



**SPATIAL PLANNING AND ENVIRONMENT PORTFOLIO COMMITTEE
IKOMITI YEMICIMBI YESEBE KWEZOCWANGCISO LWAMABALA NOKUSINGQONGILEYO
PORTEFEULJEKOMITEE OOR RUIMTELIKE BEPLANNING EN DIE OMGEWING**

SPE 04/06/20

**MINUTES OF PREVIOUS MEETING FOR NOTING
IMIZUZU YENTLANGANISO EGQITHILEYO UKUZE IQWALASELWE
NOTULE VAN VORIGE VERGADERING**

**L von Molendorff
Executive Support and
Committee Services
(021) 400-2310
28 May 2020**

The minutes of the Spatial Planning and Environment Portfolio Committee meeting held on 5 March 2020 is attached hereto for CONFIRMATION.

**MINUTES OF A MEETING OF THE SPATIAL PLANNING AND ENVIRONMENT
PORTFOLIO COMMITTEE HELD IN MEETING ROOM 2, 6TH FLOOR, PODIUM BLOCK,
CIVIC CENTRE, CAPE TOWN ON THURSDAY, 5 MARCH 2020 AT 10:00**

PRESENT:

COMMITTEE MEMBERS

DEMOCRATIC ALLIANCE (DA)

Alderman E P Andrews (with apology)
Councillor F Raymond (Acting Chairperson)
Councillor C Groenewoud
Councillor J McCarthy
Councillor R M Quintas
Councillor Y M Plaatjie
Councillor M A Cassiem
Councillor P Helfrich
Councillor E N Brunette
Councillor S Yalezo

AFRICAN NATIONAL CONGRESS (ANC)

Councillor A Gabuza
Councillor NV Mbombo
Councillor T Mpengezi

COPE

Councillor M F Cassim

ECONOMIC FREEDOM FIGHTERS (EFF)

Councillor S Nqabeni-Moloto

AFRICAN CHRISTIAN DEMOCRATIC PARTY (ACDP)

None

COUNCILLORS ABSENT

Councillor G Haskin (with apology)
Councillor S G Ngxumza

MAYCO MEMBER

Ald M Nieuwoudt

INTERPRETER

Ms. P Fula

OFFICIALS

C Basson	-	SPE: OPM
F Cumming	-	Director: Urban Catalytic Investment
D Colenbrander	-	Head: Coastal Policy Development and Management
N Damon	-	Executive Committee Services
S Dlameni	-	Legal Advisor
A Floris	-	Legislative Development
J Jackson	-	Head: Natural Space Systems
E Naude	-	Director: Urban Planning and Design
M Scharffenorth	-	Manager: STS Admin Support
P Terblanche	-	Regional Manager: Area Development
N Vaarland	-	Assistant in Natural Space Systems
L von Molendorff	-	Executive Committee Services
K Wiseman	-	Acting Director
T Zeeman	-	Legislative Development

SPE 01/03/20 OPENING / PRAYER

Ald Andrews duly opened the meeting and welcomed everyone present.

SPE 02/03/20 APOLOGIES / LEAVE OF ABSENCE**MEMBERS OF THE PORTFOLIO COMMITTEE:**

The committee noted leave of absence approved by the Chief Whip of Council on behalf of the following councillor(s):

- Councillor G Haskin

OFFICIALS:

The committee noted an apology for absence on behalf of the ED: Spatial Planning and Environment, Mr. O Asmal as he is attending compulsory supply chain management training for all Executive Directors.

SPE 03/03/20 CHAIRPERSON'S REPORT

The Chairperson, Ald Andrews addressed the committee as per his chairperson's report attached hereto as **Annexure A**.

Flowing from the chairperson's report, it was noted that the City's Energy Department is to present to the Spatial Planning and Environment Portfolio committee how we will be transitioning into the

new opportunities derived from allowing other entrants into the supply market.

RESOLVED that the Energy Department be requested to present to the Spatial Planning and Environment Portfolio committee how we will be transitioning into the new opportunities derived from allowing other entrants into the supply market.

