

# Subcouncil - Matters Receiving Attention Report

## Subcouncil 2

Agenda Item No:	02SUB 14/2/2018	1	SECURING OF ERF 4141, JACARANDA STREET, PROTEA HEIGHTS, BRACKENFELL
Author:	Amelia Van Rhyn		
How Resolved:	Consensus		
Meeting Date:	2018/02/21		
Outstanding:	667		
Directorate:	TRANSPORT & URBAN DEVELOPMENT AUTHORITY		
Department:			

### Preamble:

*The meeting was informed that there was a struggle with the item, but the Subcouncil 2 Office made contact with the Property department and the item will be discussed at the next Interim Act Meeting.*

### Resolution Details:

**RESOLVED** unanimously by Subcouncil 2

1. That the item remains on the Matters Receiving Attention;
2. That the item will be discussed at the next Interim Act

**ACTION: (i) Rheinhardt Van Wijk (ii) Gerda Du Plessis**

### Preamble History

**Meeting Date**      **Preamble**

2019/04/25

### Resolution History

**Meeting Date**      **Resolution**

2020/04/29

**From:** Amelia Van Rhyn <Amelia.VanRhyn@capetown.gov.za>

**Sent:** Wednesday, 01 April 2020 18:07

**To:** Marian Nieuwoudt <Marian.Nieuwoudt@capetown.gov.za>

**Cc:** Monique Bending <Monique.Bending@capetown.gov.za>

**Subject:** FW: Request for Transfer of property erven 4141 and 501, Brackenfell, to WCG public works for development and use by WCED Protea Heights Academy high school as sport facilities

Dear Alderman,

For information, kindly see below.

Regards

**Amelia van Rhyn**

Manager: Subcouncil 2

Urban Management – Area North

**Subcouncil 2 Offices, 87 Brighton Road, Kraaifontein**

**Tel:** 021 444 1132|083 494 0429 **Email:** amelia.vanrhyn@capetown.gov.za

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**From:** Rheinhardt Van Wijk <Rheinhardt.VanWijk@capetown.gov.za>  
**Sent:** Tuesday, March 10, 2020 2:13 PM  
**To:** Shane Hindley <Shane.Hindley@westerncape.gov.za>; Rachel Schnackenberg <Rachel.Schnackenberg@capetown.gov.za>  
**Cc:** Zubeida Sadan <Zubeida.Sadan@westerncape.gov.za>; Wendy Kiva <Wendy.Kiva@westerncape.gov.za>; Jacqui Gooch <Jacqui.Gooch@westerncape.gov.za>; Lesline McGlen <Lesline.McGlen@westerncape.gov.za>; Gerrit Coetzee <Gerrit.Coetzee@westerncape.gov.za>; Amy E Meyer <Amy.Meyer@westerncape.gov.za>; Darryll Williams <Darryll.Williams@westerncape.gov.za>; Pakama Mlandu <Pakama.Mlandu@westerncape.gov.za>; Jerome R Harry <Jerome.Harry@westerncape.gov.za>; Wendy Horn <principal@phahs.org.za>; jaminnie@mweb.co.za; Amelia Van Rhyn <Amelia.VanRhyn@capetown.gov.za>  
**Subject:** RE: Request for Transfer of property erven 4141 and 501, Brackenfell, to WCG public works for development and use by WCED Protea Heights Academy high school as sport facilities

Good Day Mr Hindley

Thank you for getting back to me.

I will make contact with you to provide your Department with the requirements for the submission of the lease request as well as the contact details for this Department's Regional Office whom would process the request.

Regards

**Rheinhardt van Wijk Pr. Pln**

Project Manager: Optimisation and Rationalisation – Property Management  
Economic Opportunities and Assets Management

13th Floor, 4 Bay, Administrative Civic Centre, 12 Hertzog Boulevard, Foreshore, Cape Town  
**Tel:** 021 400 9196 | **Email:** [rheinhardt.vanwijk@capetown.gov.za](mailto:rheinhardt.vanwijk@capetown.gov.za) | **Web:** [www.capetown.gov.za](http://www.capetown.gov.za)

