

## MINUTES

**OF A MEETING OF THE EXECUTIVE MAYOR AND MEMBERS OF THE MAYORAL COMMITTEE OF THE CITY OF CAPE TOWN HELD IN THE COUNCIL CHAMBER, 6TH FLOOR, PODIUM, CIVIC CENTRE, CAPE TOWN ON TUESDAY, 17 MAY 2022 AT 11:05**

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### PRESENT

Ald. G Hill-Lewis (Executive Mayor) (Chairperson)  
Ald. E Andrews (Executive Deputy Mayor)  
Cllr Z Badroodien  
Cllr M Booie  
Cllr S Mbandezi  
Cllr R Quintas  
Ald. JP Smith  
Ald. G Twigg  
Ald. T Uys  
Cllr P van der Ross  
Cllr B van Reenen  
Ald. J Vos

### LEAVE/APOLOGIES

None

### VISITING COUNCILLORS

Ald F Purchase (Speaker)  
Ald C Justus

### EXECUTIVE MANAGEMENT TEAM

Mr L Mbandazayo (City Manager)  
Mr V Botto (Acting ED: Safety and Security)  
Ms D Campbell (ED: Urban Mobility)  
Ms R Gelderbloem (Acting ED: Economic Growth)  
Mr R Rughubar (acting on behalf of the ED: Human Settlements)  
Mr K Jacoby (Chief Financial Officer)  
Mr M Mtyi (acting on behalf of the Acting ED: Urban Waste Management)  
Ms Z Mandlana (Acting ED: Corporate Services)  
Mr G Morgan (Acting ED: Future Planning & Resilience)  
Mr K Nassiep (ED: Energy)  
Ms E Naudé (Acting ED: Spatial Planning & Environment)  
Mr E Sass (ED: Community Services and Health)  
Mr M Webster (ED: Water & Sanitation)

## **OTHER OFFICIALS**

Ms P Abbott  
Ms E Apollis  
Dr L Geldenhuys  
Mr P Gertenbach  
Ms W Hartshorne  
Mr A Hazell  
Mr T Hollis-Turner  
Ms J Holt  
Mr Z Hoosain  
Ms C Knott  
Mr J Liebenberg  
Mr D Linde  
Ms R Moffitt  
Mr Z Mohamed  
Ms L Ndaba  
Ms V Ngcobozi  
Mr S Ngondo  
Ms S Sanders  
Ms R Sayed  
Ms L Sixabayi  
Mr L Tyhalibongo  
Ms O Vumindaba  
Mr P Williamson

## **PUBLIC AND PRESS**

M Barnard    Netwerk 24

## **EXECUTIVE COMMITTEE SERVICES**

Ms R Razack  
Mr G Josephs  
Mr M Carolus

### **MC 19/05/22    OPENING**

The Executive Mayor, Ald. G Hill-Lewis welcomed all those present to the meeting.

### **MC 20/05/22    APOLOGIES/LEAVE OF ABSENCE**

No applications for leave of absence were received for Mayco Members.

It was noted that apologies were received from Ms N Gqiba (ED: Human Settlements) and Mr R Keraan (Acting ED: Urban Waste Management).

It was further noted that an apology was received from Cllr D Visagie (Chief Whip).

**RESOLVED** that it be noted that no applications for leave of absence were received for this meeting.

**ACTION: G JOSEPHS**

**MC 21/05/22 CONFIRMATION OF MINUTES OF ORDINARY MAYCO MEETING HELD ON 3 MAY 2022**

**RESOLVED** that the minutes of the Ordinary Mayoral Committee meeting held on 3 May 2022, be confirmed.

**ACTION: G JOSEPHS**

**EXECUTIVE MAYOR**

***FOR DECISION BY THE EXECUTIVE MAYOR  
TOGETHER WITH MEMBERS OF MAYCO***

**MC 22/05/22 ACCEPTANCE OF DONATION OF TECHNICAL ASSISTANCE FROM THE DEUTSCHE GESELLSCHAFT FOR INTERNATIONALE ZUSAMMENARBEIT (GIZ) GMBH AND THE C40 CITIES CLIMATE LEADERSHIP GROUP IN SUPPORT OF THE GREEN INFRASTRUCTURE OPTIONS FOR FLOOD RESILIENCE AND IMPROVED CATCHMENT MANAGEMENT PROJECT (LSU N3379)**

**RESOLVED** that:

- (a) The donation of technical assistance to the City, by the Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH and the C40 Cities Climate Leadership Group, be accepted.
- (b) A Memorandum of Understanding (MOU) be entered into between the City and the Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH and the C40 Cities Climate Leadership Group.
- (c) The MOU be finalised in consultation with the Legal Services Department.
- (d) The Executive Director: Water and Sanitation be authorised to sign the MOU

**ACTION: A MCDONALD; M KILLICK; C FREHSE; M WEBSTER**

**MC 23/05/22 APPOINTMENT OF TWO COUNCIL MEMBERS TO SERVE ON THE CIVILIAN OVERSIGHT COMMITTEE (CIVOC) (NO LSU)**

**RESOLVED** that the report on the appointment of two council members to serve on the Civilian Oversight Committee (CIVOC), be withdrawn.

**ACTION: N NGELE; P ROBERTS; V BOTTO**

**MC 24/05/22 CAPE TOWN INTERNATIONAL CONVENTION CENTRE (RF) SOC (CTICC): RE-APPOINTMENT OF NON-EXECUTIVE DIRECTOR TO THE BOARD (LSU N3150)**

**RESOLVED** that:

- (a) Ben Mdebuka be reappointed to the board of the City's municipal entity, being the Cape Town International Convention Centre (CTICC), in accordance with the Memorandum of Incorporation (MOI) and in line with section 93E of the Municipal Systems Act, Act 32 of 2000, for a second (2nd) term of three (3) years commencing on 9 July 2022;
- (b) The Executive Mayor be authorised to sign the director's service contract.

**ACTION: L FORTUNE; D VALENTINE; K JACOBY**

**MC 25/05/22 SECTION 116(3) OF THE MFMA - AMENDMENT OF CONTRACT NO. 143Q/2018/19: DESIGN AND BUILD OF LANDFILL GAS DRIVEN ELECTRICITY GENERATION EQUIPMENT AT THE COASTAL PARK LANDFILL SITE, MUIZENBERG, CITY OF CAPE TOWN (NO LSU)**

**RESOLVED** that the proposed amendment to Contract No. 143Q/2018/19: Design and Build of Landfill Gas Driven Electricity Generation Equipment at the Coastal Park Landfill Site, Muizenberg, City of Cape Town, by way of an increase in contract period, for the reasons provided in Annexures A - E to the report on the agenda, be noted.

**ACTION: N MITCHELL; M MBOPA; F HAY; M MTYI; R KERAAN**

**MC 26/05/22 SECTION 116(3) OF THE MFMA - AMENDMENT OF CONTRACT NO. 217C/2018/19 - PROFESSIONAL SERVICES: DESIGN, TENDER DOCUMENTATION AND CONSTRUCTION MONITORING FOR VARIOUS FACILITIES WITHIN THE CITY OF CAPE TOWN (NO LSU)**

**RESOLVED** that the proposed amendment to Contract No. 217C//2018/19: Professional Services - Design, Tender Documentation and Construction Monitoring for Various Facilities within the City of Cape Town, by way of an increase in contract period,

for the reasons provided in Annexure B to the report on the agenda, be noted.

**ACTION: S DAVIDS; F HAY; M MTYI; R KERAAN**

**MC 27/05/22 SECTION 116(3) OF THE MFMA - AMENDMENT OF CONTRACT NO. 101G/2018/19: SUPPLY AND DELIVERY OF 80 L LITTER BINS FOR INFORMAL SETTLEMENTS**

**RESOLVED** that the proposed amendment to Tender No. 101G/2018/19: Supply and Delivery of 80 l litter Bins for Informal Settlements by way of an increase in contract period of 10 months, at a rates-based cost, for the reasons provided in section 4 of the report on the agenda, be noted.

