



**HUMAN SETTLEMENTS PORTFOLIO COMMITTEE MEETING:  
3 JUNE 2021**

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**ITEM NUMBER: HS 04/06/21**

**SUBJECT**

CONFIRMATION OF THE MINUTES OF THE HUMAN SETTLEMENTS  
PORTFOLIO COMMITTEE MEETING HELD ON 6 MAY 2021

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- MINUTES -

**OF THE MEETING OF THE HUMAN SETTLEMENTS PORTFOLIO COMMITTEE  
HELD ON THURSDAY 6 MAY 2021 AT 10:00 VIA SKYPE**

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**PRESENT: DEMOCRATIC ALLIANCE (DA)**

Cllr B van Reenen (Chairperson)  
Ald S Moodley (Deputy Chairperson)  
Cllr M R Abrahams  
Cllr J P Fitz  
Cllr X Joja  
Cllr P S Mzolisa  
Cllr K Nethi  
Cllr P Nyakaza-Sandla  
Cllr M J Petersen  
Cllr O Solomons  
Cllr S Taliep  
Cllr S Vuba

**AFRICAN NATIONAL CONGRESS (ANC)**

Cllr T M Batembu  
Ald R Bazier  
Cllr J J Maxheke  
Cllr V Mfusi

**DEMOCRATIC INDEPENDENT (DI)**

Cllr A Adams

**AFRICAN CHRISTIAN DEMOCRATIC PARTY (ACDP)**

Cllr G Classen

**PATRIOTIC ALLIANCE (PA)**

Cllr C Stevens

**MAYCO MEMBER**

Cllr M Booi

**LEAVE / APOLOGIES**

Cllr Bafo  
Cllr M Dambuza  
Cllr C Pophaim

**OFFICIALS**

N Gqiba	ED: Human Settlements
R Rughubar	Director: Housing Development
R Pretorius	Director: Informal Settlements
G Blouw	Manager: Tenancy Management, Public Housing
V Charles	Administrative Officer 1, Public Housing
A Delport	Support Assistant: Office of ED Human Settlements
A de Waal	Administrative Officer 1, Housing Development
S Dlamini	Senior Legal Advisor: Legal Services
J Dreyer	Manager: Project Management Office, Human Settlements
G Eddy	Senior Research Officer, Operational Policy and Planning
J Fillies	Administrative Officer 3, Housing Development
X Fula	Manager: Staff Housing & Hostels Management, Public Housing
B George	Senior Professional Officer: Tenancy Management, Public Housing
M Goodwin	Head: Housing Database, Operational Policy and Planning
S Grobler	Programme Manager, Operational Policy and Planning
G Joyce	HR Business Partner (SG), HRBP Human Settlements
A Kermis	Head: HR Co-ordination & Monitoring, HRBP Human Settlements
M Kewana	Head: Tenancy Management, Public Housing
H Lotze	Head: Housing Development Co-ordination, Housing Development
P Molapo	Manager: Land Reform, Social & GAP Housing, Housing Development

A Neumann	Senior Professional Officer, Organisational Performance Management
A Paulsen	Manager: Finance, Human Settlements
C Pregolato	Senior Professional Officer: Tenancy Management, Public Housing
A Roux	Principal Professional Officer: Analyst, Policy and Strategy
N Solwandle	Executive Support Officer, Office of Mayco Member
H Steyn	Manager: Housing Implementation, Housing Development
L Valeta	Manager: Support Services

### **EXECUTIVE COMMITTEE SERVICES**

C Minnaar  
M Moses

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**HS 01/05/21**

### **OPENING**

The Chairperson, Councillor van Reenen, opened the meeting at 10:00 and welcomed all to the Human Settlements PC meeting.

She requested that a moment of silence be observed.

### **ACTION: C MINNAAR**

**HS 02/05/21**

### **APOLOGIES / LEAVE OF ABSENCE**

#### **Councillors**

Cllr Bafo  
Cllr M Dambuza  
Cllr C Pophaim – on leave

#### **Officials**

Mr L Nobaza: Manager: Land and Forward Planning  
Ms S September: Acting Director: Public Housing

**RESOLVED** that the apologies and applications for leave of absence be **NOTED**.

**ACTION: C MINNAAR****HS 03/05/21****CHAIRPERSON'S ADDRESS / REPORT**

"Good Morning Alderman, Alderwoman, Councillors and Officials. Thank you all for attending this morning's meeting.