ACTION: K NASSIEP

The Mayco Member, Ald Nieuwoudt pointed out the following dates of importance:

- 18 March 2020: Ceremonial Event at District 6
- 19 March 2020: First groundwater from Steenbras dam will be received by the Mayor.
- 21 March 2020: Public Engagement at the public precinct for District 6.
- 24 – 26 April 2020: City Nature Challenge. Councillors were encouraged to register online and download the I-Nature App.

NOTED

SPE 04/03/20

MINUTES OF THE SPATIAL PLANNING AND ENVIRONMENT PORTFOLIO COMMITTEE MEETING HELD ON 6 FEBRUARY 2020

RESOLVED that the minutes of the Spatial Planning and Environment Portfolio Committee held on 6 February 2020, be confirmed, subject to the following amendments.

PAGE 12: PRESENTATION: INDIVIDUAL PERFORMANCE MANAGEMENT

1. That Councillor Cassim's comment at the bottom of the page be amended to read as follows:

"Cllr Cassim asked if the City is taking any action with regard to the giant sized rodents and cockroaches at Mowbray near the University of Cape Town."

2. That the following comment be included in the discussion:

"That the department speed up the filling of vacancies."

PAGE 15: SPE 13/02/20

That Alderman Nieuwoudt's comment be amended to read as follows:

"Alderman Nieuwoudt commented that it is very important to keep track of transversal areas between the Spatial Planning and Environment Portfolio Committee and the Transport Portfolio Committee."

PAGE 15: SPE 14/02/20

That no. 6 and no. 7 of the items listed for clarity be amended to read as follow:

- 6. Possibility of linking the two football fields with the Football Academy.
- 7. Tennis courts at Hardekraal site.

PAGE 17: SPE 18/02/20

That all references to SAPS be amended to SAP.

SPE 05/03/20**MATTERS EMANATING FROM PREVIOUS MINUTES**

None

SPE 06/03/20**MATTERS RECEIVING ATTENTION****1. 2ND ENVIRONMENTAL AND HERITAGE MANAGEMENT (SITE VISIT)**

RESOLVED that a date be set for a site visit to Alexander Road, Maitland and the house opposite the Portuguese Club in Brooklyn (9 Donegal Street, Rugby).

ACTION: M BELL; L GERRANS; K WISEMAN

2. SPATIAL PLANNING AND ENVIRONMENT: ANNUAL OVERSIGHT WORK PLAN

RESOLVED that it be noted that the template for the Annual Oversight Work Plan has been finalised and is in the process of being populated.

ACTION: M SCHARFFENORTH; ALD E ANDREWS

3. PROPOSED EXPANSION OF THE SPATIAL PLANNING AND ENVIRONMENTAL PORTFOLIO COMMITTEE DELEGATIONS AND TERMS OF REFERENCE

RESOLVED that the matter be removed from the list of Matters Receiving Attention.

ACTION: COMMITTEE SERVICES

4. (I) EMBRACING RESILIENCE ACROSS CAPE TOWN – TOWARDS A STRATEGIC APPROACH (& 14TH EDITION OF THE GLOBAL RISK REPORT)

(II) CLIMATE CHANGE, HAZARDS, VULNERABILITY AND RISK ASSESSMENT AND INVESTMENT PLAN FOR THE CITY OF CAPE TOWN

It was noted that the workshop has taken place on 28 February 2020. Information forthcoming from the workshop will be included in the final draft document.

RESOLVED that both items listed above be removed from the list of Matters Receiving Attention.

ACTION: COMMITTEE SERVICES

5. REPORT BACK BY TASK TEAM CHAIRPERSONS

The committee noted the feedback reports from the Policy Revision Task Team and the Planning Applications Task Team as attached to the report on Matters Receiving Attention.

It was requested that this item be removed from the list of Matters Receiving Attention and that feedback be provided when the need arises.

RESOLVED that this matter be removed from the list of Matters Receiving attention.

