

MINUTES

OF AN ORDINARY MEETING OF SUBCOUNCIL 9 OF THE CITY OF CAPE TOWN HELD IN
THE KHAYELITSHA TRAINING CENTRE AUDITORIUM, C/O LWANDLE ROAD AND
PHENDULA CRESCENT, KHAYELITSHA ON WEDNESDAY, 15 FEBRUARY 2023 AT 10:00

PRESENT

COUNCILLORS

Name	Ward	Party	Notes
Cllr Ntomboxolo Kopman	18	ANC	
Cllr Kayaletu Gxasheka	89	ANC	
Cllr Lukhanyo Simangweni	90	ANC	
Cllr Thando Mpengezi	91	ANC	
Cllr Thando Pimpi	93	ANC	
Cllr Ernest Madikane	114	ANC	
Ald Xolani Sotashe	Chairperson	ANC	
Cllr Zoleka Lucia Qoba	PR	ANC	
Cllr Nomfundiso Alice Botya	PR	EFF	
Cllr Bongani Maqungwana	PR	UDM	

VISITING COUNCILLORS

Name	Ward	Party	Notes
None			

ABSENT WITH APOLOGIES

Name	Ward	Party	Notes
Cllr Khayaletu Kama	87	ANC	Cllr Kama had a program in the ward to join later – did not attend the meeting

ABSENT WITHOUT APOLOGIES

Name	Ward	Party	Notes
None			

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OFFICIALS

Name	Representing
Jongihlanga France	Subcouncil 9 Manager
Vathiswa Njaba	Subcouncil 9
Sikho Mdingi	Subcouncil 9
Nomthandazo Nyongo	Subcouncil 9
Bulelwa Mamba	Subcouncil 9
Zintle Velleem	Subcouncil 9
Michael Benu	Social Development & ECD
Melani Ohlson	Urban Mobility
Ayanda Solani	Urban Regeneration
Siyasamkela Vutula	Urban Regeneration
Andile Tumana	Urban Regeneration
Seraj Abrahams	Planning Development & PMO
Siphathise Dyongo	Policy & Strategy
Bathandwa Majija	Informal Settlement
Luxolo Madubedube	Informal Settlement
Mzwamadoda Coto	Organisational Performance Management
Noloyiso Nkukwana	CDW's
Ntomboxolo Mnyakama	CDW's
Hono Monwabisi	CDW's

ACRONYMS FREQUENTLY USED IN MINUTES

ABSDMT	Area Based Service Delivery Management Team
Ald.	Alderman
ANC	African National Congress
Cllr(s)	Councillor(s)
COCT	City of Cape Town
DA	Democratic Alliance
NHW	Neighbourhood Watches
MAYCO	Mayoral Committee
EFF	Economic Freedom Fighters
UDM	United Democratic Movement
SC	Subcouncil

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STANDARD BUSINESS**09SUB OPENING AND PRAYER/MOMENT OF SILENCE**
1/2/2023

The meeting was opened by prayer - Cllr Simangweni

09SUB APOLOGIES/LEAVE OF ABSENCE
2/2/2023

No apologies were received from the Chief Whips office prior the meeting.

Reports: Cllr Madikane reported that he will join the meeting late due to school taxi/transport meeting in his ward and Cllr Kama had a program in the ward also to join later

Ald. Sotashe raised a concern as to how does a councilor have a program that clashes with SC meetings, calendar with statutory meetings is submitted in advance and mentioned that issues will be discussed and take decisions in the absence of ward 87 councillor. City officials know the responsibilities of councillors

Cllr Maqungwana commented that the meeting be lenient with Kama as the program was initialized by another department knowing that there is a SC meeting.

Ald. Sotashe mentioned that he will speak to Cllr Kama and explain the importance of prioritizing statutory meeting.

Resolved

That apologies be noted with comments made by Subcouncil 9 members

09SUB CONFIRMATION OF MINUTES
3/2/2023

Minutes of a SC09 meeting held on Wednesday, 18th January 2023 were adopted with comments made.

Cllr Maqungwana commented that in previous Subcouncil meeting, a request was made that Subcouncil manager to do follow up on the comment of Fencing of Mfuleni Library.

Mr. France reported he had meeting with Executive Director of Community Services and Health Ms. Zukiswa Mandlana and raised the issues with no response as yet but the office of the executive director is aware.

Resolved

That the minutes be noted with comments made by SC09 members

09SUB CHAIRPERSON'S REPORT
4/2/2023

Ald. Sotashe welcomed the Councillors, Officials and Ward Committees from their respective wards and the members of the community at large.

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He mentioned that certain decisions were taken and some have been implemented, decided to take SC to the community and such has started and appreciated councillors that have attended, acknowledge the apologies from other councillors. This makes it easier to begin to understand the leaders and their expectation from the councillors. Encouraged the officials of the city to come on board as there are certain things that one could learn from and help them to implement some of the council decisions. He picked up that there is a lack of understanding of how council worked and therefore proposed that an awareness campaign be held with the unity of policies from the city side. The officials, the community leaders and the community at large are the three legged points to work together. Ward committees to come on board and be accountable in representing their sectors. Apologized as some dates were rescheduled due to unforeseen circumstances.

In 2022, a comment of challenges that are within the communities was raised and it should be taken as learning curve, wetlands to be changed to food production sites and that government should meet the community halfway with tools to plant. Proposed that Cllr Kama and Cllr Maqungwana to lead this initiation, work on the concept, identify the role players and sell the idea working along with SC09 interns, shopping centres to have market and plough back buy opening opportunities for our communities. Collaborate with SC10 in assisting and equipping Khayelitsha people. Local Economic Development unit to be closer to our community so to assist the business people.

Lastly, there is an issue of transport problem in Mfuleni that taxis are abused as they are not being paid. Meetings were held for MRAs and thanked the EDs for attending, made a reference to Urban Mobility for projects that have come a long way and committed to assist.

Cllr Gxasheka welcomed the remarks, encourages and fruitful, ward committees with challenges to be addressed like facilities to have meetings, usually they used school premises and now are not allowed, city halls are far from the community. Wetlands supported.

Cllr Maqungwana welcomed the remarks, accepted unlitary decision of appoint them for project design of food gardening centres, wanted to know if given authority to KCT and KDF. School transport not agree for Cllrs to be used as fire fighters as not all Cllrs know of the processes within the transport industry and the matter should be raised with provincial government.

Ald. responded that Cllr Gxasheka to lead in requesting the venue along with stakeholders within the ward, build a relationship with schools/churches and SC can assist in municipal venues.

09SUB 5/2/2023 MATTERS RECEIVING ATTENTION

- 1. Nolungile Precinct, Nonkqubela Precinct and OR Tambo Precinct** – outstanding meetings
- 2. Tembokwezi Container Park** – presentation was submitted and it will be presented in ward 18 on Thursday, 16th February 2023.

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3. Memory Centre in Site C – Ward 18 – outstanding meetings

4. **Mfuleni Recreational Park** – Implementation Plan R13m budget (R3m 2022/23, R5m 2023/24 & R5m 2024/25) – an implementation plan was requested from Mr. Seraj Abrahams and it was submitted to SC09 as follows:

Key Milestone	Financial Year	Estimated Duration
Initial planning and stakeholder engagements	Feb 2023	2 weeks
Concept Design/Review	Feb 2023	2 weeks
Detail Design & Building Plan Approvals	March 2023	1 months
Term Tender processes (contractor appointment)	April 2023	2 weeks
Construction	April/May/June 2023	2.5 months
Close Out and Handover process	July 2023	2 weeks
TOTAL PROJECT DURATION (ESTIMATION)		5 Months

5. **Ward 89 BM reconfiguration** – Mr. Madubedube Service provider has been appointed for detailed designs, request has been made to USDG but no response has been received. Project has an amount of R1m in the PCER and service provider has been appointed with no budget, multi-draft budget will be presented in March and there is no budget for BM. There is no estimated cost to be submitted for adjustment with no guarantees that it will be in the budget. Mr. Madubedube promised that the funds will be available for the service provider to do the designs.

Cllr Pimpi confirmed that there is a PSC already and has requested that the meeting be held for update and confident with no information.

Cllr Maqungwana – item comes from 2017 with no movement, no financial implications, no estimated cost and no implementation plan, what is the PSC doing or discussing.

Mr. France reported that the terms of reference were forwarded with no details of the PSC as Mr. Madubedube inherited the project.

Ald. Sotashe wanted clarity as the business memory had to assist the new project manager, what is been done or discussed by the appointed PSC. The project scope should have been done already by the previous Cllr as there was a budget of R500 000 allocated. R1m is not for the project implementation but for the service provider and therefore proposed to arrange a meeting with BM community to dissolve everything and start afresh. Ms. Mandlana, Mr. Waleed Adams and Ms. Riana Pretorius to be invited to the community meeting.

Cllr Pimpi requested that the committee be dissolved as there is no project.