Looking at our Agenda today, it appears quite lengthy, I therefore will not bore you with a long Address.

However, I wish to express my disappointment that the scheduled orientation workshop had to be postponed due to the lack of attendance; only five members were present, bearing in mind that the request for an orientation workshop was recommended and supported by this Portfolio Committee.

I am aware that a few councillors applied for leave and others indicated that they will join late. I wish to apologise to the Administration for wasting their time as they planned and fully prepared themselves for the workshop.

As mentioned previously, urbanisation into our City expands. The availability of living spaces such as housing, including land, remains one of Cape Town's biggest challenges and the demand for formal housing remains crucial. Therefore, the presentation at our previous meeting around the Human Settlements Strategy, the public participation feedback and proposed amendments is important in order to ensure and realise proper planning for the future.

So, today members, I am very pleased that we have the draft Human Settlements Strategy before us for our support and to recommend to the Executive Mayor, together with the Mayco, the approval of the Human Settlements Strategy.

We also have the Directorate and Departmental SDBIP'S, the preliminary response in respect of the motion received via Council from Cllr Cassim and many other important human settlement reports. In terms of the Terms of Reference, the Portfolio Committee is required to monitor and exercise their oversight role.

As alluded to earlier, I will not waste any further time as we have a

lengthy Agenda ahead of us.

I thank you.

Cllr. Beverley van Reenen”

**ADDRESS BY MAYCO MEMBER, CLLR M BOOI**

No comments by Mayco Member.

**ADDRESS BY THE ED: HUMAN SETTLEMENTS**

No comments by ED.

**RESOLVED** that the Chairperson’s Address be **NOTED** and **ACCEPTED**.

**PROPOSER: ALD S MOODLEY**

**SECONDER: CLLR O SOLOMONS**

**ACTION: C MINNAAR**

**HS 04/05/21**

**CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON  
8 APRIL 2021**

**RESOLVED** that the Minutes of the meeting held on 8 April 2021 be **ACCEPTED**.

**PROPOSER: CLLR O SOLOMONS**

**SECONDER: CLLR M ABRAHAMS**

**ACTION: C MINNAAR**

**HS 05/05/21**

**MATTERS ARISING FROM THE MINUTES**

Noted that the PC orientation workshop arranged for 30 April 2021 that had to be adjourned due to a lack of attendance, must be rescheduled to a date in either June or July 2021.

The Committee Officer to inform the PC as soon as a date has been

set.

**ACTION: C MINNAAR**

**HS 06/05/21**

**MATTERS RECEIVING ATTENTION**

**Item 2: Working Groups**

The Chairperson advised that in accordance with the resolution taken at the PC meeting of 6 February 2020, Working Groups have to submit quarterly and not monthly reports to the PC. It was thus agreed that the Chairpersons of the respective Working Groups will submit reports for quarter 3, for the period January to March 2021, to the PC meeting of 3 June 2021.

**Item 5: Housing Database Activity**

The ED reported that the scope of the tender for the consultants appointed by Council to undertake customer service surveys, does not extend to Human Settlements and that the Directorate will appoint its own service provider via a tender, which process will be undertaken. The ED requested to provide an update at the PC meeting of 2 September 2021 on the progress of the procurement process.

Noted that Ald Moodley requested that the ED enquire from the relevant line department whether there is a mechanism in place in terms of which the procurement process can be fast tracked. The ED to provide feedback hereon at the next PC meeting of 3 June 2021.

**RESOLVED** that

- (a) items 1, 2, 3, 5 and 9 remain on the MRA;
- (b) items 4, 6, 7 and 8 be removed from the MRA;
- (c) Working Groups submit reports to the PC meeting of 3 June 2021 for quarter 3, for the period January to March 2021;
- (d) the ED provide an update at the PC meeting of 2 September 2021 on the progress of the procurement process for the appointment of a service provider to update the housing database, and

(e) the ED report back at the PC meeting of 3 June 2021 on whether the procurement process for the appointment of a service provider as referred to in (d) above, can be fast tracked.

**PROPOSER: CLLR J FITZ**

**SECONDER: CLLR O SOLOMONS**

**ACTION: C MINNAAR**

**HS 07/05/21**

**2020/21 THIRD QUARTER'S PROGRESS REPORT ON CORPORATE PERFORMANCE**

**RECOMMENDED** that

(a) the Human Settlements Portfolio Committee note the 2020/21 Third Quarter's Progress Report on Corporate Performance in relation to its functional area, and

(b) it be supported for submission to the Executive Mayor together with the Mayoral Committee, for onward submission to Council.

**PROPOSER: ALD S MOODLEY**

**SECONDER: CLLR O SOLOMONS**

**ACTION: C MINNAAR**

**HS 08/05/21**

**DIRECTORATE SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) FOR 2021/2022**

The Chairperson mentioned that the draft SDBIP served at the PC meeting of March 2021 and that the final document is being tabled at the meeting today. The Chairperson quoted the purpose of the SDBIP as reflected on p 209 of the Agenda.

In response to the question by Cllr Petersen on what measures the Directorate are considering for the safe return to work of staff within the current regulatory context, the ED replied that the City wide directives guide the back to work plan. The City is currently operating in terms of the Occupational Health and Safety Directive



that was issued in March 2020 and reviewed in June 2020, which is aligned to the Disaster Regulations that provide applicable guidelines for the workplace. The City has introduced a capacity report for officials working remotely and onsite that has to be completed daily, which serves as a monitoring tool for staff.

The ED reported that EMT is in the process of developing a Future of Work guide that will provide detail on how the City will be working going forward. This document will be presented to all Portfolio Committees and will be submitted to Mayco and Council. In addition, MANCOM receive weekly updates on critical matters which are essential for the functioning of the Directorate, which is another control mechanism.

Pertaining to the issue of cleaning that was raised by Cllr Petersen as well, the ED reminded the PC that the Directorate wanted to embark on a deep cleaning exercise of the CRUs at the beginning of the pandemic but had to place those plans on hold due to the City not having such a tender in place. The Directorate had to embark on a procurement process for this service and the ED advised that the tender is currently at the evaluation stage, after which it will be awarded. It is envisaged that the work will start by August 2021.

Cllr Batembu appealed to the Directorate to attempt to adhere to the deadlines for projects as far as possible since missed due dates cause unrest in communities, which in many instances spill over to the ward councillors.

Ald Moodley cautioned that the latest updated reports to which recent amendments were made, must be submitted to Mayco. The Chairperson confirmed that the email sent by the Secretariat on 4 May 2021 in this regard clearly indicated the pages in the scorecard that were replaced and that the amended report will be forwarded to the Executive Mayor and the Mayoral Committee.

**RECOMMENDED** that the Human Settlements Portfolio Committee support the submission of the Directorate Service Delivery and Budget Implementation Plan (SDBIP) for 2021/2022 to the Executive Mayor together with the Mayoral Committee.

**PROPOSER: ALD S MOODLEY**

**SECONDER: CLLR O SOLOMONS****ACTION: C MINNAAR****HS 09/05/21****DEPARTMENTAL SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) FOR 2021/2022**

Mr Valeta briefly introduced the report on the Departmental SDBIP, which is aligned to the Directorate SDBIP. The Directorate SDBIP contain the globular strategic aspects, whereas the focus of the Departmental SDBIP that will be implemented on 1 July 2021 is on department specific programmes.

Mr Valeta listed the high level focus areas for the respective departments for the new financial year

**Housing Development**

- delivery of 2 500 housing opportunities in the form of serviced sites
- delivery of 2 600 top structures
- issuing of 350 title deeds for City owned rental stock
- issuing of 400 general title deeds

**Informal Settlements**

- delivery of 1 000 serviced sites in informal settlements through the incremental housing and reblocking project
- delivery of 400 new service points (toilets and taps with hand basins) to backyarders

**Public Housing**

- implementation of Asset Management Plan for the year (the plan detail allocation of resources towards maintenance of assets)
- implementation of automisation project for archiving of records, such as lease agreements
- undertaking of 4 tenancy surveys to verify tenants in rental stock

Mr Valeta indicated that the scorecards contain more substantial information than the key operational indicators that he mentioned. The Directorate and departments are measured in terms of those indicators.

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The Chairperson added that the SDBIPs would have been an item of discussion at the orientation workshop that was scheduled for 30 April 2021 and that members would have had an opportunity at that platform to interrogate the processes.

Ald Moodley commended the ED and officials for the outstanding performance of 96.68% achieved for the percentage compliance / adherence to EE standards.

**RECOMMENDED** that the Human Settlements Portfolio Committee support the submission of the Departmental Service Delivery and Budget Implementation Plans (SDBIPs) for 2021/2022 to the Executive Mayor together with the Mayoral Committee.

