

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

C 20/03/11

IPAC 09/03/11 APPLICATION TO LEASE PORTION OF PUBLIC STREET,
ERVEN 26267 TO 26271, PORTION OF PUBLIC STREET,
ABUTTING ERVEN 26265 AND 142536, OFF STATION ROAD,
BETWEEN DRAKE AND ANSON STREETS, OBSERVATORY:
THE TAMRIC TRUST

ISICELO SOKUQESHA INXALENYE YESITALATO
SOLUNTU, ISIZA 26267 UKUYA 26271, INXALENYE
YESITALATO SOLUNTU, ESIMELENE NESIZA 26265
NESIZA 142536, NGAPHANDLE KWE-STATION ROAD,
PHAKATHI KWEZITALATO I-DRAKE NE-ANSON,
OBSERVATORY: THE TAMRIC TRUST

AANSOEK OM GEDEELTE VAN OPENBARE STRAAT TE
HUUR, ERWE 26267 TOT 26271, GEDEELTE VAN
OPENBARE STRAAT, GRESEND AAN ERWE 26265 EN
142536, UIT STASIEWEG, TUSSEN DRAKE- EN
ANSONSTRAAT, OBSERVATORY: DIE TAMRIC-TRUST

RECOMMENDED TO COUNCIL that the application to lease
portion of public street, erven 26267 to 26271, abutting Erven
26265 and 142536, off Station Road, between Drake and Anson
Streets, Observatory in extent approximately 365 m², shown
lettered ABC curve DE curve F on the attached Sketch plan
marked "Annexure A", be refused.

ISINDULULO

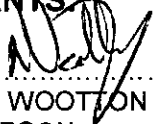
Ngenxa yezizathu ezichazwe kule ngxelo, kundululwa ukuba
masikhatywe isicelo sokuqesha inxalenye yesitalato soluntu,
isiza 26267 ukuya 26271, ezimelene neSiza 26265 neSiza
142536, ngaphandle kwe-Station Road, phakathi kweZitalato i-
Drake ne-Anson, e-Observatory ngobukhulu ezimalunga ne-365
m², nezibonakaliswe ngoonobumba ABC negophe DE negophe
F kwisicwangciso soMzobo oqhotyosheleweyo esiphawulwe
"isiHlomelo A".

Om die redes in hierdie verslag uiteengesit, daar aanbeveel word dat die aansoek om gedeelte van openbare straat, erwe 26267 tot 26271, te huur, grensend aan erwe 26265 en 142536, uit Stasieweg, tussen Drake- en Ansonstraat, Observatory, ongeveer 365 m² groot en met die letters ABC kurwe DE kurwe F op die aangehegte sketsplan, gemerk "bylae A" aangetoon, 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**



IPAC 09/03/11
 07 MARCH 2011

2010-12-14

1 ITEM NUMBER:

2. SUBJECT:

APPLICATION TO LEASE PORTION OF PUBLIC STREET, ERVEN 26267 TO 26271, PORTION OF PUBLIC STREET, ABUTTING ERVEN 26265 AND 142536, OFF STATION ROAD, BETWEEN DRAKE AND ANSON STREETS, OBSERVATORY: THE TAMRIC TRUST

2. ONDERWERP:

AANSOEK OM GEDEELTE VAN OPENBARE STRAAT TE HUUR, ERWE 26267 TOT 26271, GEDEELTE VAN OPENBARE STRAAT, GRESEND AAN ERWE 26265 EN 142536, UIT STASIEWEG, TUSSEN DRAKE- EN ANSONSTRAAT, OBSERVATORY: DIE TAMRIC-TRUST

2. ISIHLOKO:

ISICELO SOKUQESHA INXALENYE YESITALATO SOLUNTU, ISIZA 26267 UKUYA 26271, INXALENYE YESITALATO SOLUNTU, ESIMELENE NESIZA 26265 NESIZA 142536, NGAPHANDLE KWE-STATION ROAD, PHAKATHI KWEZITALATO I-DRAKE NE-ANSON, OBSERVATORY: THE TAMRIC TRUST

CT14/3/6/1/2/193/00/1346
 Category 4

3. EXECUTIVE SUMMARY:

The report is submitted in order to consider an application received from The Tamric Trust to lease portion of public street, erven 26267 to 2627, abutting Erven 26265 and 142536, off Station Road, between Drake and Anson Streets, Observatory in extent approximately 365 m², shown lettered ABC curve DE curve F on the attached Sketch plan marked "Annexure A", for parking purposes.

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

The position of this land in relation to important public facilities gives it a crucial role to play in the development of a vibrant urban environment and the lease of this property would allow

privatization of land strategic to the creation of a quality urban environment. The land provides the only convenient parking for the library in the area.

