

SPC 05/06/20**MINUTES****OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF CAPE TOWN
HELD VIA THE CITY'S DIGITAL PLATFORM ON WEDNESDAY, 27 MAY 2020 AT
14H00.****MEMBERS PRESENT:**

Cllr A Abrahams (DA)	Cllr B Clarke (DA)	Cllr W D Jafftha (DA)
Cllr M R Abrahams (DA)	Ald C C Clayton (DA)	Cllr E E Jansen (DA)
Cllr M F Achmat (AJ)	Cllr D J Christians (DA)	Cllr C Janse van Rensburg (DA)
Cllr A Adams (DA)	Cllr D G Cottee (ANC)	Cllr S John (ANC)
Cllr A Adams (DI)	Cllr S A Cottle (DA)	Cllr X Joja (DA)
Cllr R Adams (DA)	Cllr A C Crous (DA)	Cllr C Jordaan (DA)
Cllr Y Adams (CMC)	Cllr T Dasa (DA)	Cllr N Jowell (DA)
Cllr M Adonis (DA)	Cllr M M Davids (DA)	Ald C Justus (DA)
Cllr Z C Adonis (DA)	Cllr N N Dilima (ANC)	Cllr M L Kempthorne (DA)
Cllr F K Ah-Sing (DA)	Cllr W B Dlulane (ANC)	Cllr D Khatshwa (ANC)
Cllr W J Akim (DA)	Cllr W P Doman (DA)	Cllr M E Kleinsmith (DA)
Ald E P Andrews (DA)	Cllr D Dudley (ACDP)	Cllr M R H Kleinschmidt (DA)
Cllr E Anstey (DA)	Cllr S S Duka (ANC)	Cllr C Kobeni (DA)
Cllr R Arendse (DA)	Cllr M R Dwane (EFF)	Cllr A L Komeni (ANC)
Cllr D E Badela (ANC)	Cllr P A East (DA)	Cllr G P G Kriel (DA)
Cllr Z A Badroodien (DA)	Cllr C J Esau (DA)	Cllr A E Kuhl (DA)
Cllr M K Bafo (PAC)	Cllr J P Fitz (DA)	Ald N J Landingwe (ANC)
Cllr U M Barends (DA)	Cllr E Fortune (DA)	Cllr S P Liell-Cock (DA)
Ald A J G Basson (DA)	Ald G D Fourie (DA)	Cllr A Lightburn (DA)
Cllr S Batala (DA)	Cllr P Francke (DA)	Ald X T Limberg (DA)
Cllr T M Batembu (ANC)	Cllr C Fry (DA)	Cllr B C Madikane (DA)
Cllr R Bazier (ANC)	Cllr A Gabuya (ANC)	Cllr N Mahangu (DA)
Cllr M Bele (EFF)	Cllr F Gaffoor (EFF)	Cllr N Mahlali (DA)
Cllr A M Benadie (DA)	Cllr B C Golding (DA)	Cllr B Majingo (ANC)
Cllr R Beneke (DA)	Cllr G E Gordon (DA)	Cllr L C Makeleni (ANC)
Cllr C B Bew (DA)	Cllr A J Griesel (DA)	Cllr S Manata (ANC)
Cllr N Bolitye (ANC)	Cllr C De Wet Groenewoud (DA)	Ald G W March (DA)
Cllr M Booi (DA)	Cllr N E Grose (DA)	Cllr J Martlow (DA)
Cllr F Botha-Rossouw (FF+)	Cllr L A Gungxe (ANC)	Cllr V Matanzima (DA)
Cllr R Bresler (DA)	Cllr B Hansen (DA)	Cllr J J Maxheke (ANC)
Cllr E N Brunette (DA)	Cllr W Harris (DA)	Cllr P Maxiti (DA)
Cllr D W Bryant (DA)	Cllr G C R Haskin (ACDP)	Cllr L Mazwi (EFF)
Cllr K R Carls (DA)	Cllr P Helfrich (DA)	Cllr S Mbandezi (DA)
Cllr H Carstens (DA)	Cllr A Hendricks (AJ)	Cllr J S Mbolompo (DA)
Cllr M A Cassiem (DA)	Cllr P C Heynes (ANC)	Cllr N V Mbombo (ANC)
Cllr M F Cassim (COPE)	Cllr N D Hlangisa (UDM)	Cllr J McCarthy (DA)
Ald G V Cavanagh (DA)	Cllr M W Hlazo (ANC)	Cllr A P McKenzie (DA)
Cllr C S Cerfontein (DA)	Cllr T T Honono (ANC)	Cllr C N Mdleleni (EFF)
Cllr P H Chapple (DA)	Cllr V R Isaacs (DA)	Cllr S S Mfecane (ANC)
Cllr M N Chitha (ANC)	Cllr I R Iversen (DA)	Cllr N Mgolombane (ANC)
Cllr J G Classen (ACDP)	Ald B M Jacobs (DA)	Cllr J H Middleton (DA)
	Cllr H W Jacobs (DA)	Cllr P M Mngxunyeni (ANC)