**PROPOSER: ALD S MOODLEY**

**SECONDER: CLLR O SOLOMONS**

**ACTION: C MINNAAR**

**HS 10/05/21**

**CO-OPERATIVE HOUSING: A RESPONSE TO THE MOTION RECEIVED FROM COUNCILLOR M F CASSIM**

The Chairperson remarked that the motion submitted by Cllr Cassim to Council was directed to the Human Settlements PC for further action and that the report tabled by the line department to the PC include preliminary findings, which findings have to be communicated with Cllr Cassim.

Mr Rughubar informed that the Research and Policy Unit had prepared a response to the motion, which had requested that Council consider the potential implementation of cooperative housing in the City of Cape Town as one of the solutions to alleviate the housing crisis in the country.

Cooperative housing essentially is a group of people living together in housing which they jointly have right to occupy but without title. In the report, which lists the outcome of the research conducted, the requirements for cooperative housing in a South African context were considered, and an overview of the benefits and disadvantages of co-housing was provided.

Mr Rughubar noted that the Human Settlements Strategy makes provision for cooperative housing to be further explored to determine whether it can be utilised as an additional mechanism to the City's proposed housing strategy and to identify what the role of the City in this context would be. National policies will have to be implemented to regulate cooperative housing and Mr Rughubar indicated that the City, under the Human Settlements Strategy, will conduct further research into this housing model and will make proposals to the National Department of Human Settlements as to whether this is a viable option for housing in South Africa.

The Chairperson thanked the ED and the Department for the work done thus far but noted that much more work in this regard is still required.

**RESOLVED** that

(a) the contents of the report be noted, and

(b) the outcome of the preliminary findings be submitted to Cllr Cassim for notification.

**PROPOSER: ALD S MOODLEY**

**SECONDER: CLLR M ABRAHAMS**

**ACTION: R RUGHUBAR / C MINNAAR**

**HS 11/05/21**

**HUMAN SETTLEMENTS' FINANCIAL MONITORING REPORT  
(FMR) – MARCH 2021**

Mr Paulsen provided a detailed oversight of the report.

Ald Moodley requested that the updated figures again be made available to the PC prior to the meetings so as to enable members to have the latest information available for discussion at the meetings. He expressed concern about projects at risk and noted that it is very late in the financial year to start shifting funding towards projects that are performing. He questioned whether the bulk of the capital budget will be spent by the end of the financial year.

It was requested that for ease of reference, the projects on Annexure A be numbered and that the template be much more comprehensive in terms of the information contained in it.

The ED replied that the reporting template of the annexure is a standard presentation that is part of the larger financial reports of the City as prescribed by Treasury in terms of s71 and s52 of the MFMA. There currently are 65 contracts in operation and it is difficult to add extensive detail to the template but the attachment will be revisited to see how much more information can be included on it. The ED said that the Directorate had planned to provide comprehensive feedback on the status of projects at the orientation workshop that was adjourned.

Cllr Batembu expressed concern about the lack of funding for fire kits, especially in light of the fact that fires in informal settlements in winter are a common occurrence.

Regarding the fire kits, the ED remarked that Provincial Human Settlements removed the funding for fire kits when the grants were reduced but that the Informal Settlements Department is considering alternatives in lieu of the fire kits. Ms Pretorius added that the Department, in close cooperation with the Fire Department, is currently looking at the construction of fire walls to contain and mitigate fires in informal settlements. A demonstration is planned at the Epping Fire Station on 29 June 2021. This venture is undertaken in partnership with the University of Stellenbosch. Depending on the outcome of the demonstration, a way forward for the procurement of materials can be plotted.

Mr Rughubar provided feedback on the progress of the projects, the measures put in place to unblock obstacles and the actions implemented to address the expenditure of the Department. He expressed confidence that once the virements are approved and money can be moved within the projects, which will allow payment to be made for projects where money is due, the expected expenditure in terms of the overall targets for this financial year will be achieved.

In regard to the request for the PC to do site visits to the various projects under construction, the Chairperson requested the

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Secretariat to enquire from the Chief Whip whether site visits can be undertaken.

**RESOLVED** that

- (a) the content of the report be noted;
- (b) the concerns raised regarding the lack of funding for fire kits be escalated to the Executive Mayor and the Members of the Mayoral Committee to, if in support, submit a request for a special case to Treasury for consideration of funding by Treasury for floods and fires outside the Disaster Management Act, and
- (c) the Secretariat enquire from the office of the Chief Whip whether site visits for the PC can be undertaken under the current national lockdown level 1.

