comment:

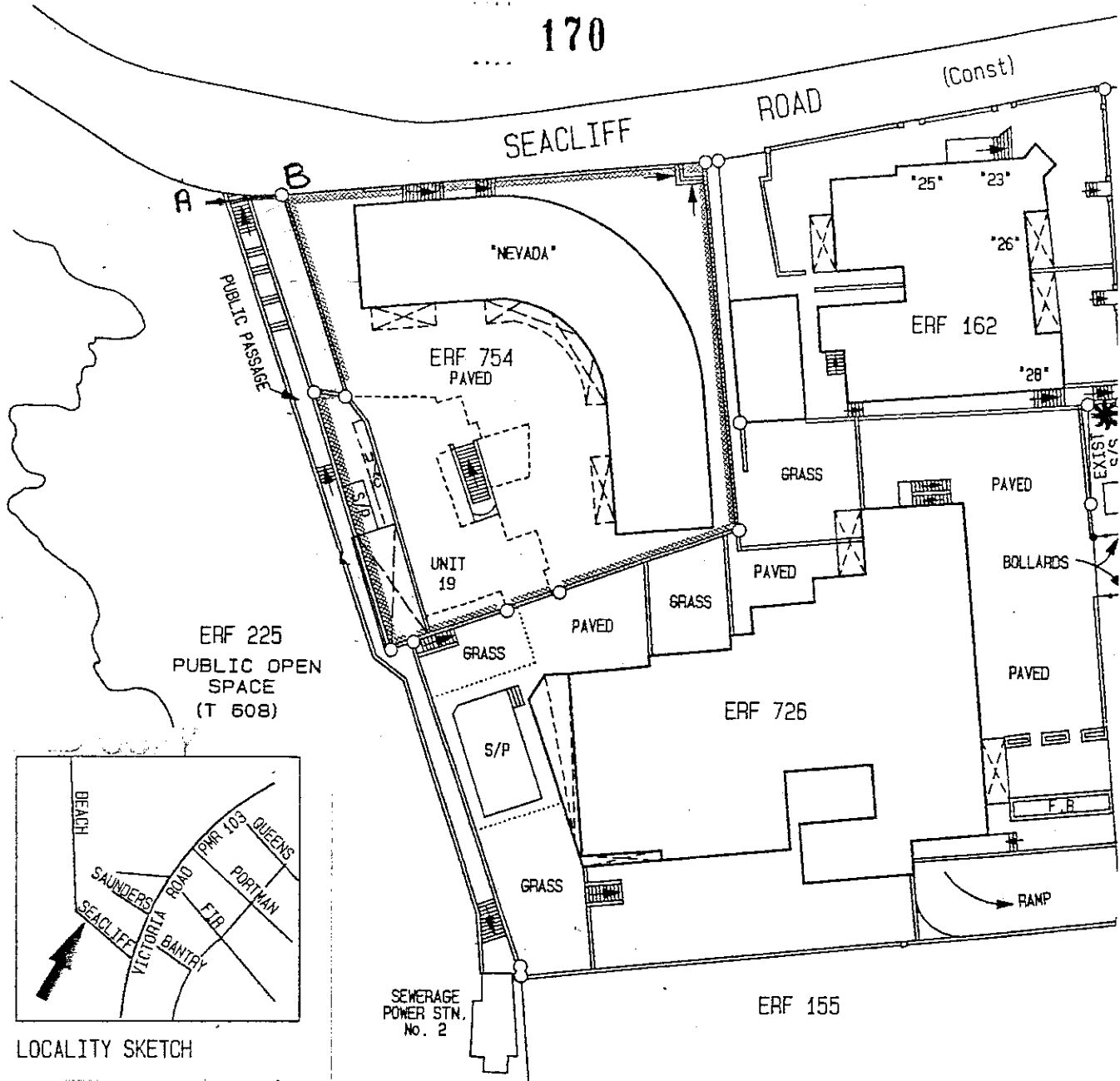
RECOMMENDATION IS TO
REFUSE APPLICATION

Comment:

Comment:

Comment:

170



LAND INFORMATION SKETCH
SCALE 1/500

**APPLICATION TO CLOSE PUBLIC PASSAGE – OFF SEACLIFF ROAD –
BANTRY BAY**

The figure AB represents a proposed lockable gate thereby closing the public passage (a portion of Erf 225 Bantry Bay) for security reasons by

NEVADA BODY CORPORATE

Property of above bordered grey & zoned: General Residential R7

City Land zoned: Public Open Space

Roll:3
Property Ref:WJ 23A 67
File:S7215(18871)
Surveyor: dbrown