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Western Cape
Government

Transport and Public Works

MINISTRY OF TRANSPORT AND PUBLIC WORKS

The Deputy Director
NDIFUNA UKWAZI
OFFICE 302
47 STRAND STREET
CAPE TOWN, 8001

Email: mandisa@nu.org.za

Dear Ms Shandu

**DISPOSAL AND DEVELOPMENT OF WCG PROPERTIES ('THE FOUR SITES') – CAUTION ON
TRANSFER AND REQUEST FOR INFORMATION**

1. With reference to your letter of 4 February 2016 addressed to Premier Zille and me, our response is set out below.
2. Although I do not intend to comment on each point you raise *ad seriatim*, this response should not be interpreted as admission of the correctness of the statements therein that I have not addressed. We reserve the right to do so at some later stage should it be necessary.
3. My letter dated 11 June 2014 is, however, relevant to the concerns which have again been raised in your recent correspondence and must hence please be read in conjunction with this response. I attach a copy thereof hereto for your convenience.
4. Kindly note that while the identified sites were identified in March 2014 as potential investment opportunities, 3 of these sites have not been made available for sale or lease to the private sector as yet.
5. The Western Cape Government (WCG) has not disposed of the Alfred Street, Top Yard or Helen Bowden immovable properties. In addition they have not been declared as surplus as explained in my letter of 11 June 2014 to which you refer in your paragraph 6.2, these sites were simply identified as having potential for development as part of WCG's Regeneration Programme.

6. My Department is currently undertaking preparatory investigations and enabling work on these three properties which may lead to due process being followed to enable development proposals in due course.
7. As regards the Tafelberg immovable property, in approving the disposal of the Tafelberg property, the WCG as custodian gave due consideration to the possible use of it by other departments, social development initiatives, and government's socio-economic objectives. In compliance with the legislative prescripts in this regard, my Department advertised the proposed disposal of this land on 11 December 2015. A copy of the advertisement is attached hereto for your convenience.
8. No representations were received. This notwithstanding, any future development initiatives will receive the same diligent consideration of all available options before taking a disposal any further or entering into development partnerships with respect to this land.
9. As regards your request for access to our records or information, kindly note that all requests for all such access to information and or records retained by us must be made in accordance with the provisions of the Promotion of Access to Information Act 2000 (PAIA).
10. For your convenience, the formal requirements are as follows:
 - A requester must use Form A as prescribed in the regulations published in terms of PAIA (Government Notice R223 of 9 March 2001). We attach a copy of the said form for ease of reference;
 - The contact details of the Deputy Information Officer, to whom the application must be addressed, are as follows:
Mr Reginald Parker
9 Dorp Street / Private Bag x9185, Cape Town 8000
Telephone: 021-483-4117
Email: Reginald.Parker@westerncape.gov.za
 - A request fee in the amount of R35.00 is payable before the request will be processed (section 22);
 - The process is described in more detail in the 'section 14 PAIA manual', which we will gladly make available on request.

11. While we take your views on the method by which we dispose of state land seriously and are grateful for your concerns in this regard, we assure you that all decisions to dispose of or to develop property with private sector participation are taken in conformance with prevailing legislation and what we believe to be the best interests of the citizens of the Province. We accordingly deny that any of the provisions of GIAMA or the PSDF have been breached in our treatment of the immovable property under consideration herein and for this reason will not be acceding to your request set out in paragraph 28 of your letter under reply.

12. In conclusion, I affirm this Department's commitment, as custodian of provincial properties, to continue to go about our business of developing and regenerating precincts in a responsible manner, taking cognizance in all our decisions and actions of our constitutional mandate.

Yours faithfully



DONALD GRANT

MINISTER OF TRANSPORT AND PUBLIC WORKS

DATE: *19 February 2016*