

## COUNCIL MINUTES: 22 AUGUST 2024

### MINUTES

#### OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF CAPE TOWN HELD ON THURSDAY 22 AUGUST 2024 VIA THE CITY'S DIGITAL PLATFORMS AT 10:00.

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#### MEMBERS PRESENT:

Cllr S Abbass (DI)	Cllr R Davids (DA)	Cllr M R Kleinschmidt (DA)
Cllr F Abrahams (CCC)	Cllr A C De Beer (UIM)	Cllr M E Kleinsmith (DA)
Cllr M F Achmat (AJ)	Cllr T Dedezeane (ANC)	Cllr C Kobeni (DA)
Cllr A Adams (DA)	Cllr D C De Vos (ACDP)	Cllr N F Kopman (ANC)
Cllr R Adams (DA)	Cllr P W De Vos (DA)	Cllr A Kwebulana ((EFF)
Cllr Y Adams (CMC)	Cllr X D Diniso (ANC)	Cllr E Langenhoven (DA)
Cllr A S Addinall (PA)	Cllr D Dudley (ACDP)	Cllr A Lansdowne (DA)
Cllr M Adonis (DA)	Cllr S S Duka (ANC)	Cllr U F Lasiti (DA)
Cllr N R Adonis (DA)	Cllr P East (DA)	Cllr T A Le Goff (DA)
Cllr F K Ah-Sing (DA)	Cllr A Z M I Elyas (DA)	Cllr S Liell-Cock (DA)
Cllr W Akim (DA)	Cllr C J Esau (DA)	Cllr A G Lightburn (DA)
Ald E Andrews (DA)	Ald G Fourie (DA)	Ald X T Limberg (DA)
Cllr E Anstey (DA)	Cllr P Francke (DA)	Ald E Linde (DA)
Cllr R Arendse (DA)	Cllr C V Franklin (DA)	Cllr S Little (GOOD)
Cllr D Badela (ANC)	Cllr A Gabuza (ANC)	Cllr F P Lombard (DA)
Cllr Z A Badroodien (DA)	Cllr M Gadeni (ANC)	Cllr H Loonat (CCC)
Cllr U M Barends (DA)	Cllr R Ganger (GOOD)	Cllr A C Louw (GOOD)
Ald A J G Basson (DA)	Cllr G E Gordon (DA)	Cllr B M Lubbe (CCC)
Cllr A M Benadie (DA)	Cllr A J Griesel (DA)	Cllr M Mabungani (ACDP)
Cllr L Benge (GOOD)	Cllr N E Grose (DA)	Cllr E M Madikane (ANC)
Cllr F Berry (DA)	Cllr L A Gungxe (ANC)	Cllr B M Majingo (ANC)
Cllr K Bodin (CAPEXIT)	Cllr K W Gxasheka (ANC)	Cllr M S Makuwa (ANC)
Cllr S S Booyesen (DA)	Cllr B Hansen (DA)	Cllr G D Malgas (CCC)
Cllr E Botha-Rossouw (FF Plus)	Cllr W Harris (DA)	Cllr S Mamkeli (GOOD)
Cllr N A Botya (EFF)	Cllr G Haskin (ACDP)	Cllr M Manuel (DA)
Cllr R Bresler (DA)	Cllr A Hendricks (AJ)	Cllr B B Maqungwana (UDM)
Cllr R C Cameron (DA)	Cllr P C Heynes (ANC)	Cllr K Maré (DA)
Cllr R W Cannon (DA)	Cllr F Higham (DA)	Cllr M J Marr (DA)
Cllr M A Cassiem (DA)	Executive Mayor G G Hill-Lewis (DA)	Cllr L Martin (ANC)
Cllr C Cerfontein (DA)	Cllr T Jackson (DA)	Cllr J Martlow (DA)
Ald P H Chapple (DA)	Cllr M R Jacobs (ARA)	Cllr D Z Masiu (DA)
Cllr M N Chitha (ANC)	Cllr P S Jacobson (FF Plus)	Cllr V Matanzima (DA)
Cllr D Christians (DA)	Ald W D Jaftha (DA)	Cllr N Matutu (ANC)
Cllr B Clarke (DA)	Cllr A Jansen (DA)	Cllr P Maxiti (DA)
Cllr G J Classen (ARA)	Cllr E Jansen (DA)	Cllr S Mbandezi (DA)
Cllr D G Cottee (ANC)	Cllr P J Jansen van Vuuren (FF Plus)	Cllr L N Mbiza (ANC)
Cllr J Cupido (GOOD)	Cllr C Janse van Rensburg (DA)	Cllr N W McFarlane (DA)
Cllr Y K Dalwai (AJ)	Ald C Jordaan (DA)	Cllr A P McKenzie (DA)
Cllr M Dambuza (EFF)	Cllr N Jowell (DA)	Cllr I P McMahon (DA)
Cllr A Davids (CCC)	Ald C R Justus (DA)	Cllr C M Mes (DA)
Cllr C O Davids (GOOD)	Cllr K Kama (ANC)	Cllr J S Mills (DA)
	Ald M L Kempthorne (DA)	Cllr T M Mjuza (ANC)

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Cllr M A Mkutswana (ANC)	Cllr E Sawant (DA)	Cllr R Viljoen (DA)
Cllr Y Mohamed (DA)	Cllr I Sherry (DA)	Cllr D Visagie (DA)
Cllr T Mokhathi (DA)	Cllr M M Sibunzi (DA)	Cllr C L Visser (DA)
Ald S Moodley (DA)	Cllr C C Siebritz (DA)	Cllr J Visser (DA)
Cllr A Moses (DA)	Cllr L Simangweni (ANC)	Ald J Vos (DA)
Cllr T Mpengezi (ANC)	Cllr F J Solomons (CCC)	Cllr F C Walker (DA)
Cllr L M Mqina (ANC)	Cllr L Somdaka (ANC)	Cllr J J Witbooi (DA)
Cllr N Mvinjelwa (DA)	Cllr N P Sono (PA)	Cllr J Woodman (DA)
Cllr P S Mzolisa (DA)	Cllr L P Sonyoka (ANC)	Cllr S Zumana (ANC)
Ald I D Neilson (DA)	Cllr Z W Sophazi (ANC)	
Cllr D Nelson (DA)	Ald X R Sotashe (ANC)	
Cllr B Ngcombolo (ANC)	Cllr K Southgate (DA)	
Cllr D Ngubelanga (AIC)	Cllr S L Stacey (DA)	
Cllr M Nikelo (DA)	Cllr C J Steenberg (PA)	
Cllr S Nodliwa (ANC)	Cllr J N Stevens (ANC)	
Cllr A Notywala (GOOD)	Cllr N Stuurman (EFF)	
Cllr M L Nqavashe (DA)	Cllr N R E Sukers (ACDP)	
Cllr L Ntshuntshe (EFF)	Cllr Z Sulelo (DA)	
Cllr A Ntsodo (DA)	Cllr P S Swart (DA)	
Cllr T Nyamakazi (ANC)	Cllr R Tagodien (PA)	
Cllr G D Paige (ACDP)	Cllr S Taliep (DA)	
Cllr B L Payiya (ANC)	Cllr P P Tause (ANC)	
Cllr G C Peck (DA)	Cllr M Temlett (DA)	
Cllr X Peter (ANC)	Cllr H P Terblanche (DA)	
Cllr M J Petersen (DA)	Cllr A Tetani (ANC)	
Cllr L Phakade (ANC)	Cllr S C Thompson (ANC)	
Cllr S Philander (DA)	Ald T Thompson (DA)	
Cllr A Plaatjies (DA)	Cllr G Timm (DA)	
Cllr C Pophaim (DA)	Ald G G Twigg (DA)	
Cllr A J Potts (DA)	Cllr N V Tyandela (EFF)	
Ald S Pringle (DA)	Cllr E Uygun (FF Plus)	
Cllr C B Punt (DA)	Ald T Uys (DA)	
Ald F Purchase (DA)	Cllr S I van der Linde (DA)	
Cllr R M Quintas (DA)	Cllr B van der Merwe (DA)	
Cllr M H Raise (DA)	Ald J F H van der Merwe (DA)	
Cllr F H Raymond (DA)	Ald A van der Rheede (DA)	
Cllr S Rigby (DA)	Cllr P E van der Ross (DA)	
Ald S Rossouw (DA)	Cllr S van Nelson (GOOD)	
Cllr N Satarien (CCC)	Cllr B van Reenen (DA)	
Cllr F A Sauls (DA)	Cllr A van Zyl (DA)	

### ***The following Councillors submitted an apology for leaving early:***

Cllr E Botha-Rossouw (FF Plus)  
Cllr N V Tyandela (EFF)

### ***The following Councillors submitted an apology for late arrival:***

None

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### **APOLOGIES**

Cllr P N Booï (EFF)  
Ald C A Brynard (CAPEXIT)  
Cllr K R Carls (DA)  
Cllr P G Helfrich (DA)  
Cllr P Hendricks (PA)  
Ald B M Jacobs (DA)  
Cllr L Mazwi (EFF)  
Cllr B Mei (EFF)  
Cllr S Ndamane (PAC)  
Cllr N A Ntshweza (ANC)  
Cllr Z L Qoba (ANC)  
Ald J P Smith (DA)  
Cllr B Yeko (EFF)

### **ABSENT WITHOUT APOLOGY**

*The following Councillors were absent without an apology:*

Cllr T Gqada (DA)  
Cllr N Lombi (ANC)  
Cllr T I Pimpi (ANC)

### **PRESENT**

#### ***Executive Management Team***

Mr L Mbandazayo - City Manager  
Ms Z Mandlana - ED: Community Services and Health  
Ms R Gelderbloem - ED: Economic Growth  
Mr L Manus - ED: Water and Sanitation

#### ***Executive Committee Services***

Ms V Ngcobozi - Director: Executive and Councillor Support  
Mrs R Razack - Manager : Executive Committee Services  
Mrs R Alberts  
Mr M Carolus  
Ms J Cooper  
Ms C France  
Mr E Fray  
Mr G Josephs  
Mrs A Kline  
Ms M Levendall  
Ms L McGregor  
Mr N Meissenheimer  
Mrs J van Zyl  
Mrs L von Molendorff

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### *Legal Services*

Ms R Sayed

<b><u>LIST OF ACRONYMS FOR INFORMATION</u></b>	<b><u>SEATS</u></b>
<b>ACDP</b> - African Christian Democratic Party	<b>6</b>
<b>AIC</b> - African Independent Congress	<b>1</b>
<b>AJ</b> - Al Jama-ah	<b>3</b>
<b>ANC</b> - African National Congress	<b>43</b>
<b>ARA</b> - Africa Restoration Alliance	<b>2</b>
<b>CCC</b> - National Coloured Congress	<b>7</b>
<b>CAPEXIT</b> - Cape Independence Party	<b>2</b>
<b>CMC</b> - Cape Muslim Congress	<b>1</b>
<b>DA</b> - Democratic Alliance	<b>132 (2 x Vacancies)</b>
<b>DI</b> - Democratic Independence	<b>1</b>
<b>EFF</b> - Economic Freedom Fighters	<b>10</b>
<b>FF Plus</b> - Freedom Front Plus	<b>4</b>
<b>GOOD</b> - GOOD	<b>9</b>
<b>PA</b> - Patriotic Alliance	<b>5</b>
<b>PAC</b> - Pan Africanist Congress of Azania	<b>1</b>
<b>UDM</b> - United Democratic Movement	<b>1</b>
<b>UIM</b> - United Independent Movement	<b>1</b>
<b>Total</b>	<b>229 [2 x Vacancies]</b>

### **SECTION 1 OPENING OF MEETING**

The Speaker, Ald F Purchase welcomed all Councillors and officials, as well as the media and public connected via the livestream YouTube link.

A moment of silence was observed.

Councillors were called upon to register their attendance.

### **SECTION 2 MAYORAL ADDRESS**

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

*“Madam Speaker; Fellow Councillors and Team Cape Town colleagues, Members of the public. Goeiemôre, molweni, as-salamu alaykum, shalom, good morning,*

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*Before we get into the serious matters before Council today, I'd like to pause for a moment on the amazing run of sporting performances we've just seen from some of our favourite teams and stars. As if the fantastic showing of our athletes in Paris wasn't enough, this past weekend served up a wonderful celebration of South African sports. First the Springboks trounced the Wallabies in Perth, followed by a superb victory by the Proteas over the West-Indies, and then our UFC champion, Dricus du Plessis, successfully defended his middleweight belt against the highly rated Israel Adesanya. In a sports-crazy country like South Africa, these victories lift the mood of the entire nation, and make us all feel like champions.*

*On behalf of all Capetonians, well done to our incredible rugby, cricket and MMA ambassadors, as well as all our Olympic heroes, for flying our flag with pride and for giving us these incredible moments. The UFC president promised to bring the event to South Africa should Dricus win his title bout, and we intend to hold him to that promise. We will also make the case for Cape Town to be the host city for such a UFC event, and I think we have every reason to believe that this can be done. So let's hold thumbs that the next title defence by our champ will be right here in the Mother City.*

*Madam Speaker, Today in Council, we will vote to pass the City's Adjustment Budget – another affirmation not only of our ambitious plan for Cape Town, but also of our excellent track record when it comes to delivering on that plan. Last month, we reached the end of our second full financial year of this term of office and we've now embarked on our third. That's two full years of our own IDP and budget as set out by this government, and perhaps an opportunity for us to once again reflect on the progress we have made. Specifically the ability of our departments to turn their budgets into meaningful delivery plans, and then spend those budgets responsibly and in full.*

*I am pleased to inform you this morning that our combined capital spend performance for the 2023/24 financial year, across all directorates, was once again over 90%. And remember, here we are talking about a new record capital budget of almost R10,5bn, of which our 13 City directorates successfully spent R9,42bn, or 90,4%. This rises to 94% – or R9,79bn – when you include contractually committed funds. This is not only a City of Cape Town record, but also a South African record, and I think that deserves a round of applause. To achieve these numbers in a responsible manner, requires an extraordinary effort right across the entire Team Cape Town. But within this great performance, some directorates still stood out.*

*You may recall that last year this time we recognised the directorates in the City that had achieved the highest capital spend performance, expressed as a percentage of their budget, as well as a special recognition for the best performing directorate in what I call "The Billion Club" – those with an annual capital budget in excess of R1bn. We have decided to do so again this year, and I will now award the top three*

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*performing directorates, as well as the best performing Billion Club directorate, with certificates citing their achievement, which we will hand over in person after this meeting. At number three overall, with a 95,6% spend, is our Corporate Services directorate. Our second-best performing directorate was Human Settlements with a very impressive 97,8% of capital budget spent.*

*And at number one – repeating their performance from last year – was Safety and Security, having spent an incredible 99,2% of their capital budget for the year. That then brings us to the Billion Club – the directorates with mega budgets and mega projects. Our Billion Club contains three directorates: Water and Sanitation, Energy and Urban Mobility. Knocking on the door of this club, with a budget of around R980m, is Human Settlements. By far the biggest of those three directorates is Water and Sanitation. Its R3,72bn capex budget last year accounted for well over a third of our overall capital budget, driven by the massive investments we're making in sewer pipes, wastewater treatment plants, pump stations and new water sources, to name but a few. The immense benefits in terms of dignity and quality of life that those investments will bring to our city – and particularly our lower income areas – make that R3,7bn the best money we could possibly spend.*

*However, our best performing Billion Club directorate last year, with a 94,25% budget spend, was Energy. Of their capital budget of R1,18bn, they spent an impressive R1,11bn by the close of the financial year. Again, I should mention here that I have just taken into account the actual spend amounts. For each of these directorates, there is an additional amount that had already been assigned to projects within the old financial year. Spending these record amounts on infrastructure is a very impressive feat, so please let us give them one more round of applause.*

*Colleagues, I make such a big deal of these high budget spends because it is incredibly important. We have set ourselves very ambitious goals in this term of office, and we've put together budgets that increase sharply year-on-year in order to meet the necessary milestones in achieving these goals. Every year of this five-year term will set a new record for infrastructure expenditure. At a combined R39,5bn for this current three-year medium-term framework, our infrastructure budget is 80% bigger than the next biggest city – Johannesburg – and almost 100% bigger than the third biggest, Durban. The vast bulk of this spend – a full 75% – is earmarked for projects that will directly benefit our metro's lower income households.*

*And while the obvious benefit will be the improved sanitation, better water security, better energy security, expanded public transport, thousands more affordable housing opportunities, safer communities and cleaner public places and waterways, there is also an important jobs benefit to this investment. We estimate that just the construction industry jobs alone resulting from this three-year, R39,5bn infrastructure spend will be in the region of 130,000. That's a huge employment boost for our city. But all*

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*those budget numbers will mean little if we are not able to spend that money, efficiently and responsibly, within the required timeframe. And so we have made this a top priority in all our directorates. But we also strive to spend our budgets well in order to demonstrate to National Treasury that ours is a metro government whose allocations from national government should correspond with both our rapidly growing size and our exemplary track record in spending these grants and equitable share.*

*We continue to engage in correspondence with National Treasury, expressing the urgency of bringing our allocation of grants – particularly housing grants – as well as our equitable share in line with the latest census data. Grants to build affordable housing, when well spent, are arguably the most pro-poor way to spend your budget, and the worst place to make cuts. Cape Town is about to become South Africa's largest city, if we have not done so already, at almost 5 million people. And we have demonstrated, again and again, that our directorates are highly capable and are able to spend their budgets efficiently, transparently and on time. Our allocations from national government should be going up, not down.*

*And that, colleagues, brings me to two exciting items on today's agenda: two big milestones in the City's affordable housing pipeline which will provide hundreds of Cape Town families with life-changing housing opportunities in prime locations. The first of these refers to seven hectares of city-owned land in Rondebosch East, on the corner of Kromboom Road and Seventh Avenue. Today, in this meeting, we are seeking City Council approval to commence with the public participation process for the proposed sale of this property. The land has a potential yield of 800 residential units within a mixed-use development, including affordable housing, open market housing, public open space, and retail opportunities. While this well-located site has a desktop valuation of R155m, our new City guidelines on social housing development allow for a discounted land sale price to help developers viably maximise the affordable housing yield.*

*We will also include a clause in the proposed sale to protect our interest in the land being used for affordable housing. In accordance with this clause, if the affordable housing purpose is not met, the property will revert back to City ownership. This Rondebosch East property is the latest to go to market in our successful Mayoral Priority land release programme. To give you an idea of what we have achieved in a very short time, in the first two years of this programme, we have already released sites with a yield of over 4 200 affordable housing units, including in Cape Town's inner city and other well-located economic nodes. This number is higher than the yield for sites released over a period of ten years prior to our land release programme. That speaks to this city government's commitment to deliver affordable housing, and underscores the huge difference being made our team's dedicated focus.*

*The City's affordable housing pipeline includes land parcels expected to deliver over 12 000 residential opportunities across the metro. We are*

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*prioritising mixed market development for these projects so that we can create integrated communities and sustainable human settlements that offer not only housing opportunities but also commercial space and social amenities. One of the biggest social housing opportunities of our land release pipeline in the inner city is the Woodstock Hospital property.*

*And the frustrating fact of this particular property is that social housing would have already been in the construction phase by now, were it not for the major obstacle of the unlawful occupation of the site. I know that many of the activists who planned the initial hi-jacking of these buildings back in March of 2017 as a political statement now regret this move. The occupation has grown well beyond what was foreseen by the initial decision to symbolically and temporarily occupy a building in the name of activism. Rather than advancing the social housing agenda, these actions have only presented a costly and time-consuming obstacle for the state on a property that could actually be developed quite expeditiously thanks to favourable zoning, rights and infrastructure.*

*It is also important to state here that this site was not abandoned, or just lying derelict. The hi-jacking took place after the sites were announced for social housing development. As a testament to the City's determination to deliver social housing at Woodstock Hospital, we still took ownership of the property from the provincial government even after the unlawful occupation. We have also been to court where we obtained an order in 2018 interdicting Reclaim the City from inciting further unlawful occupation of the property. Our legal efforts continued, also winning the right to conduct a court-ordered survey of the circumstances of the occupants.*

*While our social housing goals have been stonewalled and delayed all the way by these challenges, today we take another step forward, by asking Council to approve a public participation process on the City's intention to release the Woodstock Hospital land for affordable housing development. We estimate that 500 residential opportunities are possible on this 1,8 hectare property, including social housing and affordable market units. Again, any proposed sale of this land would include a clause that it reverts back to City ownership if the affordable housing goals are not realised for the site. We are determined that Woodstock Hospital takes its place among the various inner city sites we have already released for social housing, and which are set to deliver thousands of affordable units in Cape Town's inner city, mere minutes from the CBD. It is extremely unfortunate that the actions of those who orchestrated the occupation caused such crippling delays in this vital project, but today we can give Woodstock Hospital a big momentum boost and bring those affordable housing opportunities one step closer to reality.*

*Madam Speaker, After a slow start to our winter rainy season, these past six weeks have more than made up for it. July saw all previous rainfall records shattered throughout the metro, and August has also delivered a lot of rain so far. I am grateful that our City's water supply dams have*



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*been so well replenished, although I'd have preferred it to be a little less intense. But now, as we slowly start heading out of winter, we turn our attention to one of the biggest annual events in the City's calendar.*

*Across all City departments, across all our facilities and across the breadth of the Metro we are now gearing up for our big annual Spring Clean campaign. This is our chance to rejuvenate our city and get her shipshape ahead of what promises to be another bumper festive season in Cape Town. Spring Clean truly is a massive team effort, and I urge all Capetonians to get involved. We will be scaling up the City's cleaning operations across the metro, and I call on businesses, schools and community groups to match the City's efforts with their own litter-busting projects. Let's roll up our sleeves and clean up our streets, our parks, our waterways and our beaches so that we can show our beautiful city to the world with pride. Thank you."*

### SECTION 3

#### C 02/08/24 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 P N Booi (EFF)  
Ald C A Brynard (CAPEXIT)  
Cllr K R Carls (DA)  
Cllr P G Helfrich (DA)  
Cllr P Hendricks (PA)  
Ald B M Jacobs (DA)  
Cllr L Mazwi (EFF)  
Cllr B Mei (EFF)  
Cllr S Ndamane (PAC)  
Cllr N A Ntshweza (ANC)  
Cllr Z L Qoba (ANC)  
Ald J P Smith (DA)  
Cllr B Yeko (EFF)

**ACTION: L KELLEM**

### 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.

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### C 03/08/24 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING: 25 JULY 2024

**RESOLVED** that the minutes of the ordinary Council meeting held on 25 July 2024, be confirmed.

#### **ACTION: N MEISSENHEIMER**

**At this stage, namely at 10h53, the Speaker, Ald F Purchase (DA) announced that the following items were agreed on by the respective political parties at the Whips' meeting:**

**Volume 2A - Items 8, 9, 10, 11, 12, 13, 14 and 16**

**Volume 2B - Items 17, 18, 1 and 21**

**Volume 2C - Item 24**

**Volume 3 - Items 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40**

**Volume 4 - Items 55, 56, 57, 58, 59, 60, 62, 63, 64, 65, 66, 67, 71, 72, 75, 76, 77, 78 and 79 [Reports for information and noting.]**

**206 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 subjoined decisions were taken by Council:**

<b>ACDP</b>	<b>- African Christian Democratic Party</b>	<b>6</b>
<b>AIC</b>	<b>- African Independent Congress</b>	<b>1</b>
<b>AJ</b>	<b>- Al Jama-ah</b>	<b>3</b>
<b>ANC</b>	<b>- African National Congress</b>	<b>39</b>
<b>ARA</b>	<b>- Africa Restoration Alliance</b>	<b>2</b>
<b>CCC</b>	<b>- National Coloured Congress</b>	<b>7</b>
<b>CAPEXIT</b>	<b>- Cape Independence Party</b>	<b>1</b>
<b>CMC</b>	<b>- Cape Muslim Congress</b>	<b>1</b>
<b>DA</b>	<b>- Democratic Alliance</b>	<b>126</b>
<b>DI</b>	<b>- Democratic Independence</b>	<b>1</b>
<b>EFF</b>	<b>- Economic Freedom Fighters</b>	<b>6</b>
<b>FF Plus</b>	<b>- Freedom Front Plus</b>	<b>4</b>
<b>GOOD</b>	<b>- GOOD</b>	<b>9</b>
<b>PA</b>	<b>- Patriotic Alliance</b>	<b>3</b>
<b>PAC</b>	<b>- Pan Africanist Congress of Azania</b>	<b>0</b>
<b>UDM</b>	<b>- United Democratic Movement</b>	<b>1</b>
<b>UIM</b>	<b>- United Independent Movement</b>	<b>1</b>

## **COUNCIL MINUTES: 22 AUGUST 2024**

### **C 04/08/24 ADJUSTMENTS BUDGET: 2024/25 FINANCIAL YEAR**

**RESOLVED** that:

- (a) in terms of section 28 of the MFMA, the amendments proposed for incorporation into the 2024/25 adjustments budget (August 2024), as contained in Annexure A to the report on the agenda, be adopted
- (b) ongoing contractually committed projects funded from national- and provincial allocations, for which approval of unspent 2023/24 budgetary allocations is awaited, be continued via interim funding from internal resources until the outcome of such roll-over application is appropriated into the 2024/25 budget via the January 2025 adjustments budget
- (c) an amount of R96,7 million from accumulated surpluses be set aside to establish a 'Capital Replacement Reserve: Capital Grants and Donations: Roll-overs', which will be used to provisionally fund contractually committed, ongoing conditional grant-funded projects until the national- and provincial roll-overs are appropriated into the 2024/25 budget via the January 2025 adjustment budget.
- (d) in the event of specific conditional grant-funded projects' roll-overs not being approved by National- or Provincial Treasury, the City continues funding such projects, which are contractually committed, from the 'Capital Replacement Reserve: Capital Grants and Donations: Roll-overs'.

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

**ACTION: C STROUD, K JACOBY**

### **C 05/08/24 REQUEST FOR APPROVAL OF THE PROPOSED REVISION OF AN INFORMAL TRADING PLAN FOR LANGA (WARD 51 AND WARD 52), IN SUBCOUNCIL 15 IN TERMS OF THE CITY OF CAPE TOWN'S INFORMAL TRADING BY-LAW**

**RESOLVED** that:

- (a) in terms of the process described in the Informal Trading By-law, that the Informal Trading Plan for Langa (Ward 51 and Ward 52) as indicated in Annexure A to the report on the agenda, be adopted
- (b) the area indicated in Annexure A to the report on the agenda, to be a declared area in which the carrying on of the business of street vendors, peddlers or hawkers is prohibited, with the exception of the informal trading bays indicated in the plan in Annexures B to J of the report on the agenda.

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- (c) the informal trading bays indicated in Annexures B to J of the report on the agenda, to be declared areas that are restricted to persons with a valid informal trading permit issued by the City of Cape Town.
- (d) the informal trading bays indicated in Annexures B to J of the report on the agenda, to be let out by means of a permit system and that no street vending, peddling or hawking be permitted in these demarcated informal trading bays without a valid permit for the proposed informal trading bays.
- (e) the comments received during the public participation process, listed in Annexure K of the report on the agenda, be noted and the responses provided by Area Economic Development be supported.
- (f) the objections received during the public participation process, listed in Annexure K of the report on the agenda, not be upheld for the reasons stated in the report.
- (g) in terms of the provisions of the Informal Trading By-law, the proclamation published in the Province of the Western Cape: Provincial Gazette Notice: 7706 of the 25 November 2016, be revoked
- (h) the informal trading plan, as approved, be published in the Provincial Gazette in terms of the Informal Trading By-law.

**ACTION: R HOLDSTOCK, C JONAS, L GREYLING, R GELDERBLOEM**

### **C 06/08/24 IDENTIFICATION OF CATEGORIES OF CONTRA-VENTIONS TO WHICH SECTIONS 130(2) AND (3) OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2015 (MPBL) DO NOT APPLY**

**RESOLVED** that the categories of contraventions contained in Annexure A of the report on the agenda (read together with the map as per Annexure B of the report on the agenda), be prescribed as contraventions to which the provisions of section 130(2) and (3) of the City of Cape Town Municipal Planning By-law, 2015 do not apply.