**ACTION: K MIHI; E HLONGWANE; A VAN VUUREN; R KERAAN**

**FOR DECISION BY COUNCIL**

**MC 28/05/22 AWARDING OF CONTRACT WHICH WILL INCUR FINANCIAL OBLIGATIONS BEYOND THE BUDGET CYCLE (FROM 2022/23 - 2027/28), CONTRACT: 368S/2020/21 - THE PROVISION OF THIRD PARTY PAYMENT SERVICES FOR THE PAYMENT OF THE CITY OF CAPE TOWN'S MUNICIPAL ACCOUNT (LSU N3231)**

It is **RECOMMENDED** that:

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

**ACTION: N MEISSENHEIMER; T BLAKE; K JACOBY**

**MC 29/05/22 AWARDING OF CONTRACT, WHICH WILL INCUR FINANCIAL OBLIGATIONS BEYOND THE BUDGET CYCLE: TENDER NO. 52C/2021/22: PROVISION OF SERVICE PROVIDER: BROKER TO ADMINISTER THE GROUP LIFE SCHEME FOR EMPLOYEES OF THE CITY OF CAPE TOWN FROM 1 JULY 2022 UNTIL 30 JUNE 2027 (LSU N2957)**

*Note: It was requested that the subject heading of the report be amended to reflect that the report will incur financial obligations beyond the budget cycle.*

It is **RECOMMENDED** that:

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

**ACTION: N MEISSENHEIMER; S GOLDING; L SITHOLE;  
Z MANDLANA**

**MC 30/05/22 AWARDING OF CONTRACT WHICH WILL INCUR FINANCIAL OBLIGATIONS BEYOND THE BUDGET CYCLE: TENDER 305Q/2020/21: CONSTRUCTION OF PHASE 2A TRUNK INFRASTRUCTURE: GOVAN MBEKI ROAD BETWEEN LANSDOWNE ROAD & HEINZ ROAD (LSU N1380)**

It is **RECOMMENDED** that:

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

**ACTION: N MEISSENHEIMER; R MELODY; I BOWKER;  
D CAMPBELL**

**MC 31/05/22 REQUEST FOR MEMBERSHIP FOR THE WATER AND SANITATION DIRECTORATE AS A PATRON MEMBER WITH THE WATER INSTITUTE OF SOUTHERN AFRICA (WISA) (NO LSU)**

It is **RECOMMENDED** that:

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

**ACTION: N MEISSENHEIMER; M CARELSE; R BICKNELL; J DE BRUYN; Z BASHOLO; M WEBSTER**

**MC 32/05/22 INSURANCE RENEWALS - 2022/23 (LSU 3329)**

It is **RECOMMENDED** that:

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

**ACTION: N MEISSENHEIMER; S ODENDAAL; D VALENTINE; K JACOBY**

**MC 33/05/22 CREDIT RATING OPINION OF THE CITY OF CAPE TOWN (LSU G4064)**

The Executive Mayor highlighted the improved rating opinion of the City of Cape Town, but reiterated that any movement in the South African sovereign rating will impact directly on the City's global scale rating.

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

**ACTION: N MEISSENHEIMER; D VALENTINE; K JACOBY**

**MC 34/05/22 NATIONAL TREASURY MUNICIPAL FINANCE MANAGEMENT ACT (MFMA) CIRCULAR 113 (LSU N3469)**

In response to an enquiry from Mayco about the reason for the submission of the report on the agenda to Council, the Chief Financial Officer, Mr K Jacoby indicated that it is a requirement from National Treasury to bring Circular 113 to the attention of Council in order to consider and adopt it for implementation and compliance.

It is **RECOMMENDED** that the National Treasury MFMA Circular 113, be adopted.

**ACTION: N MEISSENHEIMER; N ISHMAIL; K JACOBY**

**MC 35/05/22 INTEGRATED DEVELOPMENT PLAN (IDP) AND BUDGET TIME-SCHEDULE: JULY 2022 TO JUNE 2023 (LSU N3209)**

It is **RECOMMENDED** that the IDP and Budget time-schedule for July 2022 to June 2023 as contained in Annexure A to the report on the agenda, be approved.

**ACTION: N MEISSENHEIMER; J YSLIE; H COLE; G MORGAN**

**MC 36/05/22 PROPOSED APPROVAL FOR THE TRANSFER OF ERF 11739 BLUE DOWNS, SITUATED AT 379 WESBANK MAIN ROAD, WESBANK, BLUE DOWNS, ZONED GENERAL BUSINESS 4 (GB4) (LSU: N3057)**

It is **RECOMMENDED** that:

- (a) In terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
  - (i) It be resolved and reaffirmed that Erf 11739 Blue Downs, situated at 379 Wesbank Main Road, Wesbank, Blue Downs, in extent approximately 1 967 m<sup>2</sup>, shown lettered ABCD on Plan LIS 2026 attached as Annexure A to the report on the agenda, zoned General Business 4 (GB4), is not required for the provision of the minimum level of basic municipal services;
  - (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset have been considered.
- (b) In terms of Regulation 5(1) of the Municipal Assets Transfer Regulations (MATR), R.878 promulgated on 22 August 2008,



approval be granted for the transfer of Erf 11739 Blue Downs, situated at 379 Wesbank Main Road, Wesbank, Blue Downs, in extent approximately 1 967 m<sup>2</sup>, zoned General Business 4 (GB4), to the Old Apostolic Church (Southern Africa) District Western Cape, in the amount of Eight Hundred and Fifty Thousand Rand, (R850 000.00), excluding VAT.

- (c) The purchase price shall escalate at 5% per annum compounded annually on a pro rata basis commencing 6 months after date of auction (i.e. that is from 2022-08-11) until date of registration.
- (d) The purchase price shall be subject to review in the event that the property has not been transferred within 36 months from the date of Valuation (i.e. from 2024-10-01).
- (e) In terms of Regulation 17 of the MATR, the Director: Property Management in the exercise of her delegated authority finalise the terms and conditions, as set out in the sale agreement and to effect the transfer.

**ACTION: N MEISSENHEIMER; B MENTOR; T LEWIS; A HUMAN;  
D BORAIN; R GELDERBLOEM**

**MC 37/05/22 PROPOSED APPROVAL FOR THE TRANSFER OF ERF 11210 DURBANVILLE, SITUATED AT 27 IRIS STREET, DURBANVILLE, ZONED SINGLE RESIDENTIAL 1 (SR1) (LSU N3274)**

It is **RECOMMENDED** that:

- (a) In terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
  - (i) It be resolved and reaffirmed that Erf 11210 Durbanville, situated at 27 Iris Street, Durbanville, in extent approximately 867 m<sup>2</sup>, shown on Plan LIS 1876 attached as Annexure A to the report on the agenda, zoned Single Residential 1 (SR1), is not required for the provision of the minimum level of basic municipal services;
  - (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset have been considered.
- (b) In terms of Regulation 5(1) of the Municipal Assets Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, approval be granted for the transfer of Erf 11210 Durbanville, situated at 27 Iris Street, Durbanville, in extent approximately 867 m<sup>2</sup>, zoned Single Residential 1 (SR1), to the Sasman

Developments (Pty) Ltd, in the amount of One Million Five Hundred and Fifty Thousand Rand, (R1 550 000.00), excluding VAT.

- (c) The purchase price shall escalate at 5% per annum compounded annually on a pro rata basis commencing 6 months after date of auction (i.e. that is from 2022-08-11) until date of registration.
- (d) The purchase price shall be subject to review in the event that the property has not been transferred within 36 months from the date of Valuation (i.e. from 2024-10-01).
- (e) In terms of Regulation 17 of the MATR, the Director: Property Management in the exercise of her delegated authority finalise the terms and conditions, as set out in the sale agreement and to effect the transfer.

**ACTION: N MEISSENHEIMER; C DELCARME; T LEWIS;  
A HUMAN; D BORAIN; R GELDERBLOEM**

## **ECONOMIC GROWTH PORTFOLIO**

### ***FOR DECISION BY COUNCIL***

**MC 38/05/22 PROPOSED GRANTING OF IN-PRINCIPLE APPROVAL FOR THE TRANSFER BY WAY OF A PUBLIC COMPETITIVE PROCESS, OF CITY-OWNED IMPROVED PROPERTY ERF 94517 CAPE TOWN, SITUATED AT 73 NEW CHURCH STREET, GARDENS, ZONED GENERAL RESIDENTIAL 2 (GR2) (LSU M2874)**

It is **RECOMMENDED** that:

- (a) In terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
  - (i) It be resolved that Erf 94517 Cape Town, situated at 73 New Church Street, Gardens, in extent approximately 149 m<sup>2</sup>, shown on Plan LIS 2222 attached as Annexure A to the report on the agenda, zoned General Residential 2 (GR2), is not required for the provision of the minimum level of basic municipal services;
  - (ii) It be confirmed that the fair market value of the assets described in (a)(i) and the economic and community value to be received in exchange for the assets described in (a)(i) have been considered.
- (b) In terms of Regulation 5(1)(b) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-

principle approval be granted for the transfer Erf 94517 Cape Town, situated at 73 New Church Street, Gardens as described in (a)(i);

- (c) Erf 94517 Cape Town, situated at 73 New Church Street, Gardens be transferred by way of public competition, subject to conditions to be imposed by the Director: Property Management in the exercise of her delegated authority;
- (d) The comments and recommendations provided by Provincial Treasury, be noted.

