

MINUTES

**OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF CAPE TOWN
HELD IN THE COUNCIL CHAMBER, 6th FLOOR, PODIUM, CIVIC CENTRE, CAPE
TOWN ON THURSDAY, 26 MAY 2022 AT 10H00.**

MEMBERS PRESENT:

Cllr M F Achmat (AJ)	Cllr P W De Vos (DA)	Cllr M Kleinsmith (DA)
Cllr F Adams (CCC)	Cllr X D Diniso (ANC)	Cllr C Kobeni (DA)
Cllr Y Adams (CMC)	Cllr S S Duka (ANC)	Cllr N F Kopman (ANC)
Cllr A Adams (DA)	Cllr A Z M I Elyas (DA)	Cllr E Langenhoven (DA)
Cllr R Adams (DA)	Cllr C J Esau (DA)	Cllr A Lansdowne (DA)
Cllr M Adonis (DA)	Cllr F Essack (DA)	Cllr U F Lasiti (DA)
Cllr N R Adonis (DA)	Ald G Fourie (DA)	Cllr T A Le Goff (DA)
Cllr F K Ah-Sing (DA)	Cllr P Francke (DA)	Cllr S Liell-Cock (DA)
Cllr W Akim (DA)	Cllr C V Franklin (DA)	Cllr A G Lightburn (DA)
Ald E Andrews (DA)	Cllr S Frenchman (CCC)	Ald X T Limberg (DA)
Cllr E Anstey (DA)	Cllr A Gabuza (ANC)	Cllr E Linde (DA)
Cllr S F August (GOOD)	Cllr T M Geoghegan (DA)	Cllr S A Little (GOOD)
Cllr D Badela (ANC)	Cllr G E Gordon (DA)	Cllr F P Lombard (DA)
Cllr Z A Badroodien (DA)	Cllr T Gqada (DA)	Cllr N Lombi (ANC)
Cllr U M Barends (DA)	Cllr A J Griesel (DA)	Cllr M Mabungani (ACDP)
Ald A J G Basson (DA)	Cllr L A Gungxe (ANC)	Cllr E M Madikane (ANC)
Cllr A M Benadie (DA)	Cllr K W Gxasheka (ANC)	Cllr M S Makuwa (ANC)
Cllr R Beneke (DA)	Cllr B Hansen (DA)	Cllr M Manuel (DA)
Cllr M Booi (DA)	Cllr W Harris (DA)	Cllr M Manuel (CCC)
Cllr P N Booi (EFF)	Cllr G Haskin (ACDP)	Cllr B B Maqungwana (UDM)
Cllr S S Booyesen (DA)	Cllr P G Helfrich (DA)	Cllr K Maré (DA)
Cllr E Botha-Rossouw (FF Plus)	Cllr A Hendricks (AJ)	Cllr S G Markgraff (GOOD)
Cllr R C Cameron (DA)	Cllr P Hendricks (PA)	Cllr P I Marman (GOOD)
Cllr R W Cannon (DA)	Cllr F Higham (DA)	Cllr L Martin (ANC)
Cllr K R Carls (DA)	Executive Mayor G G Hill-Lewis (DA)	Cllr J Martlow (DA)
Cllr H Carstens (DA)	Cllr T Jackson (DA)	Cllr D Z Masiu (DA)
Cllr A Cassiem (EFF)	Cllr M R Jacobs (ARA)	Cllr N Matutu (Luthango) (ANC)
Cllr M A Cassiem (DA)	Cllr B M Jacobs (DA)	Cllr L H Max (FF Plus)
Ald P H Chapple (DA)	Cllr H W Jacobs (DA)	Cllr P Maxiti (DA)
Cllr M N Chitha (ANC)	Cllr D G Jacobs (CCC)	Cllr L Mazwi (EFF)
Cllr M Christians (ACDP)	Cllr P S Jacobson (FF Plus)	Cllr S Mbandezi (DA)
Cllr D Christians (DA)	Ald W D Jafftha (DA)	Cllr L N Mbiza (ANC)
Cllr K A Christie (DA)	Cllr E Jansen (DA)	Cllr N W McFarlane (DA)
Cllr B Clarke (DA)	Cllr G V Joachims (GOOD)	Cllr A P McKenzie (DA)
Cllr G J Classen (ARA)	Ald C Jordaan (DA)	Cllr I P McMahon (DA)
Cllr D G Cottee (ANC)	Cllr M Joseph (GOOD)	Cllr B Mei (EFF)
Cllr J Cupido (GOOD)	Ald C R Justus (DA)	Cllr S Ndamane (PAC)
Cllr M Dambuza (EFF)	Cllr N Jowell (DA)	Cllr T M Mjuza (ANC)
Cllr A Davids (CCC)	Cllr K Kama (ANC)	Cllr M A Mkutswana (ANC)
Cllr R Davids (DA)	Cllr A Kay (CIP)	Cllr Y Mohamed (DA)
Cllr D C De Vos (ACDP)	Ald M L Kempthorne (DA)	Ald S Moodley (DA)
	Cllr M R Kleinschmidt (DA)	Cllr A Moses (DA)

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Cllr T Mpengezi (ANC)
Cllr L M Mqina (ANC)
Cllr N Mvinjelwa (DA)
Cllr P S Mzolisa (DA)
Cllr D Nelson (DA)
Ald I D Neilson (DA)
Cllr B Ngcombolo (ANC)
Cllr D Ngubelanga (AIC)
Cllr M Nikelo (DA)
Cllr S Nodliwa (ANC)
Cllr M L Nqavashe (DA)
Cllr G T Ntamo (ANC)
Cllr L Ntshuntshe (EFF)
Cllr N A Ntshweza (ANC)
Cllr A Ntsodo (DA)
Cllr T Nyamakazi (ANC)
Cllr G D Paige (ACDP)
Cllr B L Payiya (ANC)
Cllr G C Peck (DA)
Cllr X G Peter (ANC)
Cllr M Petersen (DA)
Cllr L Phakade (ANC)
Cllr S Philander (DA)
Cllr T I Pimpi (ANC)
Cllr A Plaatjies (DA)
Cllr C Pophaim (DA)
Cllr A J Potts (DA)
Ald S Pringle (DA)
Cllr C B Punt (DA)
Ald F Purchase (DA)
Cllr Z L Qoba (ANC)
Cllr R M Quintas (DA)
Cllr M H Raise (DA)
Cllr A Richards (PA)
Cllr S Rigby (DA)
Ald S Rossouw (DA)
Cllr S Salie (AJ)
Cllr M J Sampson (PA)
Cllr N Satarien (CCC)

Cllr F A Sauls (DA)
Cllr E Sawant (DA)
Cllr M M Sibunzi (DA)
Cllr C C Siebritz (DA)
Cllr L Simangweni (ANC)
Ald J P Smith (DA)
Cllr J Solomon (DA)
Cllr L Somdaka (ANC)
Cllr N P Sono (PA)
Cllr L P Sonyoka (ANC)
Cllr Z W Sophazi (ANC)
Ald X R Sotashe (ANC)
Cllr K Southgate (DA)
Cllr S L Stacey (DA)
Cllr J N Stevens (ANC)
Cllr N Stuurman (EFF)
Cllr N R E Sukers (ACDP)
Cllr P S Swart (DA)
Cllr S Taliep (DA)
Cllr M Temlett (DA)
Cllr H P Terblanche (DA)
Cllr A Tetani (ANC)
Cllr S C Thompson (ANC)
Ald T Thompson (DA)
Cllr G Timm (DA)
Ald G Twigg (DA)
Cllr N V Tyandela (EFF)
Ald T Uys (DA)
Cllr B van der Merwe (DA)
Ald J F H van der Merwe (DA)
Ald A van der Rheede (DA)
Cllr P E van der Ross (DA)
Cllr B van Reenen (DA)
Cllr A van Zyl (DA)
Cllr R Viljoen (DA)
Cllr D Visagie (DA)
Cllr C L Visser (DA)
Cllr J Visser (DA)
Ald J Vos (DA)

Cllr F C Walker (DA)
Cllr C M K Wannenburg
(GOOD)
Ald B R W Watkyns (DA)
Cllr N Williams (CCC)
Cllr J J Witbooi (DA)
Cllr J Woodman (DA)
Cllr B Yeko (EFF)

APOLOGIES

Cllr R Arendse (DA)
Cllr N A Botya (EFF)
Cllr R Bresler (DA)
Cllr C A Brynard (CIP)
Cllr C Cerfontein (DA)
Cllr A C De Beer (UIM)
Cllr M Gadeni (ANC)
Cllr N E Grose (DA)

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Cllr P C Heynes (ANC)
Cllr C Janse van Rensburg (DA)
Cllr A C Louw (GOOD)
Cllr A E Kuhl (DA)
Cllr B M Majingo (ANC)
Cllr N Makasi (ANC)
Cllr G P Marais (FF Plus)
Cllr M J Marr (DA)
Ald M Nieuwoudt (DA)
Cllr N Rheeder (DA)
Cllr Z Sulelo (DA)
Cllr P P Tause (ANC)

ABSENT

The following Councillor was absent without an apology:

Cllr A Adams (DI)
Cllr P East (DA)

The following Councillor submitted an apology for late arrival:

Cllr R Beneke (DA)
Cllr D Christians (DA)
Cllr D C De Vos (ACDP)
Cllr P E van der Ross (DA)

The following Councillors submitted an apology for leaving early:

Ald X T Limberg (DA)
Ald X R Sotashe (ANC)
Cllr C M K Wannenburgh (GOOD)

PRESENT

Executive Management Team

Mr L Mbandazayo	-	City Manager
Mr K Jacoby	-	Chief Financial Officer
Mr E Sass	-	ED: Community Services and Health
Ms D Campbell	-	ED: Urban Mobility
Ms N Gqiba	-	ED: Human Settlements
Mr K Nassiep	-	ED: Energy
Ms Z Mandlana	-	Acting ED: Corporate Services
Mr R Keraan	-	Acting ED: Urban Waste Management
Ms E Naude	-	Acting ED: Spatial Planning and Environment

Executive Committee Services

Mrs R Razack - Acting Director: Executive & Councillor Support Operations
Ms J Cooper

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Ms C France
Mr E Fray
Mr G Josephs
Mrs A Kline
Ms M Levendall
Ms L McGregor
Mr N Meissenheimer
Mr M Moses
Ms L von Molendorff

Legal Services

Ms R Sayed

<u>LIST OF ACRONYMS FOR INFORMATION</u>	<u>SEATS</u>
ACDP - African Christian Democratic Party	6
AIC - African Independent Congress	1
AJ - Al Jama-ah	3
ANC - African National Congress	43
ARA - Africa Restoration Alliance	2
CCC - Cape Coloured Congress	7
CIP - Cape Independent Party	1
CMC - Cape Muslim Congress	1
DA - Democratic Alliance	136
DI - Democratic Independence	1
EFF - Economic Freedom Fighters	10
FF Plus - Freedom Front Plus	4
GOOD - GOOD	9
PA - Patriotic Alliance	4
PAC - Pan Africanist Congress of Azania	1
UDM - United Democratic Movement	1
UIM - United Independent Movement	1
Total	231

SECTION 1 OPENING OF MEETING

The Speaker, Ald F Purchase welcomed all Councillors, officials, guests, public and the media onsite and those connected to the virtual platform.