ACTION: COMMITTEE SERVICES

6. COUNCILLOR TRAINING SESSION ON DEVELOPMENT APPLICATION MANAGEMENT SYSTEM (DAMS)

It was requested that the Spatial Planning and Environment Portfolio committee members receive the required training for the Development Application Management System (DAMS) and be profiled to access the system.

It was agreed that the training session be scheduled for 16 April 2020 and that arrangements for the training be put in place with Marius Crous (Manager: Business Systems).

RESOLVED that the Spatial Planning and Environment Portfolio committee members receive the required training for the Development Application Management System (DAMS) on 16 April 2020 as well as be profiled to access the system.

ACTION: C WALTERS; P TERBLANCHE; M CROUS

7. SITE VISIT: TWO RIVERS: LOCAL SPATIAL DEVELOPMENT FRAMEWORK

It was clarified that the purpose of the site visit would be to look at aspects included in the Framework area. Cllr McCarthy requested that an invitation be extended to the Head: Water and Sanitation for the relevant area as well as to the relevant ward councillor.

RESOLVED that a site visit be arranged for 17 July 2020 to look at the aspects included in the framework area and that all stakeholders be invited to the site visit.

ACTION: E NAUDE

8. SITE VISIT: PHILIPPI OPPORTUNITY AREA REGENERATION STRATEGY

RESOLVED that a date be identified for the site visit relating to the Philippi Opportunity Area Regeneration Strategy.

ACTION: F CUMMING; G BRAND

9. REPORT ON RECURRING CHALLENGES WITH THE SAP SYSTEM

It was requested that the email response in terms of SAP challenges addressed to Cllr Cassim be forwarded to all the members of the Spatial Planning and Environment Portfolio Committee

RESOLVED that the matter be removed from the list of Matters Receiving Attention.

ACTION: COMMITTEE SERVICES

SPE 07/03/20 SPATIAL PLANNING AND ENVIRONMENT: 2019/20 SECOND QUARTER'S PROGRESS REPORT ON THE DIRECTORATE AND DEPARTMENT'S PERFORMANCE

Officials responded to questions for clarity from committee members and in particular to the items listed below:

Page 56: Percentage Vacancy Rate (Actual - 77%) (Target – 12.30)

It was noted that the shortfall is due to complexity of scarce and critical skills. It was suggested that universities be engaged with directly in this regard to indicate which qualifications would be required going forward.

Ms. Naude clarified that the department has identified specific areas of scarce skills and is working closely with educational Institutions to address shortfalls in certain areas. Further, that internal staff are being encouraged to further their studies through internal bursaries to fill gaps.

Mr. Terblanche explained how the directorate is addressing this and that progress has been made in terms of some of the functional areas and levels.

It was further noted that the City does have a policy on scarce skills in place.

Page 55: % adherence to equal or more than 45.3% representation by women

It was noted that the gender stats are not a true reflection of the current situation.

The committee noted that the directorate is working towards the employment equity targets and when vacancies becomes available correct groups are being targeted. It was emphasized that this is a gradual process.

Page 58: Percentage budget spent on implementation of WPSP

In terms of the percentage budget spent on implementation of WPSP, it was clarified that it is due to the fact that there were no vendors in place for training at the time. The New E-procurement system initially delayed appointments of vendors, but expenditure will improve in the next quarter and bursaries will also be expensed.

The committee supported a proposal that Ms. S Nursoo (Head: Project Management) be invited to the next portfolio committee meeting to address the committee on assistance provided to project managers in terms of assessment of projects at various stages to identify gaps and to ensure that all information is correct.

Page 64: Percentage adherence to Citywide service requests (Actual 100.00) (Target 90.00)

It was clarified that the service requests refer to C3 notifications.

Page 70: Percentage of Operating Budget Spent (Actual - 20.96) (Target - 35.12)

It was pointed out that expenditure on consultants were slow due to delay in the finalization of a terms tender.

The portfolio committee pointed out that the information contained in the report is not entirely accurate. Ms. C Basson clarified that the information in the report comes from the SDBIPs that was approved for 2019/2020.

