

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

QUESTION FOR WRITTEN REPLY

FRIDAY, 5 JUNE 2026

28. Ms P Z Lekker to ask Mr T A Simmers, Minister of Infrastructure:

- (1) Whether his Department has finalised any intergovernmental framework with the national Department of Public Works and the national Department of Human Settlements to resolve land ownership and authorisation constraints affecting erven (a) 19464, (b) 21020, (c) 20869, (d) 20081, (e) 21864, (f) 23144, (g) 23136 and (h) 39286 in subcouncil 10, Khayelitsha; if not, why not; and if so, what are the relevant details;
- (2) what specific interventions have been undertaken since 2020 to secure written authorisation from the national landholding authority to enable the City of Cape Town and Eskom to proceed with servicing and infrastructure provision on the erven mentioned in (1) above;
- (3) whether the absence of timely authorisation has directly contributed to (a) stalled development, (b) illegal land occupation and (c) escalating service delivery pressures in the Mahama Project area; if not, what is his Department's assessment of the primary cause of these blockages?

RESPONSE

		(1)	(2)	(3)			
		Whether his Department has finalised any intergovernmental framework with the national Department of Public Works and the national Department of Human Settlements to resolve land ownership and authorisation constraints affecting erven in subcouncil 10, Khayelitsha; if not, why not; and if so, what are the relevant details	What specific interventions have been undertaken since 2020 to secure written authorisation from the national landholding authority to enable the City of Cape Town and Eskom to proceed with servicing and infrastructure provision on the erven mentioned in (1) above	Whether the absence of timely authorisation has directly contributed to (a) stalled development, (b) illegal land occupation and (c) escalating service delivery pressures in the Mahama Project area; if not, what is his Department's assessment of the primary cause of these blockages			
Erf numbers				(a)	(b)	(c)	Blockage
(a)	19464	The Department of Infrastructure (DOI) has not been party to an Intergovernmental Framework with the national Department of Public Works and Infrastructure (DPWI) and the national Department of Human Settlements, to resolve land ownership.	This property is registered RSA. As a result, it is under the custodianship of the DPWI. To date; the DOI informed the DPWI of the need for the property for educational purposes and highlighted to the DPWI that this property was expropriated at the time by DPWI for educational purposes. The DOI has therefore requested that this property be transferred to the WCG for educational purposes. Whilst the property is under the custodianship of the DPWI, the authorisation to the City of Cape Town and Eskom to proceed with servicing and infrastructure provision on Erf 19464, will need to be issued by DPWI.	The City of Cape Town (CoCT) indicated that the property is required for the Mahama Infill Programme. The CoCT is therefore best placed to detail the direct impact of the absence of timely authorisation on the development.	No. This erf is not invaded. It is currently vacant. Site preparation has commenced for human settlement development.	In terms of provincial service delivery, the WCED has expressed a need for this property and has indicated that there is an increasing demand for schools in this area given the human settlement developments to date. There are very limited vacant properties in this area.	- Long timeframes to resolve ownership. - Conflicting needs for the property, i.e. need for educational purposes vs need for human settlement development.
		(1)	(2)	(3)			

