

C 03/08/24

MINUTES

**OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF CAPE TOWN
HELD ON THURSDAY 25 JULY 2024 IN THE COUNCIL CHAMBER, 6th FLOOR,
PODIUM, CIVIC CENTRE, CAPE TOWN AT 10:00.**

MEMBERS PRESENT:

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

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| Cllr T Mpengezi (ANC) | Ald J P Smith (DA) | Cllr J J Witbooi (DA) |
| Cllr N Mvinjelwa (DA) | Cllr L Somdaka (ANC) | Cllr J Woodman (DA) |
| Cllr P S Mzolisa (DA) | Cllr N P Sono (PA) | Cllr B Yeko (EFF) |
| Cllr S Ndamane (PAC) | Cllr L P Sonyoka (ANC) | Cllr S Zumana (ANC) |
| Cllr D Nelson (DA) | Cllr Z W Sophazi (ANC) | |
| Ald M Nieuwoudt (DA) | Ald X R Sotashe (ANC) | |
| Cllr M Nikelo (DA) | Cllr K Southgate (DA) | |
| Cllr S Nodliwa (ANC) | Cllr S L Stacey (DA) | |
| Cllr M L Nqavashe (DA) | Cllr C J Steenberg (PA) | |
| Cllr L Ntshuntshe (EFF) | Cllr N Stuurman (EFF) | |
| Cllr A Ntsodo (DA) | Cllr N R E Sukers (ACDP) | |
| Cllr G D Paige (ACDP) | Cllr Z Sulelo (DA) | |
| Cllr G C Peck (DA) | Cllr P S Swart (DA) | |
| Cllr X Peter (ANC) | Cllr R Tagodien (PA) | |
| Cllr M J Petersen (DA) | Cllr S Taliep (DA) | |
| Cllr L Phakade (ANC) | Cllr P P Tause (ANC) | |
| Cllr S Philander (DA) | Cllr M Temlett (DA) | |
| Cllr T I Pimpi (ANC) | Cllr H P Terblanche (DA) | |
| Cllr A Plaatjies (DA) | Cllr A Tetani (ANC) | |
| Cllr C Pophaim (DA) | Cllr S C Thompson (ANC) | |
| Cllr A J Potts (DA) | Cllr G Timm (DA) | |
| Ald S Pringle (DA) | Ald G G Twigg (DA) | |
| Cllr C B Punt (DA) | Cllr N V Tyandela (EFF) | |
| Ald F Purchase (DA) | Cllr E Uygun (FF Plus) | |
| Cllr Z L Qoba (ANC) | Ald T Uys (DA) | |
| Cllr R M Quintas (DA) | Cllr S I van der Linde (DA) | |
| Cllr M H Raise (DA) | Cllr B van der Merwe (DA) | |
| Cllr F H Raymond (DA) | Ald J F H van der Merwe (DA) | |
| Cllr S Rigby (DA) | Ald A van der Rheede (DA) | |
| Ald S Rossouw (DA) | Cllr P E van der Ross (DA) | |
| Cllr N Satarien (CCC) | Cllr S van Nelson (GOOD) | |
| Cllr F A Sauls (DA) | Cllr R Viljoen (DA) | |
| Cllr I Sherry (DA) | Cllr D Visagie (DA) | |
| Cllr C C Siebritz (DA) | Cllr C L Visser (DA) | |
| Cllr L Simangweni (ANC) | Cllr F C Walker (DA) | |

The following Councillor submitted an apology for leaving early:

Cllr A Moses (DA)
Ald X R Sotashe (ANC)

The following Councillors submitted an apology for late arrival:

Cllr M A Cassiem (DA)
Ald J P Smith (DA)

APOLOGIES

Cllr R Adams (DA)
Ald C A Brynard (CAPEXIT)

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Cllr P N Booï (EFF)
 Cllr E Botha-Rossouw (FF Plus)
 Cllr R C Cameron (DA)
 Cllr G J Classen (ARA)
 Cllr N E Grose (DA)
 Cllr G Haskin (ACDP)
 Cllr B M Jacobs (DA)
 Cllr M R Jacobs (ARA)
 Cllr N F Kopman (ANC)
 Cllr U F Lasiti (DA)
 Cllr F P Lombard (DA)
 Cllr M A Mkutswana (ANC)
 Cllr L M Mqina (ANC)
 Ald I D Neilson (DA)
 Cllr B Ngcombolo (ANC)
 Cllr D Ngubelanga (AIC)
 Cllr N A Ntshweza (ANC)
 Cllr T Nyamakazi (ANC)
 Cllr B L Payiya (ANC)
 Cllr E Sawant (DA)
 Cllr F J Solomons (CCC)
 Ald T Thompson (DA)
 Cllr J N Stevens (ANC)
 Cllr B van Reenen (DA)
 Cllr A van Zyl (DA)
 Cllr J Visser (DA)
 Ald J Vos (DA)

ABSENT WITHOUT APOLOGY

The following Councillors were absent without an apology:

Cllr V Matanzima (DA)
 Cllr M M Sibunzi (DA)

PRESENT***Executive Management Team***

Mr L Mbandazayo - City Manager
 Ms Z Mandlana - ED: Community Services and Health
 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

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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

Legal Services

Ms R Sayed
 Mr Z Mohamed

LIST OF ACRONYMS FOR INFORMATION**SEATS**

| | | |
|----------------|---|--------------------------|
| ACDP | - African Christian Democratic Party | 6 |
| AIC | - African Independent Congress | 1 |
| AJ | - Al Jama-ah | 3 |
| ANC | - African National Congress | 43 |
| ARA | - Africa Restoration Alliance | 2 |
| CCC | - National Coloured Congress | 7 |
| CAPEXIT | - Cape Independence Party | 2 |
| CMC | - Cape Muslim Congress | 1 |
| DA | - Democratic Alliance | 133 (1 x Vacancy) |
| DI | - Democratic Independence | 1 |
| EFF | - Economic Freedom Fighters | 10 |
| FF Plus | - Freedom Front Plus | 4 |
| GOOD | - GOOD | 8 |
| PA | - Patriotic Alliance | 5 |
| PAC | - Pan Africanist Congress of Azania | 1 |
| UDM | - United Democratic Movement | 1 |
| UIM | - United Independent Movement | 1 |
| Total | | 230 [1 x Vacancy] |

SECTION 1 OPENING OF MEETING

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

A moment of silence was observed.

Councillors were called upon to register their attendance.

The Speaker also welcomed the newly appointed Councillors, as well as the Executive of the Cape Town Junior City Council.

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,

It's great to see you all here this morning, and it's wonderful to have the Executive of the Cape Town Junior City Council here with us for their first full Council meeting. Junior Mayor Miguel Meyer, Junior Deputy Mayor Zephaniah Love, Junior Speaker Likhona Vika, and Junior Chief Whip Kirsten Wyld – you are most welcome here this morning.

It's particularly good to be able to officially welcome our newest colleagues to the City of Cape Town Council, who were sworn in since our last meeting. Councillor Dedezane of the ANC, Councillors Abrahams, Loonat (who is back) and Lubbe of the CCC, Councillors Little (who is back) and Davids of Good, Councillor Dalwai of AJ, Councillor Dudley of the ACDP, Councillors Uygun and van Vuuren of the FF+, and Councillors Berry, van der Linde, Le Goff and Sherry of the DA – congratulations on your election to Council. I look forward to working closely with all of you.

But as we welcome new members to this Council, we also bid farewell to others. And this morning we say goodbye to one of Cape Town's longest serving Councillors, and a true servant of the residents of Cape Town, Alderman Mariaan Nieuwoudt, who will be taking a very well-earned retirement. Raadsheer Nieuwoudt, dit is my groot voorreg om u vanoggend te bedank vir alles wat u hierdie afgelope amper dertig jaar vir Kaapenaars vanuit hierdie Raadsaal gedoen het. Alderman Nieuwoudt is in 1996 tot hierdie Raad verkies, en vandag is haar laaste Raadsvergadering. Gedurende hierdie tydperk het sy elke moontlike taak verrig wat jy as raadslid kan doen. Sy het haar wyk met onderskeiding gedien – vra maar vir die inwoners van Brackenfell, Brandwag, Springbokpark, Haazendal en Protea Hoogte, en hulle sal jou alles vertel van haar toewyding tot haar werk. Sy het ook by verskeie geleenthede op die Burgemeesterskomitee gedien en sy tree af as die Voorsitter van Subraad 2. When you've been in Council for 28 years, you've worked with a lot of Mayors across many parties. Every former Mayor of this City holds of a place of honour amongst us, and so I thought it would be nice to ask a few of those former Mayors of Cape Town to send farewell greetings.

Alderman Nomaindia Mfeketo writes: "This is a well-deserved retirement for Alderman Nieuwoudt. She has a deep understanding of all her portfolios. I can only say, well done, your commitment and skills did not go unnoticed. After 28 years of service you deserve a good break. Enjoy your retirement, and may the Lord be with you." And may I add how nice it is to hear that Alderman Mfeketo is well.

Alderman Helen Zille writes: "As Marian takes a well-deserved break from politics, it is a privilege for me to thank her for her many years of dedicated service and to wish her health and happiness in this new stage of her life. Marian and I worked shoulder to shoulder to try to build the DA from very divided beginnings, to the mighty organisation it is today, being a party of government at local, provincial and national level. Cape Town was Ground Zero for the DA in 2006. It took a lot of dedicated work from a lot of people to achieve lift-off. To all of those, including Mariaan, who played their part: You have left a legacy. May God bless you on the road ahead."

Alderman Patricia de Lille writes: "I would like to commend Alderman Nieuwoudt for her longstanding commitment as a Councillor and servant to the people of Cape Town. Her long years of service is an outstanding achievement and a testament to her exemplary contribution to Cape Town and its residents. Having worked with her for several years, I came to know her as a woman with a heart for the people of the City. She has made many valuable contributions to progress in the City and I want thank her for her service and wish her well for the future."

Raadsheer Nieuwoudt, namens hierdie Stadsraad, namens ons kollegas in die Stad Kaapstad en namens al ons inwoners wil ek u bedank vir al die jare van voorbeeldige diens, en wens ek vir u 'n heerlike en rustige aftrede. Baie dankie. Colleagues, My second farewell message this morning is one I deliver with much sadness. We recently lost a wonderful former colleague and a great friend to many here in the City, in Faried Shariff, our former Director of Strategic Assets. Everyone who ever dealt with Faried will remember him not only for the exceptional work he did to transform our City assets into world-class facilities, but also for the warm and sincere human being he was. His passing leaves a hole here in our City of Cape Town, as I am sure it does in his vast circle of family and friends. To all Faried's loved ones, I wish you much strength and comfort, and I thank you for sharing Faried with us for so many years.