A moment of silence was observed.

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Councillors were called upon to register their attendance at the respective venues.

At this stage, the Speaker conveyed her condolences to the Chief Whip of Council, Cllr D Visagie and an official in her office, who recently had bereavements in their family.

SECTION 2 MAYORAL ADDRESS

The Speaker called on the Executive Mayor, Ald G Hill-Lewis to address Council, as follows:

“Speaker, City colleagues, Members of the public and guests, members of the media,

Good Morning, Molweni, More, Assalamu alaikum. We can all feel the unmistakable signs of winter: the chill in the air, the dark mornings, the first rains that we welcome even as we reach for our blankets and jerseys. As winter comes, there is also another kind of winter descending on South Africa and the world. The famous opening line of Richard III – “Now is the winter of our discontent” – comes to mind, with load-shedding again and the prospect of worse to come, soaring cost of living, petrol price hikes, terrible floods and droughts at the same time, and an economy stuck deep in the winter mud.

Around the world, the cost of living is becoming the defining political issue of the post-Covid era. In Britain, for example, inflation has reached a 40-year-high in the last twelve months. British people are talking about having to choose between heating and eating. Other wealthy countries in North America, Asia, Europe are facing alarming increases in the price of food and energy. For many of these countries, inflation is a new experience. Children have grown up without ever seeing inflation.

In South Africa, we are sadly more used to the grinding erosion of income and purchasing power that inflation inflicts, particularly on the poor. But make no mistake, higher inflation means South Africans are getting poorer as whatever income families do have, just doesn’t go as far as it did. The results of an FNB study last week should give us all pause. The study revealed that middle-income consumers are spending up to 80% of their monthly salaries within five days of being paid. Not only are South Africans struggling to keep up with the cost of living, but they are becoming increasingly indebted. This is not a sustainable situation. To make matters worse, we still haven’t seen enough urgent action from national government on the fundamental reforms needed to drive economic growth, create jobs and roll back poverty.

In Cape Town, we believe we cannot just sit around feeling hopeless, waiting for something to change. Instead, we are doing what we can to ease the burden of global and local economic hardship on Capetonians. This includes:

- *Ensuring below-inflation increases on the costs of rates and services;*

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- *Leading the fight against Eskom's above-inflation increases in electricity tariffs;*
- *Offering the biggest free basic services programme for vulnerable residents of any municipality in South Africa;*
- *Protecting the City's economy, and our customers, from one stage of load-shedding;*
- *Writing off the historic debts of residents who have struggled to keep up with payments of municipal bills.*

The guiding philosophy of this administration's policy positions is aggressive economic growth, to bring more jobs to Cape Town and to help more and more people out of poverty in Cape Town. We can only make progress as a society if we obsess, day and night, about jobs and economic growth. In this government, nothing else matters as much as this one overarching and supreme public goal. The IDP we table next week makes this vision a reality and outlines how residents can play their part too, because we can only achieve our goals if we work together.

Speaker, it has been so reassuring to see how so many of Cape Town's residents have stepped up during one of the most trying times our country has faced. This increase in active citizenry is in my view a critical part of the solution to many of the problems we face. The winter of discontent, while being a metaphor for tough economic times in the country, is also a very literal description of the often-harsh Cape Town winter. Every year it floods in Cape Town. Yet, every year, people are flooded out of their homes built on flood plains. If we are going to resolve this annual challenge, we need to work together. The City has made a proactive start. Three weeks ago, I visited Vrygrond to see for myself some of the pre-emptive work that our teams are carrying out to protect residents and their homes as far as possible from flooding. I saw the work being done with jet vacuum trucks to remove roots, litter, sand and many other obstacles that cause blockages in the sewer system. These teams will proactively jet clean 100 kilometres of pipe in the most flood-prone parts of the city.

But we cannot do this alone. We need residents to play their part by protecting storm water infrastructure, not blocking the drains and cleaning up around them. Crucially, it is important that citizens are aware of the risks of building structures below the winter flood lines. Our Disaster Risk Management teams have erected signage in the affected areas and continuously warn residents of the dangers via loud-hailer and the distribution of information pamphlets. Our hope is that everyone heeds the warning before the rains come.

Speaker, as we head into the coldest months of the year, our thoughts also turn to the plight of people who live out on the streets. I am sure that everybody is alarmed – as I am – at the sheer number of people sleeping rough, on pavements, parks, road reserves, and under bridges. The upsurge in homelessness – driven strongly by the impact of the global Covid-19 lockdown – is evident the world over, from San Francisco

and Seattle, to London and Johannesburg. It is a global challenge. In Cape Town, it is important that we respond, first and foremost, as human beings helping other human beings. Whichever way you look at it, the people who face a cold winter without a roof over their heads are there because life has not worked out the way they'd hoped, some combination of tragic circumstance has contrived to put them there. And they need our help.

This is why, to help people off the streets, we have increased the City's Care Programme to R77 million in 2022/23. This programme includes our Reintegration Unit of social development professionals, who are currently undertaking a city-wide process of social assessments of those living on the streets. These individual assessments include the reasons for homelessness in each case, a person's physical and mental health, their living conditions, and sources of income – if any. These personal, one-on-one consultations lead to a referral for mental or addiction treatment, and for social assistance, which can include accommodation at a shelter or City-run safe space.

The Safe Space model includes dignified shelter, comfort and ablutions, two meals per day, access to a social worker on-site, personal development planning, ID Book and social grant assistance, access to substance and alcohol abuse treatment, skills training, help to find a job, and EPWP work placement. More than 1 150 people took advantage of these services and participated in development programmes at City-run Safe Spaces over the past year. A total of R142m is allocated to operate and expand these facilities beyond the CBD and Bellville over the next three years. I have seen the good work our teams are doing to help homeless people off the streets and I would like to take this opportunity to thank them for their tireless efforts. Being a social worker in Cape Town is a difficult job – confronted daily with trauma, sadness and despair that would crush most of us.

In the last year, our teams have directly helped 860 people off the streets, through shelter placements, reunifying family and loved ones, and other forms of social assistance. We're also leveraging EPWP to help people get back on their feet, with over 730 work placements since May 2021. Over the same period, our social development officials completed over 720 referrals for social grants, identity documents, specialised care facilities, and substance abuse treatment – with an 80% Matrix programme success rate to address addiction as a key driver of why people end up on the streets. This is aside from what is being achieved by civil society, and we are planning to do much more together with NGO partners and other levels of government.

I urge those in need of assistance to please make use of the services available, and I call on the public – as active citizens – to support the many deserving NGO-run projects that Give Dignity by offering sustainable solutions to help people off the streets.

One of the first actions I took in the adjustment budget at the beginning of this year, was to set aside R10 million for this winter to increase bed

space at NGO-run shelters. Together with donations by the public to NGOs, this will go a long way this winter to helping people off the streets and hopefully onto a sustainable pathway of reintegration. Our every care intervention is aimed at helping people out of a life on the streets. Helping people off the streets is an imperative, not just for those we help, but for the broader community. Our City's public places have important social, community and economic purposes, and must be open and available to all. No person has the right to reserve a public space as exclusively theirs, while indefinitely refusing all offers of shelter and social assistance.

I would like to make it clear that if they do not have a choice, it is not an offence for a person to sleep on the streets. And – as I have outlined – we will do everything in our power to ensure that people do have a choice. In cases where social support has been consistently refused, the City will seek the necessary court order, and ensure alternative accommodation at shelters or safe spaces has been offered. At all times, we will be guided by the need to balance the rights of people in desperate circumstances with the rights of all people to enjoy unfettered access to public places. This is not easy, but I am committed to getting this balance right, and I hope that every member of this Council will join me in this endeavour.

Speaker, active citizenry means all of us working together, regardless of political affiliation, to achieve our goals. And speaking of active citizens, just last week I co-launched the Urban Design and Mobility Forum in Cape Town, along with the Young Urbanists. This Forum brings together young, future-minded people from the City government and the urban design community to talk about how we can make Cape Town even better. The Forum includes an advisory network of practitioners and officials, who will think, discuss and challenge city policy and implementation, with an eye on best practice from around the world. It is important to co-create a creative space where knowledge, insight and great ideas can be shared.

We have also launched our Advisory Committee on the cleanliness of our rivers, vleis and waterways, under the leadership of Cllr Lansdowne. This committee brings water activists from around the city into the heart of our government's programme to clean up these water bodies. We are sharing information openly for the first time, live and online, and getting the best feedback from experts and laypeople who share our passion. I'm excited about the future potential of partnerships like these. Just as working hand in hand with civil society is going to make our impact so much stronger, so too do we need to work closer with the private sector to deliver more plentiful and affordable housing for Cape Town.

And in this regard we are making great progress on our Land Release Priority Programme, with a focus on four work streams:

- A more rapid pipeline of land release for social housing*
- Identifying large mixed-use sites for private sector development*
- Unlocking the massive potential of micro-developers*
- Developing an enabling planning environment to accelerate affordable housing delivery*

I'm particularly encouraged by progress to enable micro-developers, because this sector is already delivering huge amounts of homes each year, and can do much more with government acting as an enabler, not a blocker. We are engaging lenders on financing and technical support for micro-developers, while exploring how the City can make life easier, for instance, via exemptions from administrative penalties, by developing off-the-shelf plans, and by starting 'planning support offices' in informal settlements. While we are fully prepared to look within and shorten City processes, we are advancing an advocacy agenda for national government to release the huge pieces of unused state land in the city, which are at least 77 times the size of the land the city owns.

The City currently has more than 6 500 social housing units in the overall pipeline across 50 land parcels citywide. This includes 2 000 social housing units in the central Cape Town area, and a further 2 500 opportunities - either in the construction phase or close to it - along the Voortrekker Road Corridor and near important economic nodes. Spades have been in the ground at Maitland for several months already, where 200 social housing units are under construction.

In Woodstock, building plans for the Pine Road development were submitted for approval on 20 May by developer SOHCO. If all goes to plan, we will see construction start on this inner city social housing project within a few months, which should enable tenanting by late 2023 or early 2024. Dillon Lane – also in Woodstock – is set to deliver around 150 social housing units. I'm advised that it is possible to start construction within a year, and that both the Site Development Plan and building plan approvals can be completed within 2022. We will be pushing to get this done in the earliest timeframe possible.

And on the council agenda today are two exciting inner city properties set to deliver around 760 social housing units alone, within broader mixed-used, mixed market developments. Today we are seeking Council's authority to advertise our intention to release Newmarket Street for development. This project is set to include around 365 mixed-market units and 165 social housing units. The second property on the agenda today is Pickwick, a major development which should include some 600 social housing units. Today we are asking Council to approve the start of public participation on our intention to release the property, with a view to awarding the site for social housing. We are determined to bring more properties to council in the coming months as our Land Release Priority Programme gains momentum – watch this space.

Speaker, in the last four Council meetings I have reported tangible progress on four of our seven core pledges.