Erf numbers		Whether his Department has finalised any intergovernmental framework with the national Department of Public Works and the national Department of Human Settlements to resolve land ownership and authorisation constraints affecting even in subcouncil 10, Khayelitsha; if not, why not; and if so, what are the relevant details	What specific interventions have been undertaken since 2020 to secure written authorisation from the national landholding authority to enable the City of Cape Town and Eskom to proceed with servicing and infrastructure provision on the erven mentioned in (1) above	Whether the absence of timely authorisation has directly contributed to (a) stalled development, (b) illegal land occupation and (c) escalating service delivery pressures in the Mahama Project area; if not, what is his Department's assessment of the primary cause of these blockages			
				(a)	(b)	(c)	Blockage
(b)	21020	The Department of Infrastructure (DOI) has not been party to an Intergovernmental Framework with the national Department of Public Works and Infrastructure (DPWI) and the national Department of Human Settlements, to resolve land ownership.	This property is registered RSA. As a result, it is under the custodianship of the DPWI. To date; the DOI informed the DPWI of the need for the property for educational purposes and highlighted to the DPWI that this property was expropriated at the time by DPWI for educational purposes. The DOI has therefore requested that this property be transferred to the WCG for educational purposes. Whilst the property is under the custodianship of the DPWI, the authorisation to the City of Cape Town and Eskom to proceed with servicing and infrastructure provision on Erf 21020, will need to be issued by DPWI.	The City of Cape Town (CoCT) indicated that the property is required for the Mahama Infill Programme. The CoCT is therefore best placed to detail the direct impact of the absence of timely authorisation on the development.	No. This erf is not invaded. It is currently vacant. Site preparation has commenced for human settlement development.	In terms of provincial service delivery, the WCED has expressed a need for this property and has indicated that there is an increasing demand for schools in this area given the human settlement developments to date. There is very limited vacant properties in this area.	- Long timeframes to resolve ownership. - Conflicting needs for the property, i.e. need for educational purposes vs need for human settlement development.
(c)	20869	The Department of Infrastructure (DOI) has not been party to an Intergovernmental Framework with the national Department of Public Works and Infrastructure (DPWI) and the national Department of Human Settlements, to resolve land ownership.	This property is registered RSA. As a result, it is under the custodianship of the DPWI. The authorisation to the City of Cape Town and Eskom to proceed with servicing and infrastructure provision on Erf 20869, will need to be issued by DPWI. The DPWI did offer this property to the WCG, however the WCG cannot take ownership of invaded /encumbered properties and have informed the DPWI of this position.	The City of Cape Town (CoCT) indicated that the property is required for the Mahama Infill Programme. The CoCT is therefore best placed to detail the direct impact of the absence of timely authorisation on the development.	The property is invaded.	In terms of provincial service delivery, the WCED has expressed a need for this property and has indicated that there is an increasing demand for schools in this area given the human settlement developments to date. There is very limited vacant properties in this area.	- Long timeframes to resolve ownership. - Conflicting needs for the property, i.e. need for educational purposes vs need for human settlement development. - Invasion of the property.
(d)	20081	The Department of Infrastructure (DOI) has not been party to an Intergovernmental Framework with the national Department of Public Works and Infrastructure (DPWI) and the national Department of Human Settlements, to resolve land ownership.	This property is registered RSA. As a result, it is under the custodianship of the DPWI. The authorisation to the City of Cape Town and Eskom to proceed with servicing and infrastructure provision on Erf 20081, will need to be issued by DPWI. The DPWI did offer this property to the WCG, however the WCG cannot take ownership of invaded /encumbered properties and have informed the DPWI of this position.	The City of Cape Town (CoCT) indicated that the property is required for the Mahama Infill Programme. The CoCT is therefore best placed to detail the direct impact of the absence of timely authorisation on the development.	The property is invaded.	In terms of provincial service delivery, the WCED has expressed a need for this property and has indicated that there is an increasing demand for schools in this area given the human settlement developments to date. There is very limited vacant properties in this area.	- Long timeframes to resolve ownership. - Conflicting needs for the property, i.e. need for educational purposes vs need for human settlement development. - Invasion of the property.