Cllr S N Moloto (EFF)
 Ald S Moodley (DA)
 Cllr A C Moses (DA)
 Cllr N A Moshani (ANC)
 Cllr T Mpengezi (ANC)
 Cllr S Mzobe(ANC)
 Cllr P S Mzolisa (DA)
 Cllr N Ndaleni (DA)
 Cllr A X Ndongeni (ANC)
 Ald I D Neilson (DA)
 Cllr K Nethi (DA)
 Cllr B P Ngcani (ANC)
 Cllr B Ngcombolo (ANC)
 Cllr M W N Ngeyi (DA)
 Cllr P M Ngqu (DA)
 Cllr D Ngubelanga (AIC)
 Cllr X W Ngwekazi (ANC)
 Cllr S Ngxumza (ANC)
 Ald M J Nieuwoudt (DA)
 Cllr M Nikelo (DA)
 Cllr S Nkomiyahlaba (ANC)
 Cllr F M Nkunzana (ANC)
 Cllr X Nofemele (DA)
 Cllr S M Noludwe (DA)
 Cllr S Nonkeyizana (ANC)
 Cllr S P Nqamnduku (ANC)
 Cllr M L Nqavashe (DA)
 Cllr M Nqulwana (ANC)
 Cllr A Ntsodo (DA)
 Cllr P Nyakaza-Sandla (DA)
 Cllr L Nyingwa (ANC)
 Cllr S F Oerson (DA)
 Ald M J Oliver (DA)
 Cllr G C Peck (DA)
 Cllr X G Peter (ANC)
 Cllr M J Petersen (DA)
 Cllr S Philander (DA)
 Cllr M P Pietersen (DA)
 Cllr T I Pimpi ((ANC)
 Cllr Y Plaatjie (DA)
 Executive Mayor D Plato (DA)
 Cllr C Pophaim (DA)
 Ald S B Pringle (DA)
 Cllr C B Punt (DA)
 Ald F A Purchase (DA)
 Cllr Z Qoba (ANC)
 Cllr R M Quintas (DA)
 Cllr X Qwesha (DA)
 Cllr M H Raise (DA)
 Ald R Rau (DA)
 Cllr F H L Raymond (DA)
 Cllr N Rheeder (DA)
 Cllr S J Rossouw (DA)
 Cllr T Sakathi (ANC)
 Cllr E Sawant (DA)
 Cllr R Z Simbeku (ANC)
 Cllr R S Simons (ANC)
 Cllr A J Skippers (DA)
 Ald J D Smit (DA)
 Ald J P Smith (DA)
 Cllr O Solomons (DA)
 Cllr N P Sono (ANC)
 Cllr X R Sotashe (ANC)
 Cllr K G Southgate (DA)
 Cllr Z Sulelo (DA)
 Cllr P S Swart (DA)
 Cllr H P Terblanche (DA)
 Cllr E A J Theron (ANC)
 Ald T Thompson (DA)
 Cllr G Timm (DA)
 Cllr B E Truter (PA)
 Ald G G Twigg (DA)
 Cllr T A Uys (DA)
 Cllr B van der Merwe (DA)
 Ald J F H van der Merwe (DA)
 Ald A A van der Rhee (DA)
 Cllr P E van der Ross (DA)
 Cllr M L van der Walt (DA)
 Cllr B van Reenen (DA)
 Cllr C H S van Wyk (DA)
 Cllr A van Zyl (DA)
 Cllr M Velem (ANC)
 Cllr R Viljoen (DA)
 Cllr D A Visagie (DA)
 Cllr C L Visser (DA)
 Cllr J Visser (DA)
 Cllr P P Vokwana (DA)
 Ald J Vos (DA)
 Cllr S Vuba (DA)
 Cllr F C Walker (DA)
 Ald B R W Watkyns (DA)
 Cllr C Williams (ACDP)
 Cllr J J Witbooi (DA)
 Cllr J Woodman (DA)
 Cllr N Xamle (DA)
 Cllr S K Yozi (ANC)
 Cllr L G Zondani (ANC)

APOLOGIES

Cllr F L Abrahams (ANC)
Cllr M Dambuza (EFF)
Cllr L Jali (ANC)
Cllr N Kopman (ANC)
Cllr M D Kumeke (ANC)
Cllr N Makasi (ANC)
Cllr B Rass (DA)
Cllr S Taliep (DA)

