

Oral Reply

1. Ms A P Bans to ask Mr A R Winde, Premier:

(1) What is the provincial government's position on the disposal of key public immovable assets in municipalities in the context of the growing demand for public infrastructure and community facilities;

(2) whether the provincial government has any plans to dispose of public immovable assets in the current financial year; if so, what are the relevant details?

Reply:

The Department of Infrastructure informed me that:

(1) The Department of Infrastructure (DOI), as the custodian of Western Cape Government-owned immovable assets, adopts a structured and regulated approach to the disposal of any assets. The disposal of surplus public immovable assets is undertaken to support local government in fulfilling its service delivery mandate. This process is governed by the provisions of the Government Immovable Asset Management Act (GIAMA) and the Western Cape Land Administration Act (WCLAA) and its Regulations.

In line with this framework, the disposal of assets is subject to the following key principles:

- Properties must be declared surplus to the operational requirements of the provincial government;
- Disposal must contribute to and support municipal service delivery and the development of public infrastructure and community facilities; and
- All disposals require approval by the relevant delegated authority in accordance with applicable legislation and governance processes.

(2) The provincial government has identified a number of public immovable assets for disposal during the current financial year. These disposals are intended to support infrastructure development, service delivery, and community upliftment initiatives across various municipalities. That list is as follows:

No.	Property Description	Purchaser	Purpose
1	Erf 17639, Mitchells Plain	City of Cape Town	IRT Bus Lane
2	Erf 25872, Mitchells Plain	City of Cape Town	IRT Bus Lane
3	Remainder of Erf 59933, Cape Town	City of Cape Town	IRT Bus Lane
4	Remainder of Erf 59934, Cape Town	City of Cape Town	IRT Bus Lane
5	Portion of Erf 142145, Hanover Park	City of Cape Town	IRT Bus Lane
6	Portion of Erf 19176, Khayelitsha	City of Cape Town	IRT Bus Lane
7	Portion of Erf 5004, Khayelitsha	City of Cape Town	IRT Bus Lane
8	Portion of Farm 619, Philippi	City of Cape Town	IRT Bus Lane
9	Erf 40925, Khayelitsha	City of Cape Town	Water Pipeline servitude
10	Portion of Erf 19431, Durbanville	City of Cape Town & Master Association	Water Pipeline & Stormwater servitude

11	Erf 15324, Strand	City of Cape Town	Stormwater servitude
12	Erf 1112, Strand	City of Cape Town	Water Pipeline servitude
13	Erf 38929, Milnerton	Eskom	Stormwater drainage Pipeline servitude
14	Erf 3425, Gansbaai	Overstrand Municipality	Electrical Powerline servitude
15	Erf 493, Doring Bay	Matzikama Municipality	Sports field facility
16	Portion of Erf 46, Olifantsrivier Settlement	Matzikama Municipality	Construction of a sewer pumpstation facility
17	Erf 3476, Vredenburg	Saldanha Bay Municipality	Vredenburg Urban Revitalisation Programme and a new school
18	Erf 22374, Goodwood	City of Cape Town	Human Settlement Development
19	Portion of Erf 6966, Worcester	CAV Family Trust	Exchange with Private Landowner to rectify school boundaries Acquiring Erf 20836 Worcester from CAV Family Trust.
20	Erf 2549, Onrusrivier	Overstrand Municipality	Community Use
21	Unregistered Erf 24856, Portion of Erf 15350, Tygerberg	City of Cape Town	Substation

The Department's Human Settlements branch has no plans to dispose of key public immovable assets at present. We are, however in the process of devolving pre-1994 immovable assets to municipalities based on a decision by the National Minister of Human Settlements and adopted by MINMEC. This decision is in terms of Section 15 (2) (a) and 15 (3) (a) of the Housing Act, Act 107 of 1997. This means all vacant and unencumbered land that was registered pre-1994 will be devolved to the municipality for the purposes of human settlement development and not disposed of within the current financial year.

Devolution involves the transfer of powers, responsibilities of the immovable assets from Provincial Government to local government, while maintaining the overall structure and intention of the immovable asset. That is, it has to be used for the purposes of development of Human Settlements. On the other hand, disposal generally refers to the permanent transfer of ownership or disposal of assets entirely out of the control of the initial owner.