**ACTION: N MEISSENHEIMER; A RAINHO; T LEWIS; A HUMAN;  
D BORAIN; R GELDERBLOEM**

**MC 39/05/22 PROPOSED GRANTING OF IN-PRINCIPLE APPROVAL FOR THE TRANSFER BY WAY OF A PUBLIC COMPETITIVE PROCESS, OF CITY-OWNED IMPROVED PROPERTY ERF 94519 CAPE TOWN, SITUATED AT 79 NEW CHURCH STREET, GARDENS, ZONED GENERAL RESIDENTIAL 2 (GR2) (LSU M2874)**

It is **RECOMMENDED** that:

- (a) In terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
  - (i) It be resolved that Erf 94519 Cape Town, situated at 79 New Church Street, Gardens, in extent approximately 183 m<sup>2</sup>, shown on Plan LIS 2221 attached as Annexure A to the report on the agenda, zoned General Residential 2, (GR2), is not required for the provision of the minimum level of basic municipal services;
  - (ii) It be confirmed that the fair market value of the assets described in (a)(i) and the economic and community value to be received in exchange for the assets described in (a)(i) have been considered.
- (b) In terms of Regulation 5(1)(b) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-principle approval be granted for the transfer Erf 94519 Cape Town, situated at 79 New Church Street, Gardens as described in (a)(i);
- (c) Erf 94519 Cape Town, situated at 79 New Church Street, Gardens be transferred by way of public competition, subject to conditions to be imposed by the Director: Property Management in the exercise of her delegated authority;

- (d) The comments and recommendations provided by Provincial Treasury, be noted.

**ACTION: N MEISSENHEIMER; A RAINHO; T LEWIS; A HUMAN;  
D BORAIN; R GELDERBLOEM**

**MC 40/05/22 PROPOSED CLOSURE AND GRANTING OF IN-PRINCIPLE APPROVAL FOR THE TRANSFER BY PUBLIC COMPETITION, OF VACANT ERF 27961, BLUE DOWNS (UNREGISTERED PORTION OF ERF 41962, BLUE DOWNS), SITUATED AT 75 DEPUTY ROAD, FAIRDALE FOR BUSINESS PURPOSES (LSU M2825)**

It is **RECOMMENDED** that:

- (a) In terms of Sections 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
- (i) It be resolved that Erf 27961, Blue Downs (unregistered portion of Erf 41962 Blue Downs), situated at 75 Deputy Road, Fairdale, measuring approximately 2 294 m<sup>2</sup>, shown on Plan LIS2324 attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services;
  - (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset as described in (a)(i) has been considered.
- (b) In terms of Regulation 5(1)(b) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-principle approval be granted for the transfer of Erf 27961, Blue Downs as described in (a)(i).
- (c) Erf 27961, Blue Downs be transferred by public competition, subject to conditions to be imposed by the Director: Property Management in the exercise of her delegated authority.
- (d) In terms of Section 4 of the Immovable Property By-Law 2015, approval be granted for the closure of the public status of Erf 27961, Blue Downs, situated at 75 Deputy Road, Fairdale, zoned Transport 2: Public Road and Parking; and,
- (e) Comments and recommendations by Provincial Treasury, be noted.

**ACTION: N MEISSENHEIMER; K VAN DER WALT; T LEWIS;  
A HUMAN; D BORAIN; R GELDERBLOEM**

**MC 41/05/22 PROPOSED LEASE OF CITY OWNED IMMOVABLE PROPERTY BEING UNREGISTERED ERF 161669 CAPE TOWN, SITUATED AT SIR LOWRY ROAD, CAPE TOWN, KNOWN AS THE GOOD HOPE CENTRE, FOR FILMING PURPOSES: MOONLIGHTING FILMS (PTY) LTD (LSU N3127)**

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

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

**ACTION: N MEISSENHEIMER; L EMSLEY; M SIMS; D BORAIN;  
R GELDERBLOEM**

**MC 42/05/22 PROPOSED LEASE OF PORTIONS OF PUBLIC STREET BEING A PORTION OF ERVEN 11547 AND 19182 ADJACENT ERF 19129, OFF LOURENSFORD ROAD, SOMERSET WEST: PIETMAR TRUST (LSU N1134)**

It is **RECOMMENDED** that:

- (a) For reasons set out in paragraph 6.1 of the report on the agenda, the concerns and objections received during the public participation process against the proposed lease are not upheld;
- (b) The lease of portions of public street, being a portion of Erf 11547 and 19182 adjacent Erf 19129 situated off Lourensford

Road, Somerset West, shown hatched and lettered ABCDEFG Curve A on Plan ET 601 marked Annexure A to the report on the agenda, in extent approximately 101 m<sup>2</sup>, to Pietmar Trust, owner of Erf 19129, Somerset West or their successors in title, be approved subject to inter alia the following conditions, that:

- (i) A market rental of R2 160 per month (inclusive of rates and excluding VAT calculated at the rate applicable at the time of transaction) be payable;
- (ii) The monthly rental is effective and payable as from 29-12-01. The above rental shall escalate at 8% per annum for the period 2019-12-01 until 2020-03-31; thereafter it will further escalate at 6% per annum until date the lease contract has been signed by Council;
- (iii) The rental payable for the period 2017-07-01 to 2019-11-30 amounts to R58 263,99 (inclusive of rates and excluding VAT);
- (iv) The lease will endure for a period of ten (10) years only with no review period;
- (v) The property be used for encroachment purposes (portion of building onto public road) only;
- (vi) Subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority;
- (vii) Subject to compliance with any other statutory requirements;
- (viii) No compensation will be payable for any improvement made to the property.

**ACTION: N MEISSENHEIMER; A BANNISTER; D GEYSMAN;  
R SCHNACKENBERG; M SIMS; R GELDERBLOEM**

**MC 43/05/22 PROPOSED LEASE OF A PORTION OF CITY LAND (PUBLIC OPEN SPACE) BEING A PORTION OF THE REMAINDER OF ERF 20486 BROOKLYN, SITUATED OFF SECTION STREET AND KOEBERG ROAD, BROOKLYN, CAPE TOWN: FERNANDO NUNES (DE PAARDEN KRAAL RESTAURANT & PUB) (LSU N1772)**

The Mayco Member for Economic Growth, Ald. J Vos, proposed an amendment to recommendation (b) in the report on the agenda to read as follows: “

- (b) *The monthly rental is to be adjusted on the basis of 5% per annum compounded annually on a pro rata basis commencing 6 months from date of this valuation, i.e. from 2021-05-01;*

The above proposal was duly supported.

It is **RECOMMENDED** that the lease of portion of public open space, being a portion of the Remainder of Erf 20486, situated Off Section Street and Koeberg Road, Brooklyn shown hatched and lettered AB curve CDEFGH, on Plan No 130005742v0 attached and marked Annexure A to the report on the agenda, in extend approximately 897 m<sup>2</sup>, to Mr Fernando Nunes (De Paarden Kraal Restaurant & Pub) or his successors in title, be approved subject to inter alia the following conditions:

- (a) A market rental of R18 100.00 per month inclusive of rates and excluding VAT calculated at the rate applicable at the time of transaction be payable;
- (b) The monthly rental is to be adjusted on the basis of **5%** per annum compounded annually on a pro rata basis commencing 6 months from date of this valuation, i.e. from 2021-05-01;
- (c) The proposed lease term is for a period of 10 years and is to be reviewed after a period of 5 years;
- (d) The property be used for restaurant and pub purpose only;
- (e) Subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority;
- (f) Subject to compliance with any other statutory requirements;
- (g) No compensation will be payable for any improvements made to the property;
- (h) The City of Cape Town has the right to construct and or erect and lay such poles, stays, cables, wires or appurtenances aforesaid. This includes the right to bring machinery onto the property and to carry out excavations.
- (i) The City of Cape Town has the right for any employee or servant or contractor of the City of Cape Town to enter and be upon the property at any time in the exercise of the aforesaid rights.
- (j) No building, containers or structure shall be erected within 3 m of the electrical services;
- (k) No excavation or filling shall be carried out within the leased area without the prior written consent of the Electricity department.