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

**ACTION: S DE JAGER, C WALTERS. R McGAFFIN**

### **C 07/08/24 PERMISSION FOR RELEVANT DEPARTMENTS TO ENTER INTO A MEMORANDUM OF AGREEMENT (MOA) WITH EXTERNAL ORGANISATIONS FOR THE PLACEMENT OF PARTICIPANTS ON THE EXPANDED PUBLIC WORKS PROGRAMME**

**RESOLVED** that:

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- (a) approval be granted for the placement of EPWP workers at various external organisations - and all other external organisations added during this period - for three financial years, effective from the date of Council approval until end June 2027.
- (b) approval be granted for the signing of a Memorandum of Agreement (MOA) by the relevant Executive Director, in consultation with the Legal Services Department, with the external organisation Khulisa Social Services (KSS) for the PEP funding, as allocated to the City of Cape Town for the 2024/25 financial year.
- (c) permission be granted for the signing of Memorandums of Agreement (MOAs) by the relevant Executive Director for the placement of EPWP workers with external organisations, in consultation with the Legal Services Department, effective from the date of Council approval until end June 2027.
- (d) approval be granted for an amount of R7 305 344 (15% VAT where applicable) to be disbursed to Khulisa Social Services via the Section 67 process, during the 2024/25 financial year from the Economic Development and Investment Budget, cost centre 19060000 (Workforce Development), GL 657200 (Grant/Sponsorships).

**[GOOD abstained from above decision.]**

**ACTION: S RUSHMERE, P MAYISELA**

**C 08/08/24 PROPOSED GRANTING OF IN-PRINCIPLE APPROVAL FOR THE TRANSFER OF CITY-OWNED VACANT PROPERTY BY PUBLIC COMPETITIVE PROCESS, ERF 1140, SOMERSET WEST, SITUATED AT 46 ST JAMES STREET, AUDAS ESTATE AND ZONED GENERAL RESIDENTIAL 2 (GR2)**

**RESOLVED** that:

- (a) in terms of section 14(2)(a) and (b) of the Municipal Finance Management Act, Act 56 of 2003 (MFMA):
  - (i) It be resolved that Erf 1140, Somerset West, situated at 46 St James Street, Audas Estate, measuring approximately 1870.65m<sup>2</sup> and zoned General Residential 2 (GR2), shown on Plan LIS2968 attached as Annexure A to the report on the agenda, is not required for the provision of 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) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-

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principle approval be granted the transfer of Erf 1140, Somerset West, situated at 46 St James Street, Audas Estate as described in (a)(i) above.

- (c) Erf 1140, Somerset West, situated at 46 St James Street, Audas Estate be transferred by public competition, subject to conditions to be imposed by the Director: Property Transactions in the exercise of his delegated authority.
- (d) the views and recommendations provided by the Western Cape Government Provincial Treasury Department, as set out in Annexure C to the report on the agenda, be noted.

**[GOOD recorded their vote against the above decision.]**

**ACTION: C WHITE, S HLENGWA, P PENDLEBURY, D JOUBERT, R GELDERBLOEM**

### **C 09/08/24 REVIEW AND AMENDMENT: PROPOSED TRANSFER OF A PORTION OF STELLENBOSCH FARM 235 (JAGTERSHOF) TO WESTERN CAPE GOVERNMENT (ERF 27423 KUILS RIVER(S))**

**RESOLVED** that, for the reason set out in the report on the agenda, Council reviewed and amended clauses (a), (b)(i) and (ii), and (c) of Council resolution C39/07/15 dated 29 July 2015, in order for it to read as follows:

- (a) it be confirmed that, in terms of Regulation 20(1)(f)(i) of the Municipal Asset Transfer Regulations, the property shown lettered ABCDEFGHJKLMNPQRSTUVWXYZA1B1C1D1E1F1G1H1J1K L1 on the draft diagram for Erf 27423 Kuils River(S) attached as Annexure A to the report on the agenda, a portion of Stellenbosch Farm 235 is not required to provide the minimum level of basic municipal services and is surplus to the Council's requirements.
- (b) The transfer of a portion of Stellenbosch Farm 235 (Erf 27423 Kuils River(S)), in extent 62 081 m<sup>2</sup> shown lettered ABCDEFGHJKLMNPQRSTUVWXYZA1B1C1D1E1F1G1H1J1K1L1 on the draft diagram for Erf 27423 Kuils River(S) attached as Annexure A to the report on the agenda, to the Western Cape Government or its successor(s)-in-title, be approved, subject to the following conditions, that:
  - (i) A discounted purchase price of R3 900 000, being 10% of the market value, excluding VAT calculated at the rate applicable at the time of transaction, where applicable, be payable;
  - (ii) The selling price shall escalate at 5% per annum compounded annually on a pro-rata basis, commencing six months after the date of valuation, i.e. from 01 June 2024 until the date of registration. The valuation is to be reviewed if not implemented within 36

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months from date of valuation, i.e. by 31 December 2026 and a suitable restrictive condition must be inserted in the title deed that limits the use of the subject property for public educational or schooling purpose only.

- (c) Approval be granted to the Western Cape Government to take occupation of a portion of Stellenbosch Farm 235, shown lettered ABCDEFGHJKLMNPQRSTUVWXYZA1B1C1D1E1F1G1H1J1K1L1 on the draft diagram for Erf 27423 Kuils River(S) attached Annexure A to the report on the agenda, for the purpose of erecting schools with immediate effect, subject to the following conditions, that:
- (i) Western Cape Government sign the agreement of sale;
  - (ii) the Council be indemnified against any claims that might be instituted against the Council as a result of such approval;
  - (iii) the Western Cape Government take full responsibility for all costs related to its occupation of a portion of Stellenbosch Farm 235, including the cleaning of the site, the provision of sidewalks around the school site, pedestrian crossings off Jagters Street and the required traffic calming in the street, as well as on- and off-street parking and drop-off facilities for vehicles, as well as off-street parking for busses, the consumption of municipal services and the provision of the bulk infrastructure by means of consultants and contractors appointed by the Western Cape Government, (This will also be included as a LUPA condition whereby the City of Cape Town can enter into a services agreement with the Western Cape Government in order to off-set the development charges (DCs) against the provision of the required bulk infrastructure);
  - (iv) all the risk will transfer to the Western Cape Government from the date of possession;
  - (v) the full purchase price be deposited with the conveyancer and that zero occupational rental be payable by the Western Cape Government.

**ACTION: D GEYSMAN, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

**C 10/08/24 PROPOSED GRANTING OF IN-PRINCIPLE APPROVAL FOR THE TRANSFER OF CITY-OWNED VACANT PROPERTIES BY PUBLIC COMPETITIVE PROCESS, PORTION OF REMAINDER 6437, KUILS RIVER, AS WELL AS ERVEN 6607 AND 6648, KUILS RIVER (UNREGISTERED PORTIONS OF REMAINDER ERF 6437, KUILS RIVER), SITUATED AT 30 JANA STREET, 44 JANA STREET AND 1 PALMIEDA STREET, SAREPTA, FOR RESIDENTIAL PURPOSES**

**RESOLVED** that:

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- (a) in terms of section 14(2)(a) and (b) of the Municipal Finance Management Act (MFMA), Act 56 of 2003:
- (i) It be resolved that portion of Remainder 6437, Kuils River as well as Erven 6607 and 6648, Kuils River (unregistered portions of Remainder Erf 6437, Kuils River), situated at 30 Jana Street, 44 Jana Street and 1 Palmieda Street, Sarepta, in extents approximately 408m<sup>2</sup>, 456m<sup>2</sup> and 539m<sup>2</sup> respectively and zoned Transport 2: Public Road and Public Parking (TR2) and Single Residential 1: Conventional Housing (SR1) on Plans LIS2861, LIS 2860 and LIS2859 attached as Annexures A, A2 and A3 respectively to the report on the agenda, are not required for the provision of 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) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in- principle approval be granted for the transfer of portion of Remainder 6437, Kuils River, as well as Erven 6607 and 6648, Kuils River (unregistered portions of Remainder Erf 6437, Kuils River), situated at 30 Jana Street, 44 Jana Street and 1 Palmieda Street, Sarepta as described in (a)(i) above.
- (c) Portion of Remainder 6437, Kuils River, as well as Erven 6607 and 6648, Kuils River (unregistered portions of Remainder Erf 6437, Kuils River), situated at 30 Jana Street, 44 Jana Street and 1 Palmieda Street, Sarepta be transferred by public competition, subject to conditions to be imposed by the Director: Property Transactions in the exercise of his delegated authority.
- (d) the comments and recommendations provided by the National Treasury Department and Western Cape Government Provincial Treasury Department as set out in Annexure C and Annexure D respectively to the report on the agenda, be noted.

**[GOOD recorded their vote against the above decision.]**

**ACTION: C WHITE, S HLENGWA, P PENDLEBURY, D JOUBERT, R GELDERBLOEM**

**C 11/08/24 PROPOSED GRANTING OF IN-PRINCIPLE APPROVAL FOR THE TRANSFER OF CITY-OWNED VACANT PROPERTY BY PUBLIC COMPETITIVE PROCESS, ERF 21044, GOODWOOD, SITUATED AT 18 BAYSIDE STREET, RIVERTON ELSIES RIVER AND ZONED SINGLE RESIDENTIAL 1: CONVENTIONAL HOUSING (SR1)**

**RESOLVED** that:



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- (a) in terms of section 14(2)(a) and (b) of the Municipal Finance Management Act, Act 56 of 2003 (MFMA):
  - (i) It be resolved that Erf 21044, Goodwood, situated at 18 Bayside Street, Riverton Elsie's River, measuring approximately 385m<sup>2</sup> and zoned Single Residential 1: Conventional Housing (SR1), shown on Plan LIS3151 attached as Annexure A to the report on the agenda, is not required for the provision of 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) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-principle approval be granted for the transfer of Erf 21044, Goodwood, situated at 18 Bayside Street, Riverton Elsie's River as described in (a)(i) above.
- (c) Erf 21044, Goodwood, situated at 18 Bayside Street, Riverton Elsie's River be transferred by public competition, subject to conditions to be imposed by the Director: Property Transactions in the exercise of his delegated authority.
- (d) the views and recommendations provided by the Western Cape Government Provincial Treasury Department as set out in Annexure C to the report on the agenda, be noted.

**[GOOD recorded their vote against the above decision.]**

**ACTION: C WHITE, S HLENGWA, P PENDLEBURY, D JOUBERT, R GELDERBLOEM**

**C 12/08/24 AUTHORISATION TO COMMENCE WITH A PUBLIC PARTICIPATION PROCESS IN RESPECT OF THE GRANTING OF RIGHTS TO USE, CONTROL OR MANAGE CITY LAND, BEING ERF 1495 CONSTANTIA AND REMAINDER ERVEN 2980, 2981 AND 2982 CONSTANTIA, MIDHURST WAY CONSTANTIA, TO UPBEAT PROPS 138 PTY LTD T/A VIRGIN ACTIVE**

**RESOLVED** that, in terms of regulation 34(3)(a) of the Municipal Asset Transfer Regulations (MATR), promulgated on 22 August 2008, Council authorised a public participation process regarding the proposed granting of rights to use, control or manage the properties stipulated below, situated at Midhurst Way, Constantia for a period of 15 years from 1 January 2031 to 31 December 2045, subject to conditions to be imposed by the Director: Property Transactions in exercise of his delegated powers. The subject properties are Erf 1495 Constantia and Remainder Erven 2980, 2981 and 2982 Constantia.

**ACTION: A GOLDING, R KOLIA, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

**C 13/08/24 GRANTING OF IN-PRINCIPLE APPROVAL: PROPOSED TRANSFER OF CITY LAND, BEING PORTIONS OF ERVEN 435 AND 147-RE CAPRICORN, SITUATED AT VRYGROND AVENUE, CAPRICORN: WHERE RAINBOWS MEET TRAINING AND DEVELOPMENT FOUNDATION**

**PROPOSED CLOSURE AND TRANSFER OF CITY LAND: BEING PORTIONS OF ERVEN 435 AND 147-RE CAPRICORN, SITUATED AT VRYGROND AVENUE, CAPRICORN: WHERE RAINBOWS MEET TRAINING AND DEVELOPMENT FOUNDATION**

**RESOLVED** that:

- (a) in terms of section 14 of the Local Government Municipal Finance Management Act, Act 56 of 2003, the subject properties, being portions of Erven 435 and 147-RE Capricorn, situated at Vrygrond Avenue, Capricorn in extent approximately 2 538.71m<sup>2</sup> as shown and lettered ABCDEFGHJK on Sketch 130008773 attached as Annexure A to the report on the agenda, is not needed to provide the minimum level of basic municipal services and that the fair market value of the asset and the economic and community value to be received in exchange for the asset have been considered.
- (b) in-principle approval be granted in terms of regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations for the transfer of portions of Erven 435 and 147-RE Capricorn, situated at Vrygrond Avenue, Capricorn in extent approximately 2 538.71m<sup>2</sup>, shown and lettered ABCDEFGHJK on Sketch 130008773 attached as Annexure A to the report on the agenda.
- (c) approval be granted, in terms of section 4 of the City of Cape Town Immovable Property By-law, 2015, for the closure of the subject properties, being portions of Public Place and Public Street, being portions of Erven 435 and 147-RE Capricorn respectively, in extent approximately 2 538.71m<sup>2</sup>, shown and lettered ABCDEFGHJK on Sketch 130008773 attached as Annexure A to the report on the agenda.
- (d) it be confirmed that, when considering the alienation of the land at less than market value, as provided for in terms of Clause 15.3 of Council's Policy on the Management of Certain of the City of Cape Town's Immovable Property, the contents of regulation 13(2) of the MATR have been duly taken into consideration.
- (e) the transfer of portions of Erven 435 and 147-RE Capricorn, situated at Vrygrond Avenue, Capricorn in extent approximately 2 538.71m<sup>2</sup>, shown and lettered ABCDEFGHJK on Sketch 130008773 attached as

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Annexure A to the report on the agenda, to the Where Rainbows Meet Training and Development Foundation, or its successor(s)-in-title, be approved, subject to the following conditions, that:

- (i) 25% of the market-related purchase price being R158 750 (one hundred and fifty-eight thousand seven hundred and fifty rand) excluding VAT calculated at the rate applicable at the time of the transaction, where applicable, be payable;
- (ii) The purchase price shall escalate at 5% per annum compounded annually on a pro-rata basis commencing 6 months after the date of valuation (i.e. as from 01 January 2023) until the 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 the date of valuation (i.e. by 30 June 2025);
- (iv) The sale is to be subject to a suitable reversionary clause limiting its use to community purposes, which restriction is to be registered against the title deed of the subject property;
- (iii) Rates and municipal charges, if applicable, be levied;
- (vi) Subject to such further conditions to be imposed by the Director: Property Transactions in terms of delegated authority, including *inter alia* the following:
  - (aa) that all further statutory and land use requirements be complied with;
  - (bb) that the portion of Public Street, being a portion of Erf 147-RE Capricorn, must be subdivided and closed to effect the transfer of the portion of land;
  - (cc) that the portion of Public Place, being a portion of Erf 435 Capricorn, must be subdivided and closed to effect the transfer of the portion of land;
  - (dd) that after closure, the portions of land must be rezoned and consolidated to form one single holding;
  - (ee) that all costs related and incidental to the transaction be borne by the purchaser.

