
-MINUTE-
**OF THE MEETING OF SUBCOUNCIL 19 OF THE CITY OF CAPE TOWN HELD ON
FRIDAY, 22 APRIL 2022 AT 10:00AM**

PRESENT:

Cllr Aimee Kuhl	DA (Chairperson)
Cllr Patricia Francke	DA
Cllr Simon Liell-Cock	DA
Cllr Mandy Marr	DA
Ald Siva Moodley	DA

APOLOGIES

Ald Felicity Purchase	(Speaker)
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OFFICIALS

Arne Purves	Coastal Management
Brendon Fortuin	Roads Infrastructure Management
Clyde Koen	Water Reticulation
Dwynne Fruen	MURP
Ivan Anthony	MURP
Lindsay-Joy Allen	Property Management
Mark Pinder	Urban Mobility
Michael Bruce Rhode	Organisation Performance Management
Neil Fortes	Recreation & Parks
Nicolette O'Shea	Revenue
Sirraaj Slamang	Recreation & Parks
Tony Vieira	Transport Planning & Network Management
Desiree Mentor	Subcouncil Manager
Liesle Jacobs	Subcouncil 19
Raquel Harrison	Subcouncil 19
Yushrah Davis	Ward Clerk
Henriette Reyneke	Ward Clerk

PUBLIC

Ald Demetri Qually	Battleridge Resident
Cilla Bromley	Glencairn Resident
D Jameson	Resident
Debbie Scholteyer	Resident
Erica Scholfield	Masque Theatre
Helen O'Regan	Fish Hoek Resident
John Mendes	Cape Coloured Congress
Michael Richards	Simon's Town Civic Association
Nadia Williams	Ocean View Civic Association
Pamela Gush	Glencairn Heights Resident
Peter Brown	Ward Committee member
Teegon Klein	Ocean View Civic Association
Terence Daniels	Ocean View Civic Association
Ursula Williams	Ward Committee member

ACRONYMS USED IN THE MINUTES

ALD	Alderman
CLLR	Councillor
DA	Democratic Alliance
IDP	Integrated Development Plan
CAPEX	Capital Expenditure
MAYCO	Mayoral Committee Member
MURP	Mayor's Urban Regeneration Programme
OPEX	Operating Expenditure
PCER	Progressive Capital Expenditure Report
SAPS	South African Police Services

STANDARD BUSINESS

19SUB01/04/22 OPENING AND PRAYER / MOMENT OF SILENCE

The Chairperson, Cllr Aimee Kuhl welcomed all present. A moment of silence was observed for the passing of poet and playwright, Gladys Thomas.

Raquel Harrison opened the meeting with a prayer.

NOTED.

19SUB02/04/22 APOLOGIES / LEAVE OF ABSENCE

The meeting was informed that Alderman Felicity Purchase tendered an apology as she had to attend a MAYCO meeting.

ACTION: SECRETARIAT

19SUB03/04/22 CONFIRMATION OF MINUTES OF ORDINARY MEETING: 16 FEBRUARY 2022

RESOLVED that,

the Minute of the Subcouncil meeting held on the 16 February 2022 be **CONFIRMED**. Proposed by Cllr Patricia Francke, seconded by Cllr Mandy Marr.

ACTION: SECRETARIAT

19SUB04/04/22 CHAIRPERSON'S REPORT

The Chairperson addressed the meeting as follows:

"Good morning members of the public, colleagues and staff,

After having to stomach the 6.5% price increase from Eskom for electricity, the country yet again has been left in the dark by extensive load shedding. The City of Cape Town is doing its utmost to increasingly become independent from the defunct enterprise via independent energy producers but this will take time. And my colleagues and I are well aware what a burden all this is placing on our economy and residents. I encourage everyone to download the new City of Cape Town App to receive live updates on load shedding for your respective areas. The app also allows you to log service delivery issues directly.

While the rest of the country is heading for system collapse, we will continue to do our very best to keep delivery quality services to all. Examples of this are: the provision of safe electricity to the first 109 relocated fire victims in Masiphumelele with an additional 278 to follow at a total contract value of 4.5 million Rand.

Then the first 15 beneficiaries of the Dido Valley Housing project will be moving into their new homes in this coming month. In addition to this, we had a robust and transparent discussion at the Subcouncil with officials from Water and Reticulation to understand the challenges they are faced with and to come up with practical solutions how to tackle systemic issues.