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

**ACTION: N MEISSENHEIMER; M VAN DER WESTHUIZEN;  
B MALI-SWELINDAWO; D BORAIN; R GELDERBLOEM**

**MC 44/05/22 GRANTING OF IN-PRINCIPLE APPROVAL: PROPOSED  
TRANSFER OF PORTION OF REMAINDER ERF 48086 CAPE  
TOWN TO THE ABUTTING OWNER OF ERF 48092 CAPE TOWN**

**PROPOSED CLOSURE AND TRANSFER OF PORTION OF  
REMAINDER ERF 48086 CAPE TOWN TO THE ABUTTING  
OWNER OF ERF 48092 CAPE TOWN: PAUL BENJAMIN  
WALDBURGER (LSU N1887)**

It is **RECOMMENDED** that:

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



- (i) It be resolved that the subject property, being a portion of Remainder Erf 48086 Cape Town situated at Cypress Avenue Newlands, approximately 60 m<sup>2</sup> in extent, as shown cross-hatched and lettered ABCD on Plan STC 3226v2 attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services;
  - (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset described in (a)(i) have been considered.
- (b) In terms of Regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-principle approval be granted for the transfer of a portion of Remainder Erf 48086 Cape Town, situated at Cypress Avenue Newlands, approximately 60 m<sup>2</sup> in extent, as shown cross-hatched and lettered ABCD on Plan STC 3226v2 attached as Annexure A to the report on the agenda;
- (c) In terms of section 4 of the City of Cape Town Immovable Property By-law, 2015, approval be granted for the closure a portion of Remainder Erf 48086 Cape Town situated at Cypress Avenue Newlands, approximately 60 m<sup>2</sup> in extent, as shown cross-hatched and lettered ABCD on Plan STC 3226v2 attached as Annexure A to the report on the agenda;
- (d) The transfer of a portion of Remainder Erf 48086 Cape Town situated at Cypress Avenue Newlands, approximately 60 m<sup>2</sup> in extent, as shown cross-hatched and lettered ABCD on Plan STC 3226v2 attached as Annexure A to the report on the agenda, to Paul Benjamin Waldburger, or his successor(s) in title, be approved, subject to the following conditions, that:
  - (i) A purchase price of R235 000, excluding VAT, will be payable;
  - (ii) The purchase price is to be escalated by 5% per annum compounded annually on a pro-rata basis, and commencing 1 May 2020 until date of registration;
  - (iii) The market value is to be reassessed if the transaction is not approved by the relevant decision making authority of Council within 36 months from date of valuation being 31 December 2024;
  - (iv) Rates and municipal charges, if applicable, be levied; and

- (v) Subject to such further conditions imposed by the Director: Property Management in terms of her delegated authority, including *inter alia* the following, that:
  - (aa) all further statutory and land use requirements be complied with;
  - (bb) after closure, the subject portion of Remainder Erf 48086 Cape Town be consolidated with the purchaser's abutting Erf 48092 Cape Town; and
  - (cc) all costs related and incidental to the transaction be borne by the purchaser.

**ACTION: N MEISSENHEIMER; M CARELSE; C DAVIS;  
R SCHNACKENBERG; M SIMS; R GELDERBLOEM**

**MC 45/05/22 PROPOSED LEASE OF PORTION OF CITY OWNED LAND, ERF 7121 KUILS RIVER (STELLENBOSCH), 22 EXCELSIOR STREET Highbury FOR TELECOMMUNICATION INFRASTRUCTURE PURPOSES: SBA TOWERS (PTY) LTD. (LSU N2211)**

It is **RECOMMENDED** that the lease of portion of City land, being a portion of Erf 7121 Kuils River (Stellenbosch), 22 Excelsior Street Highbury, shown hatched and lettered ABCD on Sketch Plan ET706 attached as Annexure A to the report on the agenda, in extent approximately  $\pm 78$  m<sup>2</sup>, to SBA Towers (Pty) Ltd, be approved subject to *inter alia* the following conditions, that:

- (a) A City approved rental of R14 567,51 per month excluding VAT where applicable be payable;
- (b) The rental will escalate at 8% per annum;
- (c) The lease will endure for a period of ten years, plus an option to renew, subject at any time to 2 months' notice of termination;
- (d) The proposed leased area to be used for telecommunication infrastructure purposes only;
- (e) Subject to such further conditions imposed by the Director: Property Management in terms of her delegated authority;
- (f) Subject to compliance with any other statutory requirements;
- (g) No compensation will be payable for any improvement made to the property;
- (h) All outstanding accounts with the City of Cape Town be settled;

- (i) No lease agreement will be concluded until the Land Use application and an Electricity supply application being approved.
- (j) The objections received during the public participation process not be upheld

**ACTION: N MEISSENHEIMER; G DAMMERT; I MARTIN;  
D BORAIN; R GELDERBLOEM**

**MC 46/05/22 GRANTING OF IN-PRINCIPLE APPROVAL: PROPOSED  
TRANSFER OF PORTIONS OF ERVEN 9558 AND 9557  
MILNERTON TO OWNER OF ADJACENT ERF 9559 MILNERTON**

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

**PROPOSED TRANSFER OF PORTIONS OF ERVEN 9558 AND  
9557 MILNERTON TO OWNER OF ADJACENT ERF 9559  
MILNERTON: SHARP-MOVE TRADING 70 (PTY) LTD (LSU N2895)**

It is **RECOMMENDED** 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 portions of Erven 9557 and 9558 Milnerton, situated at Circle Road, in extent 1 320 m<sup>2</sup> and as shown hatched and lettered ABCDEFG on Plan TA 896v1 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 portions of Erven 9557 and 9558 Milnerton, situated at Circle Road, in extent 1 320 m<sup>2</sup> and as shown hatched and lettered ABCDEFG on Plan TA 896v1 attached as Annexure A to the report on the agenda;
- (c) In terms of section 4 of the City of Cape Town Immovable Property By-law, 2015, approval be granted for the closure of a Public Place, being a portion of Erf 9558 Milnerton, as shown hatched and lettered ACDEFG on Plan TA 12116v1, attached as Annexure A to the report on the agenda; and

- (d) The transfer of portions of Erven 9557 and 9558 Milnerton, in extent 1 320 m<sup>2</sup> and as shown hatched and lettered ABCDEFG on Plan TA 896v1 attached as Annexure A to the report on the agenda, to Sharp Move Trading 70 (Pty) Ltd, or their successor(s) in title, be approved subject to the following conditions:
- (i) A purchase price of R2 380 000, excluding VAT, will be payable;
  - (ii) The purchase price is to be escalated by 5% per annum compounded annually on a pro-rata basis, commencing from 1 March 2022 until date of registration;
  - (iii) Occupational rental in the amount of R6 800 per month (excluding VAT) shall be payable for the period 2019-06-01 until 2020-03-31. Thereafter, a rental of R3 400 per month (excluding VAT) shall be payable from 2020-04-01 until 2022-02-28. As from 2022-03-01 a rental of R7 600 per month (excluding VAT) will be applicable, escalating at 6,0% per annum until date of registration;
  - (iv) Rates and municipal charges, if applicable, be levied; and
  - (v) Subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority, including inter alia the following:
    - (aa) That all further statutory and land use requirements be complied with, including the consolidation of the subject properties with the applicant's Erf 9559 Milnerton;
    - (bb) The existing ficus tree, affected by the proposed disposal, shall be protected and may not be removed;
    - (cc) That all costs related and incidental to the transaction be borne by the purchaser; and
    - (dd) The applicant will contribute towards the upgrade of the community park on remainder of Erf 9558 and a portion of Erf 9557 Milnerton, in accordance with the approved landscape plan attached as Annexure B to the report on the agenda, and to the satisfaction of the Director: Recreation and Parks.

**ACTION: N MEISSENHEIMER; P STRÜMPHER; B MALI-SWELINDAWO; R SCHNACKENBERG; D BORAIN; R GELDERBLOEM**

**MC 47/05/22 GRANTING OF IN-PRINCIPLE APPROVAL: PROPOSED TRANSFER OF A PORTION OF ERF 16517 BELLVILLE TO OWNER OF ADJACENT REMAINDER ERF 13552 BELLVILLE**

**PROPOSED CLOSURE AND TRANSFER OF A PORTION OF ERF 16517 BELLVILLE TO OWNER OF ADJACENT REMAINDER ERF 13552 BELLVILLE: COLUMBIA BUSINESS PARK (PTY) LTD (LSU N2308)**

It is **RECOMMENDED** that:

- (a) In terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
  - (i) It be resolved that the subject property, being a portion of Erf 16517 Bellville, situated at corner of Willow and La Belle Roads, Stikland, in extent approximately 468 m<sup>2</sup> and as shown hatched and lettered ABCDE on Plan TA 1216v1, attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services;
  - (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset described in (a)(i) have been considered.
- (b) In terms of Regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-principle approval be granted for the transfer of a portion of Erf 16517 Bellville, situated at corner of Willow and La Belle Roads, Stikland, in extent approximately 468 m<sup>2</sup> and as shown hatched and lettered ABCDE on Plan TA 1216v1, attached as Annexure A to the report on the agenda;
- (c) In terms of section 4 of the City of Cape Town Immovable Property By-law, 2015, approval be granted for the closure of a Public Road, being a portion of Erf 16517 Bellville, in extent approximately 468 m<sup>2</sup> and as shown hatched and lettered ABCDE on Plan TA 1216v1, attached as Annexure A to the report on the agenda; and
- (d) The transfer of portion of Erf 16517 Bellville, in extent approximately 468 m<sup>2</sup> and as shown hatched and lettered ABCDE on Plan TA 1216v1, attached as Annexure A to the report on the agenda, to Columbia Business Park (Pty) Ltd or its successor(s) in title, be approved, subject to the following conditions, that:

- (i) A purchase price of R250 000, excluding VAT, be payable;
- (ii) The purchase price is to be escalated by 5% per annum compounded annually on a pro-rata basis, commencing 6 months from date of valuation, i.e. from 1 February 2022, until date of registration;
- (iii) The valuation is to be reviewed if not implemented within 36 months from date of valuation, i.e. by 31 July 2024;
- (iv) Rates and municipal charges, if applicable, be levied; and
- (v) Subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority, including inter alia the following:
  - (aa) that all further statutory and land use requirements be complied with;
  - (bb) the subject property needs to be consolidated with the applicant's property Remainder Erf 13552 Bellville;
  - (cc) the sale of the subject property is to be subject to a title deed restriction limiting the usage of the entire area to a detention pond facility only (no parking, storage or any other use/development will be permitted); and
  - (dd) that all costs related and incidental to the transaction be borne by the purchaser.