We have:

- made progress on ending load-shedding in Cape Town over time by starting our own procurement process for independent power producers*

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- *made progress on fixing public transport by securing national government support for the goal of devolving the passenger rail to the metro government, and starting our own rail feasibility study*
- *made progress on making Cape Town safer, with a budget for 150 new law enforcement officers and 80 new auxiliary officers in our first year of government*
- *and today we have made progress on our commitment to deliver more affordable housing for Capetonians, with two more pieces of land today and more on the way*

Lastly, beating off the metaphorical winter that lies ahead for South Africa will require Cape Town to grow our economy faster - to absorb unemployed people into jobs and help them escape poverty. And so I was delighted this weekend to join CEO of Virgin Atlantic, Sir Richard Branson, in announcing a new London-Cape Town daily direct flight that will add 80 000 seats to this route, with more exciting news to come in the airline space as Wesgro's Air Access team continue to do excellent work at bringing more direct flights to Cape Town. These are huge announcements, and speak to the confidence that international airlines have in Cape Town. More business people and tourists coming to Cape Town means more investment for our local economy and more jobs.

Speaker, it may be too early to speak of green shoots of recovery, but I am confident that we can get our economy – and our city – moving in the right direction. With commitment, dedication and a clear plan of action we can face the storms ahead. Working together, we will emerge from this winter stronger than ever before. I thank you.”

SECTION 3

C 02/05/22 APOLOGIES / LEAVE OF ABSENCE

The Chief Whip of Council, Cllr D visagie announced the applications for leave of absence as listed below.

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

Cllr R Arendse (DA)
Cllr N A Botya (EFF)
Cllr R Bresler (DA)
Cllr C A Brynard (CIP)
Cllr C Cerfontein (DA)
Cllr A C De Beer (UIM)
Cllr M Gadeni (ANC)
Cllr N E Grose (DA)
Cllr P C Heynes (ANC)
Cllr C Janse van Rensburg (DA)
Cllr A C Louw (GOOD)
Cllr A E Kuhl (DA)
Cllr B M Majingo (ANC)

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Cllr N Makasi (ANC)
Cllr G P Marais (FF Plus)
Cllr M J Marr (DA)
Ald M Nieuwoudt (DA)
Cllr N Rheeder (DA)
Cllr Z Sulelo (DA)
Cllr P P Tause (ANC)

ACTION: L KELLEEM

SECTION 4 ANNOUNCEMENTS BY THE SPEAKER

No announcements were made by the Speaker.

SECTION 5 OFFICIAL NOTICES / URGENT MATTERS

There were no official notices or urgent matters raised.

C 03/05/22 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING: 28 APRIL 2022

RESOLVED that the minutes of the ordinary Council meeting held on 28 April 2022, be confirmed, subject to the following correction:

Pg. 20 APOLOGIES

That the name of Cllr B Mei (EFF) be recorded under the heading "MEMBERS PRESENT".

ACTION: N MEISSENHEIMER

At this stage, the Speaker, Ald F Purchase (DA) announced that the following items were agreed on by the respective political parties at the Whips' meeting:

Volume 2B - Item 13

Volume 3 - Items 24, 25, 26, 27, 28, 30, 31, 32, 33, 36, 37, 38, 39 and 42

Volume 4 - Items 45, 46, 47, 48, 51, 52, 54 and 55. [Reports for information and noting.]

205 Councillors participated when this announcement was made.

It also be noted that the following totals of Councillors from the respective Political Parties present at the meeting were taken into account when the decisions were taken by Council:

ACDP	- African Christian Democratic Party	5
AIC	- African Independent Congress	0
AJ	- Al Jama-ah	3
ANC	- African National Congress	37

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ARA	- Africa Restoration Alliance	2
CCC	- Cape Coloured Congress	7
CIP	- Cape Independent Party	1
CMC	- Cape Muslim Congress	1
DA	- Democratic Alliance	122
DI	- Democratic Independence	0
EFF	- Economic Freedom Fighters	9
FF Plus	- Freedom Front Plus	3
GOOD	- GOOD	7
PA	- Patriotic Alliance	4
PAC	- Pan Africanist Congress of Azania	1
UDM	- United Democratic Movement	1
UIM	- United Independent Movement	0

C 04/05/22 AWARDING OF CONTRACT WHICH WILL INCUR FINANCIAL OBLIGATIONS BEYOND THE BUDGET CYCLE: TENDER NUMBER: 69G/2020/21: PROCUREMENT OF FIREWALLING AND NETWORKING EQUIPMENT FOR SCADA SERVICES BLOEMHOF AND NEWLANDS NETWORK CONTROL CENTRE

RESOLVED that:

- (a) Council determined that the City of Cape Town will secure a financial benefit from the contract.
- (b) the entire contract exactly as it is to be executed incurring a financial obligation for 7 Financial Years and in the estimated amount of R7 595 629,27 (excl VAT) with a contract provision for price adjustment as per the SCMBAC resolution, be approved.
- (c) the City Manager, or his nominee, be authorised to sign the above contract(s).

[The CCC, EFF and PAC recorded their votes against the above decision.]

ACTION: D ROBINSON, L RENCONTRE, K NASSIEP

C 05/05/22 AWARDING OF CONTRACT WHICH WILL INCUR FINANCIAL OBLIGATIONS BEYOND THE BUDGET CYCLE: TENDER 365S/2020/21: PROVISION OF:

- AN INTRANET / INTERNET DATABASE OF LEGISLATION AND LEGAL PUBLICATIONS;
- AN ONLINE INFORMATION SEARCH SOFTWARE APPLICATION; AND

- **PROVISION OF LEGISLATION AND LEGAL PUBLICATIONS IN PAPER LOOSE LEAF FORMAT INCLUSIVE OF THE RELEVANT UPDATES TO THE CITY OF CAPE TOWN**

RESOLVED that:

- (a) Council determined that the City of Cape Town will secure a significant financial economic benefit from the contracts.
- (b) the entire contracts exactly as it is to be executed incurring a financial obligation for 5 Financial Years as from 1 July 2022 to 30 June 2027 and in the estimated amount of R 7 563 478,26 (excl VAT); as confirmed in the financial footnote attached to the report on the agenda, Cost Centre: City-Wide and GL Number: 414850, 414860 and 411300 for the 2022/23 MTREF, be approved
- (c) the City Manager, or his nominee, be authorised to sign the above contract(s).

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

ACTION: R SAYED, L MBANDAZAYO

C 06/05/22 REQUEST FOR APPROVAL FOR THE CLOSE-OUT OF THE CITY OF CAPE TOWN'S RESIDENTIAL SOLAR WATER HEATER ACCREDITED SERVICE PROVIDER PROGRAMME (CCT SWH ASP PROGRAMME)

RESOLVED that the dissolution of the City of Cape Town's Residential Solar Water Heater (SWH) Accredited Service Provider (ASP) Programme, be approved.

[The ANC, AJ, CCC, EFF, GOOD, PA and PAC recorded their votes against the above decision.]

ACTION: L MAHOMED WEIDEMAN, K NASSIEP

C 07/05/22 EXEMPTION FROM DEVELOPMENT CHARGES NON GOVERNMENTAL ORGANISATIONS (NGOs) AND NON PROFIT ORGANISATIONS (NPOs) RELATED TO PROPERTY MANAGEMENT TRANSACTIONS

RESOLVED that:

- (a) the creation of a dedicated Property Management fund (CRR: Property Management) to finance the exemptions on Development Contributions payable by Non-Profit and Non-Governmental Organisations when transacting with the City on City-owned immovable property, be approved
- (b) the amount of R500 000,00 to be transferred from surpluses to the CRR: Property Management to fund the Development Contributions

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exemptions made by Council for the current and ensuing financial years, be approved

- (c) the Property Management Department submit an annual report to Council on the number of exemptions made for the financial year
- (d) the exemptions will be considered and approved by Council as submitted on a case-by-case basis.

ACTION: D BORAIN, F VOTERSEN, R GELDERBLOEM

C 08/05/22 INTEGRATED HUMAN SETTLEMENTS SECTOR PLAN (2022/23-2026/27)

RESOLVED that:

- (a) the Integrated Human Settlements Sector Plan attached as Annexure A to the report on the agenda, be approved.
- (b) the Integrated Human Settlements Sector Plan be included as an Annexure to the New Term of Office Integrated Development Plan (IDP).

[The ANC, AJ, CCC, EFF and PAC recorded their votes against the above decision.]

ACTION: T MITI, R PRETORIUS, N GQIBA

C 09/05/22 AWARDING OF CONTRACT WHICH WILL INCUR FINANCIAL OBLIGATIONS BEYOND THE BUDGET CYCLE: (FROM 2022/23 2027/28)

CONTRACT: 368S/2020/21 THE PROVISION OF THIRD PARTY PAYMENT SERVICES FOR THE PAYMENT OF THE CITY OF CAPE TOWN'S MUNICIPAL ACCOUNT

RESOLVED that:

- (a) Council determined that the City of Cape Town will derive a significant financial benefit from the contract;
- (b) the entire contract exactly as it is to be executed incurring a financial obligation for 72 months and in the estimated amount of R281 000 000.00 (OPEX), Excl VAT as confirmed for the MTREF, be approved; and
- (c) the City Manager, or his nominee, be authorised to sign the above contract.

[The CCC, EFF, PA and PAC recorded their votes against the above decision.]

ACTION: T BLAKE, K JACOBY

C 10/05/22 AWARDING OF CONTRACT WHICH WILL INCUR NO FINANCIAL OBLIGATIONS BEYOND THE BUDGET CYCLE: TENDER NO. 52C/2021/22: PROVISION OF SERVICE PROVIDER: BROKER TO ADMINISTER THE GROUP LIFE SCHEME FOR EMPLOYEES OF THE CITY OF CAPE TOWN FROM 1 JULY 2022 UNTIL 30 JUNE 2027

RESOLVED that:

- (a) Council determined that the City of Cape Town will derive a significant financial economic benefit from the contract through the continued implementation of the Group Life Scheme as the broker will be expected to obtain the best rates for Group Life Cover in the market;
- (b) the entire contract exactly as it is to be executed incurring no financial obligation for 5 financial years from 1 July 2022 to 30 June 2027, as confirmed in the financial footnote attached to the report on the agenda, be approved; and;
- (c) the City Manager, or his nominee, be authorised to sign the above contract(s).

[The EFF, PA and PAC recorded their votes against the above decision.]

ACTION: S GOLDING, L SITHOLE, Z MANDLANA

C 11/05/22 AWARDING OF CONTRACT WHICH WILL INCUR FINANCIAL OBLIGATIONS BEYOND THE BUDGET CYCLE: TENDER 305Q/2020/21: CONSTRUCTION OF PHASE 2A TRUNK INFRASTRUCTURE: GOVAN MBEKI ROAD BETWEEN LANSDOWNE ROAD & HEINZ ROAD

RESOLVED that:

- (a) Council determined that the City of Cape Town will derive a significant financial economic benefit from the contract: Construction of IRT Phase 2A Infrastructure: Govan Mbeki Road between Lansdowne Road & Heinz Road for a period not exceeding five (5) financial years;
- (b) the entire contract exactly as it is to be executed incurring a financial obligation for a period not exceeding five (5) financial years and in the estimated amount of R417 500 000.00 (excluding VAT and contingency) or R459 250 000.00 (including contingency and excluding VAT) and R528 137 500 (including contingency and VAT) for Govan Mbeki IRT JV as confirmed in the financial footnote attached to the report on the agenda, initially funded from item number: CPX.0015993, be approved;

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- (c) the City Manager, or his nominee, be authorised to sign the above contract.