Colleagues, I want to briefly touch on the storms of the past couple of weeks. This unusually heavy rainfall and very strong winds caused much distress, damage and hardship for many Cape Town communities, and thousands of Capetonians are still picking up the pieces and trying to rebuild their homes and their lives. But what these storms also did was to bring Capetonians together in service of those in need. I have often said before that we live in the City with the biggest heart, and it is during times of hardship and suffering that this is demonstrated for the world to see. Once again, I was extremely proud of the way Team Cape Town stepped up to the task. All the hard work and long hours put in by City staff to help alleviate flooding, clear debris, fix roads and restore power to stricken communities really showed that our City Value of "caring" is not just an empty word. It has become an ethos by which this city performs its work, and it is humbling to be part of such a dedicated team.

I'm grateful to Ward Councillors who were out at all hours, and who have worked to help many, many residents in the wake of the storm – particularly those residents living in flood conditions. I have been impressed and humbled by the service and support offered by many Councillors. When extremely strong winds tore through parts of Wynberg, leaving a trail of destruction in its wake, Councillor Siebritz went out there immediately and stayed until the early hours of the morning, helping to assess the situation and to coordinate the DRM response. She returned every day for the rest of the week, arranging for the restoration of power, the fixing of damaged roofs and helping with the feeding of affected families.

Councillor Madikane was out there helping, so was Councillor Esau, so was Councillor Gadeni in Philippi, so was Councillor Nelson in Parkwood, so was Councillor Mckenzie, and many, many others who I saw and heard helping. I have to also mention our partners in civil society who never hesitate for a moment to roll up their sleeves and come to the aid of communities in need. Again it was demonstrated that Cape Town's NGOs are unmatched when it comes to selfless service in times of crisis. But my biggest thank you this morning is reserved for all the private residents who came to the aid of their neighbours and community members. This army of private volunteers seldom gets the recognition they deserve for their contribution, but I assure you they were nothing short of heroic. Here I am talking about everyone who cooked and baked and made sandwiches and knitted blankets, everyone who dropped off donations and everyone who helped distribute emergency items. I'm told by Honourable van Minnen that for several days, at the height of the storms, it was near impossible to find soup ingredients in many grocery stores. And this was because so many people had gone out and bought those ingredients so that they could cook up big pots of hot soup for people who found themselves in a terrible situation. If that doesn't make you proud to be a Capetonian, then nothing will. Thank you, from the bottom of my heart, to every resident, every neighbourhood organisation and every group of local ladies who took it upon themselves to help others and lighten their suffering. You are what makes this City of ours so great.

Madam Speaker, I now turn to a topic that has dominated much of the discourse throughout our country this past month, and that is the big change that has taken place in our national government. The formation of a Government of National Unity is the most significant development in our democracy since 1994. And I am sure you have also felt, just like I have, a recent change in the mood of the nation. These two things are linked. South Africans are reacting to what they believe is a reason for optimism for the future of our country. The statements that have been coming out of several ministries of the Government of National Unity in recent weeks have placed a number of meaningful reforms on the agenda. And while all this talk still needs to be backed up by action, there has been an undeniable shift in the tone of everyday conversations among South Africans, as well as in the reporting by the media. For the first time in years the gloom is lifting.

I was also encouraged by the President's speech at the opening of Parliament last week. Some of the issues he touched on are things that we have prioritised here in the City of Cape Town in our own efforts to stimulate growth and create jobs, and it bodes well that we now appear to be aligned on a number of important issues. One of these issues is the President's commitment to driving growth by scaling up investment in public infrastructure in metropolitan areas. This was music to my ears. We are already doing much with our South African record R39,5bn capital budget over three years, 75% of which will directly benefit lower income households. But we'd like to do more, and we look forward to bigger infrastructure budgets for local government in the years ahead. The President spoke of the need to simplify regulations to enable better public-private partnerships in this infrastructure investment drive, which we welcome. We are already building the first, transparent Ease of Doing Business Index for Cape Town, that we are holding ourselves publicly accountable to. The President also spoke about deploying technology in the fight against crime. This was also music to my ears. Again, this has been a large part of our own strategy to combat crime. We know that we can't afford the number of officers we really need.

So we must use tech as a powerful partner to well-trained, well-resourced officers on the ground. He also spoke of a renewed focus on the release of public land for social housing, under the second phase of Operation Vulindlela. This is particularly welcome news for us here in Cape Town, because we have learnt for ourselves that one of the best ways to counter the spatial legacy of apartheid is to partner with private social housing companies in the building of affordable and well-located housing units across the metro. The more suitable publicly-owned land we can identify and release for this purpose, the faster we can break down those old barriers and place even more Capetonians within reach of economic opportunities. To have the president on board with this is a big step in the right direction, particularly given the vast, under-utilised mega-properties that are owned by the National Government in Cape Town. I will touch on this in a bit more detail shortly. But the big take-out from both the President's speech on Thursday and from various statements and soundbites from new Ministers these past few weeks, is that new life has been breathed into this government. And this presents an opportunity we dare not waste. In the business of governing a country, a Province or a City, momentum is everything. And right now we are experiencing momentum in the right direction, on a number of key issues, for the first time in ages. South Africa has been handed a lifeline.

We can dare to hope that the slide towards failure has been halted, for a while at least, and we now stand before a crossroads as a nation. If we can use this opportunity – this new chance – to make inroads in these areas of reform, we could place our country on the path towards growth, jobs, prosperity and a better life for millions of South Africans. This new momentum is of particular interest to us here in Cape Town. We have long petitioned the National Government for the devolution of certain powers and responsibilities to capable Metro Governments, so that we can better serve our residents where these National Departments and state-owned entities are struggling to fulfil their mandates. It is my hope that this new era under the Government of National Unity will allow new Ministers to break with the stubborn refusal of some of their predecessors to work with us on these issues. It is my hope that we can all view the big picture together, understand what needs to be done to best serve our residents, and then work together on a plan to pool our resources to achieve this goal. I have reached out to many National Ministers in recent weeks to advocate for Cape Town's priority issues to be firmly on the GNU agenda.

Among our most urgent devolution issues is more policing powers for metro officers, as many of our communities across the Cape Flats are in a daily war with violent criminals, gangsters and drug dealers. In particular, we are calling for the devolution of criminal investigative powers so that our officers can help build prosecution-ready case dockets, and gain convictions particularly for gang, gun, drug and extortion-related crime. Our well trained municipal police have the capacity to play a far bigger criminal investigative role, and to augment the efforts of SAPS where they are clearly unable to fulfil that role within very limited resources. This immediate boost for the state's criminal investigation capacity can be achieved by a simple, but impactful amendment to the SAPS Act. Under section 64E(c), which specifies the powers of municipal police, the Act should simply state 'prevention and investigation of crime', instead of just 'prevention of crime'. Two simple words that will make all the difference for Capetonians, and residents of all cities where competent municipal officers could be doing much more to help SAPS and prosecutors. Regrettably, neither the previous Police Minister nor Justice Minister have formally responded to our correspondence calling for this amendment, amongst other reforms, all of which are absolutely in line with government's policy agenda for more integrated,

localised policing. We believe the investigative powers amendment should be front and centre of Parliament's consideration of SAPS Act amendments in this new term.

We previously welcomed comments in the media supporting such an amendment for more policing powers for municipal officers made by the outgoing Chairperson of the Parliamentary Portfolio Committee on Policing, Mr Albert Seabi, in April this year. I have now also written to the new Portfolio Chair, Mr Ian Cameron, and Police Minister Senzo Mchunu, to express my encouragement that we can pass this amendment to the SAPS Act in this new term, so that we can empower municipal police to help SAPS put many more criminals behind bars. This is our golden chance to put people before politics, and do the right thing on behalf of residents living in daily fear of crime, especially in communities impacted by gangsterism and violent gun and drug crime.

Madam Speaker, the second devolution issue which we have repeatedly raised with National Government in the past is that of the management of the passenger rail service in the metro. Minister Creecy indicated in her Budget Speech debate that the Transport Department has completed a draft National Rail Devolution Strategy. I have therefore written to the Minister asking for confirmation of when the City will be able to comment on this draft strategy, and for a clear deadline to finalise the strategy so we can get devolution done. Right now, the City is very close to finalising a Service Level Agreement with PRASA, which will set the stage for future devolution discussions. The City's own Rail Feasibility Study is also at an advanced stage, and we expect to table its findings on various rail devolution scenarios in this Council before the end of the year. These scenarios explore how best to introduce private sector involvement in passenger rail within an integrated transport planning and management system involving all three spheres of government. This means, if we can simply establish our long-requested joint rail devolution committee with the National Minister and her department, we could fast-track devolution and be fully aligned by the end of the year. I was greatly encouraged by the Minister's comment in the same debate that she recognises it is near impossible to run and plan a major city without managing public transport.

Colleagues, a further critical part of our GNU advocacy agenda is an issue I mentioned a little earlier in this address, and that is the release of public land for affordable housing in the metro. I don't need to tell you that our City still bears the spatial scars of apartheid. All South African cities do. But we are working every day to dismantle that legacy, and one of the best ways to do so is to enable much more affordable social housing, developed at scale by the private sector, in well-located parts of Cape Town. These affordable rental units close to economic opportunities and transport corridors have the potential to immediately change people's lives, which is why we are advancing a comprehensive priority programme to enable more affordable housing via accelerated land release.

And a separate programme of support for micro-developers to deliver more affordable accommodation so that people who are paying money to rent a shack can find a safe and dignified home to rent. As we continue to drive municipal land release, immense potential lies in a handful of severely under-utilised mega-properties owned by national government, which represent some of the largest and best located land in Cape Town for affordable housing.

These properties include the expansive Wingfield, Youngsfield and Wynberg military bases, as well as the Acacia Park Parliamentary Village close to Century City, which we certainly don't think is the best use of this land, nor the best way to house Members of Parliament. These are all massive, largely vacant properties in parts of the metro where affordable housing would be a real game changer for many thousands of Cape Town families. We estimate that these four mega properties alone could realise as many as 100,000 affordable housing opportunities. And in a City with such a pressing need, there has to be a way to make this happen. We've already had a very constructive engagement with the new Public Works Minister Dean Macpherson about these properties, which is a most refreshing change. The Minister is also intent on spurring action on the many problem buildings owned by National Government around Cape Town. In years gone by, we got no commitment from successive national Ministers of Public Works, but again, my hope is that we can use the positive momentum from this new government to break with the past and consider this matter afresh.

A further critical issue we face is the severe national subsidy constraints to really unleash the affordable housing sector. This is probably the single, most important issue holding up more social housing in Cape Town. Because even if the City has gone through all the hoops to release land – including the reforms we have made to discount land and maximise social housing yield – the social housing developer still struggles with project viability due to bureaucracy and limited funding available via the Social Housing Regulatory Authority. In fact, the SHRA has approved funding for just one social housing project in the whole of South Africa in the last year, in Somerset West. Properly funding the SHRA, cutting red tape around subsidies, and protecting pro-poor grants from cuts are key priorities for Cape Town. It is my hope that Treasury, under this new government, will give serious consideration to our concerns around the recent cuts these grants. Housing grants and Informal Settlement Upgrade grants are among the most pro-poor and progressive ways you could possibly spend your budget, and in a city like Cape Town where these grants are spent well and responsibly, it is a life-changing investment. This is the worst possible place to make budget cuts, when there are so many other avenues available to trim excess and rationalise spending. With Cape Town growing faster than any other metro, and about to overtake Johannesburg as South Africa's most populous metro, we're asking that this census data is reflected in both our grant funding and our equitable share allocation.