**ACTION: N MEISSENHEIMER; P STRÜMPHER; A DE GOEDE;  
C DAVIS; D BORAIN; R GELDERBLOEM**

**MC 48/05/22 GRANTING OF IN-PRINCIPLE APPROVAL: PROPOSED  
TRANSFER OF A PORTION OF ERF 2762 GORDON'S BAY TO  
OWNERS OF ADJACENT ERF 2922 GORDON'S BAY: ANGELA  
ADAMS AND SANDRA SAUERMANN**

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

**PROPOSED TRANSFER OF A PORTION OF ERF 2762 GORDON'S  
BAY TO OWNERS OF ADJACENT ERF 2922 GORDON'S BAY:  
ANGELA ADAMS AND SANDRA SAUERMANN (LSU M4335)**

It is **RECOMMENDED** that:

- (a) In terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
  - (i) It be resolved that the subject property, being a portion of Erf 2762 Gordon's Bay, situated between Assegai and Rooi Els Street, Gordon's Bay in extent approximately 48 m<sup>2</sup> as shown lettered ABCDE on Plan ET 684 attached as Annexure A to the report on the agenda, is not required for the provision of the minimum level of basic municipal services;
  - (ii) It be confirmed that the fair market value of the asset described in (a)(i) and the economic and community value to be received in exchange for the asset described in (a)(i) have been considered.
- (b) In terms of Regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations (MATR), R.878 promulgated on 22 August 2008, in-principle approval be granted for the transfer of a portion of Erf 2762 Gordon's Bay, situated between Assegai and Rooi Els Street, Gordon's Bay, in extent approximately 48 m<sup>2</sup> as shown lettered ABCDE on Plan ET 684 attached as Annexure A to the report on the agenda;
- (c) In terms of section 4 of the City of Cape Town Immovable Property By-law, 2015, approval be granted for the closure of the subject property being a portion of a public street, being a portion of Erf 2762, in extent approximately 48 m<sup>2</sup> as shown lettered ABCDE on Plan ET 684 attached as Annexure A to the report on the agenda;
- (d) The transfer of a portion of Erf 2762, in extent approximately 48 m<sup>2</sup> as shown lettered ABCDE on Plan ET 684 attached as Annexure A to the report on the agenda, to Angela Adams and Sandra Sauermann or their successor(s) in title, be approved, subject to the following conditions, that:
  - (i) A purchase price of R45 000 excluding VAT be payable;
  - (ii) The purchase price is to be escalated by 8% per annum compounded annually on a pro-rata basis, commencing 6 months from date of valuation, i.e. from 1 October 2019 until 31 March 2021, thereafter it will escalate at 5% until date of registration;
  - (iii) The valuation is to be reviewed if not implemented within 36 months from date of valuation, i.e. by 31 May 2024;
  - (iv) Rates and municipal charges, if applicable, be levied;

- (v) Subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority, including inter alia the following:
  - (aa) That all further statutory and land use requirements be complied with;
  - (bb) That the subject portion of Erf 2762 be subdivided and consolidated with the purchaser's Erf 2922 Gordon's Bay;
  - (cc) That all costs related and incidental to the transaction be borne by the purchaser;
  - (dd) That an occupational rental of R225/month (excluding VAT) shall be payable from 1 October 2019, escalating at 8% p.a., until 31 March 2020, where after the escalated rental will further escalate at 6% p.a. until date of registration.
  - (ee) That the sale be subject to the registration of a servitude in favour of the Council to protect underground services.

**ACTION: N MEISSENHEIMER; J CORNELIUS; D GEYSMAN;  
R SCHNACKENBERG; M SIMS; R GELDERBLOEM**

**MC 49/05/22 PROPOSED LEASE OF PORTION OF PUBLIC STREET, BEING PORTION OF ERF 96105 CAPE TOWN, BUITENKANT STREET, CAPE TOWN FOR DISPLAY, PARKING AND GARDENING PURPOSES: SHELL DOWNSTREAM SOUTH AFRICA (PTY) LTD (LSU N1795 & N1848)**

It is **RECOMMENDED** that the lease of Public Street, being a portion of Erf 96105 Cape Town situated at Buitenkant Street, Cape Town shown hatched and lettered ABCDEFG and H curve JKLM on Sketch Plan 130004398 marked Annexure A to the report on the agenda, in extent approximately 271 m<sup>2</sup> and 94 m<sup>2</sup> respectively, to Shell Downstream South Africa Pty Ltd, owner of Erf 96066 Cape Town or its successors in title, be approved subject to inter alia the following conditions, that:

- (a) A market rental of R23 950.00 per month inclusive of rates and excluding VAT calculated at the rate applicable at the time of transaction be payable;
- (b) The monthly rental shall escalate at 6% per annum compounded annually on a pro rata basis commencing 6 months from expiry date, i.e. as from 31 August 2019;



- (c) The above recommended rental is effective and payable as from 01 March 2020;
- (d) The lease will endure for a period of 10 (ten) years, subject to a rental review after a period of 5 years;
- (e) The property be used for display, parking and gardening purposes only;
- (f) Subject to such further conditions to be imposed by the Director: Property Management in terms of his/her delegated authority;
- (g) Subject to compliance with any other statutory requirements;
- (h) No compensation will be payable for any improvement made to the property.

**ACTION: N MEISSENHEIMER; N VANQA; C DAVIS; D BORAIN;  
R GELDERBLOEM**

**MC 50/05/22 GRANTING OF IN-PRINCIPLE APPROVAL: PROPOSED GRANTING OF RIGHT TO USE, CONTROL OR MANAGE MUNICIPAL CAPITAL ASSET: GRANTING OF ACCESS RIGHTS SERVITUDE OVER CITY-OWNED IMMOVABLE PROPERTY BEING A PORTION OF ERF 2967 CAPE TOWN (PUBLIC OPEN SPACE) SITUATED AT MILITARY ROAD, SCHOTSCHIE KLOOF**

**PROPOSED GRANTING OF RIGHT TO USE, CONTROL OR MANAGE MUNICIPAL CAPITAL ASSET: GRANTING OF ACCESS RIGHTS SERVITUDE OVER CITY-OWNED IMMOVABLE PROPERTY BEING A PORTION OF ERF 2967 CAPE TOWN (PUBLIC OPEN SPACE) SITUATED AT MILITARY ROAD, SCHOTSCHIE KLOOF: BRIAN CLARK GANSON (LSU N3226)**

It is **RECOMMENDED** that:

- (a) In terms of section 14(2)(a) and (b) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:
  - (i) It be resolved that a portion of Remainder Erf 2967 Cape Town (Public Open Space), situated at Military Road, Schotsche Kloof, in extent approximately 20 m<sup>2</sup> as shown cross-hatched and lettered ABC on Plan STC 3026 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 rights to use, control and manage a municipal capital asset by way of granting an Access Rights Servitude over a portion of Remainder Erf 2967 Cape Town (Public Open space), situated at Military Road, Schotsche Kloof, in extent approximately 20 m<sup>2</sup> as shown cross-hatched and lettered ABC on Plan STC 3026 attached as Annexure A to the report on the agenda;
- (c) The granting of rights to use, control and manage a municipal capital asset by way of granting an Access Rights Servitude over a portion of Remainder Erf 2967 Cape Town (Public Open space), situated at Military Road, Schotsche Kloof in extent approximately 20 m<sup>2</sup> as shown cross-hatched and lettered ABC on Plan STC 3026 attached as Annexure A to the report on the agenda, to Brian Clark Ganson, or his successor(s) in title, be approved, subject to the following conditions, that:
  - (i) A compensation amount of R210 000, excluding VAT, will be payable;
  - (ii) The compensation amount is to be escalated by 8% per annum compounded annually on a pro-rata basis commencing 6 months from date of valuation from 01 April 2019 until 31 March 2020. The escalated compensation amount will thereafter escalate at 5% per annum until date of registration;
  - (iii) The market value is to be reassessed if the transaction is not approved by the relevant decision making authority of Council within 24 months from date of valuation being 31 August 2022;
  - (iv) Rates and municipal charges, if applicable, be levied;
  - (v) Subject to such further conditions imposed by the Director: Property Management in terms of her delegated authority, including inter alia the following:
    - (aa) that all further statutory and land use requirements be complied with;
    - (bb) that the subject property may not be enclosed nor built upon;

