

Date: 22 September 2025

Ref: CAMPS BAY CID OBJECTION TO THE PROPOSED SALE OF THE CAMPS BAY LIBRARY AND PUBLIC PARKING LOT (ERVEN 605RE & 174)

The Camps Bay City Improvement District (CBCID) is mandated by property owners to protect and enhance the safety, cleanliness, and functioning of the Camps Bay area. The ability of the CBCID to deliver on this mandate depends on the effective use of public spaces, the preservation of community-serving facilities, and balanced management of competing pressures between property owners, residents, visitors, commercial businesses, tourists and tourism businesses, and other stakeholders.

The CBCID is not in principle opposed to the sale or disposal of community or City assets. The CBCID is however very much opposed to the disposal of any asset where the process for doing so does not:

- (a) consider the needs of all impacted and affected stakeholders (including others beyond the immediate users of the asset proposed to be disposed of);
- (b) consider the broader implications for other community or City assets in the vicinity, including how the effectiveness or usage of same might be impacted and/or how same should or could be adapted to retain or improve their value for the community post-disposal of the asset in question;
- (c) attempt to mitigate the negative impacts of such a disposal (including second-order effects beyond merely the simple or immediate impacts of the disposal);
- (d) aim ultimately to leave substantially all stakeholders (including those impacted by second-order effects) on average no worse off than they were prior to the disposal;
- (e) pay serious attention to the long-term future of Camps Bay and the role that the asset proposed for disposal plays therein.

The proposed sale self-evidently does not meet the requirements set out above for it to be supported by the CBCID, not least because no thought has been given to (or appears proposed to be given to) the implications of the sale beyond the immediate and narrow effects on the library and its users.

It is clear that the proposed sale will negatively impact the narrow class of stakeholders affected directly by the closure of the existing library facility. Furthermore, in the absence of a comprehensive, integrated process for considering the broader impacts of this proposal and the future of Camps Bay, it will negatively impact the broader community of Camps Bay and in fact all of the residents of Cape Town who visit Camps Bay. Lastly, it will directly undermine the CID's ability to deliver on its core mandate of safety, service, and quality of life in Camps Bay for residents and visitors.

It follows from above, in conjunction with the reasons set out below, that the CBCID strongly objects to the proposal that has been put forward for the disposal of the Camps Bay Library and adjoining public parking.

Notwithstanding this objection, the CBCID is very willing to participate constructively alongside the City of Cape Town, the residents and property owners of Camps Bay, and other interested and affected parties in a proper consultation process for the shaping the future of Camps Bay, including the library.

Such a process should:

1. Include all of the City's and the community's assets in Camps Bay, together with other public spaces (such as the beachfront and greenbelts) so as to ensure that all are effectively utilised and preserved for future generations;
2. Provide for the setting of an overarching commercial and property development framework for the area, so as appropriately and responsibly enable development while preserving the unique charms and character of Camps Bay's historic "village" precinct;
3. Encompass solutions to otherwise intractable problems such as traffic congestion and parking, and the sewage pump station and marine outfall pipe;
4. Make provision for the long-term addition of future features for the area (such as coastal and mountain pathways for walking, hiking and cycling) in a manner that is sensitive to the environment and beneficial for residents and visitors alike;
5. Include the repair and rehabilitation of neglected existing facilities (such as the village park, and the beachfront's play area, tidal pools and changing facilities); and
6. Develop plans for the long-term sustainability of local community clubs and associations (such as the various sports club and the Senior Citizens association) that will otherwise remain chronically underfunded and (in some cases) unable to effectively fulfil their function as enablers of a thriving community.

The ultimate goal of such a process is to develop and execute a plan for the sensitive long-term development of Camps Bay. Many of the items that such a plan would encompass would take many years (perhaps even decades) to come to fruition, but unless we start to plan now it will never happen, and instead we will be left with piecemeal development (of the sort contained in the proposal at hand) that will only serve to slowly destroy the village of Camps Bay, much to the detriment of all of the citizens of Cape Town

Should a suitably comprehensive process of the sort outlined above conclude that the library building needs to be sold in order to achieve overall significantly greater benefit for Camps Bay and its residents and visitors, and presuming that the community of Camps Bay agrees, then CBCID would be very happy to support such a proposal.

In addition to the objections in principle set out above, herewith follows a number of more specific and detailed objections to the proposed sale:

1. The sale process is fatally flawed

As set out in numerous ways below, the proposed sale fails to consider the needs of Camps Bay's broader stakeholders and will impact numerous interested and affected parties (including but not limited to the CBCID) in ways that the CBCID believes to be unacceptable. The CBCID believes strongly that the disposal of a community asset as significant as this one should only be considered as part of a comprehensive, holistic, integrated and joined-up process that considers all of the impacts and trade-offs and properly attempts to mitigate such impacts and trade-offs in order to leave all affected stakeholders no worse off than before.