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**From:** Shane Hindley <Shane.Hindley@westerncape.gov.za>  
**Sent:** Tuesday, 10 March 2020 12:54 PM  
**To:** Rheinhardt Van Wijk <Rheinhardt.VanWijk@capetown.gov.za>; Rachel Schnackenberg <Rachel.Schnackenberg@capetown.gov.za>  
**Cc:** Zubeida Sadan <Zubeida.Sadan@westerncape.gov.za>; Wendy Kiva <Wendy.Kiva@westerncape.gov.za>; Jacqui Gooch <Jacqui.Gooch@westerncape.gov.za>; Lesline McGlen <Lesline.McGlen@westerncape.gov.za>; Gerrit Coetzee <Gerrit.Coetzee@westerncape.gov.za>; Amy E Meyer <Amy.Meyer@westerncape.gov.za>; Darryll Williams <Darryll.Williams@westerncape.gov.za>; Pakama Mlandu <Pakama.Mlandu@westerncape.gov.za>; Jerome R Harry <Jerome.Harry@westerncape.gov.za>  
**Subject:** RE: Request for Transfer of property erven 4141 and 501, Brackenfell, to WCG public works for development and use by WCED Protea Heights Academy high school as sport facilities

Dear Mr Van Wijk

Enclosed correspondence refer.

Although the subject line refers to transfer of property, the enclosed letter received from the Western Cape Education Department refers to the leasing of Erven 4141 and 501 Brackenfell from the City of Cape Town for utilization by Protea Heights Academy High School.

The Western Cape Department of Transport and Public Works supports the lease of the properties and it will be appreciated if the City of Cape Town would advise its requirements in order to take the proposed lease forward.

Regards

**Shane Hindley**

Immovable Asset Management  
Transport and Public Works

2020/02/19

*Ald M Nieuwoudt indicated that she was unhappy with the reply of the department that the report would be submitted to the Subcouncil in April 2020. She requested that Ald J Vos be informed that no public participation process has taken place yet despite the undertaking of the department that it would be done. The report will therefore not be submitted in time.*

**RESOLVED** unanimously by Subcouncil 2

1. That the item remains on the Matters Receiving Attention;
2. That the matter be referred to the MAYCO member, Ald J Vos, as the public participation process has not been undertaken yet, despite the undertaking that it would happen.

**ACTION: SECRETARIAT**

**INFORMATION: GODFREY VAN WYK/ RHEINHARDT VAN WIJK**

2019/11/20

*The meeting was informed that the department is awaiting an application from Western Cape Government DTPW to proceed with the land transaction.*

*A letter of authority from the DTPW will suffice to enable the application process. The completed application needs to be submitted to the Property Department, Tygerberg Region, Goodwood Municipal Officers, to be considered for a public school Sports Facility.*

**RESOLVED** unanimously by Subcouncil 2

**RESOLVED** unanimously by Subcouncil 2

1. That the item remains on the Matters Receiving Attention;
2. That the school complete an application to proceed with the land transaction for the use of a sports facility and be submitted by the Property Management Department in Goodwood.

**ACTION: GODFREY VAN WYK/RHEINHARDT VAN WIJK**

**INFORMATION: AMELIA VAN RHYN**

**09.01.2020 - Feedback from Rheinhardt van Wijk: Project Manager: Optimisation and Rationalisation – Property Management**  
**Economic Opportunities and Assets Management**

I have drafted a report to obtain authority from my director to commence with a public participation process (ppp) to initiate the proposed lease. Once authorised, I will facilitate the said public participation during the month of February (30 Day period) during which we will notify Subcouncil, Internal Departments and place a notice in the media regarding the City's intent to lease the subject properties to the Protea Heights High School for sport fields.

At the conclusion of the PPP, this department will draft the relevant authorities required in terms of the MFMA: Municipal Asset Transfer Regulation and submit a report to Subcouncil for consideration. I anticipate that this will be received by Subcouncil during the April sitting.

I trust that this is in order.

Regards

Rheinhardt van Wijk Pr. Pln

Project Manager: Optimisation and Rationalisation – Property Management  
Economic Opportunities and Assets Management

2019/10/16

**RESOLVED** unanimously by Subcouncil 2

1. That the item remains on the Matters Receiving Attention;
2. That an updated response on the matter be requested from Godfrey Van Wyk: Head: Optimisation and Rationalisation, Property Management.

**ACTION: GODREY VAN WYK**

**INFORMATION: AMELIA**

2019/08/14

**RESOLVED** unanimously by Subcouncil 2

1. That the item remains on the Matters Receiving Attention;
2. That a progress report regarding the application for erf 4141 by the Department of Public Works in respect of Erf 4141 Brackenfell be requested from the Mayco member of Property Management, Cllr J Vos.