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

**ACTION: N MEISSENHEIMER; M CARELSE; C DAVIS;  
R SCHNACKENBERG; D BORAIN; R GELDERBLOEM**

**COMMUNITY SERVICES & HEALTH PORTFOLIO**

***FOR DECISION BY THE EXECUTIVE MAYOR  
TOGETHER WITH MEMBERS OF MAYCO***

**MC 51/05/22 COMMUNITY SERVICES AND HEALTH DIRECTORATE SERVICE  
DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) FOR  
2022/2023**

The Mayco Member for Community Services and Health, Cllr P Van Der Ross, proposed the following amendments to the report on the agenda:

- (i) Page 22: Indicator 7, *Percentage utilisation rate of available Community Halls*, this is a National Treasury Circular 88- indicator and the typo in the target column(s) to be corrected to read 20%.
- (ii) Page 23: Indicator 17, *Investigate the appropriateness of sites for two new additional safe spaces*, be amended to read as follows: Investigating and identify the roll out of safe spaces.
- (iii) Page 23: Indicator 24, *% spend of National Grant funding*, the target should be changed to reflect 50% achievement by quarter three.

The above proposal was duly supported.

**RESOLVED** that the contents of the Community Services and Health Directorate Service Delivery and Budget Implementation Plan (SDBIP) for 2022/23, be noted subject to the following amendments:

- (iv) Page 22: Indicator 7, *Percentage utilisation rate of available Community Halls*, this is a National Treasury Circular 88- indicator and the typo in the target column(s) to be corrected to read 20%.
- (v) Page 23: Indicator 17, *Investigate the appropriateness of sites for two new additional safe spaces*, be amended to read as follows: Investigating and identify the roll out of safe spaces.
- (vi) Page 23: Indicator 24, *% spend of National Grant funding*, the target should be changed to reflect 50% achievement by quarter three.

**ACTION: G PHYFER; E SASS**

**FOR DECISION BY COUNCIL**

**MC 52/05/22 UPDATE REPORT: SOCIAL DEVELOPMENT AND EARLY CHILDHOOD DEVELOPMENT (SDECD's) UPTAKE OF DEVELOPMENT COST CHARGES EXEMPTION APPLICATIONS AND PAYMENTS MADE TO DATE (LSU N2690)**

It is **RECOMMENDED** that Council note the contents of the update report on the Social Development and Early Childhood Development (SDECD) Department's uptake of development cost charges exemption applications and payments made to date.

**ACTION: N MEISSENHEIMER; N DU TOIT; A SAULS; E SASS**

**FINANCE PORTFOLIO**

**FOR DECISION BY THE EXECUTIVE MAYOR  
TOGETHER WITH MEMBERS OF MAYCO**

**MC 53/05/22 FINANCE DIRECTORATE SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) FOR 2022/2023**

The Mayco Member for Finance, Cllr S Mbandezi, referred to page 98 of the report on the agenda and proposed an amendment to Indicator 14, *Number of repeat audit findings*, in order for the targets for quarter one and two to reflect "not applicable", while the targets for quarter three and four be changed to "5" respectively.

The above proposal was duly supported.

**RESOLVED** that the contents of the Finance Directorate Service Delivery and Budget Implementation Plan (SDBIP) for 2022/23, be noted, subject to the amendment of Indicator 14, *Number of repeat audit findings*, in order for the targets for quarter one and two to reflect "not applicable", while the targets for quarter three and four, be changed amended to "5" respectively.

**ACTION: M COLLOP; K JACOBY**

**FUTURE PLANNING & RESILIENCE PORTFOLIO**

**FOR DECISION BY THE EXECUTIVE MAYOR  
TOGETHER WITH MEMBERS OF MAYCO**

**MC 54/05/22 FUTURE PLANNING AND RESILIENCE DIRECTORATE SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) FOR 2022/2023**

**RESOLVED** that the contents of the Future Planning and Resilience Directorate Service Delivery and Budget Implementation Plan (SDBIP) for 2022/23, be noted.

**ACTION: E DICK; A ARENDSE; G MORGAN**

**MC 55/05/22 FUTURE PLANNING AND RESILIENCE DEPARTMENTAL SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) FOR 2022/2023**

**RESOLVED** that the contents of the Future Planning and Resilience Departmental Service Delivery and Budget Implementation Plan (SDBIP) for 2022/23, be noted.

**ACTION: E DICK; A ARENDSE; G MORGAN**

**SAFETY & SECURITY PORTFOLIO**

***FOR DECISION BY COUNCIL***

**MC 56/05/22 REPORT ON THE CCTV CAMERA ROLLOUT PLAN 2021-2026 (LSU M2672)**

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

**ACTION: N MEISSENHEIMER; J VAN AS; B SCHULLER; W LE ROUX; V BOTTO**

**SPATIAL PLANNING AND ENVIRONMENT PORTFOLIO**

***FOR DECISION BY THE EXECUTIVE MAYOR  
TOGETHER WITH MEMBERS OF MAYCO***

**MC 57/05/22 SPATIAL PLANNING AND ENVIRONMENT: DIRECTORATE SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) FOR 2022/2023**

The Executive Deputy Mayor and Mayco Member for Spatial Planning and Environment, Ald. E Andrews, proposed the following amendments to the report on the agenda:

- (i) Page 357: Indicator 18, *Council approved MSDF gazetted*, the targets listed under 31-Dec-22 be amended to read as follows:
  - 1. *Consolidate Comments, & Input Report.*
  - 2. *Report for approval to Council via Subcouncils.*
- (ii) Page 357: Indicator 18, *Council approved MSDF gazetted*, the targets listed under 31-Mar-23 be amended to read as follows:

*Gazetted process completed in association with Provincial government.*

- (iii) Page 357: Indicator 19, *Council approved 8x DSDFs/ EMFs gazetted*, the targets listed under 31-Dec-22 be amended to read as follows:

- 1. Consolidate Comments, & Input Report.*
- 2. Report for approval to Council via Subcouncils.*

- (iv) Page 357: Indicator 19, *Council approved 8x DSDFs/ EMFs gazetted*, the targets listed under 31-Mar-23 be amended to read as follows:

*Gazetted process completed in association with Provincial government.*

- (v) Page 357: Indicator 21, *Percentage of Land Use Applications finalised within the 90 days - provided for in sec 102 (1) of MPBLaw*, the proposed percentage targets per quarter be amended as follows:

*Quarter one, 85%; Quarter two, 85%; Quarter three, 85%; and Quarter four, 85%, with the annual of 85%.*

- (vi) an additional Indicator 28 be inserted to read as follows:

*Progress on creating enabling regulatory environment for the development of Small Scale Rental Units*, with the following targets:

- Annual Target 30 June 2023: Regulatory Environment in place;*
- 31-Dec-22: Approval of overlay zone to enable Small Scale Rental Units in certain areas;*
- 31-Mar-23: Prototype building plans available*
- 30-Jun-23: Local Planning Support Office established.*

Note: Indicator 21, *Percentage of Land Use Applications finalised within the 90 days - provided for in sec 102 (1) of MPBLaw*, refers to **90 calendar days**.

The above proposal was duly supported.

**RESOLVED** that the contents of the Spatial Planning and Environment Directorate Service Delivery and Budget Implementation Plan (SDBIP) for 2022/23, be noted subject to the following amendments:

- (vii) Page 357: Indicator 18, *Council approved MSDF gazetted*, the targets listed under 31-Dec-22 be amended to read as follows:

3. *Consolidate Comments, & Input Report.*
4. *Report for approval to Council via Subcouncils.*

- (viii) Page 357: Indicator 18, *Council approved MSDF gazetted*, the targets listed under 31-Mar-23 be amended to read as follows: *Gazetted process completed in association with Provincial government.*

- (ix) Page 357: Indicator 19, *Council approved 8x DSDFs/ EMFs gazetted*, the targets listed under 31-Dec-22 be amended to read as follows:

3. *Consolidate Comments, & Input Report.*
4. *Report for approval to Council via Subcouncils.*

- (x) Page 357: Indicator 19, *Council approved 8x DSDFs/ EMFs gazetted*, the targets listed under 31-Mar-23 be amended to read as follows:

*Gazetted process completed in association with Provincial government.*

- (xi) Page 357: Indicator 21, *Percentage of Land Use Applications finalised within the 90 days - provided for in sec 102 (1) of MPBLaw*, the proposed percentage targets per quarter be amended as follows:

*Quarter one, 85%; Quarter two, 85%; Quarter three, 85%; and Quarter four, 85%, with the annual of 85%.*

- (xii) an additional Indicator 28 be inserted to read as follows:

*Progress on creating enabling regulatory environment for the development of Small Scale Rental Units*, with the following targets:

- *Annual Target 30 June 2023: Regulatory Environment in place;*
- *31-Dec-22: Approval of overlay zone to enable Small Scale Rental Units in certain areas;*
- *31-Mar-23: Prototype building plans available*
- *30-Jun-23: Local Planning Support Office established.*

**ACTION: C BASSON; A MAXWELL; E NAUDÉ**

**MC 58/05/22 SPATIAL PLANNING AND ENVIRONMENT: DEPARTMENTAL SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) FOR 2022/2023**

**RESOLVED** that the contents of the Spatial Planning and Environment Departmental Service Delivery and Budget Implementation Plan (SDBIP) for 2022/23, be noted.