ABSENT

The following Councillors were absent without an apology:

None

The following Councillors submitted an apology for late arrival:

None

The following Councillor submitted an apology for leaving early:

None

PRESENT***Executive Management Team***

Mr L Mbandazayo - City Manager

Executive Committee Services

Mrs G Kenhardt - Director: Executive Support
Mrs R Razack - Manager: Executive Committee Services
Mr G Josephs
Ms M Levendall
Mr N Meissenheimer

Legal Services

Ms R Sayed
Ms J Holt

ACRONYMS:**LIST OF ACRONYMS FOR INFORMATION**

ACDP - African Christian Democratic Party

AIC	-	African Independent Congress
AJ	-	Al Jama-ah
ANC	-	African National Congress
CMC	-	Cape Muslim Congress
COPE	-	Congress of the People
DA	-	Democratic Alliance
DI	-	Democratic Independent
EFF	-	Economic Freedom Fighters
FF+	-	Freedom Front Plus
PA	-	Patriotic Alliance
PAC	-	Pan Africanist Congress of Azania
UDM	-	United Democratic Movement

SECTION 1 OPENING OF MEETING

The Speaker welcomed all Councillors, officials and the media to the virtual ordinary Council meeting.

Councillors were called upon to register and 223 Councillors participated via the City's digital platform.

SECTION 2 MAYORAL ADDRESS

The Speaker indicated that the Executive Mayor would not address Council.

SECTION 3

C 01/05/20 APOLOGIES / LEAVE OF ABSENCE

The Chief Whip of Council, Cllr D Visagie (DA) announced the applications for leave of absence as listed below.

RESOLVED that the following applications for leave of absence as announced by the Chief Whip of Council, **BE NOTED**:

Cllr F L Abrahams (ANC)
 Cllr M Dambuza (EFF)
 Cllr L Jali (ANC)
 Cllr N Kopman (ANC)
 Cllr M D Kumeke (ANC)
 Cllr N Makasi (ANC)
 Cllr B Rass (DA)
 Cllr S Taliep (DA)

ACTION: L KELLEEM

SECTION 4 ANNOUNCEMENTS BY THE SPEAKER

No announcements were made by the Speaker.

SECTION 5 OFFICIAL NOTICES / URGENT MATTERS

There were no official notices or urgent matters raised.

SECTION 6 MINUTES OF PREVIOUS MEETING**C 02/05/20 CONFIRMATION OF MINUTES OF THE COUNCIL MEETING: 29 JANUARY 2020**

RESOLVED that the minutes of the Ordinary Council meeting held on 29 January 2020, be confirmed.

C 03/05/20 CONFIRMATION OF MINUTES OF THE COUNCIL MEETING: 26 MARCH 2020

RESOLVED that the minutes of the Ordinary Council meeting held on 26 March 2020, be confirmed, subject to the following correction:

Page 46 MEMBERS PRESENT

The name of Cllr A M Benadie (DA) be listed under the heading "MEMBERS PRESENT".

Pages 47 & 48 ABSENT

The names of the ANC and EFF members be listed under the heading "APOLOGIES", as the aforementioned political parties informed the Office of the Speaker accordingly.

The Speaker announced that the following items were agreed on by the respective parties at the Whips' meeting:

Volume 2 - Items 8, 18, 21, 24 and 26

Volume 4- Items 44, 45, 50, 52, 54, 55, 58, 60, 63 and 64

Volume 5 – Items 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102 and 103. [Reports for information and noting.]

223 Councillors participated when this announcement was made.

At this stage, Cllr X Sotashe enquired if the Speaker made a ruling on the reports for noting as requested by the ANC.

The Speaker informed that he would make a ruling in due course and inform Council accordingly.

C 04/05/20 COUNCILLORS' REMUNERATION AND ALLOWANCES

Cllr D Dudley (ACDP), seconded by Cllr G Haskin (ACDP) proposed the following amendment to the recommendation:

- “• *All Councillors of the CoCT including the Mayor, Deputy Mayor, Speaker, the members of the Mayoral Committee, Chief Whip, and Chairpersons of Section 79 Committees, NOT accept a salary increase this year whilst our City is being ravaged by COVID-19.*
- *Furthermore, that All Executive Councillors already mentioned, also agree to reduce their current salaries by 10% with the savings of these proposals, all being channelled into worthy portfolios such as Health, Social Development and Informal Settlements to improve the living conditions of many needy people in the City”.*

It was noted that the proposal was not legally compliant and therefore it was overruled by the Speaker.