**ACTION: A PHILLIPS, R KOLIA, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

**C 14/08/24 PROPOSED CLOSURE AND DISPOSAL OF A PORTION OF ERF 12322 CAPE TOWN, SITUATED AT PARK ROAD, WOODSTOCK, CAPE TOWN: ADIELAH VAN DER SCHYFF**

**RESOLVED** that:

- (a) in terms of section 14 of the Local Government Municipal Finance Management Act 56 of 2003, the subject property, being a Portion of Erf 12322 Cape Town, situated at Park Road, Woodstock, Cape Town, in extent approximately 89m<sup>2</sup> as shown hatched and lettered ABCD on Plan STC 3395 attached as Annexure A to the report on the agenda, is not required to provide the minimum level of basic municipal services and that the fair market value of the asset and the economic and community value to be received in exchange for the asset have considered.
- (b) in-principle approval be granted, in terms of regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations, for the transfer of a Portion of Erf 12322 Cape Town, situated at Park Road, Woodstock, Cape Town, in extent approximately 89m<sup>2</sup> as shown hatched and lettered ABCD on Plan STC 3395 attached as Annexure A to the report on the agenda.
- (c) approval be granted, in terms of section 4 of the City of Cape Town Immovable Property By-law, 2015, for the closure of the subject property being a Portion of Erf 12322 Cape Town, situated at Park Road, Woodstock, Cape Town, in extent approximately 89m<sup>2</sup> as shown hatched and lettered ABCD on Plan STC 3395 attached as Annexure A to the report on the agenda.
- (d) the transfer of a Portion of Erf 12322 Cape Town, situated at Park Road, Woodstock, Cape Town, in extent approximately 89m<sup>2</sup> as shown hatched and lettered ABCD on Plan STC 3395 attached as Annexure A to the report on the agenda, to Adielah van der Schyff, or her successor(s)-in-title, be approved, subject to the following conditions, that:
  - (i) A purchase price of R350 000.00 excluding VAT, be payable;
  - (ii) The purchase price shall escalate 5% per annum from 01 February 2020 until date of registration;
  - (iii) The valuation is to be reviewed if the proposed transfer is not approved by the delegated authority within 36 months from date of valuation, i.e. 30 June 2025;
  - (iv) Rates and municipal charges, if applicable, be levied;
  - (v) Subject to such further conditions to be imposed by the Director: Property Transactions in terms of his 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 property be consolidated with the applicant's Erf 12321 Cape Town;
- (cc) that all costs related and incidental to the transaction be borne by the purchaser.

**ACTION: S CAROLUS, C DAVIS, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

### **C 15/08/24 PROPOSED TRANSFER OF ERF 56676 KHAYELITSHA: WESTERN CAPE GOVERNMENT (DTPW)**

**RESOLVED** that:

- (a) in terms of regulation 20(1)(f)(i) of the Municipal Asset Transfer Regulations, Erf 56676 Khayelitsha, shown lettered ABCDEFG on Plan 130009634 attached as Annexure A to the report on the agenda, is not required for the provision of any minimum level of basic municipal services and is surplus to the requirements of the Municipality.
- (b) the transfer of Erf 56676 Khayelitsha, in extent 21 662m<sup>2</sup> shown lettered ABCDEFG on Plan 130009634 attached as Annexure A to the report on the agenda, to the Western Cape Government, or its successor(s)-in-title, be approved, subject to the following conditions, that:
  - (i) A discounted purchase price of R325 000, being 10% of the market value, excluding VAT calculated at the rate applicable at the time of transaction, where applicable, be payable;
  - (ii) The selling price shall escalate at 5% per annum compounded annually on a pro rata basis, commencing six months after the date of valuation, i.e. from 01 September 2024 until the date of registration;
  - (iii) The valuation is to be reviewed if not implemented within 36 months from date of valuation, i.e. by 28 February 2027;
  - (iii) A suitable restrictive condition/reversionary clause to be inserted on the title deed that limits the use of the subject property for use as a public school;
  - (iv) Rates and municipal charges, if applicable, be levied;
  - (v) Subject to such further conditions to be imposed by the Director: Property Transactions in terms of his 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 all costs related and incidental to the transaction be borne by the purchaser.
- (c) it be confirmed that, when considering the alienation of the land at less than market value, the contents of Regulation 20(1)(f)(ii) of the Municipal Asset Transfer Regulations (MATR) has been duly taken into consideration.

**ACTION: L ABRAHAMS, D GEYSMAN, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

**C 16/08/24 GRANTING OF IN-PRINCIPLE APPROVAL: TRANSFER OF A PORTION OF PUBLIC PLACE, BEING A PORTION OF ERF 158 PHILIPPI SITUATED AT STOCK ROAD, PHILIPPI TO OWNER OF ADJACENT ERVEN 20982, 657, 430, 20207 & 160-RE PHILIPPI: CUROPROP 127 CC**

**PROPOSED CLOSURE AND TRANSFER OF A PUBLIC PLACE, BEING A PORTION OF ERF 158 PHILIPPI SITUATED AT STOCK ROAD, PHILIPPI TO OWNER OF ADJACENT ERVEN 20982, 657, 430, 20207 & 160-RE PHILIPPI: CUROPROP 127 CC**

**RESOLVED** that:

- (a) in terms of section 14 of the Local Government Municipal Finance Management Act, Act 56 of 2003, the subject property, being a portion of Erf 158 Philippi situated at Stock Road, Philippi, in extent approximately 5 333,04m<sup>2</sup> as shown and lettered KLAMNPQ on Plan LIS 2798 attached as Annexure A to the report on the agenda, is not needed to provide the minimum level of basic municipal services and that the fair market value and the economic and community value to be received in exchange for the asset have been considered.
- (b) in-principle approval be granted, in terms of regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations, for the transfer of a portion Erf 158 Philippi situated at Stock Road, Philippi, in extent approximately 5 333,04 m<sup>2</sup> as shown and lettered KLAMNPQ on Plan LIS 2798 attached as Annexure A to the report on the agenda.
- (c) Council, in terms of section 4 of the City of Cape Town Immovable Property Bylaw, 2015, approved the closure of the subject property being a portion of a Public Place, being a portion of Erf 158 Philippi situated at Stock Road, Philippi, in extent approximately 5 333,04 m<sup>2</sup> as shown and lettered KLAMNPQ on Plan LIS 2798 attached as Annexure A to the report on the agenda.
- (d) the transfer of a portion of Erf 158 Philippi situated at Stock Road, Philippi, in extent approximately 5 333,04m<sup>2</sup> as shown and lettered

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KLAMNPQ on Plan LIS 2798 attached as Annexure A to the report on the agenda, to Curoprop 127 CC, the owners of adjacent Erven 20982, 657, 430, 20207 and 160-RE Philippi or their successor(s) in title, be approved, subject to the following conditions:

- (i) A purchase price of R2 000 000 excluding VAT and costs be payable;
- (ii) The transfer price shall escalate at 5% per annum compounded annually on a pro-rata basis commencing 6 months from date of valuation (i.e. from 01 January 2024) until date of registration;
- (iii) The market value is to be re-assessed if the transaction is not approved by the relevant decision-making authority of Council within 36 months from the date of valuation (i.e. by 30 June 2026);
- (iv) Rates and municipal charges, if applicable, be levied;
- (v) Subject to such further conditions imposed by the Director: Property Transactions in terms of 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 158 Philippi be consolidated with the adjacent erven;
  - (cc) That all costs related and incidental to the transaction be borne by the purchaser.
- (vi) The inclusion of the following condition in the sales agreement:
  - Any occupation of the site in question in terms of the removal of structures, must be dealt with by the purchaser when the transfer occurs i.e. the purchaser to take responsibility for all aspects of the structures and occupants.

**ACTION: Y MOHAMED, R KOLIA, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

**C 17/08/24 APPOINTMENT OF CLLR. IAN MCMAHON TO REPRESENT THE CITY OF CAPE TOWN ON THE COUNCIL OF THE CAPE PENINSULA UNIVERSITY OF TECHNOLOGY ("CPUT")**  
**RESOLVED** that:

- (a) Cllr Ian McMahon be appointed as the City of Cape Town's representative on the Cape Peninsula University of Technology's

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Council for the remainder of the current Council's term until 30 September 2026.

- (b) authority be granted to the Executive Mayor to provide a mandate to Cllr Ian McMahon on how to represent the City of Cape Town at relevant meetings of the Council of the Cape Peninsula University of Technology.

**[GOOD recorded their vote against the above decision.]**

**ACTION: S ENGELBRECHT, J STYAN. OFFICE OF THE EXECUTIVE MAYOR**

**C 18/08/24 PROPOSED CLOSURE AND DISPOSAL OF PORTIONS OF PUBLIC PASSAGE, ERF 956 BANTRY BAY, SITUATED BETWEEN AVENUE MARINA AND DE WET ROAD, BANTRY BAY: FOLKES HOLDINGS (PTY) LTD**

**RESOLVED** that:

- (a) in terms of section 14 of the Local Government Municipal Finance Management Act 56 of 2003, that the subject property, being Portions of Public Passage, Erf 956 Bantry Bay, situated between Avenue Marina and De Wet Road, Bantry Bay, the areas in extent approximately 168 m<sup>2</sup> as shown hatched and lettered ABCD and 53 m<sup>2</sup> as shown hatched and lettered BEFG, respectively, on Plan 130009603 attached as Annexure A to the report on the agenda, is not required to provide the minimum level of basic municipal services and that the fair market value of the asset and the economic and community value to be received in exchange for the asset have been considered.
- (b) in terms of regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations (MTR), in-principle approval be granted for the transfer of Portions of Public Passage, Erf 956 Bantry Bay, situated between Avenue Marina and De Wet Road, Bantry Bay, the areas in extent approximately 168 m<sup>2</sup> as shown hatched and lettered ABCD and 53 m<sup>2</sup> as shown hatched and lettered BEFG, respectively, on Plan 130009603 attached as Annexure A to the report on the agenda.
- (c) approval be granted in terms of section 4 of the City of Cape Town Immovable Property By-law, 2015, for the closure of the subject property being Portions of Public Passage, Erf 956 Bantry Bay, situated between Avenue Marina and De Wet Road, Bantry Bay, the areas in extent approximately 168 m<sup>2</sup> as shown hatched and lettered ABCD and 53 m<sup>2</sup> as shown hatched and lettered BEFG, respectively, on Plan 130009603 attached as Annexure A to the report on the agenda.
- (d) the transfer of Portions of Public Passage, Erf 956 Bantry Bay, situated between Avenue Marina and De Wet Road, Bantry Bay, the areas in extent approximately 168 m<sup>2</sup> as shown hatched and lettered ABCD and 53 m<sup>2</sup> as shown hatched and lettered BEFG, respectively on Plan



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130009603 attached as Annexure A to the report on the agenda, to Folkes Holdings (Pty) Ltd, or their successor(s)-in-title, be approved, subject to the following conditions, that:

- (i) A purchase price of R1 400 000.00 excluding VAT be payable in respect of the area shown hatched and lettered ABCD on Plan 130009603 attached as Annexure A to the report on the agenda;
- (ii) A purchase price of R525 000.00 excluding VAT be payable in respect of the area shown hatched and lettered BEFG on Plan 130009603 attached as Annexure A to the report on the agenda;
- (iii) Both disposal areas outlined in paragraphs (i) and (ii) above shall be further subject to the following conditions:
  - (aa) The purchase price shall escalate by 5% per annum compounded annually on a pro rata basis, commencing 6 months from date of valuation, i.e. from 01 June 2024 until date of registration;
  - (bb) The valuation is to be reviewed if the proposed transfers are not approved by the delegated authority within 36 months from date of valuation, i.e. by 30 November 2026;
  - (cc) A servitude is to be registered over the sewer pipeline traversing the subject properties;
  - (dd) Rates and municipal charges, if applicable, be levied;
- (iv) Subject to such further conditions to be imposed by the Director: Property Transactions in terms of his delegated authority, including *inter alia* the following:
  - (aa) that all further statutory and land use requirements be complied with;
  - (bb) the area lettered ABCD on Plan 130009603 to be notarially tied to Erf 473 Bantry Bay;
  - (cc) the area lettered BEFG on Plan 130009603 to be notarially tied to Erf 878 Bantry Bay;
  - (dd) no development whatsoever except boundary walls/fences permitted;
  - (ee) that all costs related and incidental to the transaction be borne by the purchaser.
- (e) the objection as set out in Annexure B to the report on the agenda, not be upheld.

**ACTION: S CAROLUS, C DAVIS, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

**C 19/08/24 REVIEW AND AMENDMENT OF PREVIOUS COUNCIL RESOLUTION C29/10/23 TAKEN IN RESPECT OF THE TRANSFER OF A PORTION OF REMAINDER ERF 100010 CAPE TOWN (VANGUARD COMMUNITY HEALTH CENTRE): DEPARTMENT OF INFRASTRUCTURE, WESTERN CAPE GOVERNMENT**

**RESOLVED** that Paragraph (b) of Council resolution number C 29/10/23, taken on 26 October 2023, be reviewed and amended as follows:

**RESOLVED** that:

- (a) In terms of Regulation 20(1)(f)(i) of the Municipal Asset Transfer Regulations, a portion of Remainder Erf 100010 Cape Town, shown lettered ABC DEF on Plan 130007893v1 attached as Annexure A to the report on the agenda, and in extent approximately 15 820 m<sup>2</sup>, is not required for the provision of any minimum level of basic municipal services and is surplus to the requirements of the Municipality.*
- (b) That the transfer of a portion of Remainder Erf 100010 Cape Town, shown lettered ABCDEF on Plan 130007893v1 attached as Annexure A to the report on the agenda, and in extent approximately 15 820 m<sup>2</sup>, to the Western Cape Department of Infrastructure, or its successor(s)-in-title, be approved, subject inter alia to the following conditions, that:*
  - (i) A discounted purchase price of R875 000, excluding VAT, be payable, which amount is 25% of the full market value of R3 500 000;*
  - (ii) The purchase price is to be adjusted by 5% per annum compounded annually on a pro rata basis, commencing 6 months after the date of valuation, i.e. from 1 January 2025, until the date of registration;*
  - (iii) The valuation is to be reassessed if not approved by the delegated decision making authority of Council within 36 months from date of valuation, i.e. by 30 June 2027;*
  - (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 the land that the land only be utilized for health care and ancillary use purposes under jurisdiction of the Western Cape Health Department, and the transfer of*

*the land be subject to a suitable reversionary clause in order to enforce compliance;*

*(bb) that all further statutory and land use requirements be complied with;*

*(cc) that the purchaser, as soon possible, enclose/ fence the additional portion of land located between the clinic's existing fenced perimeter and the adjacent school site; and*

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

*(c) Prior occupation be granted to the Western Cape Department of Health, without payment of occupational rent, and subject to a prior occupation agreement being concluded with the City.*

*(d) It be confirmed that, when considering the alienation of the land at less than market value, the contents of Regulation 20(1)(f)(ii) of the MATR has been duly taken into consideration.*

**ACTION: P STRUMPHER, B MALI-SWELINDAWO, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

**C 20/08/24 RECOMMENDATION FOR APPROVAL: THE REVISED SUPPLY CHAIN MANAGEMENT (SCM) POLICY, FOLLOWING A PUBLIC PARTICIPATION PROCESS**

**RESOLVED** that the revised Supply Chain Management (SCM) Policy attached as Annexure A to the report on the agenda, be approved.

