

## MINUTES

OF A MEETING OF SUBCOUNCIL 16 OF THE CITY OF CAPE TOWN HELD IN THE COUNCIL CHAMBERS, 11TH FLOOR, 44 WALE STREET ON MONDAY, 20 JANUARY 2020 AT 10:00

**PRESENT**

16 SUB 03/02/2020

**COUNCILLORS**

Name	Ward	Party	Notes
Matthew Kempthorne	Chairperson	DA	
Nicola Jowell	Ward 54	DA	
Patrick Chapel	Ward 57	DA	
Roberto Quintas	Ward 74	DA	
Brandon Golding	Ward 77	DA	
Dave Bryant	Ward 115	DA	
Errol Anstey	PR Cllr	DA	
Sumaya Taliep	PR Cllr	DA	
Thulani Dasa	PR Cllr	DA	
Zoleka Qoba	PR Cllr	DA	Arrived @ 11:00

**OTHER COUNCILLORS**

Name	Ward	Party	Notes
Christiana Groenewoud	PR Cllr	DA	Subcouncil 3

**ABSENT WITH APOLOGIES**

Name	Ward	Party	Notes
None			

**MEDIA**

Name	Ward	Party	Notes
Sinelo Mkoko			
Alex Kritzman			

**OFFICIALS**

Name	Representing
Johannes Brand	Acting Subcouncil Manager
Lucille Muller	Subcouncil 16
Vivienne Sasman	Subcouncil 16
Zonwabele	Subcouncil 16
Derek Louw	Finance
Sherry-Lee Solomons	Social Development
Pheneous Mvakwendlu	Social Development
Chantel Alexander	Disaster Management
Charnell Eastland	Property Management
Saul Jacobs	Property Management
Candice Davids	Property Management
Liovian Anderson	Property Management
Patricia Davis	Property Management
Nigel Titus	District Planning & Mechanism
Abu Bakr Gamaldien	District Planning & Mechanism
Maurietta Stewart	Environmental Management: Heritage
Tamar Shem-Tov	Environmental Management: Heritage

**ACRONYMS FREQUENTLY USED IN MINUTES**

ABSDMT Area Based Service Delivery Management Team

Ald.	Alderman
ANC	African National Congress
Cllr(s)	Councillor(s)
COCT	City of Cape Town
DA	Democratic Alliance
NHW	Neighbourhood Watches
MAYCO	Mayoral Committee

## MINUTES

OF A MEETING OF SUBCOUNCIL 16 OF THE CITY OF CAPE TOWN HELD IN THE COUNCIL CHAMBERS, 11TH FLOOR, 44 WALE STREET ON MONDAY, 20 JANUARY 2020 AT 10:00

**STANDARD BUSINESS****16SUB 1/1/2020 OPENING AND PRAYER/MOMENT OF SILENCE**

The Chairperson, Cllr Matthew Kempthorne, welcomed everybody present and requested that a moment of silence be observed.

**16SUB 2/1/2020 APOLOGIES/LEAVE OF ABSENCE**

**UNANIMOUSLY RESOLVED** that it **BE NOTED** that no apologies were tendered.

**16SUB 3/1/2020 CONFIRMATION OF MINUTES**

The confirmation of the following minutes was proposed by Cllr Brandon Golding and seconded Cllr Sumaya Taliep.

- a) Special Meeting: 11 November 2019
- b) Ordinary Meeting: 18 November 2019
- c) Special Meeting: 06 December 2019

**16SUB 4/1/2020 CHAIRPERSONS REPORT**

"Welcome to the January 20 Subcouncil meeting

I hope all who did, had a good break and are energized for the New Year ahead.

I would like to thank the various departments in the City who had a busy, but successful holiday season. We had a bumper to twist season with the usual problems, but no major issues.

We have started the year well. Our M.U.R.P projects have started and will be a huge improvement to both Woodstock and Hangberg.

We have also started one A.C.T program and thank you to the ward councillor and assistants who have already done the analysis of the major issues per ward and we are ready to implement.

So let's have a good year, let's up the Service Delivery and let's make a great city even greater.

Thank you."

**RESOLVED** that it **BE NOTED**.

**16SUB MATTERS RECEIVING ATTENTION  
5/1/2020****1) 16 SUB 66/08/13 MOTION: APPOINTMENT OF OUTSIDE CONTRACTOR TO MANAGE GREENMARKET SQUARE**

The competitive bidding process is complete and we are preparing a report to IPAC and then to Council.

**2) 16 SUB 40/10/17 MOTION OF EXIGENCY: FOR THE INSTALLATION OF STREET LIGHTS IN DESIRED AREAS OF HOUT BAY**

Lighting in Hout Bay will commence again in 2021 financial year and continue into the subsequent years. Plan to finalise the memo within two weeks. It then still has to be approved and signed by the director. Remains outstanding.

**3) 16 SUB 06/05/18: C13.84076-F2 CITY DEPOT CBD-NEW-RESTORATION OF THE JAZZ WORKSHOP BUILDING**

The facility is in the CBD area and usage of the premises to be determined to prevent vandalism.

**4) 16 SUB 3/12/18 MOTION: FOR THE INSTALLATION OF STREET LIGHTS IN SCOTT'S ESTATE, HOUT BAY**

Lighting in Hout Bay will commence again in 2021 financial year and continue into the subsequent years. Plan to finalise the memo within two weeks. It then still has to be approved and signed by the director. Remains outstanding

**5) 16 SUB 41/1/19 MOTION OF EXIGENCY: CITY OF CAPE TOWN TO INITIATE URGENT REPAIRS TO THE ADDERLEY STREET FOUNTAIN**

Progress is ongoing. Commenced with cross-directorate discussions to enable further interaction. A meeting is scheduled for 14/10/20.

**6) 16 SUB 3/12/18 MOTION: FOR THE INSTALLATION OF STREET LIGHTS IN BAVIANSKLOOF, HOUT BAY**

Lighting in Hout Bay will commence again in 2021 financial year and continue into the subsequent years. Plan to finalise the memo within two weeks. It then still has to be approved and signed by the director. Remains outstanding

**7) 16 SUB 20/5/19 MOTION: RECOMMENDATION FOR THE ESTABLISHMENT OF AN EVENTS FORUM FOR GREEN POINT AND MOUILLE POINT**

Meeting with the Green Point Ratepayers went well. This matter may be removed from the Matters Receiving List.

**8) 16 SUB 78/8/19 MOTION OF EXIGENCY: "RE-IMAGINING HOUT BAY HARBOUR"**

In November a meeting was held on with relevant stakeholders.  
Another meeting will be scheduled with Cllr Felicity Purchase.

**9) 16 SUB 51/9/19 MOTION OF EXIGENCY: REQUEST FOR REVIEW OF ALL NON-MOTORISED TRANSPORT LANES IN SUBBOUCIL 16**

**10) 16 SUB 54/11/19 MOTION OF EXIGENCY: REQUEST FOR INTERIM URBAN MANAGEMENT PLAN FOR HELEN SUZMAN BOULEVARD AND SURROUNDS**

A report was on the agenda. See item 45/01/20.  
Currently EPWP job seekers are busy cleaning.

**11) 16 SUB 55/10/19 MOTION OF EXIGENCY: REQUEST FOR REDESIGN AND ROLLOUT OF UNIFORM TRADING STALLS FOR CAPE TOWN**

A budget to be allocated for trading stalls. Bo-Kaap trading area to be included.

**12) 16 SUB 57/10/19 MOTION OF EXIGENCY: REQUEST FOR AUXILIARY LAW ENFORCEMENT OFFICER**

An Auxiliary Law Enforcement Officer is needed for the Problem Buildings in Subcouncil 16 area. This motion to be forwarded to the Safety Portfolio Committee.

**13) 16 SUB 46/11/19 MOTION OF EXIGENCY: TO PROVIDE INCREASE OPERATION TIMES IN THE ATLANTIC SEABOARD**

Awaiting feedback. Remains outstanding.

**14) 16 SUB 47/11/19 MOTION OF EXIGENCY LAW ENFORCEMENT CAPACITY IN TERMS OF MEMBERS DEPLOYED AND OPERATIONAL HOURS**

Awaiting feedback. Remains outstanding.

**15) 16 SUB 06/12/19 MOTION OF EXIGENCY: REQUEST FOR THE IMPLEMENTATION OF KERBSIDE COLLECTION OF SORTED RECYCLE WASTE IN WARD 77 AND THE CAPE TOWN CENTRAL BUSINESS DISTRICT**

Awaiting feedback. Remains outstanding.

**FINANCIAL REPORTS AND IDP****16SUB 6/1/2020 PROGRESSIVE CAPITAL EXPENDITURE- NOVEMBER 2019**

Councillors were satisfied with progress of ward allocation projects as reflected on the Progress report: See Addendum A.

**UNANIMOUSLY RESOLVED** that the Progressive Capital Expenditure Report for November 19 **BE NOTED**.

**ACTION: D LOUW / L MULLER**

**PLANNING MATTERS****16SUB 7/1/2020 PREPARATION OF A LOCAL SPATIAL DEVELOPMENT FRAMEWORK (LSDF) FOR BO-KAAP:INITIATION REPORT**

Mr Nigel Titus briefed the meeting as to the report.

Comments raised:

- Engagement with community pose significant challenges.
- All areas be included.
- Strand Street Quarry has been transferred to Safety and Security Directorate.
- Riebeeck Park is a Heritage area.

In response;

- A different engagement process will be followed.
- A heritage assessment was done previously.
- Potential uses for the quarries will be discussed and a full survey will be done in ± six months.
- Public participation dates have not been determined as yet.

**UNANIMOUSLY RESOLVED** that Subcouncil 16:

- a) Approve the delineation of the geographic area proposed in Annexure 2 attached to the report.
- b) Approve the initiation of the process for the Bo-Kaap Local Spatial Development Framework.

**ACTION: N TITUS**

**PROPERTY MATTERS****16SUB 8/1/2020 PROPOSED TRANSFER OF PORTION OF ERF 318 VREDEHOEK: LIZETTE FRANKS PROPOSED CLOSURE OF PUBLIC PLACE, ERF 318 VREDEHOEK**

Ms Patricia Davis represented the Property Department.

Upon discussion of this item, Cllr Brandon Golding recuse himself.

**UNANIMOUSLY RESOLVED to RECOMMEND that:**

- a) Council resolve that, in terms of section 14 of the Local Government Municipal Finance Management Act 56 of 2003, that the subject property, being a portion of Erf 318 Vredehoek, situated off Mckenzie Street, Gardens in extent on Plan STC 3061, Annexure A attached to the report, is not needed to provide the minimum level of basic municipal services and has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset;
- b) Council g(b)(ii) of the Municipal Asset Transfer Regulations for the transfer of a portion of Erf 318 Vredehoek situated off McKenzie Street, Gardens, in extent approximately 138 m<sup>2</sup> as shown cross-hatched and lettered ABCD and Plan STC 3061, Annexure A attached to the report;
- c) Council, in terms of section 4 of the City of Cape Town Immovable Property By-law, 2015, approve the closure of the subject property being a portion of a Public Road, being a Portion of Erf 138 Vredehoek, in extent approximately 138 m<sup>2</sup> as shown cross-hatched and lettered ABCD on Plan STC 3061, Annexure A attached to the report;
- d) The transfer of a Portion of Erf 318 Vredehoek, in extent approximately 138 m<sup>2</sup> as shown cross-hatched and lettered ABCD on Plan STC 3061, Annexure A attached to the report to Lizette Frank, or her successor(s) in title **BE APPROVED**, subject to the following conditions, that:
  - (i) A purchase price of R620 000 excluding VAT be payable;
  - (ii) The purchase price is to be escalated by 8% per annum compounded annually on a pro-rata basis, commencing from date of valuation, i.e. from 1 May 2018, until of registration;
  - (iii) An amount of R4 650 per month, escalating at 8% p.a. with effect from 1 May 2018 be charged in lieu of rental until date of registration of transfer of the subject property into the applicant's life'
  - (iv) The valuation is to be reviewed if not implemented within 18 months from date of valuation, i.e. by 1 December 2019.
  - (v) Rates and municipal charges, if applicable, be levied.
  - (vi) Subject to such further conditions to be imposed by the Director; Property Management in terms of her delegated authority, including inter alia the following:
    - aa) that all further statutory and land use requirements be complied with;
    - bb) that the subject portion of Erf 318 Vredehoek be consolidated with the purchaser's Erf 235 Vredehoek;
    - cc) that a service servitude be registered over the underground 100mm water main situated in the verge. No permanent Structures are allowed in the servitude area;
    - dd) a reversionary clause in favour of the City of Cape Town be registered against the title of the property;
    - ee) the current lease agreement be terminated on date of registration;

- ff) that all costs related and incidental and incidental to the transaction be borne by the purchaser.

**ACTION: P DAVIS**

**16SUB 9/1/2020 PROPOSED TRANSFER OF PORTIONS OF PUBLIC STREET BEING A PORTION OF REMAINDER ERF 515 AND TWO PORTIONS OF REMAINDER ERF 708 TAMBOERSKLOOF: GREGOR DONN AND SAMANTHA JENKIN**

**PROPOSED CLOSURE OF PORTIONS OF PUBLIC STREET, A PORTION OF REMAINDER ERF 515 TAMBOERSKLOOF AND TWO PORTIONS OF REMAINDER ERF 708 TAMBOERSKLOOF**

Mr Saul Jacobs represented the Property Department.

**UNANIMOUSLY RESOLVED** that the report for:

**PROPOSED TRANSFER OF PORTIONS OF PUBLIC STREET BEING A PORTION OF REMAINDER ERF 515 AND TWO PORTIONS OF REMAINDER ERF 708 TAMBOERSKLOOF: GREGOR DONN AND SAMANTHA JENKIN**

**PROPOSED CLOSURE OF PORTIONS OF PUBLIC STREET, A PORTION OF REMAINDER ERF 515 TAMBOERSKLOOF AND TWO PORTIONS OF REMAINDER ERF 708 TAMBOERSKLOOF BE WITHDRAWN** due to it being non-compliant.

**ACTION: S JACOBS**

**16SUB 10/1/2020 PROPOSED CLOSURE OF CITY OWNED IMMOVABLE PROPERTY: PORTION OF PUBLIC STREET BEING UNREGISTERED STATE LAND ABUTTING ERF 150977 CAPE TOWN: WOOLMOS PROPERTIES SHARE BLOCK LTD**

**PROPOSED TRANSFER OF PORTION OF PUBLIC STREET BEING UNREGISTERED STATE LAND ABUTTING ERF 150977 CAPE TOWN: WOOLMOS PROPERTIES SHARE BLOCK LTD**

Ms Patricia Davis represented the Property Department.

**UNANIMOUSLY RESOLVED to RECOMMEND** that:

- a) Council resolve that, in terms of section 14 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, that the subject property being a portion of Unregistered State Land abutting Erf 150977 Cape Town, situated off Mostert Street, Cape Town, in extent approximately 999 m<sup>2</sup> as shown cross-hatched and lettered ABCDEF on the Plan STC 2781v1, Annexure A attached to the report, is not needed to provide the minimum value of the asset and the economic and community value to be received in exchange for the asset;

- b) Council grants in-principle approval in terms of regulations 5(1)(b)(ii) of the Municipal Asset Transfer Regulations for the transfer of a portion of Unregistered State Land abutting Erf 150977 Cape Town situated off Mostert Street, Cape Town, in extent approximately 999 m<sup>2</sup> as shown cross-hatched and lettered ABCDEF on Plan STC 2781v1, Annexure A attached to the report;
- c) Council, in terms of section 4 of the City of Cape Town Immovable Property By-law, 2015, approve the closure of the subject property being a portion of Public Road, abutting Erf 150977 Cape Town situated on Mostert Street, Cape Town, in extent approximately 999 m<sup>2</sup>, shown hatched and lettered ABCDEF, on the Plan STC 2781v1, Annexure A attached to the report;
- d) The transfer of a portion of Unregistered State Land in extent approximately 999 m<sup>2</sup> as shown cross-hatched and lettered ABCDEF, on the Plan STC 2781v1, Annexure A attached to the report: to Woolmos Properties Share Block Ltd, or its successor(s) in title, **BE APPROVED**, subject to the following conditions:
  - (i) A purchase price of R3 860 000.00 excluding VAT be payable;
  - (ii) The purchase price is to be escalated by 6% per annum compound annually on a pro-rata basis commencing from date of valuation, i.e. 1 June 2017 until date of registration;
  - (iii) An amount of R17 500 per month, escalating by 8% p.a. with effect from 1 April 2014, charged in lieu of rental until date of registration of transfer of the subject property into the applicant's title less any amount (rental) already paid;
  - (iv) Rates and municipal charges, if applicable, be levied;
  - (v) The subject property is restricted to the use of (ground-level) parking purposes only and a zero bulk in perpetuity. A reversionary clause is to be included in this regard;
  - (vi) A servitude is to be registered over the existing services in favour of the City;
  - (vii) Bulk cannot be transferred or alienated to Erf 150977 Cape Town;
  - (viii) The objections not be upheld;
  - (ix) Subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority, including inter alia the following:
    - aa) that all further statutory and land use requirements be complied with;
    - bb) that the subject portion of Public Street be consolidated with the purchaser's Erf 150977 Cape Town;
    - cc) that the current lease agreement be terminated on date of registration of transfer;
    - dd) that all costs related and incidental to the transaction be borne by the purchaser;
    - ee) that the paid public parking remain

**ACTION: P JACOBS**

**16SUB 11/1/2020 PROPOSED GRANTING OF RIGHTS TO USE, CONTROL OR MANAGE A MUNICIPAL CAPITAL ASSET BY WAY OF TRANSFERRING A BUILDING RIGHTS SERVITUDE ( BASEMENT PARKING) OVER A PORTION CITY LAND BEING ERF 14676 CAPE TOWN SITUATED AT ALBERT ROAD,WOODSTOCK IN FAVOUR OF ERF 10906 CAPE TOWN**

Ms Patricia Davis represented the Property Department.

**UNANIMOUSLY RESOLVED to RECOMMEND that;**

- a) Council resolve that, in terms of section 14 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, the subject property being a portion of Erf 14676 Cape Town (public street) situated on Albert Street, Cape Town, shown hatched and lettered ABCDEF on the Plan STC 3222, Annexure A attached to the report, which represents 2 basement levels of 415 m<sup>2</sup>, is not required to provide the minimum level of basic municipal services; and has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset;
- b) Council approve the granting of in-principle approval for the granting of rights to use and control or manage municipal capital assets by way of transferring a building right servitude over a portion of Erf 14676 Cape Town situated at Albert Street, Cape Town, shown hatched and lettered ABCDEF, on the Plan STC 3222, Annexure A attached to the report, which represents 2 basement levels of 415 m<sup>2</sup>, subject to:
  - (i) A purchase price of R2 200 000 excluding VAT be payable;
  - (ii) The purchase price is to be escalated by 8% per annum compounded annually on a pro-rata basis, commencing 6 months from date of valuation, i.e. from 1 May 2019 until date of registration;
  - (iii) The valuation is to be reviewed if the transaction is not implemented within 18 months from date of valuation, i.e. by 1 May 2020;
  - (iv) The sale is to be subject to a condition restricting the bulk to a floor area factor of 2.0 i.e. a building envelope of 830 m<sup>2</sup>, which represents 2 basements levels of 415 m<sup>2</sup> each;
  - (v) An occupational rental of 9% per annum equating to R16 500/month (excluding VAT) shall be payable from date of occupation, escalating at 8% per annum, until date of registration;
  - (vi) Rates and municipal charges, if applicable, be levied.
  - (vii) Subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority, including inter alia the following:
    - aa) that all further statutory and land use requirements be complied with;
    - bb) that all costs related and incidental to the transaction be borne by the purchaser.

**ACTION: P DAVIS****16SUB 12/1/2020 RESERVATION OF CITY OWNED IMMOVABLE PROPERTY: ERVEN 13126,13127,13136,13019 AND 13073 CAPE TOWN: HUMAN SETTLEMENTS (DEPARTMENT HOUSING DEVELOPMENT)**

Mr Saul Jacobs represented the Property Department.

**UNANIMOUSLY RESOLVED to RECOMMEND that:**

- a) Erven 13126, 3136, 13019 and 13073 Cape Town Bounded by Melbourne Road, Earl Street and Victoria Walk, Cape Town measuring 15610.39 m<sup>2</sup> in extent, indicated as ABCDEF on the plan SZC 1429 marked Annexure A attached to the report, be reserved for the Housing Development Department, subject to the following conditions:
  - (i) The subject property shall be utilised for the purpose of Social Housing only;
  - (ii) The said Department accepts full responsibility for the management and maintenance of the subject property including, utility consumption, security and contents insurance.
  - (iii) Housing development Department (Directorate: Human Settlements) takes cognisance of and adheres to the conditions stated by the service branches in paragraph 9 below.
  - (iv) All costs related to the reservation shall be for the account of the Housing Development Department.
- b) That Erf 13137, Cape Town Bounded by Golders Green Road, measuring 4105 m<sup>2</sup> in extent, on the attached plan SZC 1429 marked Annexure A attached to the report, be exempted from reservation as it is a well-used public park which should be retained for the use by the community

**ACTION: S JACOBS****16SUB 13/1/2020 RESERVATION OF PORTIONS OF ERVEN 5667 AND 5668 CAPE TOWN: HUMAN SETTLEMENTS (DEPARTMENT: HOUSING DEVELOPMENT)**

Mr Saul Jacobs represented the Property Department.

**Concerns raised by Cllrs:**

- Erven mentioned is part of claim land.
- There is more land, why is a small portion being targeted.
- A NGO is helping with a food garden. Need to know what the other erven is for.

**UNANIMOUSLY RESOLVED** that reservation of portions of erven 5667 and 5668 Cape Town **BE DEFERRED** because it is part of the District Six land claim.

**ACTION: S JACOBS**



**16SUB 14/1/2020 RESERVATION OF PORTIONS OF ERVEN 98 AND 61 TAMBOERSKLOOF: ENERGY ( ELECTRICITY GENERATION AND DISTRIBUTION)**

Mr Saul Jacobs represented the Property Department.

**UNANIMOUSLY RESOLVED to RECOMMEND** that a portion of Erven 98 and 61 Tamboerskloof situated on Brownlow Road, Tamboerskloof, measuring approximately 18 m<sup>2</sup> in extent, indicated as ABCD on Plan STC 2921 marked Annexure A attached to the report, **BE RESERVED** for the Electricity Generation and Distribution Department, subject to the following conditions:

- a) The subject property shall be utilized for the purpose of a Miniature Substation only;
- b) The Electricity Generation and Distribution Department takes responsibility for the required land use processes, as well as compliances with any related legislation;
- c) The said Department accepts full responsibility for the management and maintenance of the land and any structure to be erected thereon, including maintenance, utility consumption, security and content insurance, as is applicable;
- d) All costs related to the reservation shall be for the account of the Energy: Electricity Generation and Distribution Department.

**ACTION: S JACOBS**

**16SUB 15/1/2020 RESERVATION OF MUNICIPAL PROPERTY: BASEMENT PARKING AT THE CAPE TOWN INTERNATIONAL CONVENTION CENTRE EAST SITUATED AT 7 RUA BARTHOLOMEU DIAS STREET(ERF 270) ROGGEBAAI: VALUATIONS DEPARTMENT**

Mr Saul Jacobs represented the Property Department.

**UNANIMOUSLY RESOLVED to RECOMMEND** that 30 parking bays at level B-1 of the Cape Town International Convention Centre East situated at 7 Rua Bartoleomeu Dias Street (Erf 270) Roggebaai, indicated as bay numbers 170 – 199 on the drawing marked Annexure A attached to the report, **BE RESERVED** for the Valuations Department, subject to the following conditions:

- a) The subject property shall be utilized for the purpose of parking only;
- b) This Reservation shall terminate on 30 June 2021, i.e. the date upon which the lease for office space granted to the Valuations Department at Media City, 8<sup>th</sup> Floor, shall terminate.
- c) All costs related to the reservation shall be for the account of the Valuations Department.

**ACTION: S JACOBS**

**16SUB 16/1/2020 RESERVATION OF ERF 152670 CAPE TOWN: ECONOMIC OPPORTUNITIES AND ASSET MANAGEMENT (DEPARTMENT: FACILITIES MANAGEMENT)**

**UNANIMOUSLY RESOLVED** that reservation of Erf 152670 Cape Town: Economic opportunities and Asset Management (Department: Facilities Management) **BE DEFERRED** to sought clarity on the impact it will have on other potential leases.

**ACTION: S JACOBS**

**16SUB 17/1/2020 RESERVATION OF MUNICIPAL PROPERTY: A PORTION OF REMAINDER ERF 14334 CAPE TOWN SITUATED OFF RHODES AVENUE SALT RIVER: ELECTRICITY GENERATION AND DISTRIBUTION DEPARTMENT ( DIRECTORATE: ENERGY AND CLIMATE CHANGE)**

**UNANIMOUSLY RESOLVED** to **RECOMMEND** that a Portion of Remainder Erf 14334 Cape Town in extent 18 m<sup>2</sup>, indicated as ABCD on Plan STC 3187v1, as Annexure A attached to the report, **BE RESERVED** for the Electricity Generation and Distribution Department, subject to the following conditions:

- a) The subject property shall be utilized for an electricity substation only;
- b) The Electricity Generation and Distribution Department takes responsibility for the required land use processes, as well as compliance with nay related legislation;
- c) The said Department accepts full responsibility for the management and maintenance of the land and any structure to be erected thereon including maintenance, utility consumption, security and content insurance, as is applicable;
- d) That all costs related to the above be provided for by the Electricity Generation and Distribution Department.

**ACTION: S JACOBS**

**16SUB 18/1/2020 RESERVATION OF MUNICIPAL PROPERTY: A PORTION OF ERF 29421 MOWBRAY SITUATED AT RAAPENBERG ROAD CAPE TOWN: ELECTRICITY GENERATION AND DISTRIBUTION DEPARTMENT (DIRECTORATE: ENERGY AND CLIMATE CHANGE)**

**UNANIMOUSLY RESOLVED** to **RECOMMEND** that a Portion of Erf 29421 Cape Town in extent 18 m<sup>2</sup>, indicated as ABCD on Plan STC 3154, as Annexure A attached to the report, **BE RESERVED** for the Electricity Generation and Distribution Department, subject to the following conditions;

- a) The subject property shall be utilized for the purpose for a Elecricity Substation only;

- b) Electricity Generation and Distribution takes responsibility for the required land use processes, as well as compliance with any related legislation;
- c) The said Department accepts full responsibility for the management and maintenance of the land and any structure to be erected thereon, including maintenance, utility consumption, security and content insurance, as is applicable;
- d) that all costs related to the above be provided for by the Electricity Generation and Distribution Department.

**ACTION: S JACOBS**

**16SUB 19/1/2020 RESERVATION OF MUNICIPAL PROPERTY: A PORTION OF ERF 192 ROGGEBAAI SITUATED AT THE CORNER OF HERTZOG BOULEVARD AND CHRISTIAAN BARNARD STREET CAPE TOWN: FACILITIES MANAGEMENT DEPARTMENT: (DIRECTORATE ECONOMIC OPPORTUNITIES AND ASSET MANAGEMENT)**

Mr Saul Jacobs briefed the meeting as to the report.

**UNANIMOUSLY RESOLVED to RECOMMEND that:**

1. A Portion Erf 192 Roggebaai situated at the corner of Hertzog Boulevard and Christiaan Barnard Street in extent 2538 m<sup>2</sup>, indicated as ABCDEFGHJKLMNPQRS on Plan STC 3657, as Annexure A attached to the report, **BE RESERVED** for the Facilities Management Department, subject to the following conditions:
  - a) The subject property shall be utilized for parking purposes only;
  - b) The Facilities Management Department takes responsibility for the required land use processes, as well as compliance with any related legislation;
  - c) The said Department accepts full responsibility for the management and maintenance of the land and any structure to be erected thereon, including maintenance, utility consumption, security and content insurance, as is applicable;
  - d) That all costs related to the above be provided for by the Facilities Management Department.
  - e) The property to have security at all times.
2. The current lease over the subject property entered into between the City of Cape Town and Cape Town Partnership be terminated with effect from the date of approval of the Reservation in favour of the Facilities

Management Department.

**ACTION: S JACOBS**

**16SUB 20/1/2020 RESERVATION OF MUNICIPAL PROPERTY: A PORTION OF UNREGISTERED STATE LAND ABUTTING ERF 16425 CAPE TOWN SITUATED OFF SALT RIVER AND VICTORIA ROADS CAPE TOWN: ELECTRICITY GENERATION AND DISTRIBUTION DEPARTMENT (DIRECTORATE : ENERGY AND CLIMATE CHANGE )**

**UNANIMOUSLY RESOLVED to RECOMMEND** that a Portion of Unregistered State Land Abutting Erf 16425 Cape Town in extent 18 m<sup>2</sup>, indicated as ABCD on Plan STC 3141v1, attached as Annexure A attached to the report, **BE RESERVED** for the Electricity Generation Department and Distribution, subject to the following conditions:

- a) The subject property shall be utilized for the purpose of an Electricity Substation only;
- b) The Electricity Generation and Distribution Department takes responsibility for the required land use processes as well as compliance with any related legislation;
- c) The said Department accepts full responsibility for the management and maintenance of the land and any structure to be erected thereon, including maintenance, utility consumption, security and content insurance, as is applicable;
- d) That all costs related to the above be provided for by the Energy and Climate Change Directorate.

**ACTION: S JACOBS**

**16SUB 21/1/2020 RESERVATION OF CITY LAND, PORTION OF ERVEN 5511, 5519-5536 CAPE TOWN: HUMAN SETTLEMENTS (DEPARTMENT HOUSING DEVELOPMENT)**

Mr Saul briefed the meeting as to the report.

Concerns raised as the said Erven is not part of 11 sites COCT proposed. It also forms part of the land claims.

**UNANIMOUSLY RESOLVED to RECOMMEND** that reservation of City of land, portion of Erven 5511, 5519 – 5536 Cape Town: Human Settlements (Departments (Department Housing Development) **BE DEFERRED** as to why this land is earmarked for social housing.

**ACTION: S JACOBS**

**16SUB 22/1/2020 PROPOSED CLOSURE OF CITY OWNED IMMOVABLE PROPERTY: PORTION OF CITY LAND BEING UNREGISTERED STATE LAND ABUTTING ERF 5544 CAPE TOWN: PROPOSED TRANSFER OF CITY OWNED IMMOVABLE PROPERTY: PORTION OF CITY LAND BEING UNREGISTERED STATE LAND ABUTTING ERF 5544 CAPE TOWN: SHA'BROS INVESTMENTS(PTY)LTD**

Mr Saul Jacobs briefed the meeting as to the report.

Concern was raised as to the difference between residential and CBD parking.

**UNANIMOUSLY RESOLVED to RECOMMEND that:**

- a) Council resolve that, in terms of section 14 of the Local Government Municipal Finance Management Act, Act 56 of 2003, the subject property being a portion of City land (Unregistered State Land) abutting Erf 5544 Cape Town situated on corner of Constitution and Canterbury Streets, Cape Town, in extent approximately 194 m<sup>2</sup>, shown by the hatched figure lettered ABCDE, on the Plan STC 3075 Annexure A attached to the report, is not required to provide the minimum level of basic municipal services; and has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset;
- b) Council grants in-principle approval in terms of regulations 5(1)(b)(ii) of the Municipal Asset Transfer Regulations for the transfer of City land and (Unregistered State Land) abutting Erf 5544 Cape Town, situated on corner of Constitution and Canterbury Streets, Cape Town, in extent approximately 194 m<sup>2</sup>, shown hatched a lettered ABCDE, on the Plan STC 3075 Annexure A attached to the report;
- c) Council in terms of section 4 of the City of Cape Town immovable Property By-law, 2015, approve the closure of the subject property being a portion of a Public Street being a portion of Unregistered State Land abutting Erf 5544 Cape Town in extent approximately 194 m<sup>2</sup> as shown hatched and lettered ABCDE on Plan STC 3075 Annexure A attached to the report.
- d) The transfer of a portion of City land (Unregistered State Land) abutting Erf 5544 Cape Town, in extent approximately 194 m<sup>2</sup>, as shown hatched and lettered ABCDE, on Plan STC 3075 Annexure A attached to the report, to Sha'Bros Property Investment (PTY) LTD, or its successor(s) in title, **BE APPROVED**, subject to the following conditions that:
  - (i) A purchase price of R1 600.00 excluding VAT be payable;
  - (ii) The purchase price is to be escalated by 6% per annum compounded annually on a pro-rate basis commencing 6 months for date of valuation, i.e. 1 September 2017 until registration is effected.
  - (iii) An occupational rental of R9 200 per month, escalating at 8% p.a.

be charged with effect from 1 September 2017 until registration is effected.

- (iv) The sale is to be subject to a condition restricting the bulk to a floor area factor of 3,0.
- (v) Rates and municipal charges, if applicable, be levied.
- (vi) Subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority, inter alia the following:
  - aa) that all further statutory and land use requirements be complied with;
  - bb) that the subject portion of City land be consolidated / notarial tied with the purchaser's Erven 5544, 5542, 5543; 5444 and 5545 Cape Town.
  - cc) that all costs related and incidental to the transaction be borne by the purchaser.

**ACTION: S JACOBS**

**16SUB 23/1/2020 PROPOSED NEW LEASES OF CITY LAND, PORTION OF PUBLIC OPEN SPACE, PORTIONS OF ERF 2187, GREEN POINT: GLEN GREEN POINT SPORT AND RECREATIONAL CLUB AND THE WESTERN CAPE BRIDGE UNION FOR SPORTING PURPOSES**

Ms Charnall Eastland briefed the meeting as to the report.

Concern was raised as to the short lease for sporting, should have a standard lease with a cancellation clause.

**UNANIMOUSLY RESOLVED to RECOMMEND** that the lease of portions of public open space, being a portion of Erf 2187 Main Road, Green Point, shown hatched and lettered on the plans LIS2081 and LIS2106 marked Annexure A1 and A2 attached to the report, in various extents as per plan attached to the report to the various clubs indicated in the table below be approved.

LESSEE	USAGE	EXTENT	TERM	TARIEF
Glen Green Point Sport and Recreational Club	Sporting and Community	±8 316 m <sup>2</sup>	10 years	R1 058.00 per annum 15% VAT included
Western Cape Bridge Union	Sporting and Community	±1 574 m <sup>2</sup>	10 years	R1 058 per annum 15% VAT included

The above-mentioned leases **BE APPROVED**, subject to inter alia the following conditions, that:

- a) A tariff rental of R1 058.00 per annum including 15% VAT calculated at transaction be payable.
- b) The lease will endure for a period of ten (10) years; subject at any time to six (6) months' notice of termination;
- c) The rental will be adjusted annually in terms of the rental tariff structure as approved Council;
- d) The property be used for sport and community purposes only;
- e) Subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority;
- f) Subject to compliance with any other statutory requirements;
- g) No compensation will be payable for any improvement made to the property;
- h) All outstanding accounts with the City of Cape Town must be settled;
- i) Objections received to be deemed addressed in the report and therefore not to be upheld.

**ACTION: C EASTLAND**

**16SUB 24/1/2020 PROPOSED CLOSURE OF CITY OWNED IMMOVABLE PROPERTY: PORTION OF ERF 5488 CAPE TOWN SITUATED OFF CANTERBURY STREET, CAPE TOWN**

**PROPOSED TRANSFER OF PORTION OF CITY LAND BEING ERF 5488 CAPE TOWN SITUATED OFF CANTERBURY STREET, CAPE TOWN TO THE ABUTTING OWNER OF ERF 168579 CAPE TOWN: SNOW SUMMIT INVESTMENT 141 CC**

Mr Saul Jacobs represented the Property Department.

**UNANIMOUSLY RESOLVED to RECOMMEND that:**

- a) Council resolve that, in terms of section 14 of the Local Government Municipal Finance Management Act 56 of 2003, that the subject property, being a portion of Erf 5488, situated off Canterbury Street, Cape Town, in extent approximately 81 m<sup>2</sup> as shown cross-hatched and lettered ABCD on Plan STC 2970, Annexure A attached to the report, is not needed to provide the minimum level of basic municipal services and has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset;

- b) Council grants in-principle approval in terms of regulation 5(1)(b)(ii) of the Municipal Assets Transfer Regulations for the transfer of a portion of Erf 5488, situated off Canterbury Street, Cape Town, in extent approximately 81 m<sup>2</sup> as shown cross-hatched and lettered ABCD on Plan STC 2970 as per Annexure A attached to the report;
- c) Council, in terms of section 4 of the City of Cape Town Immovable Property By-law, 2015, approve the closure of a portion of Erf 5488 (Public Road), in extent approximately 81 m<sup>2</sup> as shown cross-hatched and lettered ABCD on Plan STC 2970 as per Annexure A attached to the report;
- d) That the transfer of a Portion of Erf 5488, in extent approximately 81 m<sup>2</sup> as shown cross-hatched and lettered ABCD on Plan STC 2970, Annexure A attached to the report, to Snow Summit Investments 141 CC, or his/her/their successor(s) in title, **BE APPROVED**, subject to the following conditions, that:
  - (i) A purchase price of R300 000.00 excluding VAT be payable;
  - (ii) The purchase price is to be escalated by 6% per annum compounded annually on a pro-rata basis commencing 6 months from date of valuation from 1 July 2018 until date of registration;
  - (iii) The sale is to be subject to a condition restricting the bulk to floor area factor of 1.0.
  - (iv) Subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority, including inter alia the following:
    - aa) that all further statutory and land use requirements be complied with;
    - bb) that after closure the subject portion of Erf 5488 Cape Town must be consolidated with the purchaser's Erf 168579 Cape Town;
    - cc) that all costs related and incidental to the transaction be borne by the purchaser.
    - dd) the applicant will be liable for all costs in connection with this transaction i.e. survey, rezoning transfer and Impact Assessment.

**ACTION: S JACOBS**

**16SUB 25/1/2020 PROPOSED CLOSURE OF PORTION OF CITY LAND BEING UNREGISTERED STATE LAND ABUTTING ERF 3640 ORANJEZICHT, SITUATED OFF KLOOF NEK ROAD, ORANJEZICHT**

**PROPOSED TRANSFER OF CITY -OWNED IMMOVABLE PROPERTY:  
PORTION OF CITY LAND BEING UNREGISTERED STATE LAND  
ABUTTING ERF 3640 ORANJEZICHT: STEFAN ANTONI FAMILY TRUST**

**UNANIMOUSLY RESOLVED to RECOMMEND that:**

- a) Council resolve that, in terms of section 14 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, the subject property being a portion of City land (Unregistered State Land) abutting Erf 3640 Oranjezicht, situated off Kloof Nek Road, Oranjezicht, in extent approximately 42 m<sup>2</sup>, shown by the hatched figure lettered ABCD, on the Plan STC 3004 marked Annexure A attached to the report, is not required to provide the minimum level of basic municipal services; and has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset;
- b) Council grants in-principal approval in terms of regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations for the transfer of a portion of City Land abutting Erf 3640 Oranjezicht, situated off Kloof Nek Road, Oranjezicht, in extent approximately 42 m<sup>2</sup>, shown hatched and lettered ABCD, on the Plan STC marked Annexure A attached to the report;
- c) Council, in terms of section 4 of the City of Cape Town Immovable Property By-law, 2015, approve of the closure of the subject property being portion of City land abutting Erf 3640 Oranjezicht, situated off Kloof Nek Road, Oranjezicht, in extent approximately 42 m<sup>2</sup>, shown hatched and lettered ABCD, on the Plan STC 3004 marked Annexure A attached to the report;
- d) The transfer of a portion of City land (Unregistered State Land) abutting Erf 3640 Oranjezicht situated off Kloof Nek Road, Oranjezicht, in extent approximately 42 m<sup>2</sup>, shown hatched and lettered ABCD, on the Plan STC 3004 marked Annexure A attached to the report, to Stefan Antoni Family Trust, or its successor(s) in title **BE APPROVED**, subject to the following conditions, that:
  - (i) A purchase price off R555 000.00 excluding VAT be payable;
  - (ii) The purchase price is to be escalated by 8% per annum compounded annually on a pro-rata basis commencing 6 months from date of valuation, i.e. 1 September 2018 until date of registration;
  - (iii) Rates and municipal charges, if applicable, be levied

**ACTION: S JACOBS**

**16SUB 26/1/2020 APPLICATION TO RENEW LEASE OF PORTION OF PUBLIC LANE, ABUTTING ERVEN 142117 AND 10190 CAPE TOWN, COFFEE LANE, OFF BARRACK STREET, CAPE TOWN FOR STORAGE OF BINS AND EQUIPMENT PURPOSES: TELKOM SOUTH AFRICA SOC LIMITED**

**UNANIMOUSLY RESOLVED** to **RECOMMEND** that the lease of portion of public lane, abutting erven 142117 and 10190 Cape Town situated at Coffee Lane, off Barrack Street, Cape Town, shown hatched and lettered ABCD on the sketch STC 3641 marked Annexure A attached to the report, in extent approximately 194 m<sup>2</sup>, to Telkom South Africa SOC Limited, owner of Erf 142117 or his successors in title, **BE APPROVED** subject to inter alia the following conditions:

- a) A market rental of R 2.000.00 per month inclusive of rates and excluding VAT calculated at the rate applicable at the time of transaction be payable;
- b) The rental to be reviewed after 5 years;
- c) The monthly rental is to be adjusted on the basis of 8% per annum compounded commencing from 2018-01-01.
- d) The lease will endure for a period of ten (10) years;
- e) The property be used for storage of bins and equipment purposes only;
- f) Subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority;
- g) Subject to compliance with any other statutory requirements;
- h) The lane is not to be used for parking purposes;
- i) No compensation will be payable for any improvement made to the property.

**ACTION: D FRANKEN**

<b>MONTHLY/QUARTERLY REPORTS, EXCLUDING FINANCIAL REPORTS</b>
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**16SUB 27/1/2020 LIBRARY AND INFORMATION SERVICES QUARTERLY ACTIVITY REPORT FOR THE PERIOD 1 JULY 2019 TO 30 SEPTEMBER 2019**

**UNANIMOUSLY RESOLVED** that the Library and information services quarterly activity report for the period 1 July 2019 to 30 September 2019 **BE NOTED**.

**ACTION: P SOJOLA**

**16SUB MONTHLY REPORT ON LAND USE APPLICATIONS RECEIVED FOR  
28/1/2020 SUBCOUNCIL 16 (DECEMBER 2019)**

**UNANIMOUSLY RESOLVED** that the monthly report on Land Use Applications received for Subcouncil 16 for the period: December 2019 **BE NOTED**.

**ACTION: L MULLER**

**16SUB QUARTERLY REPORT : DISASTER RISK MANAGEMENT CENTRE : 1  
29/1/2020 OCTOBER TO 31 DECEMBER 2019**

**UNANIMOUSLY RESOLVED** that the quarterly report of the Disaster Risk Management for the period of 1 October to 31 December 2019 **BE NOTED**.

**ACTION: G PILLAY**

<b>LIQUOR LICENCE: EXTENSION OF TRADING TIMES</b>
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**16SUB APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS IN  
30/1/2020 RESPECT OF WINE CONCEPTS ON KLOOF, LIFESTYLE ON KLOOF, 50  
KLOOF STREET, CAPE TOWN: OFF CONSUMPTION MONDAY -  
SATURDAY 18:00 - 20:00**

**UNANIMOUSLY RESOLVED** that:

- a) The application for extension of trading hours from 18:00 – 20:00, submitted by **WINE CONCEPTS ON KLOOF, LIFESTYLE ON KLOOF, 50 KLOOF STREET, CAPE TOWN, BE APPROVED**, as it complies with the criteria included in the City of Cape Town: Control of undertakings the Sell Liquor to the Public By-Law, 2013
- b) Should complaints be received concerning noise and/or unruly behaviour of patrons, these will be investigated and may result in the extended trading hours being withdrawn
- c) Any complaints received concerning noise and /or unruly behaviour of patrons will also be referred to the Western Cape Liquor Authority and may jeopardise the renewal of the liquor licence
- d) This approval is also subject to compliance with all relevant by-laws of the City of Cape Town

**ACTION: C HELDSINGER**

**16SUB 31/1/2020 APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS IN RESPECT OF: THE LAND BANK, 54 QUEEN VICTORIA STREET, CAPE TOWN, ON CONSUMPTION 02:00- 04:00**

**UNANIMOUSLY RESOLVED that:**

- a) The application for extension of trading hours from 02:00 – 04:00, submitted by **THE LAND BANK, 54 QUEEN VICTORIA STREET, CAPE TOWN, BE APPROVED**, as it complies with the criteria included in the City of Cape Town: Control of undertakings the Sell Liquor to the Public By-Law, 2013
- b) Should complaints be received concerning noise and/or unruly behaviour of patrons, these will be investigated and may result in the extended trading hours being withdrawn
- c) Any complaints received concerning noise and /or unruly behaviour of patrons will also be referred to the Western Cape Liquor Authority and may jeopardise the renewal of the liquor licence
- d) This approval is also subject to compliance with all relevant by-laws of the City of Cape Town

**ACTION: C HELDSINGER**

**16SUB 32/1/2020 APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS IN RESPECT OF: KIMBERLEY HOTEL, 46 -48 ROELAND STREET, CAPE TOWN, ON CONSUMPTION 02:00- 04:00**

**UNANIMOUSLY RESOLVED that:**

- a) The application for extension of trading hours from 02:00 – 04:00, submitted by **KIMBERLEY HOTEL, 46 – 48 ROELAND STREET, CAPE TOWN, BE APPROVED**, as it complies with the criteria included in the City of Cape Town: Control of undertakings the Sell Liquor to the Public By-Law, 2013
- b) Should complaints be received concerning noise and/or unruly behaviour of patrons, these will be investigated and may result in the extended trading hours being withdrawn
- c) Any complaints received concerning noise and /or unruly behaviour of patrons will also be referred to the Western Cape Liquor Authority and may jeopardise the renewal of the liquor licence
- d) This approval is also subject to compliance with all relevant by-laws of the City of Cape Town

**ACTION: C HELDSINGER**

**WARD COMMITTEE, ACTIVITY DAY AND OTHER MINUTES**

**16SUB 33/1/2020** **PROPOSED WARD COMMITTEE MEETING DATES: 2020**

**UNANIMOUSLY RESOLVED** that the Proposed ward committee meeting dates for Subcouncil 16 **BE SUPPORTED**.

At this stage the vacancies on the ward committees were discussed.

The meeting was informed that all vacancies on ward committee forums be filled urgently. Election to fill vacancies will take place on 28 February 2020.

Councillors recommendations to their respective ward committee sectors:

**Ward 54:** Cllr Jowell – full complement of ward committee members.

**Ward 57:** Cllr Chapple stated the crime is still high in his ward and recommended that sectors remain as is.

**Ward 77:** Cllr Golding recommended that the sectors be changed as follows:

**Ward 115:** Cllr Bryant recommended that sectors be changed as follows:  
Sector: Arts and Culture has 2 seats, 1 be moved to the Safety and Security sector.

**FURTHER RESOLVED** that Subcouncil 16 **SUPPORTED** the following recommendations to the respective ward committee forums:

a) Ward 57 ward committee be remains as is;

<b>Sectors</b>	<b>Seats</b>	<b>Elected</b>	<b>Vacant</b>
Civic-Based Organisations	6	5	1
Safety and Security	4	3	1

b) Ward 77 ward committee be changed to:

<b>Sectors</b>	<b>Seats</b>	<b>Elected</b>	<b>Vacant</b>
Civic-Based Organisations	4	2	2
Designated Vulnerable Groups	3	2	1
Safety and Security	3	2	1

c) Ward 115 ward committee be changed to:

<b>Sectors</b>	<b>Seats</b>	<b>Elected</b>	<b>Vacant</b>
Arts and Culture	1	1	0
Safety and Security	2	1	1

**ACTION: V SASMAN / L MULLER**

**ROAD TRAFFIC MATTERS**

**16SUB 34/1/2020 RESPONSE FROM TRANSPORT DEPARTMENT TO REQUEST FOR TRAFFIC CALMING MEASURES: HELY HUTCHINSON AVENUE,CAMPS BAY**

**UNANIMOUSLY RESOLVED** that circumstances do not exist to justify the implementation of traffic calming measures along Hely Hutchinson Avenue, Camps Bay.

**ACTION: V SASMAN**

**16SUB 35/1/2020 RESPONSE FROM TRANSPORT DEPARTMENT TO REQUEST FOR TRAFFIC CALMING MEASURES: PRIMA AVENUE( BETWEEN CAMPS BAY DRIVE & HELY HUTCHINSON AVENUE,CAMPS BAY)**

**UNANIMOUSLY RESOLVED** that circumstances do not exist to justify the implementation of traffic calming measures along Prima Avenue (between Camps Bay Drive & Hely Hutchinson Avenue, Camps Bay.

**ACTION: V SASMAN**

**16SUB 36/1/2020 RESPONSE FROM TRANSPORT DEPARTMENT TO REQUEST FOR TRAFFIC CALMING MEASURES: RAVENSTEYN ROAD,CAMPS BAY**

**UNANIMOUSLY RESOLVED** that circumstances do not exist to justify the implementation of traffic calming measures along Ravensteyn Road, Camps Bay.

**ACTION: V SASMAN**

**16SUB 37/1/2020 RESPONSE FROM TRANSPORT DEPARTMENT TO REQUEST FOR TRAFFIC CALMING MEASURES: HORAK AVENUE, CAMPS BAY**

**UNANIMOUSLY RESOLVED** that circumstances do not exist to justify the implementation of traffic calming measures along Horak Avenue, Camps Bay

**ACTION: V SASMAN**

**16SUB 38/1/2020 RESPONSE FROM TRANSPORT DEPARTMENT TO REQUEST FOR TRAFFIC CALMING MEASURES: NORFOLK AND WRENSCH ROAD, OBSERVATORY**

**UNANIMOUSLY RESOLVED** that additional traffic calming measures in Norfolk and Wrench Road, Observatory are not supported.

**ACTION: V SASMAN**

**16SUB 39/1/2020 RESPONSE FROM TRANSPORT DEPARTMENT TO REQUEST FOR TRAFFIC CALMING MEASURES: BEACH ROAD, WOODSTOCK**

**UNANIMOUSLY RESOLVED** that circumstances do not exist to justify the implementation of traffic calming measures along Beach Road, Woodstock.

**ACTION: V SASMAN**

**16SUB 40/1/2020 RESPONSE FROM TRANSPORT DEPARTMENT TO REQUEST FOR TRAFFIC CALMING MEASURES: SEACLIFF ROAD, BANTRY BAY**

**UNANIMOUSLY RESOLVED** that circumstances do not exist to justify the implementation of traffic calming measures along Seacliff Road, Bantry Bay.

**ACTION: V SASMAN**

**16SUB 41/1/2020 RESPONSE FROM TRANSPORT DEPARTMENT TO REQUEST FOR TRAFFIC CALMING MEASURES: ROBOR CRESCENT, MOWBRAY**

**UNANIMOUSLY RESOLVED** that traffic calming will not be considered along Robor Crescent, Mowbray.

**ACTION: V SASMAN**

**16SUB 42/1/2020 RESPONSE FROM TRANSPORT DEPARTMENT TO REQUEST FOR TRAFFIC CALMING MEASURES: MAYNARD STREET, GARDENS**

**UNANIMOUSLY RESOLVED** that circumstances do not exist to justify the implementation of traffic calming measures along Maynard Street, Gardens.

**ACTION: V SASMAN**

**16SUB 43/1/2020 RESPONSE FROM TRANSPORT DEPARTMENT TO REQUEST FOR TRAFFIC CALMING MEASURES: UPPER MILL STREET, VREDEHOEK**

**UNANIMOUSLY RESOLVED** that circumstances do not exist to justify the implementation of traffic calming measures along Upper Mill Street, Vredehoek.

**ACTION: V SASMAN**

**16SUB 44/1/2020 RESPONSE FROM TRANSPORT DEPARTMENT TO REQUEST FOR TRAFFIC CALMING MEASURES: MAIN ROAD (BETWEEN GLENGARIFF AND YORK ROAD) GREEN POINT**

**UNANIMOUSLY RESOLVED** that circumstances do not exist to justify the implementation of traffic calming measures along Main Road, Green Point.

**ACTION: V SASMAN**

<b>GENERAL</b>
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**16SUB 45/1/2020 SOCIAL DEVELOPMENT AND EARLY CHILDHOOD DEVELOPMENT STREET PEOPLE PROGRAMME RESPONSE TO MOTION OF EXIGENCY: REQUEST FOR INTERIM URBAN MANAGEMENT PLAN FOR HELEN SUZMAN BOULEVARD AND SURROUNDS – SUBCOUNCIL 16**

Ms Sherry-Lee La Mohr briefed the meeting as to the report.

Concerns raised by Cllrs:

- Another Safe Space to be priorities for Subcouncil 16 area. Too many sleeping rough.
- Safe is working well, however we also need to look at office space, ablution facilities and design of a safe space facility.
- Received many complaints - Clean-up to be done in Helen Suzman Boulevard and surrounds.
- Statistics to be specific to Subcouncil 16 area.
- Water needs to be channeled to the facility.

In response, Ms La Mohr stated;

- Entrance to the walk-in facility will be improve.
- To raise more awareness and pamphlets will be distributed daily.
- Cllrs will be part of the Give Dignity Campaigns.

**UNANIMOUSLY RESOLVED** that response to the motion of exigency: Request for Interim Urban Management Plan for Helen Suzman Boulevard and surrounds **BE NOTED**.

**ACTION: S LA MOHR**

## **LATE ITEMS**

**16SUB 46/1/2020 APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS IN RESPECT OF: STONES OBSERVATORY, 84 LOWER MAIN ROAD, OBSERVATORY, ON CONSUMPTION: 02:00 – 04:00**

Reports from Liquor official and Community Police forum are omitted.

**UNANIMOUSLY RESOLVED** that the application for extension of liquor trading hours in respect of STONES OBSERVATORY, 84 LOWER MAIN ROAD, OBSERVATORY, on consumption **BE DEFERRED** to obtain the following reports from;

- a) Dedicated Liquor Licence Official
- b) Community Police Forum

**ACTION: C HELDSINGER**

**16SUB  
47/1/2020 MOTION OF EXIGENCY: REQUEST FOR THE CONSTRUCTION AND IMPLEMENTATION OF THE "HIGH CAPE DEVELOPMENT UNDERPASS", OR ALTERNATE APPROPRIATE TRAFFIC CALMING MEASURES IN TERMS OF, AND IN ACCORDANCE WITH THE HIGH CAPE 2 REZONING APPROVAL CONDITIONS REFERENCE NUMBER 4025-1991**

This motion was tabled and proposed by Councillor Sumaya Taliep and seconded by Councillor Brandon Golding.

Councillor Taliep read the motion:

"Acting in terms of section 59 of the Systems Act, Council delegated the powers, functions and duties to Subcouncil 16, including the power to subdelegate any of their delegated powers, functions and duties to members of the municipal staff only in terms of section 17 of the Cape Town Sub-council By-law 2003:

1. To assess the performance of service delivery generally within their area of jurisdiction (outcomes monitoring).
2. To request reports from the line functionaries on activities to be executed in the Sub-council area.
3. To recommend appropriate comments on National and Provincial draft legislation, regulations, policy frameworks, that affects the Sub-council.

**NOTING THAT:**

- 1) The Sub-council has an obligation to request reports relating to works or projects affecting, and to be executed in the Sub-council area.
- 2) Vehicular traffic access and exit points at the corner of Barham & Phillip Kgosana Drive, and Jutland and Phillip Kgosana are dangerous and described as death traps. During peak hour vehicular traffic quadruples and access and exit onto Phillip Kgosana Drive is hazardous and dangerous.
- 3) Motor vehicle accidents appear to be on the increase at both intersections.
- 4) A legally binding agreement was entered into between the City of Cape Town and Condev the property developer for the proportionate funding of the design and construction of the road link (underpass) to District 6, **PRIOR TO THE IMPLEMENTATION OF PHASE 3** of the High Cape development, Phase 3 was built and the road link (De Waal Drive Underpass) was never constructed, contrary to the zoning conditions imposed.
- 5) The R5M bank guarantee contribution by Condev towards the costs of the construction of the underpass was not utilized, as the underpass was not built.

- 6) The City Bowl Ratepayers Association have, over several years escalated the issue to the City Manager, Mayor, Minister of Local Government & Planning and Minister of Finance to take the necessary steps to proceed with the construction of the underpass.
- 7) The City Legal advisor at the time confirmed the City's obligations.

**NOW THEREFORE THE SUB-COUNCIL RESOLVES AS FOLLOWS:**

- 1) The Sub-council is mindful of its legal obligations in terms of the zoning conditions imposed on the approval of the High Cape 2 Development.
- 2) That a consolidated report from the relevant line department is drafted and tabled on the Sub-council 16 agenda for its meeting in March 2020;
  - (i) On all traffic planning, impact studies, recommendations and projects relating to the implementation of the underpass, and or alternate traffic calming solutions that alleviates the traffic congestion, improves public and motorist safety and security, on the corner of Barnham & Phillip Kgosana Drive & Jutland & Phillip Kgosana Drive
  - (ii) On the status of the bank guarantees of R5M retained by the City for it to execute its legal obligation”.

After discussion, the motion was amended and decision was made as follows;  
**UNANIMOUSLY RESOLVED** that:

- a) The Sub-council is mindful of its legal obligations in terms of the zoning conditions imposed on the approval of the High Cape 2 Development in Devil's Peak in the mid 1990's.
- b) That a consolidated report from the Executive Director, relevant line department is drafted and tabled on the Sub-council 16 agenda for its meeting in March 2020 as follows;
  - (i) On all traffic planning, impact studies, recommendations and projects relating to the implementation of the underpass, and or alternate traffic calming solutions that alleviates the traffic congestion, improves public and motorist safety and security, on the corner of Crassula & Phillip Kgosana Drive & Barnham & Phillip Kgosana Drive in Devil's Peak;
  - (ii) On the status of the bank guarantees of R5M retained by the City for it to execute its legal obligation;
  - (iii) That subject to the report regarding the appropriate traffic calming intervention required to solve the traffic congestion on the Cnr of Crassulla & Phillip Kgosana Drive and Barnham & Phillip Kgosana Drive, the project be costed and placed on the IDP Budget for implementation as soon as possible, with the professional implementation plan and timeframes.

**ACTION: E SASS / L MULLER**

<b>CLOSING ITEMS</b>
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**NEXT MEETING DATE: 17 FEBRUARY 20**

**Chairperson:.....**

**Date:.....**