It is therefore recommended that the application to lease portion of public street, erven 26267 to 26271, abutting Erven 26265 and 142536, off Station Road, between Drake and Anson Streets, Observatory in extent approximately 365 m², be refused.

4. RECOMMENDATION:

For the reasons set out in the report, it is recommended that the application to lease portion of public street, erven 26267 to 26271, abutting Erven 26265 and 142536, off Station Road, between Drake and Anson Streets, Observatory in extent approximately 365 m², shown lettered ABC curve DE curve F on the attached Sketch plan marked "Annexure A", be refused.

4. AANBEVELING:

Om die redes in hierdie verslag uiteengesit, daar aanbeveel word dat die aansoek om gedeelte van openbare straat, erwe 26267 tot 26271, te huur, grensend aan erwe 26265 en 142536, uit Stasieweg, tussen Drake- en Ansonstraat, Observatory, ongeveer 365 m² groot en met die letters ABC kurwe DE kurwe F op die aangehegte sketsplan, gemerk "bylae A" aangetoon, van die hand gewys word

4. ISINDULULO:

Ngenxa yezizathu ezichazwe kule ngxelo, kundululwa ukuba masikhatywe isicelo sokuqesha inxalenye yesitalato soluntu, isiza 26267 ukuya 26271, ezimelene neSiza 26265 neSiza 142536, ngaphandle kwe-Station Road, phakathi kweZitalato i-Drake ne-Anson, e-Observatory ngobukhulu ezimalunga ne-365 m², nezibonakaliswe ngoonobumba ABC negophe DE negophe F kwisicwangciso soMzobo oqhotyoshelweyo esiphawulwe "isiHlomelo A".

5. DISCUSSION:

5.1 Background

An application has been received to lease portion of public street, erven 26267 to 26271, abutting Erven 26265 and 142536, off Station Road, between Drake and Anson Streets, Observatory in extent approximately 365 m², shown lettered ABC curve DE curve F on the attached Sketch plan marked "Annexure A" for parking purposes

The application to lease the public street was submitted as a consequence of an approved application by Sub-council 15 on 17 June 2008 for Departure and consent from the Zoning Regulations for the applicant property, with the following condition attached to the application: Council be approached to lease or sell the abutting Council owned land to the developer so that it could be utilised for additional parking"

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:

Urban Design:

Urban Design branch does not support the application for the following reasons:

- The position of this land in relation to important public facilities gives it a crucial role to play in the development of a vibrant urban environment. For example the local public library is located directly opposite, across Station Road. The land therefore provides the only convenient parking for the library in the Area. Additionally, the importance of this land from a 'place making' perspective in relation to the library is that it forms a forecourt to the library building. Public spaces such as these provide perfect opportunities for the creation of 'public rooms' in the development of a robust urban environment.
- Consultants have been appointed to develop a design concept for the Observatory Quality Public Space adjacent to the above lease application. Part of the design concept considers the broader context as integral to its functioning and future fruition within a vision of a vibrant, integrated urban environment. In this vision, a rectangular public space would be created which would, among other things, serve to connect the train station with Lower Main Road.
- If this land were to be leased out from the City there is a danger that development on this land would turn its back to Station Road thereby creating a "dead edge" to the public realm. This would have the effect of negating any positive contribution this land could have made to the proper functioning of the urban environment. This would have a negative impact as the casual surveillance provided by active edges would be missing, thus creating a potential unsafe environment.

The Urban Design branch therefore cannot approve this application as it would allow for privatization of land strategic to the creation of a quality urban environment.

Electricity Services:

Electricity Services branch does not support the leasing due to the sensitive nature and critical importance of the electrical services in this area.

5.4 Factors motivating recommendation

The application was opposed by the Branches mainly on the grounds that the position of this land in relation to important public facilities gives it a crucial role to play in the development of a vibrant urban environment and the lease of this property would allow privatization of land strategic to the creation of a quality urban environment. The land provides the only convenient parking for the library 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	Michael Sims
CONTACT NUMBERS	(021) 400 6552
E-MAIL ADDRESS	Mike.Sims@capetown.gov.za
DIRECTORATE	Property Management
FILE REFERENCE	CT14/3/6/1/2/327/00/26267 (record no: 29569)
SUB-COUNCIL	Pinelands (Sub Council 15)
WARD COUNCILLOR	Cedric Thomas (Ward 57)