2. A functioning, valued public asset

The Camps Bay Library is one of the most used and highest-functioning libraries in the City of Cape Town. It is a cornerstone of education and community life, serving learners from surrounding schools on a daily basis, as well as the elderly, unemployed, and otherwise vulnerable members of our society. There is no functional or community-driven reason to dispose of this asset. The City's stated reasons consider only a narrow set of considerations and do not take into account the very real trade-offs and costs for numerous other stakeholders not considered by the current process. Simply put, community assets should not be sold off when they are already working so well, and certainly not without proper consideration of the needs of all impacted stakeholders, nor without proper attempts to identify and mitigate all negative impacts before the sale proceeds.

3. The civic heart of Camps Bay

The library, schools, preschools, sports clubs, and park form a tightly knit cluster of civic facilities at the centre of Camps Bay. This civic heart is where the daily movements of learners, families, and residents overlap, creating the rhythms of a living community. In this space, Camps Bay still retains something of its village character, holding on to heritage and community life even as tourism pressures grow around it.

Maps provided in Addendum A (Figures 1–3) show:

- The scale of this civic area and its connections to heritage and community buildings.
- Existing fragmentation, unsafe pedestrian conditions, and barriers that need attention.
- A vision of an interconnected web of safe public spaces, cycling and pedestrian routes, and the library as the centrepiece — supported by a reimagined civic plaza in place of the current parking lot.

Disposing of these erven will weaken this civic heart, directly contradicting the City's Spatial Development Framework (SDF), which prioritises protecting and enhancing public facilities, and the Municipal Planning By-Law (MPBL), which calls for integrated, precinct-level planning before piecemeal disposal.

4. Traffic and safety risks

The site is located at the corner of Camps Bay Drive and The Drive Avenue — both already high-traffic roads that serve as key access routes for the neighbourhood. Adding commercial or mixed-use development here will intensify congestion, increase delivery vehicle movement, and add pressure to already-constrained intersections. Losing the parking and delivery access would cause severe disruption and force loading and delivery traffic into already congested roads. The accident potential will rise, walkability will decline, and the daily safety of children at the neighbouring school will be directly compromised. Deciding to dispose of this land without a detailed traffic impact study of what could replace it, and what the knock-on effects for the remainder of the neighbourhood would be, is premature and irresponsible.

Furthermore, the relocation of the library to the parking lot by the village park will also have its own consequences: as noted in Addendum A (Figure 2), the road between the school and the proposed library site is especially

dangerous for pedestrians, including children, parents with prams, and those with mobility impairments. Other things equal, directing a steady stream of children across this route would put them at significant risk. Resolving this issue requires a comprehensive traffic and safety assessment and further consideration of the sale should not be allowed to proceed absent such an assessment.

The parking lot also serves schools, preschools, and sports clubs. When it is unavailable — as during the recent Silwerskerm Festival — significant traffic congestion and disruption is caused. Removing half of this parking permanently will create daily dysfunction for families moving between schools, clubs, and activities.

In addition, Camps Bay is particularly busy during the summer season and already suffers from severe congestion and lack of parking for several weeks a year and on certain public holidays. As currently proposed, the sale of the library will have major negative impacts on parking and traffic (and therefore in turn pedestrian safety), which will impact visitors from elsewhere in Cape Town and beyond. Any proposal to dispose of a community asset as significant as the library must ensure that these impacts are properly considered and mitigated.

5. Accessibility challenges in Camps Bay

While the City promotes non-motorised transport (NMT) in principle, Camps Bay presents particular challenges: many sidewalks are blocked, landscaped, temporarily taken over by builders, or just missing altogether, and the steep topography makes walking impractical for residents with children, groceries, or mobility issues. Removing public parking in such a context is not just inconvenient — it reduces accessibility for many residents.

6. Inadequate community consultation process

The City of Cape Town sets out five core values — Trust, Integrity, Service Excellence, Accountability, and Accessibility. Yet the process around the proposed sale of the Camps Bay Library and public parking lot falls short on every count:

- **Trust:** Undermined by the lack of visible or timely notice. The City failed to place signage at the library, and a Facebook announcement was only made a week into the process. It has been left to concerned residents to raise awareness of both the plans and the public participation process.
 - **Integrity:** Compromised by the existence of internal City plans for relocation of the library not being made available to the public. Without transparency, residents cannot meaningfully engage.
 - **Service Excellence:** Instead of proactively protecting essential public amenities, the City has prioritised disposal of land before planning for community needs.
 - **Accountability:** Undermined by reversing the proper order of decision-making — beginning with disposal rather than first undertaking studies, engagement, and a precinct-level plan.
 - **Accessibility:** Limited by the absence of inclusive communication. Notices have not reached all affected parties, and critical documents remain unavailable for scrutiny.
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7. Wrong sequencing, wrong priorities

Selling a community asset should be the last step — not the first. A comprehensive traffic impact study, a holistic precinct plan, and genuine community engagement for the consideration of the impacts on and needs of all stakeholders (i.e., beyond only library users) must precede any discussion of disposal. It is possible that relocation of the library is part of a future solution, but that outcome must arise from a transparent, comprehensive, broad-based consultation process that considers all relevant impacts and attempts to mitigate same.