**PROPOSER: ALD S MOODLEY**

**SECONDER: CLLR M PETERSEN**

**ACTION: ED / C MINNAAR**

**HS 12/05/21**

**QUARTERLY REPORT OF THE HUMAN SETTLEMENTS  
PORTFOLIO COMMITTEE FOR THE PERIOD JANUARY 2021 TO  
MARCH 2021**

The Chairperson indicated that the report summarises the work done by the PC for quarter 3 and that it is submitted to the PC in accordance with the Terms of Reference, which requires the Chairperson to submit quarterly overview reports to the Human Settlements PC.

**RESOLVED** that the Quarterly Report, Minutes and Activities of the Human Settlements Portfolio Committee for the period January 2021 to March 2021 be **NOTED**.

**PROPOSER: ALD R BAZIER**

**SECONDER: CLLR M PETERSEN**

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**ACTION: C MINNAAR****HS 13/05/21      REPORT ON THE OWNERSHIP REGULARISATION PROGRAMME**

The PC noted that, though slow, progress with the transfer of historical title deeds are being made. Cllr Petersen commended the officials who are busy with this mammoth task; a sentiment that was echoed by Cllr Taliep and Cllr Solomons.

Cllr Petersen proposed that this report be tabled at the affected subcouncils as there seems to be a discord with the areas within which the occupancy survey is being conducted and the areas identified in the report. She specifically referred to p 446 of the report that indicates Vrygrond, however, the area noted is Lavender Hill. She said that if the reports are submitted to subcouncils, it could be interrogated at that level to identify any discrepancies with regard to the areas. She requested that the spreadsheet include more detail in order to provide the PC with a clearer overall picture of the current situation pertaining to the transfer backlog.

Cllr Petersen furthermore raised concerns regarding

- the safety of the officials conducting the occupancy survey entering crime ridden areas without being accompanied by the ward councillors and enquired about the success rate of the survey;
- the number of illegal occupants that were regularised and how the dilemma of the regional subsidy beneficiaries will be resolved, and
- the issue of RDP houses that were sold and paid for, and what will be done about the vandalised and abandoned houses.

**RESOLVED** that

- (a) the report be noted by the Human Settlements Portfolio Committee, and
- (b) the report be forwarded to the various affected subcouncils for information purposes.

**PROPOSER: CLLR M PETERSEN**

**SECONDER: CLLR M ABRAHAMS**

**ACTION: S GROBLER**

**HS 14/05/21**

**STATUS REPORT ON HUMAN SETTLEMENTS CANCELLED -  
REPLACEMENT TENDERS**

The Chairperson noted that the monthly report pertaining to this item is submitted to enable the PC to monitor the progress of the cancelled tenders that had to be replaced due to a finding by the AG that the Local Office requirement for service providers included in advertisements were biased and restrictive. The PC resultantly requested that monthly reports be submitted to track the movement of the replacement tenders and until such time that the PC is satisfied with the progress made, the reports must be tabled at the meetings.

Mr Dreyer briefly pointed out the changes that occurred in respect of tenders 045Q/2019/20, 137Q/2019/20, 138Q/2019/20, 161Q/2019/20, 356Q/2018/19 and 357Q/2018/19, as outlined in the timeline summaries provided in the spreadsheet attached to the report.

**RESOLVED** that the content of the report be noted by the Human Settlements Portfolio Committee.

**PROPOSER: CLLR J FITZ**

**SECONDER: ALD R BAZIER**

**ACTION: C MINNAAR**

**HS 15/05/21**

**HUMAN SETTLEMENTS: INFORMAL SETTLEMENTS, IMIZAMO  
YETHU EMERGENCY PROJECT – STATUS REPORT**

Ms Pretorius provided an oversight of the report that was tabled for noting to the PC. She informed that the BAC approved the extension of the contract and that the contractor will soon be on site again to resume with the work. The next quarterly report will provide a status update of the work in progress.



In response to the comment that a site visit be arranged, the Chairperson encouraged members to visit the projects and familiarise themselves with the work being carried out by the Directorate.

**RESOLVED** that the content of the status report be noted.

**PROPOSER: CLLR J FITZ**

**SECONDER: CLLR O SOLOMONS**

**ACTION: C MINNAAR**

**HS 16/05/21**

**PROGRESS REPORT: EPWP PERFORMANCE - 2020/21  
QUARTER 3 REPORTING CYCLE**

Mr Fillies provided an oversight of the quarterly report and noted that the amendments to targets were made due to the impact of the Covid-19 pandemic. It was noted that the project delays in Housing Development had a ripple effect on the planned EPWP jobs but Mr Fillies expressed optimism that an improved report for the next quarter will be submitted to the PC.