Ald Andrews commented that the committee would have the opportunity to amend targets and wording during the SDBIP 2020/21 workshop scheduled for 6 March 2020.

RECOMMENDED that the Executive Mayor together with the Mayoral Committee evaluate and review the 2019/20 second quarter's progress report and submit the report to Council for noting.

ACTION: C BASSON

FURTHER RESOLVED that Ms. S Nursoo (Head: Project Management) be invited to the next Spatial Planning and Environment Portfolio committee meeting to speak to the committee on her role in assisting project managers with assessment of projects at various stages to ensure that all information is correct and to identify gaps and other challenges in terms of projects.

ACTION: S NURSOO

SPE 08/03/20

SPATIAL PLANNING AND ENVIRONMENT: DIRECTORATE SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) FOR 2020/21

The Mayco Member and relevant officials responded to questions for clarity relating the items listed below:

Climate Change

- The portfolio committee noted that the City does have a Climate Change Action Plan in place.
- In terms of climate change as a focus area, it was noted that climate change is not the responsibility of a single directorate, but a consequence to the entire organization.
- It was noted that the adaptation of climate change resorts with the Spatial Planning and Environment directorate.

Heritage Decision making

- It was noted that the City had its competency assessed, but has never owned a formal delegation.
- Where the Heritage Resources Act makes provision for local authorities to have authority, the City can own the authority, provided it is competent, and with delegations or assignments there is an intention to go beyond that and have functions assigned down from Heritage Western Cape to the City.
- Mr. Wiseman confirmed that there is a report coming that would confirm the mandate to engage Heritage Western Cape in that regard.

SANPARKS

The committee noted that a new Minister has been appointed who met with all stakeholders. Ald Nieuwoudt said that the outcome of the engagement was positive and that the City wants to establish a positive working relationship with the new Minister.

Water Committees

The committee noted that the Inland Water Quality Committee & Coastal Water Quality Committee have been re-energized.

Environment Advisory Board Reports

It was noted that the respective advisory board reports have been omitted and the chairperson requested that it be included in the next report to the committee.

Marine and Environmental Law Enforcement Unit

- It was clarified that the Marine and Environmental Law Enforcement Unit is mapped to the Safety and Security Directorate as they deal with by-law enforcement. The training and focus area of officers within the unit will remain with Spatial Planning and Environment.
- The portfolio committee requested that enforcement statistics for the Spatial Planning and Environment Directorate be included in future quarterly reports to the committee.

It was pointed out that the committee would have a more substantive discussion on the contents during the workshop scheduled for 6 March 2020.

RECOMMENDED that the contents of the Directorate Service Delivery and Budget Implementation Plan be recommended to the Executive Mayor together with the Mayoral Committee. It is understood that this submission is a draft, and that the final SDBIP will be tabled for consideration and recommendation to the Executive Mayor together with the Mayoral Committee, at the May round of Portfolio Committee meetings.

ACTION: C BASSON

SPE 09/03/20

PROGRESS REPORT: GREEN INFRASTRUCTURE PROGRAMME (GIP)

Ms. J Jackson presented a Power Point presentation on progress with the Green Infrastructure Program, copies of which have been emailed to the members of the committee.

Questions for clarity related to the items listed below:

- Recognition of the aquifer (distinction between rock- and sand aquifers)
- Green Asset Register (looking at how best these areas could be linked)
- Green Financing
- Integration will be managed according to the gap analyses

- Engagement with the portfolio committee
- Tree Management Policy
- Tree Planting
- Role of River Ambassadors
- Evaluation of Spaces (Milnerton Diep River)
- Role of golf courses
- Hong Kong Financial Services Department as example

RESOLVED that the contents of the Progress Report: Green Infrastructure Programme (GIP) be noted and supported.

ACTION: K WISEMAN

SPE 10/03/20 ADOPTION OF THE CITY OF CAPE TOWN COASTAL BY-LAW, 2020

The Spatial Planning and Environment Portfolio Committee members engaged in indepth discussion on the City of Cape Town Coastal By-law whereafter officials responded to questions for clarification. It was inter alia clarified that comments obtained during the public participation process that are not included in the annexures to the report, have been responded to individually.