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

**ACTION: A BLOEW, K JACOBY**

**C 21/08/24 MYCITI PHASE 2A - PROPOSED PERMANENT FULL AND PARTIAL ROAD CLOSURES FOR WORK PACKAGE W8**

**RESOLVED** that:

(a) Council considered the objections and comments received in respect of the proposed road closures as set out in Annexure E to the report on the agenda, and that based on the responses thereto, the objections not be upheld.

(b) As part of the implementation of the proposed MyCiTi Phase 2A roll-out of services to the Metro South East, the closures of the following roads be approved:

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- (i) Full closure of Waterbury Road at M4 Main Road
- (ii) Full closure of Ashbury Road at South Road
- (iii) Full closure of Honiton Road at South Road
- (iv) Partial closure of Chudleigh Road at South Road
- (v) Partial closure of Batts Road at South Road
- (vi) Full closure of Stella Road at South Road
- (vii) Full closure of Lympleigh Road at South Road
- (viii) Partial closure of Sussex Road at South Road
- (ix) Full closure of Rotherfield Road at South Road
- (x) Full closure of Pluto Road at South Road
- (xi) Full closure of Woodley Road at South Road
- (xii) Partial closure of Milford Road at South Road
- (xiii) Partial closure of Platoon Road at South Road
- (xiv) Partial closure of Troop Road at South Road
- (xv) Full closure of Evremonde Road at South Road
- (xvi) Full closure of Churchill Road at South Road
- (xvii) Full closure of Napier Road at Ottery Service Road
- (xviii) Partial closure of Portswood Road at Ottery Service Road

**ACTION: O DAVIDS, M WUST, D CAMPBELL**

### **C 22/08/24 APPLICATION TO AMEND THE BUSINESS PLAN (GEOGRAPHICAL BOUNDARY) OF THE WYNBERG IMPROVEMENT DISTRICT (WID)**

**RESOLVED** that:

- (a) the application to amend the geographical boundary of the Wynberg Improvement District (WID) as per the plan attached to the report on the agenda, be approved in terms of section 26(1) of the CID By-law.
- (b) the application to amend the WID Business Plan in terms of section 26(4) be approved.
- (c) the City of Cape Town imposes the levying of an additional rate on properties within the expanded boundary of the WID in terms of section 22(1)(b) of the Local Government: Municipal Property Rates Act (MPRA), Act 6 of 2004 from the month following the Council decision.
- (d) the WID Budget be amended as part of the Adjustment Budget process in January 2025 with monthly payments to the WID increasing from R640,370 to R765,240 and the contribution to the Rolling Bad Debt Reserve increasing from R19,805 to R23,667 from the month following the Council decision.

**ACTION: J JOUBERT, R McGAFFIN**

### **C 23/08/24 ADOPTION OF THE CITY OF CAPE TOWN'S: "DESIGNING QUALITY PLACES: URBAN DESIGN POLICY "BY COUNCIL**

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**RESOLVED** that:

- (a) Council considered the objections and comments received during the public participation process and that, based on the responses thereto, the objections not be upheld.
- (b) the Designing Quality Places: Urban Design Policy for the City of Cape Town, attached as Annexure A to the report on the agenda, be adopted.

**[GOOD abstained from the above decision.]**

**ACTION: S BERGOFF, E NAUDE, R McGAFFIN**

### **C 24/08/24 SUBMISSION OF THE ZANDVLEI ESTUARY MANAGEMENT PLAN TO THE WESTERN CAPE GOVERNMENT MINISTER OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING FOR APPROVAL IN TERMS OF SECTION 9.1(1)(a) OF THE NATIONAL ESTUARINE MANAGEMENT PROTOCOL**

**RESOLVED** that:

- (a) the Zandvlei Estuary Management Plan attached as Annexure A to the report on the agenda, be approved.
- (b) the Zandvlei Estuary Management Plan be submitted to the Western Cape Government Minister of Environmental Affairs and Development Planning for approval, in terms of section 9.1(1)(a) of the National Estuarine Management Protocol.

**ACTION: D COLENBRANDER, L GERRANS, R McGAFFIN**

### **C 25/08/24 WOODSTOCK AND SALT RIVER LOCAL SPATIAL DEVELOPMENT FRAMEWORK: RECOMMENDATION FOR APPROVAL**

**RESOLVED** that:

- (a) the Woodstock Salt River Local Spatial Development Framework attached as Annexure 2 to the report on the agenda and the Implementation Plan attached as Annexure 3 to the report on the agenda, be approved.
- (b) Council noted the Public Participation Report attached as Annexure 4 to the report on the agenda, containing the consultation process, comments received and responses as per sub-section 13(3) of the Municipal Planning By-Law, and that the responses be accepted.
- (c) the Woodstock Salt River Revitalisation Framework 2003 be repealed.

**[The CCC and PA recorded their votes against the above decision. GOOD abstained.]**

**ACTION: N TITUS, E NAUDE, R McGAFFIN**

- C 26/08/24 AUTHORISATION TO COMMENCE WITH A PUBLIC PARTICIPATION PROCESS IN RESPECT OF THE PROPOSED SALE BY WAY OF PUBLIC COMPETITION ERVEN 168872, 108958 AND PORTION OF REMAINDER ERF 168871, CAPE TOWN FOR THE PURPOSES OF MIXED USE DEVELOPMENT**

**RESOLVED** that, in terms of Regulation 5(3)(a) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, the City Manager be authorised to conduct a public participation process for the proposed sale, by way of public competition, of Erven 168872, 108958 and Portion of Remainder Erf 168871, Cape Town situated at the corner of Kromboom Road and Seventh Avenue, Rondebosch-East.

**ACTION: M WITBOOI, N MLUNGU, T LEWIS, L VALETA, D JOUBERT, N GQIBA**

- C 27/08/24 AUTHORISATION TO COMMENCE WITH A PUBLIC PARTICIPATION PROCESS IN RESPECT OF THE PROPOSED SALE BY WAY OF PUBLIC COMPETITION FOR REMAINDER OF ERVEN 13130, 13140, 13143 AND 13146 & ERVEN 13131, 13132, 13133, 13134, 13135, 13138, 13139 AND 13144, CAPE TOWN FOR THE PURPOSES OF A MIXED INCOME DEVELOPMENT**

**RESOLVED** that, in terms of Regulation 5(3)(a) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, the City Manager be authorised to conduct a public participation process for the proposed sale, by way of public competition, of Remainder of Erven 13130, 13140, 13143 and 13146 & Erven 13131, 13132, 13133, 13134, 13135, 13138, 13139 and 13144, Cape Town bounded by Earl Street, Mountain Road and Nerina Street, Woodstock.

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

**ACTION: M WITBOOI, N MLUNGU, T LEWIS, L VALETA, D JOUBERT, N GQIBA**

- C 28/08/24 PROPOSED LEASE OF A PORTION OF CITY LAND BEING A PORTION OF ERF 159808 CAPE TOWN, SITUATED AT BONTEHEUWEL AVENUE, BONTEHEUWEL, CAPE TOWN: BONTEHEUWEL PHARMACY (MR MOHAMED ABBAS)**

**RESOLVED** that the lease of a portion of Erf 159808 Cape Town, situated at Bonteheuwel Avenue, Bonteheuwel, Cape Town, shown hatched and lettered ABCD on Sketch TA 1076v0 2798 attached as Annexure A to the report on the agenda, in extent approximately 366m<sup>2</sup>, to Bonteheuwel Pharmacy (Mohamed Abbas), or its successor-in-title, be approved subject, to *inter alia* the following conditions, that:

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- (a) A market rental of R 5 330 per month (including rates but excluding VAT), escalating at 6% from 2021-09-01 until date of signing of the lease be payable;
- (b) The lease will endure for a period of 10 years; with a review after five (5) years;
- (c) The property be used for pharmacy purposes only;
- (d) Subject to such further conditions imposed by the Director: Property Transactions in terms of his delegated authority;
- (e) Subject to compliance with any other statutory requirements;
- (f) No compensation will be payable for any improvement made to the property.

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

**C 29/08/24 AUTHORISATION TO COMMENCE WITH A PUBLIC PARTICIPATION PROCESS IN RESPECT OF THE PROPOSED GRANTING OF RIGHTS TO USE, CONTROL OR MANAGE ERF 2244 AND PORTION OF REMAINDER ERF 2040, PAROW SITUATED AT FRANS CONRADIE DRIVE, KNOWN AS PAROW GOLF CLUB, BY MEANS OF A CALL FOR ALTERNATIVE PROPOSALS**

**RESOLVED** that, in terms of regulation 34(3)(a) of the Municipal Asset Transfer Regulations (MATR), promulgated on 22 August 2008, Council authorised a public participation process for the proposed granting of rights to use, control or manage Erf 2244 and portion of Remainder Erf 2040, Parow, situated at Frans Conradie Drive, Parow, in extent approximately 51 hectares, to Parow Golf Club for ten (10) years subject to conditions to be imposed by the Director: Property Transactions, in the exercise of his delegated powers.

**[GOOD abstained from the above decision.]**

**ACTION: A ABRAHAMS, M MURRAY, L EMSLEY, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

**C 30/08/24 PROPOSED LEASE OF CITY LAND, BEING PORTIONS OF REMAINDER ERVEN 21750 AND 23973 BELLVILLE: UNIVERSITY OF STELLENBOSCH**

**RESOLVED** that:

- (a) in terms of Regulation 41(2)(e) of the Local Government: Municipal Asset Transfer Regulations, Portions of Remainder Erven 21750 and 23973 Bellville, situated off Carl Cronje Drive, Golf Village, Tygervalley, Bellville, in extent approximately 6384m<sup>2</sup> and 40 728m<sup>2</sup> respectively, is surplus to the requirements of the Municipality.

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(b) the lease of Portions of Remainder Erven 21750 and 23973 Bellville, situated off Carl Cronje Drive, Golf Village, Tygervalley, Bellville, shown hatched and lettered aBCDEf middle of stream and fGHJKLMNPQRSTUVWXYZz middle stream on Plan TA 993v1 2798 attached as Annexure A to the report on the agenda, in extent approximately 6384m<sup>2</sup> and 40 728m<sup>2</sup> respectively, to the University of Stellenbosch, owner of Erf 23974 Bellville, or its successor-in-title, be approved subject, to *inter alia* the following conditions:

(i) A market rental of R103 100 per month inclusive of rates and excluding VAT calculated at the rate applicable at the time of transaction be payable;

(ii) The monthly rental shall escalate at 6% per annum compounded annually on a pro-rata basis commencing 2 months from date of valuation, i.e. as from 1 July 2024. The rental has been accepted on the basis of a phased-in approach over a period of 5 years. The recommended structure is as follows:

Year 1: R 80 200 per month

Year 2: R 92 200 per month

Year 3: R110 000 per month

Year 4: R132 800 per month

Year 5: R166 184.28 per month

(iii) Beneficial occupation payable (to be set-off against the rental paid over the same period) calculated as per agreed effective dates and applicable phased in amounts at the time:

2022-01-01 to 2022-12-31: R70 000 per month x 12 = R 840 000

2023-01-01 to 2023-12-31: R80 500 per month x 12 = R 966 000

2024-01-01 to 2024-06-30: R94 990 per month x 6 = R 569 940

R2 375 940

(iv) The lease will endure for a period of 10 (ten) years, with a rental review after 5 (five) years;

(v) The property be used for purposes of a golf driving range, club house and associated uses and a golf shop, bar and restaurant facilities only;

(vi) The above rental excludes all municipal costs i.e. electricity, cleaning, security, water etc.;

(vii) No further sub-leases will be permitted without the City's consent;

(viii) A 3 (three) month exit clause to be included in the lease agreement;



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- (viii) Consent to be obtained for any extensions, improvements, advertising and any further commercial activities on the property, in such instance, the rental to be reviewed;
- (ix) The lessee will be responsible for full maintenance of land and buildings;
- (x) Subject to such further conditions imposed by the Director: Property Transactions in terms of delegated authority;
- (xi) Subject to compliance with any other statutory requirements;
- (xii) No compensation will be payable for any improvement made to the property;
- (xiii) Any sub-lease is subject to the City's consent and any condition the Director: Property Transactions may impose.

**ACTION: P VAN SITBERT, B MALI-SWELINDAWO, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

**C 31/08/24 AUCTION NUMBER 20/2022/2023: THE TRANSFER OF VACANT ERVEN 143391, 143392, 143393, 143394 and 143395, CAPE TOWN (UNREGISTERED PORTIONS OF REMAINDER ERF 143308, CAPE TOWN), SITUATED AT 1 ST WILLIAMS STREET, 4 ST WINIFRED STREET, 9 ST WINIFRED STREET, 7 ST WINIFRED STREET AND 3 ST WILLIAMS STREET, SEAWINDS AND ZONED GENERAL BUSINESS 1 (GB1)**

**RESOLVED** that:

- (a) the transfer of vacant Erven 143391, 143392, 143393, 143394 and 143395, Cape Town (unregistered portions of Remainder Erf 143308, Cape Town), situated at 1 St Williams Street, 4 St Winifred Street, 9 St Winifred Street, 7 St Winifred Street and 3 St Williams Street in the suburb of Seawinds, zoned General Business 1 (GB1) shown on Plan LIS2473 attached as Annexure A to the report on the agenda, to Hi-Five Transport Solutions (Pty) Ltd for the sum of R850 000.00 (Eight Hundred and Fifty Thousand Rand) (excluding VAT), be approved
- (b) the purchase price shall be subject to escalation at the rate of 5% per annum compounded annually on a pro-rata basis commencing 6 months after the date of auction (i.e. escalation commences from 2023-12-30) until the date of registration.
- (c) the purchase price is to be re-assessed in the event that the transfer has not been effected within 36 months of the date of the auction (effective date being 2026-06-30).