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

ACTION: R MELODY, I BOWKER, D CAMPBELL

C 12/05/22 REQUEST FOR MEMBERSHIP FOR THE WATER AND SANITATION DIRECTORATE AS A PATRON MEMBER WITH THE WATER INSTITUTE OF SOUTHERN AFRICA (WISA)

RESOLVED that:

- (a) the Water and Sanitation Directorate's membership with the Water Institute of Southern Africa (WISA) for the 2021/22, 2022/23 and 2023/24 financial years, be approved;
- (b) the annual membership fees of R52 494.23 excluding VAT to cover the cost of the annual WISA membership fees for the current financial year 2021/2022, be approved, and
- (c) the subsequent annual membership fees of R52 494.23 excluding VAT to cover the cost of the annual WISA membership fees of the 2022/23 and 2023/24 financial years respectively, be approved.

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

ACTION: M CARELSE, J DE BRUYN, Z BASHOLO, M WEBSTER

C 13/05/22 INSURANCE RENEWALS 2022/23

RESOLVED that:

- (a) the payment of the insurance premiums totalling R119 773 175 to Marsh (Pty) Ltd, be authorised
- (b) having regard for the period between the obtaining of these terms and final placement of the Fund's requirements, the Chief Financial Officer, or his nominee, be authorised to accept firm quotations not exceeding 10% greater than the recommended provisional premiums in the event of Marsh (Pty) Ltd being unable to obtain cover at the provisional terms indicated.

ACTION: S ODENDAAL, D VALENTINE, K JACOBY

C 14/05/22 NATIONAL TREASURY MUNICIPAL FINANCE MANAGEMENT ACT (MFMA) CIRCULAR 113

RESOLVED that the National Treasury Municipal Finance Management Act (MFMA) Circular 113, be adopted.

ACTION: N ISHMAIL, K JACOBY

C 15/05/22 PROPOSED APPROVAL FOR THE TRANSFER OF ERF 11739 BLUE DOWNS, SITUATED AT 379 WESBANK MAIN ROAD, WESBANK, BLUE DOWNS, ZONED GENERAL BUSINESS 4 (GB4)

RESOLVED that:

- (a) In terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
 - (i) It be resolved and reaffirmed that Erf 11739 Blue Downs, situated at 379 Wesbank Main Road, Wesbank, Blue Downs, in extent approximately 1 967 m², shown lettered ABCD on Plan LIS 2026 attached as Annexure A to the report on the agenda, zoned General Business 4 (GB4), is not required for the provision of the minimum level of basic municipal services;
 - (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset have been considered.
- (b) In terms of Regulation 5(1) of the Municipal Assets Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, approval be granted for the transfer of Erf 11739 Blue Downs, situated at 379 Wesbank Main Road, Wesbank, Blue Downs, in extent approximately 1 967 m², zoned General Business 4 (GB4), to the Old Apostolic Church (Southern Africa) District Western Cape, in the amount of Eight Hundred and Fifty Thousand Rand, (R850 000.00), excluding VAT.
- (c) The purchase price shall escalate at 5% per annum compounded annually on a pro rata basis commencing 6 months after date of auction (i.e. that is from 2022-08-11) until date of registration.
- (d) The purchase price shall be subject to review in the event that the property has not been transferred within 36 months from the date of Valuation (i.e. from 2024-10-01).
- (e) In terms of Regulation 17 of the MATR, the Director: Property Management in the exercise of her delegated authority finalise the terms and conditions, as set out in the sale agreement and to effect the transfer.

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

ACTION: B MENTOR, A HUMAN, D BORAIN, R GELDERBLOEM

C 16/05/22 PROPOSED APPROVAL FOR THE TRANSFER OF ERF 11210 DURBANVILLE, SITUATED AT 27 IRIS STREET, DURBANVILLE, ZONED SINGLE RESIDENTIAL 1 (SR1).

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RESOLVED that:

- (a) In terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
 - (i) It be resolved and reaffirmed that Erf 11210 Durbanville, situated at 27 Iris Street, Durbanville, in extent approximately 867 m², shown on Plan LIS 1876 attached as Annexure A to the report on the agenda, zoned Single Residential 1 (SR1), is not required for the provision of the minimum level of basic municipal services;
 - (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset have been considered.
- (b) In terms of Regulation 5(1) of the Municipal Assets Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, approval be granted for the transfer of Erf 11210 Durbanville, situated at 27 Iris Street, Durbanville, in extent approximately 867 m², zoned Single Residential 1 (SR1), to the Sasman Developments (Pty) Ltd, in the amount of One Million Five Hundred and Fifty Thousand Rand, (R1 550 000.00), excluding VAT.
- (c) The purchase price shall escalate at 5% per annum compounded annually on a pro rata basis commencing 6 months after date of auction (i.e. that is from 2022-08-11) until date of registration.
- (d) The purchase price shall be subject to review in the event that the property has not been transferred within 36 months from the date of Valuation (i.e. from 2024-10-01).
- (e) In terms of Regulation 17 of the MATR, the Director: Property Management in the exercise of her delegated authority finalise the terms and conditions, as set out in the sale agreement and to effect the transfer.

[The EFF, PA and PAC recorded their votes against the above decision.]

ACTION:C DELCARME, A HUMAN, D BORAIN, R GELDERBLOEM

C 17/05/22 REPORT ON THE CCTV CAMERA ROLLOUT PLAN 2021-2026

RESOLVED that the CCTV Camera Rollout Plan 2021-2026 attached as Annexure A to the report on the agenda, be approved.

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

ACTION:B SCHULLER, W LE ROUX, V BOTTO

At this stage, namely 14H10, the Speaker announced that the meeting would adjourn for lunch. The meeting recommenced at 14H30.

C 18/05/22 GRANTS-IN-AID ALLOCATIONS FOR 2021/2022 AS RECOMMENDED BY SOCIAL DEVELOPMENT AND EARLY CHILDHOOD DEVELOPMENT'S ARTS AND CULTURE BRANCH

RESOLVED that the proposed Grants-in-Aid allocation for 2021/2022 totalling R639 400.00 as set out in Annexure A to the report on the agenda, as recommended by the Social Development and Early Childhood Development Department's Arts and Culture Branch, and supported by the Section 67 Grants-in-Aid Committee, be approved.

ACTION: R JUTZEN, A SAULS, E SASS

C 19/05/22 REQUEST FOR APPROVAL OF AN INFORMAL TRADING PLAN IN TERMS OF THE CITY OF CAPE TOWN'S INFORMAL TRADING BY-LAW FOR JOE GQABI AND STOCK ROAD (WARD 88)

RESOLVED that:

- (a) the review of the informal trading plan for Joe Gqabi and Stock Road as set out in Annexure A - E to the report on the agenda, be supported
- (b) Based on the process prescribed in the Informal Trading By-law, Council adopted the revised informal trading plan for Ward 88, as indicated in Annexure A - E to the report on the agenda,
- (c) The areas indicated on Annexure A - E to the report on the agenda, be declared areas in which the carrying on of the business of street vendor, peddler or hawker is prohibited, with the exception of the informal trading bays reflected in Annexure A - E to the report on the agenda.
- (d) The areas indicated on Annexure A - E to the report on the agenda be restricted to persons in possession of a valid informal trading permit issued by the City of Cape Town for the particular trading spaces.
- (e) The trading bays mentioned in Annexure A - E to the report on the agenda be let out by means of a permit system and that no street vending, peddling or hawking be permitted in these informal trading bays if a person is not in possession of a valid permit for the particular trading spaces.
- (f) The trading hours for all approved informal trading sites be from 06:00 to 19:00 from Mondays to Sundays.

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- (g) In terms of the provisions of the Businesses Act, Act 71 of 1991, Council revoked the proclamation as published in the Province of Western Cape: Provincial Gazette Notice dated 16 October 2009.
- (h) The amended, approved informal trading plan be published in the Provincial Gazette in terms of the Informal Trading By-law.
- (i) Council noted the comments (Annexure G to the report on the agenda) from the external public participation process held on 3 June 2021 and supported the responses provided by Area Economic Development.

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

ACTION: S EVANS, S NGONDO, M MILLER, L GREYLING, R GELDERBLOEM

C 20/05/22 REQUEST FOR APPROVAL OF AN INFORMAL TRADING PLAN IN TERMS OF THE CITY OF CAPE TOWN'S INFORMAL TRADING BY-LAW FOR MITCHELLS PLAIN TOWN CENTRE

RESOLVED that:

- (a) the review the informal trading plan of the Mitchell's Plain Town Centre markets in Annexure A - N to the report on the agenda, be supported
- (b) Based on the process prescribed in the Informal Trading By-law, Council adopted the revised Informal Trading Plan for Ward 116, as indicated in Annexure A - N to the report on the agenda.
- (c) The areas indicated on Annexure A - N to the report on the agenda, be declared areas in which the carrying on of the business of street vendor, peddler or hawker is prohibited, with the exception of the informal trading bays reflected in Annexure A - N to the report on the agenda.
- (d) The areas indicated on Annexure A - N to the report on the agenda be restricted to persons in possession of a valid informal trading permit issued by the City of Cape Town for the particular trading spaces.
- (e) The trading bays mentioned in Annexure A - N to the report on the agenda be let out by means of a permit system and that no street vending, peddling or hawking be permitted in these informal trading bays if a person is not in possession of a valid permit for the particular trading spaces.
- (f) The trading hours for all approved informal trading sites be from 06:00 to 19:00 from Mondays to Sundays

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- (g) In terms of the provisions of the Businesses Act, Act 71 of 1991, Council revoked the proclamation as published in the Province of Western Cape: Provincial Gazette Notice dated 16 October 2009.
- (h) The amended, approved informal trading plan be published in the Provincial Gazette in terms of the informal trading by-law.
- (i) Council noted the comments (Annexure O to the report on the agenda) from the external public participation process held on 02 and 17 June 2021 and supported the responses provided by Area Economic Development.
- (j) the objections contained in Annexure O not to be upheld for the reasons stated in the report to the report on the agenda.

ACTION: S EVANS, S NGONDO, M MILLER, L GREYLING, R GELDERBLOEM

C 21/05/22 REQUEST FOR A FINAL EXTENSION OF THE INFORMAL TRADING PERMIT RELIEF TO BE GRANTED FOR THE PERIOD 1ST JULY 2022 TO 31ST DECEMBER 2022 DUE TO THE UNPRECEDENTED NEGATIVE IMPACT OF THE COVID-19 PANDEMIC ON THE INFORMAL TRADING SECTOR AND TO BRING IT INTO ALIGNMENT WITH THE NATIONAL COVID PROCLAMATION REGARDING A 12 MONTH PERMIT RELIEF

RESOLVED that:

- (a) Council approved an informal trading permit fee amnesty to active informal traders for the period 01 July 2022 to 31 December 2022, where no informal trading tariffs will be payable to the City, be approved
- (b) Council approved that all informal trading permit fees paid in advance be credited into informal traders trading accounts.
- (c) Council mandated the Director: Enterprise and Investments to authorise SAP ERP to effect the payment moratorium on the City's Informal Trading Permitting system (ITPS) for the period 01 July 2022 to 31 December 2022.

