

MINUTES

OF A MEETING OF THE COUNCIL OF THE CITY OF CAPE TOWN HELD IN THE COUNCIL CHAMBER, 6TH FLOOR, PODIUM BLOCK, CIVIC CENTRE, 12 HERTZOG BOULEVARD, CAPE TOWN, ON WEDNESDAY, 30 MARCH 2011 AT 10H00.

MEMBERS PRESENT:

Cllr A Abrahams (DA)
Cllr A N Abrahams (DA)
Cllr A Adams (PAC)
Cllr F Adams (DA)
Cllr R Adams (ID)
Cllr D Amira (DA)
Cllr M G Arendse (ANC)
Cllr P S Arendse (ACDP)
Cllr S W P Arendse (DA)
Cllr M Ariefdien (DA)
Cllr S August (ID)
Cllr R C Barends (ACDP)
Cllr N L Bent (DA)
Cllr L Benya (ANC)
Cllr A V Bergh (ACDP)
Cllr E A Berry (DA)
Cllr N Bester (AMP)
Cllr M Z Bevu (ANC)
Cllr C B Bew (DA)
Cllr N Billie (ANC)
Cllr N T Bottoman (INDP)
Cllr W E Brady (DA)
Ald J Bredenhand (ANC)
Cllr H I Brenner (DA)
Cllr M T Britz (DA)
Cllr C A Brynard (DA)
Cllr J H H Burger (DA)
Cllr N A Buso (DA)
Ald G V Cavanagh (DA)
Cllr P Chapple (DA)
Cllr D J Christians (DA)
Cllr A C Crous (DA)
Cllr H M Claassen (DA)
Cllr C C Clayton (ID)
Cllr B A Cortje-Alcock (DA)
Cllr D G Cottee (ANC)
Cllr D J D'Alton (DA)
Cllr J Daniels (NPP)
Cllr N C Dase (NPP)
Cllr M Davids (DA)
Cllr D Dudley (ACDP)
Ald L Dunn (ID)
Cllr D Elese (ANC)
Cllr B M Esbach (DA)
Cllr A Fourie (FF+)
Cllr J Frans (ID)
Cllr N A Gabriel (ANC)
Cllr P J Gabriel (ANC)
Cllr T Gqola (ANC)
Cllr A Green (DA)
Cllr P J H Gouws (ID)
Cllr X Gwangxu (DA)
Cllr F Gutuza (ANC)
Cllr G Haskin (ACDP)
Cllr W Hassiem (AMP)
Cllr M Haywood (DA)
Cllr B Herron (ID)
Cllr J Heuvel (ID)
Cllr P A D'Altera Hill (DA)
Cllr M W Hlazo (ANC)
Ald N Holderness (DA)
Ald C W Ipser (DA)
Cllr I R Iversen (DA)
Cllr B Jackson (SDP)
Cllr I R Jackson (DA)
Cllr B M Jacobs (DA)
Cllr J Jacobs (DA)
Ald N A Jacobs (ANC)
Cllr W D Jaftha (DA)
Cllr J S Jama (ANC)
Cllr L V James (DA)
Cllr C Jeffreys (ID)
Cllr M Jones (DA)
Cllr C Jordaan (ID)
Cllr D Joseph (DA)
Ald C Justus (DA)
Cllr F Kearns (DA)
Cllr M Kent (DA)
Ald O M Kinahan (DA)
Cllr M E Kleinsmith (DA)
Cllr P Kotyi (ANC)
Cllr N Landingwe (ANC)
Cllr K H Lategan (DA)
Cllr B Le Roux (DA)
Cllr S Little (DA)
Cllr M Ludidi (ANC)
Cllr A Lukas (ANC)
Cllr B E Maboe (ANC)
Cllr L C Makeleni (ANC)
Cllr G W March (ID)
Cllr M S Matha (ANC)
Cllr N P Matiwane (INDP)
Cllr A B Matshikiza (ANC)
Cllr M O Matshoba (ANC)
Cllr V Mavungavunga (ANC)
Cllr X Mawela (ANC)
Cllr M Mbonde (ANC)
Cllr C L McKenzie (ANC)
Cllr P Mgodeli (ANC)

Cllr J H Middleton (DA)
Cllr M A Mkutswana (ANC)
Cllr P Mngxuneni (ANC)
Cllr N M Mofoko (ANC)
Ald G Morkel (DA)
Cllr N Moshani (ANC)
Cllr R Mrawu (ANC)
Cllr M Murudker (ANC)
Cllr S Mxolose (ANC)
Cllr P Ngqu (DA)
Ald M J Nieuwoudt (DA)
Cllr F Nkuzana (ANC)
Cllr G T Ntamo (ANC)
Cllr C Ntotoviyane (ANC)
Cllr R A O'Connell (DA)
Cllr M J Oliver (DA)
Cllr A Orrie (DA)
Cllr G I Pascoe (DA)
Cllr Y Pearce (DA)
Ald D Plato (DA)
Cllr I Pretorius (DA)
Cllr S B Pringle (DA)
Ald F Purchase (DA)
Cllr D L Qually (DA)
Cllr B Rass (DA)
Cllr R Rau (DA)
Cllr F H L Raymond (DA)
Cllr J C Ridder (DA)
Cllr A C Robinson (ID)
Ald N D Ross (DA)
Cllr S Rossouw (ID)
Cllr G Samuels (ID)
Cllr G M Sass (DA)
Ald A M Serritslev (DA)
Cllr L T Sidinana (NPP)
Cllr G R Siljeur (ACDP)
Cllr J Simons (ANC)
Cllr S Sims (DA)
Cllr D Smit (DA)
Ald J D Smit (DA)
Cllr D R Smith (DA)
Ald J P Smith (DA)
Cllr M T Solizwe (ANC)
Cllr E J Sonnenberg (ID)
Cllr M Sopaqa (ANC)
Cllr X R Sotashe (ANC)
Cllr C R Thomas (DA)
Cllr G Thomas (DA)
Cllr E L Thompson (DA)
Cllr T B Thompson (DA)
Cllr G Timm (DA)
Cllr A Traut (ANC)
Cllr B Truter (ANC)
Cllr D Tshambula (ANC)
Cllr G G Twigg (DA)
Cllr V K T Tyhhalisusu (ANC)
Cllr B van Dalen (DA)
Cllr J F van der Merwe (DA)
Cllr A A van der Rheeде (DA)
Cllr M L van der Walt (DA)
Cllr M J van Rensburg (DA)
Cllr P van Zyl (DA)
Cllr D Venter (DA)
Cllr B Vlotman (DA)
Cllr J Vos (DA)
Cllr S Vuba (DA)
Ald B Walker (DA)
Ald B Watkyns (DA)
Cllr M Weavers (DA)
Cllr R Xazana (ACDP)
Cllr D Ximbi (UDM)

APOLOGIES

Cllr R Abdullah (ANC)
Cllr C P V Claasen (DA)
Cllr M M Fienies (UP)
Cllr X O Gophe (INDP)
Cllr E Groenewald (DA)
Cllr L Jantjies (NPP)
Cllr L Jelele (ANC)
Ald. G A Jespersen (DA)
Cllr M N Klaas (ANC)
Cllr E Kwayinto (ANC)
Cllr M M Labase (ANC)
Cllr B E H Lee (DA)
Cllr M N Makanda (ANC)
Cllr M G Mbaliswana (INDP)
Cllr V Mdluli (ANC)
Cllr V Mfusi (ANC)
Cllr T M Mgxekeni (ANC)
Cllr N Mothuko (ANC)
Cllr S Nenzani (ANC)
Ald I D Neilson (DA)
Cllr T I Ngamlana (ANC)
Cllr J Njamela (ANC)
Cllr N E Ntongana (ANC)
Cllr W Schwella (ANC)
Cllr T R Sikhutshwa (ANC)
Cllr F R Steenkamp (DA)
Cllr J van Wyk (DA)

ABSENT

The following Councillors were absent without an apology :

Cllr B V Bala-Mjobo (ANC)
Cllr M Baskiti (ANC)
Cllr P N Dantile (ANC)
Cllr N G Gexa (ANC)
Cllr N D Magwentshu (ANC)
Cllr F H Maxakato (ANC)
Cllr T Mthiya (ANC)
Cllr U E Pick (DA)
Cllr M Salwary (ANC)
Cllr F M Sizani (ANC)
Cllr T V Trout (ID)
Cllr D C Williams (DA)
Cllr B Zuma (ANC)

The following Councillors submitted their apologies for late arrival:

Cllr A V Bergh (ACDP)

The following Councillors submitted their apologies for leaving early:

Cllr C C Clayton (ID)

Cllr B Herron (ID)

Cllr C Jeffreys (ID)

Cllr A Orrie (DA)

Executive Support and Committee Services

R Razack

N Meissenheimer

B Adams

G Josephs

H Kayane

L von Molendorff

K Phillips

P Mason

R Riffel

SECTION 1 OPENING OF MEETING

The Speaker welcomed all the Councillors, officials, the media and members of public to the Council meeting. He also extended a special word of welcome to the Speaker and officials of George Municipality.

A moment of silence was observed, whereafter the Speaker called for all Councillors to register their attendance electronically.

At this stage, the Executive Mayor introduced and invited Ms Bulelwa Ngewana, MD of Cape Town Partnership (CTP) to address Council on the World Design Capital 2014 bid book and bidding process.

The CTP presented the Bid Book to the Executive Mayor.

SECTION 2 MAYORAL ADDRESS

The Executive Mayor addressed the meeting as follows:

“Councillors, City Manager, officials, members of the media and the public.

Speaker, the last month has been a particularly devastating one across the world, especially with the earthquake and tsunami that wreaked havoc in Japan and its surrounding countries. The City of Cape Town sent four members of its Fire and Rescue Services to be part of the Provincial Disaster Management Urban Search and Rescue Team that is providing assistance in Japan. They arrived back this week and I thank them for fearlessly volunteering to assist.

They have joined us in the chamber today and please can we give them a round of applause. It is at times like these that the international world has to rally together to assist its fellowmen in their time of need. Our thoughts are with all the people who have suffered as a result of this disaster.

Closer to home, Speaker, we have seen a sharp increase in deaths on our roads and in fires. Just over a week ago we lost nine people in a single fire. Such tragedies are unacceptable. I cannot imagine the loss experienced by the family and communities across the City. The City's entire Fire and Rescue Services staff must be commended for their efforts. They have been tested to the utmost during this season.

I urge all Capetonians to please practise fire safety methods and, moreover, to drive safely and carefully during the upcoming Easter holidays. The City will continue its zero-tolerance approach to those who drive under the influence or speed – my advice is to not take chances, the police know the back roads as well. I would like to remind all road users to respect each other no matter if you are driving a car, bus, mini-bus, bicycle or walking – we must all respect each other's rights to use the road and behave responsibly.

Speaker, elections are upon us once again. Despite these five year cycles that bring change and often uncertainty, it is our responsibility as the governing agents of Cape Town to ensure continuity and stability for our residents.

A time of change is unsettling. But it must be repeated and emphasised that it will be business as usual up until and beyond Election Day. Our core business is service delivery and that is what we will continue to focus on. Let this also serve as a reminder to all councillors: Your primary function is to serve your constituents. Campaigning and electioneering should not inhibit service delivery.

As you know the City of Cape Town plays host to a number of internationally and locally acclaimed events. In order to earn our place as a destination and events capital of choice, we have to

continue working hard to attract a balanced portfolio of events – from small to major.

This portfolio must include sport, entertainment, arts and culture and business. As the local government we will, of course, continue with our events around service delivery and opening of facilities that serve the community and also civic events to acknowledge, involve and provide a better quality environment for our residents.

We have a range of incredible natural settings and world class facilities here in Cape Town – Table Mountain, our beachfront, Kirstenbosch, the new Green Point Urban Park, the Cape Town Stadium and the Cape Town International Convention Centre – to name but a few. We also have an established event industry, international expertise, experts in the City of Cape Town and seasoned providers of goods and services.

Cape Town has just hosted a series of successful events – The United Nations Water Day, the International ICLEI conference, Human Rights Day, the Cape Town Carnival, the Cape Town Festival, the Cape Argus Pick n Pay Cycle Tour and the Cape Town International Jazz Festival. The Cycle Tour has contributed an estimated R500 million to the economy and the Jazz Festival over R500 million. I would like to congratulate the event organizers and City officials on a job well done. I also want to thank the spectators and visitors who support these events.

Above all, I want to thank from my heart the Capetonians themselves who continue to be such excellent and welcoming hosts to our visitors. This is essential for that special visitor experience that turns visitors into unpaid ambassadors. I would like to apologise for the inconvenience of road closures, some noise and other disruptions these events inevitably bring. While it is sometimes unavoidable, we do our best to manage it. And I believe you will agree that the economic benefits for our City and people far outweigh any negatives. Thank you Cape Town!

In the City of Cape Town the importance of good communication with our residents is acknowledged. This communication happens through public participation processes, community meetings, the opportunity to comment on City policies and plans and personal interaction with Councillors. We also communicate through the news media channels in the metro and the City's prize-winning newsletter for residents, City News, other publications and our website.

Last week, for the first time, the annual PRISM Awards Ceremony for excellence in communication was held in Cape Town. The City entered its communication work and campaigns in several

categories and competed successfully with leading private sector companies.

The Institute for Public Relations and Communication Management (PRISA), through its PRISM Awards recognises excellence in Public Relations and Communication Management.

The City won three silver awards. The first was in the 'media liaison' category for responding to media enquiries and providing a constant flow of information. The second silver was for the 2010 World Cup transport communication plan for informing residents and visitors of the public transport system. The third was for 'travel and tourism'. The City also received two bronze awards in the 'Soccer World Cup campaign' and 'launch of new service' categories. The City can be proud of these achievements and of successfully hosting the top South African players in the communication industry here in Cape Town.

Speaker, I commend all City staff that are involved in media relations, it is an often forgotten, but vital component to effective service delivery. The City of Cape Town has recently been awarded Housing Accreditation by National Government, a move which will see the City have more control over housing delivery in Cape Town.

The City's Housing Directorate will now be responsible for the administration and approval process of housing projects. The City has overcome the first hurdle in a long process to increase the efficiency of housing delivery. The City will still receive funding for housing projects from Provincial Government, but will control all other processes, including quality control and monitoring of housing projects. For the beneficiaries of housing projects this means that any problems will be dealt with in a consolidated manner by the City.

Speaker, I have recently attended the sod-turnings of several housing projects that that have been undertaken by the City. The Housing Directorate is working tirelessly to complete projects within the stipulated timeframes.

A few projects that are set to be launched over the next few months are:

<i>Happy Valley Phase 2</i>	<i>1 400 opportunities</i>	<i>Eerste River</i>
<i>Ilinge Labahlali</i>	<i>324 opportunities</i>	<i>Nyanga</i>
<i>Kleinvlei Erf 901</i>	<i>66 opportunities</i>	<i>Blackheath</i>
<i>Ocean View (Mountain View)</i>	<i>547 opportunities</i>	<i>Ocean View</i>
<i>Pelican Park Phase 1</i>	<i>2 000 opportunities</i>	<i>Pelican Park</i>

<i>(BNG)</i>		
<i>Pelican Park Phase 1 (Bonded)</i>	<i>1 200 opportunities</i>	<i>Pelican Park</i>
<i>Witsand Phase 2</i>	<i>1 835 opportunities</i>	<i>Atlantis</i>

The City of Cape Town is working all-out to launch the first network of MyCiTi bus routes in May, subject to concluding negotiations with the affected public transport industry and acquiring the necessary operating licences. This will be a major milestone in our far-reaching plan to transform public transport across the city through the new Integrated Rapid Transit system, branded as MyCiTi.

This first network will run between central Cape Town and the West Coast suburbs of Table View, Parklands, Sunningdale, Blaauwberg and Big Bay – areas where there is no rail service and traffic congestion is becoming untenable.

There will be three elements to this bus network, namely:

- An interim feeder service, with about 120 stops, that will move people between the areas of Parklands, Sunningdale, Table View, Blaauwberg and Big Bay, and the Table View trunk station, where they can catch a bus to central Cape Town. This interim service will be in place until a permanent feeder network is launched.*
- A ‘trunk’, or main route, which will run between Cape Town and Table View, with stops all along the R27.*
- A temporary feeder route that will operate in the central city, linking the Civic Centre to the Waterfront, Loop and Long Streets, and Gardens.*

Most of the new feeder routes in the areas around Table View will run along existing bus and taxi routes and the stops are 300m to 400m apart, for easy access.

The launch date of this temporary service depends on the outcome of intense negotiations that are currently under way with the companies that will operate the MyCiTi buses. These companies were formed by the existing public transport operators that will be directly affected by the first phase of the service. Negotiations with the existing public transport industry to form new operating companies for the service are governed by law.

In compliance with these provisions, staff in our IRT Department is continuing the negotiations with the new companies that were formed to operate the MyCiTi buses. The staff is being helped by two highly skilled negotiators who were chosen in consultation with the mini-bus and scheduled bus organisations.

The IRT is an enormously complex and challenging project. However, it will unlock many social and economic opportunities, and we remain wholly committed to its success. Our staff continues to work extremely long hours to make this bus service available, and we are happy to say that good progress is being made. We eagerly look forward to the launch of the first phase.

Speaker, there has been an increase in dumping in our rivers. The City of Cape Town condemns all types of pollution, especially in our rivers and catchment areas. Cape Town has an extensive network of rivers and wetlands which fulfil diverse ecological, aesthetic, recreational and infrastructure network functions. Over the past few decades, however, many of these watercourses have been adversely affected by pollution. The challenge, therefore, is to protect our inland water systems from the impact of pollution, and to restore the quality of inland water sources to acceptable levels.

Speaker, clean neighbourhoods will restore pride and dignity to the residents of the area and communities will be uplifted by transforming their neighbourhoods themselves. I encourage all residents to join the campaign and help the appointed staff to clean up their neighbourhoods.

Speaker in this regard, the Solid Waste Bylaw Enforcement Team will shortly be initiating special operations to combat the unacceptable behaviour of littering and dumping. The team will be undertaking blitz-like operations which will see a group of officers arriving, without warning, in a specific area to hand out heavy fines for all waste-related offences. The cigarette stompie thrown on the ground may become the most expensive smoke you have ever had at R500 each. Likewise, for that cooldrink can, sweet paper, chip packet and other litter.

These efforts are for the benefit for all the residents. It is just selfish and unacceptable that a few make it difficult for the many. The quality of our environment has to be maintained to ensure that the City will be sustainable for generations to come.

Speaker, the City's Disaster Risk Management Centre is vigorously implementing risk reduction measures to mitigate the effects of possible flooding and storm damage for the winter season in formal and informal settlement areas. Although the South African Weather Service has forecast that the western parts of the Western Cape are likely to have below normal rainfall this winter, the City's disaster teams are taking no chances and are making sure that hazard management plans are reviewed and instituted. It is the aim of this Council to reduce and to mitigate the risk that severe winter storms may have on our community.

In this regard, public awareness is of the utmost importance. Our officials from all Directorates are raising awareness levels amongst all communities regarding the risks that bad weather may pose and how we as a City can assist vulnerable communities by implementing risk reduction measures. This will ensure that we have preparedness plans in place that will allow us to effectively respond to situations where communities find themselves in distress.

Speaker, the City's CBD has recently seen an increase in the numbers of homeless people on our streets. This is a problem worldwide which has no quick fix solutions. It is natural and commendable that residents want to help these vulnerable members of society. However, giving money directly to the homeless is condemning that person to a life on the streets. The Cape Town Central City Improvement District has an ongoing campaign called 'Give Responsibly'. It encourages residents to rather give their money, time and support to various organisations in Cape Town that work tirelessly to provide an alternative to life on the streets. These non-profit organisations will be able to channel your donation effectively and help break the cycle of poverty and dependency. For information on NPO's in your area, contact the CCID's Social Development Department on 021 419 1881 or visit www.capetownpartnership.co.za

Give where it will make a difference.

Speaker, I once again urge the public to please drive safely over the next month that is filled with public holidays. Your safety is of the utmost importance to us. Thank you."

SECTION 2.1 20 MINUTES FOR QUESTIONS AND ANSWERS

The following questions were put to the Executive Mayor:

Cllr J Jama

Cllr J Jama asked the Executive Mayor whether he was aware of efforts by individuals in his office using the Temporary Relocation Area issue to instigate black on black violence in Mfuleni.

The Executive Mayor said that the City government would never make itself guilty of violence in any form. Ald. Plato said that considering that it is elections time, the above is merely an allegation from the ANC for media coverage and said that councillors should act responsibly and refrain from making unfounded allegations.

Cllr X Sotashe

Cllr X Sotashe asked the Executive Mayor to explain why he was not nominated as the preferred Mayoral candidate for the next term of office after the forthcoming local government elections by the political he represents.

The Executive Mayor, Ald. Plato again referred to the fact that it is elections time and elaborated on the recent successes of the multi party government and said that the ANC in Council should take note of the fact that the City of Cape Town was on two occasions, nominated as the best run metro and municipality in South Africa by the National Department of Cooperative Governance and Traditional Affairs.

Ald. K Bredenhand

Ald. K Bredenhand was of the view that the Executive Mayor was very uncooperative during his term of office in terms of service delivery and the plight of the poorest of the poor.

The Executive Mayor said that the ANC should guard against polarising the City, and the country and referred Ald. Bredenhand to the answer provided on the question posed by Cllr Sotashe, the City being nominated by the National Department of Cooperative Governance and Traditional Affairs as the best run metro and municipality in South Africa.

Cllr A Fourie

Cllr A Fourie requested the Executive Mayor to confirm the amount of capital spending to date on the MyCiti project, as well as to clarify the dates for the launching of the MyCiti Phase 1A.

The Executive Mayor said that several reports on all the aspects of the MyCiti project, i.e. funding, infrastructure, operator, progress, etc. were submitted to Council over a period of time. He pointed out that it should be noted that the project was largely reliant on external funding and that it was on track.

Cllr B Cortje-Alcock

Cllr B Cortje-Alcock referred to the recent Human Rights Day commemoration event at the Athlone Stadium and requested the Executive Mayor to give an indication of the financial impact of the event on the City of Cape Town.

The Executive Mayor said that the City provided the venue, transport to the venue and the required municipal services. Ald. Plato said that the City played a significant role in the success of the event from an events organising perspective in securing a well organised and safe event.

Cllr G Haskin

Cllr G Haskin asked the Executive Mayor whether he was aware of the fact that the buses provided by the City to transport the people to the Human Rights Day commemoration event at the Athlone Stadium were utilised by the ANC to almost exclusively transport its members to the stadium.

The Executive Mayor, Ald. Plato said that political parties should be ashamed if they have made themselves guilty of exploiting City resources for political gain as the intention was to provide transport to all the City's residents, irrespective of their political affiliation.

SECTION 3

C 01/03/11 APOLOGIES / LEAVE OF ABSENCE

RESOLVED that the following applications for leave of absence submitted by the Chief Whip of Council **BE NOTED**:

Cllr R Abdullah (ANC)
Cllr C P V Claasen (DA)
Cllr M M Fienies (UP)
Cllr X O Gophe (INDP)
Cllr E Groenewald (DA)
Cllr L Jantjies (NPP)
Cllr L Jelele (ANC)
Ald G A Jespersen (DA)
Cllr M N Klaas (ANC)
Cllr E Kwayinto (ANC)
Cllr M M Labase (ANC)
Cllr B E H Lee (DA)
Cllr M N Makanda (ANC)
Cllr M G Mbaliswana (INDP)
Cllr V Mdluli (ANC)
Cllr V Mfusi (ANC)
Cllr T M Mgxekeni (ANC)
Cllr N Mothuko (ANC)
Cllr S Nenzani (ANC)
Ald I D Neilson (DA)
Cllr T I Ngamlana (ANC)

Cllr J Njamela (ANC)
Cllr N E Ntongana (ANC)
Cllr W Schwella (ANC)
Cllr T R Sikhutshwa (ANC)
Cllr F R Steenkamp (DA)
Cllr J van Wyk (DA)

FOR INFORMATION : T ALBERTYN

SECTION 4 ANNOUNCEMENTS BY THE SPEAKER

The Speaker requested Cllr X Sotashe to withdraw his remark made at the previous meeting pertaining to the husband of the Chief Whip of Council, Ald Serritslev. Cllr Sotashe withdrew his remark.

SECTION 5 OFFICIAL NOTICES / URGENT MATTERS

None

C 02/03/11 CONFIRMATION OF MINUTES : 23 FEBRUARY 2011

RESOLVED that the minutes of the ordinary Council meeting held on 23 February 2011, be confirmed.

ACTION : N MEISSENHEIMER

C 03/03/11 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

The questions received from Cllr A Fourie of the Freedom Front Plus were provided to all Councillors as reflected on Annexure A on pages 51 to 54 of the agenda.

The Executive Mayor's responses on the respective questions were circulated as Annexure B in a separate booklet.

Supplementary questions:

Cllr A Fourie enquired whether affirmative action and the proposed extension thereof in terms of the national demographics would be implemented in the Western Cape, in view of appointing candidates on race classification.

Cllr A Fourie further enquired why the DA did not object against this Act, in view of the discriminatory factor against whites and coloureds. He was of the opinion that since the coloured population would now be mainly affected in this Province, the DA objected.

He also enquired about the difference between the previous and current measures in respect of employment equity.

The Executive Mayor responded that the City's policy in respect of employment equity must be in line with national legislation, but that the City was still opposed to certain Sections of the proposed Act.

NOTED.

The Speaker announced that the following items were agreed on by the Whips of the respective parties at the Whips' meeting:

Volume 1 - Items 4, 5, 6, 13, 14, 15, 17, 18, 19, 20, 21, 22, 30, 32, 33, 34, 35, 36, 37 and 39, the latter item being for noting.

Volume 2 - Items 41 and 43

168 Councillors were present in the Chamber when this announcement was made.

The Speaker further indicated that Items C 07; C 08; C 09; C 10; C 11 and C 12 would be considered simultaneously. The minutes are however reflected in the correct numerical sequence.

C 04/03/11

OVERSIGHT REPORT IN RESPECT OF THE 2009/2010 ANNUAL REPORTS FOR THE CITY OF CAPE TOWN AND ITS MUNICIPAL ENTITIES

RESOLVED that:

- (a) having fully considered the 2009/10 Annual Report of the municipality and representations thereon, the oversight report be adopted; and
 - (i) the annual report without reservations, be approved
- (b) having fully considered the 2009/10 Annual Report of the Municipal Entity, Cape Town International Convention Centre Company and representations thereon, the oversight report be adopted; and
 - (i) the annual report without reservations, be approved
- (c) having fully considered the 2009/10 Annual Report of the Municipal Entity, Khayelitsha Community Trust, and representations thereon, the oversight report be adopted; and

- (i) the annual report without reservations, be approved
- (d) the resolutions per Annexure A to the report on the agenda be supported for action.

ACTION : R JAFTHA, Z ABRAMS

C 05/03/11

CAPITAL BUDGET 2010/2011: WBS COB.B404B-F2 132 kV INTERLOCK REPLACEMENT

RESOLVED that:

- (a) authority be granted to transfer the amount of R2 717 000 from WBS C08.84058-F2: Century City to WBS C08.84048-F2: 132kV Interlock Replacement, in the 2010/2011 financial year
- (b) authority be granted for additional capital expenditure in the amount of R2 717 000 on C08.84048-F2: 132kV Interlock Replacement, to be funded ex CRR, in the 2010/2011 financial year
- (c) the total project cost for WBS C08.84048-F2: 132kV Interlock Replacement be increased from R12 767 350 to R15 484 350.

ACTION : M J HYDE, K FOURIE, L DHLAMINI

C 06/03/11

AUTHORITY TO SELL FREE SHARES AND RECOVER THE PROCEEDS FOR THE CITY OF CAPE TOWN

RESOLVED that:

- (a) the City Manager, Mr A Ebrahim and the Chief Financial Officer, Mr M Richardson be authorized to sign the required documentation pertaining to the sale of 6 603 free shares which were allocated to the City of Cape Town as a result of the demutualization of Sanlam in 1998
- (b) costs, amounting to R1 217.53 be deducted from the balance due to the City and be paid to Sanlam Capital Markets
- (c) the balance of the proceeds from the sale of shares and any unpaid dividends, minus the costs be paid into the City's ABSA banking account number 40-5658-4470.

ACTION : I GUMBRILL, D BERETTI

C 07/03/11 APPLICATION FOR THE EXTENSION OF THE IMPLEMENTATION PLAN OF GREEN POINT CITY IMPROVEMENT DISTRICT TO 30 JUNE 2016

Ald K Bredenhand and Cllr P Gabriel indicated that the ANC could not support the City Improvement Districts for residential areas.

It should be noted that Council voted on all items C 07 to C 12 together as agreed by all in the Chamber. The minutes are however recorded separately.

The recommendation as set out on the agenda was put to the vote, whereupon they voted :

In favour 112
Against 49
Abstentions 5

The recommendation was therefore carried.

RESOLVED that, in terms of Section 15 of the Special Rating Area By-Law, the extension of the Implementation Plan of the Green Point City Improvement District dated October 2010 from 1 July 2011 to 30 June 2016, be approved.

ACTION : R ROSSOUW, M RICHARDSON

C 08/03/11 APPLICATION FOR THE EXTENSION OF THE IMPLEMENTATION PLAN OF BLACKHEATH CITY IMPROVEMENT DISTRICT TO 30 JUNE 2016

The recommendation as set out on the agenda was put to the vote, whereupon they voted :

In favour 112
Against 49
Abstentions 5

The recommendation was therefore carried.

RESOLVED that:

- (a) the objection by Mr John de Smidt be noted, but not be upheld it for the reasons stated in the report on the agenda,
- (b) in terms of Section 15 of the Special Rating Area By-Law, the extension of the Implementation Plan of the Blackheath Improvement District dated November 2010 from 1 July 2011 to 30 June 2016, be approved.

ACTION : R ROSSOUW, M RICHARDSON

C 09/03/11 APPLICATION FOR THE EXTENSION OF THE IMPLEMENTATION PLAN OF ORANJE KLOOF CITY IMPROVEMENT DISTRICT TO 30 JUNE 2016

The recommendation as set out on the agenda was put to the vote, whereupon their voted :

In favour 112
Against 49
Abstentions 5

The recommendation was therefore carried.

RESOLVED that, in terms of Section 15 of the Special Rating Area By-Law, the extension of the Implementation Plan of the Oranjekloof City Improvement District dated October 2010 from 1 July 2011 to 30 June 2016, be approved.

ACTION : R ROSSOUW, M RICHARDSON

C 10/03/11 APPLICATION FOR THE EXTENSION OF THE IMPLEMENTATION PLAN OF PAARDEN EILAND CITY IMPROVEMENT DISTRICT TO 30 JUNE 2016

The recommendation as set out on the agenda was put to the vote, whereupon their voted :

In favour 112
Against 49
Abstentions 5

The recommendation was therefore carried.

RESOLVED that, in terms of Section 15 of the Special Rating Area By-Law, the extension of the Implementation Plan of the Paarden Eiland City Improvement District dated October 2010 from 1 July 2011 to 30 June 2016, be approved.

ACTION : R ROSSOUW, M RICHARDSON

C 11/03/11 APPLICATION FOR THE EXTENSION OF THE IMPLEMENTATION PLAN OF STIKLAND CITY IMPROVEMENT DISTRICT TO 30 JUNE 2016

The recommendation as set out on the agenda was put to the vote, whereupon their voted :

In favour 112
Against 49
Abstentions 5

The recommendation was therefore carried.

RESOLVED that, in terms of Section 15 of the SRA By-Law, the extension of the Implementation Plan of the Stikland City Improvement District dated October 2010 from 1 July 2011 to 30 June 2016, be approved.

ACTION : R ROSSOUW, M RICHARDSON

C 12/03/11

APPLICATION FOR THE EXTENSION OF THE IMPLEMENTATION PLAN OF SEA POINT CITY IMPROVEMENT DISTRICT TO 30 JUNE 2016

The recommendation as set out on the agenda was put to the vote, whereupon their voted :

In favour 112
Against 49
Abstentions 5

The recommendation was therefore carried.

RESOLVED that, in terms of Section 15 of the Special Rating Area By-Law, the extension of the Implementation Plan of the Sea Point City Improvement District dated October 2010 from 1 July 2011 to 30 June 2016, be approved.

ACTION : R ROSSOUW, M RICHARDSON

C 13/03/11

APPLICATION FOR DEPARTURES IN TERMS OF THE LAND USE PLANNING ORDINANCE NO 15 OF 1985: REMAINDER ERF 7499 FISH HOEK, 13 SIMON'S TOWN ROAD

RESOLVED that Council confirms the decision made by the Spatial Planning, Environment and Land Use Management Committee, to recommend to the Competent Authority that the application for the Departures, to permit a total floor space of 179m² in lieu of 120m² for the Second Dwelling and to permit a total floor space of 186% of the site area in lieu of 66%, as set out in Section 2 of Annexure "A" to the report on the agenda, to allow for a loft to be added on Remainder Erf 7499, Fish Hoek, be refused.

ACTION : P HOFFA, R WALTON

C 14/03/11

APPLICATION FOR A DOUBLE STOREY ADDITION IN LIEU OF A SINGLE STOREY ON ERF 6331 HOUT BAY, 4 SANDPIPER PLACE

RESOLVED that Council confirms the decision made by the Spatial Planning, Environment and Land Use Management Committee, that the application for permission of the Engineer to permit a building to be extended over the existing garage to form a double-storey portion of the dwelling on Erf 6331, Hout Bay, at 4 Sandpiper Place be approved

in accordance with the plans drawn by Richard Adcock Architect dated 1 February 2006 with drawing numbers 758-101, 758-102, 758-103, all Revision A.

ACTION : P HOFFA, R WALTON

C 15/03/11 APPLICATION TO PURCHASE PUBLIC STREET, ERF 649, ABUTTING ERF 163, VICTORIA ROAD, BANTRY BAY: MR JUDD HARVEY SMITH

RESOLVED that for the reasons set out in the report, the application to purchase public street, Erf 649, abutting Erf 163, Victoria Road, Bantry Bay shown lettered ABCDEFG on the Sketch marked "Annexure A" to the report on the agenda, in extent approximately 75 m², be refused.

ACTION : M SIMS, C JAFTHA, R GELDERBLOEM

C 16/03/11 APPLICATION TO PURCHASE PORTION OF PUBLIC PLACE, ERF 1102, POPLAR AVENUE, THORNTON ISLAMIC SOCIETY

Cllr P Hill proposed that the report on the application to purchase portion of public place, Erf 1102, Poplar Avenue, Thornton, be referred back, due to new information being made available.

The proposal was duly supported.

RESOLVED that the report on the application to purchase portion of public place, Erf 1102, Poplar Avenue, Thornton, be referred back.

FOR INFORMATION : M SIMS, R GELDERBLOEM

C 17/03/11 APPLICATION TO PURCHASE CITY LAND AND PUBLIC STREET ERVEN 94744, 94743 AND 94784, ABUTTING ERF 94947, CORNER BECKHAM AND ORANGE STREETS, GARDENS: PLASTO PROPERTIES 12 (PTY) LTD

RESOLVED that the application to purchase City Land and Public Street Erven 94744, 94743 and 94784, abutting Erf 94741, corner Beckham and Orange streets, Gardens shown lettered ABCDEFGH on the Sketch plan marked "Annexure A" to the report on the agenda, in extent approximately 214 m² to enhance the paved area and for redevelopment of landscaped area, be refused.

ACTION : M SIMS, C JAFTHA, R GELDERBLOEM

C 18/03/11 APPLICATION TO PURCHASE PUBLIC STREET ERVEN 4133 AND 4132, ABUTTING ERF 4134, CORNER NEW CHURCH STREET AND BUITENGRACHT, CAPE TOWN: UPTOWN MOTORS TRUST

RESOLVED that the application to purchase Public Street abutting Erf 4134, corner New Church street and Buitengracht, Cape Town shown lettered ABCD on the Sketch plan marked "Annexure A" to the report on the agenda, in extent approximately 82 m², be refused.

ACTION : M SIMS, C JAFTHA, R GELDERBLOEM

C 19/03/11

APPLICATION TO CLOSE PUBLIC PASSAGE, PORTION OF ERF 225, OFF SEACLIFF ROAD, BANTRY BAY FOR SECURITY PURPOSES: MS CARINA PRINS

RESOLVED that the application to close public passage with a proposed lockable gate, being portion of Erf 225, Seacliffe Road, Bantry Bay shown lettered AB on the Sketch marked "Annexure A" to the report on the agenda, for security purposes, be refused.

ACTION : M SIMS, C JAFTHA, R GELDERBLOEM

C 20/03/11

APPLICATION TO LEASE PORTION OF PUBLIC STREET, ERVEN 26267 TO 26271, PORTION OF PUBLIC STREET, ABUTTING ERVEN 26265 AND 142536, OFF STATION ROAD, BETWEEN DRAKE AND ANSON STREETS, OBSERVATORY: THE TAMRIC TRUST

RESOLVED that the application to lease portion of public street, erven 26267 to 26271, abutting Erven 26265 and 142536, off Station Road, between Drake and Anson Streets, Observatory in extent approximately 365 m², shown lettered ABC curve DE curve F on the Sketch plan marked "Annexure A" to the report on the agenda, be refused.

ACTION : M SIMS, C JAFTHA, R GELDERBLOEM

C 21/03/11

TENDER NUMBER : RFP154H/2010/11: REQUEST FOR PROPOSALS FOR THE TURNKEY DEVELOPMENT OF PELICAN PARK PHASE 1

RESOLVED that the price of R825 000 per hectare offered by Grinaker-LTA Building Cape/Bitol Developments (Pty) Ltd in joint venture for the land to be developed for non-subsidy housing and commercial use, be approved.

ACTION : P OSCROFT, H SMIT

C 22/03/11

REPORT ON THE EXERCISING OF FUNCTION SPECIFIC (DECISIONMAKING) DELEGATION BY THE DIRECTOR : PLANNING AND BUILDING DEVELOPMENT MANAGEMENT FOR

THE 4TH QUARTER 2010

RESOLVED that the report on the exercising of function specific (decisionmaking) delegation by the Director : Planning and Building Development Management for the 4th quarter 2010, be noted.

ACTION : G BRAND, P HENSHALL-HOWARD, I BROMFIELD

C 23/03/11

RESOLUTIONS OF THE SPATIAL PLANNING, ENVIRONMENT AND LAND USE MANAGEMENT COMMITTEE IN TERMS OF ITS DELEGATED POWERS : FROM DECEMBER 2010 TO FEBRUARY 2011

RESOLVED that the resolutions of the Spatial Planning, Environment and Land Use Management Committee in terms of its delegated powers for the period December 2010 to February 2011, be noted.

FOR INFORMATION : K PHILLIPS

C 24/03/11

RESOLUTIONS TAKEN IN TERMS OF THE POWERS DELEGATED TO THE PLANNING AND GENERAL APPEALS COMMITTEE : PERIOD OCTOBER 2010 TO FEBRUARY 2011

RESOLVED that the resolutions taken by the Planning and General Appeals Committee for the period October 2010 to February 2011, be noted.

FOR INFORMATION : N MEISSENHEIMER

C 25/03/11

HOSTING OF THE U2 AND NEIL DIAMOND CONCERTS AT THE CAPE TOWN STADIUM

RESOLVED that:

- (a) the increase in income from R1, 885, 000.00 to R2, 529, 715.68 generated from hosting the U2 Concert, be noted
- (b) condonation be granted for the expenditure incurred in hosting the U2 Concert in the amount of R1, 661, 595.27 as per Annexure "B" to the report on the agenda
- (c) authority be granted for the estimated expenditure in hosting the Neil Diamond Concert in the amount of R638, 275.00 as per Annexure "C" to the report on the agenda
- (d) authority be granted to the Executive Director: Transport, Roads & Major Projects to incur unforeseen City expenses up to a limit of R100, 000.00 relating to hosting of the Neil Diamond Concert

and to recover any additional expenditure from the Concert Organizer.

ACTION : L DE REUCK, M RICHARDSON

C 26/03/11

ESTABLISHMENT OF STEERING COMMITTEE FOR THE CITY HALL AND USE OF CAPE TOWN HERITAGE TRUST AS CONDUIT FOR CITY HALL EXTERNAL FUNDING

RESOLVED that:

- (a) a Steering Committee for the City Hall be established to be chaired by the Mayco Member for Community Services
- (b) the Mayco Member for Community Services and the Internal Reference Group identify suitable representatives from relevant external organizations to a maximum of 10 persons to serve on the Steering Committee with the Internal Reference Group
- (c) the Terms of Reference of the City Hall Steering Committee (CHSC) as set out in Annexure "A" to the report on the agenda be approved, subject to section 5.1 being amended by deleting the wording "*[including Planning and Environment]*" next to *Heritage Conservation* and including the "*Shareholding Management Department*" as a role player in terms of the Internal Reference Group (IGR)
- (d) the CHSC be mandated to engage the Cape Town Heritage Trust (CTHT) to establish a City Hall Restoration Fund to manage externally sourced funds for the purpose of assisting with the restoration of the City Hall
- (e) approval be granted for using the Cape Town Heritage Trust as a vehicle to obtain external funding for the City Hall and that a suitable Memorandum of Agreement (MoA) be entered into with the Cape Town Heritage Trust (CTHT).

ACTION : G BAM, L MTWAZI

C 27/03/11

EXTERNAL RELATIONS POLICY FOR THE CITY OF CAPE TOWN

Cllr G Haskin expressed concern on annexure B with reference to the consultation with the Department of International Relations & Cooperation and the process in this regard. He indicated that the City, as a distinctive, interdependent and interrelated sphere of government, is not subjected to the National Department of International Relations and therefore can pursue relations with any other City or Country in terms of the Constitution.

RESOLVED that:

- (a) the External Relations Policy and Implementation Protocol attached to the report on the agenda be approved, subject to:
 - (i) an additional principle being added to subsection 2.1 of the policy, as follows:

“2.1.6 Implementable”
 - (ii) subsection 2.6 being amended to read, as follows:

*“2.6 The City will focus on targeted partnerships with measurable outcomes **and identified drivers.**”*
 - (iii) subsection 1(h) of the Criteria for External Relations Partnerships being amended to read, as follows:

*“h. Historical/**cultural/sports** and social linkages and connections”*
- (b) the External Relations Task Team as appointed on 17 November 2010 by the Mayoral Committee be retained, in order to make recommendations and advise the Executive Mayor on the following:
 - (i) all applications received for partnerships;
 - (ii) Cities to be approached by the City of Cape Town in line with the criteria set out in the policy;
 - (iii) all agreements that are currently dormant.

ACTION : C VILJOEN, A EBRAHIM

C 28/03/11

REPORT IN TERMS OF SUPPLY CHAIN MANAGEMENT REGULATIONS SECTION 36 AND THE SUPPLY CHAIN MANAGEMENT POLICY SECTION 292 FOR THE PERIOD JANUARY & FEBRUARY 2011 : FOR INFORMATION PURPOSES

RESOLVED that the matters as authorised by the City Manager in terms of Section 36 of the Supply Chain Management Regulations and Section 292 of the Supply Chain Management Policy for the period January and February 2011 attached as Annexures “A” and “B” to the report on the agenda, be noted and be included as a note to Council’s Annual Financial Statements.

ACTION : A VORSTER, A EBRAHIM

C 29/03/11

CAPE TOWN SPATIAL DEVELOPMENT FRAMEWORK (CTSDF)

Ald M Nieuwoudt, seconded by Ald B Watkyns, proposed the following amendment to the recommendation:

“the following as underlined be added to recommendation (a) – and that the process to deal with the CTSDF in terms of Section 26(iii) of the Municipal Systems Act, be investigated and reported to Council”

The amendment was duly supported.

RESOLVED that:

- (a) the final draft of the Cape Town Spatial Development Framework be endorsed and that it be incorporated into the Integrated Development Plan when it is reviewed in terms of Section 34 of the Municipal Systems Act (No. 32 of 2000) and that the process to deal with the CTSDF in terms of Section 26(iii) of the Municipal Systems Act, be investigated and reported to Council
- (b) the Competent Authority be requested to withdraw the following guide plans, deemed to be urban structure plans in terms of the Physical Planning Act (No 125 of 1991):
 - *Guide Plan for the Cape Metropolitan Area: Peninsula (1988)*
 - *Guide Plan for the Cape Metropolitan Area: Hottentots Holland Basin (1988)*
 - *Atlantis & Environs Guide Plan (1981)*
- (c) it be noted that the Planning and Environment Portfolio Committee elected not to exercise the following powers and recommended that:
 - (i) the Competent Authority be requested to withdraw the following structure plans in terms of section 4(7) of the Land Use Planning Ordinance (No 15 of 1985), subject to the approval of the Cape Town Spatial Development Framework in terms of Section 4(6) of the Land Use Planning Ordinance (No 15 of 1985):
 - *Lansdowne Road Philippi Structure Plan (1995)*
 - *Imhoff’s Gift Local Structure Plan (1989)*
 - *Sir Lowry’s Pass Structure Plan (1997)*

- *Gordon's Bay Structure Plan (1989)*
 - *De Grendel Structure Plan (1989)*
 - *Goodwood Structure Plan (1988)*
 - *Lower Kuils River: Blue Downs Local Structure Plan (1987)*
 - *Weltevreden Valley Local Structure Plan (1986)*
 - *Tableview North Structure Plan (1991)*
 - *Lower Kuils River Area Urban Structure Plan (1986)*
 - *Benede- Kuilsrivier: Rotterdamgebied Plaaslike Struktuurplan (1987)*
 - *Gaylee Kleinvlei Eersterivier Struktuurplan (1989);*
- (ii) the structure plans listed in (i) above as structure plan in terms of section 4(10) of the Land Use Planning Ordinance (No 15 of 1985) be approved, subject thereto that it will only come into force upon the approval of the Cape Town Spatial Development Framework in terms of section 4(6) of the Land Use Planning Ordinance (No 15 of 1985) and subject to the Competent Authority withdrawing the plans listed in (i) above as structure plans approved in terms of section 4(6) of the Land Use Planning Ordinance no 15 of 1985;
- (iii) the following structure plans recommended by Council to the competent authority in terms of section 4(1) of the Land Use Planning Ordinance (No 15 of 1985) be recalled for approval in terms of section 4(6) of the Land Use Planning Ordinance (No 15 of 1985):
- *Helderberg Subregional Structure Plan (2000)*
 - *Somerset West Structure Plan (2000)*
 - *Kommetjie-Ocean View & Environs Local Structure Plan (2000)*
 - *Fish Hoek Valley Local Structure Plan*
 - *Southern South Peninsula Local Structure Plan (2005)*
 - *Macassar Structure Plan (2002);*
- (iv) the Cape Town Spatial Development Framework be submitted in terms of section 4(1) of the Land Use Planning Ordinance (No 15 of 1985) to the Competent Authority, for approval as a structure plan in terms of section 4 (6) of the Land Use Planning Ordinance (No 15 of 1985)

- (d) it be noted that the Planning and Environment Portfolio Committee recommended to approve the withdrawal of the Metropolitan Spatial Development Framework, effective from the date of approval of the Cape Town Spatial Development Framework in terms of section 4(6) of the Land Use Planning Ordinance (No 15 of 1985).

ACTION : N WALKER, I BROMFIELD

C 30/03/11

GRANT-IN-AID FUNDING TO THE UNIVERSITY OF CAPE TOWN SCHOOL OF BUSINESS : RAYMOND ACKERMAN ACADEMY

RESOLVED that:

- (a) the disbursement of R180 000 (incl. VAT) Grant-in-Aid funding to the University of Cape Town School of Business be approved, to implement the Raymond Ackerman Youth Entrepreneurship Programme
- (b) the amount of R180 000 be viremented from cost centre 18050001 (Social Development Facilitation), GL 455100 (Contracted Services) to GL 457100 (MFMA Section 67 Transfer Payments)
- (c) the funds in (a) above be disbursed and managed in terms of Section 67(a) of the Municipal Finance Management Act and the City of Cape Town's Grant-in-Aid-Policy
- (d) the funding be disbursed in accordance with the provisions of the implementation protocol concluded by and between the Provincial Government of the Western Cape via its Department of Social Development and the City of Cape Town, for the implementation of projects and initiatives in support of the Department's social development programmes
- (e) the City's Social Development Department, in consultation with the Legal Services Department, conclude a Memorandum of Agreement with the University of Cape Town School of Business.

ACTION : L NOKWAZA, C JAFTHA, I BROMFIELD

C 31/03/11

REQUEST FOR APPROVAL TO DISBURSE GRANT-IN-AID FUNDING FOR IMPLEMENTATION OF STREET PEOPLE 2011 WINTER READINESS PLAN

RESOLVED that:

- (a) the disbursement of R400 000 Grant-in-Aid funding to relevant NGO's be approved for the provision of sheltered accommodation and related services to street people during the 2011 winter season
- (b) the amount of R400 000 be viremented from cost centre 18050001 (Social Development Facilitation), GL 455100 (Contracted Services) to GL 457100 (GIA)
- (c) the funding in (a) be allocated to the Haven Night Shelter which in turn will distribute to its shelters, other NGO's managing shelters and related services
- (d) the funds be disbursed in terms of Section 67 (a) of the Municipal Finance Management Act
- (e) the funding be disbursed in accordance with the provisions of the Implementation Protocol concluded by and between the Provincial Government of the Western Cape via its Department of Social Development and the City of Cape Town for the implementation of projects.

ACTION : L NOKWAZA, C JAFTHA, I BROMFIELD

C 32/03/11

WATER MONTH (MARCH), NATIONAL WATER WEEK (21st to 27th MARCH), UN-WORLD WATER DAY (22nd MARCH) AND THE WATER CONSERVATION PROGRAMME

RESOLVED that:

- (a) the expenditure for Water Month from the already approved budget be supported
- (b) the expenditure for Water Month from the already approved budget, with financial implications specifically for the Learners Expo at Ratanga Junction (R200 000) and the Walk for Water event (R250 000) as set out in Annexure II to the report on the agenda, be supported.

ACTION : C WILSON, J PRINS, L DHLAMINI

C 33/03/11

WORLD WATER DAY 2011: UN-CONFERENCE (20-22 MARCH 2011) AND NATIONAL WATER WEEK 2011: EXHIBITION STAND

RESOLVED that the associated expenditure for the proposed activities for World Water Day 2011 and National Water Week 2011, be supported.

ACTION : J PRINS, L DHLAMINI**C 34/03/11****CONSULTANT'S FINAL DRAFT REPORT REGARDING MUNICIPAL SYSTEMS ACT, SECTION 78(3) ASSESSMENT OF ALTERNATE SERVICE DELIVERY MECHANISMS FOR SOLID WASTE MANAGEMENT IN CAPE TOWN****RESOLVED** that:

- (a) the findings and recommendations of Akhile Consortium's final draft report (per the Consultant's Consolidated Report in Annexure A to the report on the agenda) on the assessment of alternative service delivery mechanisms and business improvement initiatives for waste management in Cape Town, be supported and implemented
- (b) the Council resolution of 28 March 2001, vide item C 02/03/01, to create an internal business unit for Solid Waste Management be rescinded to avoid conflicts in the consideration of Alternative Service Delivery Mechanisms
- (c) the Departmental structure of the Solid Waste Management Department be retained, with minor adjustments to functions as required after completing business improvement assessments per the consultant's recommendations
- (d) the Executive Director: Utility Services investigates and creates a mechanism and appropriate capacity to manage projects of a strategic nature involving waste, water and energy with cross-functional benefits
- (e) the Executive Director: Utility Services investigates waste-to-energy (or energy-from-waste) synergies in respect of organic solid waste and sewerage sludge, and initiates projects as soon as possible, in support of Council's Energy Policy and targets
- (f) the Solid Waste Management Department revises Council's Integrated Waste Management (IWM) Policy, 2006 to align it with any recommendations adopted by Council per the report on the agenda
- (g) the Solid Waste Management Department revises its current IWM Plan (Waste Management Sector Plan, as annexed to the IDP annually) in accordance with any recommendation adopted by Council per the report on the agenda

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- (h) the Solid Waste Management Department develops a formal strategy and plan for changes to hazardous waste management that will be introduced when the Waste Classification and Management Regulations per the National Environmental Management: Waste Act are promulgated
 - (i) the Solid Waste Management Department reprioritises and amends its medium to long-term capital works programme, its proposed capital or operating budgets to include the alternative service delivery mechanism mentioned in the report
 - (j) the Solid Waste Management Department be authorised to initiate the process to generate alternative (non-Council) funding through Public Private Partnerships (PPPs) for the implementation of initiatives for which the detailed feasibility and risks are to be determined during the public private partnership process, viz:
 - (i) Upgrading the Material Recovery Facility and expanding capacity of the Athlone Refuse Transfer Station to also include Energy-from-Waste infrastructure;
 - (ii) Incorporating an appropriate mixture of processing and Energy-from-Waste infrastructure at the Kraaifontein Integrated Waste Management Facility;
 - (iii) Establishing a fully integrated facility at the planned site at the Bellville South Landfill;
 - (iv) Establishing Energy-from-Waste infrastructure and other infrastructure as deemed feasible according to plan at the Swartklip Refuse Transfer Station;
 - (v) Establishing a fully integrated facility at the planned site as deemed feasible according to plan in the Helderberg area.
 - (k) the Solid Waste Management Department initiates and registers all Council-approved waste minimisation and certain Energy-from-Waste public private partnership initiatives with the National Treasury as soon as possible, and project manages these as a programme to improve administrative and other efficiencies to avoid further delays
 - (l) the Solid Waste Management Department investigates a suitable system, infrastructure and mechanisms that will increase economic opportunities pertaining to waste management in informal areas. This should be done in

partnership with the waste industry, the community and with the aid of other Departments of Council that are directly involved in community development and socio-economic development with the objective of enabling local community benefit

- (m) the Solid Waste Management Department initiates the business improvement projects involving possible internal changes to its structure and functions as recommended by the consultant, specifically with respect to the Workshop and Fleet Management, and a proposed Contract Management Unit
- (n) the Solid Waste Management Dept. investigates the viability and draws up a business case for Council to provide the infrastructure and equipment for the transport by road of Refuse Transfer Station waste to landfills instead of using the current outsourced service
- (o) an inter-departmental task team be established by the Solid Waste Management Department to agree on policy for the reuse of recycled materials or implementing a separation and disposal mechanism for the re-use of recovered and processed materials in Council projects (e.g. crushed builder's rubble)
- (p) Council's Procurement Policy and goods contracts to include standard requirements for recycled material in terms of "green procurement" principles as a means to stimulate local consumption of recycled goods
- (q) the Economic and Human Development Department liaises with the Utility Services Directorate prior to any work to being undertaken via WESGRO or any other agency in respect of matters that could enhance opportunities for waste minimisation or energy, or other matters related to the services provided by the Utility Services Directorate
- (r) Council's tender specifications and standard terms of contracts be revised as soon as possible to include explicit penalty and termination clauses to protect Council's rights.

ACTION : B COETZEE, L DHLAMINI

C 35/03/11

DRAFT 2011/2012 DIRECTORATE INTERNAL AUDIT EXECUTIVE SUMMARY OF THE SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)

RESOLVED that the draft 2011/2012 Directorate Executive Summary of the Service Delivery and Budget Implementation Plan (SDBIP) for the Internal Audit Directorate, be noted.

ACTION : R VOSLOO, Z ABRAMS

C 36/03/11

CITY HEALTH : DRAFT 2011/2012 DIRECTORATE EXECUTIVE SUMMARY OF THE SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLANS (SDBIP)

RESOLVED that the draft 2011/2012 Directorate Executive Summary of the Service Delivery and Budget Implementation Plan for the City Health Directorate, be noted.

ACTION : I BROMFIELD

C 37/03/11

REVIEW AND PROPOSED AMENDMENT OF SYSTEM OF DELEGATIONS OF THE CITY OF CAPE TOWN

RESOLVED that:

- (a) the proposed amendments explained/motivated in Annexure A and set out in Annexure B to the report on the agenda, be adopted
- (b) should the System of Delegation contain any duplication of a power, duty or function, the power, duty or function conferred on the higher authority will take preference
- (c) the amendments to the System of Delegation be published on the City's website
- (d) all delegating authorities who are affected by the amendments and who have previously delegated or sub-delegated these powers, duties or functions, must ensure that the necessary amendments are conveyed to the delegates.

ACTION : G KENHARDT

C 38/03/11

PROPOSED CHANGES TO MEMBERSHIP OF COMMITTEES

Ald A Serritslev proposed that the following change be made to the membership of the following Committee:

Economic Development and Tourism Portfolio Committee

Councillor A Adams (PAC) be added as full member

The proposal was duly supported.

RESOLVED that Councillor A Adams be appointed as a member of the Economic Development and Tourism Portfolio Committee.

**ACTION : R RAZACK, EXECUTIVE COMMITTEE SERVICES STAFF,
T ALBERTYN, M MOSES**

C 39/03/11

RESOLUTIONS TAKEN IN TERMS OF THE POWERS DELEGATED TO THE PLANNING AND ENVIRONMENT PORTFOLIO COMMITTEE : PERIOD OCTOBER 2010 TO MARCH 2011

RESOLVED that the decisions of the Planning and Environment Portfolio Committee for the period October 2010 to March 2011, be noted.

ACTION : R RIFFEL

C 40/03/11

INVESTIGATION INTO ALLEGATIONS OF BREACH OF THE CODE OF CONDUCT FOR COUNCILLORS : COUNCILLOR F MAXAKATO

Cllr X Sotashe, seconded by Cllr Cllr P Mngxunyeni, proposed that the fines be reduced to R2500.00.

Cllr Sotashe's proposal was put to the vote, whereupon their voted:

In favour	54
Against	109
Abstentions	2

The proposal was therefore not carried.

The recommendation as set out on the agenda was put to the vote, whereupon their voted :

In favour	106
Against	37
Abstentions	18

The recommendation was therefore carried.

RESOLVED that:

- (a) It be noted that Cllr F Maxakato was found guilty of charge 1, being contravention of items 2(b) to (f) of the Code of Conduct for Councillors which provides that a councillor must at all times act in the best interest of the municipality are not compromised and in terms of item 14(2)(d) of the Code of Conduct for Councillors the sanction for charge 1 is as follows : A fine of R2500.00
- (b) It be noted that Cllr F Maxakato was found guilty of charge 2, being contravention of items 2(a) to (f) of the Code of Conduct

for Councillors which provides that a councillor must at all times act in the best interest of the municipality are not compromised and in terms of item 14(2)(d) of the Code of Conduct for Councillors the sanction for charge 2 is as follows : A fine of R2500.00

- (c) It be noted that Cllr F Maxakato was found guilty of charge 3, being contravention of items 2(b) to (f) of the Code of Conduct for Councillors which provides that a councillor must at all times act in the best interest of the municipality and in such a way that the credibility and integrity of the municipality are not compromised and in terms of item 14(2)(d) of the Code of Conduct for Councillors the sanction for charge 3 is as follows : A fine of R1500.00
- (d) It be noted that, in addition to the sanctions imposed in paragraphs (a) – (c) above, Cllr F Maxakato was warned not to allow anyone to use his commissioner of oath stamp or letterhead and to familiarize himself with the Code of Conduct for Councillors.

ACTION : H VAN ZYL, H CARSTENS, S MBABANE

C 41/03/11

APPLICATION FOR GRANT IN AID TO THE INTERACTIVE SCIENCE FOUNDATION IN SUPPORT OF FURTHERING ECD DEVELOPMENT AND SUBSTANCE ABUSE PROGRAMS

RESOLVED that:

- (a) a disbursement of R250 000 (excl. VAT), in the form of a Grant-in-Aid be made to The Interactive Science Foundation for the furtherance of Early Childhood Development and Substance abuse programs
- (b) the funds in (a) above be disbursed and managed in terms of Section 67(a) of the Municipal Finance Management Act and the City's Grant-In-Aid Policy
- (c) the amount of R250 000 be viremented from cost centre 18050001 (Social Development Facilitation), GL 413650 (Recreation, Sport, Tourism and Social Development Program) to GL 457100 (MFMA Section 67 Transfer Payments)
- (d) the Acting Director: Social Development ensures that funds allocated to The Interactive Science Foundation are utilized as set out in the report on the agenda.

ACTION : M MOHAMED

C 42/03/11

MFULENI EARLY CHILDHOOD DEVELOPMENT CENTRE (ECD)

Cllr D Ximbi, seconded by Cllr G Haskin, proposed that the matter be referred back to SCOPA for investigation and report back on the unauthorised and/or irregular expenditure, the condonation of such unauthorised expenditure and any other appropriate recommendations to Council.

Cllr Ximbi's proposal was put to the vote whereupon their voted:

In favour 11
Against 107
Abstentions 43

The proposal was therefore not carried.

Cllr X Sotashe, seconded by Cllr P Mngxunyeneni, proposed the following amendments to the recommendation.

1. *Recommendation (b) becomes recommendation (a), so that SASDI can get the R250 000 that was delayed for so long.*
2. *That the Speaker investigates why a report containing defamatory remarks about the Acting Director in Social Development department was allowed to be tabled in an open agenda in Council*
3. *All other recommendations in the report be held in abeyance, pending the finalisation of the forensic process*
4. *Council condones in the strongest terms action by the author of this regarding the disclosure of untested allegations in an open Mayco agenda."*

Cllr Sotashe's proposal was put to the vote whereupon their voted:

In favour 55
Against 103
Abstentions 5

The proposal was therefore not carried.

The recommendation as set out on the agenda was put to the vote, whereupon their voted :

In favour 104
Against 13
Abstentions 45

The recommendation was therefore carried.