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- (d) in terms of Regulation 17 of the Municipal Asset Transfer Regulations (MATR), the Director: Property Transactions in the exercise of his delegated authority finalises the terms and conditions, as set out in the sale agreement and to effect the transfer.

**ACTION: C WHITE, T LEWIS, S HLENGWA, D JOUBERT, T SIGANDA, R GELDERBLOEM**

**C 32/08/24 PROPOSED LEASE OF CITY LAND, PORTIONS OF ERF 155774, REMAINDER ERVEN 65245 AND 65857 CAPE TOWN, CORNER OF CHICHESTER AND DONCASTER ROADS, KENILWORTH FOR PARKING AND LANDSCAPING PURPOSES: DONCASTER OFFICE PARK BODY CORPORATE**

**RESOLVED** that the lease of City land, Portions of Erf 155774, Remainder Erven 65245 and 65857 Cape Town situated at the corner of Chichester and Doncaster Roads, Kenilworth, Cape Town, shown hatched and lettered ABCDEFGHJKLMN on the lease plan 130008627 attached as Annexure A to the report on the agenda, in extent approximately 883m<sup>2</sup>, to Doncaster Office Park Body Corporate, or its successors-in-title, be approved, subject to *inter alia* the following conditions, that:

- (a) A market rental of R14 800.00 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 commencing as from 01 November 2022;
- (c) The above recommended rental is effective and payable as from 01 January 2023;
- (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 parking and landscaping purposes only;
- (f) Subject to such further conditions to be imposed by the Director: Property Transactions in terms of his delegated authority;
- (g) Subject to compliance with any other statutory requirements.

**ACTION: N VANQA, C DAVIS, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

**C 33/08/24 PROPOSED LEASE OF A PORTION PUBLIC STREET, BEING A PORTION ERVEN 96600 AND 96611 CAPE TOWN, CAMP GROUND ROAD, NEWLANDS FOR PARKING, LOADING / DISPLAY AND LANDSCAPING PURPOSES: GROWTHPOINT SECURITISATION WAREHOUSE TRUST**

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**RESOLVED** that the lease of City land being, portion of Public Street, Portion of Erven 96600 and 96611 Cape Town, situated at Camp Ground Road, Newlands, Cape Town shown hatched and lettered ABCDEF curve G on Plan STC 2544 attached as Annexure A to the report on the agenda, in extent approximately 664m<sup>2</sup>, to Growthpoint Securitisation Warehouse Trust, or its successors-in-title, be approved, subject to *inter alia* the following conditions, that:

- (a) A market rental of R15 800.00 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 date of valuation i.e. as from 01 June 2022. Accordingly, the above recommended rental is effective and payable as from 1 June 2022;
- (c) The lease will endure for a period of 10 (ten) years, subject to a rental review after a period of 5 years;
- (d) The property be used for parking, loading/display and landscaping purposes only;
- (e) Subject to such further conditions to be imposed by the Director: Property Transactions in terms of his 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: N VANQA, C DAVIS, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

### **C 34/08/24 PROPOSED LEASE OF CITY LAND, REMAINDER ERF 26456 CAPE TOWN, PORTIONS OF ERVEN 28095, 27628 & 26166 CAPE TOWN, LIESBEEK PARKWAY, OBSERVATORY FOR SPORTING AND RECREATIONAL PURPOSES: CAPE TOWN CITY SPORTING CLUB (PTY) LTD**

**RESOLVED** that the lease of City land, Remainder Erf 26456 Cape Town, Portions of Erven 28095, 27628 and 26166 Cape Town, situated at Liesbeek Parkway, Observatory, Cape Town, shown hatched and lettered ABCDEFGHJKLMNP and ABCDE on Plan 130008487 attached as Annexure A to the report on the agenda, in extent approximately 26 963m<sup>2</sup> and 10 605m<sup>2</sup> respectively, to Cape Town City Sporting Club (Pty) Ltd, or its successor-in-title, be approved, subject to *inter alia* the following conditions, that:

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- (a) A market rental of R19 750.00 per month excluding rates and 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 commencing as from 01 September 2022;
- (c) The above recommended rental is effective and payable as from 01 September 2022;
- (d) The rental is exclusive of all municipal services, i.e. water and electricity;
- (e) The lease will endure for a period of 10 (ten) years; subject to a rental review after a period of 5 years;
- (f) The property be used for sporting and recreational purposes only;
- (g) Both fields to be utilised for training purposes only, i.e. no entrance fee or commercial activities to take place. As per normal training procedures, there will be some training matches played that are part and parcel of the SAFA Western Cape Development structures, with no further commercial activities taking place;
- (h) Subject to such further conditions to be imposed by the Director: Property Transactions in terms of his delegated authority;
- (i) Subject to compliance with any other statutory requirements;
- (j) The objection and alternative proposal as set out in Annexure B to the report on the agenda, not be upheld.
- (k) The lessee should adhere to the conditions and maintenance requirements set out on pages 10, 11 and 12 of the lease agreement.

**ACTION: N VANQA, P KOTZE, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

**C 35/08/24 PROPOSED LEASE OF CITY BUILDING CR32/43 & CR32/44 SITUATED ON STELLENBOSCH FARM 794 PORTION 43, PAARDEVLEI, W R QUINAN BOULEVARD, SOMERSET WEST: LO RALL (PTY) LTD**

**RESOLVED** that the lease of City buildings CR32/43 and CR32/44 situated on Stellenbosch Farm 794 Portion 43, Paardevlei, W R Quinan Boulevard, Somerset West, as shown hatched on Sketch ET 870 attached as Annexure A to the report on the agenda, in extent approximately 1 072m<sup>2</sup>, to LO Rall (Pty) Ltd, or their successor-in-title, be approved, subject to *inter alia* the following conditions:

- (a) A market rental of R21 450 per month (including rates, excluding VAT) calculated at the rate applicable at the time of transaction be payable.

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The rentals are exclusive of all municipal services, i.e. water and electricity;

- (b) The monthly rental is to escalate on the basis of 6% per annum compounded annually commencing from 2020-10-01 until date the lease contract is signed. Accordingly, the above recommended rental is to be effective as from 2020-10-01;
- (c) The lease will endure for a period of ten years, subject to a rental review after the initial five years;
- (d) The property be used for commercial (industrial workshop) purposes only;
- (e) Such further conditions imposed by the Director: Property Transactions in terms of his delegated authority;
- (f) Compliance with any other statutory requirements;
- (g) No compensation will be payable for any improvement made to the property.

**ACTION: S MAQOMA, D GEYSMAN, W ANDERSON, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

### **C 36/08/24 PROPOSED LEASE OF CITY BUILDING MS1 SITUATED ON PORTION OF STELLENBOSCH FARM 794-38 , PAARDEVLEI, W R QUINAN BOULEVARD, SOMERSET WEST: VARILUX CC**

**RESOLVED** that the lease of City building MS1 situated on Portion of Stellenbosch Farm 794-38, Paardevlei, W R Quinan Boulevard, Somerset West, as shown hatched on Sketch ET 844 attached as Annexure A to the report on the agenda, in extent approximately 410m<sup>2</sup>, to Varilux CC, or their successor-in-title, be approved subject, to *inter alia* the following conditions:

- (a) A market rental of R17 700 per month (including rates and excluding VAT) calculated at the rate applicable at the time of transaction be payable. The rentals are exclusive of all municipal services, i.e. water and electricity;
- (b) The monthly rental is to escalate on the basis of 6% per annum compounded annually. Accordingly, the above recommended rental is to be effective and payable as from 2021-08-01;
- (c) The lease will endure for a period of ten years, subject to a rental review after the initial five years;
- (d) The property be used for commercial (industrial workshop) purposes only;

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- (e) Such further conditions imposed by the Director: Property Transactions in terms of his delegated authority;
- (f) Compliance with any other statutory requirements;
- (g) No compensation will be payable for any improvement made to the property.

**ACTION: S MAQOMA, D GEYSMAN, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

**C 37/08/24 PROPOSED LEASE OF A PORTION OF CITY-OWNED LAND, BEING A PORTION OF THE REMAINDER OF ERF 3400 MILNERTON, SITUATED AT BEACH CRESCENT, TABLE VIEW, MILNERTON: ZIBISCOPE (PTY) LTD FOR VEHICLE ACCESS AND SECURITY PURPOSES**

**RESOLVED** that the lease of a portion of the Remainder of Erf 3400 Milnerton, situated at Beach Crescent, Table View, Milnerton, shown hatched and lettered ABCDEFGHJK on Plan 130009416 attached as Annexure A to the report on the agenda, in extent approximately 568 m<sup>2</sup>, to Zibiscope (Pty) Ltd, or its successors-in-title, be approved, subject to *inter alia* the following conditions:

- (a) A market rental of R11 300 per month, excluding VAT and including rates, calculated at the rate applicable as the time of the transaction, be payable;
- (b) The monthly rental is to be adjusted on the basis of 6% per annum compounded annually commencing from 2023-11-01;
- (c) The above rental is to be effective and payable as from 2023-11-01;
- (d) The lease will endure for a period of ten (10) years;
- (e) The rental is to be reviewed after a period of five (5) years;
- (f) The property may be used for vehicle access and security purposes only;
- (g) Subject to such further conditions to be imposed by the Director: Property Transactions in terms of his delegated authority;
- (h) Subject to compliance with any other statutory requirements;
- (i) No compensation will be payable for any improvement made to the property;
- (j) No structures of any kind may be erected on the property without the written consent of the City of Cape Town.

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**ACTION: G DU PLESSIS, B MALI-SWELINDAWO, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

**C 38/08/24 PROPOSED LEASE OF CITY LAND, COUNCIL GARAGE NO 20, PORTION OF ERF 148-RE CLIFTON, THE RIDGE ROAD, CLIFTON FOR PARKING AND STORAGE PURPOSES: PATRICIA ANNE LANGSTON**

**RESOLVED** that the lease of Council Garage No. 20, being portion of Erf 148-RE Clifton situated at The Ridge Road, Clifton, Cape Town, shown hatched and lettered ABCD on Plan 130009950 attached as Annexure A to the report on the agenda, in extent approximately 22m<sup>2</sup>, to Patricia Anne Langston, or her successors-in- title, be approved, subject to *inter alia* the following conditions, that:

- (a) A market rental of R3 500.00 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 commencing 2 months from date of valuation i.e. as from 01 October 2023;
- (c) The above recommended rental is effective and payable as from 01 October 2023;
- (d) The lease will endure for a period of 10 (ten) years, subject to a rental review after a period of 5 (five) years;
- (e) The property be used for parking and storage purposes only;
- (f) Subject to such further conditions to be imposed by the Director: Property Transactions in terms of his delegated authority;
- (g) Subject to compliance with any other statutory requirements.

**[GOOD recorded their vote against the above decision.]**

**ACTION: N VANQA, C DAVIS, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

**C 39/08/24 PROPOSED LEASES AT THE CONSTANTIA SPORTS GROUND, PORTIONS OF REMAINDER ERVEN 488, 439 AND 442, AND ERVEN 474, 475 AND 1456 CONSTANTIA, CONSTANTIA MAIN ROAD, CONSTANTIA TO CLAREMONT CRICKET CLUB AND FALSE BAY RUGBY FOOTBALL CLUB**

**RESOLVED** that:

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- (a) the following portions of Public Open Space be leased to the respective sports clubs, as indicated in the table below, or their successors-in-title:

Sports Club	Property Description	Erf Number	Extent	Annexure
Claremont Cricket Club	Portion of Public Open Space	Erf 488-Re, 474, 439-Re, 475 and 442 Re Constantia	± 5.58 ha	A - Plan 130006362
False Bay Rugby Football Club	Portion of Public Open Space	Portion of 442-Re and 1456 Constantia	± 3.58 ha	B - Plan LIS2195

- (b) the proposed leases as outlined in paragraph (a) above shall be subject to the following conditions:
- (i) A below market rental of R9 600.00 per month, for the False Bay Rugby Football Club, exclusive of rates and VAT calculated at the rate applicable at the time of transaction be payable;
  - (ii) The rental will escalate at 6%per annum commencing 6 months from date of valuation i.e. as from 2021/07/01 for the False Bay Rugby Football Club;
  - (iii) A below market rental of R2 500.00 per month, for the Claremont Cricket Club, exclusive of rates and VAT calculated at the rate applicable at the time of transaction be payable;
  - (iv) The rental will escalate at 6%per annum commencing 6 months from date of valuation i.e. as from 2021/07/01 for the Claremont Cricket Club;
  - (v) The above rentals are exclusive of municipal services, i.e. rates, water and electricity;
  - (vi) The Clubs must submit their audited financial statements each year to the City including audited financials of the sub-lessees;
  - (vii) Consent to be obtained from Council for any extensions, improvements, advertising and any further commercial activities or change of current operator (The Bay Sports Bar and Restaurant and The Club House) on the property, in such instance, the rental will be reviewed;



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- (viii) The Clubs will be responsible for full maintenance of land and buildings;
- (ix) The Recreation and Parks Department will be responsible for the maintenance and repairs of the common areas (Common Areas is any area not included in any lease by a sports club, such as Roads, general parking etc.);
- (x) The leases will endure for a period of 10 years, with the rentals being reviewed after three (3) years for the False Bay Rugby Football Club and five (5) years for the Claremont Cricket Club;
- (xi) The property be used for sporting and commercial (restaurant) purposes only;
- (xii) No further sub-leases/sub-letting, other than the existing sub-leases, to be permitted without the City's consent;
- (xiii) If the commercial operator in terms of the sublease ceases to trade/exist, the lease will revert to the approved council tariff for sporting facilities, subject to the lessee giving the Lessor reasonable notice thereof and that any re-tenanting of an operator must follow a transparent and competitive process at each clubs discretion;
- (xiv) Consent for any building improvements and/or extensions will not unreasonably be withheld, however additions/alterations will require consent from the lessor and may require a review of the lease, e.g. if the alterations create a larger commercial footprint we may require a rental review;
- (xv) Consent to change the operator will not unreasonably be withheld provided the lessee gives the Lessor reasonable notice thereof and that any re-tenanting of an operator must follow a transparent and competitive process at each clubs discretion;
- (xvi) External perimeter fence is the lessees' responsibility, excluding commonage areas;
- (xvii) Subject to such further conditions imposed by the Director: Property Transactions in terms of their delegated authority;
- (xviii) Subject to compliance with any other statutory requirements;
- (xix) No compensation will be payable for any improvement made to the property.