8. Tourism pressure vs. lived community

Camps Bay already faces overwhelming tourism pressure, with hotels, Airbnbs, and guesthouses dominating much of the local economy and even residential streets. Selling off public land that directly serves residents — in exchange for developments that primarily benefit tourists — tips the balance further away from local quality of life.

The iconic scenic character of the area, a core reason tourists visit in the first place, risks being degraded by insensitive redevelopment that blocks sightlines, overshadows public spaces, and alters the established village scale.

9. Direct impact on CID operations

The CID's mandate is to create a safer, cleaner, and better-functioning Camps Bay. This proposal directly undermines that mandate in multiple ways:

- **Traffic and congestion:** New development would bring more vehicles, delivery trucks, and visitors into an area already at breaking point. Intersections at Camps Bay Drive and The Drive Avenue may struggle to absorb additional pressure, increasing risks for children and pedestrians.
- **Crime risks:** Large construction sites can attract opportunistic crime. Once developed, increased pedestrian and vehicle flow may create more opportunities for petty theft. Service alleys associated with new retail could also become magnets for loitering and anti-social behaviour.
- **Seasonal tipping point:** Camps Bay already faces significant traffic and petty crime challenges in peak season. Additional commercial or mixed-use nodes would place further pressure on limited CBCID management capacity and City resources.
- **Taxi rank pressure:** The front of the Promenade Mall / Pick n Pay already functions as a *de facto* taxi rank that is difficult to manage at the best of times. Intensifying the site will increase congestion and disorder at one of the busiest nodes in Camps Bay.
- **Night-time nuisance:** Redevelopment for retail or hospitality would increase evening activity, with potential for noise, disorderly behaviour, and alcohol-related disturbances directly adjacent to schools, preschools, and residential areas.

In short, this proposal will make it more difficult for the CID to deliver on its mandate, reducing safety, order, and liveability.

10. Professional planning findings

The CID commissioned **Tommy Brummer Town Planners** to review the disposal proposal. The report (attached in full as Annexure A) highlights several critical concerns:

- **Premature disposal:** Selling parcels without a Development Framework Plan for the entire 3.47 ha of City-owned land in the Camps Bay Node is premature and risks irreversible mistakes.
- **Title deed restrictions:** Both erven carry restrictive title deed conditions prohibiting commercial activity unless formally removed. These restrictions are enforceable by other property owners. Ignoring this risks expensive legal challenges that the City can ill-afford and will impose unnecessary costs on the CBCID when (of necessity) it will have to consider (and possibly respond to) arguments presented by such challenges.
- **Parking and deliveries:** Erf 174 currently provides 29 public parking bays and delivery access for Pick n Pay. Losing these would cause severe disruption and force loading and delivery traffic into already congested roads.
- **Zoning vs. reality:** While zoned GB1, actual use is constrained by the Camps Bay Overlay Zone (height restrictions) and restrictive conditions. The assumption that development rights can be realised as-is is misleading.
- **Need for a Development Framework:** Before any sale, the City must commission a professional team of planners, urban designers, architects, traffic consultants, and heritage practitioners to prepare a Development Framework Plan for the entire Node.

These findings make clear that the disposal proposal is flawed, risky, and inconsistent with sound planning practice.

11. Risk of losing the library altogether

The City has suggested that a new library will be built before the current one is closed. However, this is only an undertaking, not a binding guarantee. Once the land is sold, the community loses its strongest safeguard: ownership of a functioning library site.

The risks of this approach are numerous:

- **Traffic constraints:** Detailed studies may well show that the proposed replacement site is unworkable, particularly given dangerous pedestrian conditions and congestion already affecting the area.
- **Title deed restrictions:** As outlined by professional planning analysis, restrictive conditions will need to be formally removed before any new development can proceed. This is a slow, uncertain process vulnerable to objection and legal challenge.
- **Parking requirements:** The suggested location for a new library will of necessity reduce already scarce parking for schools, sports clubs, and preschools. Self-evidently, meeting both existing and new parking demands will not be possible.

- **Neighbouring objections:** Sports clubs, preschools, and other civic facilities that already depend on adjacent land are likely to object strongly to encroachment. These objections could delay or derail approvals.
- **Financial and political risks:** Funding delays, budget reprioritisation, or changes in political leadership could leave the replacement project suspended indefinitely.

By placing the disposal of the current library site before these issues are resolved, the City is effectively pressuring the community into accepting whatever “replacement” location it puts forward. Once the sale has taken place, it will be impossible to argue that the library should remain on its current site — even if later studies prove the suggested alternatives unworkable.

Importantly, the Municipal Finance Management Act (MFMA, Section 14) makes it clear that municipalities may not dispose of land that is required for the delivery of essential services. A functioning public library is undeniably an essential cultural and educational service for Camps Bay. By disposing of the land before a replacement library is fully built, operational, and tested, the City places that service at risk — in contravention of both the spirit and the letter of the law.