Cllr Botya supported Cllr Pimpi, to dissolve the PSC

FINANCIAL REPORTS AND IDP

09SUB 6/2/2023 PROPOSED AMENDMENTS TO THE 2022-2027 INTEGRATED DEVELOPMENT PLAN (IDP) – 2022/23, RELATED TO THE COUNCIL APPROVED MID-YEAR ADJUSTMENT BUDGET.

RECOMMENDATIONS

For consideration by Subcouncil:

It is recommended that:

- a) Subcouncils note the content of the report
- b) Subcouncils comment and make recommendations to the Executive Mayor together with the Mayoral committee for submissions to Council with regards to the IDP, as deemed necessary by the end of business on 21 February 2023.

Annexures are incorrect – corporate score card

Ald. Sotashe commented that the issue of public participation is a problem and it is like the department is ticking the box. Community members have limited time to comment and the report only reach SC09 today. Requested that the report be circulated to all the SC09 stakeholders so to apply their minds to be able to report. Manager also to check with PPU if the process of circulating the report to communities was done and if not, request the extension. Mr. France to coordinate the inputs.

Cllr Maqungwana – unfair that the closing date is closer and proposed that councillors to submit comments to SC09.

RESOLVED

That the report be noted with comments made by SC09 members.

Action: Mr. Jean Yslie / Mr. Jongihlanga France / The Secretariat

09SUB 7/2/2023 PROGRESSIVE CAPITAL EXPENDITURE: JANUARY 2023

Project managers submitted progress report in an activity day on Tuesday, 15th February 2023 and most of the projects are progressing well, to be finalized before the end of financial year.

RESOLVED

The PCER: January 2023 be noted with comments made by SC09 members.

Action: Mr. Jongihlanga France / The Secretariat

MONTHLY/QUARTERLY REPORTS, EXCLUDING FINANCIAL REPORTS

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09SUB PROGRESS REPORT: C3 NOTIFICATIONS
8/2/2023**RECOMMENDATIONS**

To assess the performance of service delivery generally within the area of jurisdiction (outcome monitoring)

RESOLVED

That the report be noted by SC09

Action: Mr. Jongihlanga France / The Secretariat

09SUB UPDATE ON THE CONCEPT DESIGN UPGRADE OF THE NONKQUBELA
9/2/2023 PUBLIC TRANSPORT INTERCHANGE

It is recommended that the content of this report be noted.

Refer to the attached presentation.

Cllr Maqungwana commented that 95% of the requested information has been covered and the remaining will be done during community engagements

Ald. Sotashe thanked the presentation as it speaks to what was requested, the same is requested for Vuyani and Mfuleni transport interchange. The budget spent is tormenting as less money has been used and R4 200 000 had to be spend. Taxi associate to be engaged and the establishment of the PSC so that when the time comes there no delays.

Ms. Ohlson responded that there is quite a number of invoices that needs to be posted and funds will be committed.

RESOLVED

That the report be noted with comments made by SC09 members.

Action: Ms. Melani Ohlson / Mr. Jongihlanga France / The Secretariat

09SUB INVITATION TO SUBMIT WRITTEN COMMENTS IN CONNECTION WITH THE
10/2/2023 CITY'S INTEGRATED ANNUAL REPORT 2021/22**RECOMMENDATIONS**

5.1 Portfolio- and Sub-council committees be provided the opportunity to submit written comments on the electronic copy of the City's Integrated Annual Report as part of the public participation process.

Mr. Coto – once the annual report has been drafted and tabled to council, it is a responsibility of the city to publish it and call for public comments. The report has

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been advertised as of 2nd February 2023. Subcouncil 9 to comment on the annual report by digital communication, a link has been created where individuals or organisations and ward committees can write and submit their comments. Closing date of public comments is the 28th February 2023. The report was tabled in 26 January 2023 along with IDP in council and councillors where provided with documents.

Ald. Sotashe mentioned that critical information is written in small print and he made a reference to page 224, the number of complaints made against the city is 75 and complaints costed the city up to R3.9m as indicated and a nature of the complaints was not indicated. The investigations are also listed and very confidential, it is also said that the report are received towards the end of the financial year. He was very concerned of the well run city but the report points to other directions and commented that in 28 of the 68 full investigation completed in 2021/22, the increase of non-adherence to the policies is seating at 34% 2020/21 and 2021/22 has increased which is non-compliance with legislations, its policies and the procedures. There is also a case of illegal connection with no full information, a lot of cases that raises concerns, conflict of interest/unauthorised work is on 60% which means that there are officials that are doing illegal work, recruitment of nepotism is 27% meaning people are not following the processes. 7% is in the bridge of code of conduct but does not say how was it measured, using what number and therefore requested the Cllrs and community members to interrogate the report.