**RESOLVED** that the content of the report be noted.

**PROPOSER: ALD S MOODLEY**

**SECONDER: CLLR S TALIEP**

**ACTION: C MINNAAR**

**HS 17/05/21**

**SOCIAL HOUSING COMPANIES QUARTELY REPORTS**

Mr Molapo provided a brief oversight of the quarterly reports as submitted by the social housing companies, SOHCO, Communicare and Madulammoho. He noted that the 2 new completed projects included in the report are Glenhaven in Bellville and Weltevreden Valley in Mitchells Plain, which the Mayco Member and Chairperson visited in March 2021.

Cllr Petersen raised a number of concerns about SOHCO and requested that the PC undertake another site visit to Steenvilla and

have a meeting with this social housing partner. She requested that an improved report be submitted for the next quarter.

Ald Moodley cautioned that the role of the PC relating to social housing is to create a conducive climate for social housing to operate in but that the PC cannot discuss litigation matters that involve these companies and their tenants as it could implicate the PC. He proposed that Cllr Petersen have an offline discussion with the Chairperson and the ED about her concerns in this regard in order to protect herself and the PC.

In response to the Chairperson's request for Mr Molapo to provide feedback on the improvements that SOHCO had committed to make at Steenvilla, Mr Molapo relayed that he had an onsite meeting with SOHCO on 20 April 2021 and that, in his view, some improvements did take place at Steenvilla. He supported the proposal though for a follow up site visit by the PC. He confirmed that the Department has regular one-on-one meetings with all the social housing partners.

Responding to Cllr Taliep's proposal that a building survey quality management section within the Directorate could be considered going forward to ensure that the quality of the buildings is of a high standard, Mr Molapo assured the PC that the social housing companies make use of high quality building materials to protect their investments and to ensure that they receive value for money. The Social Housing Regulatory Authority furthermore insist on the standards for building materials as imposed by legislation in the Social Housing Act, to which social housing companies must comply.

**RESOLVED** that

- (a) the Human Settlements Portfolio Committee note the progress report on Social Housing Projects;
- (b) the possibility of a follow up site visit by the PC to Steenvilla and other Social Housing projects be explored, and
- (c) the report be referred to the relevant Working Group for monitoring purposes.

**PROPOSER: CLLR M PETERSEN**

**SECONDER: CLLR S TALIEP**

**ACTION: P MOLAPO / C MINNAAR**

**HS 18/05/21**

**FINALISED AND ACTIVE HIGH COURT CASES FOR THE PERIOD 1 JANUARY 2021 TO 31 MARCH 2021**

Mr Dlamini introduced the report and indicated that, as previously requested by the PC, an additional column, attached as Annexure C, be included to provide an overview of the cumulative cases for Human Settlements for the current financial year.

In response to Ald Bazier's query regarding the closure of the matters, Mr Dlamini replied that the Administration closes a matter when the case is finalised and the court order was executed.

Ald Moodley enquired what percentage of the money spent on litigation for Human Settlements is funded by the Directorate. Mr Dlamini responded that Legal Services is the custodian for the costs of litigious matters that are contested in court, so all litigation expenses are paid for by Legal Services.

In regard to the referrals from Legal Services to law firms, the Chairperson enquired whether Legal Services does not have the required competence in-house to deal with some of the matters that are being referred. Mr Dlamini replied that the answer to this will depend on the particular matter in question as the facts of every case vary.

With regard to Cllr Taliep's enquiry as to the primary cause for the cases against Human Settlement, Mr Dlamini indicated that the majority of matters are private evictions where the City is cited in terms of the PIE Act, which holds that an eviction cannot be granted if there is a likelihood that the occupants or unlawful occupants will be rendered homeless. The City is cited in terms of its duty to provide housing or alternative accommodation, which duty is placed on it by the Housing Code. The City has to provide a housing report to court in these cases and indicate in there whether it would be able to provide alternative accommodation should the occupants be rendered homeless. The ED further added that many cases for

Human Settlements are based on land invasions.