The only way to guarantee continuity — and compliance with the MFMA — is to retain full ownership of the current library site until a new facility is secured, completed, and operational. Anything less exposes Camps Bay to the significant risk of permanent loss.

Even if a replacement library is eventually delivered, it should not be built as a cost-effective stand-alone facility. Best practice in Cape Town and elsewhere shows that new libraries are most successful when incorporated into larger, multi-purpose community centres that combine educational, recreational, and cultural functions.

This approach not only shares the costs of construction, parking, and maintenance but also creates lively, flexible hubs that attract diverse users throughout the day. A stand-alone library, by contrast, is more vulnerable to underuse, budget cuts, and eventual closure.

If Camps Bay is to have a new library, it should form part of a larger community facility that strengthens connections with schools, preschools, sports clubs, and civic organisations. Anything less risks producing an isolated, unsustainable facility that does not adequately serve the community in the long term.

12. An alternative approach: a civic precinct as part of a broader vision for a sustainable and future-proofed Camps Bay

Instead of selling public land piecemeal, the City should reimagine this entire area as a civic precinct that integrates the library, public plaza, schools, preschools, sports clubs (tennis, padel, soccer, cricket, squash), facilities for senior citizens, and the park into a cohesive whole and considers how all of the foregoing interact and interface with the broader Camps Bay environment, including commercial components, the beachfront and greenbelts.

This approach could include, for example:

- **A reimagined public square**, upgrading the parking lot into a dual-use civic plaza for parking, markets, and gatherings.
- **A stronger library presence**, oriented to front onto the square with outdoor reading and study areas.
- **School and preschool connections**, activating the rear of the library with safe pedestrian links and shared spaces.
- **Shared infrastructure**: greening, lighting, and coordinated traffic management.
- **Community-led planning**, where residents, schools, clubs, and the CID shape the outcome.

Such a vision needs to include all other key components of the Camps Bay “village”, including the beachfront and greenbelts, and should also allow for sustainable solutions to other key issues such as addressing the problematic beachfront sewage station and marine outfall pipe. Consideration should be given to the long-term future of the beachfront and tourist strip, and ensuring that future needs are catered for, particularly in light of the likely ongoing growth in tourism to Cape Town, and Camps Bay in particular. Furthermore, long-term plans must be provided for the sustainability of underfunded community organisations such as sports clubs and the Senior Citizens association.

Only once such a plan is fully developed should the City even consider disposal of land — and then only if it strengthens rather than undermines the civic heart of Camps Bay.

Conclusion

The Camps Bay CID cannot support the proposed sale of the Camps Bay Library site and public parking lot. It does not serve the community, compromises our ability to deliver on our mandate, and fails to consider second-order effects and long-term implications.

We urge the City to withdraw this proposal and instead embark on a transparent, consultative process to develop a holistic civic precinct plan — in partnership with the people who live here. We believe that this approach will deliver superior long-term benefits not only to the Camps Bay Community, but the City as well.

The Camps Bay CID stands to ready to partner with the City and all stakeholders to make this precinct plan a reality.

On Behalf of the Directors of the Camps Bay CID

Addendum A: Spatial Planning Perspective

The Civic Heart of Camps Bay: Existing Value, Current Risks, and a Better Future

This document sets out the case for recognising, protecting, and strengthening the civic core of Camps Bay, with reference to three illustrative figures. Together, they show what exists today, where the weaknesses lie, and what opportunities are possible through responsible planning.

The City's own policies — including the Municipal Planning By-Law (2015, as amended) and the Cape Town Spatial Development Framework (SDF, 2022) — emphasise the importance of retaining public facilities, enhancing accessibility, and supporting community life through integrated, precinct-based planning. These policies provide clear guidance that civic land should not be disposed of where it is still needed for municipal service delivery, and that public participation must form a meaningful part of planning processes.

1. The Existing Civic Heart (Figure 1)



Figure 1: The civic heart of Camps Bay — showing the concentration of community-serving facilities including the library, schools, preschools, sports clubs, and parks. This network of public assets forms the living core of the village.

The first map shows the concentration of community-serving facilities in the centre of Camps Bay: the library, schools, preschools, sports clubs, and public parkland. This clustering is what gives Camps Bay its “village” quality. Residents, families, and learners move between these facilities daily, creating a rhythm of community life that binds the neighbourhood together.

The library plays a pivotal role in this system. It supports learners after school, provides access to knowledge and culture, and serves as a democratic public space. The nearby schools, preschools, sports clubs, and park collectively form a civic core that is greater than the sum of its parts.

This directly aligns with the SDF's commitment to “supporting the retention and enhancement of public facilities” and “ensuring spatial equity through accessible community services.”

2. Fragmentation and Risks (Figure 2)



Figure 2: Existing space typologies in the Camps Bay civic area. While the civic heart is rich in community assets, the current layout reveals fragmentation between facilities, unsafe pedestrian routes, and underutilised public spaces that could be strengthened into a more connected whole.

