CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

OFFICE OF THE CITY MANAGER
LEGAL SERVICES DEPARTMENT
ACCESS TO INFORMATION UNIT

Mr Emmanuel Mashele
Deputy Information Officer

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Case ID: 100087216 – 2026

15 JUNE 2026

ATTENTION: XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXX
Pinelands
Cape Town

Per Email: xxxxxxxxxx@xxxxxxxxxx

Dear XXXXXXXXXXXXXXX

OUTCOME IN TERMS OF SECTION 44 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000 ['PAIA']: REQUEST FOR RECORDS PERTAINING TO ERF 3138 PINELANDS – APPLICATION FOR A LEASE BY PINELANDS HOCKEY CLUB.

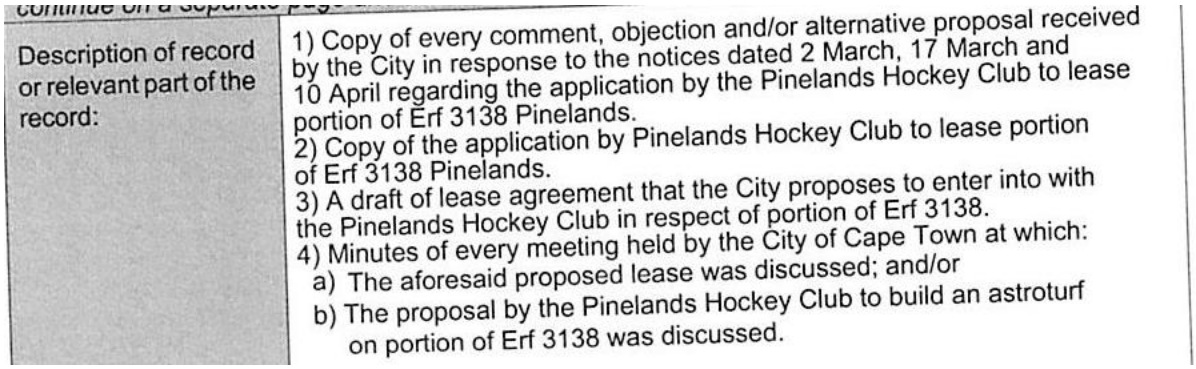
1. The above matter and your request for access to information in this regard refer.

2. I confirm that you have requested the information in terms of the Promotion of Access to Information Act 2 of 2000 ('PAIA').

3. Kindly be advised that your request for access to information was forwarded to our internal departments ('the line department') in the City of Cape Town ('the City') for assistance.

4. Pursuant to the response received from the line department, it is hereby advised that your request for access to information is refused in the following manner:

   4.1. ***AD*** paragraph 1 until 4 of your request, under '*description of record or relevant part of the record*' it is recorded:



Description of record or relevant part of the record:	1) Copy of every comment, objection and/or alternative proposal received by the City in response to the notices dated 2 March, 17 March and 10 April regarding the application by the Pinelands Hockey Club to lease portion of Erf 3138 Pinelands. 2) Copy of the application by Pinelands Hockey Club to lease portion of Erf 3138 Pinelands. 3) A draft of lease agreement that the City proposes to enter into with the Pinelands Hockey Club in respect of portion of Erf 3138. 4) Minutes of every meeting held by the City of Cape Town at which: a) The aforesaid proposed lease was discussed; and/or b) The proposal by the Pinelands Hockey Club to build an astroturf on portion of Erf 3138 was discussed.

(hereinafter 'the requested items'), our line department has advised that this request is currently premature. According to the line department the City has received a substantial volume of submissions, including both objections and support letters. These documents, including the application to lease, are currently being reviewed, collated and assessed as part of the lease administrative process. All submissions will form part of the report to be prepared for the City Council's consideration. Moreover, the request for draft lease agreement is premature given that the consultative process has not been finalised. Consequently, the requested items under the aforementioned paragraphs of your request are hereby refused in terms of section 44 of PAIA, which states as follows:

'44. Operations of public bodies

(1) Subject to subsections (3) and (4), the information officer of a public body may refuse a request for access to a record of the body—

(a) if the record contains—

(i) an opinion, advice, report or recommendation obtained or prepared; or

(ii) an account of consultation, discussion or deliberation that has occurred, including, but not limited to, minutes of a meeting,

for the purpose of assisting to formulate a policy or take a decision in the exercise of a power or performance of a duty conferred or imposed by law; or

(b) if—

(i) the disclosure of the record could reasonably be expected to frustrate the deliberative process in a public body or between public bodies by inhibiting the candid—

(aa) communication of an opinion, advice, report or recommendation; or

(bb) conduct of a consultation, discussion or deliberation; or

(ii) the disclosure of the record could, by premature disclosure of a policy or contemplated policy, reasonably be expected to frustrate the success of that policy.

(2) Subject to subsection (4), the information officer of a public body may refuse a request for access to a record of the body if—

(a) the disclosure of the record could reasonably be expected to jeopardise the effectiveness of a testing, examining or auditing procedure or method used by a public body;

(b) the record contains evaluative material, whether or not the person who supplied it is identified in the record, and the disclosure of the material would breach an express or implied promise which was—

(i) made to the person who supplied the material; and

(ii) to the effect that the material or the identity of the person who supplied it, or both, would be held in confidence; or

(c) the record contains a preliminary, working or other draft of an official of a public body.

5. Furthermore, it has been advised by the line department that once the preliminary process, currently undertaken, has been finalised, a Formal Public Participation for all relevant stakeholders will be facilitated.

6. Consequently, due to the ongoing nature of the process herein, any disclosure at this juncture will be premature and affect the thorough process of the City to examine the documents which will result in productive public engagement in due course. Accordingly, XXXXXXXXXXXX's request for access to the records detailed herein, is hereby refused.

7. If you are not satisfied with this decision, you have a right of internal appeal in terms of section 74 (1) of the PAIA. Your appeal may be lodged with the relevant authority, the Speaker, within 60 days after receipt hereof. Kindly note that your internal appeal notice must identify the subject matter of the appeal, state the reasons for the appeal and may include any other information known by you. Your internal appeal notice must be addressed for attention: Office of the Speaker and submitted to the Office of the Deputy Information Officer on the 20th floor Tower Block, Civic Centre, Hertzog - Boulevard, Cape Town, or e-mailed to access2info.act@capetown.gov.za. The appeal form may be accessed on the City website.

Sincerely,

Emmanuel Mashele

Digitally signed by Emmanuel Mashele
Date: 2026.06.15 07:05:19 +02'00'

EMMANUEL MASHELE
DEPUTY INFORMATION OFFICER (delegated in terms of section 17(3) of the Promotion of Access to Information Act 2 of 2000)