		(1)	(2)	(3)			
		Whether his Department has finalised any intergovernmental framework with the national Department of Public Works and the national Department of Human Settlements to resolve land ownership and authorisation constraints affecting erven in subcouncil 10, Khayelitsha; if not, why not; and if so, what are the relevant details	What specific interventions have been undertaken since 2020 to secure written authorisation from the national landholding authority to enable the City of Cape Town and Eskom to proceed with servicing and infrastructure provision on the erven mentioned in (1) above	Whether the absence of timely authorisation has directly contributed to (a) stalled development, (b) illegal land occupation and (c) escalating service delivery pressures in the Mahama Project area; if not, what is his Department's assessment of the primary cause of these blockages			
Erf numbers				(a)	(b)	(c)	Blockage
(e)	21864	The Department of Infrastructure (DOI) has not been party to an Intergovernmental Framework with the national Department of Public Works and Infrastructure (DPWI) and the national Department of Human Settlements, to resolve land ownership.	<p>This property is registered RSA. As a result, it is under the custodianship of the DPWI.</p> <p>The authorisation to the City of Cape Town and Eskom to proceed with servicing and infrastructure provision on Erf 21864, will need to be issued by DPWI.</p> <p>The DPWI did offer this property to the WCG, however the WCG cannot take ownership of invaded/encumbered properties and have informed the DPWI of this position.</p>	The City of Cape Town (CoCT) indicated that the property is required for the Mahama Infill Programme. The CoCT is therefore best placed to detail the direct impact of the absence of timely authorisation on the development.	The property is invaded.	In terms of provincial service delivery, the WCED has expressed a need for this property and has indicated that there is an increasing demand for schools in this area given the human settlement developments to date. There is very limited vacant properties in this area.	<ul style="list-style-type: none"> - Long timeframes to resolve ownership. - Conflicting needs for the property, i.e. need for educational purposes vs need for human settlement development. - Invasion of the property.
(f)	23144	The Department of Infrastructure (DOI) has not been party to an Intergovernmental Framework with the national Department of Public Works and Infrastructure (DPWI) and the national Department of Human Settlements, to resolve land ownership.	<p>This property is registered RSA. As a result, it is under the custodianship of the DPWI.</p> <p>The authorisation to the City of Cape Town and Eskom to proceed with servicing and infrastructure provision on Erf 23144, will need to be issued by DPWI.</p> <p>The DPWI did offer this property to the WCG, however the WCG cannot take ownership of invaded/encumbered properties and have informed the DPWI of this position.</p>	The City of Cape Town (CoCT) indicated that the property is required for the Mahama Infill Programme. The CoCT is therefore best placed to detail the direct impact of the absence of timely authorisation on the development.	The property is invaded.	In terms of provincial service delivery, the WCED has expressed a need for this property and has indicated that there is an increasing demand for schools in this area given the human settlement developments to date. There is very limited vacant properties in this area.	<ul style="list-style-type: none"> - Long timeframes to resolve ownership. - Conflicting needs for the property, i.e. need for educational purposes vs need for human settlement development. - Invasion of the property.
(g)	23136	The Department of Infrastructure (DOI) has not been party to an Intergovernmental Framework with the national Department of Public Works and Infrastructure (DPWI) and the national Department of Human Settlements, to resolve land ownership.	<p>This property is registered RSA. As a result, it is under the custodianship of the DPWI.</p> <p>The authorisation to the City of Cape Town and Eskom to proceed with servicing and infrastructure provision on Erf 23136, will need to be issued by DPWI.</p> <p>The DPWI did offer this property to the WCG, however the WCG cannot take ownership of invaded/encumbered properties and have informed the DPWI of this position.</p>	The City of Cape Town (CoCT) indicated that the property is required for the Mahama Infill Programme. The CoCT is therefore best placed to detail the direct impact of the absence of timely authorisation on the development.	The property is invaded.	In terms of provincial service delivery, the WCED has expressed a need for this property and has indicated that there is an increasing demand for schools in this area given the human settlement developments to date. There is very limited vacant properties in this area.	<ul style="list-style-type: none"> - Long timeframes to resolve ownership. - Conflicting needs for the property, i.e. need for educational purposes vs need for human settlement development. - Invasion of the property.

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Erf numbers				(a)	(b)	(c)	Blockage
(h)	39286	This property is owned by PGWC. No engagement with national departments is required to resolve ownership.	No authorisation from National landholding authority is required as this property is owned by PGWC. The DOI, as Custodian, has engaged with WCED (the User Department) regarding the CoCT's request. The WCED indicated support and a willingness to relinquish the property, whereafter consultation is required in accordance with the Government Immovable Asset Management Act, 2007 (GIAMA), and the Western Cape Land Administration Act, 1998 (WCLAA).	Yes - Electrification cannot proceed until this land has been relinquished by the User and declared surplus to provincial government needs. In order for the WCG (Custodian) to consent to the electrification of this property, the property must first be relinquished by the User (WCED), thereafter consultation is required in accordance with the Government Immovable Asset Management Act, 2007 (GIAMA), the Western Cape Land Administration Act, 1998 (WCLAA) to determine other User/Government needs for this property. These processes have not yet been completed.	The property is invaded.	No - the property is owned by the WCG government and allocated to WCED for education purposes. However, due to invasion, this property can no longer be utilised for educational purposes and will need to be relinquished by WCED. Following the formal relinquishment, the GIAMA consultation will be undertaken to determine other government needs. Thereafter WCG recommends disposing the property to CoCT to enable service provision.	- The unlawful occupation of the property will delay the completion of GIAMA and WCLAA processes.

MR TERTUIS SIMMERS

MINISTER OF INFRASTRUCTURE

DATE: