

MINUTES

OF AN ORDINARY MEETING OF SUBCOUNCIL 6 OF THE CITY OF CAPE TOWN HELD IN
THE BELLVILLE COUNCIL CHAMBERS, BELLVILLE CIVIC CENTER, VOORTREKKER ROAD,
BELLVILLE ON MONDAY, 17 APRIL 2023 AT 10:00

PRESENT

COUNCILLORS

Name	Ward	Party	Notes
Cllr R Cannon	Ward 2	DA	
Cllr A van Zyl	Ward 3	DA	
Cllr M Kleinsmith	Ward 9	DA	(Chairperson)
Cllr J Visser	Ward 10	DA	

PROPORTIONAL COUNCILLORS

Name	Ward	Party	Notes
Cllr S Taliep	PR	DA	
Cllr T Gqada	PR	DA	
Cllr P van der Ross	PR	DA	
Cllr S Frenchman	PR	CCC	

ABSENT WITH APOLOGIES

Name	Ward	Party	Notes
Cllr P Jacobson	PR	FF+	

ABSENT WITHOUT APOLOGIES

Name	Ward	Party	Notes

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OFFICIALS

Name	Representing
P Jansen	Subcouncil 6
N Hermanus	Subcouncil 6
P Nakani	Subcouncil 6
B Cloete	Subcouncil 6
P Strumpher	Property Management
L Robertson	Urban Catalytic Investment
M Collier	Environmental Management
D Botha	Roads Infrastructure Management
A Benskin	Recreation and Parks
G Lombard	Recreation and Parks
N Mchunu	Enterprise and Investment
A Lucas	Environmental Health
F van Boven	Environmental Health
D Hart	Spatial Planning and Environment

ACRONYMS FREQUENTLY USED IN MINUTES

Ald.	Alderman
ANC	African National Congress
Cllr(s)	Councillors(s)
COCT	City of Cape Town
DA	Democratic Alliance
NW	Neighbourhood Watches
MAYCO	Mayoral Committee
ECD	Early Child Development
GTP	Greater Tygerberg Partnership

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STANDARD BUSINESS

06SUB 1/4/2023 OPENING AND PRAYER/MOMENT OF SILENCE

The Chairperson, Cllr M Kleinsmith welcomed everyone present and requested the meeting to observe a moment of silence.

06SUB 2/4/2023 APOLOGIES/LEAVE OF ABSENCE

Apology was received for Cllr P Jacobson.

RESOLVED

That the apology received for Cllr P Jacobson **BE NOTED.**

FOR INFORMATION: ALL

06SUB 3/4/2023 CONFIRMATION OF MINUTES

The Subcouncil minutes of the meeting held on 13 March 2023 was moved by Cllr van Zyl and seconded by Cllr Visser.

RESOLVED

That the minutes of the meeting held on 13 March 2023 **BE CONFIRMED.**

FOR INFORMATION: ALL

06SUB 4/4/2023 MATTERS ARISING FOR THE MINUTES

No matters arose from the minutes.

06SUB 5/4/2023 MATTERS RECEIVING ATTENTION

1. MRA Transferred from SC03 - 03SUB04/10/13A MOTIONS RECEIVED FROM COUNCILLORS - MOTION WITH NOTICE: PARKING PROBLEMS IN THE GROENVALLEI SUBURB AS SUBMITTED BY COUNCILLOR BRENDAN VAN DER MERWE

A. City owned properties that can be leased or sold to the bordering property owners – Godfrey van Wyk

B. Parking problems in the Groenvallei - Rheinhardt van Wijk

Ms. Jansen advised that once the surveys are complete a report will be submitted to subcouncil. The estimated time for the report submission is end June/July 2023.

RESOLVED

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That the item remains on the Matters Receiving Attention until resolved.

FOR ACTION: PAT JANSEN/PHILA NKOSINKULU/ SHAUN ROUX

2. LONG DISTANCE BUSES AT MABEL STREET

Ms Jansen informed the meeting that Ms Patricia Van Sittert advised via email that the Debt Management Section is proceeding with legal action against the Lessee in respect of the arrears on the rental account. They have however also received a rental remission request from the Lessee, advising that they had no beneficial use of the leased property for a certain period due to the impact of covid-19 on its business operations. The Lessee has provided the department with the supporting documents for its request. Ms van Sittert is not sure whether the request will be considered favourably, but the intention is to submit a memo to the Director: Property Management for consideration of the request. If a rental remission is granted, it will naturally influence the amount to be settled on the account. Property Management Section will keep the subcouncil and Debt Management Department informed as to the outcome of the rental remission request.

Ms Jansen further advised a meeting was held on Thursday, 13 April 2023, with, Chairperson, Cllr Van Zyl, relevant officials and Mr De Jong from Jumbo Properties, this engagement was on advisement from Ald Vos that the Subcouncil and Economic Growth Department must see how the city can assist. Unfortunately no decision could be made, but Subcouncil will see how the Executive Director Mr Robert McGaffan can further assist the applicant.

RESOLVED

That the item remains on the Matters Receiving Attention until resolved.

FOR ACTION: PAT JANSEN / DEWALDT SMIT/ GERDA DU PLESSIS/DARRYL STEVENS/ SAMANTHA DESMORE / PATRICIA VAN SITPERT

3. MOTION OF EXIGENCY - INVESTIGATE THE DEMOLISHMENT OF THE INFORMAL TRADING KIOSKS

Ms Jansen reported that a meeting was held on 5 April 2023 to discuss the remaining kiosks, which are the balance of kiosks which will remain after the demolition of the kiosks as per the Subcouncil motion.

At the meeting Mr Greyling advised that the kiosks are being managed by Urban Mobility and he advised that his department is happy to take ownership and include the kiosks in the trading plan. He further advised that the tenants will either need to be evicted or transferred with the transfer of ownership.

In the meeting Mr Greyling advised that he will set up a meeting with the relevant affected parties. The meeting is scheduled for 25 April 2023.

The chairperson requested that the tenants be evicted before the transfer.

Ms Jansen advised the meeting that the Subcouncil is deviating from the actual item which is the demolition of the kiosks. The Subcouncil administration needs to make a separate item for the management of the remaining additional kiosks.

Mr Strumpher advised that the advert per the demolition closed on 17 March 2023, the report is ready to serve at the Subcouncil, however he is still waiting on the costing and cost centre number from Tony Le Fleur.

RESOLVED

- a) That the item remains on the Matters Receiving Attention until resolved.
- b) That a meeting be arranged with Lance Greyling regarding the remaining kiosk and illegal traders.
- c) That the additional kiosks at Bellville PTI be added as a new item on the Matters Receiving Attention.

FOR ACTION: PAT JANSEN/ LANCE GREYLING/ PIETERTRUMPHER/ TONY LE FLEUR

4. MOTION OF EXIGENCY: INVESTIGATE THE DEMOLISHMENT OF THE CUBICLES AT THE BELLVILLE PTI - BY CLLR M KLEINSMITH

Mr Le Fleur was not present in the meeting.

Ms Jansen expressed her dissatisfaction that there has been no report back from the Transport Department and with the Chairperson's permission Ms Jansen will escalate this matter to the Director of Transport

RESOLVED

That the item remains on the Matters Receiving Attention until resolved.
That Ms Jansen escalate the matter to Director of Urban Mobility.

FOR ACTION: PAT JANSEN/ TONY LE FLEUR

06SUB CHAIRPERSON'S REPORT 6/4/2023

"Good morning Councillors, officials, and guests

Welcome to our monthly Subcouncil meeting.

Councillors we had a very busy month at Subcouncil level as well as ward level. Mayco member Ald Grant Twigg launched Auxillary Law Enforcement - Solid Waste Management and By-Law Enforcement in Bellville Ward 10. As a Subcouncil we appreciate this as it assists in our steps to make Bellville a better place. The Pilot 21

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project from Ald Twigg also started in Ward 9 changing the mindset of communities around illegal dumping and rather to recycle. The newly constructed sidewalks in Greenlands from ward allocation are coming on for years and we are nearly at the end of a sandy area.

Last week we had the Mayors Mayco meeting at Subcouncil 6 where registered organisations had the opportunity to raise issues and either got answers or it is escalated. I want to thank the Subcouncil Manager and staff for their attention to detail, you made us proud. Thank you to our Councillors for attending and making the meeting run smoothly.

This week it is Budget meeting with a lot of gain for communities especially the ones that are struggling. At a later stage these meetings will be presented at Ward level by Ward Councillors.

Ward 3 Councillor Van Zyl would like to give her appreciation to residents who are doing clean ups in their neighbourhoods, pruning trees and assisting with service delivery issues. There are also a new taxi pickup in Old Paarl road and the newly built pavement in Hadley street. This will contribute towards safeguarding road users and pedestrians.

Councillors let's have a fruitful meeting

Thank you

MONTHLY/QUARTERLY REPORTS, EXCLUDING FINANCIAL REPORTS

06SUB 7/4/2023 COMMUNITY SERVICES AND HEALTH DIRECTORATE: CITY HEALTH DEPARTMENT AREA CENTRAL: TYGERBERG SERVICE DELIVERY REPORT FOR PERIOD 1 JULY 2022 TO 31 DECEMBER 2022

Cllr Taliep had the following concerns/questions:

- What does the visits to the Informal Settlements entail?
- The report noted 5% not on target with the water quality. What were those issues?
- The food samples taken are concerning. is it possible to inform the Subcouncil on the institutions visited and the issues that were picked up?
- What are the issues at the ECD's

Mr. Lucas elaborated on the concerns raised.

- At the Informal Settlements the department investigates the water, sewer and refuse removal.
- He explained that the 5% water quality not on target was due to micro failures and does not influence the water quality.
- Food samples are taken at all shops and restaurants that prepare food and the department would check for coliform bacteria and Ecoli.
- Mr. Lucas explained that training is provided to those established places that are not compliant with the regulations.

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- At ECDs the Environmental Inspectors would visit all new ECD, measure the floor space to determine the amount of children allowed. At the more older and established ECDs the inspectors will look at the cleanliness of the premises.
- Mr. Lucas extended an invitation to all Councillors to join the Environmental Inspectors on their inspections.

The meeting agreed on the report.

RESOLVED

That the report on progress in Health Service delivery **BE NOTED**.

FOR INFORMATION:

ALL

06SUB 8/4/2023 C3 NOTIFICATIONS

The meeting agreed to note the report.

RESOLVED

That the C3 Notification report **BE NOTED**.

FOR ATTENTION:

ALL

LIQUOR LICENCE: EXTENSION OF TRADING TIMES

06SUB 9/4/2023 WARD 2 – APPLICATION IN TERMS OF SECTION 6 OF THE CITY OF CAPE TOWN: CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO THE PUBLIC BY-LAW, 2013 FOR THE RENEWAL OF EXTENSION OF LIQUOR TRADING HOURS FOR MONDAY TO SATURDAY TRADING FROM 18:00 TO 20:00 FOR AN OFF-CONSUMPTION PREMISES FOR: PAROW LIQUOR CITY – WCP/036278

Cllr Cannon agreed to support the renewal of extension of liquor trading hours in respect of Parow Liquor City – WCP/036278.

RESOLVED

Subcouncil 6 considered the application for the renewal of extension of liquor trading hours submitted by Parow Liquor City – WCP/036278 for Monday to Saturday trading for an Off-Consumption Premises as well as the various comments/objections received, and resolved to **APPROVE** the application for extension of trading hours from 18:00 to 20:00.

**FOR ATTENTION: PAT JANSEN/ANDY LUCAS/
SIPHOSETHU NGETU/REWINAH WILLEMSE**

06SUB 10/4/2023 WARD 2 – APPLICATION IN TERMS OF SECTION 6 OF THE CITY OF CAPE TOWN: CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO THE PUBLIC BY-LAW, 2013 FOR THE RENEWAL OF EXTENSION OF LIQUOR TRADING HOURS FOR SUNDAY TRADING FROM 11:00 TO 18:00 FOR AN OFF-CONSUMPTION PREMISES FOR: PAROW LIQUOR CITY - WCP036278

Cllr Cannon agreed to support the renewal of extension of liquor trading hours in respect of Parow Liquor City – WCP/036278.