There are many other areas of opportunity – and reason for optimism – in this new Government of National Unity. I think of the positive developments on visas that have already come from the new Minister of Home Affairs. So let us turn those waves of momentum into a tsunami of progress that will carry our country and its cities deep into the 21st century, building more prosperity and more dignified lives for our citizens along the way. What an exciting time this is for South Africa, and I hope everyone who has been given a seat at the governing table is able to also recognise the importance of this moment.

Madam Speaker, on that positive note, I want to close by wishing all our athletes who are in Paris for the Summer Olympics much strength and success on the eve of the opening of the Games. We believe in you and we are immensely proud to see you carrying our beautiful flag on the world's biggest sporting stage. Whatever your results at the Games, you have already done South Africa proud. I thank you, colleagues.”

SECTION 2.1 20 MINUTES FOR QUESTIONS AND ANSWERS**Cllr B Majingo (ANC)**

Cllr B Majingo mentioned that the municipality as an entity should be ending the issue of homelessness with a comprehensive and compassionate approach with regard to safe spaces for the homelessness. He asked the Executive Mayor if he is happy with the inhumane and undignified situation the homelessness people lives under and what is his best plan?

The Executive Mayor responded that the most inhumane and undignified conditions that homeless people lives under is on the street. He mentioned that the safe spaces that the City provides are far from inhumane or undignified. In fact, there are facilities that every Capetonian can be extremely proud of. He made reference to Ebenezer, that would open soon and mentioned that it is absolutely humbling and inspiring to see what a beautiful facility the City's team has built at Ebenezer, which would start accepting homeless residents. He further made reference to the facility in Durbanville, as well as the expansion of the Bellville Paint City and advised that the Councillor is welcome to do an oversight visit to these safe spaces. A new safe space facility will also be established in Muizenberg, once a piece of land in Tokai has been secured.

The Executive Mayor stated that those facilities offer dignified sanitation and that in itself, is a massive step up in human dignity. He heard this argument that the City should be providing a full home, an RDP home, to every person that is homeless, which is completely financially unfeasible for any city in the world. He mentioned that not even San Francisco is able to do that, as they've tried for the longest time to put homeless people in hotel rooms in San Francisco. He stated that this Council has approved 253 million Rand for the construction of safe spaces, which is an enormous amount of money, to improve the dignity of homeless people, but it is not possible to accommodate them all in a stand alone apartment or home or necessarily what they would like. Not only does it provide dignified sanitation, but they also receive meals, training programs to help them access job training and job readiness.. There is a social worker 24 hours a day on duty, as well as a nurse and doctor that visits on a regular schedule.

Cllr M Achmat (AJ)

Cllr M Achmat complimented all those staff members and councillors who have assisted so well during the recent floods experienced. He asked the Executive Mayor about the availability of land for housing, as well as the concerns raised by contractors waiting on plans to be passed, as these delays deprive hundreds of people from work.

The Executive Mayor responded that our record demonstrates that the City has released more City-owned land over the last two years than over the last 10 years. But the simple fact of the matter is that the City does not own mega properties. The biggest piece of land that was released, to erect 1800 units, was sold to the open market. He mentioned that there are 5 military bases in the City and there's no war and no need five military bases in one City, which was pointed out to the National Minister. A new draft Municipal Planning By-law was also released to go through a public participation process, which would eventually be submitted to Council for approval to make it easier to deliver affordable housing opportunities in Cape Town. A number of reforms were introduced in that By-law, which would make it easier to speed up the process significantly, with less bureaucratic

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hoops to jump through. The Executive Mayor indicated that the departure applications that people have to submit takes so long, because each of them have to be publicly advertised for months on end and therefore it is really important to reform and trust that Councillors would support it.

Cllr J Woodman (DA)

Cllr J Woodman indicated that the Mayor mentioned the need for an amendment to the SAPS Act to allow Municipal Police to play a more significant role in criminal investigations. She asked the Executive Mayor what steps are being taken to engage with National Government on this matter and what progress has been made in discussions with the new Minister of Police regarding this proposed changes.

The Executive Mayor responded that he sent detailed memos to all of the GNU Ministers setting out what Cape Town wants from them. He indicated that one of those memos was sent to the New Police Minister setting out a full history of correspondence between himself and his predecessors. The responses received were usually in the form of public ranting at rallies and police community darbys, where the respective Minister would rail against Cape Town trying to muscle in on SAPS territory. The City need to have some of those additional enforcement powers for our officers, so that the City could do more, which was summarized at a recent meeting with the new National Police Minister, with the focus to work together.

The Executive Mayor further mentioned that besides just the legislative amendment, there's a lot more that they could do together. He indicated that he informed the Minister that very oftenly he personally receive messages from Station Commanders in Cape Town begging for more Metro Police, Law Enforcement and LEAP Officers to be deployed to their stations. The Executive Mayor also asked the Minister that one of the most important things he could do is just send out a clear message from the National Police leadership and from the Ministry that we are all in this together and that we have to work together and that they must never feel embarrassed, shy or scared to work with City of Cape Town Metro Police, LEAP or Law Enforcement. In fact, it should be standard operating procedure to work together every day. He also spoke to the Minister about the urgency of extortion and mafia in Cape Town and really believe that this requires a cabinet level intervention and national task force to work on construction mafia and extortion gangs in Cape Town, Joburg at Durban.

Cllr B Yeko (EFF)

Cllr B Yeko mentioned that he saw the Mayor doing the rounds, taking pictures and videos in certain parts of the City affected by the floods. He was of the view that no solution was provided to residents to prevent the disaster that the people faced. Cllr Yeko asked the Executive Mayor what his plan is with the equal distribution of disaster aid kits to community members during the floods, as people in Ward 99 were excluded from receiving such kits and some residents who were left unattended. Cllr B Yeko further indicated that the sewer system were never upgraded for the increased population in these areas. He asked the Executive Mayor what his plans would be to deal with the possible problems to be experienced during the next winter.

The Executive Mayor responded that the flooding is serious and that 168,000 homes were impacted by flooding last month, which exceeded the City's ability to distribute kits

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to everyone who was affected. He mentioned that the City's Human Settlements Team has distributed 6500 kits and 600 kits were provided by the National Human Settlements Department and were grateful for their support. Some people are still staying in community halls and some people staying in a school. The Executive Mayor concurred that there are places where the City has to improve stormwater infrastructure. The stormwater project that has been ongoing in Kosovo and Samoa Michelle, and which is going to permanently alleviate issues of stormwater and flooding in that part of the community. He alerted people not to live in or near stormwater detention ponds, as those stormwater ponds are all flooded across the City. There are also people who are unfortunately have built illegal structures on top of stormwater infrastructure or sewer infrastructure, which made it very difficult to maintain. The Executive Mayor stated that the infrastructure should be protected and part of the solution is getting the message out there that it is improper to live close to a riverbank or a stormwater pond.

The Executive Mayor further requested Councilors not to promote and encourage illegal land occupation, but to encourage people to locate responsibly away from stormwater infrastructure, rivers and stormwater detention ponds.

SECTION 3**C 02/07/24 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 R Adams (DA)
 Ald C A Brynard (CAPEXIT)
 Cllr P N Booie (EFF)
 Cllr E Botha-Rossouw (FF Plus)
 Cllr R C Cameron (DA)
 Cllr G J Classen (ARA)
 Cllr N E Grose (DA)
 Cllr G Haskin (ACDP)
 Cllr B M Jacobs (DA)
 Cllr M R Jacobs (ARA)
 Cllr N F Kopman (ANC)
 Cllr U F Lasiti (DA)
 Cllr F P Lombard (DA)
 Cllr M A Mkutswana (ANC)
 Cllr L M Mqina (ANC)
 Ald I D Neilson (DA)
 Cllr B Ngcombolo (ANC)
 Cllr D Ngubelanga (AIC)
 Cllr N A Ntshweza (ANC)
 Cllr T Nyamakazi (ANC)
 Cllr B L Payiya (ANC)
 Cllr E Sawant (DA)
 Cllr F J Solomons (CCC)

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Ald T Thompson (DA)
Cllr J N Stevens (ANC)
Cllr B van Reenen (DA)
Cllr A van Zyl (DA)
Cllr J Visser (DA)
Ald J Vos (DA)

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.

C 03/07/24 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING: 12 JUNE 2024

RESOLVED that the minutes of the ordinary Council meeting held on 12 June 2024, be confirmed, subject to the following corrections:

Page 7 APOLOGIES

The following comment of Cllr P Heynes (ANC) be inserted under the heading "APOLOGIES":

"At this stage, Cllr P Heynes (ANC) indicated that she forwarded Cllr N Makasi's (ANC) resignation from Council to the Speaker's Office earlier this morning, as Cllr Makasi has been appointed as a member of Parliament."

Page 8 : ABSENT WITHOUT APOLOGY

The name of Cllr J Witbooi (DA) be listed under the heading "MEMBERS PRESENT"

The name of Cllr S Duka (ANC) be listed under the heading "APOLOGIES"

ACTION: N MEISSENHEIMER

At this stage, namely at 10h48, 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 4, 8, 11, 12, 13, 14 and 16

Volume 3 - Items 21, 24, 25, 26, 27 and 28

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Volume 4 - Items 33, 34, 35, 36, 37, 38, 39 and 40 [Reports for information and noting.]

199 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:

| | | |
|----------------|--------------------------------------|------------|
| ACDP | - African Christian Democratic Party | 5 |
| AIC | - African Independent Congress | 0 |
| AJ | - Al Jama-ah | 3 |
| ANC | - African National Congress | 35 |
| ARA | - Africa Restoration Alliance | 0 |
| CCC | - National Coloured Congress | 6 |
| CAPEXIT | - Cape Independence Party | 1 |
| CMC | - Cape Muslim Congress | 1 |
| DA | - Democratic Alliance | 116 |
| DI | - Democratic Independence | 1 |
| EFF | - Economic Freedom Fighters | 9 |
| FF Plus | - Freedom Front Plus | 3 |
| GOOD | - GOOD | 8 |
| PA | - Patriotic Alliance | 5 |
| PAC | - Pan Africanist Congress of Azania | 1 |
| UDM | - United Democratic Movement | 1 |
| UIM | - United Independent Movement | 1 |

C 04/07/24 THE APPOINTMENT OF A MEMBER TO THE AUDIT COMMITTEE OF THE CAPE TOWN INTERNATIONAL CONVENTION CENTRE (PTY) LTD CTICC

RESOLVED that Mr Raaghib Najjaar be appointed as member to the Audit Committee of the Cape Town International Convention Centre (CTICC) until 31 March 2027.