**ACTION: AMELIA VAN RHYN**

**INFORMATION: CLLR J VOS**

2019/04/25

**RESOLVED** by Subcouncil 2 1. That the adversity of TDA to the disposal of the property and the recommended preference for a lease agreement to be entered into by the City in respect of erf 4141 Protea Heights be confirmed; 2. That the Property Management department provide guidance regarding the way forward with the procedures to be followed; 3. That a letter of thanks be forwarded to Property Management , all the other role players, Messrs P Grobler and F Prince,including Cllr S Diamond. **FOR INFORMATION: CEDRIC DANIELS FOR ACTION : 2) PIETER STRÜMPHER**

Department: **Environmental Management**

Responsible Officer(RO): **Cedric Daniels**

**Response Date    Comment from RO**

2018/10/31

Based on outcome of SC meeting I am listed on the MRA document to be notified "FOR INFORMATION". The intended outcome of SC decision is to make the land available to the school. This requires a property disposal process for which neither I or my department is responsible. Peter Strumpher has indicated the officials within the Property Management department that needs to be engaged. To my knowledge disposal resorts under Andre Human and he is likely to refer the matter to Tania Lewis.

Agenda Item No:	<b>02SUB 28/10/2018</b>	<b>2</b>	<b>LATE ITEM: MOTION TO SUBCOUNCIL 2: ROADS INFRASTRUCTURE NORTHERN AREAS: R300 &amp; N1 TO RESIDENTIAL AREAS</b>
Author:	Grant Twigg		
How Resolved:	Consensus		
Meeting Date:	2018/10/17		
Outstanding:	497		
Directorate:	AREA-BASED SERVICE DELIVERY		
Department:			

**Preamble:**

*The Subcouncil 2 Manager informed the meeting that the previous correspondence on the matter was that a letter be done by Ald M Nieuwoudt on the feedback given by Cllr R Bresler that he attended. At the same time that the letter be escalated to the City Manager and that a similar letter also be send to Province.*

*It was also requested that a motion be submitted to the Subcouncil in order to fast track item. The manager informed the meeting that she did not receive any motion yet.*

*Alderman M Nieuwoudt apologised for not attending to the motion as yet but will attend to it soonest.*

**Resolution Details:**

**RESOLVED** unanimously by the Subcouncil 2

1. That the item remains on the Matters Receiving Attention;
2. That the next date of meeting with Cllr F Purchase be communicated to the Subcouncil 2 manager.
3. That an urgent letter (from Ald M Nieuwoudt and Cllr R Bresler) be submitted to the Chairperson for the City Manager's attention in terms of the progress and investigation of the Roads Infrastructure Northern Areas: R300 and N1 to the Residential Areas.
4. That a similar letter be forwarded to Province.

**ACTION: CLLR BRENDA HANSEN**

**INFORMATION: L O RYAN/SECRETARIAT**

**Preamble History**

**Meeting Date      Preamble**

2019/09/18

Ald M Nieuwoudt requested that the invitation be extended to SANRAL, all relevant role-players, as well as the Minister of Transport and Public Works, Mr B Madikizela. Her understanding is that there is already provision for budget at Provincial Government for the design impact study.

2019/04/25

## Resolution History

### Meeting Date

### Resolution

2020/02/19

*The Subcouncil 2 Manager informed that a meeting date is still awaited. The office of the Subcouncil 2 Chairperson is following the matter up with the offices of Ald F Purchase and Minister B Madikizela. Ald M Nieuwoudt commented that the delay is not acceptable and suggested that the Subcouncil Chairperson take the matter up directly with for the Premier's office and copy the Mayor in for information.*

**RESOLVED** unanimously by the Subcouncil 2

1. That the item remains on the Matters Receiving Attention;
2. That the matter of the delay in the meeting between the Minister of Transport and Public Works, Minister B Madikizela regarding the roads infrastructure in the Northern areas and the R300 & N1 to the residential areas **BE ESCALATED** to the Mayor and the Premier's office.

**ACTION: SUBCOUNCIL CHAIRPERSON**  
**INFORMATION: L O RYAN/SECRETARIAT**

2020/02/19

*The Subcouncil 2 Manager informed that a meeting date is still awaited. The office of the Subcouncil 2 Chairperson is following the matter up with the offices of Ald F Purchase and Minister B Madikizela. Ald M Nieuwoudt commented that the delay is not acceptable and suggested that the Subcouncil Chairperson take the matter up directly with for the Premier's office and copy the Mayor in for information.*

**RESOLVED** unanimously by the Subcouncil 2

1. That the item remains on the Matters Receiving Attention;
2. That the matter of the delay in the meeting between the Minister of Transport and Public Works, Minister B Madikizela regarding the roads infrastructure in the Northern areas and the R300 & N1 to the residential areas **BE ESCALATED** to the Mayor and the Premier's office.

**ACTION: SUBCOUNCIL CHAIRPERSON**  
**INFORMATION: L O RYAN/SECRETARIAT**

2019/10/16

**RESOLVED**

1. That the item remains on the Matters Receiving Attention;
2. That a meeting be arranged with all the relevant role-players including SANRAL and the Minister of Transport and Public Works, Minister B Madikizela.

**ACTION: SECRETARIAT**

2019/09/19

**RESOLVED**

1. That the item remains on the Matters Receiving Attention;
2. That a meeting be arranged with all the relevant role-players including SANRAL and the Minister of Transport and Public Works, Minister B Madikizela.

**ACTION: AMELIA VAN RHYN**

2019/04/25	MOTION BY ALD G TWIGG: ROADS INFRASTRUCTURE NORTHERN AREAS R300 & N1 ACCESS TO RESIDENTIAL AREAS RESOLVED unanimously by Subcouncil 2 a) That the motion by Ald G Twigg be noted and BE CARRIED; b) That the Acting Commissioner of the Transport and Urban Development Authority (TDA) be requested to submit the funding for, planning and implementation of the extension of the R300, from the N1 to Wellington Road, for discussion at the next City/SANRAL/Provincial Liaison Committee as a matter of urgency. ACTION: AMELIA VAN RHYN
2019/01/23	Still awaiting on feedback. RESOLVED That the item remains on the Matter Receiving Attention. ACTION:AMELIA VAN RHYN
Department: <b>Integrated Transport Portfolio</b> <span style="float: right;">Responsible Officer(RO): <b>Gershwin Fortune</b></span>	
<b>Response Date</b>	<b>Comment from RO</b>
2019/08/06	<p><i>The following feedback on the matter was received from Mark Pinder.</i></p> <p><i>The status at the moment is an in principle decision to proceed with the first phase of the project to the north by Province. They are in discussion with SANRAL on how they could assist the City financially and in other ways. This will end with an MOA between the two (2) parties. The Stellenbosch interchange need to be completed and this belongs to SANRAL. They are in the process of appointing consultants to do the detailed documentation to commence. Often this is a lengthy process that needs to be overcome. They are confident that all the parties will ensure that the project will be in place. Funding was set aside by Province for the 2021 financial year for construction, even if it only entails the one section of the road. The other section will be attended to a year from now. A consultant has been appointment and soon all role-players will be informed accordingly.</i></p> <p><i>Ald M Nieuwoudt suggested further engagement to be facilitated to understand the alignment of the road and what processes will be followed in order for the City to access the processes of properly requiring and ERA's in order to prevent delays where construction commences due to processes not being in place.</i></p>

Agenda Item No:	<b>02SUB 40/9/2019</b>	<b>3</b>	<b>4-IN-1 PROJECT, WALLACEDENE</b>
Author:	Diaan Rangole;		
How Resolved:	Consensus		
Meeting Date:	2019/09/18		
Outstanding:	257		
Directorate:	URBAN MANAGEMENT		
Department:	Area Management		

#### Resolution Details:

**RESOLVED** unanimously by Subcouncil 2

1. That the item remains on the Matters Receiving Attention;
2. That quarterly reports be submitted to the Subcouncil 2 Office in order to monitor the project.

**ACTION: D RANGOLE**

**INFORMATION: WALEED ADAMS**

#### Resolution History

Meeting Date	Resolution
2020/02/19	<p><i>The Subcouncil Manager placed on record that neither she nor the acting Subcouncil Manager was invited to a meeting held between D Rangole, Cllr Hansen and Ald G Twigg. The Subcouncil Chairperson informed the meeting that the department will be present at the next Subcouncil 2 meeting to provide feedback.</i></p> <p><b>RESOLVED</b> unanimously by Subcouncil 2.</p> <ol style="list-style-type: none"> <li>1. That the item remains on the Matters Receiving Attention;</li> <li>2. That quarterly feedback be provided at the Subcouncil 2 Meetings for oversight purposes.</li> <li>3. That D Rangole will be present at the next Subcouncil meeting with feedback.</li> </ol> <p><b>ACTION: D RANGOLE</b> <b>INFORMATION: WALEED ADAMS</b></p>
2019/09/18	<p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>1. That monthly feedback be given at every Subcouncil 2 Meeting for oversight purposes.</li> </ol> <p><b>ACTION: SECRETARIAT</b> <b>INFORMATION: AMELIA VAN RHYN</b></p>



Agenda Item No:	02SUB 41/9/2019	4	MOTION BY ALD MARIAN NIEUWOUDT: ENSURING STREET/ROAD SAFETY
Author:	Amelia Van Rhyn		
How Resolved:	Consensus		
Meeting Date:	2019/09/18		
Outstanding:	257		
Directorate:	TRANSPORT		
Department:	Network Management		

**Preamble:**

The Subcouncil 2 manager informed the meeting that the resolution was that the matter be followed up and that a letter be written and escalated to the Speaker's Office as to how to go about if feedback is required from a particular department and noting is forthcoming. Cllr K Carls also confirmed that nothing of this nature came through the Transports Portfolio Committee.

She informed the meeting that she did write the letter to the Speaker's Office whereby his office requested all the necessary documentation pertaining to the Ensuring Street/Road Safety motion. The Subcouncil 2 Office is awaiting on feedback.

**Resolution Details:**

**RESOLVED** unanimously by the Subcouncil 2

1. That the item remains on the Matters Receiving Attention.
2. That all the necessary documentations pertaining to the Ensuring Street/Road Safety Policy has been submitted to the Speaker's Office for further assistance.

**ACTION: SPEAKER'S OFFICE/ KEITH MILLER**

**INFORMATION: (i) AMELIA VAN RHYN (ii) SECRETARIAT**

**Resolution History**

<b>Meeting Date</b>	<b>Resolution</b>
2020/02/19	<p><i>Ald M Nieuwoudt commented that the concept note provided by the department cannot be accepted and suggested that the Subcouncil refer the matter back urgently. She commented that councillors need to ensure that roads are safe. Nowhere does it say that it is subject to the availability of any budget. The policy reflects an attitude that the City is not prepared to assist.</i></p> <p><b>RESOLVED</b> unanimously by the Subcouncil 2</p> <ol style="list-style-type: none"> <li>1. That the item remains on the matters receiving attention.</li> <li>2. That the concept notes that the concept notes (dated 17/01/19) <b>NOT BE ACCEPTED</b> as it does not address the circumstances outlined in the motion submitted by Subcouncil 2.</li> </ol> <p><b>ACTION: ERNEST SASS</b> <b>INFORMATION: SEAN GLASS / ALD F PURCHASE</b></p>
2019/10/16	<p><b>RESOLVED</b> unanimously by the Subcouncil 2 that the concept note and times phase linked to the execution of the Motion by Alderman M Nieuwoudt: Ensuring Street/Roads Safety <b>BE REQUESTED</b>.</p> <p><b>ACTION: AMELIA VAN RHYN / SECRETARIAT/ SEAN GLASS/ DANIEL SULLIVAN</b></p>

2019/09/18

Resolved unanimously by Subcouncil 2 that the motion by Ald M Nieuwoudt be **CARRIED**.

1. **PROBLEM STATEMENT**

Ensuring public road safety in residential areas by means of relevant policy development.

1. **DECISION-MAKING**

Subcouncil 2 is requested to support the following recommendation:

1. That the Roads and Transport PC be requested to assess and reformulate the current traffic calming policy so as to include the enforcement of traffic calming;
  2. That the policy be amended to include the following:
  3. Declaration of demarcated areas as traffic calming areas;
- b) That in these areas, stop street intersection and pedestrian crossings be lined with rubber bollards to force vehicles to stop;
- c) That a process be developed enabling communities to submit traffic calming plans to Council for approval. The policy requires developers of group and/or cluster complexes to provide traffic calming at access routes to these housing complexes.

**ACTION: SEAN GLASS/ GARTH ELLIOTT**

**INFORMATION: SECRETARIAT/ AMELIA VAN RHYN**

Agenda Item No:	02SUB 22/10/2019	5	PRESENTATION: SUBCOUNCIL 2 WATER MANAGEMENT DEVICES
Author:	Bertus Saayman		
How Resolved:	Consensus		
Meeting Date:	2019/10/16		
Outstanding:	237		
Directorate:	WATER AND WASTE SERVICES		
Department:	Water and Sanitation Management		
<b>Preamble:</b>			
<i>The Subcouncil 2 manager informed the meeting that she received feedback from the department saying that the request for a court date is premature as the item is with the legal process. The matter is in the preparation stage to issue a summons. The process forward will take under the guidance of attorneys and legal counsel advise.</i>			
<i>Ald M Nieuwoudt mentioned that this is a very good explanation and need to acknowledge that there is progress on its way.</i>			
<i>She requested that the department be approached to find out how the Subcouncil can receive progress on the matter and if the Subcouncil can be included in communication to the Director: Legal Services in order to monitor the item.</i>			
<b>Resolution Details:</b>			
<b>RESOLVED</b> unanimously by the Subcouncil 2			
<div><div>1.</div><div>That the item remains on the Matters Receiving Attention;</div></div> <div><div>2.</div><div>That the item is in the preparation stage to issue a summons;</div></div> <div><div>3.</div><div>That the process will take under the guidance of attorneys and legal counsel advice.</div></div> <div><div>4.</div><div>That the department be approached to find out how the Subcouncil can receive progress on the matter and if the Subcouncil can be included in the communication to the Director: Legal Services as a monitoring tool.</div></div>			
<b>ACTION: ABOUBAKAR JOSEPH</b>			
<b>INFORMATION: BERTUS SAAYMAN</b>			

## Resolution History

### Meeting Date

### Resolution

2020/02/19

The meeting was informed that the presentation will be done at the next Subcouncil 2 meeting.

**RESOLVED** unanimously by the Subcouncil 2

1. That the item remains on the Matters Receiving Attention and that legal advice be obtained from the Legal department;
2. That Aboubakar Joseph and team be requested to present the technical aspects of the Water Management Devices at the next Activity day.

**ACTION: SECRETARIAT/ ABOUBAKAR JOSEPH**  
**INFORMATION: BERTUS SAAYMAN**

**From:** Bertus Saayman <Albertus.Saayman@capetown.gov.za>

**Sent:** 12 August 2020 10:29

**To:** Amelia Van Rhyn <Amelia.VanRhyn@capetown.gov.za>

**Cc:** Motale Selesho <Motale.Selesho@capetown.gov.za>; Yusuf Adam <Yusuf.Adam@capetown.gov.za>; Aboubakar Joseph <Aboubakar.Joseph@capetown.gov.za>; Omar Salie <Omar.Salie@capetown.gov.za>; Fasiagh Dollie <Fasiagh.Dollie@capetown.gov.za>; Siyabulela Bashe <Siyabulela.Bashe@capetown.gov.za>; Ntomboxolo Faku <Ntomboxolo.Faku@capetown.gov.za>

**Subject:** RE: Wmd devices

Morning,

Please note that the request for a court date is premature. This item is in legal process. The matter is in preparation stage to issue a Summons. The process forward will take place under guidance from attorney's and legal Counsel's advice.

Trust this will suffice.

Regards

Bertus

2019/11/20

*Ald M Nieuwoudt alluded the meeting that the Subcouncil had several lengthy discussions on this matter and need to distinguish the legal framework of the tender. Also, what strategy needs to be followed in order to secure if there is control over the water that the City supply and in such a way determine the upkeep of a device that is not working.*

*She requested that the Subcouncil 2 Office engage with the technical staff to understand the technical aspect of the Water Management Device. She advises that Subcouncil 2 obtain legal advice on the matter for the way forward.*

**RESOLVED** unanimously by the Subcouncil 2 that the item remains on the Matters Receiving Attention and that legal advice be obtained from the Legal department.

**ACTION: BERTUS SAAYMAN/ MICHAEL WEBSTER**

**10.01.2020 - Feedback from Bertus Saayman: Water & Sanitation Serives (WDM)**

Firstly you would be aware of the e-mail that was previously send by Alderman Limberg (see attached) dd 15/3/2019 which essentially states that:

- Rollout of WMD has been temporarily suspended until such time as a contractual dispute with them is resolved.
- The City is not legally in a position to disclose any further information regarding this matter.

As regards to the contractual dispute referred to above:

- The specific dispute referred to above with one of the suppliers was resolved and the contract allowed to continue based on the advice from the legal section.
- The other supplier, based on previous engagement, was already in mediation process with the City and such dispute is still outstanding.

As regards to the outstanding legal issues, the City's legal section is assisting the Water and Sanitation Department.

As regards to the latest resolution:

- Distinguish the legal framework of the tender
- Sub-Council 2 obtain legal advice on the matter for the way forward
- What strategy needs to be followed in order to secure if there is control over the water that the City supply and in such a way determine the upkeep of a device that is not working.

(I requested guiding notes and received the following)

- Whatever device is used need to enable
  - City effective control of supply of water to the erf
  - To define the cost and maintenance plan for the life span of the device
- We have forced customers to pay for an device. We now have to replace it again. Who will be paying?

Me van Rhyn:

- As a rule customers will not pay for the water management devices, the only exception was during the drought where the devices were used to reduce consumption at non-indigent properties that contravened the restriction measures. Replacement of meters is performed from the budget provided for replacement of meters. The cost for meters still under guarantee is carried by the supplier.
- The strategy regarding domestic meters are currently at a sensitive stage in obtaining political buy-in and it can only be communicated in a controlled manner to prevent messages going out to the public before full internal approval has been obtained. It would therefore be appropriate for the sensitive issues to be placed on hold until approval is received to release. (Would recommend that this mail not be used as part of official documentation to Sub-Council).
- The issue of the technical workings can however be addressed.

Donovan / Fasiagh / Yusuf – See request for engagement with the technical staff to understand the technical aspect of the Water Management Device – next meeting is 22/1/2020.