**ACTION: C BASSON; A MAXWELL; E NAUDÉ**

**URBAN WASTE MANAGEMENT**

**FOR DECISION BY THE EXECUTIVE MAYOR  
TOGETHER WITH MEMBERS OF MAYCO**

**MC 59/05/22 URBAN WASTE MANAGEMENT: DEPARTMENTAL SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLANS (SDBIPS) FOR 2022/2023**

The Mayco Member for Urban Waste Management, Ald. G Twigg, proposed the following amendments to the report on the agenda:

- (i) Page 621: Indicator, *Revenue collected as a percentage of billed amount (Refuse Collection)*, the targets for quarters one to four be amended to 95% respectively.
- (ii) Amendment of Indicator, *4.F Service requests for non-collection of refuse resolved within 3 & 8 days (%)*.
- (iii) An additional indicator to demonstrate the City's commitment to refuse collection with the proposed percentage targets per quarter as follows: Quarter one, 94%; Quarter two, 96%; Quarter three, 98%; and Quarter four, 99%.
- (iv) Inclusion of new indicator on the departmental SDBIP for Formal Beats receiving a refuse collection service on scheduled day at current resource capacity (%).

The above proposal was duly supported.

**RESOLVED** that the contents of the Urban Waste Management Departmental Service Delivery and Budget Implementation Plan (SDBIP) for 2022/23 be noted, subject to the following amendments:

- (i) Page 621: Indicator, *Revenue collected as a percentage of billed amount (Refuse Collection)*, the targets for quarters one to four be amended to 95% respectively.
- (ii) Amendment of Indicator, *4.F Service requests for non-collection of refuse resolved within 3 & 8 days (%)*.



- (iii) An additional indicator to demonstrate the City's commitment to refuse collection with the proposed percentage targets per quarter as follows: Quarter one, 94%; Quarter two, 96%; Quarter three, 98%; and Quarter four, 99%.
- (iv) Inclusion of new indicator on the departmental SDBIP for Formal Beats receiving a refuse collection service on scheduled day at current resource capacity (%).

**ACTION: O MULLER; A VAN VUUREN; R KERAAN**

### **WATER AND SANITATION PORTFOLIO**

#### ***FOR DECISION BY THE EXECUTIVE MAYOR TOGETHER WITH MEMBERS OF MAYCO***

#### **MC 60/05/22 WATER AND SANITATION: DIRECTORATE SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) FOR 2022/2023**

The Mayco Member for Water and Sanitation, Cllr Z Badroodien proposed the following amendments to the Water and Sanitation Directorate's SDBIP for 2022/2023:

- (i) Page 744: Indicator WS3.2, *Frequency of water mains failures per 100 KMs of pipeline*, the target will be changed to 25.
- (ii) Page 744: Indicator WS4.1, *Percentage of drinking water samples complying to SANS241*, the target will change to 99%.
- (iii) Page 744: Indicator WS4.2, *Percentage of wastewater samples compliant to water use license conditions*, the target will change to 85%.
- (iv) Page 744: Indicator WS5.2, *Total water losses*, the target will change to 290.

With regard to Indicator WS3.3, *Frequency of unplanned water service interruptions*, it was proposed that from the baseline of 4.43 the target be changed to 4.4.

The above proposals were duly supported.

**RESOLVED** that the contents of the Water and Sanitation Directorate Service Delivery and Budget Implementation Plan (SDBIP) for 2022/23 be noted, subject to the following amendments:

- (i) Page 744: Indicator WS3.2, *Frequency of water mains failures per 100 KMs of pipeline*, the target will be changed to 25.

- (ii) Page 744: Indicator WS4.1, *Percentage of drinking water samples complying to SANS241*, the target will change to 99%.
- (iii) Page 744: Indicator WS4.2, *Percentage of wastewater samples compliant to water use license conditions*, the target will change to 85%.
- (iv) Page 744: Indicator WS5.2, *Total water losses*, the target will change to 290.
- (v) Page 744: Indicator WS3.3, *Frequency of unplanned water service interruptions*, that from the baseline of 4.43 the target will change to 4.4.

**ACTION: A EBRAHIM; D PAULSE; N DAMANE; M WEBSTER**

### **COMMUNITY SERVICES & HEALTH PORTFOLIO**

#### ***FOR DECISION BY COUNCIL***

**MC 61/05/22 GRANTS-IN-AID ALLOCATIONS FOR 2021/2022 AS RECOMMENDED BY SOCIAL DEVELOPMENT AND EARLY CHILDHOOD DEVELOPMENT'S ARTS AND CULTURE BRANCH (LSU N2445)**

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

**ACTION: N MEISSENHEIMER; R JUTZEN; A SAULS; E SASS**

### **ECONOMIC GROWTH PORTFOLIO**

#### ***FOR DECISION BY COUNCIL***

**MC 62/05/22 QUARTERLY PROGRESS REPORT FOR THE WESTERN CAPE DESTINATION MARKETING, INVESTMENT AND TRADE PROMOTION AGENCY (WESGRO) FOR THE PERIOD 1 JANUARY TO 31 MARCH 2022 (LSU N3108)**

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

**ACTION: N MEISSENHEIMER; N LAATOE; L GREYLING; R GELDERBLOEM**

**MC 63/05/22 QUARTERLY PROGRESS REPORT FOR THE SPECIAL PURPOSE VEHICLES (SPVS) FOR THE PERIOD 1 JANUARY - 31 MARCH 2022 (LSU N3133)**

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

**ACTION: N MEISSENHEIMER; N LAATOE; L GREYLING; R GELDERBLOEM**

**HUMAN SETTLEMENTS**

***FOR DECISION BY THE EXECUTIVE MAYOR  
TOGETHER WITH MEMBERS OF MAYCO***

**MC 64/05/22 HUMAN SETTLEMENTS DIRECTORATE SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) FOR 2022/2023 (NO LSU)**

**RESOLVED** that the contents of the Human Settlements Directorate Service Delivery and Budget Implementation Plan (SDBIP) for 2022/23 be noted.

**ACTION: L VALETTAN GQIBA**

**ALL PORTFOLIOS**

***FOR DECISION BY COUNCIL***

**MC 65/05/22 2021/2022 THIRD QUARTER'S PROGRESS REPORT ON CORPORATE PERFORMANCE (LSU N3242)**

It is **RECOMMENDED** that the 2021/2022 Third Quarter's progress report on corporate performance, be noted.

**ACTION: N MEISSENHEIMER; S ABASS; C JANUARY; G MORGAN**

**EXECUTIVE MAYOR**

***FOR DECISION BY COUNCIL***

**MC 66/05/22 REPORTING ON MINOR BREACHES OF PROCUREMENT PROCESSES APPROVED BY THE SUPPLY CHAIN MANAGEMENT BID ADJUDICATION COMMITTEE FOR THE PERIOD 01 - 31 MARCH 2022 (LSU G0392)**

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

**ACTION: N MEISSENHEIMER; B CHINASAMY; K JACOBY**

**MC 67/05/22 APPROVAL: NEW TERM OF OFFICE 2022-2027 INTEGRATED DEVELOPMENT PLAN (IDP) (LSU N3394)**

It was proposed that an additional recommendation be included in the recommendation to Council, to read as follows:

*Council resolve not to uphold the objections received against the draft IDP that served before Council on 31 March 2022, as summarised in Annexure C. Noting that the final IDP has been adjusted in response to public comments, as summarised in Annexure C.*

The above proposal was duly supported.

It is **RECOMMENDED** that:

- (a) Council note the inputs and comments received during December 2021 /January 2022 and April 2022, as reflected on Annexures B and C attached to the report on the agenda
- (b) Council resolve not to uphold the objections received against the draft IDP that served before Council on 31 March 2022, as summarised in Annexure C. Noting that the final IDP has been adjusted in response to public comments, as summarised in Annexure C.
- (c) Council approve the New Term of Office 2022-2027 IDP attached as Annexure E to the report on the agenda, in terms of Section 25 of the Municipal Systems Act No. 32 of 2000.