As a grand finale for the month, the Metro Police Horse and Dog Unit visited the gang ridden areas of Ward 45 joined by Mayco Member Aldermen Smith. This was initiated by Cllr Marr and the Hillview Guardians NHW, a true testimony to active citizenship.

As we go into May, with several more public holidays coming up, I wish all our residents time to spend with their families. And above all peace for each and every one of us in these continued turbulent times.

**Cllr Aimee Kuhl
Chairperson: Subcouncil 19**

ACTION: SECRETARIAT

19SUB05/04/22 MATTERS RECEIVING ATTENTION (MRA)

The MRA's were discussed as follows:

1. STADCO PRESENTATION (LEASE)

Sirraaj Slamang was present for this item. He informed that a stakeholder engagement had taken place on 12 April 2022 to discuss the rental determination for STADCO, as well as the proposed period of the agreement. Mr Slamang stated that at the meeting, it was resolved that the department write off the expenses or the rental against the expenses for the department. He added that that costing was completed and engaged with STADCO. They provided the department with a breakdown of what it cost them to manage that facility. The department did a breakdown of what it would cost the City. The cost was about R1 million for STADCO which included the staff component; should the City manage that facility, it would cost R2 million to R5 million.

He asked whether the department could proceed with a three (3) year arrangement or whether process to finalise a ten (10) year arrangement.

Cllr Aimee Kuhl asked for clarity on the process and estimated time frame, to which Mr Slamang responded that should the department go ahead with the three (3) year arrangement, a report (to include the costing) would have to be serve at the next Subcouncil meeting.

Following further discussion, it was,

- a) **RECOMMENDED** that the rental payable by STADCO be set at last year's tariff + 10%,
- b) **RESOLVED** that the lease period remain at 3 (three) years, with an option to renew for 5 (five) years thereafter,
- c) **RESOLVED** that a report be submitted to the May Subcouncil meeting.

ACTION: SECRETARIAT / SIRAAJ SLAMANG

2. MOTION BY CLLR AIMEE KUHL: STREET LIGHTING IN ADDO ROAD, FISH HOEK

The meeting was informed that the project would commence on the 16 May 2022.

It was **RESOLVED** that,

- a) The Project Manager inform the Subcouncil as soon as the project was completed.
- b) This item be removed from the MRA list.

ACTION: SECRETARIAT / SHAUN KEMP

3. QUESTION FROM THE FLOOR: UPGRADES TO THE ROAD NETWORK IN THE MUIZENBERG AREA

Mark Pinder (Urban Mobility) and Tony Vieira (Transport Planning & Network Management) were present for this item.

Mr Pinder delivered an overhead presentation outlining the road safety auditors on **ou Kaapseweg / Kommetjie Road Upgrade** as follows:

- Accident statistics (2020 – 2021)
- Site visit observations –unpainted island
- Site visit observations- incorrect turning movement
- Site visit observations – road users and cyclists. Cyclist lanes were positioned at intersections with the assumption that motorists were aware to yield to cyclists
- Site visit observations – traffic signals aspects- cantilever signals are considered when visibility of traffic signals are compromised.
- Site visit observations – cycle lane / bus embayment
- Site visit observations – road signage insufficient

R300 / Prince George Drive Interchange

- Approval –The ultimate Metro Road Network was encapsulated in the Public Right of Way (PRoW) -Road Network Plan and was approved within the Consolidated Integrated Transport Plan (CITP).
- Would need to secure an allocation from the Operating Budget to commence the planning process.
- Currently not a proclaimed route (ito Roads Ordinance) and does not have any statutory authorisations (i.e. NEMA, WA, HA etc and needed to restart the planning approval process. The route crosses the Philippi Horticultural Area so a protracted process was anticipated (Estimate 2-3 years –if authorisations were not challenged).
- Previous Preliminary Designs would be reviewed but major changes are unlikely apart from a review of the configuration and phasing of the R300 / M5 and R300 / M7 interchanges.
- An unsolicited bid (R300 Ring Toll Road) undertook an EIA in 2004, and is a good background document, but latest statutory processes will need to be followed.

- To proceed with Execution Phase:-
 - Finalise the design to Preliminary Design Stage detail, (1 year)
 - Acquire the road reserves, (2 years)
 - Secure the implementation budget, (no recent estimate) prior to commencing with the Detailed Design and Execution Stage.

(A copy of the presentation is attached to the Official Minute as Annexure 'A')

Royal Road Upgrade

Mr Vieira informed the meeting as follows:

- R150 million a year over five (5) years (which ended last year) was allocated for congestion relief program;
- An additional R200 million in addition to the R750 million were requested to get projects to a particular point;
- A report was currently being prepared to the Portfolio Committee, MAYCO and Council to indicate the allocation for the congestion relief programme for the next number of years (to deal with the full list of backlog)
- Royal Road was rated number thirty one (31) on the congestion program list; *"it's definitely on the next batch for planning"*;
- Eighteen (18) projects on the congestion relief program were completed;
- Royal Road from the vlei to Prince George Drive were quite high on the department's priority list;
- A set of criteria was developed based on the economic return and public transport usage on particular roads, i.e. two (2) roads were equally congested, and one 'carried' more public transport than the other, that road would be prioritised.
- The list of projects were worked through systematically;
- The R300 was similarly number thirty one (31) on the list;
- When R150 million was allocated, it was questioned whether the full allocation be utilised to do major projects such as the R300 or should smaller projects that would bring immediate relief in the local area.
- At a recent Portfolio Committee, a workshop was held to explain the whole congestion relief programme, the history, the current active projects and future projects;
- Projects lined up from the prioritised list required to unlock some of the congestion in some areas of Cape Town, were loaded on the system.
- *"The need and the ask"* for funding for the upgrading of roads was the challenge going forward.

The Chairperson, Cllr Kuhl thanked the officials for the detailed presentation. She stated that this clarified a number of things. She added that councillors and residents were not always aware of '*what was in the pipe-line*' and it was challenging to provide feedback on managing projects to every Subcouncil. She asked, "*whether a quarterly report on the prioritised list could be submitted in three (3) months' time*". A written report on infrastructure development would suffice.

In response, Mr Vieira asked whether the department could provide feedback after the congestion programme report was considered and supported at Council in July/ August 2022. He added that this would give councillors the confidence for future budgeting of these projects.

Following clarity, it was **RESOLVED** that,

- a) The response and presentation be forwarded to the Marina da Gama Association,
- b) The Subcouncil Manager request Mr Tony Vieira (Transport Planning & Network Management) to provide a prioritised list of congested roads projects to Subcouncil 19 in three (3) months' time.
- c) The item heading be renamed to the Royal Road Upgrade.

ACTION: SECRETARIAT

4. QUESTION TABLED FROM THE FLOOR: BURST WATER MAINS

Clyde Koen was present for this item. He tabled a map of Fish Hoek indicating where the burst water mains had taken place in the last year.

(A copy of the map is attached to the Minute as Annexure 'A')

He stated the map was based on the questions that he received. He added that the 'bursts' were sporadic and not to secluded various pressure managed zones or various supplies that we do have. The reason for most of these bursts were old infrastructure and not specific pressure that has to do with our supplies. There would be a different pattern of bursts secluded in certain areas, particularly roads next to each other. The pipelines in Fish Hoek was passed their life-span.

The department was looking at the high risk areas and prioritising that for next year's project prioritisation programme.

Cllr Kuhl thanked Mr Koen for the informative presentation. She stated that one could see that aged infrastructure on the mountainside. She asked when the planning for the next financial year would be in place

and communicate that to the Subcouncil, in order for Fish Hoek Ratepayers Association to engage their residents.

Mr Koen responded that the department currently only has the Highway Project in Fish Hoek for this financial year. The rest of the projects for the next financial year were committed.

Following questions of clarity from Cllr Kuhl, which were responded to by Mr Koen it was **RESOLVED** that,

- a) The Subcouncil Manager request a list of approved projects from Clyde Koen (Water Reticulation Department) for the next financial year.
- b) The response be sent to Brian Youngblood (Fish Hoek Valley Residents and Ratepayers Association) for information.

ACTION: SECRETARIAT / CLYDE KOEN

**5. PROGRESSIVE CAPITAL EXPENDITURE REPORT (PCER):
FEBRUARY 2022**

It was **AGREED** that the item heading be renamed '*Management of the Jobseekers Database Policy*'.