C 22/05/22 ACTION: P WILLIAMSON, L GREYLING, R GELDERBLOEM AWARDING OF CONTRACT WHICH WILL INCUR FINANCIAL OBLIGATIONS BEYOND THE BUDGET CYCLE: TENDER 280C/2020/21: PROVISION OF PROFESSIONAL SERVICES IN RESPECT OF PLANNING, DESIGN, TENDER DOCUMENTATION, CONSTRUCTION SUPERVISION AND ESTABLISHMENT OF PRECINCT MANAGEMENT ENTITIES AT PUBLIC TRANSPORT INTERCHANGES, FOR A PERIOD NOT EXCEEDING 72 MONTHS

RESOLVED that:

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- (a) Council determined that the CCT will derive a significant financial economic benefit from the contract Planning, Design, Tender Documentation, Construction Supervision and Establishment of Precinct Management Entities at Public Transport Interchanges for a period not exceeding 72 months.
- (b) the entire contract exactly as it is to be executed incurring a financial obligation for a period not exceeding 72 months and in the estimated amount of R61 861 431 including Contract Price Adjustment (CPA) and VAT as confirmed in financial footnote attached to the report on the agenda, initially funded from WBS numbers: CPX.0017686-F1, CPX.0017686-F2, CPX.0017687-F1 CPX.0017687-F2, CPX.0017689-F1 and CPX.0017689-F2 for the Long Term Financial Plan, be approved
- (c) the City Manager, or his nominee, be authorised to sign the above contract.

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

ACTION: R MELODY, D CAMPBELL

C 23/05/22 REQUEST FOR THE CONDONATION OF NON-COMPLIANCE WITH THE EXPANDED PUBLIC WORKS (EPWP) AND THE MANAGEMENT OF COUNCIL'S JOBSEEKER'S DATABASE (MCJD) POLICIES

RESOLVED that:

- (a) the non-compliance with the provisions of Clauses 9.7 of the EPWP Policy and 9.4.2 to 9.4.4 of the Management of Councils Jobseeker's Database Policy respectively, be condoned
- (b) the payment of the EPWP workers as per Annexure 2 attached to the report on the agenda, be authorised.

ACTION: I ROBSON, G MORGAN

C 24/05/22 GRANTING OF IN-PRINCIPLE APPROVAL: PROPOSED TRANSFER OF A PORTION OF ERF 117952 CAPE TOWN TO THE OWNER OF THE ADJACENT ERF 32587 CAPE TOWN (EPPING INDUSTRIA)

PROPOSED CLOSURE AND TRANSFER OF A PORTION OF ERF 117952 CAPE TOWN TO THE OWNER OF THE ADJACENT ERF 32587 CAPE TOWN (EPPING INDUSTRIA): ROZIRI PROPERTY GROUP (PTY) LTD

RESOLVED that:

- (a) In terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:

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- (i) It be resolved that the subject property, being a portion of Erf 117952 Cape Town, situated off Bofors Circle, Epping Industria, in extent approximately 1 081 m² and as shown cross-hatched and lettered ABCDE on Plan TA 1122v0 attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services;
 - (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset described in (a)(i) have been considered.
- (b) In terms of Regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations (MATR), R.878, promulgated on 22 August 2008, in-principle approval be granted for the transfer of a portion of Erf 117952 Cape Town, situated off Bofors Circle, Epping Industria, in extent approximately 1 081 m² and as shown cross-hatched and lettered ABCDE on Plan TA 1122v0 attached as Annexure A to the report on the agenda.
- (c) In terms of section 4 of the City of Cape Town Immovable Property By-law, 2015, approval be granted for the closure of the subject property being a portion of a public place Erf 117952 Cape Town, in extent approximately 1 081 m² and as shown cross-hatched and lettered ABCDE on Plan TA 1122v0 attached as Annexure A to the report on the agenda.
- (d) The transfer of a portion of Erf 117952 Cape Town, in extent approximately 1 081 m² and as shown cross-hatched and lettered ABCDE on Plan TA 1122v0 attached as Annexure A to the report on the agenda, to Roziri Property Group (Pty) Ltd or their successor(s) in title, be approved, subject to the following conditions, that:
 - (i) A purchase price of R1 730 000, excluding VAT, be payable;
 - (ii) The purchase price is to be escalated by 5% per annum compounded annually on a pro-rata basis, commencing 6 months from date of valuation, i.e. from 1 November 2021, until date of registration;
 - (iii) The valuation is to be reviewed if not approved by the delegated authority of Council within 36 months from date of valuation, i.e. by 30 April 2024;
 - (iv) Rates and municipal charges, if applicable, be levied;
 - (v) Subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority, including inter alia the following:

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- (aa) that all further statutory and land use requirements be complied with;
- (bb) that the subject portion of Erf 117952 Cape Town be consolidated with the purchaser's Erf 32587 Cape Town;
- (cc) that the current lease agreement be terminated on the date of registration; and
- (dd) that all costs related and incidental to the transaction be borne by the purchaser.

ACTION: P STRUMPHER, R SCHNACKENBERG, M SIMS, R GELDERBLOEM

C 25/05/22 PROPOSED LEASE OF PORTION OF CITY LAND, PORTION OF PUBLIC STREET, ABUTTING ERF 2193 CAPE TOWN, HOUT STREET, CAPE TOWN FOR AN EXISTING ENCLOSED STOEP: XDSL TRADING 410 (PTY) LTD

RESOLVED that the lease of a Portion of Public Street, abutting Erf 2193 Cape Town situated at Hout Street, Cape Town, shown hatched and lettered ABCD on Sketch STC 2965 marked Annexure A to the report on the agenda, in extent approximately ± 15 m², to XDSL Trading 410 (Pty) Ltd, owners of Erf 2193 or their successors in title, be approved subject to inter alia the following conditions:

- (a) A market rental of R310,00 per month inclusive of rates and excluding VAT.
- (b) The monthly rental to be adjusted on the basis of 8% per annum compounded annually on a pro rata basis commencing from 1 April 2019 until 31 March 2020 and thereafter 6% per annum. The rental is effective and payable as from 1 April 2019.
- (c) The lease will endure for a period of 10 (ten) years with a rental review after 5 (five) years.
- (d) The property be used for an enclosed stoep purposes only.
- (e) Subject to such further conditions to be imposed by the Director: Property Management in terms of his/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.

ACTION: M TAYLOR, C DAVIS, M SIMS, R GELDERBLOEM

C 26/05/22 PROPOSED LEASE OF A PORTION OF CITY OWNED LAND, BEING A PORTION OF ERF 1358 FISANTEKRAAL, SITUATED OFF DULAH OMAR ROAD, FISANTEKRAAL: THE UNIVERSITY OF THE WESTERN CAPE

RESOLVED that the lease of a portion of City owned land, being a portion of Erf 1358 Fisantekraal, situated off Dulah Omar Road, shown hatched and lettered ABCD on Plan No TA 1063v1 and marked Annexure B to the report on the agenda, in extent approximately 260 m², to the University of the Western Cape, or its successors- in-title, be approved subject to inter alia the following conditions:

- (a) A market rental of R550,00 per month, excluding VAT, calculated at the rate applicable as the time of the transaction, be payable, Rates is included in the rental;
- (b) The monthly rental is to be adjusted on the basis of 6% per annum compounded annually on a pro rata basis commencing 6 months from date of valuation, i.e. as from 2021-11-01;
- (c) The lease will endure for a period of 10 years;
- (d) Rental must be reviewed after 5 years;
- (e) The property may be used only for the purpose of providing health and social services to the community;
- (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) No compensation will be payable for any improvement made to the property;
- (i) Detailed building plans must be submitted for approval of the proposed building;
- (j) The existing fence line between the clinic and the adjacent sport fields must be retained.

ACTION: G DU PLESSIS, W ANDERSON, R SCHNACKENBERG, R GELDERBLOEM

C 27/05/22 PROPOSED GRANTING OF IN-PRINCIPLE APPROVAL FOR THE TRANSFER BY WAY OF A PUBLIC COMPETITIVE PROCESS, OF CITY-OWNED IMPROVED PROPERTY ERF 94517 CAPE TOWN, SITUATED AT 73 NEW CHURCH STREET, GARDENS, ZONED GENERAL RESIDENTIAL 2 (GR2)

RESOLVED that:

- (a) In terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
 - (i) It be resolved that Erf 94517 Cape Town, situated at 73 New Church Street, Gardens, in extent approximately 149 m², shown on Plan LIS 2222 attached as Annexure A to the report on the agenda, zoned General Residential 2 (GR2), is not required for the provision of the minimum level of basic municipal services;
 - (ii) It be confirmed that the fair market value of the assets described in (a)(i) and the economic and community value to be received in exchange for the assets described in (a) (i) have been considered.
- (b) In terms of Regulation 5(1)(b) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-principle approval be granted for the transfer Erf 94517 Cape Town, situated at 73 New Church Street, Gardens as described in (a)(i);
- (c) Erf 94517 Cape Town, situated at 73 New Church Street, Gardens be transferred by way of public competition, subject to conditions to be imposed by the Director: Property Management in the exercise of her delegated authority;
- (d) The comments and recommendations provided by Provincial Treasury, be noted.

ACTION: A RAINHO, T LEWIS, A HUMAN, D BORAIN, R GELDERBLOEM

C 28/05/22 PROPOSED GRANTING OF IN-PRINCIPLE APPROVAL FOR THE TRANSFER BY WAY OF A PUBLIC COMPETITIVE PROCESS, OF CITY-OWNED IMPROVED PROPERTY ERF 94519 CAPE TOWN, SITUATED AT 79 NEW CHURCH STREET, GARDENS, ZONED GENERAL RESIDENTIAL 2 (GR2)

RESOLVED that:

- (a) In terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
 - (i) It be resolved that Erf 94519 Cape Town, situated at 79 New Church Street, Gardens, in extent approximately 183 m², shown on Plan LIS 2221 attached as Annexure A to the report on the agenda, zoned General Residential 2, (GR2), is not required for the provision of the minimum level of basic municipal services;

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- (ii) It be confirmed that the fair market value of the assets described in (a)(i) and the economic and community value to be received in exchange for the assets described in (a)(i) have been considered.
- (b) In terms of Regulation 5(1)(b) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-principle approval be granted for the transfer Erf 94519 Cape Town, situated at 79 New Church Street, Gardens as described in (a)(i);
- (c) Erf 94519 Cape Town, situated at 79 New Church Street, Gardens be transferred by way of public competition, subject to conditions to be imposed by the Director: Property Management in the exercise of her delegated authority;
- (d) The comments and recommendations provided by Provincial Treasury, be noted.