**ACTION: L FISH, A GOLDING, R KOLIA, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

**C 40/08/24 GRANTING OF IN-PRINCIPLE APPROVAL: PROPOSED TRANSFER OF PORTIONS OF ERVEN 14807 AND REMAINDER ERF 14797 BELLVILLE**

**PROPOSED CLOSURE AND TRANSFER OF PORTIONS OF ERVEN 14807 AND REMAINDER ERF 14797 BELLVILLE TO OWNER OF ADJACENT ERF 40200 BELLVILLE: GALVAPROP (PTY) LTD**

**RESOLVED** that:

- (a) in terms of section 14 of the Local Government Municipal Finance Management Act 56 of 2003, that the subject properties, being portions of Erven 14807 and Remainder Erf 14797 Bellville, situated at Sacks Circle Industrial, in extent approximately 3 054 m<sup>2</sup>, and as shown cross-hatched and lettered ABCDEF on Plan 130009986 attached as Annexure A to the report on the agenda, is not needed to provide the minimum level of basic municipal services and has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.
- (b) in-principle approval be granted in terms of regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations, for the transfer of portions of Erven 14807 and Remainder Erf 14797 Bellville, situated at Sacks Circle Industrial, in extent approximately 3 054 m<sup>2</sup>, and as shown cross-hatched and lettered ABCDEF on Plan 130009986 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 portions of Erven 14807 and Remainder Erf 14797 Bellville, in extent approximately 3 054 m<sup>2</sup>, and as shown cross-hatched and lettered ABCDEF on Plan 130009986 attached as Annexure A to the report on the agenda.
- (d) the transfer of portions of Erven 14807 and Remainder Erf 14797 Bellville, in extent approximately 3 054 m<sup>2</sup>, and as shown cross-hatched and lettered ABCDEF on Plan 130009986 attached as Annexure A to the report on the agenda, to Galvaprop (Pty) Ltd, or their successor(s)-in-title, be approved, subject to the following conditions, that:
  - (i) A purchase price of R4 580 000, 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 July 2024 until date of registration;
  - (iii) An occupational rental of R34 350 per month (excluding VAT) shall be payable commencing 6 months from date of valuation, i.e. from 1 July 2024, escalating at 6% per annum, until date of registration;

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- (iv) 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 31 December 2026;
- (v) A service servitude be registered over the underground municipal services traversing the property; and
- (vi) Rates and municipal charges, if applicable, be levied; and
- (vii) Subject to such further conditions to be imposed by the Director: Property Transactions in terms of his delegated authority, including *inter alia* the following:
  - (aa) that all further statutory and land use requirements be complied with, including the consolidated with the purchaser's adjacent Remainder Erf 40200 Bellville;
  - (bb) that all costs related and incidental to the transaction be borne by the purchaser.

**ACTION: P STRUMPHER, B MALI-SWELINDAWO, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM**

**The Speaker announced that Items C41 to C48 would be clustered for debate. The decisions are however recorded separately under the respective items.]**

### **C 41/08/24 COMMUNITY SERVICES AND HEALTH PORTFOLIO COMMITTEE ANNUAL REPORT FOR THE PERIOD JULY 2023 TO JUNE 2024**

**RESOLVED** that the Community Services and Health Portfolio Committee Annual Report for the period July 2023 to June 2024, as set out in Annexure A, be approved.

**[The AJ and GOOD abstained from the above decision. The ANC noted the above decision.]**

**ACTION: Z MANDLANA**

### **C 42/08/24 ENERGY PORTFOLIO COMMITTEE ANNUAL REPORT FOR THE PERIOD JULY 2023 TO JUNE 2024**

**RESOLVED** that the Energy Portfolio Committee Annual Report for the period July 2023 to June 2024, as set out in Annexure A, be approved.

**[The AJ and GOOD abstained from the above decision. The ANC noted the above decision.]**

**ACTION: L MAHOMED-WEIDEMAN, K NASSIEP**

**COUNCIL MINUTES: 22 AUGUST 2024**

**C 43/08/24 FINANCE PORTFOLIO COMMITTEE ANNUAL REPORT FOR THE PERIOD 1 JULY 2023 TO 30 JUNE 2024**

**RESOLVED** that the Finance Portfolio Committee Annual Report for the period 1 July 2023 to 30 June 2024, as set out in Annexure A, be approved.

**[The AJ and GOOD abstained from the above decision. The ANC noted the above decision.]**

**ACTION: K JACOBY**

**C 44/08/24 FUTURE PLANNING AND RESILIENCE PORTFOLIO COMMITTEE ANNUAL REPORT FOR THE PERIOD JULY 2023 TO JUNE 2024**

**RESOLVED** that the Future Planning and Resilience Portfolio Committee Annual Report for the period July 2023 to June 2024, be approved.

**[The AJ and GOOD abstained from the above decision. The ANC noted the above decision.]**

**ACTION: E DICK, R KNOOP, G MORGAN**

**C 45/08/24 SAFETY AND SECURITY PORTFOLIO COMMITTEE ANNUAL REPORT FOR THE PERIOD JULY 2022 - JUNE 2023**

**RESOLVED** that the Safety and Security Portfolio Committee Annual Report for the period July 2022 to June 2023, as set out in Annexure A, be approved.

**[The AJ and GOOD abstained from the above decision. The ANC noted the above decision.]**

**ACTION: V BOTTO**

**C 46/08/24 URBAN MOBILITY PORTFOLIO COMMITTEE ANNUAL REPORT FOR THE PERIOD 1 JULY 2023 TO 30 JUNE 2024**

**RESOLVED** that the Urban Mobility Portfolio Committee Annual Report for the period 1 July 2023 to 30 June 2024, as set out in Annexure A, be approved.

**[The AJ and GOOD abstained from the above decision. The ANC noted the above decision.]**

**ACTION: D CAMPBELL**

**C 47/08/24 URBAN WASTE MANAGEMENT PORTFOLIO COMMITTEE ANNUAL REPORT FOR THE PERIOD JULY 2023 TO JUNE 2024**

**RESOLVED** that the Urban Waste Management Annual Report for the period July 2023 to June 2024, as set out in Annexure A, be approved.

**[The AJ and GOOD abstained from the above decision. The ANC noted the above decision.]**

**ACTION: P MAYISELA**

**C 48/08/24 INNOVATION AND EASE OF DOING BUSINESS PORTFOLIO COMMITTEE ANNUAL REPORT FOR THE PERIOD 1 JULY 2023 TO 30 JUNE 2024**

**RESOLVED** that the Innovation and Ease of Doing Business Portfolio Committee Annual Report for the period 1 July 2023 to 30 June 2024, as set out in Annexure A, be approved.

**[The AJ and GOOD abstained from the above decision. The ANC noted the above decision.]**

**ACTION: G MORGAN**

**C 49/08/24 PROPOSALS TO AMEND THE SUBCOUNCIL BOUNDARIES**

Cllr J Cupido (GOOD), seconded by Cllr C Davids (GOOD) proposed the following amendment to the recommendation:

*“that the recommendation set out in item C 49/08/24 be deleted and the recommendation to read as follows:*

- (a) That all sub-councils be abolished within the City of Cape Town within 3 months from this approval date.*
- (b) That the Subcouncil By-law be declared redundant.*
- (c) That all existing sub-councils be restructured into service centres.*
- (d) That the City immediately restructure the contractual agreements with the existing staff into new roles they resume within those service centres.*
- (e) That the City Manager immediately instruct a budget realignment for Council to consider at a Special Adjustment Budget meeting.”*

The Speaker indicated that the Legal Advisor present at the meeting determined that the proposal is found to be legally non-compliant, as due processes (including legislative) have not been followed to enable consideration.

Cllr J Cupido’s proposal was therefore not carried.

**RESOLVED** that:

- (a) Council considered the comments received from various organisations and individual community members as set out in the attached Annexure A to the report on the agenda

## COUNCIL MINUTES: 22 AUGUST 2024

- (b) Council considered the comments received from the various political parties on the Multi Party Committee (MPC) as set out in the attached Annexure B to the report on the agenda
- (c) the 116 Wards of the City of Cape Town be clustered accordingly into Subcouncils and that the proposal as initially recommended (set out below) at the Council meeting on 12 June 2024 be approved after taking into consideration the comments received above.

SC. No.	Wards							
1	23	29	32	107				
2	6	7	8	101	102	111		
3	4	55	56	104	113			
4	25	26	27	28				
5	12	13	20	22	24	106		
6	2	3	9	10				
7	1	5	21	70	103	105	112	
8	15	83	84	85	86	100	109	
9	18	87	89	90	91	93		
10	94	95	96	97	98	99		
11	30	44	46	47	48	49	60	
12	35	76	82	92	116			
13	34	36	37	38	39	40	41	80
14	11	14	16	17	19	108	114	
15	31	42	50	51	52			
16	53	54	57	77	115			
17	33	43	75	78	79	81	88	
18	65	66	67	68	72	110		
19	45	61	64	69				
20	58	59	62	63	71	73	74	

- (d) the objections that were received from the community (as contained in Annexure A), as well as the comments as received from the MPC members (as contained in Annexure B to the report on the agenda) be noted and that the objections not be upheld.
- (e) the amended draft By-Law, attached to the report on the agenda, be approved and submitted to the Provincial Administration for publication.
- (f) Each party decide on the allocation of its proportional councillors allocated per party per Subcouncil in terms of the prescribed formula and inform the Chief Whip by not later than 28 August 2024.

**[The ANC, AJ, CCC and PA recorded their votes against the above decision. GOOD abstained from the above decision.]**

**ACTION: K MILLER, P NONGQONGQO, E SASS**

## COUNCIL MINUTES: 22 AUGUST 2024

### C 50/08/24 PROPOSED CHANGES TO MEMBERSHIP OF COMMITTEES

The Chief Whip of Council, Cllr D Visagie announced the following changes to the membership of Committees of Council:

- *“Cllr P Hendricks (PA) be appointed as a member of the Energy Portfolio Committee.*
- *Cllr C Steenberg (PA) be removed from Human Settlements Portfolio Committee*
- *Cllr N Sono (PA) be appointed as a member of the Human Settlements Portfolio Committee and be removed from Future Planning and Resilience Portfolio Committee*
- *Cllr C Davids (GOOD) be removed from the Human Settlements Portfolio Committee and Corporate Services Portfolio Committee*
- *Cllr A Notywala (GOOD) be appointed as a member of the Human Settlements Portfolio Committee and Future Planning and Resilience Portfolio Committee.*
- *Cllr S Mamkeli (GOOD) be appointed as a member of the Corporate Services Portfolio Committee.*
- *Cllr S Van Nelson (GOOD) be appointed as a member of the Energy Portfolio Committee and the General Appeals Committee and be removed from the Spatial Planning and Environment Portfolio Committee and the Municipal Public Accounts Committee*
- *Cllr C Owen Davids (GOOD) be appointed as a member of the Spatial Planning and Environment Portfolio Committee and the Municipal Public Accounts Committee.*
- *Cllr D Dudley (ACDP) be appointed as a member of the Urban Mobility Portfolio Committee*
- *Cllr N Sukers (ACDP) be appointed as a member of the Safety and Security Portfolio Committee*
- *Cllr M Lubbe (CCC) be appointed as a member of the Finance Portfolio Committee and be removed from the Urban Mobility Portfolio Committee*
- *Cllr A Davids (CCC) be appointed as a member of the Urban Mobility Portfolio Committee and be removed from the Finance Portfolio Committee*
- *Cllr N Satarien (CCC) be appointed as a member of the Water and Sanitation Portfolio Committee and be removed from Safety and Security Portfolio Committee and the Spatial Planning and Environment Portfolio Committee*
- *Cllr H Loonat (CCC) be appointed as a member of the Safety and Security and be removed from the Urban Waste Management Portfolio Committee*
- *Cllr G Malgas (CCC) be appointed as a member of the Urban Waste Management Portfolio Committee and Energy Portfolio Committee and be removed from the Water and Sanitation Portfolio Committee*
- *Cllr F Abrahams (CCC) be appointed as a member of the Spatial Planning and Environment Portfolio Committee.”*

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The proposals were duly supported.

### **RESOLVED** that:

- (a) Cllr P Hendricks (PA) be appointed as a member of the Energy Portfolio Committee
- (b) Cllr C Steenberg (PA) be removed from Human Settlements Portfolio Committee
- (c) Cllr N Sono (PA) be appointed as a member of the Human Settlements Portfolio Committee and be removed from the Future Planning and Resilience Portfolio Committee
- (d) Cllr C Davids (GOOD) be appointed as a member of the Spatial Planning and Environment Portfolio Committee and the Municipal Public Accounts Committee and be removed from the Corporate Services Portfolio Committee
- (e) Cllr A Notywala (GOOD) be appointed as a member of the Human Settlements Portfolio Committee and the Future Planning and Resilience Portfolio Committee.
- (f) Cllr S Mamkeli (GOOD) be appointed as a member of the Corporate Services Portfolio Committee.
- (g) Cllr S Van Nelson (GOOD) be appointed as a member of the Energy Portfolio Committee and the General Appeals Committee and be removed from the Spatial Planning and Environment Portfolio Committee and the Municipal Public Accounts Committee
- (h) Cllr D Dudley (ACDP) be appointed as a member of the Urban Mobility Portfolio Committee
- (i) Cllr N Sukers (ACDP) be appointed as a member of the Safety and Security Portfolio Committee
- (j) Cllr M Lubbe (CCC) be appointed as a member of the Finance Portfolio Committee and be removed from the Urban Mobility Portfolio Committee
- (k) Cllr A Davids (CCC) be appointed as a member of the Urban Mobility Portfolio Committee and be removed from the Finance Portfolio Committee
- (l) Cllr N Satarien (CCC) be appointed as a member of the Water and Sanitation Portfolio Committee and be removed from Safety and Security Portfolio Committee and the Spatial Planning and Environment Portfolio Committee



## **COUNCIL MINUTES: 22 AUGUST 2024**

- (m) Cllr H Loonat (CCC) be appointed as a member of the Safety and Security and be removed from the Urban Waste Management Portfolio Committee
- (n) Cllr G Malgas (CCC) be appointed as a member of the Urban Waste Management Portfolio Committee and the Energy Portfolio Committee and be removed from the Water and Sanitation Portfolio Committee
- (o) Cllr F Abrahams (CCC) be appointed as a member of the Spatial Planning and Environment Portfolio Committee.