RESOLVED

Subcouncil 6 considered the application for the renewal of extension of liquor trading hours submitted by Parow Liquor City – WCP/036278 for Sunday trading for an Off-Consumption Premises as well as the various comments/objections received, and resolved to **APPROVE** the application for extension of trading hours from 11:00 to 18:00.

**FOR ATTENTION: PAT JANSEN/ANDY LUCAS/
SIPHOSETHU NGETU/REWINAH WILLEMSE**

06SUB 11/4/2023 WARD 2 – APPLICATION IN TERMS OF SECTION 6 OF THE CITY OF CAPE TOWN: CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO THE PUBLIC BY-LAW, 2013 FOR THE RENEWAL OF EXTENSION OF LIQUOR TRADING HOURS FOR MONDAY TO SATURDAY TRADING FROM 18:00 TO 20:00 FOR AN OFF-CONSUMPTION PREMISES FOR: SPAR BOSTON – WCP/043959

Cllr Cannon agreed to support the renewal of extension of liquor trading hours in respect of Spar Boston – WCP/043959.

RESOLVED

Subcouncil 6 considered the application for the renewal of extension of liquor trading hours submitted by Spar Boston – WCP/043959 for trading Monday to Saturday for an Off-Consumption Premises as well as the various comments/objections received, and resolved to **APPROVE** the application for extension of trading hours from 18:00 to 20:00.

**FOR ATTENTION: PAT JANSEN/ANDY LUCAS/
SIPHOSETHU NGETU/REWINAH WILLEMSE**

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06SUB 12/4/2023 WARD 2 – APPLICATION IN TERMS OF SECTION 6 OF THE CITY OF CAPE TOWN: CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO THE PUBLIC BY-LAW, 2013 FOR THE RENEWAL OF EXTENSION OF LIQUOR TRADING HOURS FOR SUNDAY TRADING FROM 11:00 TO 18:00 FOR AN OFF-CONSUMPTION PREMISES FOR: SPAR BOSTON – WCP/043959

Cllr Cannon agreed to support the renewal of extension of liquor trading hours in respect of Spar Boston – WCP/043959.

RESOLVED

Subcouncil 6 considered the application for the renewal of extension of liquor trading hours submitted by Spar Boston – WCP/043959 for Sunday trading for an Off-Consumption Premises as well as the various comments/objections received, and resolved to **APPROVE** the application for extension of trading hours from 11:00 to 18:00.

**FOR ATTENTION: PAT JANSEN/ANDY LUCAS/
SIPHOSETHU NGETU/REWINAH WILLEMSE**

06SUB 13/4/2023 WARD 3 – APPLICATION IN TERMS OF SECTION 6 OF THE CITY OF CAPE TOWN: CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO THE PUBLIC BY-LAW, 2013 FOR THE RENEWAL OF EXTENSION OF LIQUOR TRADING HOURS FOR MONDAY TO SATURDAY TRADING FROM 18:00 TO 20:00 FOR AN OFF-CONSUMPTION PREMISES FOR: LIQUOR HOUSE – WCP/006452

Cllr van Zyl agreed to support the renewal of extension of liquor trading hours in respect of Liquor House – WCP/006452.

RESOLVED

Subcouncil 6 considered the application for the renewal of extension of liquor trading hours submitted by Liquor House – WCP/006452 for trading Monday to Saturday for an Off-Consumption Premises as well as the various comments/objections received, and resolved to **APPROVE** the application for extension of trading hours from 18:00 to 20:00.

**FOR ATTENTION: PAT JANSEN/ANDY LUCAS/
SIPHOSETHU NGETU/REWINAH WILLEMSE**

06SUB 14/4/2023 WARD 3 – APPLICATION IN TERMS OF SECTION 6 OF THE CITY OF CAPE TOWN: CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO THE PUBLIC BY-LAW, 2013 FOR THE RENEWAL OF EXTENSION OF LIQUOR TRADING HOURS FOR SUNDAY TRADING FROM 11:00 TO 18:00 FOR AN OFF-CONSUMPTION PREMISES FOR: LIQUOR HOUSE – WCP/006452

Cllr van Zyl agreed to support the renewal of extension of liquor trading hours in respect of Liquor House – WCP/006452.