ACTION: A RAINHO, T LEWIS, A HUMAN, D BORAIN, R GELDERBLOEM

C 29/05/22 PROPOSED CLOSURE AND GRANTING OF IN-PRINCIPLE APPROVAL FOR THE TRANSFER BY PUBLIC COMPETITION, OF VACANT ERF 27961, BLUE DOWNS (UNREGISTERED PORTION OF ERF 41962, BLUE DOWNS), SITUATED AT 75 DEPUTY ROAD, FAIRDALE FOR BUSINESS PURPOSES

RESOLVED that:

- (a) In terms of Sections 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
 - (i) It be resolved that Erf 27961, Blue Downs (unregistered portion of Erf 41962 Blue Downs), situated at 75 Deputy Road, Fairdale, measuring approximately 2 294 m², shown on Plan LIS2324 attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services;
 - (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset as described in (a)(i) has been considered.
- (b) In terms of Regulation 5(1)(b) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-principle approval be granted for the transfer of Erf 27961, Blue Downs as described in (a)(i).

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- (c) Erf 27961, Blue Downs be transferred by public competition, subject to conditions to be imposed by the Director: Property Management in the exercise of her delegated authority.
- (d) In terms of Section 4 of the Immovable Property By-Law 2015, approval be granted for the closure of the public status of Erf 27961, Blue Downs, situated at 75 Deputy Road, Fairdale, zoned Transport 2: Public Road and Parking; and,
- (e) Comments and recommendations by Provincial Treasury, be noted.

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

ACTION: K VAN DER WALT, T LEWIS, A HUMAN, D BORAIN, R GELDERBLOEM

C 30/05/22 PROPOSED LEASE OF CITY OWNED IMMOVABLE PROPERTY BEING UNREGISTERED ERF 161669 CAPE TOWN, SITUATED AT SIR LOWRY ROAD, CAPE TOWN, KNOWN AS THE GOOD HOPE CENTRE, FOR FILMING PURPOSES: MOONLIGHTING FILMS (PTY) LTD.

RESOLVED that the lease of City-owned immovable property, being unregistered Erf 161669 situated at Sir Lowry Road, Cape Town, known as the Goodhope Centre, shown lettered ABCDEFGHJKLMNPQRSTU on Plan LIS 1337V2 attached as Annexure A to the report on the agenda, in extent approximately 2,4843 ha, to Moonlighting Films (Pty) Ltd, be approved subject, to inter alia the following conditions, that:

- (a) A monthly market-related rental of R520 000 inclusive of rates, exclusive of VAT, be payable;
- (b) The above rental excludes any operational costs i.e. electricity, security, water etc.;
- (c) The lease will endure for a period of one year, with an option to renew for one additional year;
- (d) The property be used as a film studio and for industry related purposes only;
- (e) Subject to such conditions imposed by the Director: Property Management in terms of her delegated authority;
- (f) Subject to compliance with any statutory requirements; and
- (g) No compensation will be payable for any improvements made to the property.

ACTION: L EMSLEY, M SIMS, D BORAIN, R GELDERBLOEM

C 31/05/22 PROPOSED LEASE OF PORTIONS OF PUBLIC STREET BEING A PORTION OF ERVEN 11547 AND 19182 ADJACENT ERF 19129, OFF LOURENSFORD ROAD, SOMERSET WEST: PIETMAR TRUST

RESOLVED that:

- (a) For reasons set out in paragraph 6.1 of the report on the agenda, the concerns and objections received during the public participation process against the proposed lease are not upheld;
- (b) The lease of portions of public street, being a portion of Erf 11547 and 19182 adjacent Erf 19129 situated off Lourensford Road, Somerset West, shown hatched and lettered ABCDEFG Curve A on Plan ET 601 marked Annexure A to the report on the agenda, in extent approximately 101 m², to Pietmar Trust, owner of Erf 19129, Somerset West or their successors in title, be approved subject to inter alia the following conditions, that:
 - (i) A market rental of R2 160 per month (inclusive of rates and excluding VAT calculated at the rate applicable at the time of transaction) be payable;
 - (ii) The monthly rental is effective and payable as from 29-12-01. The above rental shall escalate at 8% per annum for the period 2019-12-01 until 2020-03-31; thereafter it will further escalate at 6% per annum until date the lease contract has been signed by Council;
 - (iii) The rental payable for the period 2017-07-01 to 2019-11-30 amounts to R58 263,99 (inclusive of rates and excluding VAT);
 - (iv) The lease will endure for a period of ten (10) years only with no review period;
 - (v) The property be used for encroachment purposes (portion of building onto public road) only;
 - (vi) Subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority;
 - (vii) Subject to compliance with any other statutory requirements;
 - (viii) No compensation will be payable for any improvement made to the property.

ACTION: A BANNISTER, D GEYSMAN, M SIMS, R GELDERBLOEM

C 32/05/22 PROPOSED LEASE OF A PORTION OF CITY LAND (PUBLIC OPEN SPACE) BEING A PORTION OF THE REMAINDER OF ERF 20486 BROOKLYN, SITUATED OFF SECTION STREET AND KOEBERG

ROAD, BROOKLYN, CAPE TOWN: FERNANDO NUNES (DE PAARDEN KRAAL RESTAURANT & PUB)

RESOLVED that the lease of portion of public open space, being a portion of the Remainder of Erf 20486, situated Off Section Street and Koeberg Road, Brooklyn shown hatched and lettered AB curve CDEFGH, on Plan No 130005742v0 attached and marked Annexure A to the report on the agenda, in extend approximately 897 m², to Mr Fernando Nunes (De Paarden Kraal Restaurant & Pub) or his successors in title, be approved subject to inter alia the following conditions:

- (a) A market rental of R18 100.00 per month inclusive of rates and excluding VAT calculated at the rate applicable at the time of transaction be payable;
- (b) The monthly rental is to be adjusted on the basis of 5% per annum compounded annually on a pro rata basis commencing 6 months from date of this valuation, i.e. from 2021-05-01;
- (c) The proposed lease term is for a period of 10 years and is to be reviewed after a period of 5 years;
- (d) The property be used for restaurant and pub purpose 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 improvements made to the property;
- (h) The City of Cape Town has the right to construct and or erect and lay such poles, stays, cables, wires or appurtenances aforesaid. This includes the right to bring machinery onto the property and to carry out excavations.
- (i) The City of Cape Town has the right for any employee or servant or contractor of the City of Cape Town to enter and be upon the property at any time in the exercise of the aforesaid rights.
- (j) No building, containers or structure shall be erected within 3 m of the electrical services;
- (k) No excavation or filling shall be carried out within the leased area without the prior written consent of the Electricity department.
- (l) No stakes, pegs or pins shall be driven into the ground within 1 m of any part of the electricity services;

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- (m) No plant or material shall be stored within 1 m of any part of the electricity services;
- (n) No mechanical plant may be used within 3 m of medium voltage cable or 5 m of high voltage cable.
- (o) The lessee shall be responsible at all times for the maintenance and good order of the land;
- (p) The lease may be suspended at any time should the applicant not comply with the conditions;
- (q) On termination of the lease, the entire leased area must be reinstated at the Lessees expense to a condition acceptable to the Electrical Department;
- (r) Access into the area shall be available 24 hours a day to personnel of the Water and Sanitation Department;
- (s) The ground surface over the sewer and water main shall not be altered in any way except with the prior approval of the Water and Sanitation Department;
- (t) No trees shall be planted within 3 m of the water and sewer mains;
- (u) The applicant submit greening proposals for on-site and along the periphery of the lease area.

ACTION: M VAN DER WESTHUIZEN, B MALI-SWELINDAWO, R SCHNACKENBERG, D BORAIN, R GELDERBLOEM

C 33/05/22 GRANTING OF IN-PRINCIPLE APPROVAL: PROPOSED TRANSFER OF PORTION OF REMAINDER ERF 48086 CAPE TOWN TO THE ABUTTING OWNER OF ERF 48092 CAPE TOWN

PROPOSED CLOSURE AND TRANSFER OF PORTION OF REMAINDER ERF 48086 CAPE TOWN TO THE ABUTTING OWNER OF ERF 48092 CAPE TOWN: PAUL BENJAMIN WALDBURGER

RESOLVED that:

- (a) In terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
 - (i) It be resolved that the subject property, being a portion of Remainder Erf 48086 Cape Town situated at Cypress Avenue Newlands, approximately 60 m² in extent, as shown cross-hatched and lettered ABCD on Plan STC 3226v2 attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services;

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- (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset described in (a)(i) have been considered.

- (b) In terms of Regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-principle approval be granted for the transfer of a portion of Remainder Erf 48086 Cape Town, situated at Cypress Avenue Newlands, approximately 60 m² in extent, as shown cross-hatched and lettered ABCD on Plan STC 3226v2 attached as Annexure A to the report on the agenda;

- (c) In terms of section 4 of the City of Cape Town Immovable Property By-law, 2015, approval be granted for the closure a portion of Remainder Erf 48086 Cape Town situated at Cypress Avenue Newlands, approximately 60 m² in extent, as shown cross-hatched and lettered ABCD on Plan STC 3226v2 attached as Annexure A to the report on the agenda;

- (d) The transfer of a portion of Remainder Erf 48086 Cape Town situated at Cypress Avenue Newlands, approximately 60 m² in extent, as shown cross-hatched and lettered ABCD on Plan STC 3226v2 attached as Annexure A to the report on the agenda, to Paul Benjamin Waldburger, or his successor(s) in title, be approved, subject to the following conditions, that:
 - (i) A purchase price of R235 000, excluding VAT, will be payable;
 - (ii) The purchase price is to be escalated by 5% per annum compounded annually on a pro-rata basis, and commencing 1 May 2020 until date of registration;
 - (iii) The market value is to be reassessed if the transaction is not approved by the relevant decision making authority of Council within 36 months from date of valuation being 31 December 2024;
 - (iv) Rates and municipal charges, if applicable, be levied; and
 - (v) Subject to such further conditions imposed by the Director: Property Management in terms of her delegated authority, including inter alia the following, that:
 - (aa) all further statutory and land use requirements be complied with;

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(bb) after closure, the subject portion of Remainder Erf 48086 Cape Town be consolidated with the purchaser's abutting Erf 48092 Cape Town; and

(cc) all costs related and incidental to the transaction be borne by the purchaser.