The second map reveals both the strengths and the weaknesses of Camps Bay’s civic core. The strengths are clear: an unusually high concentration of schools, clubs, parks, and the library in close proximity. The weaknesses are also plain: fragmentation caused by dangerous road crossings, underutilised spaces, and poor pedestrian connectivity. These gaps break the continuity of what could otherwise be a model civic precinct. Learners who currently walk from school to the sports clubs, or families moving between preschools and the library, are forced into unsafe pedestrian conditions.

At the same time, key spaces — such as the parking lot — are functioning below their potential, serving as barriers rather than links. This map demonstrates the urgent need not to dispose of land but to reimagine it: upgrading the parking lot into a multi-functional public plaza, creating safe pedestrian corridors, and knitting the library, schools, and clubs into a coherent whole. By addressing fragmentation and unsafe conditions, the City could strengthen Camps Bay’s civic fabric into a resilient, connected, and inclusive village heart.

This fragility makes the proposed disposal of the library land particularly dangerous. The Municipal Finance Management Act (MFMA, Section 14) and the Municipal Asset Transfer Regulations (2008) explicitly state that municipal land *may not be sold* if it is still required for service delivery. The library is a high-functioning, heavily used service, central to educational and cultural provision. Its disposal would run counter to both the MFMA and the SDF’s principle of “retaining and optimising existing community infrastructure.”

3. A Vision for an Integrated Civic Precinct (Figure 3)



Figure 3: A proposed vision for the Camps Bay civic precinct — reimagining the library as the centrepiece of an interconnected web of public plazas, parks, natural areas, and sports facilities, linked by safe pedestrian and cycling routes. The concept includes sinking the current parking underground and reclaiming the surface as a civic plaza, fulfilling its original designation as a town square.

The third map illustrates a constructive alternative: reimagining the civic area as a fully connected precinct where public spaces, institutions, and amenities are linked into a coherent whole.¹

Key elements of this vision include:

- Safe, continuous pedestrian and cycling routes connecting the schools, library, sports clubs, park, Little Glen, tidal pool, and beachfront — consistent with the SDF’s call for “improving pedestrian and non-motorised transport infrastructure.”
- Routes safe enough for children to move independently between home, school, library, and sport.
- The library elevated to the role of centrepiece within a new civic plaza.
- Sinking of the existing surface parking underground, reclaiming the ground plane as a town square — fulfilling its original designation and providing a space for markets, gatherings, and everyday civic life.
- Strengthening of existing heritage and civic buildings as anchors within this new framework.

This approach demonstrates compliance with the Municipal Planning By-Law, which requires forward-looking, integrated precinct planning rather than piecemeal disposal. It also resonates with the SDF’s principle of “creating resilient, inclusive, and well-connected neighbourhoods.”

¹ No detailed planning or public engagement has yet been undertaken, and the particulars would necessarily evolve through a genuine community-driven process.

Conclusion

The three maps together tell a clear story:

- Camps Bay already has a unique and valuable civic heart (Figure 1).
- That heart is fragile, fragmented, and under pressure (Figure 2).
- With imagination and care, it could become a model civic precinct for the City of Cape Town (Figure 3).

The proposed sale of the library land threatens to dismantle this system before its potential is even realised. By contrast, strengthening the civic core through thoughtful design and safe connections would secure Camps Bay's identity as a living village — not just a tourist postcard — for generations to come.

We therefore urge the City not to proceed with disposal, but instead to act in accordance with the Municipal Planning By-Law, the Spatial Development Framework, and the MFMA, by retaining this critical community asset and investing in a holistic civic vision for Camps Bay. No City-owned land within the Camps Bay Node should be sold until a full Development Framework Plan is prepared and adopted. Anything less is short-sighted, unlawful in spirit if not in letter, and profoundly damaging to the community.

Addendum B: Town Planning Review

Date: 22 September 2025

Ref: 11744

Your ref:



PROPOSED SALE OF CITY'S IMMOVABLE PROPERTIES REMAINDER ERF 605 AND Erf 174 CAMPS BAY AT 24 AND 30 THE DRIVE AVENUE

1. INTRODUCTION

This report has been prepared for the Camps Bay City Improvement District and is submitted in response to the Notice calling for comment on the proposal to dispose of 2 City owned properties in Camps Bay.

The 2 parcels of land under consideration for sale are summarized as follows:

- Remainder Erf 605 at 24 The Drive Avenue, measuring 797 m² in extent; and
- Erf 174 at 30 The Drive Avenue, measuring 1083 m² in extent.

The combined extent of land proposed to be sold is 1880 m² in extent. The documentation from the City incorrectly gives the extent as 1088 m².

2. MOTIVATION FOR SALE OF LAND

The proposed sale is motivated as follows:

- The transfer of this high-value asset will optimise its utilization and unlock private sector-led development opportunities.
- Aligns with the City Agenda for economic growth, increasing jobs and attracting investment.
- The proposed development will enhance the City's rates base leading to substantial financial benefits.
- The proposal will enable the City to fulfil its mandate of delivering sustainable services to the communities and foster socio-economic development.
- The development and hand over of a new City owned asset to continue to provide uninterrupted services in the local community.