ACTION: SECRETARIAT

19SUB06/04/22 RULES OF ORDER FOR VIRTUAL MEETINGS OF SUBCOUNCILS

RESOLVED that,

for reasons set out in the report, it is recommended that the Rules of Order for virtual Subcouncil meetings be **ADOPTED**.

ACTION: SECRETARIAT / ZOLILE DESMOND SISWANA

19SUB07/04/22 PRESENTATION: ANNUAL PENGUIN MONITORING

Arné Purves was present for this item. He delivered an overhead presentation outlining the following:

- The Simon's Town Penguin Colony Project Partners (City of Cape Town, SAN Parks, SANCCOB and Nature Connect;
- The Penguin Rangers (a youth development project aimed at employing and training individuals interested in furthering their education within the Nature Conservation Field;

- The Simon's Town Penguin Colony, i.e. Seaforth Beach, Waters Edge Beach, Foxy Beach, Middle Beach, Boulders Beach, Burghers Walk, Windmill Beach and Franks Beach.
- The Monitoring Programme- guided by the respective scientific advisors and penguin working groups. The project regularly engages around research projects, oil spill contingency planning and other issues of mutual concern and interest.
- African Penguin Seasons, i.e. nesting from March to September and moulting from November to February;
- Penguin relocations from unsafe areas;
- Penguin transpondering: micro-chips and transponder readers were used to monitor movements throughout the different colonies;
- The annual penguin census conducted at the peak of breeding season around May/June each year;
- Mortalities in African penguins and other coastal birds, i.e. egg binding, abandoned, hypothermia, avian influenza, infections, parasites, bee stings, hit by a car, trauma and predation;
- Site challenges: littering and waste management, dogs without leashes, visitor pressure and disturbances.

Councillors thanked Mr Purves for the informative presentation.

RECOMMENDED that,

- a) The existing Dog Zone in areas where penguins are prevalent within Subcouncil 19 be **REVIEWED**;
- b) the contents of the Annual Penguin Monitoring presentation be **NOTED**.

ACTION: SECRETARIAT / ARNE PURVES

HEARING / PRESENTATIONS

19SUB08/04/22 PRESENTATION: SPORTS GROUND LEASE MANAGEMENT MODELS

The Subcouncil Manager informed that the department requested the presentation be withdrawn as it needed to be circulated internally for comment.

At the request of the Chairperson, Cllr Aimee Kuhl, it was **RESOLVED** that,

- a) Mr David Dunn (Recreation & Parks) submit a list of the statuses of all the existing sports ground lease agreements within Subcouncil 19 to the next subcouncil meeting.

- b) The presentation be withdrawn.

ACTION: SECRETARIAT / DAVID DUNN

19SUB09/04/22 QUESTION TABLED FROM THE FLOOR: SIMON'S TOWN JETTY

The following submission was received from the Cameron Gumbrill.

The history of the Simon's Town Jetty fendering was very long. The matter has been ongoing for the better part of the decade. The asset was important to the businesses of the town and continues to deteriorate. There was a risk of personal injury and severe economic hardship which could be caused should the necessary repairs not be undertaken.

The City has been aware of the problem for several years, but the City officials remain viable to give way concrete timelines or commitments relating to when the fendering of the jetty would be either repaired or replaced.

Mr Gumbrill stated that the response from the City of Cape Town was no longer acceptable. This matter must be placed on the SC Agenda and tracked to resolution. The question that must be answered is when are the repairs to the Simon's Town jetty going to be completed?

The Chairperson thanked the resident for the submission. She added that the concerns would be forwarded to the relevant officials for investigation and feedback.

RESOLVED that,

- a) The concerns be forwarded to the Coastal Management Department for investigation and comment.
- b) This item remain on the MRA list until resolved.

ACTION: SECRETARIAT / GREGG OELOFSE

19SUB10/04/22 QUESTION TABLED FROM THE FLOOR: SIMON'S TOWN ROAD SAFETY PROJECT

The following submission was received from the Simon's Town Civic Association (STCA).

Before Covid took hold and the subsequent declaration of a State of Disaster in South Africa, Cape Town experienced a boom in tourism resulting in a substantial increase in traffic in Simon's Town. No significant congruent infrastructure improvements took place to accommodate this

increase and it became clear that the traffic flow in and through the town required urgent attention. As it appeared that the City of Cape Town had no effective plan to deal with the situation and in an effort to expedite a solution, the Simon's Town Development Amenities Company (STADCO) drew up an independent plan entitled the Simon's Town Main Road Safety Project (STMRSP).

