

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

QUESTION FOR WRITTEN REPLY

FRIDAY, 8 MAY 2026

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

Whether his Department has received and processed any requests for land ownership authorization required to unlock stalled housing and service delivery projects in sub-council 10, Khayelitsha, including but not limited to the MAHAMA project and electrification of informal settlements; if so, (a) on what dates were such requests received from the City of Cape Town and/or any other sphere of government, (b) which specific erven are affected, including erven (i) 19464, (ii) 21020, (iii) 20869, (iv) 20081, (v) 21864, (vi) 23144, (vii) 23136, (viii) 39286 and (ix) 42776, (c) what is the ownership status of each of these erven, (d) what processes are required by his Department and/or other spheres of government to grant such authorization and (e) what is the current status of each request for authorization?

RESPONSE

		11 (a)	11 (b)	11 (c)	11 (d)	11 (e)
No.	Property Description	On what dates were such requests received from the City of Cape Town and/or any other sphere of government,	Which specific erven are affected	What is the ownership status of each of these erven	What processes are required by this Department and/or other spheres of government to grant such authorisation	What is the current status of each request for authorisation?

(i)	Erf 19464 Khayelitsha	The Department of Infrastructure received a request on 13 December 2024.	<p>Erf 19464 Khayelitsha The property is currently vacant.</p> <p>The City of Cape Town has requested the DOI's consent to relinquish the property.</p> <p>As the property is not owned by the WCG, the request was directed to the national Department of Public Works & Infrastructure</p>	Republic of South Africa	<p>This property was expropriated by DPWI on behalf of WCED and registered in the name of RSA after 27 April 1994. The property will be transferred by DPWI via a disposal procedure as it does not qualify for vesting in terms of Item 28(1) procedure.</p> <p>Once the transfer is authorised by NDPWI and finalised, DOI will record the property on the Western Cape Government (WCG) Immovable Asset Register</p> <p>Once registered to WCG, the WCED must first relinquish the property, 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 portion of the property.</p>	DOI has provided NDPWI with the necessary evidence that the property is RSA and needs to be registered in the name of National Government Republic of South Africa (NGRSA) and then transferred to DOI via a disposal procedure to regularise ownership.
-----	-----------------------	--	---	--------------------------	---	--

No.	Property Description	11 (a)	11 (b)	11 (c)	11 (d)	11 (e)
		On what dates were such requests received from the City of Cape Town and/or any other sphere of government,	Which specific erven are affected	What is the ownership status of each of these erven	What processes are required by this Department and/or other spheres of government to grant such authorisation	What is the current status of each request for authorisation?

(ii)	Erf 21020 Khayelitsha	The Department of Infrastructure received a request on 13 December 2024	<p>Erf 21020 Khayelitsha The property is currently vacant.</p> <p>The City of Cape Town has requested the DOI's consent to relinquish the property.</p> <p>As the property is not owned by the WCG, the request was directed to the national Department of DPWI.</p>	Republic of South Africa	<p>This property was expropriated by DPWI on behalf of WCED and registered in the name of RSA after 27 April 1994. The property will be transferred by DPWI via a disposal procedure as it does not qualify for vesting into Item 28(1) procedure.</p> <p>Once is transfer is authorised by NDPWI and finalised, DOI will record the property on the Western Cape Government (WCG) Immovable Asset Register</p> <p>Once registered to WCG, the WCED must first relinquish the property, 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 portion.</p>	DOI has provided NDPW with the necessary evidence that the property is RSA and needs to be registered in the name of NGRSA and then transferred to DOI via a disposal procedure.
(iii)	Erf 20869 Khayelitsha	The Department of Infrastructure received a request on 13 December 2024	<p>Erf 20869 Khayelitsha The property is currently vacant.</p> <p>The City of Cape Town has requested the DOI's consent to relinquish the property.</p> <p>As the property is not owned by the WCG, the request was directed to the National Department of Public Works & Infrastructure (DPWI).</p>	Republic of South Africa	The appropriate procedure is for NDPWI to authorise the transfer of ownership from NDPWI to WCG via a disposal procedure.	Not applicable to DOI (NDPWI process).