**ACTION: N MEISSENHEIMER; L JANSSENS; H COLE; G MORGAN**

***FOR DECISION BY THE EXECUTIVE MAYOR  
TOGETHER WITH MEMBERS OF MAYCO***

**MC 68/05/22 ESTABLISHMENT OF SECTION 57 PERFORMANCE EVALUATION PANELS FOR THE 2020/21 PERFORMANCE CYCLE (LSU N2835)**

**RESOLVED** that:

- (a) The evaluation panels listed under Annexure A to the report on the agenda in respect of the City Manager and the Managers directly accountable to the City Manager be established to evaluate the annual performance of the City Manager and the Executive Directors in the 2020/2021 performance cycle;

- (b) In the event that the nominated panel members are not available due to unforeseen circumstances that the Executive Mayor be authorised to replace the nominated panel members with an alternative.

**ACTION: Y SCHOLTZ**

**MC 69/05/22 LEASE IN OF ACCOMMODATION AT TYGERVALLEY SHOPPING CENTRE, CNR WILLIE VAN SCHOOR AVE AND BILL BEZUIDENHOUT, BELLVILLE FOR A LIBRARY FOR THE LIBRARY AND INFORMATION SERVICES DEPARTMENT (LSU N3502)**

**RESOLVED** that a lease at Tygervalley Shopping Centre, Cnr Willie Van Schoor Avenue and Bill Bezuidenhout Avenue, Bellville for a Library for the Library and Information Services Department from 1 July 2022 to 30 June 2023, be approved as follows;

- Financial year 2022/23 R498 339,12 (twelve months).

**ACTION: A JAMES; D BORAIN; R GELDERBLOEM**

**MC 70/05/22 INPUT ON THE TABLED 2022/23 BUDGET: PORTFOLIO COMMITTEE REFERENCES AND SUNDRY PROPOSALS (LSU N2886)**

**RESOLVED** that the proposals for amendment, which relate to the City's tabled budget for 2022/23 to 2024/25 received via Portfolio Committees (refer Annexure A to the report on the agenda), departmental technical adjustments, Subcouncils (Ward Allocations) and other fora, as informed by the Budget Strategy Meeting (BSM) and incorporated in the proposed budget, be noted.

**ACTION: N ISHMAIL; K JACOBY**

***FOR DECISION BY COUNCIL***

**MC 71/05/22 REQUEST FOR APPROVAL OF AN INFORMAL TRADING PLAN IN TERMS OF THE CITY OF CAPE TOWN'S INFORMAL TRADING BY-LAW FOR JOE GQABI AND STOCK ROAD (WARD 88) (LSU 3387)**

It is **RECOMMENDED** that:

- (a) Council support the review of the informal trading plan for Joe Gqabi and Stock Road as set out in Annexure A - E to the report on the agenda.
- (b) Based on the process prescribed in the Informal Trading By-law, Council adopt the revised informal trading plan for Ward 88, as indicated in Annexure A - E to the report on the agenda.

- (c) The areas indicated on Annexure A - E to the report on the agenda, be declared areas in which the carrying on of the business of street vendor, peddler or hawker is prohibited, with the exception of the informal trading bays reflected in Annexure A - E to the report on the agenda.
- (d) The areas indicated on Annexure A - E to the report on the agenda be restricted to persons in possession of a valid informal trading permit issued by the City of Cape Town for the particular trading spaces.
- (e) The trading bays mentioned in Annexure A - E to the report on the agenda be let out by means of a permit system and that no street vending, peddling or hawking be permitted in these informal trading bays if a person is not in possession of a valid permit for the particular trading spaces.
- (f) The trading hours for all approved informal trading sites be from 06:00 to 19:00 from Mondays to Sundays.
- (g) In terms of the provisions of the Businesses Act, Act 71 of 1991, Council revoke the proclamation as published in the Province of Western Cape: Provincial Gazette Notice dated 16 October 2009.
- (h) The amended, approved informal trading plan be published in the Provincial Gazette in terms of the Informal Trading By-law.
- (i) Council note the comments (Annexure G to the report on the agenda) from the external public participation process held on 3 June 2021 and support the responses provided by Area Economic Development.

**ACTION: N MEISSENHEIMER; S EVANS; M MILLER; L GREYLING; R GELDERBLOEM**

**MC 72/05/22 REQUEST FOR APPROVAL OF AN INFORMAL TRADING PLAN IN TERMS OF THE CITY OF CAPE TOWN'S INFORMAL TRADING BY-LAW FOR MITCHELLS PLAIN TOWN CENTRE (LSU 3361)**

It is **RECOMMENDED** that:

- (a) Council supports the review the informal trading plan of the Mitchell's Plain Town Centre markets in Annexure A - N to the report on the agenda.
- (b) Based on the process prescribed in the Informal Trading By-law, Council adopts the revised Informal Trading Plan for Ward 116, as indicated in Annexure A - N to the report on the agenda.

- (c) The areas indicated on Annexure A - N to the report on the agenda, be declared areas in which the carrying on of the business of street vendor, peddler or hawker is prohibited, with the exception of the informal trading bays reflected in Annexure A - N to the report on the agenda.
- (d) The areas indicated on Annexure A - N to the report on the agenda be restricted to persons in possession of a valid informal trading permit issued by the City of Cape Town for the particular trading spaces.
- (e) The trading bays mentioned in Annexure A - N to the report on the agenda be let out by means of a permit system and that no street vending, peddling or hawking be permitted in these informal trading bays if a person is not in possession of a valid permit for the particular trading spaces.
- (f) The trading hours for all approved informal trading sites be from 06:00 to 19:00 from Mondays to Sundays
- (g) In terms of the provisions of the Businesses Act, Act 71 of 1991, Council to revoke the proclamation as published in the Province of Western Cape: Provincial Gazette Notice dated 16 October 2009.
- (h) The amended, approved informal trading plan be published in the Provincial Gazette in terms of the informal trading by-law.
- (i) Council note the comments (Annexure O to the report on the agenda) from the external public participation process held on 02 and 17 June 2021 and support the responses provided by Area Economic Development.
- (j) Council support and recommend that the objections contained in Annexure O not to be upheld for the reasons stated in the report to the report on the agenda.

**ACTION: N MEISSENHEIMER; S EVANS; M MILLER; L GREYLING; R GELDERBLOEM**

**MC 73/05/22 REQUEST FOR A FINAL EXTENSION OF THE INFORMAL TRADING PERMIT RELIEF TO BE GRANTED FOR THE PERIOD 1<sup>ST</sup> JULY 2022 TO 31<sup>ST</sup> DECEMBER 2022 DUE TO THE UNPRECEDENTED NEGATIVE IMPACT OF THE COVID-19 PANDEMIC ON THE INFORMAL TRADING SECTOR AND TO BRING IT INTO ALIGNMENT WITH THE NATIONAL COVID PROCLAMATION REGARDING A 12 MONTH PERMIT RELIEF (LSU N2863)**

It is **RECOMMENDED** that:

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

**ACTION: N MEISSENHEIMER; P WILLIAMSON; L GREYLING; R GELDERBLOEM**

**MC 74/05/22 AWARDING OF CONTRACT WHICH WILL INCUR FINANCIAL OBLIGATIONS BEYOND THE BUDGET CYCLE: TENDER 280C/2020/21: PROVISION OF PROFESSIONAL SERVICES IN RESPECT OF PLANNING, DESIGN, TENDER DOCUMENTATION, CONSTRUCTION SUPERVISION AND ESTABLISHMENT OF PRECINCT MANAGEMENT ENTITIES AT PUBLIC TRANSPORT INTERCHANGES, FOR A PERIOD NOT EXCEEDING 72 MONTHS (LSU N1380 & N3526)**

It is **RECOMMENDED** that:

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

**ACTION: N MEISSENHEIMER; R MELODY; D CAMPBELL**

**MC 75/05/22 PUBLIC COMMENTS ON THE CITY OF CAPE TOWN DRAFT BUDGET (2022/23) (LSU N3457)**

It is **RECOMMENDED** that:



- (a) The public participation process conducted in respect of the draft budget for 2022/2023, be noted;
- (b) The changes resulting from public comments already included in the budget, be approved;
- (c) The budget be further amended as a consequence of the public comments received - where appropriate and/or necessary;
- (d) Appropriate responses be given to all respondents on the budget, where possible;
- (e) Comments be referred to the relevant Directorates for consideration in terms of their available resources or realignment of their implementation plans;
- (f) The comments received be considered in current and future budget processes;
- (g) The Public Participation Unit lead and drive the process for soliciting input and/or comment in respect of the 2023/24 budget cycle with all stakeholders to inform the draft 2023/24 budget.

**ACTION: N MEISSENHEIMER; I ROBSON; G MORGAN**

**THE MEETING ENDED AT 11:35**

**CHAIRPERSON:** \_\_\_\_\_

**DATE:** \_\_\_\_\_