RESOLVED that:

- (a) the amendments in Government Notice 475 dated 24 April 2020 be noted;
- (b) the maximum determinations in respect of salaries, allowances and benefits of the different members of Municipal Councils as set out in Annexure A be implemented with effect from 1 July 2019 for all its members after consultation with the Local MEC responsible for Local Government; and
- (c) all councillors to furnish Finance with information required via e-mail to implement the remuneration adjustment and to arrange a meeting with Finance: Payroll Section via Councillor Support to structure their salary package if they so desire.

[The ACDP and COPE recorded their votes against the above decision.]

ACTION: G LUBBE, K JACOBY

**C 05/05/20 PHILIPPI ECONOMIC DEVELOPMENT INITIATIVE (PEDI):
COUNCILLOR REPRESENTATIVES**

RESOLVED that:

- (a) resolution (k) of the Council decision taken on 22 August 2019 vide item C10/08/19, which reads "*that Subcouncil 13 and 23 Councillors be included on the PEDI Structure*", be reviewed and amended

- (b) Subcouncil 13 and 23 each nominate a Councillor to sit on the PEDI Board of Directors.

[The ANC recorded their vote against the above decision.]

ACTION: P WILLIAMSON, P MASHOKO

C 06/05/20 PHILIPPI HORTICULTURE AREA (PHA) STATUS QUO OVERVIEW AND DECISION ON WESTERN CAPE GOVERNMENT'S 'PHA PLAN' AND WAY FORWARD FOR THE PHA

Cllr T Theron (ANC) proposed that the report be referred back in order for the community to further engage on the subject matter,

It was noted that the proposal was not legally compliant and therefore overruled by the Speaker.

RESOLVED that:

- (a) the Philippi Horticulture Area (PHA) Socio-Economic Agricultural Plan, as endorsed by the Provincial Cabinet of the Western Cape Government on 8 August 2018, be acknowledged
- (b) the implementation of the spatial planning development guidance related recommendations included in Section 3 of Annexure A to the report on the agenda, be supported and that the initiation of a process to further develop policies and mechanisms to retain the PHA for agricultural use, be endorsed for consideration to form part of the District Spatial Development Framework Review, of which all the outcomes are subject to Council's approval
- (c) Council acknowledge the asset of the specific area as part of the City's food and water security and therefore ensure that within the planning tools the future of the area be ensured to deliver on the asset base the City needs.

[The ANC recorded their vote against the above decision.]

ACTION: K HENNESSY, E NAUDE, O ASMAL

C 07/05/20 REQUEST FOR APPROVAL OF DIRECTORSHIP ON COMPANIES' BOARDS: EXECUTIVE DIRECTOR: ENERGY AND CLIMATE CHANGE - MR KADRI NASSIEP

RESOLVED that:

- (a) Mr Kadri Nassiep be granted approval for non-executive Directorship on the Board of:

- ETA Operations
- National Advisory Council for Innovation (NACI)
- Fossil Fuel Foundation Trust
- Blue Five Energy
- Acclaim Human Capital
- South African National Energy Research Institute (SANERI)
- SA Aquaponic Enterprise
- iPower Energy (Pty) Ltd

- (b) any obligations for disclosure as provided in terms of Section 5A (3) of the Code of Conduct for Municipal Staff Members, be met.

ACTION: M JOHNSON, K NASSIEP

C 08/05/20 PROPOSED TRANSFER OF VACANT ERVEN 301 AND 302, DAIMLER-BENZ STREET, ATLANTIS INDUSTRIA, CAPE TOWN TO ATLANTIS PROTEIN PRODUCTS (PTY) LTD, FOR INDUSTRIAL PURPOSES

RESOLVED that:

- (a) in terms of section 14(2)(a) and (b) of the Municipal Finance Management Act (MFMA), Act 56 of 2003:
- (i) it be resolved and reaffirmed that Erven 301 and 302, Atlantis Industrial area, situated on Daimler-Benz Street, in extent approximately 2 500m² and 2 738m² respectively, zoned General Industrial 1, as shown on Plan LIS 1657v0 and Plan LIS 1656v0 attached as Annexures A1 and A2 to the report on the agenda, are not required for the provision of the minimum level of basic municipal services;
 - (ii) it be confirmed that the fair market value of the assets described in (a)(i) and the economic and community value to be received in exchange for the assets described in (a)(i) have been considered.
- (b) in terms of Regulation 5(1) of the Municipal Assets Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, approval be granted for the transfer to Atlantis Protein Products (Pty) Ltd of Erven 301 and 302, Atlantis Industrial area, situated on Daimler Benz Street, in extent approximately 2 500m² and 2 738m² respectively, zoned General Industrial 1, for the sums of R535 000 (exclusive of VAT) and R590 000 (exclusive of VAT) respectively, subject to the conditions contained in the sale agreement attached to the report on the agenda

