

"TAJ6"

**JOINT SUBMISSION TO THE WESTERN CAPE MINISTRY OF  
TRANSPORT AND PUBLIC WORKS BY:**

Social Justice Coalition

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Equal Education

17 APRIL 2014

**PROVINCIAL GOVERNMENT MUST HALT  
SALE AND/OR LEASE OF FOUR PROPERTIES SHOWCASED AT  
INVESTORS' CONFERENCE**

**ATT: Minister Robin Carlisle**  
*MEC for Transport and Public Works, Western Cape Provincial  
Government*

**CC: Premier Helen Zille**  
*Premier of the Western Cape*

**Minister Alan Winde**  
*MEC for Finance, Economic Development and Tourism, Western Cape  
Provincial Government*

1. On 26 March 2014, Minister Carlisle, MEC for Transport and Public Works, held an 'investors' conference to "showcase the four investment opportunities that the department will be making available to interested private sector parties". The conference notice referred to several 'prime properties' that would be made available to investors.
2. Interested parties were invited to submit expressions of interest by 17 April 2014.
3. According to the notice, the four properties include:
  - Alfred Street Complex: Situated in Alfred Street in the Prestwich Precinct. Linking the Cape Town CBD and the V&A Waterfront with an estimated total of 65 000 sq.m potential bulk available.
  - Helen Bowden Nurses Home Site: Situated in the Somerset Precinct.

Neighbouring the V&A Waterfront and the Cape Town Stadium with an estimated total of 46 000 sq.m potential bulk available.

- Top Yard: Is a part of the Government Motor Transport Precinct. Located in the CBD, less than 500 meters from National Parliament and the Company Gardens, with an estimated total of 46 484 sq.m potential bulk available.
- Main Road Sea Point: Is the site formerly known as the old Tafelberg Remedial High School. Located at 335 Main Road, Sea Point, approximately 3.5 kms from the CBD, consisting of two separate erven namely 1424 and 1675. With a total site area of 1.7054 hectares.

#### **Severe shortage of land in Cape Town according to the City and Province**

4. The City of Cape Town and the Provincial Government have regularly used the shortage of land in the city as a primary response to questions regarding inadequate housing provision, land redistribution, service delivery, and urban densification.
5. In an open letter to President Jacob Zuma on 6 February 2014, Mayor Patricia De Lille requested 'urgent' assistance from National Government to release land for the purposes of housing provision.
6. Mayor De Lille claimed that "one of the major challenges confronting the City is a shortage of suitable available land for housing." The Mayor appealed to President Zuma to release land "given the urgency of the situation". She claimed that "we are at pains to emphasise the proactive steps that the City has taken in an attempt to release this land for housing, and have stated that the decision ultimately rests with national government".
7. The unavailability of land for housing has been used as the justification for several policies and institutions, including the City's Anti-Land Invasion Unit - recently described by Judge Gamble in the Western Cape High Court as having conducted raids "reminiscent of the well-documented operations conducted by the apartheid government in the 1980s..." As the court papers show, 'raids' such as this are purportedly conducted, according to the City, to protect severely limited land for housing provision.

#### **All spheres of government are obliged to take steps to reverse Apartheid spatial planning**

8. The 2011 census shows that roughly 20% of households in the city are informal. It shows that 29 058 households have no access to any sanitation facilities, and 48 509 households use 'bucket latrines'.
9. Poor and working class communities living in these conditions are relegated to



the outskirts of the city, many of which are over 30 kilometres away. While this is a direct result of Apartheid spatial planning, successive post-Apartheid administrations - local, provincial, and national - have entrenched this spatial logic of the city by refusing to take adequate measures to progressively realise the rights of poor and working class communities with respect to land, housing, and densification in South African cities.

10. The South African Constitution - in particular, Sections 152, 153, and 195 - require that municipal, provincial, and national government must perform their duties, always prioritising the progressive realisation of the rights of the most vulnerable in society. This must be done through democratic and accountable government implemented in ways that are fair, equitable, and promote the dignity of all people.
11. The City of Cape Town's Spatial Development Framework - the primary long-term planning document adopted for the City - is emphatic of the need for densification with respect to the spatial development of Cape Town over the next twenty years.
12. Instead of promoting and encouraging the use of available land for the development of plans for mixed, affordable, and low-cost housing within Cape Town, the City and Province continue to entrench Apartheid-era planning. This is particularly worrying given that the City and Province repeatedly speak of the unavailability of land and refer to National Government as the sphere of government refusing to make land available closer to the city's central areas.
13. The four properties being made available to private developers would provide a significant number of units as part of a broader plan for mixed housing in the city. Given the urgent need for this, and local and provincial government's insistence that land in the city is not available, it is disappointing that the Province has showcased this available land to private investors. This comes just months after the Province likewise took further steps to approve the amendment of the urban edge in order to make the highly criticized Wescape project - a satellite city far outside of Cape Town - a reality.
14. We believe that the Province's actions with regard to these properties are unlawful in terms of the Constitution. The Province must halt this process and consult with local and national government with regard to using this land as part of a broader plan to deal adequately with the urgent spatial planning and housing needs of the city.

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