The STMRSP was presented and enthusiastically received by Ward Councillors at a meeting in July 2020. Subsequent to that meeting a number of other positive meetings and communications took place between STADCO, Ward Councillors and the City of Cape Town (CoCT), however no tangible results were forthcoming. Concerned with the lack of progress STADCO requested a progress meeting which was held 10 March 2021. At a subsequent meeting on 24 March 2021, assurance was given that the STMRSP would be tabled at the following Sub Council meeting. However this did not happen and subsequent communication between the parties culminated in an entirely unsatisfactory response from the CoCT on 23 July 2021.

As the ratepayers representative body for Simon's Town, the Simon's Town Civic Association (STCA) wishes to express its unequivocal support for the STMRSP and STADCO in its endeavours to get some action from both the City and Councillors. Furthermore the current Covid restrictions provide the perfect opportunity to undertake the necessary work whilst traffic is at a minimum. There has been no meaningful progress since the original meeting in July 2020, more than a year ago, which is extremely disappointing.

The STCA requested the following:-

- 1) The status of the STMRSP within the City of Cape Town.
- 2) The formation of a committee of key role players from the CoCT, Sub Council, STADCO and the STCA to ensure agreement on the way forward and to monitor progress.
- 3) Progress reports and agreed actions on the STMRSP tabled at Sub Council meetings until final conclusion.

The Chairperson thanked the STCA for the submission. She added that the concerns would be forwarded to the relevant officials for investigation and feedback.

RESOLVED that,

- c) The concerns be forwarded to Brendon Fortuin (Roads Infrastructure Management) for investigation and comment.
- d) This item remain on the MRA list until it was resolved.

ACTION: SECRETARIAT / BRENDON FORTUIN

MONTHLY / QUARTERLY REPORTS, EXCLUDING FINANCIAL REPORTS

19SUB11/04/22 PROGRESSIVE CAPITAL EXPENDITURE REPORT (PCER): MARCH 2022

Cllr Simon Liell-Cock requested a detailed report of the Wildevoelwei WWTW upgrade.

RESOLVED that,

- a) the Progressive Capital Expenditure Report for March 2022 be **NOTED**.
- b) A detailed report of WBS CPX.0010426-F1 Wildevoelwei WWTW-Upgrade dewatering be submitted to the next Subcouncil meeting.

ACTION: SECRETARIAT / KAREN FOURIE / KEITH OLSEN

19SUB12/04/22 NEW TERM OF OFFICE: DRAFT 2022-2027 INTEGRATED DEVELOPMENT PLAN (IDP)

RESOLVED that,

- a) The content of the report be **NOTED**.
- b) The Subcouncil provide comments on the draft 2022 -2027 IDP before end of business on 22 April 2022.

ACTION: SECRETARIAT / JEAN YSLIE

19SUB13/04/22 GRANT-IN-AID REPORT BACK: LIVING HOPE (MARCH 2022)

RESOLVED that,

- a) The grant-in aid report back be **NOTED**.

ACTION: SECRETARIAT / DESIREE MENTOR

19SUB14/03/22 GRANT-IN-AID REPORT BACK: THE MASQUE THEATRE

Erica Scholfield was present for this item.

Ms Scholfield thanked the City of Cape Town for the Grant-in Aid funding. She informed that the funds were utilised to employ interns. She further informed the meeting of the various productions that were presented recently at the Masque Theatre, especially the brand-new version of the fairy tale classic Cinderella.

The Chairperson, Cllr Aimee Kuhl thanked Ms Scholfield for the Masque Theatre's valuable contribution for assisting youth with development skills.

RESOLVED that,

- a) The grant-in aid report back be **NOTED**.

ACTION: SECRETARIAT / DESIREE MENTOR

MONTHLY/QUARTERLY REPORTS, EXCLUDING FINANCIAL REPORTS

**19SUB15/03/22 MAYORAL URBAN REGENERATION PROGRAMME (MURP)
PROGRESS REPORT 2022/23 FINANCIAL YEAR**

Ivan Anthony (MURP Manager) and Dwynn Fruen (MURP Technical Support) were present for this item.