RESOLVED

Subcouncil 6 considered the application for the renewal of extension of liquor trading hours submitted by Liquor House – WCP/006452 for Sunday trading for an Off-Consumption Premises as well as the various comments/objections received, and resolved to **APPROVE** the application for extension of trading hours from 11:00 to 18:00.

**FOR ATTENTION: PAT JANSEN/ANDY LUCAS/
SIPHOSETHU NGETU/REWINAH WILLEMSE**

PROPERTY MATTERS

06SUB 15/4/2023 PROPOSED TRANSFER OF A PORTION OF REMAINDER ERF 829 PAROW TO OWNER OF ADJACENT ERF 538 PAROW: DEXTER AND SHEVONNE BRUCE PROPOSED CLOSURE OF PUBLIC PLACE, BEING A PORTION OF REMAINDER ERF 829 PAROW

Cllr Cannon supported the recommendation for the proposed transfer of a portion of remainder erf 829 Parow to owner of adjacent erf 538 Parow.

RESOLVED

Subcouncil 6 **NOTED** and **SUPPORTED** the report and recommended to the Immovable Property Adjudication Committee that:

a) Council resolve that, in terms of section 14 of the Local Government Municipal Finance Management Act 56 of 2003, the subject property, being a Portion of Remainder Erf 829 Parow, situated at Gustav Preller Street, Parow North, in extent approximately 195 m² and as shown hatched and lettered ABCDE on Plan 130008540v1, attached as **Annexure A** to the report, is not needed to provide the minimum level of basic municipal services and has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset;

b) Council grants in-principle approval in terms of regulation 5(1)(b)(ii) of the Municipal Asset Transfer Regulations for the transfer of a Portion of Remainder Erf 829 Parow, in extent approximately 195 m² and as shown hatched and lettered ABCDE on Plan 130008540v1, attached as **Annexure A** to the report,

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c) Council, in terms of section 4 of the City of Cape Town Immovable Property By-law, 2015, approve the closure of a portion of Remainder Erf 829 Parow, in extent approximately 195 m², and as shown hatched and lettered ABCDE on Plan 130008540v1 (**Annexure "A"**)

d) The transfer of a Portion of Remainder Erf 829 Parow, in extent approximately 195 m² and as shown hatched and lettered ABCDE on Plan 130008540v1, attached as **Annexure A** to the report; to Dexter and Shevonne Bruce, or their successor(s) in title, be approved, subject to the following conditions, that:

i) A purchase price of R175 000, excluding VAT, be payable;

ii) The purchase price is to be escalated by 5% per annum, compounded annually on a pro-rata basis, and commencing 6 months after date of valuation, i.e. from 1 November 2022, until date of registration;

iii) The valuation is to be reviewed if not approved by the delegated authority of Council within 36 months from date of valuation, i.e. by 30 April 2025;

iv) Rates and municipal charges, if applicable, be levied;

v) Subject to such further conditions to be imposed by the Acting Director: Property Management in terms of his delegated authority, including inter alia the following:

aa) that all further statutory and land use requirements be complied with;

bb) an occupational rental of R575 per month shall be payable 6 months from date of valuation, i.e. from 1 November 2022 until date of registration, and escalating at 6% per annum,.

cc) no trees may be harmed, removed or felled without the permission of the City's Recreation and Parks department; and

dd) that all costs related or incidental to the transaction be borne by the purchaser.

FOR ATTENTION: PIETER STRUMPHER

06SUB 16/4/2023 RESERVATION OF A PORTION OF REMAINDER ERF 14791 BELLVILLE (OFF SACKS CIRCLE) FOR MOTOR SPORT PURPOSES: RECREATION AND PARKS DEPARTMENT

Cllr Kleinsmith supported the reservation of a portion of remainder erf 14791 Bellville (off Sacks Circle).