3. ZONING OF THE LAND

Both erven are zoned General Business GB1, and this zone has a number of important implications for the area. All the General Business Zones permit a wide range of land uses and these land uses can have different impacts on the surrounding land uses in the area.

For example, the permitted uses in the General Business Zone are as follows:

Primary uses are business premises, dwelling house, second dwelling, boarding house, flats, place of instruction, place of worship, institution, hospital, place of assembly, place of entertainment, hotel, conference facility, service trade, authority use, utility service, rooftop base telecommunication station, multiple parking garage, private road, filming, veterinary practice, chancery, electric vehicle charging stations, micro wind turbine, structure-mounted energy system and open space.

While the expectation of an extended shopping centre is the most likely, a number of other permitted uses could impact in different ways. For example, a hotel or conference centre, or place of assembly, or place of entertainment will have different impacts. The issues related to parking and delivery are key to the proper functioning of the area in the future.

When the property is sold there should be clear guidelines regarding the use of the property in the future. Clear guidelines regarding provision of the parking and loading must be incorporated into the document offering the land for sale.

The existing parking area in fact is a critical component of the shopping centre and deliveries to Pick 'n Pay are currently taken via these erven.

Parking and loading have a double edged sword. In the first place, the existing parking and loading must be respected, and secondly, any future uses on the property will also generate parking requirements. These requirements must clearly resolved before the land can be offered for sale to the public.

4. TITLE DEED CONDITIONS

It is a well known fact that most erven within Camps Bay have restrictive title deed conditions and these conditions were imposed in a number of ways. Firstly, the original developer, Cape Marine Suburbs, were instrumental in imposing a number of conditions and secondly, when the townships were approved, conditions were imposed either by the City of Cape Town or the Provincial Administration, or both.

Erf 174 Camps Bay

Erf 174 Camps Bay has a few conditions which are relevant to this discussion:

Condition 5, contained in Deed of Transfer T3922/1948, reads as follows:

5. The Transferee and any future proprietor shall moreover be bound by the following conditions:-

- (a) That **no shop business** of any kind shall be carried on in any such building or on the said land.*
- (b) That no noisome, injurious, or objectionable trade **or business of any kind** shall be carried out on any such dwelling house or building on the said land.*
- (c) ..*
- (d) ...*
- (e) ..*
- (f) ..*
- (g) ..*
- (h) ..*
- (i) That every person owning or hiring any lot or piece of land forming part of this estate shall have the right singly or in conjunction with other owners or tenants to an action for redress and for relief against any owner or tenant subject to similar conditions not obeying or breaking any of the conditions mentioned in paragraphs a to h inclusive.*

And to the further condition that the said Lot shall not be subdivided.