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

ACTION: L FORTUNE, D VALENTINE, K JACOBY

C 05/07/24 SETTING UPPER LIMITS OF SALARIES, ALLOWANCES, AND BENEFITS OF SENIOR MANAGERS AT MUNICIPAL ENTITIES HOLDING SCARCE AND CRITICAL SKILLS

RESOLVED that:

- (a) Council approved that the upper limit of the municipal entities' Chief Financial Officers be increased to an amount of R2 499 719 with effect from 1 June 2024 and that the revised upper limit will only be applicable if the incumbent holds the CA (SA) designation, subject to the budgetary parameters as outlined in section 87 of the MFMA and the municipal entities financial resources available.
- (b) Council further noted that the revised upper limit in recommendation (a) be increased on an annual basis, based on the annual salary increase percentage as determined by the South African Local Government Bargaining Council (SALGBC) with effect from 1 July 2024.

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

ACTION: K JACOBY

C 06/07/24 MULTI-YEAR FINANCIAL OPERATIONAL PLAN AND MEDIUM-TERM STRATEGIC BUSINESS PLAN FOR PUBLIC TRANSPORT 2024 2038 (MYFIN 2024)

RESOLVED that the Multi-Year Financial Operational Plan and Medium-Term Strategic Business Plan for Public Transport 2024 - 2038 (MYFIN 2024) attached as Annexure A to the report on the agenda, be approved.

[The EFF and GOOD abstained from the above decision. CCC noted the above decision.]

ACTION: N PIETERSE, D CAMPBELL

C 07/07/24 AUTHORITY TO ENTER INTO CO-OPERATIVE MANAGEMENT AGREEMENTS WITH MUNICIPAL FACILITY MANAGEMENT COMMITTEES OF CITY SPORTS GROUNDS AND AUTHORITY FOR THE EXECUTIVE DIRECTOR: COMMUNITY SERVICES AND HEALTH TO CONCLUDE SUCH AGREEMENTS

RESOLVED that:

- (a) the granting of the right to use, control or manage the sports facilities listed in Annexure B to the report on the agenda, will endure for a period of five (5) years.
- (b) no compensation will be payable by the Municipal Facility Management Committees (MFMC's) for the duration of the right.
- (c) subject to compliance with any other statutory requirements.
- (d) no compensation will be payable for any improvements made to the property.

- (e) subject to such further conditions to be imposed by the Executive Director: Community Services and Health.
- (f) Book and Play will continue at City rates on respective fields or facilities, clubs that have leases will continue to pay their lease amount. MFMC's will regard it as part of their duty to facilitate community access, rather than block it.

[GOOD abstained from the above decision.]

ACTION: D DUNN, N BASSADIEN, D JOUBERT, C MICHAELS, Z MANDLANA

C 08/07/24 AMENDMENT OF THE COUNCIL SYSTEM OF DELEGATIONS FOR THE NEW OUTDOOR ADVERTISING BY- LAW

RESOLVED that:

- (a) the amendments to the System of Delegations document attached as Annexure A to the report on the agenda, be adopted
- (b) the System of Delegations document be amended to include the changes set out in Annexure A to the report on the agenda, re-formatted, re-numbered and then published on the Intranet, and comes into force on publication on the Intranet.

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

ACTION: L GERRANS, E NAUDE, R McGAFFIN

C 09/07/24 TO CONSIDER THE DESIGNATION OF AN AUTHORISED OFFICIAL TO SERVE AS A MEMBER OF THE MUNICIPAL PLANNING TRIBUNAL (MPT) AFTER VACANCIES HAVE OCCURRED

RESOLVED that Craig Alexander, District Manager: Southern Planning Office, be designated in terms of section 115(2)(c) of the City of Cape Town Municipal Planning By-law 2015, as member of the Municipal Planning Tribunal (MPT) with immediate effect and until 30 June 2025.

[The EFF and GOOD abstained from the above decision.]

ACTION: J VAN DER WESTHUIZEN, C WALTERS, R McGAFFIN

C 10/07/24 ADOPTION OF THE REVISED CITY OF CAPE TOWN MUNICIPAL DISASTER MANAGEMENT ADVISORY FORUM TERMS OF REFERENCE, MAY 2024

Cllr Y Mohamed (DA) proposed that the report on the Adoption of the Revised City of Cape Town Municipal Disaster Management Advisory Forum

Terms of Reference, May 2024, be withdrawn, in order to be submitted to the Safety and Security Portfolio Committee for consideration.

The proposal was duly supported.

RESOLVED that the report on the Revised Terms of Reference of the City of Cape Town Municipal Disaster Management Advisory Forum, be withdrawn.

ACTION: J MINNIE, V BOTTO

C 11/07/24 ACQUISITIVE PRESCRIPTION CLAIM OVER A PORTION OF REMAINDER ERF 98 TAMBOERSKLOOF ABUTTING REMAINDER ERF 309 TAMBOERSKLOOF: JEANNE ESME VON HIRSCHBERG

RESOLVED that based on the evidence submitted by the claimant, Council in terms of the provisions of Clause 5 of the City of Cape Town: Immovable Property By-law, 2015, read with Section 1 of the Prescription (Local Authorities) Ordinance No. 16 of 1964, admitted and acceded to the Acquisitive Prescriptive Claim over a Portion of Remainder Erf 98 Tamboerskloof, situated at Brownlow Road, Tamboerskloof, measuring in extent approximately 4 m² as depicted by the figure ABCD on the Plan attached as Annexure A to the report on the agenda, in favour of Jeanne Esme Von Hirschberg or her successors-in-title:

- (a) the subject property be consolidated with the claimants property, being Remainder Erf 309 Tamboerskloof for the reasons set out in the report on the agenda;
- (b) all costs in connection with the transaction are to be borne by the claimant;
- (c) approval be subject to compliance with any other statutory requirements.

ACTION: M CARELSE, C DAVIS, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM

C 12/07/24 PROPOSED GRANTING OF IN-PRINCIPLE APPROVAL FOR THE TRANSFER BY PUBLIC COMPETITION OF CITY-OWNED VACANT PROPERTY, ERF 104333, CAPE TOWN, SITUATED AT 56 BISSET ROAD, NEWLANDS, ZONED SINGLE RESIDENTIAL 1: CONVENTIONAL HOUSING (SR1)

RESOLVED that:

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

- (i) It be resolved that vacant Erf 104333, Cape Town, situated at 56 Bisset Road, Newlands, measuring approximately 609 m² in extent and zoned Single Residential 1: Conventional Housing (SR1) as shown lettered ABCD on Plan LIS3068 attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services.
- (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset described in (a)(i) have been considered.
- (b) in terms of Regulation 5(1)(b) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-principle approval be granted for the transfer of vacant Erf 104333, Cape Town, situated at 56 Bisset Road, Newlands, as described in (a)(i);
- (c) Erf 104333, Cape Town, situated at 56 Bisset Road, Newlands be transferred by way of 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 National Treasury Department, be noted; and
- (e) the views and recommendations provided by the Western Cape Government Provincial Treasury Department, be noted.

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

ACTION: S MGCUBA, S HLENGWA, D JOUBERT, R GELDERBLOEM

C 13/07/24

GRANTING OF IN-PRINCIPLE APPROVAL: PROPOSED CLOSURE AND TRANSFER OF PUBLIC PLACE, BEING A PORTION OF ERF 2930 SIMON'S TOWN , SITUATED AT ERICA ROAD, MURDOCH VALLEY TO OWNER OF ADJACENT ERF TOWN: CRAIG NORMAN FOSTER AND DAMON JAMES FOSTER CARRYING ON BUSINESS IN PARTNERSHIP AS EARTHRISE LIQUID PICTURE PARTNERSHIP

PROPOSED CLOSURE AND TRANSFER OF A PORTION OF ERF 2 TOWN TO OWNER OF ADJACENT ERF 3269 SIMON'S TOWN: CRAIG NORMAN FOSTER AND DAMON JAMES FOSTER CARRYING ON BUSINESS IN PARTNERSHIP AS EARTHRISE LIQUID PICTURE PARTNERSHIP

RESOLVED that:

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

- (i) It be resolved that the subject property, being a portion of Erf 2930 Simon's Town, situated at Erica Road, Murdoch Valley, in extent approximately 317 m² as shown and lettered ABCDEF on Plan 130005906 attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services.
 - (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset described in (a)(i) have been considered.
- (b) in terms of Regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-principle approval be granted for the transfer of a portion of Erf 2930 Simon's Town, situated at Erica Road, Murdoch Valley, in extent approximately 317 m² as shown and lettered ABCDEF on Plan 130005906 attached as Annexure A to the report on the agenda;
- (c) in terms of section 4 of the City of Cape Town Immovable Property By-law, 2015, approval be granted for the closure of the subject property being a portion of a public place, being a portion of Erf 2930 Simon's Town, situated at Erica Road, Murdoch Valley, in extent approximately 317 m² as shown and lettered ABCDEF on Plan 130005906 attached as Annexure A to the report on the agenda;
- (d) the transfer of a portion of Erf 2930 Simon's Town, situated at Erica Road, Murdoch Valley, in extent approximately 317 m² as shown and lettered ABCDEF on Plan 130005906 attached as Annexure A to the report on the agenda, to Craig Norman Foster and Damon James Foster carrying on business in partnership as Earthrise Liquid Picture Partnership, the owners of adjacent Erf 3269 Simon's Town or his/her/their successor(s) in title, be approved, subject to the following conditions, that:
- (i) A purchase price of R295 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 2024-04-01 until date of registration;
 - (iii) The market value is to be reviewed if not implemented within 36 months from date of valuation, i.e. by 2026-09-30;
 - (iv) An occupational rental of R750 per month (excluding VAT) shall be payable from 1 April 2024, escalating at 6% per annum, until date of registration.
 - (v) Rates and municipal charges, if applicable, be levied;

- (vi) 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 2930 Simon's Town be consolidated with the purchaser's Erf 3269 Simon's Town;
 - (cc) that all costs related and incidental to the transaction be borne by the purchaser.