RESOLVED that:

- (a) the original capital expenditure of R1 million be approved, funded by a revenue contribution from Council of R600 000 and a CGD of R400 000 in donor funding and that Council request

- the Southern Africa Development Initiative (SASDI) to provide details of such donations received in order for Council to formally acknowledge the gesture; and further, that confirmation of actual disbursements against these donations be requested from SASDI
- (b) the proposal for Phase II of the project in the estimated amount of R1 million be approved, to be funded by a revenue contribution of R250 000 from Council and R750 000 in donor funding
 - (c) formal details of proposed donor funding for Phase II be obtained from SASDI, confirming who the donors are and the nature of disbursements relevant to the Council's asset
 - (d) following acknowledgement and approval of the project by Council, the formal appointment of SASDI as the developer be processed through the SCMBAC and confirmed by the City Manager as a deviation appointment and requiring a condonation as the project has largely already been undertaken to a large extent
 - (e) the matter be referred to SCOPA for investigation and report back on the unauthorised and/or irregular expenditure, the condonation of such unauthorised expenditure and any other appropriate recommendations to Council.

ACTION : M RICHARDSON

C 43/03/11

CAPE TOWN STADIUM AND GREEN POINT PARK SHORT AND MEDIUM TERM BUSINESS PLAN FRAMEWORK**RESOLVED** that:

- (a) the Business Plan Framework for the Cape Town Stadium and Green Point Park, as set out in the report on the agenda, be approved
- (b) the timeframe of 3 years for the implementation of the Business Plan Framework, be supported
- (c) the Executive Director: Transport, Roads & Major Projects be tasked to activate the business plan framework activities
- (d) the Strategic HR Department, in conjunction with the Executive Director: Transport, Roads & Major Projects, or his nominee, be tasked to develop an appropriate staffing strategy taking the above timelines into consideration

- (e) the outcome of the business analyst's recommendations be presented to Council at a later date.

ACTION : L DE REUCK, M MARSDEN

C 44/03/11

RESOLUTIONS TAKEN BY THE EXECUTIVE MAYOR IN TERMS OF DELEGATED POWERS AND DECISIONS TAKEN TOGETHER WITH THE MEMBERS OF THE MAYORAL COMMITTEE : FEBRUARY TO MARCH 2011

RESOLVED that the resolutions taken by the Executive Mayor in terms of delegated powers and decisions taken together with the members of the Mayoral Committee, for the period February to March 2011, be noted.

FOR INFORMATION : R RAZACK, S ABEL

(The Speaker announced that the resolutions of the following In-Committee items reflected on the confidential agenda as Items CIC 05/03/11 and CIC 06/03/11, were to be moved to the open agenda.)

ADDITIONAL ITEMS AS MOVED FROM THE CONFIDENTIAL AGENDA TO THE OPEN MEETING:

C 45/03/11

FORESHORE DEVELOPMENT : PROPOSED EXPANSION OF THE CAPE TOWN INTERNATIONAL CONVENTION CENTRE AND UNLOCKING OF RELATED DEVELOPMENT OPPORTUNITIES

Ald K Bredenhand, seconded by Cllr N Gabriel, proposed the following amendment to the recommendation:

"b(x) the City commits itself, in the interest of more equitable upgrading across the City, to allocate a similar amount of funding (i.e R700 million) to the development of projects, which will contribute to the rapid transformation and upliftment of previously disadvantaged areas."

Ald Bredenhand's proposal was put to the vote, whereupon their voted:

In favour	51
Against	103
Abstentions	11

The proposal was therefore not carried.

The recommendation as set out on the agenda was put to the vote, whereupon their voted :

In favour	112
Against	45
Abstentions	8

The recommendation was therefore carried.

RESOLVED that:

- (a) the project to expand the Cape Town International Convention Centre (CTICC) be approved, such approval previously given in principle in resolution, vide item CIC 15/10/10
- (b) in approving the project, the necessary approval authority required for the following actions that need to be taken by the City in order to facilitate the expansion development opportunity, be provided:
 - (i) Property Management Department to purchase Erf 246, Roggebaai (as approved by CIC 15/10/10) from Naspers for an amount of R106 million (excluding VAT);
 - (ii) the Executive Mayor to sign a letter of commitment for the City to provide support to Naspers in order to assist Naspers in finding alternative land within the City boundaries for further development;
 - (iii) Property Management Department to negotiate the purchase or transfer of a portion of Erf 247, Roggebaai, valued at R13,9 million, such portion being the current servitude area and set-back line for building, subject to compliance with all legal, statutory and process requirements, as well as having City representatives being involved in all negotiations;
 - (iv) Property Management Department to consolidate all required erven owned by the City into a single erf, subject to all conditions of sale being met and all legal, statutory and process requirements being concluded to the satisfaction of the City;
 - (v) Property Management Department to negotiate the terms and conditions of any development agreements, other agreements, leases and servitudes related to this development on the consolidated land parcel or other areas affected, to either the CTICC and any other stakeholders, subject to the applicable policy requirements;

- (vi) Property Management Department to advertise or, through negotiated agreement(s), allow a third party or stakeholder to advertise the development rights or opportunities of any sublease option for any commercial developments on the land that will not detract from general conferencing and exhibition business;
 - (vii) Property Management Department, in conjunction with the Finance Directorate, harness any revenue streams from any ancillary commercial streams for use by the City with due regard to practical considerations, tax and financial impacts and subject to further negotiations;
 - (viii) commit to providing funding on the current and future City Capital Budgets to ensure that the land parcels described above can be purchased, such amount not exceeding R150 million;
 - (ix) commit to providing funding on the City's 2012/13 and 2013/14 Capital Budgets to assist the CTICC with development costs in return for additional shares in the CTICC, retaining the status of the CTICC as a municipal entity, such funding not to exceed R550 million.
- (c) further reports regarding the expansion, including reports on the development, lease and management arrangements as well as those required by statute, be submitted as further details of the project are made known.

ACTION : A HUMAN, L MULLER, M RICHARDSON

C 46/03/11

CONFERMENT OF CIVIC HONOURS

Cllr C Brynard recused herself from the discussion of this item.

Cllr P Arendse, seconded by Cllr G Haskin, proposed that Rev S Zevenster be given full Civic Honours in 2011 - SIGNING OF THE CIVIC HONOURS BOOK – by the Executive Mayor.

Cllr Arendse's proposal was put to the vote, whereupon their voted:

In favour	18
Against	98
Abstentions	45

The proposal was therefore not carried.

The recommendation as set out on the agenda was put to the vote, whereupon their voted :

In favour 153
Against 2
Abstentions 8

The recommendation was therefore carried.

RESOLVED that:

- (a) no person or military be awarded the Freedom of the City or the Freedom of Entry, but that the following Civic Honours be bestowed on the persons/organisations as indicated:

SIGNING OF THE CIVIC HONOURS BOOK

David Kramer
Adam Small
Phyllis Spira
Leonora van den Heever
Maria Burton
Patrick Henry Tebbutt
Franklin Sonn
George Ellis
Koos Bekker
Alvon Collison

- (b) the following nominees be referred to the relevant SUBCOUNCILS for recognition in terms of Section 5 of the Policy relating to the Conferment of Civic Honours:

Ann Barr
Leon Brynard
Fatiema Adonis
Hendrina Oliver
Soon Zevenster
Dawood Esack
Geraldeen Pekeur
Joan Swarts
Louisa Smith
Glenda Elizabeth Borraine
Warren Dawson
Eric Mawonga Lusaseni
Ronald Vincent Hendricks
Annalies van Rijswijk
AFM Church / Hazendal United AFC
Jimmy Booyesen

Clive Fox
Pat Debba
Brentt James Florence

Additional nominee to be considered by the relevant Subcouncil:

Mille Jacobs

- (c) the following nominations for Civic Honours NOT BE SUPPORTED:

The Dalai Lama
Renate and Julian Sleigh
Kate Suttleworth
Ismael Le Roux
Rudolph Fisch
Abdol Burns
Kobus Meiring
Donald Leslie Craythorne
David Welsh
Quinton Martins
Francis Wilson

- (d) it be noted that the following nominees were approved by the Executive Mayor for the **MAYOR'S MEDAL:**

FOR COMMUNITY AFFAIRS

Cape of Good Hope SPCA
Rotary Club of Claremont
Metro EMS and Rescue Services
National Sea Rescue Institute (NSRI)
Lions Club International

FOR SOCIAL AFFAIRS AND SERVICES

Dave Dewar
Solomon R. Benetar
Rape Crisis Cape Town Trust

FOR CULTURAL AFFAIRS

Prof. Jacquez de Villiers
Margaretha Stemmet
Donald Tshomela
Hotep Galetha
Tony Schilder

Ezra Ngcukana
Winston Mankunku
Marlene Le Roux
Barry Smith
Ambrose S. Peters
Peter Hart

FOR RECREATION AND SPORT

Ismail Teladia

FOR YOUTH AFFAIRS

Hugh Macey
Brent van Rensburg

- (e) a ceremony be held during a Special Council Meeting to award the Civic Honours recommended above, on a date to be announced by the Speaker.

ACTION : F MARX, T HOLLIS-TURNER, K MILLER, SUBCOUNCIL MANAGERS

At this stage, Cllr C Brynard re-joined the meeting.

THE MEETING ENDED AT 12:45.

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ALD J D SMIT
CHAIRPERSON

.....
DATE