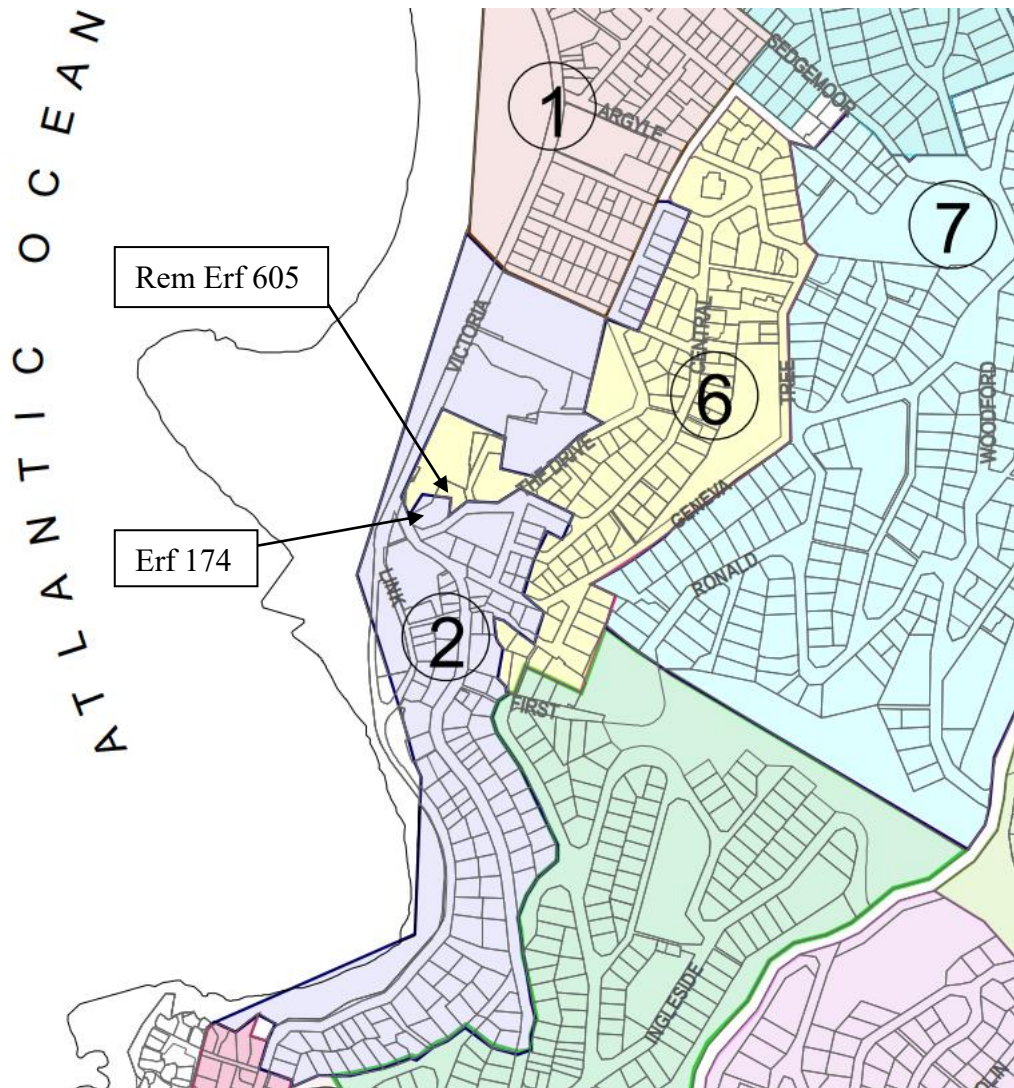


Figure 1: Extract from the Township Map of Camps Bay

1. The Brighton Estate (1902) B14A
2. The Brighton Estate (1914) B14b
3. The Brighton Estate (1925) B14c
4. Brighton Estate Township (1929) TP 17m
5. Brighton Estate Extension No 1 (1931) ITP14R
6. Brighton Estate Extension No 2 (1937) TP13R
7. Brighton Estate Extension No 3, Section 1 (1939) TP78LD
8. Brighton Estate Extension No 3 Section 2 (1940) TP123
9. Brighton Estate Extension No 5 (1955) TP586SD
10. Brighton Estate Township No 6 (1956) TP586SD
11. Camps Bay Extension No 1 (1959) TP1694LD
12. Camps Bay Township Extension No 2 (1963) TP1920LD
13. Camps Bay Township Extension No 3 (1963) TP 1921LD
14. Camps Bay Township Extension No 4 (1963) TP 1946LD
15. Camps Bay Township Extension No 5 (1963) TP 1946LD

Erf 174 falls within the Brighton Estate B14b which was approved in 1914. All the owners within this township, have the right to enforce the title deed conditions. This township is indicated clearly on the township map above.

Erf 605 Camps Bay

This Erf is registered in terms of Deed of Transfer 4083/1940, and is bound by similar conditions as Erf 174 Camps Bay. It should be noted that the conditions were imposed by the township developer, the Cape Marine Suburbs Limited, and it is the opinion of the Council that township developer's conditions do not need to be administered by the City of Cape Town.

However, the conditions are in favour of the owners and tenants of the erven within the particular Township, being Brighton Estate Ext No 2. The restrictive conditions would need to be removed in what is known as a "voluntary" removal of restrictions application.

This property is of course not in the same original township as Erf 174 and the conditions restricting business development are in favour of a completely different set of property owners and tenants.

The title deed limitation on business development is accordingly in favour of a large group of property owners as well as the tenants in such buildings.

In addition to the conditions imposed by the Township Developer, the Administrator also added a number of conditions in terms of the Townships Ordinance 33 of 1934. The conditions are registered in favour of the registered owners in the township. These conditions must be administered by the City, and read as follows:

- (a) That no more than half the area of this erf may be built upon;*
- (b) That no building or structure of any portion thereof, except boundary walls and fences, shall be erected nearer than 10 feet to the street line which forms a boundary of this erf.*

The following condition was imposed in favour of the Administrator:

- (c) that this erf be not sub-divided except with the consent in writing of the Administrator. (The function of the Administrator has now been taken over by the City of Cape Town.)*

The implications of the above restrictions contained in the relevant title deeds, as referred to above, is that notwithstanding the business zoning allocated to the 2 erven, the erven cannot simply be developed in accordance with the business zone rights.

The restrictions will first need to be removed by way of an application in terms of Section 42 of the Cape Town Municipal Planning By-law, 2015, as amended.

5. PROPOSED SELLING PRICE

The documents provided by the City suggest that the land is valued at R63 450 000, ex VAT. We believe that this amount is not an accurate estimate of the land value.

There are a number of methods to use to illustrate the value of land but for the purposes of this report the value per m² is investigated. The values are taken from the Valuation Roll as is currently used for the determination of rates.