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

ACTION: Y MOHAMED, R KOLIA, R SCHNACKENBERG, D JOUBERT, L GREYLING, R GELDERBLOEM

C 14/07/24 GRANTING OF IN-PRINCIPLE APPROVAL: TRANSFER OF A PORTION OF PUBLIC PLACE, BEING A PORTION OF ERF 37130 MITCHELLS PLAIN SITUATED AT DIEPPE ROAD, STRANDFONTEIN TO OWNERS OF ADJACENT ERF 37126 MITCHELLS PLAIN: NATASHA LIZETTE SWARTZ AND ANGUS SWARTZ

PROPOSED CLOSURE AND TRANSFER OF A PUBLIC PLACE, BEING A PORTION OF ERF 37130 MITCHELLS PLAIN SITUATED AT DIEPPE ROAD, STRANDFONTEIN TO OWNERS OF ADJACENT ERF 37126 MITCHELLS PLAIN: NATASHA LIZETTE SWARTZ AND ANGUS SWARTZ

RESOLVED that:

- (a) in terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
 - (i) It be resolved that the subject property, being a portion of Erf 37130 Mitchells Plain situated at Dieppe Road, Strandfontein, in extent approximately 27.5 m² as shown and lettered ABC on Sketch 130009784 attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services.
 - (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset described in (a)(i) have been considered.
- (b) in terms of Regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-principle approval be granted for the transfer of a portion Erf 37130 Mitchells Plain situated at Dieppe Road, Strandfontein, in the extent of

approximately 27.5 m² as shown and lettered ABC on Sketch 130009784 attached as Annexure A to the report on the agenda;

- (c) in terms of section 4 of the City of Cape Town Immovable Property By-law, 2015, approval be granted for the closure of the subject property being a portion of a Public Place, being a portion of Erf 37130 Mitchells Plain situated at Dieppe Road, Strandfontein, in extent approximately 27.5 m² as shown and lettered ABC on Sketch 130009784 attached as Annexure A to the report on the agenda;
- (d) the transfer of a portion of Erf 37130 Mitchells Plain situated at Dieppe Road, Strandfontein, in extent approximately 27.5 m² as shown and lettered ABC on Sketch 130009784 attached as Annexure A to the report on the agenda, to Natasha Lizette Swartz and Angus Swartz, the owners of adjacent Erf 37126 Mitchells Plain or their successor(s) in title, be approved, subject to the following conditions, that:
 - (i) A purchase price of R22 500 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 1 September 2024) until date of registration;
 - (iii) The market value is to be reassessed if the transaction is not approved by the relevant decision-making authority of Council within 36 months from the date of valuation (i.e. by 28 February 2027);
 - (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 37130 Mitchells Plain be consolidated with the purchaser's Erf 37126 Mitchells Plain;
 - (cc) 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 15/07/24 PROPOSED TRANSFER OF CITY LAND, ERF 673 NYANGA (AN UNREGISTERED PORTION OF REMAINDER ERF 2861 NYANGA), SITUATED AT SITHANDATU AVENUE, NYANGA: DEPARTMENT OF INFRASTRUCTURE, WESTERN CAPE GOVERNMENT

RESOLVED that:

- (a) in terms of Regulation 20(1)(f)(i) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, that Erf 673 Nyanga, an unregistered portion of Remainder Erf 2861 Nyanga, situated at Sithandatu Avenue, Nyanga, as shown lettered ABCDEF on Plan 130006623 attached as Annexure A to the report on the agenda, and in extent approximately 7 265 m², is not required for the provision of any minimum level of basic municipal services and is surplus to the requirements of the Municipality.
- (b) 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.
- (c) the transfer of Erf 673 Nyanga, an unregistered portion of Remainder Erf 2861 Nyanga, situated at Sithandatu Avenue, Nyanga, as shown lettered ABCDEF on Plan 130006623 attached as Annexure A to the report on the agenda, and in extent approximately 7 265 m², to the Department of Infrastructure, Western Cape Government, or its successor(s) in title, be approved, subject inter alia to the following conditions, that:
 - (i) A discounted purchase price of **R1 085 000**, excluding VAT, which amount is **10%** of the full market value of **R10 850 000**, 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 June 2024 until date of registration;
 - (iii) The market value is to be reassessed if the transaction is not approved by the relevant decision making authority of Council within 36 months from date of valuation, i.e. by 30 November 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 his delegated authority, including inter alia the following:
 - (aa) that all further statutory and land use requirements be complied with;
 - (bb) a suitable reversionary clause to be registered against the Title Deed of the subject property that limits the use of the subject property for use as public healthcare/clinic and ancillary use purposes under the jurisdiction of the Western Cape Health Department;

- (cc) that all costs related and incidental to the transaction be borne by the purchaser.
- (d) any gain or loss incurred by the City in respect of the transfer of the asset be included in the adjustment budget, if not budgeted for in the approved annual budget.

ACTION: S CAROLUS, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM

C 16/07/24 PROPOSED LEASE OF CITY LAND: PORTION OF ERF 6774, CORNER OF DELFT MAIN AND FORT WORTH ROADS, DELFT: WESTERN CAPE EDUCATION DEPARTMENT

RESOLVED that:

- (a) in terms of Regulation 41(2)(e) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, the City land, being a portion of Erf 6774 Delft, situated at the corner of Delft Main and Fort Worth Roads, as shown lettered ABCDEFGHJKLMNPQ on Plan 130010482 attached as Annexure A to the report on the agenda, measuring in extent approximately 10 900 m², is surplus to the requirements of the municipality.
- (b) the lease of a portion of Erf 6774 Delft, situated at Delft Main and Fort Worth Roads, Delft, as shown lettered ABCDEFGHJKLMNPQ on Plan 130010482 attached as Annexure A to the report on the agenda, measuring in extent approximately 10 900 m², to the Western Cape Education Department or its successor in title, be approved subject, to inter alia the following conditions:
 - (i) A discounted market rental of R2 180 per month (excluding rates and VAT), adjusted at the applicable escalation rate at time of transaction, be payable;
 - (ii) The monthly rental will be adjusted on the basis of 6% per annum compounded annually commencing 6 months from date of valuation, i.e. as from 1 December 2024;
 - (iii) The lease will endure for a period of 10 years;
 - (iv) The property be used for educational purposes only;
 - (v) Such further conditions imposed by the Director: Property Transactions in terms of his delegated authority;
 - (vi) Compliance with any other statutory requirements;
 - (vii) No compensation will be payable for any improvement made to the property;

(viii) Subject to the applicant accepting the conditions of lease.

ACTION: A BANNISTER, D GEYSMAN, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM

C 17/07/24 GRANTING OF IN-PRINCIPLE APPROVAL: PROPOSED TRANSFER OF ERF 42926 KHAYELITSHA

PROPOSED TRANSFER OF ERF 42926 KHAYELITSHA: APOSTOLIC FAITH MISSION WESTERN CAPE REGION

RESOLVED that:

- (a) in terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
 - (i) It be resolved that the subject property, being Erf 42926 Khayelitsha, bounded by Hlanga Crescent, Gxalaba Street and Velisa Crescent in extent 932 m² as shown lettered ABCDEF on Plan ET 698 attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services.
 - (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset described in (a)(i) have been considered.
- (b) in terms of Regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-principle approval be granted for the transfer of Erf 42926 Khayelitsha, bounded by Hlanga Crescent, Gxalaba Street and Velisa Crescent in extent 932 m² as shown lettered ABCDEF on Plan ET 698 attached as Annexure A to the report on the agenda;
- (c) the transfer of Erf 42926 Khayelitsha, bounded by Hlanga Crescent, Gxalaba Street and Velisa Crescent in extent 932 m² as shown lettered ABCDEF on Plan ET 698 attached as Annexure A to the report on the agenda, to Apostolic Faith Mission of SA: Western Cape Region, or its successor(s) in title, be approved, subject to the following conditions, that:
 - (i) A purchase price of R81 250 being 25% of market value 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 01.09.2024, until date of registration;
 - (iii) The valuation is to be reviewed if not implemented within 36 months from date of valuation, i.e. by 29.02.2027;

- (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:
 - (aa) that all further statutory and land use requirements be complied with;
 - (bb) that a reversionary clause in favour of the City of Cape Town be registered against the title of the property;
 - (cc) that all costs related and incidental to the transaction be borne by the purchaser;
 - (dd) that all structures should be within the cadastral boundaries of subject land.
- (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 has been duly taken into consideration.
- (e) the objection discussed in the body of the report on the agenda, be overruled.

ACTION: J CORNELIUS, D GEYSMAN, W ANDERSON, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM

**C 18/07/24 GRANTING OF IN-PRINCIPLE APPROVAL: PROPOSED TRANSFER OF ERF 58418 KHAYELITSHA
PROPOSED TRANSFER OF ERF 58418 KHAYELITSHA: GREEN POINT ASSEMBLIES OF GOD MOVEMENT**

RESOLVED that:

- (a) in terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
 - (i) It be resolved that the subject property, being Erf 58418 Khayelitsha, situated on the corner of Igxiya Street and Japhta K Masemola Road, Khayelitsha, in extent 738 m² as shown lettered ABCDEFG on Plan 130003327 attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services.

- (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset described in (a)(i) have been considered.
- (b) in terms of Regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-principle approval be granted for the transfer of Erf 58418 Khayelitsha, situated on the corner of Igxiya Street and Japhta K Masemola Road, Khayelitsha, in extent 738 m² as shown lettered ABCDEFG on Plan 130003327 attached as Annexure A to the report on the agenda.
- (c) the transfer of Erf 58418 Khayelitsha, in extent 738 m² as shown lettered ABCDEFG on Plan 130003327 attached as Annexure A to the report on the agenda, to Green Point Assemblies of God Movement or its successor(s) in title, be approved, subject to the following conditions, that:
 - (i) A purchase price of R55 000 excluding VAT (being 25% of market value) 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 01.03.2023, until date of registration;
 - (iii) The valuation is to be reviewed if not implemented within 36 months from date of valuation, i.e. by 31.08.2025;
 - (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:
 - (aa) that all further statutory and land use requirements be complied with;
 - (bb) that a reversionary clause in favour of the City of Cape Town be registered against the title of the property;
 - (cc) that all costs related and incidental to the transaction be borne by the purchaser;
 - (dd) that no vehicular access be permitted to and from Japhta K Masemola Road.
- (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

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Immovable Property, the contents of Regulation 13(2) of the MATR has been duly taken into consideration

ACTION: J CORNELIUS, D GEYSMAN, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM

C 19/07/24 363Q/2020/21 FRAMEWORK TENDER APPROVAL FOR PAYMENT OF INTEREST DUE TO CONTRACTOR FOR FW DE KLERK BOULEVARD UPGRADE

RESOLVED that approval be granted for the payment of interest, due to the contractor as outlined in section 4 (DISCUSSION) of the report on the agenda and that the matter be referred to MPAC for investigation.

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

ACTION: W DOURIES, H SCHOLTZ, D CAMPBELL. J VAN ZYL, E FRAY

C 20/07/24 AWARDING OF CONTRACT WHICH WILL INCUR FINANCIAL OBLIGATIONS BEYOND THE BUDGET CYCLE: TENDER 412Q/2022/23: CONSTRUCTION OF THE PHASE 2A IRT INFRASTRUCTURE: WORK PACKAGE E2 ALONG GOVAN MBEKI ROAD (M9) FROM WEST OF NY72 ROAD TO EAST OF KLIPFONTEIN ROAD

RESOLVED that:

- (a) Council determined that the City of Cape Town will secure a significant financial economic benefit from the contract.
- (b) the entire contract exactly as it is to be executed incurring a financial obligation for four (4) financial years and in the estimated amount of R597 826 086.96 (excluding VAT), be approved
- (c) the City Manager or his nominee be authorised to sign the above contract.