No.	Property Description	11 (a)	11 (b)	11 (c)	11 (d)	11 (e)
		On what dates were such requests received from the City of Cape Town and/or any other sphere of government,	Which specific erven are affected	What is the ownership status of each of these erven	What processes are required by this Department and/or other spheres of government to grant such authorisation	What is the current status of each request for authorisation?
(iv)	Erf 20081 Khayelitsha	Initial request from City of Cape Town does not include the Property in Question.	Erf 20081 Khayelitsha The property is currently Invaded. not part of the initial request from the City of Cape Town.	Republic of South Africa	The appropriate procedure is for NDPWI to authorise the transfer of ownership from NDPWI to WCG via a disposal procedure.	Not applicable to DOI (NDPWI process).
(v)	Erf 21864 Khayelitsha	The Department of Infrastructure received a request on 13 December 2024	Erf 21864 Khayelitsha The property is currently Invaded.	Republic of South Africa	The appropriate procedure is for NDPWI to authorise the transfer of ownership from NDPWI to WCG via a disposal procedure.	Not applicable to DOI (NDPWI process).
(vi)	Erf 23144 Khayelitsha	Initial request from city of Cape Town does not include the Property in Question.	Erf 23144 Khayelitsha The property is currently Invaded.	Republic of South Africa	The appropriate procedure is for NDPWI to authorise the transfer of ownership from NDPWI to WCG via a disposal procedure.	Not applicable to DOI (NDPWI process).
(vii)	Erf 23136 Khayelitsha	Initial request from city of Cape Town does not include the Property in Question.	Erf 23136 Khayelitsha The property is currently Invaded.	Republic of South Africa	The appropriate procedure is for NDPWI to authorise the transfer of ownership from NDPWI to WCG via a disposal procedure.	Not applicable to DOI (NDPWI process).

(viii)	Erf 39286 Khayelitsha	<p>Initial request from CoCT on 20 Oct 2023 - from CoCT Manager Subcouncil's Area East: Subcouncil 10 Citizen Interface as the City approved the electrification of selected informal settlements submitted by ESKOM, including Erf 39286; however, as the property is provincially owned, permission was requested from the Province as landowner to proceed with electrification to ensure the settlement is not excluded from the programme.</p>	<p>Erf 39286 Khayelitsha is owned by the WCG. The DOI, as designated Custodian of the property, has allocated it to the WCED for purposes of service delivery.</p> <p>The property has not been utilised for educational purposes due to the unlawful occupation of the property / site.</p> <p>The CoCT via the Department of Informal Settlements requested for the electrification of the Nyakathisa informal settlement, which was established during the COVID-19 period.</p> <p>As the registered landowner, WCG was requested to issue formal consent required for ESKOM to proceed with the installation of electrical infrastructure.</p>	Provincial Government of Western Cape	<p>In order for the DOI (Custodian) to consent to the electrification of this property, the property must first be relinquished by the WCED (User department), 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.</p>	DOI (Custodian) to consult the WCED (User) concerning relinquishment of the property.
--------	--------------------------	---	--	---------------------------------------	---	---

(ix)	Erf 42776 Khayelitsha	18 September 2025 - email received via WCED on the matter	<p>Erf 42776 Khayelitsha is owned by the WCG. The DOI, as designated Custodian of the property, has allocated it to the WCED for purposes of service delivery.</p> <p>The WCED has in turn handed control of the property over to the School Governing Body of the Sinako High School.</p> <p>The school utilises only a portion of the property. The remainder of the property has been unlawfully occupied since it was allocated to the WCED.</p> <p>The CoCT has requested consent from the DOI, as Custodian, for the installation of water and sanitation services on the property</p>	Provincial Government of Western Cape	<p>In order for the Custodian to consent to the installation of water and sanitation services on the portion of the property that has been unlawfully occupied, the portion must first be relinquished by the WCED (User department), 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 portion.</p>	<p>DOI (Custodian) has requested WCED (User) to determine whether the unlawfully occupied portion of the property, not being utilised by the school, can be relinquished to the Custodian.</p> <p>The WCED is currently considering the request in liaison with the SGB.</p>
------	--------------------------	---	--	---------------------------------------	---	--

MR TERTUIS SIMMERS

MINISTER OF INFRASTRUCTURE

DATE: