

**OF THE ADJOURNED MEETING OF THE COUNCIL OF THE CITY OF CAPE TOWN
HELD IN THE COUNCIL CHAMBER, 6TH FLOOR, PODIUM BLOCK, CIVIC CENTRE,
12 HERTZOG BOULEVARD, CAPE TOWN, ON WEDNESDAY, 25 MARCH 2015 AT
10:00.**

MEMBERS PRESENT:

Cllr A Abrahams (DA)	Cllr C J Esau (DA)	Ald K H Lategan (DA)
Cllr A N Abrahams (DA)	Cllr A Fourie (FF+)	Cllr C N Leputhing (ANC)
Cllr M M Abrahams (ANC)	Cllr G D Fourie (DA)	Cllr S P Liell-Cock (DA)
Cllr A Adams (PAC)	Cllr P Francke (DA)	Cllr X T Limberg (DA)
Cllr Y Adams (CMC)	Cllr P J Gabriel (ANC)	Cllr S A Little (DA)
Cllr W J Akim (DA)	Cllr A Gabuza (ANC)	Cllr M Mabandla (ANC)
Cllr D Amira (DA)	Cllr A Green (DA)	Cllr L Maci (ANC)
Cllr E P Andrews (DA)	Cllr A J Griesel (DA)	Cllr C J Mack (DA)
Cllr E Anstey (DA)	Cllr N Grose (DA)	Cllr B Madikane (DA)
Cllr R Arendse (DA)	Cllr X Gwangxu (DA)	Cllr B Majingo (ANC)
Cllr S W P Arendse (DA)	Cllr S C Gympies (DA)	Cllr M N Makanda (ANC)
Cllr M T Arendse (DA)	Cllr B Hadebe (ANC)	Cllr N Makasi (ANC)
Cllr S N August (DA)	Cllr B Hansen (DA)	Cllr K Makeleni (ANC)
Cllr D E Badela (ANC)	Cllr G Haskin (ACDP)	Cllr L C Makeleni (ANC)
Cllr J Basson (DA)	Cllr W Hassiem (AMP)	Cllr B Malong (ANC)
Cllr R Bazier (ANC)	Cllr M Haywood (DA)	Cllr K Mamba (ANC)
Cllr R Beneke (DA)	Cllr L Hebe (ANC)	Cllr S Mamkeli (DA)
Cllr N L Bent (DA)	Cllr M G E Hendricks (AJ)	Cllr G W March (DA)
Cllr G M Bloor (DA)	Cllr B N Herron (DA)	Cllr P I Marman (DA)
Cllr W E Brady (DA)	Cllr J A Heuvel (DA)	Cllr J Martlow (DA)
Ald J Bredenhand (ANC)	Cllr P C Heynes (ANC)	Cllr V Matanzima (DA)
Cllr M T Britz (DA)	Cllr T T Honono (ANC)	Cllr M S Matha (ANC)
Cllr E N Brunette (DA)	Cllr R M Hoorn (DA)	Cllr J J Maxheke (ANC)
Cllr D W Bryant (DA)	Cllr L I Isaacs (DA)	Cllr P Maxiti (DA)
Cllr J H H Burger (DA)	Cllr I R Iversen (DA)	Cllr S Mbandezi (ANC)
Cllr H Carstens (DA)	Cllr B M Jacobs (DA)	Cllr L V McBride (DA)
Cllr C S Cerfontein (DA)	Cllr J Jacobs (DA)	Cllr J McCarthy (DA)
Cllr P Chapple (DA)	Cllr L Jaffer (ANC)	Cllr V N Mfusi (ANC)
Cllr C P V Claasen (DA)	Cllr W D Jaffha (DA)	
Cllr C C Clayton (DA)	Cllr E E Jansen (DA)	
Cllr D G Cottee (ANC)	Cllr C Janse van Rensburg (DA)	
Cllr A C Crous (DA)	Cllr M I Jansen van Vuuren (DA)	
Cllr D J D'Alton (DA)	Cllr I K Jefferies (DA)	
Cllr M Davids (DA)	Cllr C Jordaan (DA)	
Executive Mayor P de Lille (DA)	Cllr L D Jordaan (DA)	
Cllr S P Diamond (DA)	Ald C Justus (DA)	
Cllr A J Dube (DA)	Cllr A C K Kannenberg (DA)	
Cllr D Dudley (ACDP)	Cllr D M Khatshwa (ANC)	
Cllr V D Dyantyi (ANC)	Cllr M Kleinschmidt (DA)	
Cllr P A East (DA)	Cllr M E Kleinsmith (DA)	
Cllr A J Ehrenreich (ANC)	Cllr A L Komeni (ANC)	
Cllr D Elese (ANC)	Cllr N F Kopman (ANC)	
	Cllr N Landingwe (ANC)	

Cllr J H Middleton (DA)
Cllr M A Mkutswana (ANC)
Cllr P Mngxunyeni (ANC)
Cllr N M Mofoko (ANC)
Cllr G Moolman (ANC)
Cllr A C Moses (DA)
Cllr N A Moshani (ANC)
Cllr D Mphila (ANC)
Cllr M Mpondwana (ANC)
Cllr M E Msindwana (ANC)
Cllr W S Mxolose (ANC)
Cllr T Ndamase (ANC)
Cllr N Ndzulwana (ANC)
Ald I D Neilson (DA)
Cllr Y A Ngqame (DA)
Cllr N S Ngqose (ANC)
Cllr P Ngqu (DA)
Cllr M Nguzo (ANC)
Ald M J Nieuwoudt (DA)
Cllr M Nikelo (DA)
Cllr F M Nkuzana (ANC)
Cllr S Nonkeyizana (ANC)
Cllr E Notana (ANC)
Cllr M L Nqavashe (ANC)
Cllr M Nqulwana (ANC)
Cllr A Ntsodo (DA)
Cllr N C Nyakatya (ANC)
Cllr R A O'Connell (DA)
Cllr M J Oliver (DA)
Cllr X B Pakela-Mapasa (DA)
Cllr X Peter (ANC)
Cllr M J Petersen (DA)
Cllr S Philander (DA)
Cllr S Pienaar (DA)
Cllr M P Pietersen (DA)
Cllr I Pretorius (DA)
Cllr S B Pringle (DA)
Cllr T Pupa (ANC)
Ald F Purchase (DA)
Cllr Z L Qoba (ANC)
Cllr B Rass (DA)
Cllr R Rau (DA)
Cllr F H L Raymond (DA)
Cllr S J Rossouw (DA)
Cllr T Sakathi (ANC)
Cllr C J Scheepers (ANC)
Ald A M Serritslev (DA)
Cllr G R Siljeur (ACDP)
Cllr R S Simons (ANC)
Cllr J D Slabbert (DA)
Ald J D Smit (DA)
Ald J P Smith (DA)
Cllr E J Sonnenberg (DA)
Cllr M M Sopaqa (ANC)
Cllr X R Sotashe (ANC)
Cllr K G Southgate (DA)
Cllr M J Taylor (UDM)
Cllr C R Thomas (DA)
Cllr G H J Thomas (DA)
Cllr T B Thompson (DA)
Cllr J Thuynsma (ANC)
Cllr G Timm (DA)
Cllr T A Uys (DA)
Cllr B van Dalen (DA)
Cllr B van der Merwe (DA)
Cllr C G van der Merwe (DA)
Cllr J F van der Merwe (DA)
Cllr A A van der Rheede (DA)
Cllr P van der Ross (DA)
Cllr L van der Walt (DA)
Cllr B M van Minnen (DA)
Cllr C H S van Wyk (DA)
Cllr M Velem (ANC)
Cllr J D Venter (DA)
Cllr R Viljoen (DA)
Cllr J Visser (DA)
Cllr S T Vuba (DA)
Ald B Walker (DA)
Ald B Watkyns (DA)
Cllr M Weavers (DA)
Cllr J D Weber (DA)
Cllr A Williams (NPSA)
Cllr S Yalezo (DA)
Cllr S K Yozi (ANC)
Cllr L G Zondani (ANC)

APOLOGIES : COUNCILLORS

Cllr F L Abrahams (ANC)
Cllr C B Bew (DA)
Cllr H I Brenner (DA)
Cllr C A Brynard (DA)
Ald G Cavanagh (DA)
Cllr D J Christians (DA)
Cllr A Gabier (ANC)
Cllr V R Isaacs (DA)
Cllr M L Kempthorne (DA)
Cllr J Krynauw (COPE)
Cllr B Le Roux (DA)
Cllr T Mangali (ANC)
Cllr M E Mbonde (ANC)
Cllr K H Morkel (COPE)
Cllr M Mzalisi (ANC)
Cllr A X Ndongeni (ANC)
Cllr N S Ngqose (ANC)
Cllr C Ntotoviyane (ANC)
Ald D L Qually (DA)
Cllr G G Twigg (DA)
Cllr B van Reenen (DA)
Cllr N Sikhakhane (COPE)

The following Councillor submitted an apology for late arrival:

None

The following Councillors submitted an apology for leaving early:

Cllr W S Mxolose (ANC)
Cllr M Nikelo (DA)
Cllr M M Sopaqa (ANC)

ABSENT

The following Councillor was absent and did not submit an apology for the meeting:

None

PRESENT

Executive Management Team

Mr A Ebrahim - City Manager
Mr R Bosman
Dr I Bromfield

Mr A Groenewald
Mr J Hugo
Mr K Jacoby
Dr G Kaiser
Dr Z Mahlangu
Ms L Mtwazi
Mr G Ras
Mr E Sass - Acting ED: Social Development and Early Childhood Development
Ms M Whitehead

Executive Support and Committee Services

G Kenhardt - Director : Executive Support
R Razack - Manager : Executive Committee Services
J Guild
G Josephs
H Kayane
N Meissenheimer
D Pheiffer
K Phillips
R Pretorius
R Riffel
R Tippoo

Legal Services

L Mbandazayo
J Roman

ACRONYMS:

ACDP - African Christian Democratic Party
AJ - Al Jama-ah
AMP - African Muslim Party
ANC - African National Congress
CMC - Cape Muslim Congress
COPE - Congress of the People
DA - Democratic Alliance
FF+ - Freedom Front Plus
NPSA - National Party South Africa
PAC - Pan Africanist Congress of Azania
UDM - United Democratic Movement

SECTION 1 OPENING OF MEETING

The Speaker welcomed all Councillors, officials, the media and members of public in the gallery to the ordinary Council meeting.

A special word of welcome was also extended to the learners of the Parel Vallei High School.

A moment of silence was observed.

Councillors and members of the Executive Management Team (EMT) were called upon to register their attendance electronically.

At this stage, Cllr X Sotashe made reference to the notice of the Council meeting. He was of the view that the notice was incorrect in terms of Rule 6 of the Rules of Order in that it did not indicate the venue of the meeting. The Speaker clarified that the Council meetings are always held in the Council Chamber.

SECTION 2 MAYORAL ADDRESS

The Executive Mayor, P de Lille addressed the meeting as follows:

"I would like to ask for a moment's silence for Minister Collins Chabane, his two protectors, former editor Ken Owen, helicopter pilot Hendrik Willem Marais, and firefighter Nazeem Davies. Thank you.

Good morning, goeie dag, molweni, as-salaam alaikum, shalom.

Mr Speaker, I would like to begin by recognising the outstanding men and women who serve as our firefighters, emergency services, paramedics, traffic officers, law enforcement officers, and Metro Police officers. These brave men and women distinguish themselves everyday out in the field. However, their recent efforts to stem out-of-control mountain fires warrant special mention. Their untiring bravery prevented much greater devastation and death. Furthermore, I would like to thank the City's neighbourhood watches and volunteer organisations. Hundreds of these volunteers ensured that we were able to control an emergency situation as much as possible. On behalf of a grateful city, I would like to thank all of you.

The City of Cape Town and various other agencies are collaborating to determine the financial impact of the recent South Peninsula fire. The assessment will consider the total resources used, costs, and the extent of the damage. On a day-to-day basis, the City of Cape Town is well equipped to deal with fire incidents, in spite of an increase in the number of fires reported in recent months. Since 2006, the City's Fire and Rescue Service has received a massive financial injection to bolster its resources. This has included: An incremental increase in the number of firefighters, to an overall complement of 900; construction of five new fire stations;

establishment and certification of the Epping Training Academy. Spend of R293 million on equipment, vehicles, facilities, training and recruiting hundreds of volunteers. Conducting nearly 800 fire awareness training sessions in all of the high-risk areas of the city in all three languages, amongst a slew of other interventions. An additional R12 million has been secured in the 2014/2015 financial year to acquire more fire engines, while an estimated R40 million has been earmarked for the 2015/2016 financial year for additional resources, staff, training and improvement of existing facilities to ensure that the service keeps up with the needs of the city's growing population. As a direct result of the investment in our fire service, our informal settlement fire mortality rate is the lowest of any metro in the country, having dropped from 7,9/100 000 in 2005 to below 4/100 000 last year.

This means that we have halved the number of fire-related deaths.

Mr Speaker, it is also my great pleasure to acknowledge Craig Alistoun from Nedbank and Edward Macheke from Rand Merchant Bank. Their institutions have contributed R300 000 between them to the Mayor's Special Fund. The Mayor's Special Fund is meant for emergency relief and for charitable donations to individuals and organisations on behalf of the City from the Mayor. These contributions will allow for even more compassionate acts of charity, helping us build a more caring city.

Mr Speaker, in addition to being a more caring city, we are also trying to be more inclusive. This past Saturday, Human Rights Day, I launched the Inclusive City campaign, which is a dialogue to address incidents of racism and promote a rights-based culture in Cape Town. It followed my commitment to launch this campaign at our last Council meeting in January of this year. Racism is a global and a South African problem. However, the adoption of a rights-based state was only formalised in our country in the democratic era when we adopted the Constitution in 1996. We in Cape Town want to promote reconciliation and fight racism while also instilling in people a sense of the rights that they have access to in the democratic dispensation.

While racism is a problem for our country, we are taking the lead here in Cape Town – especially in the context of the recent spate of racist incidents in our city. Over the next five weeks, I will be meeting with the industry bodies where these incidents have occurred – in the hospitality, retail and property industries, as well as universities, the media and other organisations – to address these incidents and find common ways that we can work together to prevent them from occurring in the future. During this time, we will also be engaging ordinary Capetonians through the media and other channels to hear their voices and their opinions on what we can do to tackle racism. The vast majority of people are decent and reject racism.

However, their voices get drowned out by the minority who hold extreme views. It is our job to give the majority a voice and to say 'Don't let racists speak for you'. This will culminate in a panel discussion where we will present our findings and agree on a commitment to carry this campaign forward as part of the ordinary business of government and the organisations who agree to partner with us. I would like councillors to be a part of this campaign. Please follow the releases to which you are all copied in and promote the campaign's activities in your communities. Engage your own communities on how we can fight racism and promote a rights-based culture and let me know by writing to the Mayor's office. It is up to us to demonstrate bold leadership and to actively promote reconciliation in our city. South Africa belongs to all. We want to say to people: know your rights, you cannot be discriminated against.

Know your rights, you have the right to associate with whomever you want. Know your rights, you can work wherever you choose. And in as much as we promote inclusion through the campaign, we continue the work of promoting broader inclusion and making Cape Town a social and economic success for all of its residents. This means making hard policy interventions to change the structural problems in our society as much as we can as a local government. There is a link between the life opportunities of people in South Africa and the historical discrimination they faced, with a definite link between structural poverty and apartheid for many South Africans.

Tackling these legacies includes changing the spatial dynamics of the city to address the legacy of apartheid and addressing the needs of the poor. In that regard, The City of Cape Town handed over approximately 1 200 Breaking New Ground (BNG) units to beneficiaries of the Pelican Park integrated human settlements development. This is part of our continued efforts to increase the delivery of housing opportunities as a means of enabling redress. It is expected that in excess of 700 subsidised houses will be handed over by December 2016, which will see the completion of the State-funded portion of the project.

The total cost of this development is approximately R700 million, which includes State funding and private investment. Pelican Park, a World Design Capital 2014 project, is integrated across the full spectrum of affordability, with 2 024 totally subsidised homes (Breaking New Ground) being built alongside 760 starter homes (Gap Housing) selling for R320 000, and 360 higher value homes (bonded) valued from R480 000 to R700 000. The development incorporates provision for two new schools and a regional clinic to be developed respectively by the Western Cape Government Department of Education and City Health, as well as two properties zoned as places of worship. A commercial precinct was also opened in November 2014 in an effort to enable economic opportunities for the residents of Pelican Park. These achievements at Pelican Park have been matched by our progress in Scottsdene.

Significant progress has already been made on this R554 million integrated housing development, which will provide a mix of residential properties to cater for various income groups at affordable rates. These include 1 100 social housing and market rental units, 340 council rental stock units subsidised by the City of Cape Town and 550 fully subsidised homes for beneficiaries on the housing database. Once completed, the Scottsdene development will provide 2 200 housing opportunities. The City provided the 2,8 hectares of land for the project valued at R8,9million to the developer in order to make this a viable project that would provide affordable housing to residents earning less than R7 500 per month. This is to ensure that that the benefit goes to the beneficiaries.

We have also facilitated the planning, approval and construction of the project. Once Scottsdene is fully completed, we will continue to play a monitoring role. But addressing spatial legacies does not just mean building new houses. It also means creating inclusive spaces for our communities that can help transform the spaces in which they live. In this regard, this month we opened the recently upgraded sports complex in Imizamo Yethu. The upgrades, totalling R2,6 million, include the construction of a new clubhouse, changing rooms, showers and ablution facilities, a first-aid room, kitchen and communal space.

Since its opening in 2012, the Imizamo Yethu pitch has been home to many tournaments which focus on developing our young soccer players, with three South African Football Association Cape Town junior tournaments and other youth tournaments taking place. I am looking forward to sponsoring a mayoral soccer tournament at the pitch. The pitch has also been used for weekly developmental programmes for children to introduce them to the sport and develop young talent, while local schools utilise the facility for mid-week soccer games. The City has a total of 26 synthetic pitches across the metro in areas such as Langa, Mitchells Plain, Ocean View, Bishop Lavis, Grassy Park and Gugulethu.

These amenities represent a combined investment of R40 million into these areas, and have been welcomed by communities which for years experienced under-investment and lack of development. In 2012, we opened the first of our synthetic pitches in Imizamo Yethu, along with one in Hangberg. R10 million was spent on the construction of these two facilities, which are compliant with FIFA regulations. It is my hope that these world-class grounds will breed a new generation of sports stars as they hone their skills, and perhaps one day represent their country on the playing field.

Mr Speaker, policy interventions include trying to address social problems in the city in conjunction with the interventions from the provincial and national governments. Two years ago we initiated the 'Be Smart, Don't Start' campaign, which was focused on drug users. Last year we changed the focus of our substance abuse message to address the demand problem.

We launched the 'I have a drug problem' campaign which was built on the premise that drugs not only affect those using them, but also their families and the community at large. The campaign was a rousing success. We had an 883% increase in the number of calls to our 24-hour helpline, reached 4,8 million people through traditional media channels, and an additional 2 million through social media.

As part of this year's campaign, we would like to urge residents to report drug dealers in order to address the supply problem. For too long these criminals have crippled our communities and ruined the lives of our children. Community members can put a stop to this. All that stands between a drug dealer operating on the streets or going to jail is the information that residents can supply. We need people to come forward and give us that information so that we can take the necessary action to incarcerate these criminals. Anyone with information is urged to report individuals selling drugs by calling our 24-hour helpline on 0800 43 57 48. This campaign forms part of an investment by the City of Cape Town to combat substance abuse in the metro this year.

Most of this funding has been apportioned to the Metro Police, who work in conjunction with the South African Police Service to restrict the supply and distribution of drugs. Substance abuse is often linked to criminal acts such as theft, robbery and housebreaking. Drugs are the core of the gang economy.

Mr Speaker, as much as we make interventions to root out the supply of drugs and therefore disrupt the illegal economy, we should match this by promoting the formal economy using the tools at our disposal. As such, we are very excited that, as from December, Cape Town will be hosting the South African leg of the World Sevens Series for the next four years. Sporting events play a major role in our vision of becoming the events capital of Africa and thereby create economic activity in our city.

We are therefore especially honoured to be the new hosts of this event, and I would like to thank the South African Rugby Union (SARU) and World Rugby for giving us this opportunity. The Hong Kong Sevens is the biggest regular rugby tournament in the world, attracting incredible amounts of direct and indirect investment, and we would like to follow in those footsteps. The Cape Town Stadium has become a beacon of inclusivity within our city, and it is only fitting that this iconic venue play host to an event that unites people from across the world through their love of sport. People from all walks of life regularly come together at the stadium to share their passion for the different events that are hosted here. Now, people will be coming to the stadium to share in their love for rugby as well.

In conclusion, the programmes of this government are focused on addressing long-term reconciliation through redress that addresses the structural elements of inequality in our past.

At the same time, we must promote a message of reconciliation in our work and in our lives for all of our residents. It is my sincere hope that the councillors assembled here will take the messages of our Inclusive City campaign into their communities and initiate a real and lasting dialogue. Thank you, baie dankie, enkosi.”

SECTION 2.1 20 MINUTES FOR QUESTIONS AND ANSWERS

The following questions were put to Executive Mayor P de Lille:

Cllr L Van Der Walt (DA)

Cllr L Van Der Walt asked the Executive Mayor if the City would provide counselling to its emergency services staff in order for them to deal with the effects and devastation of the recent mountain fire in the South Peninsula area and to prepare them for future fire fighting situations.

Answer

The Executive Mayor said that a dedicated medical officer is working 24/7 with the Emergency Services to ensure the well-being of staff and that additional resources are being planned in order to ensure that the service keeps up with the needs of the City.

Cllr A Adams (PAC)

Cllr A Adams asked the Executive Mayor if she would be willing to involve all political parties represented in Council in the launch and roll out of the Inclusive City campaign.

Answer

The Executive Mayor said that the initial campaign briefing was held in commemoration of Human Rights Day and to initiate engagement with all sectors of the community, as well as stakeholders on the campaign. Executive Mayor P de Lille said that all political parties would be invited to activities and events planned as part of the roll out of this campaign.

Cllr G Hendricks (AJ)

Cllr G Hendricks questioned the City's intentions with the Inclusive City campaign, as well as the City's efforts regarding the eradication of racism.

Answer

Executive Mayor P de Lille was of the view that citizens should not rely on government initiatives to eradicate racism but that every citizen should make an effort to fight racism. She said that it was the role and responsibility of each and every person, employee and organisation to

commit to fight racism and reiterated that all political parties represented on Council would be invited to get actively involved in this campaign and express themselves in this regard.

Cllr M Taylor (UDM)

Cllr M Taylor asked the Executive Mayor if she would agree that the privileges of racists should be taken away and that public resources should not be wasted on racists.

Answer

The Executive Mayor P de Lille said that it is the constitutional duty of each South African to refrain from making themselves guilty of racist actions and to make the right choices.

Executive Mayor P de Lille indicated that she had consulted the Deputy President regarding his recent statements about racial incidences in Cape Town and requested him to provide evidence of the alleged incidences of racism in order for the City to follow-up and institute the necessary actions.

At this stage, the Speaker granted Ald J P Smith an opportunity to introduce the Cape Town Metropolitan Youth Cadets to Council. The Speaker welcomed the Cadets into the Chamber, and the Deputy Chief: Internal and Civic Affairs highlighted a few successes of the programme. The Executive Mayor awarded lapel badges to the Cadets and thanked Ald J P Smith, the relevant Safety and Security Staff and Cadets for their involvement in this programme.

SECTION 3

C 01/03/15 APOLOGIES / LEAVE OF ABSENCE

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

Cllr F L Abrahams (ANC)
Cllr C B Bew (DA)
Cllr H I Brenner (DA)
Cllr C A Brynard (DA)
Ald G Cavanagh (DA)
Cllr D J Christians (DA)
Cllr A Gabier (ANC)
Cllr V R Isaacs (DA)
Cllr M L Kempthorne (DA)
Cllr J Krynauw (COPE)
Cllr B Le Roux (DA)
Cllr T Mangali (ANC)
Cllr M E Mbonde (ANC)
Cllr K H Morkel (COPE)

Cllr M Mzalisi (ANC)
Cllr A X Ndongeni (ANC)
Cllr N S Ngqose (ANC)
Cllr C Ntotoviyane (ANC)
Ald D L Qually (DA)
Cllr G G Twigg (DA)
Cllr B van Reenen (DA)
Cllr N Sikhakhane (COPE)

SECTION 4 ANNOUNCEMENTS BY THE SPEAKER

None

SECTION 5 OFFICIAL NOTICES / URGENT MATTERS

There were no official notices or urgent matters raised.

At this stage, the ACDP enquired about the seating arrangements in the public gallery as they were advised that the gallery was fully booked when wanting to request some reservations.

At this point, Cllr A Ehrenreich indicated that he wanted to introduce an urgent motion under Section 11 of the agenda. The Speaker advised that the Rules do not make provision for such motions and also confirmed that no new motions were received by his office in accordance with the Rules. The Speaker therefore ruled that Cllr Ehrenreich's matter could not be addressed.

Cllr Ehrenreich requested that it be recorded that he had been denied an opportunity to raise this urgent motion.

Cllr X Sotashe also indicated that he wanted to reserve seats for the public in terms of Rule 3.6 of the Rules of Order, but was advised that the gallery was already filled to capacity. The Speaker indicated that he would investigate the matter and respond to the ANC in writing.

C 02/03/15 CONFIRMATION OF MINUTES OF MEETING: 28 JANUARY 2015

Extensive discussion on the correctness of the minutes ensued.

Cllr D Dudley of the ACDP proposed a correction to the following:

Pg. 20 PERFORMANCE REPORT (2013/2014) OF THE CAPE TOWN INTERNATIONAL CONVENTION CENTRE COMPANY SOC LTD (CTICC) – ITEM C 03/01/15

The minute be amended by adding the following:

“It be noted that the ACDP recorded their vote against the decision under this heading.”

Pg. 64 Cllr A Ehrenreich requested that the apologies and absentees also be recorded on Annexure A to the minutes.

Pg 64 MEMBERS PRESENT

That the name of Cllr D Bryant be listed under the heading: "MEMBERS PRESENT" on Annexure A to the minutes.

The Speaker ruled that the content of the following paragraphs below be recorded as comments made on the minutes:

Pg. 41 [Item C 27/01/15] PROPOSED DEMOLITION OF DILAPIDATED BUILDINGS SITUATED ON ERF 70091, 16 WATERBURY ROAD, PLUMSTEAD

Cllr X Sotashe (ANC) mentioned that the procedural motion as put forward by the Executive Deputy Mayor would require a supporting vote of the majority of the members present at a meeting of the Municipal Council in terms of Rule 15.1.1 of the Rules of Order. He indicated that the decision taken under this item had been flawed in view of the voting results and the members present. He was of the opinion that the decision in this regard be rescinded and reviewed. He also requested that the matter be investigated and that the Speaker reports back at the next Council meeting.

Pg. 43 With reference to the attendance register at the re-commencement of the Council meeting in the Podium Hall, **Cllr G Haskin (ACDP)** requested that it be reflected that members of the public and media were not present.

Pg. 43 **Cllr A Fourie (FF+)** indicated that he would support the decisions as reflected on pages 1 to 43 of the minutes, and supported Items C57 and C58, but that he could not support the other matters as he was excluded from the meeting. He proposed the following amendment to the minutes:

- "1 That the name of Councillor A Fourie (FF+) be deleted as present at the meeting that resumed at 16:20 in the alternative Podium Hall; and*
- 2. That the following explanation be accommodated in the minutes:
Cllr A Fourie (FF+) only joined the meeting when the Speaker announced that the agenda was concluded and that council was to continue with the closed meeting. Cllr Fourie wanted to know on a point of order what happened to his questions to the Mayor as he had follow-up questions to ask - that he was shut-out by a contingent of metro police officers and a number of ANC councillors and that he could not enter the meeting through open doors. The Speaker agreed to revert to Cllr Fourie's questions and he proceeded to ask his follow-up questions to which the Mayor responded. He then asked on a*

second point of order what happened to · the rest of the agenda to which the Speaker responded that those items were dealt with and that a copy of the minutes would be sent to him. At this point Cllr Fourie, who did not sign the attendance register, left the meeting in protest to the dictatorial manner in which the meeting was conducted.”

Pg. 43 **Cllr A Ehrenreich (ANC)** indicated that the reference to “unruly behaviour” is incorrect and that Rule 6.1 of the Rules of Order was not complied with in terms of the notice for the meeting. He further emphasised that the decision recorded under Item C27 was unprocedurally taken.

Pg. 43 **Cllr D Dudley (ACDP)** requested that it be added that he and Cllr G Siljeur were not present at the re-commencement of the meeting, as they were barred by ANC members and Metro Police officers from entering the venue at the Podium Hall and would therefore not be completing leave forms.

Pg. 43 **Cllr A Adams (PAC)** and **A Williams (NPSA)** also indicated that they were barred from entering the venue.

Pg. 63 **Cllr A Williams (NPSA)** enquired why the re-commencement time of the meeting was not indicated on Annexure A to the minutes.

As consensus could not be reached, the Speaker proposed that the correction of the minutes be put to the vote, with results as follows:

In favour : 122
Against : 68
Abstentions : 3

[It was noted that the ACDP, PAC and NPSA voted no and the ANC, UDM and AMP voted against.]

The proposal was carried.

The amendment to the minutes as proposed by Cllr A Fourie (FF+) was put to the vote, with results as follows:

In favour : 8
Against : 121
Abstentions : 62

[It was noted that the ANC abstained from voting. The ACDP and FF+ supported the amendment.]

The amendment proposed by Cllr A Fourie was not carried.

Despite a vote having been taken on the correctness of the minutes, further comments were still made as set out below.

Pg. 45 TABLING OF THE CITY'S ANNUAL REPORT AND EXECUTIVE SUMMARY FOR 2013/14

Cllr X Sotashe (ANC) mentioned that the Councillors, public and media were barred when this matter was considered and therefore the decision on this matter was not legally compliant with reference to Section 130(1) of the MFMA.

Pg.63 **Cllr I Iversen (DA)** indicated that he was not present at the recommencement of the meeting and therefore his name should be deleted under the heading: MEMBERS PRESENT.

Pg.63 **Cllr X Sotashe (ANC)** indicated that the minutes did not conform in terms of Rule 14 of the Rules of Order and therefore the minutes are not compliant.

Pg.22 RESOLUTIONS TAKEN BY THE EXECUTIVE MAYOR IN TERMS OF DELEGATED POWERS AND DECISIONS TAKEN TOGETHER WITH THE MEMBERS OF THE MAYORAL COMMITTEE: FROM OCTOBER TO DECEMBER 2014

Cllr D Cottee (ANC) mentioned that at the previous Council meeting, he questioned the Executive Mayor why only DA Councillors attended some workshops and no other Councillors. Cllr Cottee indicated that the Speaker mentioned that a report in this regard would be submitted.

The Executive Mayor commented that the public and media should always be accommodated at meetings, and a venue and screens must be made available when a meeting is moved to another venue.

The ANC indicated that they were not in support of the minutes. The Speaker ruled that the members would vote on the minutes for adoption, with results as follows:

In favour : 122
Against : 66
Abstentions : 3

The minutes were adopted and it was accordingly:

RESOLVED that the minutes of the Ordinary Council meeting held on 28 January 2015, be confirmed, subject to the following corrections:

Pg. 20 PERFORMANCE REPORT (2013/2014) OF THE CAPE TOWN INTERNATIONAL CONVENTION CENTRE COMPANY SOC LTD (CTICC) – ITEM C 03/01/15

The minute be amended by adding the following:

“It be noted that the ACDP recorded their vote against the decision under this heading.”
Pg. 64 Cllr A Ehrenreich requested that the apologies and absentees also be recorded on Annexure A to the minutes.

Pg 64 MEMBERS PRESENT

That the name of Cllr D Bryant be listed under the heading: “MEMBERS PRESENT” on Annexure A to the minutes.

[It was noted that the ACDP, ANC, PAC and FF+ recorded their votes against the adoption of the minutes.]

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

Volume 2 - Item 4

Volume 3 - Items 12, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23

Volume 4 - Items 24, 26, 27, 31 and 33

Volume 5 - Items 39, 53, 54, 56 and 59.

196 Councillors were present in the Chamber when this announcement was made.

C 03/03/15 DRAFT BUDGET 2015/2016 - 2017/2018

The Executive Mayor, P de Lille delivered her draft budget speech for the 2015/16 to 2017/18 financial years as follows:

“Mr Speaker, In terms of the Municipal Finance Management Act (MFMA), a local government must submit a concept or draft budget to the public for its consideration and comment before a final budget can be presented to the Council.

This is an important legislative requirement. It ensures that, across all departments, our intentions for how we spend all of our money in terms of both operating expenditure (Opex) and capital expenditure (Capex), are available for public scrutiny and correction where required. It is during this phase of the budget process that all those claiming that we do not spend the majority of our budget on the poorer areas of Cape Town should make their public submissions based on proof.

In my years as Mayor, not once has any substantive proof to counter our evidence of pro-poor spending ever been offered. The meaningful corrections that are offered must be in terms of ensuring that our budget aligns with our public mandate, as expressed in our corporate strategies

and our Integrated Development Plan (IDP).

In compiling this draft budget, we have followed the process prescribed by legislation and adhered to the guidelines stipulated by the National Treasury.

Furthermore, we have enhanced these processes by adding in additional layers of strategy and internal oversight. These layers began with a framework that was sent to all departments clarifying their strategic objectives, programmes and projects as well as transversal goals. In addition, we laid out the restrictive criteria that departments would need to apply in their budget submissions. These came in a series of questions and interrogations to ensure strategic alignment, maximum value-add and efficiencies.

As such, we asked directorates for:

- What is needed to execute the City's strategy in that directorate*
- What resources are needed; what prioritisations are required*
- What exclusions need to be made; what expenditure repurposing is required*
- What revenue can be sourced*
- What efficiencies can be achieved*
- What additional revenues can be sourced*
- What business improvement processes can be undertaken*
- An indication of where staff vacancies have been cut*
- Indications of plans to adhere to service delivery standards with reduced resources*
- And capital spending programmes in the MTREF period, with indications of how capital spending is occurring sustainably with expenditure on asset maintenance as per National Treasury guidelines.*

After a rigorous process of budget submissions and debate, we have arrived at the draft budget submitted to Council to release for public participation. In total, for our service delivery budget, our proposed budget would see 67% of our spending be targeted towards the poor in the city – a powerful testament to this government's commitment to reconciliation through substantive redress measures.

In terms of our proposed rates and service charge increases, we have kept our increases as low as possible and as close to the Consumer Price Index of 5,9 as we can in order to ensure that, in difficult times, we do not pass on additional burdens to the consumer.

As such, we propose the following charges:

<i>Rates</i>	<i>10,83%</i>
<i>Electricity</i>	<i>10,82%</i>
<i>Water</i>	<i>11%</i>
<i>Sanitation</i>	<i>11%</i>
<i>Refuse</i>	<i>8,33%</i>
<i>Disposal</i>	<i>9,31%</i>

The City of Cape Town received correspondence from Eskom last week with respect to their application for a reopening of the current tariff fee so that an adjustment in the revenue requirement be considered during the 2015/16 financial year, which equates to a price adjustment of an additional 9,58%. This is in addition to the already announced 12,69% for 2015/16. The City of Cape Town is very concerned that this application has come so late in the process for the drafting of budgets by municipalities. Our draft budget to be tabled today, including the City's electricity tariffs, is based on the approved 12,69% increase.

If Eskom's application is approved, this will result in a staggering 22,27% increase in bulk electricity tariffs in just one financial year, which the City will have no option but to pass onto our own customers. This draft budget proposed today is fully balanced and fully funded. In total, it amounts to over R37 billion – just under R6 billion in Capex and around R31 billion in Opex.

In conclusion, the document before us today is fully in line with our strategic vision for the City. It adequately funds our five pillars and ensures that we commit ourselves to redress and reconciliation, while taking the lead in driving economic and social development in the metro region. In the interests of meeting the needs of the people of Cape Town, I propose it for public participation. Thank you, baie dankie, enkosi."

RESOLVED that it be noted that the draft budget for the 2015/16 to 2017/18 financial years would be subjected to a public participation process, as legislatively prescribed, during April 2015.

ACTION : J STEYL, K JACOBY

C 04/03/15

THE SOUTH AFRICAN LOCAL GOVERNMENT ASSOCIATION (SALGA): WESTERN CAPE PROVINCIAL WORKING GROUP HIGHLIGHTS, NOVEMBER 2014

RESOLVED that the contents of the South African Local Government Association (SALGA): Western Cape Provincial Working Group Highlights (November 2014), attached as Annexure A to the report on the agenda, be noted.

ACTION : N ADAMS, G KENHARDT, G RAS

C 05/03/15 CLOSE-OUT REPORT: 2014 AFRICAN NATIONS CHAMPIONSHIPS (CHAN)

RESOLVED that the close-out report on the hosting of the African Nations Championships (CHAN) 2014, which took place from 11 January 2014 to 01 February 2014, be noted.

ACTION : T CULLEN, A GROENEWALD

C 06/03/15 REPORT IN TERMS OF THE SUPPLY CHAIN MANAGEMENT REGULATIONS, REGULATION 36, AND THE SUPPLY CHAIN MANAGEMENT POLICY, PARAGRAPH 311, FOR JANUARY 2015: FOR INFORMATION PURPOSES

With reference to a R18 million contract, Cllr T Sakathi mentioned that the City had actually abdicated its responsibility to perform a particular function and decided, through a deviation, to award this contract to another contractor, depriving any other contractors that could have participated in a fair adjudication process. He was of the view that the relevant legislation does allow the City of Cape Town to put this particular deviation, but some kind of corruption is actually happening within the City through this particular process. The ANC noted the report with serious concern.

Ald I Neilson, the Executive Mayor P de Lille and Ald C Justus challenged the allegations and requested that Cllr Sakathi withdraw this statement. The Speaker indicated that he would investigate the matter and revert back to Council.

RESOLVED that the matters as authorised by the City Manager in terms of Regulation of 36 of the Supply Chain Management Regulations and Paragraph 311 of the Supply chain Management Policy, for January 2015, attached as Annexure A to the report on the agenda, be noted and be included as a note to the Council's annual financial statements.

ACTION : A VORSTER, A EBRAHIM

C 07/03/15 QUARTERLY REPORT OF THE AUDIT COMMITTEE CHAIRPERSON FOR THE QUARTER ENDED 30 SEPTEMBER 2014

RESOLVED that the quarterly report of the Audit Committee Chairperson for the quarter ending 30 September 2014, be noted.

ACTION : L NDABA, V BOTTO, G RAS

**C 08/03/15 2014/15 SUBCOUNCIL WARD ALLOCATION PROJECTS:
QUARTERLY PROGRESS REPORT FOR THE PERIOD ENDING 31
DECEMBER 2014**

The Executive Mayor asked for a meeting with Subcouncil Managers and the Speaker to address the Councillor's concerns relating to ward allocation projects. The City Manager was also asked to address this issue in consultation with the Executive Directors and include them in the meeting where required.

RESOLVED that the 2014/15 Subcouncil Ward Allocation Projects: quarterly progress report for the period ending 31 December 2014, be noted.

ACTION : K MILLER, G RAS, A EBRAHIM

**C 09/03/15 STATUS REPORT ON THE MAYOR'S SPECIAL FUND: MFMA
SECTION 12 FUND: PERIOD ENDING 31 DECEMBER 2014**

RESOLVED that, in terms of the requirement set out in the policy relating to the Mayor's Special Fund as adopted on 28 September 2011, the report by the Executive Mayor setting out the withdrawals, beneficiaries and donations received, for the period ending 31 December 2014, be noted.

ACTION : M MATTHEWS, A EBRAHIM

At this stage, the time being 13H15, the Speaker announced that the meeting would adjourn for lunch until 14H15. He also requested that all party whips consider the remaining items on the agenda, giving due consideration to the time to address all remaining items. The Executive Mayor requested that the Programme Committee schedule future Council meetings within the timeframes of the Rules of Order.

Councillors were requested to re-register their attendance upon recommencement of the meeting at 14:15.

**C 10/03/15 QUARTERLY REPORT OF THE MUNICIPAL PUBLIC ACCOUNTS
COMMITTEE FOR THE QUARTER ENDED 31 DECEMBER 2014**

RESOLVED that the quarterly report of the Municipal Public Accounts Committee (MPAC) on its quarterly activities for the quarter ended 31 December 2014, submitted in terms of relevant legislation as required, be noted.

ACTION :G POSTINGS, A MOOLMAN, G RAS

C 11/03/15

RESOLUTIONS TAKEN BY THE EXECUTIVE MAYOR IN TERMS OF DELEGATED POWERS AND DECISIONS TAKEN TOGETHER WITH THE MEMBERS OF THE MAYORAL COMMITTEE: FROM DECEMBER 2014 TO FEBRUARY 2015

RESOLVED that the resolutions taken by the Executive Mayor in terms of delegated powers and decisions taken together with the members of the Mayoral Committee from December 2014 to February 2015, be noted.

ACTION : R RAZACK, S ABEL, G JOSEPHS, G KENHARDT, G RAS

C 12/03/15

PROPOSED LEASE OF CITY LAND, BEING ERF 6899 BELLVILLE: BOSTON PRIVATE SCHOOL (MEYER FAMILY EDUCATION TRUST)

RESOLVED that the lease of City land, being Erf 6899, Bellville, situated at Stockenstrom Street, Bellville, shown hatched and lettered ABCD on sketch TA227v0 attached as Annexure B to the report on the agenda, in extent approximately 2 254m², to Boston Private School, owner of Erf 6898, Bellville, or its successors-in-title, be approved subject *inter alia* to the following conditions, that:

- (a) a market-related rental of R4 650 per month excluding VAT of 14% where applicable, being R651 (in total R5 301) be payable;
- (b) the lease will endure for a period of ten years, subject thereto that the rental be reviewed after five years;
- (c) the rental will escalate at 8% per annum from 1 June 2014;
- (d) the property be used for parking 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) all outstanding accounts with the City of Cape Town must be settled (if applicable) before a lease agreement will be concluded;
- (h) the applicant must submit a tax clearance certificate before a lease agreement will be concluded.

ACTION : K COETZER, R SCHNACKENBERG, R GELDERBLOEM, K JACOBY

**C 13/03/15 PROPOSED CLOSURE AND ALIENATION OF CITY-OWNED
IMMOVABLE PROPERTY: PORTIONS OF ERVEN 13961 AND 13343,
CAPE TOWN (A PUBLIC STREET AND PUBLIC OPEN SPACE)
SITUATED OFF DUNDONALD STREET, WOODSTOCK: QUINTUS
ALEXIS BOSCH**

RESOLVED that:

- (a) condonation and ratification be granted for the in principle approval in terms of Regulation 5(1)(b)(ii) together with the final approval in terms of recommendation (d) below
- (b) in terms of Section 14 of the Local Government Municipal Finance Management Act, Act 56 of 2003, the property is not required to provide the minimum level of basic municipal services
- (c) in terms of the provisions of Section 6 of the By-law relating to the Management and Administration of the City of Cape Town's Immovable Property, portions of Erven 13961 and 13343, Cape Town (public street and public open space situated off Dundonald Street, Woodstock) as indicated on Plan STC 2118 attached as Annexure A to the report on the agenda, be closed
- (d) portions of Erven 13961 and 13343, Cape Town (a public street and public open space situated off Dundonald Street, Woodstock) shown lettered ABCD on Plan STC 2118 attached as Annexure A to the report on the agenda, in extent approximately 75 m², be alienated to Quintus Alexis Bosch, or his successor(s)-in-title, subject *inter alia* to the following conditions, that:
 - (i) a market-related purchase price of R35 000 excluding VAT of 14% where applicable, being R4 900 (in total - R39 900), be payable;
 - (ii) the purchase price be adjusted on the basis of 5% per annum compounded annually on a pro rata basis commencing six months after date of valuation (i.e. 5% ÷ 12 months x number of months after the six-months period). Accordingly the above purchase price is to be adjusted as from 01-03-2014;
 - (iii) rates and municipal charges, if applicable, be levied;
 - (iv) subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority, including that all incidental costs will be borne by the purchaser;

- (v) compliance with any other statutory requirements;
- (vi) no building or structure may be erected on the subject property;
- (vii) any proposed access to the property from Dundonald Street must be taken from the easternmost point of the property;
- (viii) only visually permeable fencing will be allowed;
- (ix) any alterations or deviations to electricity services as a consequence of the proposal, or requested by the applicant, will be carried out at the applicant's cost.

ACTION : J DE GOEDE, R SCHNACKENBERG, R GELDERBLOEM, K JACOBY

C 14/03/15

PROPOSED CLOSURE AND ALIENATION OF CITY-OWNED IMMOVABLE PROPERTY: PORTION OF ERF 43538, CAPE TOWN SEVENTH AVENUE, (PUBLIC OPEN SPACE) SITUATED OFF RONDEBOSCH EAST: ILYAAS YUSUF MAKADA

RESOLVED that:

- (a) condonation and ratification be granted for the in principle approval in terms of Regulation 5(1)(b)(ii) together with the final approval in terms of recommendation (d) below
- (b) in terms of Section 14 of the Local Government Municipal Finance Management Act, Act 56 of 2003, the property is not required to provide the minimum level of basic municipal services
- (c) in terms of the provisions of Section 6 of the By-law relating to the Management and Administration of the City of Cape Town's Immovable Property, portion of Erf 43538, Cape Town (a public open space, situated off Seventh Avenue, Rondebosch East) as indicated on Plan SZC 488/1 attached as Annexure A to the report on the agenda, be closed
- (d) portion of Erf 43538, Cape Town, a public open space, situated off Seventh Avenue, Rondebosch East shown lettered ABCD on Plan SZC 488/1 attached as Annexure A to the report on the agenda, in extent approximately 155 m², be alienated to Ilyaas Yusuf Makada or his successor(s)-in-title, subject *inter alia* to the following conditions, that:
 - (i) a market-related purchase price of R150 000 excluding VAT of 14% where applicable, being R21 000 (in total -

R171 000), be payable;

- (ii) the purchase price to be adjusted on the basis of 5% per annum compounded annually on a pro rata basis commencing six months after date of valuation (i.e. $5\% \div 12 \text{ months} \times \text{number of months after the six-months period}$). Accordingly the above purchase price is to be adjusted as from 01-11-2014;
- (iii) subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority, including that all incidental costs will be borne by the purchaser;
- (iv) compliance with any other statutory requirements;
- (v) the subject property must be consolidated with the applicant's adjoining Erf 43109, Cape Town;
- (vi) no access will be permitted from Seventh Avenue;
- (vii) any deviation of the existing Telkom services must be carried out by the applicant at his cost.

ACTION : J DE GOEDE, R SCHNACKENBERG, R GELDERBLOEM, K JACOBY

C 15/03/15

PROPOSED CLOSURE AND ALIENATION OF CITY-OWNED IMMOVABLE PROPERTY: PORTION OF ERF 728, FRESNAYE (A PUBLIC STREET) SITUATED OFF AVENUE ST. LOUIS, FRESNAYE: NIKKI VAN ROOYEN

RESOLVED that:

- (a) condonation and ratification be granted for the in principle approval in terms of Regulation 5(1)(b)(ii) together with the final approval in terms of recommendation (d) below
- (b) in terms of Section 14 of the Local Government Municipal Finance Management Act, Act 56 of 2003, the property is not required to provide the minimum level of basic municipal services
- (c) in terms of the provisions of Section 6 of the By-law relating to the Management and Administration of the City of Cape Town's Immovable Property, portion of Erf 728, Fresnaye (a public street situated off Avenue St. Louis) as indicated on Plan STC 2499v1 attached as Annexure A to the report on the agenda, be closed

- (d) portion of Erf 728, Fresnaye (a public street situated off Avenue St. Louis) shown lettered ABCD on Plan STC 2499v1 attached as Annexure A to the report on the agenda, in extent approximately 86 m², be alienated to Nikki van Rooyen or her successor(s)-in-title, subject *inter alia* to the following conditions, that:
- (i) a market-related purchase price of R425 000 excluding VAT of 14% where applicable, being R59 500 (in total - R484 500), be payable;
 - (ii) the purchase price is to be adjusted on the basis of 5% per annum compounded annually on a pro rata basis commencing six months after date of valuation (i.e. $5\% \div 12 \text{ months} \times \text{number of months after the six-months period}$). Accordingly the above purchase price is to be adjusted as from 01-09-2014;
 - (iii) subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority, including that all incidental costs will be borne by the purchaser;
 - (iv) compliance with any other statutory requirements;
 - (v) a servitude must be registered over the entire area to protect the 100 mm foul sewer, subject to the following conditions:
 - (aa) no building or structure may be erected within or over the servitude area. A boundary wall crossing the servitude area at right angles will however be permitted, subject to plans thereof being submitted to Council for approval;
 - (bb) no excavations or filling may be carried out within the servitude area without prior consent of Council;
 - (cc) Council shall have the right to access to the property at all times for the purpose of maintaining and repairing the sewer infrastructure.
 - (vi) any alterations or deviations to electricity services as a consequence of the proposal, or requested by the applicant, will be carried out at the applicant's cost;
 - (vii) adequate clearance of the overhead mains is to be maintained in accordance with the Occupational Health and Safety Act, No 85 of 1993. In particular that a

minimum clearance of 3 m from the overhead conductors is to be maintained at all times. Should these clearances not be maintained for any reason, the necessary alterations will be carried out by the Electricity Services Department at the applicant's expense.

ACTION : J DE GOEDE, R SCHNACKENBERG, R GELDERBLOEM, K JACOBY

C 16/03/15

PROPOSED CLOSURE AND DISPOSAL OF A PORTION OF A PUBLIC ROAD ADJACENT TO ERVEN 608 AND 750, RUSTDAL, RUBICON CLOSE, RUSTDAL: GOLDEN TREAT PROPERTIES (PTY) LTD

RESOLVED that:

- (a) condonation and ratification be granted for the in principle approval in terms of Regulation 5(1)(b)(ii) together with the final approval in terms of recommendation (d) below
- (b) it be confirmed that, in terms of Section 14 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, the property shown lettered ABCDEFG on Plan ET 247 attached as Annexure A to the report on the agenda, not be required to provide the minimum level of basic municipal services
- (c) the closure of the abovementioned property, being a public road, in terms of Section 6 of the By-law relating to the Management and Administration of the City of Cape Town's Immovable Property, be approved
- (d) the alienation of the subject land, in extent ± 1836 m², to Golden Treat Properties (Pty) Ltd, or its successor(s)-in-title be approved, subject to the following conditions, that:
 - (i) the property be sold at a market-related sale price of R1 100 000, excluding VAT of 14% where applicable, being R154 000 (R1 254 000 in total);
 - (ii) the sale price will escalate at 5% per annum compounded annually on a pro rata basis commencing six months from the effective date of the valuation, i.e. 31 August 2013. Accordingly the resolved purchase price is to be adjusted from 1 March 2014, i.e. $5\% \div 12$ months \times number of months after the 6 month period;
 - (iii) the transaction be subject to such further conditions to be imposed by the Director: Property Management in terms of

her delegated authority *inter alia* that:

- (aa) all costs related to the transaction be borne by the applicant;
- (bb) the subject property of land be subdivided and consolidated with Erven 608 and 750, Rustdal;
- (cc) the water services and electricity services present over the subject portion of land be relocated at the cost of the applicant.

ACTION : D MAREE, R SCHNACKENBERG, R GELDERBLOEM, K JACOBY

C 17/03/15

PROPOSED DISPOSAL OF A PORTION OF CITY LAND, BEING A PORTION OF CAPE TOWN COMMONAGE (CAPE FARM 920), SITUATED AT QUARTERDECK ROAD, KALK BAY: ANTHONY MICHAEL BUTLER AND ANNE FRANCES JELLEMA

RESOLVED that:

- (a) condonation and ratification be granted for the in principle approval in terms of Regulation 5(1)(b)(ii) together with the final approval in terms of recommendation (c) below
- (b) in terms of Section 14 of the Local Government Municipal Finance Management Act, No 56 of 2003, the property is not required to provide the minimum level of basic municipal services, and is surplus to the requirements of the municipality;
- (c) the disposal of a portion of City land, being a portion of Cape Town Commonage (Cape Farm No. 920), situated at Quarterdeck Road, Kalk Bay, as shown lettered ABCDEF on Plan No LT1001v0 attached as Annexure A to the report on the agenda, in extent approximately 123 m², to Anthony Michael Butler and Anne Frances Jellema, or their successors-in-title be approved, subject *inter alia* to the following conditions, that:
 - (i) a market-related purchase price of R110 000 excluding VAT of 14%, being R15 400 (in total - R125 400), be payable;
 - (ii) the purchase price will escalate by 5% compounded per annum on a pro rata basis commencing 6 months after date of valuation, being 30 May 2014 to date of transfer;

- (iii) subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority;
- (iv) all costs related to the transaction will be borne by the purchaser;
- (v) subject to compliance with any other statutory requirements;
- (vi) the property may only be used for gardening purposes and no structures may be erected thereon;
- (vii) all invasive alien vegetation to be removed;
- (viii) any redevelopment of the applicants' property must exclude the subject property and the existing building lines in respect of the applicants' property must remain;
- (ix) any alteration to electricity services necessary as a consequence of the proposal, or requested by the applicants, will be carried out at the expense of the applicants;
- (x) no excavation is to take place on the site until the requirements of the Occupational Health and Safety Act No 85 of 1993 and Section 141(1) of the Municipal Ordinance have been adhered to. In this regard the Manager: High Voltage Cabled must be contacted prior to the commencement of any work;
- (xi) the applicants must notify Telkom immediately should any Telkom plant be exposed on the property and any cost for the deviation or removal of such plant due to the proposal will be for the account of the applicant. Telkom will also require access at all times to carry out maintenance.

ACTION : W BAARTMAN, G DU PLESSIS, R SCHNACKENBERG, R GELDERBLOEM, K JACOBY

C 18/03/15

PROPOSED CLOSURE AND DISPOSAL OF A PORTION OF A PUBLIC STREET, BEING A PORTION OF ERF 4178, KOMMETJIE, SITUATED AT WIRELESS STREET, KOMMETJIE: CAROLYN WENDY HIGGO

RESOLVED that:

- (a) condonation and ratification be granted for the in principle approval in terms of Regulation 5(1)(b)(ii) together with the final approval in terms of recommendation (d) below
- (b) in terms of Section 14 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, the property not be required to provide the minimum level of basic municipal services
- (c) the closure of the abovementioned property, being a portion of a public street, in terms of Section 6 of the By-law relating to the Management and Administration of the City of Cape Town's Immovable Property, be approved
- (d) the disposal of a portion of Erf 4178, Kommetjie, being a portion of a public street situated at Wireless Road, Kommetjie, in extent approximately 39 m² shown hatched and lettered ABC on the plan attached as Annexure A to the report on the agenda, to Carolyn Wendy Higgo, or her successor(s)-in-title be approved, subject *inter alia* to the following conditions, that:
 - (i) the property be sold at a market-related sale price of R45 000 excluding VAT of 14%, being R6 300 (in total - R51 300);
 - (ii) should the transaction not be concluded within a six-month period from date of valuation (i.e. by 1 September 2014), the purchase price shall be adjusted by 5% per annum thereafter (i.e. $5\% \div 12 \text{ months} \times \text{number of months after the six-month period}$);
 - (iii) should the transaction not be concluded within 18 months from the date of valuation (i.e. by 1 September 2015), the property shall be valued anew;
 - (iv) subject to such further conditions to be imposed by the Director: Property Management in the exercise of her delegated authority;
 - (v) subject to compliance with any other statutory requirements;
 - (vi) all costs related to the transaction be borne by the applicant;
 - (vii) electrical services exist in the vicinity and the following condition will apply:

- (aa) any alteration or deviations to electricity services necessary as a consequence of the proposal, or requested by the applicant, will be carried out at the applicant's cost.
- (viii) no Telkom services are known to exist in the vicinity but the following conditions will apply:
 - (aa) it is the responsibility of the applicant to notify Telkom immediately should the applicant locate any Telkom plant which might not be indicated on the plan;
 - (bb) it must be made known to the applicant that Telkom requires access to carry out maintenance or upgrade existing plants at all times.

ACTION : W BAARTMAN, R SCHNACKENBERG, R GELDERBLOEM, K JACOBY

C 19/03/15

PROPOSED CLOSURE AND ALIENATION OF CITY-OWNED IMMOVABLE PROPERTY BEING PORTIONS OF ERVEN 156913 AND 155540, CAPE TOWN, A PUBLIC STREET, SITUATED AT NEW MILL ROAD, NDABENI: PINELANDS BUSINESS PARK BODY CORPORATE

RESOLVED that:

- (a) condonation and ratification be granted for the in principle approval in terms of Regulation 5(1)(b)(ii) together with the final approval in terms of recommendation (d) below
- (b) in terms of Section 14 of the Local Government Municipal Finance Management Act, Act 56 of 2003, the property is not required to provide the minimum level of basic municipal services
- (c) in terms of the provisions of Section 6 of the By-law relating to the Management and Administration of the City of Cape Town's Immovable Property, the portions of Erven 156913 and 155540, Cape Town (a public street, situated at New Mill Road, Ndabeni) as indicated on Plan SZC 797 attached as Annexure A to the report on the agenda, be closed
- (d) portions of Erven 156913 and 155540, Cape Town (a public street situated at New Mill Road, Ndabeni) shown lettered ABCDEF on Plan SZC 797 attached as Annexure A to the report on the agenda, in extent approximately 140 m², be alienated to

Pinelands Business Park Body Corporate, or their successor(s)-in-title, subject *inter alia* to the following conditions that:

- (i) a market-related purchase price of R160 000 excluding VAT of 14% where applicable, being R22 400 (in total - R182 400), be payable;
- (ii) the purchase price is to be adjusted on the basis of 5% per annum compounded annually on a pro rata basis commencing six months after date of valuation (i.e. $5\% \div 12 \text{ months} \times \text{number of months after the six-months period}$). Accordingly the above purchase price is to be adjusted as from 01-06-2014. The valuation is to be reviewed if not implemented within 18 months from date of valuation;
- (iii) rates and municipal charges, if applicable, be levied;
- (iv) subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority, including that all incidental costs will be borne by the purchaser;
- (v) compliance with any other statutory requirements;
- (vi) the subject property must be consolidated with the applicant's remainder Erf 155539, Cape Town to form one holding;
- (vii) the existing underground electricity services must be deviated clear of the subject area at the applicant's expense;
- (viii) the applicant will pay the depreciation capital cost of the street lighting and be responsible for the cost of the energy consumed by the street lighting and for the cost of routine maintenance of the street lighting. The appropriate tariff will be levied on a monthly basis. Furthermore, the actual cost of repair necessitate by any will be the responsibility of the applicant. No alterations of any kind may be made to the lighting installation or by the deterioration through ageing will be the responsibility of the applicant. No alterations of any kind may be made to the lighting installation nor may anything be attached to a pole;
- (ix) no excavation may take place on site until the requirements of the Occupational Health and Safety Act, 1993, and Section 141(1) of the Municipal Ordinance have

been adhered to;

- (x) the existing Right of Way in favour of Erf 110934, Cape Town must be extended to the new road boundary;
- (xi) Telkom's plant will be affected by the proposal. Telkom has no objection to the proposal provided that a wayleave be obtained prior to any work commencing.

ACTION : D GYSMAN, R SCHNACKENBERG, R GELDERBLOEM, K JACOBY

C 20/03/15

PROPOSED CLOSURE AND ALIENATION OF CITY-OWNED IMMOVABLE PROPERTY: A PORTION OF ERF 43131, CAPE TOWN, A PUBLIC STREET SITUATED AT AYRESHIRE STREET, RONDEBOSCH EAST: THE VAN VEEN FAMILY TRUST

RESOLVED that:

- (a) condonation and ratification be granted for the in principle approval in terms of Regulation 5(1)(b)(ii) together with the final approval in terms of recommendation (d) below
- (b) in terms of Section 14 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, the property not be required to provide the minimum level of basic municipal services
- (c) in terms of the provisions of Section 6 of the By-law relating to the Management and Administration of the City of Cape Town's Immovable Property, a portion of Erf 43131, Cape Town (a public street situated at Ayrshire Street, Rondebosch East) as indicated on Plan STC 2120 attached as Annexure A to the report on the agenda, be closed
- (d) a portion of Erf 43131, Cape Town, a public street situated at Ayrshire Street, Rondebosch East, shown lettered ABCD on Plan STC 2120 attached as Annexure A to the report on the agenda, in extent approximately 65 m², be alienated to the Van Veen Family Trust, or its successor(s)-in-title, subject to *inter alia* the following conditions, that:
 - (i) a market-related purchase price of R50 000 excluding VAT of 14% where applicable, being R7 000 (in total - R57 000), be payable;
 - (ii) the purchase price is to be adjusted on the basis of 5% per annum compounded annually on a pro rata basis commencing six months after date of valuation (i.e. 5% ÷

12 months x number of months after the six-months period). Accordingly the above purchase price is to be adjusted as from 01-03-2015. The valuation is to be reviewed if not implemented within 18 months from date of valuation;

- (iii) rates and municipal charges, if applicable, be levied;
- (iv) subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority, including that all incidental costs will be borne by the purchaser;
- (v) compliance with any other statutory requirements;
- (vi) a 1 m-wide footway be maintained for pedestrian use;
- (vii) any alterations to electricity services necessary as a consequence of the proposal, or requested by the applicant, will be carried out at the applicant's cost;
- (viii) no excavation is to take place on the site until the requirements of the Occupational Health and Safety Act, Act 85 of 1993, and Section 141(1) of the Municipal Ordinance have been adhered to;
- (ix) the applicant shall be held responsible for any cost involved in the deviation or removal of the existing Telkom plant as a result of to the development of the property;
- (x) the applicant must allow access to Telkom at all times to maintain or upgrade the existing plant.

ACTION : D GYSMAN, R SCHNACKENBERG, R GELDERBLOEM, K JACOBY

C 21/03/15

PROPOSED CLOSURE AND ALIENATION OF ERF 29294 AND A PORTION OF ERF 28928 BELLVILLE TO THE OWNERS OF THE ADJACENT ERF 29293 BELLVILLE: MR. A G & MRS. A C MOUTON

RESOLVED that:

- (a) condonation and ratification be granted for the in principle approval in terms of Regulation 5(1)(b)(ii) together with the final approval in terms of recommendation (d) below
- (b) it be confirmed that, in terms of Section 14 of the Local Government Municipal Finance Management Act, Act 56 of 2003,

the properties shown lettered ABCD (Erf 28928, Bellville) and EFG (Erf 29294, Bellville) on the plan attached as Annexure A to the report on the agenda, are not required to provide the minimum level of basic municipal services

- (c) the closure of both portions of the land in terms of Clause 6 of the By-Law relating to the Management and Administration of the City of Cape Town's Immovable Property, be approved
- (d) the alienation of the subject land, in extent ± 276 m² to Mr & Mrs Mouton, owners of Erf 29293, Bellville, or their successors-in-title, be approved subject to the following conditions, that:
 - (i) the properties be sold at a market-related selling price of R75 000 excluding VAT of 14% where applicable, being R10 500 (in total R85 500);
 - (ii) the purchase price is to be adjusted on the basis of 5% per annum compounded annually on a pro rata basis commencing 6 months after date of valuation. Accordingly the above RESOLVED purchase price is to be adjusted as from 01 June 2014 (i.e. 5% + 12 months x number of months after the six-months period);
 - (iii) the valuation is to be reviewed if not implemented within 18 months from date of valuation;
 - (iv) the subject land to be closed and consolidated with Erf 29293, Bellville;
 - (v) no structure be constructed over the municipal service and that a servitude with a minimum width of 3,0 m be registered over such a service;
 - (vi) no structure will be permitted within 1,5 m from the water pipeline which crosses the alley way and Erf 29294, Bellville;
 - (vii) the applicable area not be fenced in by solid walls, to accommodate overland stormwater;
 - (viii) the subject land to be officially closed, subdivided and consolidated with Erf 29293, Bellville;
 - (ix) subject to such further conditions to be imposed by the Director Property Management in terms of her delegated authority.

- (e) there are Telkom services within this proposed sale area and the following conditions apply:
 - (i) alterations to existing infrastructure may be necessary. An estimate of the costs involved will be furnished upon receipt of a written request to Telkom.
- (f) all costs related to the transaction be borne by the applicant.

ACTION : K COETZER, R SCHNACKENBERG, R GELDERBLOEM, K JACOBY

C 22/03/15

PROPOSED DISPOSAL OF ERF 3389, PLATO AVENUE, GORDON'S BAY: J FOURIE

RESOLVED that:

- (a) condonation and ratification be granted for the in principle approval in terms of Regulation 5(1)(b)(ii) together with the final approval in terms of recommendation (c) below
- (b) in terms of Section 14 of the MFMA, that Erf 3389, Gordon's Bay is not needed to provide the minimum level of basic municipal services
- (c) Erf 3389, Gordon's Bay, measuring 455 m² in extent marked ABCD on the locality plan attached as Annexure A to the report on the agenda, be sold to Jenifer Fourie, or her successor-in-title at a selling price of R160 000 excluding VAT, which will escalate by 5% annually after Council approval until date of transfer, subject to such conditions imposed by the Director: Property Management in the exercise of her delegated authorities, including that:
 - (i) all incidental costs be borne by the purchaser;
 - (ii) all costs related to the transaction be borne by the applicant including - but not limited to - legal, advertisements, relocation or provision of services and where applicable, a deposit at the prescribed rate to cover incidental costs.
- (d) the purchase price be adjusted on the basis of 5% per annum, compounded annually on a pro rata basis commencing six months after the date of valuation. The above resolved purchase price is to be adjusted accordingly as from 1 December 2014 (i.e. by $5\% \div 12 \text{ months} \times \text{number of months after the six-month period}$).

ACTION : A KLUE, D MAREE, R SCHNACKENBERG, R GELDERBLOEM, K JACOBY

C 23/03/15

PROPOSED LEASE OF A PORTION OF PUBLIC STREET BEING PORTION OF ERF 10494, DRAKE STREET, STRAND FOR PARKING PURPOSES: ST TROPEZ BODY CORPORATE

RESOLVED that the lease of a portion of public street, Erf 10494, situated at Drake Street, Strand, shown lettered ABCD on Plan ET 194 attached as Annexure A to the report on the agenda, in extent approximately 70 m², to the St Tropez Body Corporate, owner of Erf 10495, Strand, or its successors-in-title, be approved subject *inter alia* to the following conditions, that:

- (a) a market rental of R550 per month excluding VAT of 14% per leased area where applicable, being R77 (in total R627) be payable;
- (b) the rental will escalate at 8% per annum;
- (c) the lease will endure for a period of five (5) years with an option to renew for a further five years, subject to rental review after initial five-year period;
- (d) the monthly rental is to be adjusted on the basis of 8% per annum compounded annually on a pro rata basis commencing 6 months from date of this valuation. Accordingly the above resolved rental is to be adjusted as from 1 March 2013;
- (e) the property be used for parking purposes only;
- (f) the monthly rental is for non-exclusive and unsecure parking; however should the intention be to enclose the area the rental would need to be re-assessed at a parking tariff for exclusive and secure parking;
- (g) subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority;
- (h) subject to compliance with any other statutory requirements;
- (i) no compensation will be payable for any improvement made to the property, with or without the consent of Council, should the lease be terminated for any reason whatsoever;
- (j) the following condition must also be adhered to as set by the Property Holding Department, that:

- (i) any link for water and sanitation services required will be for the account of lessee. If new service connections are required, the applicant will be responsible for the full cost of any new service or the upgrading of existing service connections;
- (ii) the existing sidewalk not be taken up and pedestrian movement impeded on.

ACTION : A KLUE, D MAREE, R SCHNACKENBERG, R GELDERBLOEM, K JACOBY

C 24/03/15

CAPE METROPOLITAN TRANSPORT FUND: AUDITED ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2014

RESOLVED that the audited Annual Financial Statements of the Cape Metropolitan Transport Fund for the year ended 30 June 2014, attached as Annexure A to the report on the agenda, be approved.

ACTION : D VALENTINE, K JACOBY

C 25/03/15

CLOSE-OUT REPORT: WORLD SUMMIT OF NOBEL PEACE LAUREATES AND APPROVAL FOR THE REALLOCATION OF FUNDING

Cllr D Dudley alleged that the Executive Mayor spent R267 000 of ratepayers money to enjoy a week in Rome, hobnobbing with the Nobel Laureates while the City had to incur the cost. The Executive Mayor requested Cllr Dudley to withdraw his allegations. The Speaker indicated that he would investigate the matter.

Cllr M Mpondwana indicated that the ANC noted the report with great concern and disappointment due to wasteful and fruitless expenditure.

RESOLVED that:

- (a) the close-out report on the World Summit of Nobel Peace Laureates event, be noted
- (b) approval be granted for the reallocation of funding as follows:
 - (i) R2 000 000 of the World Summit of Nobel Peace Laureates project funding be reallocated to Cost Centre 12072011 (Cape Town Stadium), GL 455100 (Contracted Services);
 - (ii) R1 000 000 of the World Summit of Nobel Peace Laureates project funding be reallocated to Cost Centre

19060500 (ED: Tourism, Events and Economic Development), GL 413750 (Rental);

- (iii) R4 619 852.50 of the World Summit of Nobel Peace Laureates project funding remain in Cost Centre 19060500 (ED: Tourism, Events and Economic Development), GL 457300 (Sponsorship: Events Funds), for allocation to events.

ACTION : T CULLEN, A GROENEWALD

C 26/03/15

AUTHORISATION FOR RETROSPECTIVE PAYMENT OF RENTAL FOR LAND OWNED BY THE LION TRUST USED FOR THE PURPOSE OF AERIAL INSTALLATION OF TELEMETRY AND SCADA ANTENNAS

RESOLVED that:

- (a) the use of rooftop space from the Lions Trust for the period 1 January 2011 to 31 December 2014 without a lease agreement having been in place, be condoned and ratified
- (b) payment in the amount of R143 640 (VAT inclusive) for arrear rental to The Lion Trust be authorised
- (c) it be noted that the Reticulation Branch (Water & Sanitation Department) has a programme in place to upgrade to different technology sewerage network monitoring equipment that communicates via the antennae (Mast) at Millpark and will not continue utilising the space after 31 December 2014.

ACTION : P FLOWER, G KAISER

C 27/03/15

PARTICIPATION IN THE ESTABLISHMENT OF THE CENTRE OF EXPERTISE (CoE) TOGETHER WITH OTHER SOUTH AFRICAN METROPOLITAN AREAS

RESOLVED that:

- (a) approval be granted for the City of Cape Town to participate in the Centre of Expertise (CoE) that includes Dutch Partners
- (b) the Director: Water and Sanitation be allowed to be a board member of the CoE
- (c) approval be granted to the Executive Director: Utility Services, in consultation with the Legal Services Department, to conclude a Memorandum of Understanding with CoE.

ACTION : N MADIKIZELA, P FLOWER, Z BASHOLO, G KAISER

C 28/03/15 APPROVAL OF TWINNING COOPERATION AGREEMENT WITH WORLD WATERNET (WWN)

RESOLVED that:

- (a) the twinning cooperation agreement between World Waternet and the City of Cape Town, be approved;
- (b) that the Executive Director: Utility Services be authorised to sign the agreement on behalf of the City.

ACTION : N MADIKIZELA, P FLOWER, Z BASHOLO, G KAISER

C 29/03/15 DRAFT POLICY FOR THE ESTABLISHMENT AND FUNCTIONING OF COMMUNITY RESIDENTIAL UNIT (CRU) COMMITTEES

RESOLVED that:

- (a) the summary of comments received on the Draft Policy for the Establishment and Functioning of Community Residential Unit (CRU) Committees following the public participation process, be noted;
- (b) the Draft Policy for the Establishment and Functioning of Community Residential Unit (CRU) Committees, attached as annexure A to the report on the agenda, be approved.

ACTION : T MITCHELL, I BROMFIELD, P PETER

C 30/03/15 DRAFT ALLOCATION POLICY: HOUSING OPPORTUNITIES

RESOLVED that:

- (a) the summary of comments received on the Draft Allocation Policy: Housing Opportunities following the public participation process, be noted;
- (b) the Draft Allocation Policy: Housing Opportunities, attached as annexure A to the report on the agenda, be approved, subject to the following amendment to the third bullet point under paragraph 8.16.17 of the draft policy:

Rightsizing: 8.16.17

- 'Have no record of anti-social behaviour' amended to 'Good standing tenant in terms of the lease agreement'

ACTION : T MITCHELL, I BROMFIELD, P PETER

C 31/03/15 TREE MANAGEMENT POLICY (FINAL DRAFT)

RESOLVED that the Tree Management Policy (final draft) document be approved and the earlier City Parks Tree Policy of 2002, be rescinded.

ACTION : C MICHAELS, L MTWAZI, P PETER

C 32/03/15 OVERSIGHT REPORT IN RESPECT OF THE CITY OF CAPE TOWN'S 2013/14 ANNUAL REPORT

The recommendation was put to the vote, with the results as follows:

In favour : 118
Against : 66
Abstentions : 2

The recommendation as per the agenda was carried.

RESOLVED that:

- (a) having fully considered the 2013/14 annual report of the municipality and representations thereon, the oversight report be adopted and the annual report without reservations, be approved
- (b) the resolutions in annexure "A" to the report on the agenda be supported for action and, where applicable, be referred to the relevant Portfolio Committees and that feedback, where applicable, be provided to the MPAC.

[The ACDP, ANC, NPSA and PAC recorded their votes against the above decision.]

ACTION : G POSTINGS, A MOOLMAN, G RAS

C 33/03/15 PROPOSED CHANGES TO MEMBERSHIP OF COMMITTEES

RESOLVED that Ald M Nieuwoudt and Cllr C Kannenberg be removed as members of the Environmental and Spatial Planning Portfolio Committee.

ACTION : EXECUTIVE COMMITTEE OFFICERS, N DAMON, D PHEIFFER, S ABEL, P PETER

C 34/03/15 ANNUAL REVIEW AND AMENDMENT OF THE INTEGRATED DEVELOPMENT PLAN (IDP) FOR 2012 TO 2017 (2015/16 REVIEW)

UNANIMOUSLY RESOLVED that:

- (a) the previous proposed amendments already considered on 29 October 2014 as set out in Annexure A to the report on the agenda, be noted
- (b) the additional proposed amendments attached as Annexure B and the updates attached as Annexure C to the report on the agenda, be advertised for public comment.

ACTION : M VAN DER MERWE, G RAS**C 35/03/15****COMMENTS: 2014/15 MID-YEAR REVIEW ADJUSTMENTS TO THE IDP FOR 2012/13 TO 2016/17 AND THE CORPORATE SCORECARD**

Cllr P Gabriel pointed out that the ANC could not support this item.

The recommendation was put to the vote, with the results as follows:

In favour : 118
Against : 65
Abstentions : 6

The recommendation as per the agenda was carried.

RESOLVED that:

- (a) the comments on the proposed mid-year amendments to the 2014/15 review of the IDP (Annexure A to the report on the agenda), be noted
- (b) the proposed mid-year amendments to the Corporate Scorecard of the 2014/15 review of the IDP (Annexure B to the report on the agenda), be approved
- (c) the MTREF, approved as part of the mid-year adjustment budget by Council on 28 January 2015, be updated in the 2014/15 review document of the IDP (Annexure C to the report on the agenda).

ACTION : M VAN DER MERWE, G RAS

The Speaker announced that Items C36 and C37 would be discussed simultaneously. The minutes are however reflected in correct numerical sequence.

C 36/03/15**ADOPTION OF THE MUNICIPAL PLANNING BY-LAW**

During discussion of this item, Cllr X Sotashe indicated that while the

ANC supports the By-law, they do not support recommendation (d) of item C37.

The recommendation was put to the vote, with the results as follows:

In favour : 179
Against : 3
Abstentions : 2

The recommendation was carried.

RESOLVED that:

- (a) it be confirmed that the comments received from the Provincial Minister relating to the Development Management Scheme (DMS), the response of officials thereto and the amendments made to the By-law, had been considered
- (b) the Municipal Planning By-law, 2015 attached as Annexure A to the report on the agenda be adopted, subject to the following section 114(4) being inserted:

114(4) If the Mayor is unable to act as appeal authority, the Mayor may appoint an acting appeal authority.
- (c) it be noted that the Municipal Planning By-law will come into operation on a date fixed by the Executive Mayor by promulgation in the Provincial Gazette
- (d) the deviation from the Language Policy in that a summary and not the full Afrikaans and isiXhosa drafts of the By-law were available during the participation process, be condoned and ratified
- (e) the Municipal Planning By-law be reviewed annually.

ACTION : F OGLE, G BRAND, C WALTERS, J HUGO

C 37/03/15

DECISIONS AND DELEGATION REQUIRED TO PREPARE FOR THE IMPLEMENTATION OF THE MUNICIPAL PLANNING BY-LAW

This item was debated together with item C36.

RESOLVED that:

- (a) the format for the invitation and the call for nominations as required by section 115(3) of the Municipal Planning By-law to be in the form attached as Annexure A to the report on the agenda,

be approved

- (b) the nomination form which must be submitted in response to the call for comments for the purposes of section 115(3) of the Municipal Planning By-law as the form attached as Annexure B to the report on the agenda, be approved
- (c) the criteria in Annexure C attached to the report on the agenda as additional criteria to be used in evaluating applications or nominations received for membership of the Municipal Planning Tribunal (MPT), be approved
- (d) authority be delegated to the Executive Mayor together with the Mayoral Committee to appoint officials to the evaluation panel for the purposes of section 115(6) of the Municipal Planning By-law.

[The ANC and ACDP opposed resolution (d).]

ACTION : F OGLE, G BRAND, C WALTERS, J HUGO

At this stage, namely at 17H10, the Speaker announced that the meeting would adjourn until further notice to consider the remainder of the items on the agenda, such items being 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 55, 57, 58, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75 and 76.

It be noted that the following items were agreed on at the Whips' meeting by the whips of the respective political parties.

C 39/03/15 DETERMINATION OF ZONING: PORTION OF ERF 167714 CAPE TOWN AT RONDEBOSCH, 23 ROUWKOOP AVENUE

RESOLVED that, in terms of section 3.3.7 of the Cape Town Zoning Scheme Regulations, that the portion of Erf 67714, Cape Town at Rondebosch, at 23 Rouwkoop Avenue, as shown hatched on Annexure B to the report on the agenda dated 26 May 2014, is no longer required for public street purposes, and that such land be deemed to be zoned General Residential Subzone GR2.

ACTION : A ALLIE, P HOFFA, J HUGO

C 53/03/15 ORGANISATIONAL RELOCATION: HOUSING FINANCE AND LEASES DEPARTMENT

RESOLVED that:

- (a) the Housing Finance and Leases Department be located under the Finance directorate

- (b) the reporting line of the Director: Housing Finance and Leases be amended to report to the Chief Finance Officer.

ACTION : K JACOBY, I BROMFIELD

C 54/03/15

REQUEST FOR THE APPROVAL OF APPOINTMENT TO THE AUDIT COMMITTEE OF THE CITY OF CAPE TOWN AND APPOINTMENT OF A CHAIRPERSON OF THE AUDIT COMMITTEE

RESOLVED that:

- (a) Mr Guy Harris be appointed as member of the City of Cape Town's Audit Committee for a three-year period commencing 1 April 2015
- (b) authority to sign the contract of appointment for the appointment of Mr. Harris be granted to the Executive Director: Compliance and Auxiliary Services
- (c) Mr Harris be remunerated at the same rate as approved by Council (C 43/01/15) in respect of the current serving members of the Audit Committee
- (d) the appointment of Mr G Harris as chairman of the Audit Committee with effect from 1 April 2015, be approved
- (e) a Chairperson be appointed for a period of three (3) years whereafter the matter will be reconsidered by Council.

ACTION : V BOTTO, G RAS

C 56/03/15

CAPE TOWN PARTNERSHIP: 2014 ANNUAL GENERAL MEETING

RESOLVED that:

- (a) the resolutions taken at the 2014 annual general meeting, be noted
- (b) the City of Cape Town resign as a member of the Cape Town Partnership but retain its board representation.

ACTION : T SIGANDA, A GROENEWALD

C 59/03/15

AUTHORISATION TO COMMENCE WITH A PUBLIC PARTICIPATION PROCESS: PROPOSED SALE BY PUBLIC COMPETITION OF ERF 32511, (PORTION OF ERF 112629), GUNNERS CIRCLE, EPPING

RESOLVED that, in terms of regulation 5(3)(a) of the Municipal Asset Transfer Regulations (MATR) (R. 878), promulgated on 22 August 2008, the public participation process of Erf 32511, (Portion of Erf 112629), Epping, be authorised.

ACTION : T LEWIS, M HELDSINGER, A HUMAN, R GELDERBLOEM, K JACOBY

THE MEETING ADJOURNED AT 17H10.

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ALD D SMIT
CHAIRPERSON

.....
DATE