**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

DIRECTOR : PROPERTY MANAGEMENT

RUBY GELDERBLOEM

TELE NO 021 400 1361

DATE

2011-02-15

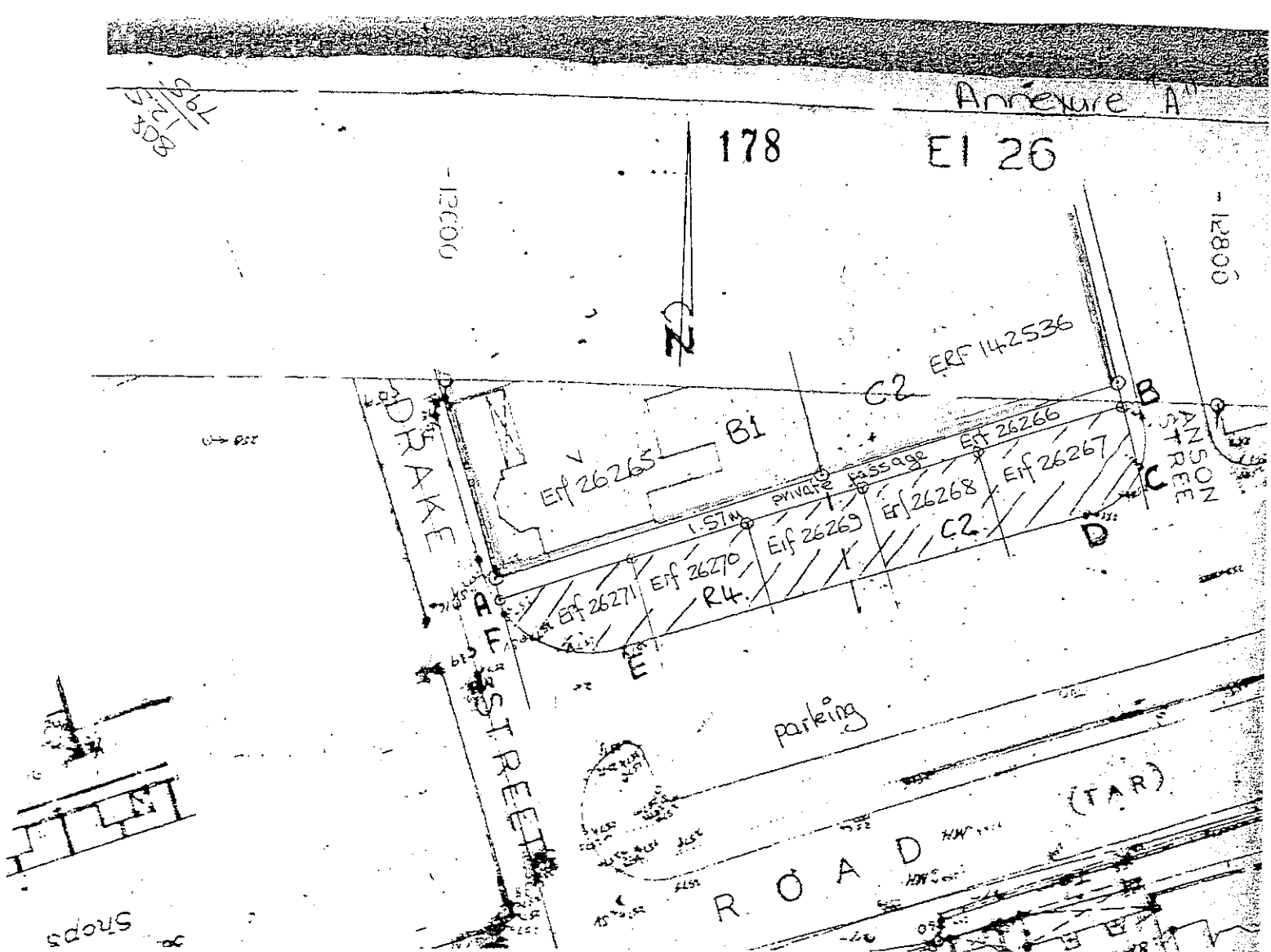
Comment:

RECOMMENDATION IS TO
REFUSE APPLICATION

Comment:

Comment:

Comment:



AB	52.50
BC	5.3
DE	38.6
FA	1.2

LAND INFORMATION SKETCH

SCALE 1/500

APPLICATION TO LEASE CITY LAND – STATION ROAD-BETWEEN DRAKE & ANSON STREETS - OBSERVATORY

The figure ABC curve DE curve F shown hatched represents City Land (portions of Erven 26267 – 26271 Cape Town) in extent approximately 365 square metres applied for parking purposes by the

TAMRIC TRUST

Properties of above bordered grey & zoned: General Business B1 & General Commercial C2

City Land zoned: General Residential R4 & General Commercial C2

Roll:26
 Property Ref: EI 26B 1 – 6 & 54
 File:S3010(29569)
 Surveyor: d brown