ACTION: M CARELSE, C DAVIS, M SIMS, R GELDERBLOEM

C 34/05/22 PROPOSED LEASE OF PORTION OF CITY OWNED LAND, ERF 7121 KUILS RIVER (STELLENBOSCH), 22 EXCELSIOR STREET HIGHBURY FOR TELECOMMUNICATION INFRASTRUCTURE PURPOSES: SBA TOWERS (PTY) LTD

RESOLVED that the lease of portion of City land, being a portion of Erf 7121 Kuils River (Stellenbosch), 22 Excelsior Street Highbury, shown hatched and lettered ABCD on Sketch Plan ET706 attached as Annexure A to the report on the agenda, in extent approximately ± 78 m², to SBA Towers (Pty) Ltd, be approved subject to inter alia the following conditions, that:

- (a) A City approved rental of R14 567,51 per month excluding VAT where applicable be payable;
- (b) The rental will escalate at 8% per annum;
- (c) The lease will endure for a period of ten years, plus an option to renew, subject at any time to 2 months' notice of termination;
- (d) The proposed leased area to be used for telecommunication infrastructure purposes only;
- (e) Subject to such further conditions 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 be settled;
- (i) No lease agreement will be concluded until the Land Use application and an Electricity supply application being approved.
- (j) The objections received during the public participation process not be upheld

ACTION: G DAMMERT, I MARTIN, D BORAIN, R GELDERBLOEM

C 35/05/22 GRANTING OF IN-PRINCIPLE APPROVAL: PROPOSED TRANSFER OF PORTIONS OF ERVEN 9558 AND 9557 MILNERTON TO OWNER OF ADJACENT ERF 9559 MILNERTON

PROPOSED CLOSURE OF A PORTION OF PUBLIC PLACE, BEING A PORTION OF ERF 9558 MILNERTON

PROPOSED TRANSFER OF PORTIONS OF ERVEN 9558 AND 9557 MILNERTON TO OWNER OF ADJACENT ERF 9559 MILNERTON: SHARP MOVE TRADING 70 (PTY) LTD

Cllr J Solomon (DA) proposed that the subject matter be referred back for further information.

The proposal was duly supported.

RESOLVED that the report on proposed transfer / closure of portions of Erven 9558 and 9557 Milnerton to the owner of the adjacent Erf 9559 Milnerton be referred back for further information.

ACTION: P STRUMPHER, R SCHNACKENBERG, D BORAIN, R GELDERBLOEM

C 36/05/22 GRANTING OF IN-PRINCIPLE APPROVAL: PROPOSED TRANSFER OF A PORTION OF ERF 16517 BELLVILLE TO OWNER OF ADJACENT REMAINDER ERF 13552 BELLVILLE

PROPOSED CLOSURE AND TRANSFER OF A PORTION OF ERF 16517 BELLVILLE TO OWNER OF ADJACENT REMAINDER ERF 13552 BELLVILLE: COLUMBIA BUSINESS PARK (PTY) LTD.

RESOLVED that:

- (a) In terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
 - (i) It be resolved that the subject property, being a portion of Erf 16517 Bellville, situated at corner of Willow and La Belle Roads, Stikland, in extent approximately 468 m² and as shown hatched and lettered ABCDE on Plan TA 1216v1, attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services;
 - (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset described in (a)(i) have been considered.
- (b) In terms of Regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-principle approval be granted for the transfer of a portion of Erf 16517 Bellville, situated at corner of Willow and La Belle Roads, Stikland, in

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extent approximately 468 m² and as shown hatched and lettered ABCDE on Plan TA 1216v1, attached as Annexure A to the report on the agenda;

- (c) In terms of section 4 of the City of Cape Town Immovable Property By-law, 2015, approval be granted for the closure of a Public Road, being a portion of Erf 16517 Bellville, in extent approximately 468 m² and as shown hatched and lettered ABCDE on Plan TA 1216v1, attached as Annexure A to the report on the agenda; and
- (d) The transfer of portion of Erf 16517 Bellville, in extent approximately 468 m² and as shown hatched and lettered ABCDE on Plan TA 1216v1, attached as Annexure A to the report on the agenda, to Columbia Business Park (Pty) Ltd or its successor(s) in title, be approved, subject to the following conditions, that:
 - (i) A purchase price of R250 000, excluding VAT, be payable;
 - (ii) The purchase price is to be escalated by 5% per annum compounded annually on a pro-rata basis, commencing 6 months from date of valuation, i.e. from 1 February 2022, until date of registration;
 - (iii) The valuation is to be reviewed if not implemented within 36 months from date of valuation, i.e. by 31 July 2024;
 - (iv) Rates and municipal charges, if applicable, be levied; and
 - (v) 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) the subject property needs to be consolidated with the applicant's property Remainder Erf 13552 Bellville;
 - (cc) the sale of the subject property is to be subject to a title deed restriction limiting the usage of the entire area to a detention pond facility only (no parking, storage or any other use/development will be permitted); and
 - (dd) that all costs related and incidental to the transaction be borne by the purchaser.

ACTION: P STRUMPHER, A DE GOEDE, C DAVIS, D BORAIN, R GELDERBLOEM

C 37/05/22 GRANTING OF IN-PRINCIPLE APPROVAL: PROPOSED TRANSFER OF A PORTION OF ERF 2762 GORDON'S BAY TO OWNERS OF ADJACENT ERF 2922 GORDON'S BAY: ANGELA ADAMS AND SANDRA SAUERMANN

PROPOSED CLOSURE OF A PORTION OF PUBLIC STREET, BEING A PORTION OF ERF 2762 GORDON'S BAY

PROPOSED TRANSFER OF A PORTION OF ERF 2762 GORDON'S BAY TO OWNERS OF ADJACENT ERF 2922 GORDON'S BAY: ANGELA ADAMS AND SANDRA SAUERMANN

RESOLVED that:

- (a) In terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
 - (i) It be resolved that the subject property, being a portion of Erf 2762 Gordon's Bay, situated between Assegaai and Rooi Els Street, Gordon's Bay in extent approximately 48 m² as shown lettered ABCDE on Plan ET 684 attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services;
 - (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset described in (a)(i) have been considered.
- (b) In terms of Regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-principle approval be granted for the transfer of a portion of Erf 2762 Gordon's Bay, situated between Assegaai and Rooi Els Street, Gordon's Bay, in extent approximately 48 m² as shown lettered ABCDE on Plan ET 684 attached as Annexure A to the report on the agenda;
- (c) In terms of section 4 of the City of Cape Town Immovable Property By-law, 2015, approval be granted for the closure of the subject property being a portion of a public street, being a portion of Erf 2762, in extent approximately 48 m² as shown lettered ABCDE on Plan ET 684 attached as Annexure A to the report on the agenda;
- (d) The transfer of a portion of Erf 2762, in extent approximately 48 m² as shown lettered ABCDE on Plan ET 684 attached as Annexure A to the report on the agenda, to Angela Adams and Sandra Sauermann or their successor(s) in title, be approved, subject to the following conditions, that:
 - (i) A purchase price of R45 000 excluding VAT be payable;

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- (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 October 2019 until 31 March 2021, thereafter it will escalate at 5% until date of registration;
- (iii) The valuation is to be reviewed if not implemented within 36 months from date of valuation, i.e. by 31 May 2024;
- (iv) Rates and municipal charges, if applicable, be levied;
- (v) 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 2762 be subdivided and consolidated with the purchaser's Erf 2922 Gordon's Bay;
 - (cc) That all costs related and incidental to the transaction be borne by the purchaser;
 - (dd) That an occupational rental of R225/month (excluding VAT) shall be payable from 1 October 2019, escalating at 8% p.a., until 31 March 2020, where after the escalated rental will further escalate at 6% p.a. until date of registration.
 - (ee) That the sale be subject to the registration of a servitude in favour of the Council to protect underground services.

ACTION: J CORNELIUS, D GEYSMAN, M SIMS, R GELDERBLOEM

C 38/05/22 PROPOSED LEASE OF PORTION OF PUBLIC STREET, BEING PORTION OF ERF 96105 CAPE TOWN, BUITENKANT STREET, CAPE TOWN FOR DISPLAY, PARKING AND GARDENING PURPOSES: SHELL DOWNSTREAM SOUTH AFRICA (PTY) LTD

RESOLVED that the lease of Public Street, being a portion of Erf 96105 Cape Town situated at Buitenkant Street, Cape Town shown hatched and lettered ABCDEFG and H curve JKLM on Sketch Plan 130004398 marked Annexure A to the report on the agenda, in extent approximately 271 m² and 94 m² respectively, to Shell Downstream South Africa Pty Ltd, owner of Erf 96066 Cape Town or its successors in title, be approved subject to inter alia the following conditions, that:

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- (a) A market rental of R23 950.00 per month inclusive of rates and excluding VAT calculated at the rate applicable at the time of transaction be payable;
- (b) The monthly rental shall escalate at 6% per annum compounded annually on a pro rata basis commencing 6 months from expiry date, i.e. as from 31 August 2019;
- (c) The above recommended rental is effective and payable as from 01 March 2020;
- (d) The lease will endure for a period of 10 (ten) years, subject to a rental review after a period of 5 years;
- (e) The property be used for display, parking and gardening purposes only;
- (f) Subject to such further conditions to be imposed by the Director: Property Management in terms of his/her delegated authority;
- (g) Subject to compliance with any other statutory requirements;
- (h) No compensation will be payable for any improvement made to the property.

ACTION: N VANQA, C DAVIS, D BORAIN, R GELDERBLOEM

C 39/05/22

GRANTING OF IN-PRINCIPLE APPROVAL: PROPOSED GRANTING OF RIGHT TO USE, CONTROL OR MANAGE MUNICIPAL CAPITAL ASSET: GRANTING OF ACCESS RIGHTS SERVITUDE OVER CITY-OWNED IMMOVABLE PROPERTY BEING A PORTION OF ERF 2967 CAPE TOWN (PUBLIC OPEN SPACE) SITUATE AT MILITARY ROAD, SCHOTSCHIE KLOOF

PROPOSED GRANTING OF RIGHT TO USE, CONTROL OR MANAGE MUNICIPAL CAPITAL ASSET: GRANTING OF ACCESS RIGHTS SERVITUDE OVER CITY-OWNED IMMOVABLE PROPERTY BEING A PORTION OF ERF 2967 CAPE TOWN (PUBLIC OPEN SPACE) SITUATED AT MILITARY ROAD, SCHOTSCHIE KLOOF: BRIAN CLARK GANSON

RESOLVED that:

- (a) In terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
 - (i) It be resolved that a portion of Remainder Erf 2967 Cape Town (Public Open Space), situated at Military Road, Schotsche Kloof, in extent approximately 20 m² as shown cross-hatched and lettered ABC on Plan STC 3026 attached as Annexure A to

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the report on the agenda, is not required for the provision of the minimum level of basic municipal services;

- (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset described in (a)(i) have been considered.
- (b) In terms of Regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-principle approval be granted for the rights to use, control and manage a municipal capital asset by way of granting an Access Rights Servitude over a portion of Remainder Erf 2967 Cape Town (Public Open space), situated at Military Road, Schotsche Kloof, in extent approximately 20 m² as shown cross-hatched and lettered ABC on Plan STC 3026 attached as Annexure A to the report on the agenda;
- (c) The granting of rights to use, control and manage a municipal capital asset by way of granting an Access Rights Servitude over a portion of Remainder Erf 2967 Cape Town (Public Open space), situated at Military Road, Schotsche Kloof in extent approximately 20 m² as shown cross-hatched and lettered ABC on Plan STC 3026 attached as Annexure A to the report on the agenda, to Brian Clark Ganson, or his successor(s) in title, be approved, subject to the following conditions, that:
- (i) A compensation amount of R210 000, excluding VAT, will be payable;
 - (ii) The compensation amount is to be escalated by 8% per annum compounded annually on a pro-rata basis commencing 6 months from date of valuation from 01 April 2019 until 31 March 2020. The escalated compensation amount will thereafter escalate at 5% per annum until date of registration;
 - (iii) The market value is to be reassessed if the transaction is not approved by the relevant decision making authority of Council within 24 months from date of valuation being 31 August 2022;
 - (iv) Rates and municipal charges, if applicable, be levied;
 - (v) Subject to such further conditions 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;

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(bb) that the subject property may not be enclosed nor built upon;

(cc) that all costs related and incidental to the transaction be borne by the purchaser.