Mr Fruen informed the meeting of the various programmes undertaken by his department as follows:

- Mosaic training
- Computer training
- Lifeguard training
- Security training.

The Subcouncil Manager informed that it was recommended at the Activity Day that the full amount of R2 050 000 be utilized for the cleaning of areas and removing of alien vegetation in Wards 45, 61 and 69.

RESOLVED that,

- a) The feedback be **NOTED**.
- b) The MURP funds of R2 050 000 be utilised for area cleaning and the removal of alien vegetation (Green jobs) in Wards 45, 61 and 69.

ACTION: SECRETARIAT / IVAN ANTHONY

**19SUB16/03/22 STORMWATER MANAGEMENT: WINTER PREPARATION PLAN
PROGRESS REPORT**

Brendon Fortuin was present for this item. He explained that the Stormwater Winter Preparation Plan was implemented annually to limit potential flooding and to maintain the functionality of road stormwater drainage systems.

Ald Siva Moodley asked whether a winter preparation plan progress report for Ward 45 could be submitted at the next Subcouncil meeting, as this was a high-risk area that was prone to flooding.

RESOLVED that,

- a) The contents of the report be **NOTED**.
- b) Grant Rigby submit a stormwater winter preparation plan report for Ward 45 to the next Subcouncil Meeting.
- c) An Activity Day be arranged to discuss the water & sanitation problems in Ward 45.

ACTION: SECRETARIAT / BRENDON FORTUIN / GRANT RIGBY

LIQUOR LICENCE: EXTENSION OF TRADING TIMES

**19SUB17/03/22 EXTENSION OF LIQUOR TRADING HOURS APPLICATION IN
RESPECT OF WCP/038021 SONGCA'S LIQUORS (VRYGROND) FOR
MONDAY TO SUNDAY EXTENDED OFF-CONSUMPTION TRADING
HOURS**

Cllr Simon Liell-Cock recused himself for this item.

Cllr Mandy Marr stated that whilst she supported the renewal of the liquor license for Songca Liquors, she did not feel that it was necessary or appropriate for liquor to be sold at this business on Saturday evenings and Sundays.

She added she was not in favour of extended trading hours for Songca Liquors. Songca Liquors was trading in the residential area of a largely informal settlement. There was already a high rate of alcoholism and substance abuse in this area, which has shown a direct correlation to criminal activity and violence including domestic violence, as well as an elevated rate of foetal alcohol syndrome as a result of alcohol abuse.

Additionally, there were Mosques and Churches in Drury Road that would be negatively affected by the Sunday trading hours.

Cllr Marr stated she *did not believe* that SAPS would be able to provide adequate additional policing to the area during these extra hours.

RESOLVED that,

that the application for extension of liquor licence trading hours received from reference no **WCP/038021 SONGCA'S LIQUORS (VRYGROND)** for the extension of liquor trading hours be **REFUSED** for:

1. Monday to Saturday from 18:00 to 20:00, and
2. Sunday from 11:00 to 18:00 for off-consumption purposes,

For the following reasons:

- a) The business was situated in a largely informal area,
- b) The high rate of alcoholism and substance abuse in the area,
- c) the impact of the risks and nuisances on the surrounding community.

ACTION: SECRETARIAT / SAMANTHA MORRIS

19SUB18/03/22 EXTENSION OF LIQUOR TRADING HOURS APPLICATION: IN RESPECT OF WCP/030476 PICARDI REBEL FINE WINE AND LIQUORS (LONGBEACH) FOR MONDAY TO SUNDAY EXTENDED OFFCONSUMPTION TRADING HOURS

Cllr Simon Liell-Cock recused himself for this item.

RESOLVED that,

Subcouncil 19 recommends that the application for extension of liquor licence trading hours received from reference no **WCP/030476 PICARDI REBEL FINE WINE AND LIQUORS (LONGBEACH)** for the extension of liquor trading hours be **REFUSED** for:

1. Monday to Saturday from 18:00 to 20:00, and
2. Sunday from 11:00 to 18:00 for off-consumption purposes.

For the following reasons:

- a) The business was situated in close proximity to a place of worship,
- b) the impact of the risks and nuisances on the surrounding community.