- (c) the purchase prices be subject to escalation at the rate of 8% per annum compounded annually on a pro-rata basis commencing six months after the date of valuation (that is from 2020-01-01) until the date of registration of transfer
- (d) the purchase prices be subject to review in the event that the transfer has not been effected within 18 months from date of valuation (effective date being 2021-01-01)
- (e) in terms of Regulation 17 of the Municipal Asset Transfer Regulations, the Director: Property Management, in the exercise of her delegated authority, finalise the terms and conditions as set out in the sale agreement to enable the transfer to be effected.

ACTION: S CHAMBERS, A HUMAN, R GELDERBLOEM, K LE KEUR

C 09/05/20 APPLICATION FOR LIQUID TELECOM SOUTH AFRICA TO ACCESS THE LARGE USER TIME OF USE INCENTIVE TARIFF

RESOLVED that:

- (a) the Liquid Telecom South Africa's data centre facility in Diep River be approved as a tertiary sector investment in a priority sector outside the spatially targeted areas as contemplated in the Investment Incentives Policy
- (b) the start date for eligibility for the electricity incentive will be 1 November 2020 for a period of two years from this date as per the Investment Incentives Policy.

[The ANC recorded their vote against the above decision.]

ACTION: T HADINGHAM, L GREYLING, K LE KEUR

C 10/05/20 APPROVAL FOR A THREE (3) YEAR AGREEMENT- WE ARE AFRICA

RESOLVED that:

- (a) a 3-year agreement with We Are Africa (Pty) Ltd for the We Are Africa event for the 2019/20, 2020/21 and 2021/22 financial years be approved. The agreement will commence on 19 May 2020
- (b) approval be granted that an amount of R450 000 (15% VAT where applicable) be disbursed during the 2019/20 financial year from the Events Budget, cost centre 19060505 (Events), GL 457300 Sponsorship - Events

- (c) approval be granted that an amount of R450 000 (15% VAT where applicable) be disbursed during the 2020/21 financial year from the Events Budget, cost centre 19060505 (Events), GL 457300 Sponsorship - Events
- (d) approval be granted that an amount of R450 000 (15% VAT where applicable) be disbursed during the 2021/22 financial year from the Events Budget, cost centre 19060505 (Events), GL 457300 Sponsorship - Events.

[The ANC recorded their vote against the above decision.]

ACTION: LDESOUZA-ZILWA, R BOSMAN

C 11/05/20 WAIVER OF CONDITIONS CONTAINED IN JOB DESCRIPTION OF POLITICAL APPOINTEES

RESOLVED that:

- (a) the Executive Mayor be authorised to waiver the qualification or experience requirements or both for all political appointees, as determined in the job description provided that he/she is alerted to this fact and the request is supported by suitable motivation from either the Speaker, Executive Deputy Mayor, Chief Whip, Mayoral Committee Member or Subcouncil Chairperson
- (b) the delegations be amended in order to include the requested authority to the Executive Mayor.

[The ANC, COPE and EFF recorded their vote against the above decision.]

ACTION: J VAN AS, P MASHOKO

C 12/05/20 SOUTH AFRICAN LOCAL GOVERNMENT ASSOCIATION (SALGA): PROVINCIAL WORKING GROUPS - UPDATED NOMINATIONS - MARCH 2020

RESOLVED that Council's previous decision of 31 October 2019 (vide C 58A/10/19) be reviewed and amended and that the nomination of Cllrs A Crous and M Bele be approved to replace former Cllrs R Saralina and C Mabona respectively.

ACTION: A NAIDOO, O VUMINDABA, L MBANDAZAYO

C 13/05/20 FINAL APPROVAL FOR THE TRANSFER OF VACANT ERF 79843 (UNREGISTERED PORTION OF ERF 79853) CAPE TOWN, BOUNDED BY HAUPT ROAD, PUNT AND KESWICK STREETS, DIEP RIVER

RESOLVED that:

- (a) in terms of section 14(2)(a) and (b) of the Municipal Finance Management Act (MFMA), Act 56 of 2003:
- (i) it be resolved and re-affirmed that Erf 79843 (unregistered portion of Erf 79853), Cape Town bounded by Haupt Road, Punt and Keswick Streets in Diep River, in extent approximately 16 526 m² and zoned General Residential 2 (GR 2), shown lettered ABCDEFG on Plan LIS 1742v0 attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services;
 - (ii) it be confirmed that the fair market value of the assets described in (a)(i) and the economic and community value to be received in exchange for the assets described in (a)(i) have been considered.
- (b) it be confirmed that when considering the transfer of the property at less than market value as provided in terms of clause 15.2 of Council's Policy on the Management of Certain of the City of Cape Town's Immovable Property, Regulation 13(2) of the MATR have been considered
- (c) in terms of Regulation 5(1) of the Municipal Assets Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, approval be granted for the transfer of Erf 79843 (unregistered portion of Erf 79853), Cape Town, in extent approximately 16 526 m² and zoned General Residential 2 (GR 2) to Tradefirst 60 (Pty) Limited, in the amount of R15 000 000 (Fifteen Million Rands), excluding VAT
- (c) in terms of Regulation 17 of the MATR, the Director: Property Management in the exercise of her delegated authority finalise the terms and conditions, as set out in the sale agreements to effect the transfer.

ACTION: S NHIWATIMA, A HUMAN, R GELDERBLOEM, K LE KEUR

C 14/05/20 MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF CAPE TOWN'S FIRE AND RESCUE SERVICE AND ASTRON ENERGY (PTY) LTD.

RESOLVED that:

- (a) the Memorandum of Agreement between the City of Cape Town's Fire and Rescue Service and Astron Energy (Pty) Ltd., be approved and that the Executive Director: Safety and Security be authorised to enter into this agreement with Astron Energy (Pty) Ltd.
- (b) the Executive Director: Safety and Security be authorised to review and renew the agreement every five (5) years.

ACTION: G CILLIERS, I SCHNETLER, R BOSMAN**C 15/05/20 MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF CAPE TOWN'S FIRE AND RESCUE SERVICE AND RHEINMETALL DENEL MUNITION RF (PTY) LTD.****RESOLVED that:**

- (a) the Memorandum of Agreement between the City of Cape Town's Fire and Rescue Service and Rheinmetall Denel Munition RF (Pty) Ltd., be approved and that the Executive Director: Safety and Security be authorised to enter into this agreement with Rheinmetall Denel Munition RF (Pty) Ltd.
- (b) the Executive Director: Safety and Security be authorised to review and renew the agreement every five (5) years.

ACTION: G CILLIERS, I SCHNETLER, R BOSMAN**C 16/05/20 ADOPTION OF THE CITY OF CAPE TOWN COASTAL BY-LAW, 2020****RESOLVED that:**

- (a) the process followed in adopting the proposed Coastal By-law, be noted
- (b) the amendments made to the draft Coastal By-law based on the comments received from the public participation process, be noted
- (c) the City of Cape Town Coastal By-law attached as Annexure A to the report on the agenda, be adopted
- (d) the importance and value of engaging Subcouncils in respect of formulating by-laws, be noted
- (e) the review of the Coastal By-law every five years, be supported.

ACTION: D COLENBRANDER, O ASMAL**C 17/05/20 REVIEW OF ROAD SCHEME: SOMERSET ROAD IN GREEN POINT****RESOLVED that:**

- (a) the amended road reserve boundaries for the section of Somerset Road as indicated in Annexure A to the report on the agenda, be supported
- (b) the Controlling Authority be requested to amend the previous proclamation pertaining to Somerset Road in terms of Section 5(3) of the Roads Ordinance No. 19 of 1976 to effect the above amendment

- (c) the land use planning process to amend the zoning be actioned once the proclamation amending process is completed.

ACTION: J MEYER, M MAZAZA, E SASS

C 18/05/20 LOWER BUITENGRACHT ROAD SCHEME AMENDMENT

RESOLVED that:

- (a) the amended road reserve boundaries for the section of Buitengracht Street as indicated in Annexure A to the report on the agenda, be supported
- (b) the Controlling Authority be requested to amend the previous proclamation pertaining to Lower Buitengracht Street in terms of Section 5(3) of the Roads Ordinance No. 19 of 1976 to effect the above amendment
- (c) the Director: Urban Catalytic Investment in the Directorate: Spatial Planning and Environment, be mandated to initiate a land use planning process in terms of the relevant legislation to reinstate and/or amend the zoning following the de-proclamation process contemplated in (a) above.

ACTION: J MEYER, M MAZAZA, E SASS

C 19/05/20 DEVELOPMENT CHARGES POLICY FOR ENGINEERING SERVICES FOR THE CITY OF CAPE TOWN

RESOLVED that:

- (a) the amended Development Charges Policy for Engineering Services for the City of Cape Town attached as Annexure A to the report on the agenda, be approved
- (b) the policy in (a) above replace the current Policy on Development Contributions (C41/05/14).