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

ACTION: M WUST, D CAMPBELL, A NAIDOO, L MBANDAZAYO

C 21/07/24 PROPOSED GRANTING OF RIGHT TO USE, CONTROL OR MANAGE MUNICIPAL CAPITAL ASSET: PROPOSED REGISTRATION OF A BUILDING RIGHTS SERVITUDE OVER A PORTION OF PUBLIC STREET, ERF 4877 CAPE TOWN, SITUATED ON CORNER OF LONGMARKET AND PLEIN STREETS, CAPE TOWN, IN FAVOUR OF ERF 166827 CAPE TOWN: WOOLWORTHS DEVELOPMENT (PTY) LTD

RESOLVED that:

- (a) in terms of section 14 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, that a Portion of Public Street, Erf 4877 Cape Town, situated on Corner of Longmarket and Plein Streets, Cape Town, in extent approximately 6m² as shown cross-hatched and lettered ABC on Plan 130009860 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-principle approval be granted, in terms of regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations, for the granting of rights to use, control and manage a municipal capital asset by way of granting a Building Rights Servitude over a Portion of Public Street, Erf 4877 Cape Town, situated on Corner of Longmarket and Plein Streets, Cape Town, in extent approximately 6m² as shown cross-hatched and lettered ABC on Plan 130009860 attached as Annexure A to the report on the agenda.
- (c) the granting of rights to use, control and manage a municipal capital asset by way of granting a Building Rights Servitude over a Portion of Public Street, Erf 4877 Cape Town, situated on Corner of Longmarket and Plein Streets, Cape Town, in extent approximately 6m² as shown cross-hatched and lettered ABC on Plan 130009860 attached as Annexure A to the report on the agenda, to Woolworths Development (Pty) Ltd, or their successor(s)-in-title, be approved, subject to the following conditions, that:
- (i) A compensation amount of R35 000, excluding VAT, will be payable;
 - (ii) The compensation amount is to be escalated by 5% per annum compounded annually on a pro-rata basis, commencing 6 months after date of valuation, i.e. from 01 February 2023 until date of registration;
 - (iii) The market value is to be reassessed if the transaction is not approved by the relevant decision making authority of Council within 36 months from date of valuation, i.e. by 31 July 2025;
 - (iv) Occupational rental of R250.00 per month (excluding VAT) shall be payable commencing from date of valuation i.e. 01 August 2022 escalating at 6% per annum, until date of registration;
 - (v) Rates and municipal charges, if applicable, be levied;
 - (vi) Subject to such further conditions 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) that the subject Building Rights Servitude be registered in favour of Erf 166827 Cape Town;
- (cc) that a restriction be registered in the title deed that limits the development of the subject property to basement level only (i.e. no buildings higher);
- (dd) that all costs related and incidental to the transaction be borne by the Grantee.

ACTION: M CARELSE, C DAVIS, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM

C 22/07/24 PROPOSED LEASE OF COUNCIL GARAGE E, BEING A PORTION OF ERF 148-RE CLIFTON, OFF VICTORIA ROAD, CLIFTON FOR PARKING PURPOSES: ROSS DEANE BIGGS

RESOLVED that the lease of Council Garage E, being a portion of Erf 148-RE Clifton situated off Victoria Road at Clifton, Cape Town, shown hatched and lettered E on Plan 130009836 attached as Annexure A to the report on the agenda, in extent approximately 24m², to Ross Deane Biggs, or his 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 on a pro-rata basis 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;
- (e) the property be used for parking 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.

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

ACTION: N VANQA, C DAVIS, R KOLIA, D JOUBERT, R GELDERBLOEM

C 23/07/24 AUCTION NUMBER 021/2023/2024: THE TRANSFER OF VACANT REMAINDER ERF 182, ATLANTIS (FORMERLY REMAINDER ERF CA1183-98) SITUATED AT 44 NEIL HARE ROAD, ZONED GENERAL INDUSTRIAL 1 (GI1)

RESOLVED that:

- (a) approval be granted for the transfer of vacant Remainder Erf 182, (formerly Remainder Erf CA1183-98) Atlantis Industrial, situated at 44 Neil Hare Road, zoned General Industrial 1 (GI1) shown on attached Plan LIS1603v0 attached as Annexure A to the report on the agenda, to Genso Properties 1 (Pty) Ltd, for the sum of R1 900 000.00 (One Million Nine Hundred Thousand Rand)(excluding VAT).
- (b) the purchase price 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 24/05/2024) until the date of registration or upon payment of the full purchase price.
- (c) the purchase price shall be subject to review in the event that transfer has not been effected within 36 months from the date of auction (effective date being 24/11/2026).
- (d) in terms of Regulation 17 of the 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.

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

ACTION: M VISAGIE, S HLENGWA, T LEWIS, D JOUBERT, R GELDERBLOEM

C 24/07/24 PROPOSED LEASE OF AIRSPACE ABOVE CITY LAND, BEING PORTIONS OF ERVEN 9608 AND 13105 GOODWOOD, SITUATED OFF 16TH STREET, ELSIES RIVER, GOODWOOD: ASTRAPAK MANUFACTURING HOLDINGS (PTY) LTD T/A THERMOPAC

RESOLVED that the lease of portions of Erven 9608 and 13105 Goodwood, situated off 16th Street, Elsie's River, Goodwood, shown hatched and lettered ABCD on Plan TA 387v0 attached as Annexure A to the report on the agenda, in extent approximately 43m², to Astrapak Manufacturing Holdings (Pty) Ltd t/a Thermopac, or its successors-in-title, be approved subject, to inter alia the following conditions, that:

- (a) a market rental of R3 250 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 2023-07-01;
- (c) the proposed lease term is for a period of ten (10) years, with a review after five (5) years.
- (d) the property be used for purposes of an access bridge only;
- (e) subject to such further conditions imposed by the Director: Property Transactions in terms of 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: P VAN SITPERT, B MALI-SWELINDAWO, D JOUBERT, R GELDERBLOEM

C 25/07/24

PROPOSED LEASE OF A PORTION OF CITY LAND BEING A PORTION OF ERVEN 30906 & 39916 BELLVILLE AND PUBLIC STREET REMAINDER ERF 38254 BELLVILLE, SITUATED AT BLOEMHOF STREET BLOEMHOF, BELLVILLE: THE BLOEMHOF GUESTHOUSE & RESTAURANT

RESOLVED that the lease of portions of City land, being Erven 30906 and 39916 Bellville and a portion of the Remainder of Erf 38254 Bellville, situated at Bloemhof Street, Bellville and as shown hatched and lettered ABCDEFGHJKLM on Plan number 130008759 attached as Annexure A to the report on the agenda, in extent approximately 3523m², to The Bloemhof Guesthouse and Restaurant, or its successor-in-title, be approved subject, to inter alia the following conditions, that:

- (a) a market rental of R44 300.00 per month exclusive of 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 and is effective and payable as from 2022-09-01;
- (c) the lease will endure for a period of 10 years; rental to be reviewed after 5 years, subject at any time to two months' notice of termination;
- (d) the property be used for guesthouse and restaurant purposes only;
- (e) subject to such further conditions to be imposed by the Director: Property Transactions in terms of delegated authority;
- (f) subject to compliance with any other statutory requirements;

- (g) all outstanding accounts with the City of Cape Town be settled;
- (h) the lessee will be responsible for the costs of all approved alterations and/or additions and/or improvements to the premises. The lessor shall not be liable to compensate the lessee for any alteration and/or additions and/or improvements to the premises. All improvements will revert to Council at the expiry of the lease without the payment of compensation.

ACTION: M VAN DER WESTHUIZEN, P STRUMPHER, R SCHNACKENBERG, D JOUBERT, R GELDERBLOEM

C 26/07/24 PROPOSED LEASE OF CITY BUILDING C20/1 SITUATED ON STELLENBOSCH FARM 794 PORTION 40, PAARDEVLEI, W R QUINAN BOULEVARD, SOMERSET WEST: QUINAN PROPERTY SERVICES (PTY) LTD.

RESOLVED that the lease of City building C20/1 situated on Stellenbosch Farm 794 Portion 40, Paardevlei, W R Quinan Boulevard, Somerset West shown hatched on the Sketch ET 835/1 attached as Annexure A to the report on the agenda, in extent approximately 115m², to Quinan Property Services (Pty) Ltd, or their successor-in-title, be approved, subject to inter alia the following conditions:

- (i) a market rental of R4 750 per month (including rates, 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;
- (ii) the monthly rental is to escalate on the basis of 6% per annum compounded annually commencing from 2020-10-01. Accordingly, the above recommended rental is to be effective as from 2020-10-01;
- (iii) the lease will endure for a period of ten years, subject to a rental review after the initial five years;
- (iv) The property be used for commercial (industrial workshop) purposes only;
- (v) Such further conditions imposed by the Director: Property Transactions in terms of his delegated authority;
- (vi) Compliance with any other statutory requirements;
- (vii) No compensation will be payable for any improvement made to the property.

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

C 27/07/24 PROPOSED LEASE OF CITY BUILDING MG18 ON PORTION OF REMAINDER OF STELLENBOSCH FARM 794 SITUATED AT PAARDEVLEI, W R QUINAN BOULEVARD, SOMERSET WEST: ACCURATE AUTOMATION AND CONSULTING CC

RESOLVED that the lease of City building MG18 situated on a portion of Remainder of Stellenbosch Farm 794 at Paardevlei, W R Quinan Boulevard, Somerset West, shown hatched on Sketch ET 820 attached as Annexure A to the report on the agenda, in extent approximately 220m², to Acc U Rate Automation and Consulting CC, or their successor-in-title, be approved subject, to inter alia the following conditions, that:

- (a) a market rental of R6 700 per month (including rates, excluding VAT) 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 commencing 6 months from date of this valuation i.e. as from 2020-10-01. 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) subject to 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 28/07/24 PROPOSED LEASE OF CITY BUILDINGS H1 AND MS58A/1 SITUATED ON PORTION OF STELLENBOSCH FARM 794-0, PAARDEVLEI, W R QUINAN BOULEVARD, SOMERSET WEST: SGS SOUTH AFRICA (PTY) LTD

RESOLVED that the lease of City buildings H1 and MS58A/1 situated on Portion of Stellenbosch Farm 794-0, Paardevlei, W R Quinan Boulevard, Somerset West shown hatched on Sketch ET 811 attached as Annexure A to the report on the agenda, in extent approximately 1 494m², to SGS South Africa (Pty) Ltd, or their successor-in-title, be approved subject, to inter alia the following conditions:

- (a) a market rental of R71 700 per month (including rates, 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 be adjusted on the basis of 6% per annum compounded annually commencing from date of the current lease expiry date. Accordingly, the above recommended rental is 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;
- (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 29/07/24 SOUTH AFRICAN LOCAL GOVERNMENT ASSOCIATION (SALGA): PROVINCIAL WORKING GROUPS - NOMINATIONS AT AUGUST 2024

Cllr P Heynes (ANC) expressed her concern on the exclusion of Councillors from other political parties to serve on the SALGA Provincial Working Groups as official representatives, whereupon she proposed that the item be referred back for further consideration.