RESOLVED

Subcouncil 6 **SUPPORTED** and **NOTED** the report and recommended to the Director Property Management that a Portion of Remainder Erf 14791 Bellville, situated at Sacks Circle, Bellville, in extent 81 010 m² as indicated as ABCDEFGHJK on plan 130009718v1, attached as **Annexure A** to the report be reserved for the Facilities Maintenance and PMO branch within the Recreation and Parks Department, subject to the following conditions:

a) The subject property shall be utilised for motor sport (race course) by the public, but be facilitated by the Recreation and Parks Department;

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- b) The reservation will be valid for an initial period of three (3) years as from 1 April 2023, after which period a review of the reservation will be required;
- c) The Recreation and Parks Department takes responsibility for the required land use processes, as well as compliance with any applicable legislation, safety measures and public liability related to the utilization of the property;
- d) That cognisance be taken of the internal branch comments listed under paragraph 9 in the report, where applicable;
- e) The said Department accepts full responsibility for the management and maintenance of the land and structures to be erected thereon, including maintenance, utility consumption, security and content insurance, as is applicable; and
- f) That all costs related to the above be provided for by the Recreation and Parks Department

FOR ATTENTION: ELSABE BASSON

06SUB 17/4/2023 RESERVATION OF ERVEN 7123 AND 7126 BELLVILLE: SAFETY AND SECURITY DIRECTORATE (OPERATIONAL CO-ORDINATION DEPARTMENT)

Cllr Visser supported the reservation of Erven 7123 and 7126 Bellville.

RESOLVED

Subcouncil 6 **SUPPORTED** and **NOTED** the report and recommended to the Director Property Management that Erven 7123 and 7126 Bellville, situated at 7 and 9 Iona Street, Kempenville, in total extent 2 141 m² and as indicated as ABCDE on Plan 130009777 attached as **Annexure A** to the report, be reserved for the Operational Co-Ordination Department (Displaced People Unit) within the Safety and Security Directorate, subject to the following conditions:

- a) The subject property shall only be utilized for office space by the relevant branch within the Safety and Security Directorate;
- b) The said department takes responsibility for the required land use process, as well as compliance with any legislation related to the utilization of the property;
- c) That cognizance be taken of the internal branch comments listed under paragraph 9 in the report;
- d) The Operational Co-Ordination department accepts full responsibility for the management and maintenance of the land and structures erected thereon, including maintenance, utility consumption, security and content insurance, as is applicable; and
- e) That all costs related to the above be provided for by the Operational Co-Ordination Department within the Safety and Security Directorate.

FOR ATTENTION: PIETER STRUMPHER

GENERAL

06SUB 18/4/2023 IMPLEMENTATION OF SECTION 34(3) OF THE NATIONAL HERITAGE RESOURCES ACT, 1999, ACT 25 OF 1999 AND THE PLACEMENT OF CERTAIN PROPERTIES ON THE HERITAGE REGISTER (S30) TO BE PROTECTED THROUGH THE CITY'S HERITAGE PROTECTION OVERLAY ZONING

Mr D Hart briefed the meeting on the report submitted.

The meeting agreed to note the report.

RESOLVED

That the report on the City's Heritage Protection Overlay Zoning **BE NOTED**.

FOR ATTENTION: DAVID HART

06SUB 19/4/2023 GREATER TYGERBERG PARTNERSHIP – PROGRESS REPORT

Cllr van Zyl expressed her gratitude to the GTP for the work done.

Ms L Robertson briefed the meeting on the report submitted.

The meeting agreed to note the report.

RESOLVED

That the progress report of the Greater Tygerberg Partnership **BE NOTED**.

FOR ATTENTION: LAUREL ROBERTSON

LATE ITEMS

06SUB 20/4/2023 PROGRESSIVE CAPITAL EXPENDITURE: MARCH 2023

Ward 2

Mr I Davids explained that the department is awaiting the purchase order number for the Parow Park HC – Slider Gates.

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Ward 3

Cllr van Zyl expressed her concern regarding the Ward 3 NW Equipment and requested the Subcouncil Manager to follow up.

Ward 9

Mr D Botha explained that Traffic Calming in Ward 9 will be completed within the next two weeks and the Road Maintenance will be completed before June 2023.

Ward 10

Mr I Davids explained that the Area Cleaning Project in Ravensmead is an EPWP Project and all funds will be spend by end of June 2023.

RESOLVED

- a) That the Progressive Capital Expenditure Report for March 2023 **BE NOTED**.
- b) That the Subcouncil Manager follow up on the Ward 3 NW Equipment.

FOR ATTENTION: PAT JANSEN

CLOSING ITEMS

NEXT MEETING DATE - 15 MAY 2023

MEETING CLOSING @ 11:23 am