ACTION: M CARELSE, C DAVIS, D BORAIN, R GELDERBLOEM

C 40/05/22 AUTHORISATION TO COMMENCE WITH A PUBLIC PARTICIPATION PROCESS IN RESPECT OF THE PROPOSED SALE BY WAY OF PUBLIC COMPETITION OF, ERF 13814 SALT RIVER, FOR THE PURPOSES OF SOCIAL HOUSING DEVELOPMENT WHICH MAY INCLUDE A MIXED INCOME AND OR MIXED USE COMPONENT IN ORDER TO CROSSSUBSIDISE THE SOCIAL HOUSING PORTION

RESOLVED that, in terms of regulation 5(3)(a) of the Municipal Asset Transfer Regulations (MATR), Council authorised the City Manager to conduct a public participation process for the proposed sale of Erf 13814, Salt River to a Social Housing Institution(s) and/or private developers.

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

ACTION: N MLUNGU, T LEWIS, L VALETA, M SIMS, N GQIBA

C 41/05/22 AUTHORISATION TO COMMENCE WITH A PUBLIC PARTICIPATION PROCESS IN RESPECT OF THE PROPOSED SALE BY WAY OF PUBLIC COMPETITION OF, PORTION OF ERF 14888 CAPE TOWN, FOR THE PURPOSES OF SOCIAL HOUSING DEVELOPMENT WHICH MAY INCLUDE A MIXED INCOME AND OR MIXED USE COMPONENT IN ORDER TO CROSS-SUBSIDISE THE SOCIAL HOUSING PORTION

RESOLVED that, in terms of regulation 5(3)(a) of the Municipal Asset Transfer Regulations (MATR), Council authorised the City Manager to conduct a public participation process for the proposed sale of Portion of Erf 14888, Cape Town to a Social Housing Institution(s) and/or private developers.

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

ACTION: N MLUNGU, T LEWIS, L VALETA, M SIMS, N GQIBA

C 42/05/22 NATIONAL TREASURY MUNICIPAL FINANCE MANAGEMENT ACT (MFMA) CIRCULAR 114

RESOLVED that the National Treasury MFMA Circular 114, be adopted.

ACTION: N ISHMAIL, K JACOBY

C 43/05/22 SALGA WORKING GROUP NOMINATIONS

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The Chief Whip of Council, Cllr D Visagie (DA) proposed the following amendments to the Salga Working Group Nominations in respect of official representatives and - secundi:

Governance and Intergovernmental Relations – Cllr B Van der Merwe
Electricity and Energy, and Public Works – Cllr M Temlett (Official secundi – Cllr Z Sulelo)
Human Settlements and Urban Agenda – Cllr B Clarke (Official secundi – Cllr A Ntsodo)
Health – Cllr K Maré (Official secundi – Cllr R Viljoen)
Emergency Services and Disaster Management – Cllr R Bresler (Official secundi – Cllr M L Nqavashe)
Public Transport and Roads – Cllr S Liell-Cock
Development Planning and Rural Development – Ald B Watkyns

The amendments to the Salga Working Group Nominations in respect of official representatives and – secundi, were duly supported.

RESOLVED that the nomination of Councillors and Officials, as depicted in Annexure "A" to the report on the agenda to represent the City of Cape Town on the SALGA Provincial Working Groups with effect from 1 June 2022, be approved. subject to the following amendments:

Governance and Intergovernmental Relations – Cllr B Van der Merwe
Electricity and Energy, and Public Works – Cllr M Temlett (Official secundi – Cllr Z Sulelo)
Human Settlements and Urban Agenda – Cllr B Clarke (Official secundi – Cllr A Ntsodo)
Health – Cllr K Maré (Official secundi – Cllr R Viljoen)
Emergency Services and Disaster Management – Cllr R Bresler (Official secundi – Cllr M L Nqavashe)
Public Transport and Roads – Cllr S Liell-Cock
Development Planning and Rural Development – Ald B Watkyns

ACTION: G POSTINGS, L MBANDAZAYO

C 44/05/22 PROPOSED CHANGES TO MEMBERSHIP OF COMMITTEES

The Chief Whip of Council, Cllr D Visagie (DA) proposed the following additional change to the membership of Committees of Council:

“Cllr F Adams (CCC) be removed as a member from the Community Services and Health Portfolio Committee.”

The proposal was duly supported.

RESOLVED that:

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- (a) Ald J F H Van der Merwe (DA) be appointed as a member of the Municipal Public Accounts Committee (MPAC)
- (b) Cllr F Adams (CCC) be removed as a member from the Community Services and Health Portfolio Committee.

ACTION: EXECUTIVE COMMITTEE OFFICERS, S ABEL, N DAMON, D DANIELS, R RAZACK, Z MANDLANA

C 44A/05/22 REQUEST FOR THE APPROVAL TO USE DEVELOPMENT CONTRIBUTION FUNDS FOR THE EXPANSION OF TREATED EFFLUENT INFRASTRUCTURE BY GARDEN CITIES NPC

RESOLVED that:

- (a) the construction of agreed bulk treated effluent infrastructure expansion by Garden Cities NPC in Parklands and Sunningdale, as a by-exception credit against Development Contribution (DC) levies normally due for potable water, be approved;
- (b) a Service Level Agreement be entered into with the developer in this regard, as allowed for in the DC Policy.

ACTION: J DE BRUYN, Z BASHOLO, M WEBSTER

C 44B/05/22 REQUEST FOR APPROVAL TO HAND OVER OF THE PRIMARY HEALTHCARE SERVICES AT THE NEW FISANTEKRAAL CLINIC TO THE WESTERN CAPE PROVINCIAL HEALTH AND WELLNESS DEPARTMENT

RESOLVED that the handing over of the primary healthcare services at the new Fisantekraal clinic to the Western Cape Provincial Health and Wellness Department to enable the rendering of comprehensive primary healthcare services, be approved.

ACTION: P NKRUNZIZA, E SASS

C 45/05/22 CAPE TOWN WATER OUTLOOK MARCH 2022

RESOLVED that the report on the Cape Town Water Outlook as at March 2022, be noted.

ACTION: L FISHER-JEFFES, M KILLICK, M WEBSTER

C 46/05/22 CREDIT RATING OPINION OF THE CITY OF CAPE TOWN

RESOLVED that the report on the outcome of the credit opinion issued by Moody's Investors Service on the City of Cape Town, be noted.

ACTION: D VALENTINE, K JACOBY

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C 47/05/22 UPDATE REPORT: SOCIAL DEVELOPMENT AND EARLY CHILDHOOD DEVELOPMENT (SDECD)'S UPTAKE OF DEVELOPMENT COST CHARGES EXEMPTION APPLICATIONS AND PAYMENTS MADE TO DATE

RESOLVED that the contents of the update report on the Social Development and Early Childhood Development (SDECD) Department's uptake of development cost charges exemption applications and payments made to date, be noted.

ACTION: N DU TOIT, A SAULS, E SASS

C 48/05/22 QUARTERLY PROGRESS REPORT FOR THE WESTERN CAPE DESTINATION MARKETING, INVESTMENT AND TRADE PROMOTION AGENCY (WESGRO) FOR THE PERIOD 1 JANUARY TO 31 MARCH 2022

RESOLVED that the Quarterly Progress report for the Western Cape Destination Marketing, Investment and Trade Promotion Agency (WESGRO) for the period 1 January to 31 March 2022, be noted.

ACTION: N LAATOE, L GREYLING, R GELDERBLOEM

C 49/05/22 QUARTERLY PROGRESS REPORT FOR THE SPECIAL PURPOSE VEHICLES (SPVS) FOR THE PERIOD 1 JANUARY - 31 MARCH 2022

RESOLVED that the Special Purpose Vehicles (SPV) quarterly progress report for 1 January - 31 March 2022, be noted.

ACTION: N LAATOE, L GREYLING, R GELDERBLOEM

C 50/05/22 2021/2022 THIRD QUARTER'S PROGRESS REPORT ON CORPORATE PERFORMANCE

RESOLVED that the 2021/2022 Third Quarter's progress report on Corporate Performance, be noted.

ACTION: M ABASS, C JANUARY, G MORGAN

C 51/05/22 REPORTING ON MINOR BREACHES OF PROCUREMENT PROCESSES APPROVED BY THE SUPPLY CHAIN MANAGEMENT BID ADJUDICATION COMMITTEE FOR THE PERIOD 01 - 31 MARCH 2022

RESOLVED that the report and annexed list of minor breaches for 01 - 31 March 2022, as ratified by the Bid Adjudication Committee, be noted.

ACTION: B CHINASAMY, K JACOBY

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C 52/05/22 REPORT IN TERMS OF SUPPLY CHAIN MANAGEMENT REGULATIONS, REGULATION 36, AND THE SUPPLY CHAIN MANAGEMENT POLICY, CLAUSE 330, FOR THE PERIOD 11 APRIL 2022 TO 11 MAY 2022: FOR INFORMATION PURPOSES

RESOLVED that the Supply Chain Management deviations as authorised by the City Manager in terms of the Supply Chain Management Regulations, regulation 36, and the Supply Chain Management Policy, clause 330, for the period 11 April 2022 to 11 May 2022, attached as Annexure A to the report on the agenda, be noted and be disclosed as a note to the Council's annual financial statements.

ACTION: G POSTINGS, L MBANDAZAYO

C 53/05/22 QUARTERLY REPORT OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE AS AT 31 MARCH 2022

RESOLVED that the activities of the Municipal Public Accounts Committee and minutes of meetings for the period up to 31 March 2022, be noted.

ACTION: A MOOLMAN, L MBANDAZAYO

C 54/05/22 RESOLUTIONS TAKEN BY THE EXECUTIVE MAYOR IN TERMS OF DELEGATED POWERS AND DECISIONS TAKEN TOGETHER WITH THE MEMBERS OF THE MAYORAL COMMITTEE: MARCH 2022 TO APRIL 2022

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 for the period March 2022 to April 2022, be noted.

ACTION: C KNOTT, OFFICE OF THE EXECUTIVE MAYOR

C 55/05/22 2021/22 SUBCOUNCIL WARD ALLOCATION PROJECTS: QUARTERLY PROGRESS REPORT FOR THE PERIOD ENDING 31 MARCH 2022

RESOLVED that the quarterly report with regard to progress made with the execution of 2021/22 ward allocation projects for the period ending 31 March 2022, be noted.

ACTION: M JANUARY, A ARENDSE, Z MANDLANA

At this stage, the Speaker announced that the meeting would adjourn until 31 May 2022 and that the Confidential Council Agenda will be dealt with at conclusion of the Special Council meeting on 31 May 2022.

THE MEETING ADJOURNED AT 16H15.

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**ALD F PURCHASE
SPEAKER**

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DATE