ACTION: SECRETARIAT / SAMANTHA MORRIS

PROPERTY MATTERS

19SUB19/04/22 PROPOSED LEASE OF PUBLIC STREET, BEING A PORTION OF ERF 88801 CAPE TOWN, ABUTTING ERF 172298, CLOVELLY ROAD, CLOVELLY: ROBERT JEREMY LINDQUIST, JUNE PATRICIA LINDQUIST AND RYAN JOHN DUNN

RECOMMENDED that

the lease of a portion of a public street, being a portion of Erf 88801 Cape Town situated at Clovelly Road, Clovelly, shown hatched and lettered ABCDEFGHJKLMNPQ on the attached plan LT 1609v1 marked **annexure A**, in extent approximately 62 m², to Robert Jeremy Lindquist, June Patricia Lindquist and Ryan John Dunn, owners of Erf 172298 or their successor in title, be approved subject, to inter alia the following conditions, that:

- a) A market rental of R420 per month (including rates, excluding VAT) calculated at the rate applicable at the time of transaction be payable;
 - i) The monthly rental shall escalate at 8% per annum compounded annually commencing from date of valuation (i.e. from 2020-03-01) until 2020-03-31 and thereafter to be escalated at **6% per annum**. Accordingly, the above recommended rental is effective and payable as from 2020-03-01;
 - ii) The proposed lease term would be for a period of ten (10) years. The rental is to be reviewed after a period of five (5) years;
- b) The property be used for the existing encroachment comprising of a portion of garage (approximately 20m²) and a walled garden (approximately 42m²) and for no other reason whatsoever;
- c) Subject to such further conditions imposed by the Director: Property Management in terms of her delegated authority;
- d) Subject to compliance with any other statutory requirements;
- e) No compensation will be payable for any improvement made to the property;
- f) All outstanding accounts with the City of Cape Town be settled.
- g) The City of Cape Town has the right to construct and/or erect and lay such poles, stays, cables, wires or appurtenance relating thereto as may be necessary, together with the right to use, inspect, maintain, repair, alter, relay and/or remove all such poles, stays, cables, wires or appurtenances aforesaid. This includes the right to bring machinery onto the property and to carry out excavations;

- h) 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;
- i) No building, containers or structure may be erected within three meters of the electrical services;
- j) No excavation or filling may be carried out within the lease area without the prior written consent of the Director: Electricity Services via the wayleave approval process. All excavations within three meters of the electrical services must be carried out under the direction of a representative of the Electricity Department. Kindly contact the Electricity Department two weeks before the commencement of work;
- k) No stakes, pegs or pins may be driven into the ground within one meter of any part of the electricity services;
- l) No mechanical plant may be used within three meters of medium voltage cable or five meters of high voltage cable;
- m) No compensation will be payable for any improvements made to the property, with or without the consent of the Council, should the lease be terminated for any reason whatsoever;
- n) Adherence to the requirements of the City of Cape Town's water by-law with reference to clauses 9; 10; 11; 13; 19; 23; 24; 25 and 28, Schedule 1;
- o) As optic fibre cables will be affected, a Telkom representative must be contacted at least 48 hours prior to commencement of any construction work;
- p) No mechanical plant or vibrator type compactors may be used within three metres of any open serve plant (i.e. any Telecommunication equipment above or below ground level);
- q) The position of the Telkom plant affected by the proposal is indicated as approximate. A Telkom representative must be contacted at least 48 hours prior to commencement of any construction work;
- r) It is the responsibility of the applicant to verify the existence of the indicated plant and to notify Open Serve immediately should the applicant locate any Open Serve plant which is not indicated on the plan;
- s) Should the applicant expose any Open Serve plant, the safeguard thereof will be the applicant's full responsibility.

ACTION: SECRETARIAT / LINDSAY- JOY ARON

PUBLIC PARTICIPATION

19SUB20/04/22 URBAN FOREST POLICY FOR PUBLIC PARTICIPATION

RESOLVED that,

- a) The Subcouncil submit its comments on the draft Urban Forest Policy within the timeframes as advertised.

ACTION: SECRETARIAT / SUSAN STEYN

CLOSING ITEMS

19SUB21/04/22 NEXT MEETING DATE

The Subcouncil Manager informed that the next meeting would be held on Monday, 16 May 2022.

19SUB22/04/22 MEETING CLOSING

The Chairperson, Cllr Aimee Kuhl concluded the meeting with a word of thanks to all councillors, officials, and public present.

The meeting ended at 12:45pm.

CHAIRPERSONDATE