In response to Cllr Taliep's follow up questions, the ED reminded the PC that Legal Services did not want to make these reports available when it was initially requested as they had concerns about information and legal arguments being compromised. The ED cautioned that the particulars of the matters cannot be divulged and hence requested that this report either be tabled in-committee going forward, or that it not be discussed in an open forum like this.

The Chairperson agreed with the sentiments expressed by the ED and noted that the intention was never to interrogate the matters and supported the proposal by the ED that this item in future serve on the confidential Agenda.

**RESOLVED** that

- (a) the quarterly report of Finalised and Active High Court Cases for the period 01 January 2021 to 31 March 2021 be noted, and
- (b) future quarterly reports from Legal Services be tabled in-committee.

**PROPOSER: ALD S MOODLEY**

**SECONDER: CLLR T BATEMBU**

**ACTION: C MINNAAR**

**HS 19/05/21**

**HUMAN SETTLEMENTS' VACANCY ANALYSIS AS AT 31 MARCH 2021**

Mr Joyce provided a brief overview of the content of the quarterly Vacancy Analysis Report for quarter 3.

**RESOLVED** that the report be noted.

**PROPOSER: ALD S MOODLEY**

**SECONDER: CLLR S TALIEP**

**HS 20/05/21            TRAINING INTERVENTIONS CONDUCTED 2020/2021 AS AT 31 MARCH 2021**

Mr Joyce briefly provided an oversight of the report and noted that it is anticipated that the 95% target spent for the training budget will be achieved by the end of the current financial year.

**RESOLVED** that the report be noted.

**PROPOSER: ALD S MOODLEY**

**SECONDER: CLLR M PETERSEN**

**ACTION: C MINNAAR**

**HS 21/05/21            TABLING OF THE CITY'S 2019/20 INTEGRATED ANNUAL REPORT AS PART OF THE PUBLIC MAKING PROCESS**

Mr Neumann noted that the report was tabled at Council on 31 March 2021, after which the public participation process was embarked upon and that the closing date was extended to 7 May 2021 to accommodate Portfolio Committees to provide comment.

**RESOLVED** that written comments in respect of the Integrated Annual Report (tabled in Council on 31 March 2021 as item C 23U/03/21) be provided by 7 May 2021.

**PROPOSER: ALD S MOODLEY**

**SECONDER: CLLR M ABRAHAMS**

**ACTION: C MINNAAR**

**HS 22/05/21            HUMAN SETTLEMENTS STRATEGY**

Mr Roux indicated that the Strategy was updated to reflect the latest pressure points within human settlements systems and that it articulates a clear logic on the roles that the City needs to play in the human settlements environment, which roles are that of provider, enabler and regulator.

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Mr Roux briefly reflected on the significance of being at this stage of the strategy development process and the opportunity it creates to bring about the greatest impact to the human settlements system and collective of beneficiaries within the City of Cape Town.

He iterated that the ultimate goal of the strategy is to bring about sustainability within the human settlements environment and to drive predictability and opportunity for the benefit of all residents of the City of Cape Town.

He expressed appreciation for the role that the PC and MMC had played to get to this point of the process and noted that all the input from all the actors involved were invaluable. He reminded the PC that their continued oversight in terms of the implementation of the plan in accordance with the strategy will be required in order to ensure that the objectives are achieved.

The Chairperson thanked the ED, Mr Roux and the entire team that assisted with the realisation of this strategy and agreed with Mr Roux that much work for the road ahead in terms of the implementation will still be required.

**RECOMMENDED** that

- a) the Human Settlements Portfolio Committee support and submit the Human Settlements Strategy (as captured in Annexure A) for approval to the Executive Mayor together with Mayco;
- b) the Executive Mayor, together with Mayco, support and recommend to Council the approval of the Human Settlements Strategy (as captured in Annexure A);
- c) the Urban Management Portfolio Committee and the Spatial Planning and Environment Portfolio Committee, respectively, note the contents of the report and the Human Settlements Strategy (as captured in Annexure A), and
- d) the Human Settlements Portfolio Committee note the public participation report for the Human Settlements Strategy (as captured in Annexure B).

**PROPOSER: CLLR M PETERSEN**

**SECONDER: ALD S MOODLEY**

**ACTION: C MINNAAR**

**HS 23/05/21**

**REPORT ON PORTFOLIO COMMITTEE RESOLUTIONS TAKEN  
ON UNLAWFUL OCCUPATION IN THE RESIDENTIAL UNITS  
(CRU'S)**

Mr Fula introduced the report and noted that the reason for the tabling of the two reports is that the one is in response to the resolutions taken by the PC at its in-committee meeting held on 4 February 2021 and that an action plan with due dates was drafted for execution of the resolutions. This report will be submitted to the PC on a quarterly basis in order to monitor the progress made on the action plan. The other report is the regular quarterly report that provides an update on the progress with regard to the unlawful occupations in the CRUs.