ACTION: J SNYMAN, M WEBSTER

C 20/05/20 APPROVAL FOR FUNDING TO BE DISBURSED TO CAPE INNOVATION AND TECHNOLOGY INSTITUTE (CITI) TO TRAIN 90 ADDITIONAL BENEFICIARIES IN THE WOMEN IN BUSINESS PROGRAMME

RESOLVED that:

- (a) the implementation of the CITI Women in Business Programme 2019/20 to the value of R1 500 000 be approved

- (b) the disbursement of R1 000 000 from the January 2019/20 Adjustment Budget to CITI for the implementation of the CITI Women in Business Programme 2019/20 be approved
- (c) the re-allocation of R500 000 approved from AfrikaGains to CITI Women in Business Program to supplement the R1 000 000 funding from the January 2019/20 Adjustment Budget be approved
- (d) the Director: Enterprise and Investment be authorised to, in consultation with the Legal Services Department, conclude an addendum to the Memorandum of Agreement signed with CITI on 27 August 2019.

ACTION: N LAATOE, K LE KEUR

C 21/05/20 PROPOSED TRANSFER OF VACANT REMAINDER ERF 109, ATLANTIS INDUSTRIAL, AT NORMAN MURRAY STREET, ZONED GENERAL INDUSTRIAL, TO AFRICAN CHEMICAL HOLDINGS (PTY) LTD FOR INDUSTRIAL PURPOSES

RESOLVED that:

- (a) in terms of section 14(2)(a) and (b) of the Municipal Finance Management Act (MFMA), Act 56 of 2003:
 - (i) it be resolved and reaffirmed that Remainder Erf 109 (formerly CA4-136), Atlantis Industrial situated at Norman Murray Street, in extent approximately 4 775m², zoned General Industrial 1, as shown on Plan LIS 1604v0 attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services;
 - (ii) it be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset described in (a)(i) have been considered.
- (b) in terms of Regulation 5(1) of the Municipal Assets Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, approval be granted for the transfer to African Chemical Holdings (Pty) Ltd of Remainder Erf 109 (formerly CA4-1 36), Atlantis Industria 1, situated at Norman Murray Street, in extent approximately 4 775m², zoned General Industrial 1, as shown on Plan LIS 1604v0 attached as Annexure A to the report on the agenda, for the sum of R860 000 (Excluding Vat), subject to the conditions contained in the sale agreement attached to the report on the agenda
- (c) the purchase price be subject to escalation at the rate of 8% per annum compounded annually on a pro-rata basis commencing six

months after the date of valuation (that is from 2019-07-01) until the date of registration of transfer

- (c) the purchase price be subject to review in the event that the transfer has not been effected within 18 months from date of valuation (effective date being 2020-07-01);
- (e) in terms of Regulation 17 of the MATR, the Director: Property Management in the exercise of her delegated authority finalise the terms and conditions, as set out in the sale agreement to enable the transfer to be effected.

ACTION: S CHAMBER, T LEWIS, A HUMAN, R GELDERBLOEM, K LE KEUR

C 22/05/20 FINAL APPROVAL FOR THE TRANSFER OF VACANT ERF 7058, DURBANVILLE SITUATED AT 44A BOSBOK STREET, WAIORA, DURBANVILLE, ZONED GENERAL RESIDENTIAL 1: GROUP HOUSING TO PREMIER DEVELOPERS (PTY) LIMITED

RESOLVED hat:

- (a) in terms of section 14(2)(a) and (b) of the Municipal Finance Management Act (MFMA), Act 56 of 2003:
 - (i) it be resolved and reaffirmed that Erf 7058, Durbanville situated at 44A Bosbok Street, Wairoa, Durbanville, in extent approximately 1 186 m², zoned General Residential 1: Group Housing shown on Plan LIS 2093 attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services;
 - (ii) it be confirmed that the fair market value of the assets described in (a)(i) and the economic and community value to be received in exchange for the assets described in (a)(i) have been considered.
- (b) in terms of Regulation 5(1) of the Municipal Assets Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, approval be granted for the transfer to Premier Developers (Pty) Ltd of Erf 7058, Durbanville situated at 44A Bosbok Street, Wairoa, Durbanville, in extent approximately 1 186 m², zoned General Residential 1: Group Housing shown on Plan LIS 2093 attached as Annexure A to the report on the agenda, for sum of R1 700 000 (Excluding VAT)
- (c) the purchase price be subject to escalation at the rate of 8% per annum compounded annually on a pro-rata basis commencing six months after the date of valuation (that is from 2020-04-16) until the date of registration of transfer

- (d) the purchase price be subject to review in the event that the transfer has not been effected within 18 months from date of valuation (effective date being 2019-09-30) the date for review will be 2021-04-01
- (e) in terms of Regulation 17 of the MATR, the Director: Property Management in the exercise of her delegated authority finalise the terms and conditions, as set out in the sale agreements to effect the transfer.