Bertus Saayman

**12 August 2020**

**From:** Bertus Saayman <Albertus.Saayman@capetown.gov.za>

**Sent:** 12 August 2020 10:29

**To:** Amelia Van Rhyn <Amelia.VanRhyn@capetown.gov.za>

**Cc:** Motale Selesho <Motale.Selesho@capetown.gov.za>; Yusuf Adam <Yusuf.Adam@capetown.gov.za>; Aboubakar Joseph <Aboubakar.Joseph@capetown.gov.za>; Omar Salie <Omar.Salie@capetown.gov.za>; Fasiagh Dollie <Fasiagh.Dollie@capetown.gov.za>; Siyabulela Bashe <Siyabulela.Bashe@capetown.gov.za>; Ntomboxolo Faku <Ntomboxolo.Faku@capetown.gov.za>

**Subject:** RE: Wmd devices

Morning,

Please note that the request for a court date is premature. This item is in legal process. The matter is in preparation stage to issue a Summons. The process forward will take place under guidance from attorney's and legal Counsel's advice.

Trust this will suffice.

Regards

Bertus

2019/10/16

RESOLVED unanimously by Subcouncil 2 that the item remains on the Matters Receiving Attention and that written feedback be obtained in this regards

ACTION: BERTUS SAAYMAN

INFORMATION: AMELIA VAN RHYN

Agenda Item No:	<b>02SUB 38/11/2019</b>	<b>6</b>	<b>MOTION BY CLLR B HANSEN : ISSUES OF DESIGNATED LESS FORMAL TOWNSHIP ESTABLISHMENT IN WARD 111 (WALLACEDENE)</b>
Author:	Brenda Hansen;		
How Resolved:	Consensus		
Meeting Date:	2019/11/20		
Outstanding:	212		
Directorate:	URBAN MANAGEMENT		
Department:	Mayoral Urban Regeneration Programme		

**Preamble:**

*The Subcouncil 2 manager informed the meeting that the matter remains on the Matters Receiving Attention because there is a currently a pilot project that is done with other areas for example; Du Noon. The meeting was informed that City will start first with Du Noon and thereafter implementing in the Wallacedene area.*

**Resolution Details:**

**RESOLVED** unanimously by Subcouncil 2

1. That the item remains on the list of Matters Receiving Attention;
2. That this is a pilot project that is done with other areas for example; Du Noon and thereafter implementation will take place in the Wallacedene area.

**ACTION: SECRETARIAT**

**Resolution History**

Meeting Date	Resolution
2020/02/19	<p><b>RESOLVED</b> unanimously</p> <ol style="list-style-type: none"> <li>1. That the item remains on the list of Matters Receiving Attention;</li> <li>2. That councillors forward examples of the specific circumstances in their ward and come up with proposals on what outcomes in their wards need to be achieved for the less formal township establishments.</li> </ol> <p><b>ACTION: ALL WARD COUNCILLORS</b></p>

**RESOLVED** unanimously by the Subcouncil 2 that the motion submitted by Cllr B Hansen **BE CARRIED** that

1. The Executive Director: Spatial Planning & Environment (or, in conjunction with the Executive Director: Urban Management) conduct the following investigations:
  1. A survey to determine the improvements and encroachments that occurred that triggered land use and zoning requirements;
  2. An analysis of the pressure and demands on the basic municipal infrastructure that resulted in the disruption in the provision of service delivery be done;
  3. A study relating to service delivery requests pro-active and reactive repairs and maintenance works conducted and determine the financial implications due to disruption to service delivery, i.e service delivery, electricity disruption, water supply demand management, etc;
  4. An assessment of the state of urban environment of the area to be assessed relating to the supply and demand for housing, local economy, property market and current services and infrastructure and to be considered as part review of the Spatial Development Framework;
1. A system of legal requirements and regulations be implemented as a tool for better urban management be made applicable to the land in order as guiding framework towards development, land use, zoning and related matters;
- 3) That urban decay and neglect of the area be dealt with in an integrated manner with line departments and functionaries in an area-based manner to increase opportunities towards a focused attention improving the general state of the environment and the quality of life of the residents.