Cllr Maqungwana proposed that the meeting gives Cllrs a chance for a thorough reading and understanding of the report, noting the closing date and submit to SC09.

Mr. Coto could not respond in terms of confidentiality of the cases as some of the Cllrs seat in those meetings and mentioned that the SC has the right to question it.

RESOLVED

That the report be noted with comments made by SC09

Action: Mr. Mzwamadoda Coto / Mr. Jongihlanga France / The Secretariat

09SUB REPORT REGARDING THE IMPLEMENTATION OF URBAN REGENERATION 11/2/2023 PROGRAMME AT NOLUNGILE AND NONKQUBELA PRECINCTS.

It is recommended that:

a) The Sub-Council should receive the report for information and noting.

Ald. Sotashe – MURP has a history of selling dreams which are not possible, the current budget is over R7m which R1.5m was not implemented, also what informs the training for R800 000.00 as mentioned and how the input is going to be measured. The report also speaks of Delft which falls outside the SC09 demarcation, manager amount of R700 000 are they to be paid to managers in a form of salary? Deployment of 44 ambassadors cost R1 125 each. He also noted support for vulnerable groups as Cllrs have used ward allocations to the same and what kind of support will be given to them and how are they going to be identified. Informal trading and associated structure, what does that mean, is it for building or maintaining the infrastructure.

Cllr Maqungwana acknowledged the presentation, the sustainability of leadership training, what are the objectives and how are the participants being monitored. Informal trading – is it a silo project as there is a plan in the agenda for upgrading the precinct and will that not be affected. Requested that a separate meeting be held with the officials so to be taken into confident.

Cllr Mpengezi – disappointed as they are trying to make relationship with MURP but most of the project were never implemented and made a reference to ambassador project and neighbourhood watch project which is managed by SAPS, same people are benefiting in the same projects, PSC are formed without the Cllrs involvement and when there is a challenge, Cllrs must come in. Learners licence did not accommodated Site B wards (4 wards) and not involve Cllrs. Wanted to know if the funding from MURP must be utilised for neighbourhood watch as there are other programs that can be identified.

Cllr Kopman most covered by the previous Cllr, neighbourhood watch randomisation is not used as in blue hall people physically fought for employment, people brought their own members. In future, Cllrs must be involved to avoid clashes. Learners licence list to be provided so to monitor those that are proceeding to drivers licence.

Cllr Pimpi – he had a meeting and was informed as that only three areas are included in the community ambassadors project. He also mentioned that accredited organisations are considered and wanted to know what about those that are not accredited

Cllr Simangweni raised a concerned that Nolungile station is surrounded by three wards and the 44 was taken from ward 18 & 87 but not ward 90 and same applied to community ambassadors project.

Mr. France – too much designs done by the department and therefore a separate meeting will assist.

Ald. Sotashe report is vague in terms of the areas, budget allocated to SC09 which covers certain wards, the decisions were taken without the councillors involvement and that is a disgrace in their communities. When the budget was received from COCT, councillors would have assisted in identifying areas. PSC have been formed and a precinct affects SC09 constitution. Community ambassadors and neighbourhood watches are too different programs but the report speaks of one program.

Mr. Tumana supported the suggestion to have a separate meeting so to give a full overview of the programs and bring evidence. He mentioned that councillors were involved in the processes and they participated but there was a change in between and the new Cllrs were not briefed.

Mr. Vutula accepted the mistakes that they did and apologised especially for ward 90 issue and promised to include the ward. Also Delft to be taken off the report as it does not form part of SC09 but the quotes separate the areas. Tender process was an issue and was concluded in December hence the communication was not filtered to Cllrs but apologies for such mistake.

Ald. Sotashe requested that the full/detailed report with breakdown of all projects be submitted to SC09 and be discussed in the meeting. SC09 to urgently arrange the meeting and such not to delay the implementation of the project.

RESOLVED

- a) That the report be noted with comments made by SC09 members.
- b) That an urgent meeting be held to unpack the raised issues and full details of the project to be submitted to SC09 prior the meeting date.

Action: Mr. Andile Tumana / Mr. Siyamamkela Vutula / Mr. Jongihlanga France / The Secretariat

WARD COMMITTEE, ACTIVITY DAY AND OTHER MINUTES

09SUB 12/2/2023 REPORT ON WARD COMMITTEE MEETINGS: FEBRUARY 2023 ONDERWERP

It is recommended that the attached Ward Committee Attendance Registers for the period of February 2023 **BE NOTED**.

Ald. Sotashe raised a concerned on the seats that are not filled. All wards to be completed before the next SC meeting.

RESOLVED

The report be noted with comments made by SC09.

Action: Mr. Jongihlanga France / The Secretariat

LATE ITEMS

09SUB 13/2/2023 APPLICATION FOR RENEWAL IN TERMS OF SECTION 6 OF CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO THE PUBLIC, 2013, FOR SUNDAY OFF-CONSUMPTION TRADING: GOAL FOOD DISCOUNTER MFULENI (PTY) LTD T/A GOAL LIQUORS MFULENI, WCP/037733

It is recommended

- a) That Sub council 09 considers the application for the extension of liquor trading hours submitted by **GOAL FOOD DISCOUNTER MFULENI (PTY) LTD T/A GOAL LIQUORS MFULENI** and resolve, refuse or vary the application for extension of liquor trading hours for Sunday from 11h00 to 18:00h00.
- b) Sub council 09 recommends that the application for Off-Consumption Premises Liquor License, reference no: WCP037733 for the business ERF 566, Goal Liquors, Mfuleni Main Road, Mfuleni **BE SUPPORTED**.

Cllr Madikane mentioned that he supported the application

Cllr Maqungwana raised a concerned that the liquor traders were given times to sell

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and they are applying for extension until after hours, such is destroying the young generation, the community and the country at large and he does not support the extension as an individual. The effect of liquor is the same whether it is an off consumption trading.

Ald. Sotashe to take the issue as SC09 and therefore note the comment made, requested that the Cllrs to vote.

Cllr Mpengezi requested not to vote as SC09 has never reached such decision with the understanding of the challenges raised, the applicant cannot be blamed but the recommendations are made by the liquor board.

Cllr Pimpi supported the proposal not to vote.

Cllr Maqungwana mentioned that if the ward councillor has no problem, he supports the application but to note the comments made.

Ald. Sotashe proposed that the liquor board to be invited to discuss this matter further.

RESOLVED

- a) That the report be supported by SC09 with comments made.
- b) That the Liquor-board be invited to discuss the issues of extensions of liquor license.

Action: Mr. Jongihlanga France / The Secretariat

09SUB PUBLIC ENGAGEMENT ON THE CONCEPT DESIGN OF THE PROPOSED 14/2/2023 UPGRADE OF THE NONKQUBELA PUBLIC TRANSPORT INTERCHANGE

RECOMMENDATIONS

Not delegated: for noting:

It is recommended that for the reasons set out in this report, item number 09SUB 8/11/2022 be corrected to read as follows:

a) the Subcouncil note the Urban Mobility Directorate's intention to undertake a public engagement process, as prescribed in the Municipal Systems Act, on the concept design of the Nonkqubela PTI upgrade

Ald Sotashe suggested that the process starts with community engagement meetings. Also the ED has committed to be part of the process and the phases to be presented in the meetings.

Cllr Madikane mentioned that he is covered as the meeting is in place with Mr. Viti.

Cllr Maqungwana welcomed the report as all has been captured.

Mr. France requested that the leadership meetings be held prior the community meetings for both Nonkqubela and Mfuleni

Ald. Sotashe requested that all Cllrs be informed and attend the community

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engagement meetings.

RESOLVED

That the report be noted with comments made (*item 09SUB14/02/2023 & 15/02/2023 comments are the same*)

Action: Ms. Melani Ohlson / Mr. Jongihlanga France / The Secretariat

09SUB PUBLIC ENGAGEMENT ON THE CONCEPT DESIGN OF THE PROPOSED 15/2/2023 UPGRADE OF THE MFULENI TAXI FACILITY

RECOMMENDATIONS

Not delegated: for noting:

It is recommended that for the reasons set out in this report, item number 09SUB 8/11/2022 be corrected to read as follows:

a) the Subcouncil note the Urban Mobility Directorate's intention to undertake a public engagement process, as prescribed in the Municipal Systems Act, on the concept design of the Mfuleni Taxi Facility upgrade.

RESOLVED

That the report be noted with comments made (*item 09SUB14/02/2023 & 15/02/2023 comments are the same*)

Action: Ms. Melani Ohlson / Mr. Jongihlanga France / The Secretariat

CLOSING ITEMS

NEXT MEETING DATE

Wednesday, 15 March 2023 at Khayelitsha Training Centre

MEETING CLOSING

Meeting Adjourned at 14:20