The Chairperson expressed a concern regarding the fact that no specific timeframe is set under the comment on item 6 on the action plan regarding filling of available rental stock.

Mr Fula explained that the policy is silent on the timeframe in which occupation of rental units must be taken. He raised two factors with regard to occupancy; firstly, whether the prospective beneficiary will accept the unit after viewing it and secondly, the condition of the rental stock when it becomes available. If the unit is habitable, occupation can take place immediately; if not, applicants can choose to either move in while repairs and maintenance to the dwelling are being done, or wait until it is repaired before taking occupation.

When an applicant does not accept ownership, the unit is barricaded while the Department establishes contact with the next person in line on the database in order to offer the unit to them. The first applicant who has rejected the unit for whatever reason is not removed from the waiting list and will be offered ownership of the next available unit.

The Chairperson urged that the comment under item 6 be amended to reflect a stronger commitment from the Department with regards

to the filling of vacant rental units.

**RESOLVED** that

- (a) the Portfolio Committee notes the action plan as a proposed quarterly reporting structure, and
- (b) the comment under controls in item 6 on the action plan be amended to reflect a stronger commitment.

**PROPOSER: ALD S MOODLEY**

**SECONDER: CLLR O SOLOMONS**

**ACTION: X FULA / S SEPTEMBER**

**HS 24/05/21**

**UPDATE ON REPORT ON UNLAWFUL OCCUPATION IN THE RESIDENTIAL UNITS (CRU's)**

Ms Blouw provided a comprehensive oversight of the content of the report and elaborated on the information provided on the issue relating to the evictions, the procedures and steps involved, which entail timelines to be followed, making it lengthy and tedious, and the challenges encountered. The last resort in the process is the institution of legal proceedings, which is done only when all other avenues were exhausted.

Ms Blouw noted that due to the national state of disaster imposed on the country, only 3 vehicles are allocated to the Tenancy Management Division for the 26 housing offices, which, coupled with the fact that Covid-19 protocols must be followed, make it nearly impossible to do house visits.

She furthermore apprised the PC of the fact that of the 24 Law Enforcement officials assigned to Tenancy Management, only 12 are servicing the unit as the rest were placed on operational duty. It is a stark reality that some areas cannot be visited without being accompanied by Law Enforcement, which poses further challenges with regard to house visits.

Cllr Petersen commended the officials of the Tenancy Management unit for the fact that they are so well informed of the identities and



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circumstances of the tenants staying in the City's rental stock, and for being readily available when they are being contacted.

Cllr Petersen proposed that the Flat Committees that used to be in operation before, be re-established. The Chairperson proposed that Cllr Petersen engage with Working Group 1 that deals with policies, for a review of the CRU Committee policy.

Cllr Petersen also raised concerns about the fact that only 12 Law Enforcement officers are assisting the unit and that just 3 vehicles are available for use for the entire Tenancy Management section.

The Chairperson expressed her dissatisfaction with the report as she said that there is no new information provided in it. She noted that this is a historic matter and that due to inaction from the Department, the situation in the City's rental stock was allowed to escalate to the extent that it is currently at.

She questioned some of the data contained in the report, such as the nil indicated for illegally occupied properties and said that she is unsure whether that figure referred to Hanover Park only. The Chairperson requested that more comprehensive detail be added to the spreadsheets of the next report, such as dates to be inserted for action that was taken.

The Chairperson further proposed that Housing Estate officials call on the assistance of the ward councillors, as well as the Walking Bus and / or Women for Change in the various areas to accompany them on house visits. She noted that some officials already make use of these groups when they have to enter volatile areas.

The Chairperson appealed to the ED to engage with the Fleet Manager about the return of the vehicles for Tenancy Management.

**RESOLVED** that

(a) the report be noted by the Human Settlements Portfolio Committee, and

(b) a more positive report be submitted for the next quarter.

**PROPOSER: CLLR S TALIEP**

**SECONDER: ALD S MOODLEY**

**ACTION: C MINNAAR**

**CLOSURE**           The meeting ended at 15:15.

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**CHAIRPERSON: B VAN REENEN**

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**DATE**