**FOR ACTION: OSMAN ASMAL: EXECUTIVE DIRECTOR : SPATIAL PLANNING AND ENVIRONMENT**

**FOR ACTION: PHILEMON MASHOKO:EXECUTIVE DIRECTOR: URBAN MANAGEMENT**



Agenda Item No:	02SUB 39/11/2019	7	BLUE RIDGE INTEGRATED REC FACILITY 4 NT USDG CPX.011614-F1				
Author:	Amelia Van Rhyn;						
How Resolved:	Consensus						
Meeting Date:	2019/11/20						
Outstanding:	212						
Directorate:	URBAN MANAGEMENT						
Department:	Area Management						
<b>Preamble:</b>  <i>The meeting was informed that project is doing very well and public participation will commence soon and dates will shortly be communicated to all councillors.</i>							
<b>Resolution Details:</b>  <b>RESOLVED</b> unanimously by Subcouncil  1. That the item remains on the Matters Receiving Attention; 2. That public participation will commence soon and a dates will shortly be communicated to councillors.  <b>ACTION: B BURGER/ N NONKONYANA/ J VAN NIEKERK / M BOOI</b> <b>INFORMATION: A VAN RHYN/SECRETARIAT</b>							
<b>Resolution History</b> <table><tr><th>Meeting Date</th><th>Resolution</th></tr><tr><td>2020/02/19</td><td><i>The Subcouncil 2 Manager informed that a meeting with the relevant officials will take place at the Subcouncil Offices on 27 February 2020 and that the MURP officials are also invited. Mr B Burger was involved with the proposed precinct plan for Wallacedene as well.</i>  <b>RESOLVED</b> unanimously by Subcouncil that  1. <i>The item remains on the Matters Receiving Attention;</i> 2. <i>The meeting arranged for 27 February 2020</i> <b>BE NOTED.</b>  <b>ACTION: A VAN RHYN</b> <b>INFORMATION: B BURGER/ N NONKONYANA/ A W JOSEPH / M BOOI</b></td></tr></table>				Meeting Date	Resolution	2020/02/19	<i>The Subcouncil 2 Manager informed that a meeting with the relevant officials will take place at the Subcouncil Offices on 27 February 2020 and that the MURP officials are also invited. Mr B Burger was involved with the proposed precinct plan for Wallacedene as well.</i>  <b>RESOLVED</b> unanimously by Subcouncil that  1. <i>The item remains on the Matters Receiving Attention;</i> 2. <i>The meeting arranged for 27 February 2020</i> <b>BE NOTED.</b>  <b>ACTION: A VAN RHYN</b> <b>INFORMATION: B BURGER/ N NONKONYANA/ A W JOSEPH / M BOOI</b>
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2019/11/20

In light of the attached mails and the challenges outlined therein, as well the engagement you have had with the Human Settlements Department, the Department's perspective is required urgently on how it wishes to proceed. The budget is a risk of not being spent because viable upgrades are yet to be identified.

Afternoon Amelia,

As you are aware, there have for a number of years been challenging dynamics at this facility, which make it very difficult to implement a project. You will recall the previous meetings you chaired that covered the content of the attached mail. Is there perhaps some sort of assistance the Councillors could offer in respect of the current vandalism and volatility of the site? It is a desperate situation.

I am aware that Recreation and Parks have been engaged by Human Settlements regarding the use of the facility during the construction phase. It would be useful to have the opportunity to engage them on their development, to see how we may be able to work together.

Regards,  
Bradley.

Agenda Item No:	02SUB 19/7/2020	8	ERF ST20/19 RE WALLACEDENE: CURRENT STATUS
Author:	Amelia Van Rhyn;		
How Resolved:	Consensus		
Meeting Date:	2020/07/22		
Outstanding:	37		
Directorate:	URBAN MANAGEMENT		
Department:	Area Management		
<b>Preamble:</b>			
<i>The Subcouncil 2 Manager referred to the comments of the different departments in the report.</i>			
<i>Ald M Nieuwoudt informed the meeting that some of the City's compliances, especially if it is done internally need to be attended to, but seems that responsible department look away from the worst. She requested that the matter be alluded to the City Manager for his intervention. She furthermore requested that the Health department be notified from the informal settlement of the situation. Also, to request from the Health department what the current situation is on Erf 20.</i>			
<i>Cllr B Hansen agreed with Ald M Nieuwoudt and suggested a workshop with all the relevant role-players.</i>			
<b>Resolution Details:</b>			
<b>RESOLVED</b> unanimously by Subcouncil 2			
<div><div>1.</div><div>That the content of the report on Erf ST20/19 Re Wallacedene <b>BE NOTED.</b></div></div> <div><div>2.</div><div>That the matter be alluded to the City Manager for his urgent intervention.</div></div> <div><div>3.</div><div>That the Health Department be approached in terms of the current situation on this private land and from there on a way forward be formulated.</div></div> <div><div>4.</div><div>That a workshop be arranged with all the relevant role-players to discuss the matter in depth.</div></div>			
<b>ACTION: AMELIA VAN RHYN</b>			