Cllr D Visagie (DA) mentioned that the purpose of this report is to fill a number of vacancy's that was left post the 2024 National Government Election where a number of Councillors resigned and took up posts in the National Assembly.

Cllr D Visagie further proposed an amendment to the recommendation to nominate Cllr L Ntshuntshe (EFF), who will be replacing former Cllr A Cassiem on the Public Transport and Roads SALGA Provincial Working group as the official Secundi.

The proposal by Cllr P Heynes was not supported by the majority of Councillors present.

The amendment proposed by Cllr D Visagie was supported by the majority of Councillors present.

RESOLVED that the updated nominations list of Councillors and Officials, as set out in Annexure A to the report on the agenda, and as amended in preamble, to represent the City of Cape Town on the SALGA Provincial Working Groups, with effect from 1 August 2024, be approved.

[GOOD abstained from the above decision.]

ACTION: G POSTINGS, L MBANDAZAYO

C 30/07/24 PROPOSED CHANGES TO MEMBERSHIP OF COMMITTEES

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

- *Cllr T Dedezane (ANC) to be appointed to Spatial Planning and Environment Portfolio Committee*
- *Cllr C Pophaim (DA) to be removed from the Human Settlements Portfolio Committee*
- *Cllr B van Reenen (DA) to be appointed to the Human Settlements Portfolio Committee*
- *Cllr N Grose (DA) to be removed from the Human Settlements Portfolio Committee, and be appointed to the Innovation and Ease of Doing Business Portfolio Committee*
- *Ald S Pringle (DA) to be appointed to the Human Settlements Portfolio Committee*
- *Ald X Limberg (DA) to be removed from the Urban Waste Management Portfolio Committee and the Water and Sanitation Portfolio Committee*
- *Cllr C Esau (DA) to be removed from the Future Planning and Resilience Portfolio Committee and be appointed to the Urban Waste Management Portfolio Committee*
- *Cllr S van der Linde (DA) to be appointed to the Water and Sanitation Portfolio Committee*
- *Cllr F Berry (DA) to be appointed to the Spatial Planning and Environment Portfolio Committee*
- *Cllr I Sherry (DA) to be appointed to the Spatial Planning and Environment Portfolio Committee*
- *Cllr T Le Goff (DA) to be appointed to the Economic Growth Portfolio Committee and the Future Planning and Resilience Portfolio Committee*
- *Cllr F Lombard (DA) to be appointed to the Future Planning and Resilience Portfolio Committee*
- *Cllr C Mes (DA) to be appointed to the Municipal Public Accounts Committee*

The proposals were duly supported.

RESOLVED that:

- (a) Cllr F Abrahams (CCC) be appointed as a member of the Rules and Ethics Committee
- (b) Cllr H Loonat (CCC) be appointed as a member of the Corporate Services Portfolio Committee and Urban Waste Management Portfolio Committee
- (c) Cllr S Little (GOOD) be appointed as a member of the Economic Growth Portfolio Committee and the Urban Waste Management Portfolio Committee
- (d) Cllr Y K Dalwai (AJ) be appointed as a member of the Community Services and Health Portfolio Committee
- (e) Cllr E Uygun (FF Plus) be appointed as a member of the Safety and Security Portfolio Committee
- (f) Cllr P Jansen van Vuuren (FF Plus) be appointed as a member of the Water and Sanitation Portfolio Committee and be removed from the Safety and Security Portfolio Committee
- (g) Cllr T Dedezane (ANC) be appointed as a member of the Spatial Planning and Environment Portfolio Committee
- (h) Cllr C Pophaim (DA) be removed from the Human Settlements Portfolio Committee
- (i) Cllr B van Reenen (DA) be appointed as a member of the Human Settlements Portfolio Committee
- (j) Cllr N Grose (DA) be removed from the Human Settlements Portfolio Committee, and be appointed as a member of the of the Innovation and Ease of Doing Business Portfolio Committee
- (k) Ald S Pringle (DA) be appointed as a member of the Human Settlements Portfolio Committee
- (l) Ald X Limberg (DA) be removed from the Urban Waste Management Portfolio Committee and the Water and Sanitation Portfolio Committee
- (m) Cllr C Esau (DA) be removed from the Future Planning and Resilience Portfolio Committee and be appointed as a member of the Urban Waste Management Portfolio Committee
- (n) Cllr S van der Linde (DA) be appointed as a member of the Water and Sanitation Portfolio Committee
- (o) Cllr F Berry (DA) be appointed as a member of the Spatial Planning and Environment Portfolio Committee

- (p) Cllr I Sherry (DA) be appointed as a member of the Spatial Planning and Environment Portfolio Committee
- (q) Cllr T Le Goff (DA) be appointed as a member of the Economic Growth Portfolio Committee and the Future Planning and Resilience Portfolio Committee
- (r) Cllr F Lombard (DA) be appointed as a member of the Future Planning and Resilience Portfolio Committee
- (s) Cllr C Mes (DA) be appointed to the Municipal Public Accounts Committee.

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

C 31/07/24 MOTION RECEIVED FROM COUNCILLOR J CUPIDO

Cllr J Cupido (GOOD), seconded by Cllr S Little (GOOD) was asked to introduce his motion as set out on pages 1 to 8 of Volume 4 of the agenda, as reflected below:

Reason for Motion:

City of Cape Town issuing hand-delivered letters 10 residents in Salt River demanding that the tenants vacate their occupation of City housing on specific dates ranging from 26 July 2024 to 31 July 2024. The matter is thus urgent, because the City purports to evict the tenants at dates that arise in this month.

Background:

The residents of Shelley Road Woodstock has received individual letters from the City of Cape Town as a "Notice of Intent to Sell". The letter further states one of the following:

- ***The residents are required to vacate the property by the date imposed in the said letters which all fall on or before 31 July 2024,***
- ***That the City is in the process of cancelling the lease agreement between the City and the tenant.***

The residents affected, are long standing tenants of the City and the majority of them have lived in these houses for decades. The houses affected according to the Economic Growth Portfolio forms part of the Capital Assets of the City, but does not qualify as those type assets in line with the Municipal Asset Transfer Regulations ("MATR") and the City's Policy on the Management of Certain of the City of Cape Town's Immovable Property ("Property Policy") with regards to the lease of these properties.

Some of the residents of the Shelley Road properties have lived in these houses for approximately 40 years. The properties were originally purchased by the City of Cape Town before 1994 during a period where the Salt River area was declared as a "White-only" area in terms of the Group Areas Act. The property was expropriated from the Gilbie Family, (one of the affected families). The history of the acquisition of the properties does not align with the claim by some City officials that the properties were purchased for the development of a road scheme.

The Property Policy specifically excludes immovable property which falls within the area of responsibility of the Housing Department, from its operation. The Property hereto referred, the Shelley Road property does not equate to renting for the purpose of Business nor aligned to residential properties that are subject to an active, road scheme, at market related rentals.

It is also critical for Council to note the ruling handed down in a matter between a resident of Shelley Road represented by Ndifuna Ukwazi vs City of Cape Town, in which the decision was that the rental cost may not be increased and that it should remain the same.

The properties are leased for residential and not business purposes and are therefore Exempted Capital Assets and section 14 of the MFMA finding applicability. This therefore means that the property should fall part of the Human Settlement Portfolio and its policy and processes should apply.

The letters handed over to the Residents do not comply with the City Manager's directive that public participation for the sale of the properties be approved by the City of Cape Town Council.

The letters are misleading as they require the tenants to vacate and not form part of an intended public participation process for the consideration of the disposal of the property through the means of sale.

The Motion:

GOOD call on the City of Cape Town Council to resolve the following as urgent and seek the approval for the following:

- 1. To immediately retract all letters submitted to the affected resident,*
- 2. To consider a full investigation and have the property allocated to the proper department namely Human Settlement,*
- 3. To investigate whether the occupants in question would qualify for a transfer of the properties to them in terms of Human Settlements legislation and policy.*
- 4. Should they qualify, that the properties be taken over by Human Settlements and a process be followed in line with the Human Settlement legislation and policy.*

5. *Should it be determined that the property must go up for sale, that the current residents be offered the right to purchase and that such shall be done at a reduced cost.”*

Cllr Y Mohamed (DA) mentioned that this motion does not need the support of Council, as due diligence has been followed in terms of the public participation process, in order to find a sustainable solution for the residents..

The motion was put to the vote, with result by the majority of members present, that the motion not be supported.

The motion was therefore not carried.

RESOLVED that the motion received from Cllr J Cupido not be supported.

ACTION: OFFICE OF THE SPEAKER

C 32/07/24 MOTION RECEIVED FROM COUNCILLOR L BENGE

Cllr L Benge (GOOD), seconded by Cllr C Davids (GOOD) was asked to introduce his motion as set out on pages 9 to 13 of Volume 4 of the agenda, as reflected below:

“Reason for Motion:

The City of Cape Town has introduced a Fixed Basic Charge to residents across the City that was introduced due to the water restrictions imposed during the drought, which resulted in greatly reduced revenue from water usage, which affected the City's ability to cover maintenance costs. Due to this, the City reworked the tariff structure to include a fixed component to make it more sustainable. The purpose for the fixed basic charges was only to be introduced over a 6 month period to ensure recovery.

The loss of water in the City is no longer due to the lack of rain, but rather due to a failing maintenance plan to ensure unnecessary water lost. While the City claims that they are assisting residents qualifying for Indigent support, the Fix Basic Charges still leave those residents with a cost owing to the City that places our Indigent residents in a difficult circumstance.

The fixed basic charges is notably in the following manner:

- 15 mm cost R87, 29
- 20 mm cost R155, 87
- 25 mm cost R243, 15

*The City of Cape Town is already leading in the overall water lost standing at around 16.7% against the National average of 36%. While the Fixed basic Charges only refer to access to water, the City on top of the Fix Basic Charges for the size of a pipe already have a fixed charge, relating to services. According to the City of Cape Town a “**Service Charge**” is already*

*implemented, as per **Section 1**. Under the WATER AND SANITATION TARIFFS of the 2024/25 Budget (May 2024) in Annexure 7, which states: (1.3) Consumption based tariffs may consist of any combination of service charges and network access charges. This already suggesting underlying Charges.*

The Motion:

The City of Johannesburg fixed charges that came into effect on the 1st July 2024 have come under fire by the Democratic Alliance caucus there. The same Democratic Alliance that's implementing the unprecedented fixed basic Charges in Cape Town is fighting a similar charge in Johannesburg. As the City of Cape Town, the municipality with a surplus of R10 Billion, under the current conditions of high unemployment must put its residents first and do everything in its power to have such detrimental cost to the residents of the City removed.