The committee supported recommendations (a) – (c) as contained in the report, with addition of recommendations (d) and (e) as set out hereunder.

RECOMMENDED THAT COUNCIL:

- a) note the process followed in adopting the proposed Coastal By-law;
- b) note the amendments made to the draft Coastal By-law based on the comments received from the public participation process;
- c) adopt the City of Cape Town Coastal By-law;
- d) note the importance and value of engaging subcouncils in respect of formulating by-laws;
- e) support the review of the Coastal By-law every five years.

ACTION: D COLENBRANDER

The meeting closed at 13:50.

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CHAIRPERSON

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DATE:

Good morning Ald Niewoudt, Cllrs, ED Ossie Asmal, directors and staff

Welcome to our meeting this morning.

As the committee chair, I am required to have recurring engagements with the directorate's Executive director, directors, district staff and PC chairpersons of the respective task teams.

The reason for these engagements is to further amplify the purpose of the directorate and to ensure that there is a constant awareness around the objectives of the Spatial planning and environment directorate which is defined as the coordination of practices and policies affecting **spatial** organization.

Spatial planning is synonymous with the practices of urban **planning** but at a larger scale the term is often used in reference to **planning**.

As a starting point it is incumbent upon all of us in the room to ensure that our institutional practises and policies speak to ensuring we **redress the injustices** of the past in particularly those relating to spatial planning in a sustainable manner. In this regard, the generations to come will **still enjoy our beautiful planet** we currently reside on.

District 6 Human rights event

Colleagues, as a continuation of our efforts to redress the spatial injustices of the past we acknowledge that it cannot be business as usual. We have to engage those affected communities in a consultative process where we solicit their input with the view to co-design contextual solutions.

As you are aware the **District 6 claimants** were given the assurance that it's all systems go -- construction of Phase 3 for the first 954 claimants starts in November with a

completion timeline of four years. It effectively means that all the claimants will be back into their original neighbourhood by the end of that period.

Towards the end of March as part of the consultative process, the Spatial Development framework will be co-designing the District 6 spatial developmental framework with stakeholders.

Municipalities may procure independent suppliers

The president announced in the recent State of the Nation Address (SONA) that municipalities would be allowed to purchasing power from independent suppliers. He further stated that this will apply to municipalities in good financial standing to procure their own power from independent power producers.

The **introduction of private sector generation** offers multiple benefits. It will contribute greatly to the diversification of both the supply and nature of energy production, assist in the introduction of new skills and in new investment into the industry, and enable the benchmarking of performance and pricing.

Increasingly, a **sound, comprehensive energy strategy** should be pursued with the three sides denoting, respectively: promoting economic development, providing energy security and access while **achieving environmental sustainability**.

Louisa, please note that we will request the City's energy department to present to us how we will be transitioning into the new opportunities derived from allowing other entrants into the supply market.

SDBIP for the 20/21 financial year

Colleagues, I have alluded to the fact that we have an important oversight to fulfil which includes **monitoring the department's Service Delivery and Business Implementation Plan (SDBIP)**.

This is one of the most important documents that we have to engage with to ensure **our intension to redress is embedded in this document** but most importantly to sustain traction on key implementation timelines.

In addition to discussing this document today, we will also further discuss abit more in detail this document at our workshop.

With regards to the current financial year's SDBIP, I have asked the ED to ensure the committee **receives the quarterly report at the 1st sitting** after the quarter has concluded. This will ensure the committee debate the item with updated data and not in this case where the data is almost 3 months old.

Coastal management bylaw

I would like to conclude by seeking your support to adopt the Coastal Management By-law on our agenda today. You would recall the committee at our 7th March meeting resolved that the public participation process may commence.

There have been quite a few misconceptions in relation to this by-law and we would like to thank the department for the consultative process they have undergone to ensure we consulted far and wide.

Once Council approves this by-law, The Coastal By-law will form the instrument from which to achieve the principles and objectives of Cape Town's Coastal Policy and Programme.

The end