[The ANC and EFF recorded their votes against the above decision.]

ACTION: S NHIWATIWA, A HUMAN, R GELDERBLOEM, K LE KEUR

C 23/05/20 FINAL APPROVAL FOR THE TRANSFER OF VACANT ERF 7060, DURBANVILLE SITUATED AT 12A BOSBOK STREET, WAIORA, DURBANVILLE, ZONED GENERAL RESIDENTIAL 1: GROUP HOUSING TO PREMIER DEVELOPERS (PTY) LIMITED

RESOLVED that:

- (a) in terms of section 14(2) (a) and (b) of the Municipal Finance Management Act (MFMA), Act 56 of 2003:
 - (i) it be resolved and reaffirmed that Erf 7060, Durbanville, situated at 12A Bosbok Street, Wairoa, Durbanville, in extent approximately 2 975 m², zoned General Residential 1: Group Housing shown on Plan LIS 2094 attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services;
 - (ii) it be confirmed that the fair market value of the assets described in (a)(i) and the economic and community value to be received in exchange for the assets described in (a) (i) have been considered.
- (b) approval be granted for the transfer to Premier Developers (Pty) Ltd of Erf 7060, Durbanville situated at 12A Bosbok Street, Wairoa, Durbanville, in extent approximately 2 975 m², zoned General Residential 1: Group Housing shown on Plan LIS 2094 attached as Annexure A to the report on the agenda, for sum of R3 650 000 (Excluding VAT)
- (c) the purchase price be subject to escalation at the rate of 8% per annum compounded annually on a pro rata basis commencing six months after the date of valuation (that is from 2020-04-16) until the date of registration of transfer
- (c) the purchase price be subject to review in the event that the transfer has not been effected within 18 months from date of valuation

(effective date being 2019-09-30) the date for review will be 2021-04-01

- (e) the transfer be subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority.

ACTION: S NHIWATIWA, A HUMAN, R GELDERBLOEM, K LE KEUR

C 24/05/20 REQUEST TO WAIVE DEVELOPMENT CHARGES FOR PROVINCIAL SCHOOLS

RESOLVED that:

- (a) Council's Development Charges Policy provision as prescribed, be reaffirmed
- (b) Council's categories for exemptions as provided in section 8.2 (f) of the current policy, be reaffirmed
- (c) Council do not provide waiving Development Charges (DC) liability as requested for Sir Lowry's Pass Village and Jagtershof High Schools, or any other school developed by the Western Cape Government (WCG)
- (d) the offset DC liability of R7.045m required by WCG for Sir Lowry's Pass Village High School against the bulk infrastructure surplus of R8.645m, be endorsed
- (e) the WCG remains liable for the DC liability of Jagtershof / Rouxville High School of R10.9m
- (f) the Director: Roads Infrastructure and Management, through a Memorandum of Agreement, ensures that the transfer of these funds from WCG to the City, is implemented by no later than 30 June 2020.

ACTION: J SNYMAN, H DU PLESSIS, E SASS

C 25/05/20 ANNUAL INTEGRATED GOVERNANCE REPORT FOR THE 2018/2019 FINANCIAL YEAR

RESOLVED that the Annual Integrated Governance Report for the 2018/2019 financial year, be approved and that the report be made public.

ACTION: A KARRIEM, L NDABA, L MBANDAZAYO

C 26/05/20 CAPE TOWN STADIUM INTELLECTUAL PROPERTY: MARKETING INITIATIVE

RESOLVED that the Board of the Cape Town Stadium be authorised to negotiate and enter into an agreement for the use of the Cape Town Stadium's Intellectual Property in a video game.

ACTION: L FORTUNE, K JACOBY

C 27/05/20 IS&T CORE APPLICATION REVIEW WITH OUTCOMES OF A 10 YEAR BUSINESS IMPLEMENTATION PROGRAMME FOR ERP, PRODUCTIVITY AND GIS TECHNOLOGY PLATFORMS

Cllr S Cottle (DA) proposed that the item be withdrawn, due to new information.

The proposal was duly supported.

ITEM WITHDRAWN

ACTION: S APOLLIS, C KESSON

The Speaker announced that the meeting would adjourn until the next day, due to time constraints.

THE MEETING ADJOURNED AT 17:10.

.....
ALD D SMIT
CHAIRPERSON

.....
DATE