The following erven are investigated:

Erf number	Description	Extent	Value	Rand / m²
Erven 174 and 605	Public Parking and Library	1880 m ²	R63 450 000	R33 750
3356	Promenade Shopping Centre	6361	259 150 000	R40 740
2516	The Bay Hotel	7943	R231 400 000	R29 132
190	55 Victoria Road	476	R51 500 000	R108 193
Erf 257	33 Van Kamp Str	476	R51 000 000	R107 142
Erf 43	36 Victoria Road Bottleggers	436	R16 800 000	R38 532
Erf 1842	2a Rontree Road Service Station	1369	R22 800 000	R16 654

The 2 erven proposed to be sold have significant restrictions in the title deeds and do not face onto Victoria Road, nor do they face the sea. There is no guarantee that these conditions will be removed in the future.

In addition, the 2 erven are limited to a height of 3 storeys only in terms of the Camps Bay Overlay Zone applicable to all erven within Camps Bay, except for Bakoven where a 2 storey restriction is in operation.

The land value of R33 750/m² is higher than the municipal value of the Bay Hotel.

The value of R63 450 000 for the properties concerned appears to be optimistic.

6. PUBLIC PARKING AND DELIVERIES

The majority of Erf 174 Camps Bay is occupied by a public parking area serving the adjacent shopping centre as well as the retail shops and restaurants on the southern side of The Drive.



Figure 2: Public Paring on Erf 174

There are 29 parking spaces, which is a substantial number of bays available to the surrounding retail shops, as well as Pick 'n Pay. Not only is public parking provided but delivery access to Pick 'n Pay is also via Erf 174.

The loss of this public parking and delivery area will be a substantial loss to the general public of Camps Bay who shop in this retail node.

A condition of sale would need to be included a condition to retain the existing number of parking bays and delivery area.

The implication then is that any new floor area that is proposed on the property will need to be provided with parking, to service the new floor space. This will in effect mean that an additional floor of parking will be required for any new development proposal on the land.

If the library is demolished any new floor space provided on that potion of land will also trigger a parking requirement.

7. THE CAMPS BAY NODE

It is essential that sale of Erven 174 and 605 are viewed in their context within the urban structure of Camps Bay. The 2 erven are part of an entire block of land serving the community of Camps Bay in many ways. The erven must be regarded as an integral part of the Camps Bay Node, and the sale of the erven must be very carefully considered.

An important aspect of these 2 erven is that they form part of a significant portion of land owned by the City of Cape Town. The map below shows all the land owned by the City within the Camps Bay node. The entire portion of land owned by the City measures 3,4792 ha. The City owned land within the Node is illustrated on the aerial photograph below:



Figure 3: City owned land in the Camps Bay Node

The land owned by the City fulfills major civic and sporting functions within the Camps Bay community and includes the following:

1. Library:



2. Parking areas

This is the Camps Bay Primary Prep Campus parking area. Only open to the public on specific days during the year.



3. Camps Bay Primary Prep Campus



4. Camps Bay Tennis Club & Kidz Discovery Pre-School



5. Camps Bay Football Club and Squash Club



6. The Rotunda - Heritage Resource and part of the Bay Hotel



The Rotunda is one of the oldest surviving heritage buildings within Camps Bay and is part of the Bay Hotel. This building fulfills an important community function but is constrained by a lack of public parking in the area.

The significant competing demands for public parking by the various land uses is one of the main problems experienced by the Camps Bay community.

Provision of parking under the soccer fields has been mooted many times in the past and the need for this intervention is more critical now than ever before.

Before any City land can be sold the various land uses within the Camps Bay Node need to be rationalised and optimised to serve the community in the best possible manner.

8. DEVELOPMENT FRAMEWORK PLAN FOR THE CAMPS BAY NODE

The proposal to dispose of 2 strategic land parcels within the Camps Bay node is premature. These land units form an important role within Camps Bay and it is essential that the City of Cape Town first prepare a Development Framework Plan for the entire City owned tract of land, measuring 3,4792 ha in extent.



Figure 5: Oblique view of the Camps Bay Node

The Development Framework Plan should take into account the various erven, the restrictive title deed conditions, the various zoning parameters and the needs of the community.

Camps Bay has developed into an important tourism destination with high demand for hotels, guesshouses, restaurants, the beach and the general surroundings. Provision should be made to accommodate for growth in the tourism industry and there are critical land portions that can be significantly improved.

9. CONCLUSION

The disposal of any City owned land within the Camps Bay Node should not be rushed. Careful evaluation of all the land parcels owned by the City must be conducted and a strategy for land use must be determined to optimise the needs of both the local Camps Bay community and the accommodation of tourists to the area. Camps Bay has become an international tourists destination and thus far no forward planning has been commissioned to absorb this pressure.

The City should proceed urgently with the appointment of an appropriate professional team of town planners, urban designers, architects, landscape architects, traffic consultants and heritage practitioners to develop a Development Framework Plan for the Camps Bay Node. We are not aware of such a plan ever having been contemplated and the need for this action is now once again identified.

No sale of City owned property within the area of the Camps Bay Node should be considered until such time as a proper Development Framework Plan has been finalised.

TOMMY BRUMMER TOWN PLANNERS