As the GOOD Party we call on the City of Cape Town Council to agree that:

- 1. The Fixed Basic Charges be withdrawn;*
- 2. Finance and Water department plan for the termination of the charge in time for the next budget*
- 3. Bring a report to Council before the end of the calendar year on the withdrawal of the charge,*
- 4. To do full investigation on cost saving within the City of Cape Town to cover the cost of services needed,*
- 5. To immediately amend all policies relating to the Fixed Basic Charge and have it deleted.”*

Cllr Z Badroodien (DA) mentioned that the fixed basic charge is to ensure stability and reliability in the water and sanitation revenue forecast for infrastructure investment in the City and therefore does not support this motion.

The motion was put to the vote, with result by the majority of members present, that the motion not be supported.

The motion was therefore not carried.

RESOLVED that the motion received from Cllr L Benga not be supported.

ACTION: OFFICE OF THE SPEAKER

C 33/07/24 WITHDRAWALS FROM MUNICIPAL BANK ACCOUNTS FOR THE QUARTER ENDING JUNE 2024

RESOLVED that the report on the withdrawals made from the City's bank accounts for the quarter ending June 2024, be noted.

ACTION: H ROBBINS, D VALENTINE, K JACOBY

COUNCIL MINUTES: 25 JULY 2024

C 34/07/24 REPORTING ON MINOR BREACHES OF PROCUREMENT PROCESSES APPROVED BY THE SUPPLY CHAIN MANAGEMENT BID ADJUDICATION COMMITTEE FOR THE PERIOD 01 - 30 APRIL 2024

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

[GOOD abstained from the above decision.]

ACTION: A BLOEW, E LEWIS, K JACOBY

C 35/07/24 REPORTING ON MINOR BREACHES OF PROCUREMENT PROCESSES APPROVED BY THE SUPPLY CHAIN MANAGEMENT BID ADJUDICATION COMMITTEE FOR THE PERIOD 01 - 31 MAY 2024

RESOLVED that the report on the agenda and annexed list of minor breaches for the period 1 to 31 May 2024 as ratified by the Bid Adjudication Committee, be noted.

[GOOD abstained from the above decision.]

ACTION: A BLOEW, B VUMASE, K JACOBY

C 36/07/24 REPORTING ON DEVIATIONS IN TERMS OF THE MANAGEMENT OF CERTAIN OF THE CITY OF CAPE TOWN'S IMMOVABLE PROPERTY POLICY, SECTION 13, FOR THE BI-ANNUAL PERIOD OF 1 JANUARY 2024 TO 30 JUNE 2024 FOR INFORMATION PURPOSES

RESOLVED that the matters as authorised by the City Manager in terms of section 13 of the Management of Certain of the City of Cape Town's Immovable Property Policy, for the bi-annual period 1 January 2024 to 30 June 2024 for the 2023/24 financial year, attached as Annexure A to the report on the agenda, be noted and be disclosed as a note to the Council's Annual Financial Statements.

[GOOD abstained from the above decision.]

ACTION: J HOLT, L MBANDAZAYO

C 37/07/24 MUNICIPAL ENTITIES 2023/24 SUPPLY CHAIN MANAGEMENT POLICY IMPLEMENTATION REPORT

RESOLVED that the report of the two municipal entities, that of Cape Town Stadium and Cape Town International Convention Centre, on the implementation of their Supply Chain Management policies for the 2023/24 financial year, be noted.

ACTION: L FORTUNE, D VALENTINE, K JACOBY

COUNCIL MINUTES: 25 JULY 2024

- C 38/07/24** **REPORT IN TERMS OF SUPPLY CHAIN MANAGEMENT REGULATIONS, REGULATION 36, AND THE SUPPLY CHAIN MANAGEMENT POLICY (2023), CLAUSE 332, FOR THE PERIOD 30 MAY 2024 TO 14 JULY 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 30 May 2024 to 14 July 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

- C 39/07/24** **QUARTERLY REPORT OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE: 31 MARCH 2024**

RESOLVED that the activities and work plan states of the Municipal Public Accounts Committee for the period up to 31 March 2024, be noted.

ACTION: J VAN ZYL, E FRAY, R RAZACK, V NQOBOZI, E SASS

- C 40/07/24** **RESOLUTIONS TAKEN BY THE EXECUTIVE MAYOR IN TERMS OF DELEGATED POWERS AND DECISIONS TAKEN TOGETHER WITH THE MEMBERS OF THE MAYORAL COMMITTEE: JULY 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 July 2024, be noted.

[GOOD abstained from the above decision.]

ACTION: C KNOTT, OFFICE OF THE EXECUTIVE MAYOR

- C 41/07/24** **QUARTERLY FINANCIAL REPORT: JUNE 2024**

RESOLVED that the quarterly financial report for the quarter ended 30 June 2024, be noted.

ACTION: C STROUD, K JACOBY

ADDITIONAL ITEMS:

The following resolutions of items CIC04 to CIC08 related to the Municipal Public Accounts Committee matters were moved to the open agenda, at conclusion of the discussion of the item at the In-Committee session.

The resolutions are however recorded as Items C 42/07/24 to C 46/07/24.

C 42/07/24 SCM DEVIATION CONDONATION: SUPPLY AND DELIVERY OF ATHLETIC TRACK AND FIELD EQUIPMENT (IRREGULAR EXPENDITURE: R250 178)

RESOLVED that the irregular expenditure of R250 178,18 (two hundred and fifty thousand one hundred and seventy eight rand and eighteen cents) (including VAT), incurred for failure to follow Supply Chain Management (SCM) Policy and process, be certified as irrecoverable and be written off as the City received the shipped goods, based on an approved SCM condonation.

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

ACTION: Z MANDLANA

C 43/07/24 PROVISION OF PROFESSIONAL SERVICES: DESIGN, TENDER DOCUMENTATION AND CONSTRUCTION WORK MONITORING FOR VARIOUS SOLID WASTE FACILITIES (IRREGULAR EXPENDITURE: R6 543 511)

RESOLVED that:

- (a) The amount of R6 543 511,21 (six million five hundred and forty-three thousand five hundred and eleven rand and twenty-one cents) (including VAT), incurred for noncompliance with the Local Government: Municipal Finance Management Act (MFMA) section 116(3) process and the City's Supply Chain Management (SCM) Policy (2019), be noted as irregular expenditure and certified as irrecoverable and the expenditure be written off as the City received the construction works and consulting services.

NO ACTION OWNER

- (b) The Energy Distribution and Generation Department:
 - (i) Exercises due care and diligence in future in terms of granting authority to do works without the necessary authority.
 - (ii) Avoids irregular expenditure and takes all measures to ensure compliance with legislation and the City's Supply Chain Management (SCM) policy.
 - (iii) Takes disciplinary action against management (e.g. contract owner, contract manager, head, manager and director) in future as they are supervisors of the business function.
 - (iv) Applies comprehensive supervisory and management roles in future.
 - (v) Ensures speedy reporting to MPAC in future.
 - (vi) Ensures that recurring issues of this nature, i.e. failing to obtain authority before incurring costs, are avoided.
 - (vii) Continues to timeously report all Unauthorised, Irregular and Fruitless and Wasteful (UIFW) expenditure to the City Manager.

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

ACTION OWNER: K NASSIEP

C 44/07/24 PROVISION OF PROFESSIONAL SERVICES: PLANNING AND IMPLEMENTATION OF ECONOMIC DEVELOPMENT PROGRAMMES AND PROJECTS (FRUITLESS AND WASTEFUL EXPENDITURE: R25 041 AND IRREGULAR EXPENDITURE: R769 350)

RESOLVED that:

- (a) The expenditure of R25 041,25 (twenty-five thousand and forty-one rand and twenty five cents) (including VAT), incurred as a result of using the incorrect line item which resulted in inflated cost and overpayment to the professional services, be noted as fruitless and wasteful expenditure and be certified as recoverable and be recovered from the service provider.

ACTION OWNER: R SAYED

- (b) The expenditure of R769 350,00 (seven hundred and sixty-nine thousand three hundred and fifty rand) (including VAT), incurred without following due Supply Chain Management (SCM) process (clause 401 to 406) and not adhering to the contractual conditions (i.e. using resources not listed on the professional skills schedule as awarded), be noted as irregular expenditure, and be certified as irrecoverable and be written off as the City received the professional services per the Purchase Orders generated.

NO ACTION OWNER

- (c) The Economic Growth: Enterprise and Investment Department:
- (i) Exercises due care in the future when processing invoices.
 - (ii) Improves the business processes in respect of the fundamentals of Supply Chain Management (SCM) and contract management.
 - (iii) Speedily recovers the fruitless and wasteful expenditure incurred, i.e. obtain a credit note as soon as possible.
 - (iv) Ensures that the replacement tender incorporates all business needs to ensure a comprehensive professional service rates schedule.
 - (v) Ensures senior officials are also held to account for procedural errors and ultimately taking responsibility for the finances and directorate management.

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

ACTION OWNER: R GELDERBLOEM

C 45/07/24 SCM DEVIATION CONDONATION: EMERGENCY REPAIRS AT WELTEVREDEN MAIN SUBSTATION (IRREGULAR EXPENDITURE: R224 827)

RESOLVED that the irregular expenditure of R224 827,18 (two hundred and twenty-four thousand eight hundred and twenty-seven rand and eighteen cents) (excluding VAT), incurred for emergency switchgear repair, be certified as irrecoverable and be written off as the City received the services, based on an approved Supply Chain Management (SCM) condonation.

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

ACTION: M DE SWARDT, L RENCONTRE, K NASSIEP

C 46/07/24 REHABILITATION AND PATCHING OF PORTIONS OF JAKES GERWEL DRIVE BETWEEN THE N1 AND THE N2 (IRREGULAR EXPENDITURE: R8 704 606)

RESOLVED that:

- (a) The expenditure of R8 704 605,80 (eight million seven hundred and four thousand six hundred and five rand and eighty cents) (including VAT), incurred without obtaining the necessary authority to increase the existing value approved by the Supply Chain Management (SCM) Bid Adjudication Committee (BAC) resolution, be noted as irregular expenditure and be certified as irrecoverable and the expenditure be written off as the City received the construction works.

NO ACTION OWNER

- (b) The Urban Mobility: Roads and Infrastructure Management Department:
- (i) Exercises due care and diligence when presenting recommendations in the future to the SCMBAC.
 - (ii) Improves their business processes in respect of reporting Contract Price Adjustments.
 - (iii) Implements measures to ensure compliance with legislation and the City's Supply Chain Management (SCM) policy to avoid irregular expenditure.
 - (iv) Applies consequence management, including:
 - Education, training, business improvements and related remedial action.
 - Consulting with the individual(s) responsible for the administrative error to prevent a recurrence.

ACTION OWNER: D CAMPBELL

- (c) The Finance: SCM and the Future Planning and Resilience: Corporate Project, Programme and Portfolio Management

Departments provide evidence of assurance and advices, i.e. record of control improvements (e.g. new template) and communications on due care/ checks and balances to ensure compliance with legislation and the City's Supply Chain Management (SCM) policy.

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

ACTION OWNERS: G MORGAN, K JACOBY

THE MEETING ENDED AT 13H00.

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**ALD F PURCHASE
SPEAKER**

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DATE