**ACTION: EXECUTIVE COMMITTEE OFFICERS, N DAMON, M MOSES, S ABEL, R RAZACK, V NQOBOZI, E SASS**

**C 51/08/24 QUESTION RECEIVED FROM CLLR S THOMPSON**

**ITEM DEFERRED TO THE NEXT COUNCIL MEETING**

**C 52/08/24 QUESTION RECEIVED FROM CLLR A LOUW**

**ITEM DEFERRED TO THE NEXT COUNCIL MEETING**

**C 53/08/24 QUESTION RECEIVED FROM CLLR S LITTLE**

**ITEM DEFERRED TO THE NEXT COUNCIL MEETING**

**C 54/08/24 QUESTION RECEIVED FROM CLLR C O DAVIDS**

The questions, as reflected on pages 17 to 8 of Volume 4 of the Agenda were posed by Cllr C Davids (GOOD) and related to the City release list of 111 workers' names, who had been dismissed for various transgressions.

The Executive Mayor's response, as reflected on page 9 of Volume 4 of the agenda, was noted.

**ACTION: C KNOTT, OFFICE OF THE EXECUTIVE MAYOR**

**C 55/08/24 QUARTERLY REPORT OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE CHAIRPERSON FOR THE PERIOD 1 JANUARY 2024 TO 31 MARCH 2024**

**RESOLVED** that the quarterly report of the Audit and Performance Audit Committee Chairperson for the period 1 January 2024 to 31 March 2024, be noted.

**ACTION: A MOOLMAN, Z HOOSAIN, L MBANDAZAYO**

**C 56/08/24 REPORTING ON MINOR BREACHES OF PROCUREMENT PROCESSES APPROVED BY THE SUPPLY CHAIN MANAGEMENT BID ADJUDICATION COMMITTEE FOR THE PERIOD 01 – 30 JUNE 2024**

## **COUNCIL MINUTES: 22 AUGUST 2024**

**RESOLVED** that the report on the agenda and the annexed list of minor breaches for the period 1 to 30 June 2024 as ratified by the Bid Adjudication Committee, be noted.

**ACTION: A BLOEW, K JACOBY**

**C 57/08/24 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 report on the uptake of development cost charges exemption applications and payments made to date, be noted.

**ACTION: A WILLIAMS, A SAULS, Z MANDLANA**

**C 58/08/24 CLOSE OUT REPORT: COMMUNITY, ARTS AND CULTURE DEVELOPMENT DEPARTMENT (CACD) GRANTS-IN-AID ALLOCATIONS TO STREET PEOPLE SHELTERS AND NGOs IN 2022/23**

**RESOLVED** that the Close-Out Report on Social Development and Early Childhood Development (SDECD) Grants-In-Aid Allocations to Street People Shelters and NGO's in the 2022/2023 financial year, be noted.

**ACTION: M PANGENI. A SAULS, Z MANDLANA**

**C 59/08/24 CLOSE-OUT REPORT: ARTS AND CULTURE – SDECD GRANTS-IN-AID ALLOCATIONS FOR 2021/22**

**RESOLVED** that the Close-Out Report on Social Development and Early Childhood Development (SDECD) Grants-In-Aid Allocations for the 2021/2022 financial year, be noted.

**ACTION: R JUTZEN, A SAULS, Z MANDLANA**

**C 60/08/24 CONSOLIDATED ANNUAL PROGRESS REPORT FOR THE SPECIAL PURPOSE VEHICLES (SPVS) AND WESGRO FOR THE PERIOD 1 JULY 2023 TO 30 JUNE 2024**

**RESOLVED** that the consolidated annual progress report for the Special Purpose Vehicles (SPVs) and WESGRO, for the period 1 July 2023 to 30 June 2024, be noted.

**ACTION: N LAATOE, M MILLER, R GELDERBLOEM**

**C 61/08/24 COMMUNITY SERVICE AND HEALTH: 2023/24 THIRD QUARTER'S PROGRESS REPORT ON THE DIRECTORATE AND DEPARTMENTS' PERFORMANCE**

## **COUNCIL MINUTES: 22 AUGUST 2024**

**RESOLVED** that the 2023/24 third quarter progress report on the Community Services and Health directorate and departments' performance, be noted.

**[AJ and GOOD abstained from above decision.]**

**ACTION: G PHYFER, F BISSCHOFF, Z MANDLANA**

**C 62/08/24 CORPORATE SERVICES: 2023/24 THIRD QUARTER'S PROGRESS REPORT ON THE DIRECTORATE AND DEPARTMENTS' PERFORMANCE**

**RESOLVED** that the 2023/24 third quarter progress report on the Corporate Services directorate and departments' performance, be noted.

**ACTION: T NOMNGANGA, G STEPHENS, E SASS**

**C 63/08/24 ECONOMIC GROWTH: 2023/24 THIRD QUARTER'S PROGRESS REPORT ON THE DIRECTORATE AND DEPARTMENTS' PERFORMANCE**

**RESOLVED** that the 2023/24 third quarter progress report on the Economic Growth directorate and departments' performance, be noted.

**ACTION: C BENJAMIN, R GELDERBLOEM**

**C 64/08/24 ENERGY: 2023/24 THIRD QUARTER'S PROGRESS REPORT ON THE DIRECTORATE AND DEPARTMENTS' PERFORMANCE**

**RESOLVED** that the 2023/24 third quarter progress report on the Energy directorate and departments' performance, be noted.

**ACTION: D LEEUWENDAAL, L RENCONTRE, K NASSIEP**

**C 65/08/24 FINANCE DIRECTORATE: 2023/24 THIRD QUARTER'S PROGRESS REPORT ON THE DIRECTORATE AND DEPARTMENTS' PERFORMANCE**

**RESOLVED** that the 2023/24 third quarter progress report on the Finance directorate and departments' performance, be noted.

**ACTION: M COLLOP, K JACOBY**

**C 66/08/24 2023/24 QUARTERLY PROGRESS REPORT ON CORPORATE PERFORMANCE AND PERFORMANCE OF THE CITY'S ENTITIES (CTICC AND CAPE TOWN STADIUM)**

**RESOLVED** that the 2023/24 quarterly progress report on Corporate Performance and the Performance of the City's entities (CTICC and Cape Town Stadium), be noted.

**ACTION: M ABASS, M FILLIES, G MORGAN**

**C 67/08/24 FUTURE PLANNING AND RESILIENCE: 2023/24 THIRD QUARTER'S PROGRESS REPORT ON THE DIRECTORATE AND DEPARTMENTS' PERFORMANCE**

**RESOLVED** that the 2023/24 third quarter progress report on the Future Planning and Resilience directorate and departments' performance, be noted.

**ACTION: E DICK, R KNOOP, G MORGAN**

**C 68/08/24 HUMAN SETTLEMENTS: 2023/24 THIRD QUARTER'S PROGRESS REPORT ON THE DIRECTORATE AND DEPARTMENTS' PERFORMANCE**

**RESOLVED** that the 2023/24 third quarter progress report on the Human Settlements directorate and departments' performance, be noted.

**ACTION: L VALETA, N GQIBA**

**C 69/08/24 SAFETY AND SECURITY: 2023/24 THIRD QUARTER'S PROGRESS REPORT ON THE DIRECTORATE'S PERFORMANCE**

**RESOLVED** that the 2023/24 third quarter progress report on the Safety and Security directorate's performance, be noted.

**ACTION: M CLEINWERCK, A VISSER, V BOTTO**

**C 70/08/24 SPATIAL PLANNING AND ENVIRONMENT: 2023/24 THIRD QUARTERS PROGRESS REPORT ON THE DIRECTORATE AND DEPARTMENT PERFORMANCE**

**RESOLVED** that the 2023/24 third quarter progress report on the Spatial Planning and Environment directorate and departments' performance, be noted.

**ACTION: C BASSON, A MAXWELL, R McGAFFIN**

**C 71/08/24 WATER AND SANITATION: 2023/24 THIRD QUARTER'S PROGRESS REPORT ON THE DIRECTORATE AND DEPARTMENTS' PERFORMANCE**

**RESOLVED** that the 2023/24 third quarter progress report on the Water and Sanitation directorate and departments' performance, be noted.

**ACTION: A EBRAHIM, D PAULSE, N DAMANE, L MANUS**

**C 72/08/24 URBAN MOBILITY: 2023/24 THIRD QUARTER'S PROGRESS REPORT ON THE DIRECTORATE AND DEPARTMENTS' PERFORMANCE**

## **COUNCIL MINUTES: 22 AUGUST 2024**

**RESOLVED** that the 2023/24 third quarter progress report on the Urban Mobility directorate and departments' performance, be noted.

**ACTION: A DE UJFALUSSY, D CAMPBELL**

### **C 73/08/24 URBAN WASTE MANAGEMENT: 2023/24 THIRD QUARTER'S PROGRESS REPORT ON THE DIRECTORATE PERFORMANCE**

Ald G Twigg proposed that the item be withdrawn, as the values and the percentages, particularly regarding services to informal settlements, which require further scrutiny.

The proposal was duly supported.

**RESOLVED** that the 2023/24 third quarter progress report on the Urban Waste Management directorate performance, be withdrawn.

**ACTION: P WILLIAMS, N NANI, P MAYISELA**

### **C 74/08/24 2023/2024 QUARTERLY PROGRESS REPORT ON CORPORATE PERFORMANCE**

Ald G Twigg proposed that the item be withdrawn, as the values and the percentages, particularly regarding services to informal settlements, which require further scrutiny.

The proposal was duly supported

**RESOLVED** that the 2023/24 quarterly progress report on Corporate Performance, be withdrawn.

**ACTION: M ABASS, M FILLIES, G MORGAN**

### **C 75/08/24 SUPPLY CHAIN MANAGEMENT: REPORT FOR PERIOD 1 APRIL 2024 TO 30 JUNE 2024 AND ANNUAL REPORT FOR 2023/24**

**RESOLVED** that the contents of the report entitled "supply chain management report for the period 1 April 2024 to 30 June 2024 and annual report for 2023/24, be noted.

**ACTION: A BLOEW, K JACOBY**

### **C 76/08/24 MINUTES OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) MEETINGS HELD FOR THE PERIOD APRIL 2024 TO JUNE 2024**

**RESOLVED** that the attached minutes of the Municipal Public Accounts Committee (MPAC) meetings held for the period April 2024 to June 2024, be noted.

**ACTION: J VAN ZYL, E FRAY, R RAZACK, E SASS**

## **COUNCIL MINUTES: 22 AUGUST 2024**

### **C 77/08/24 QUARTERLY REPORT OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE: 30 JUNE 2024**

**RESOLVED** that:

- (a) the activities and work plan status for the quarter ended 30 June 2024, be noted
- (b) Council noted that MPAC reviewed the summary of the Internal Audit quarterly reports issued for the quarters ended 30 September 2023.

**ACTION: J VAN ZYL, E FRAY, R RAZACK, E SASS**

### **C 78/08/24 RESOLUTIONS TAKEN BY THE EXECUTIVE MAYOR IN TERMS OF DELEGATED POWERS AND DECISIONS TAKEN TOGETHER WITH THE MEMBERS OF THE MAYORAL COMMITTEE: JUNE TO AUGUST 2024**

**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 June to August 2024, be noted.

**ACTION: C KNOTT, OFFICE OF THE EXECUTIVE MAYOR**

### **C 79/08/24 REPORT IN TERMS OF SUPPLY CHAIN MANAGEMENT REGULATIONS, REGULATION 36, AND THE SUPPLY CHAIN MANAGEMENT POLICY (2023), CLAUSE 332, FOR THE PERIOD 15 JULY 2024 TO 11 AUGUST 2024: 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 (2023), clause 332, for the period 15 July 2024 to 11 August 2024, attached as annexure A, be noted and be disclosed as a note to the Council's annual financial statements.

**ACTION: G POSTINGS, L MBANDAZAYO**

### **ADDITIONAL ITEMS:**

The following resolutions of items CIC05 to CIC06 related to the Municipal Public Accounts Committee matters were moved to the open agenda, at conclusion of the discussion of the items at the In-Committee session.

The resolutions are however recorded as Items C 80/08/24 to C 81/08/24.

### **C 80/08/24 SCM DEVIATION CONDONATION: REPAIRS AND REPLACEMENT OF WATER METERS AND NEW CONNECTIONS (IRREGULAR EXPENDITURE: R395 101)**

**RESOLVED** that the irregular expenditure of R395 100,90 (three hundred and ninety five thousand one hundred rand and ninety cents) (including VAT), for

**COUNCIL MINUTES: 22 AUGUST 2024**

failure to follow Supply Chain Management (SCM) Policy and process, be certified as irrecoverable and be written off as the City received the works, based on an approved SCM condonation.

**ACTION: L MANUS**

**C 81/08/24 SCM DEVIATION CONDONATIONS: EMERGENCY STRIP AND REPAIRS OF FAULTY PUMPS 1 AND 2 AT TABLE VIEW EAST PUMP STATION AND EMERGENCY REPAIRS OF VANDALISED AND STOLEN CABLES AT PUMP STATIONS AT POTSDAM WASTE WATER TREATMENT PLANT (IRREGULAR EXPENDITURE: R1 108 418)**

**RESOLVED** that the irregular expenditure of:

- (a) R368 000 (three hundred and sixty eight thousand rand) including VAT, for failure to follow Supply Chain Management (SCM) Policy and process, be certified as irrecoverable and be written off as the City received the service for emergency strip and repairs of faulty pumps 1 and 2 at the Table View East Pump Station, based on an approved SCM condonation.
- (b) R740 418,24 (seven hundred and forty thousand four hundred and eighteen rand and twenty-four cents) including VAT, for failure to follow SCM Policy and process, be certified as irrecoverable and be written off as the City received the emergency repairs of vandalised and stolen cables at pump stations on Potsdam Waste Water Treatment Plant, based on an approved SCM condonation.

**ACTION: L MANUS**

**THE MEETING ENDED AT 13H20.**

.....  
**ALD F PURCHASE  
SPEAKER**

.....  
**DATE**