
- MINUTE -

**OF THE MEETING OF SUBCOUNCIL 19 OF THE CITY OF CAPE TOWN HELD ON
MONDAY, 19 JUNE 2023 AT 10:00AM**

PRESENT:

Cllr Aimee Kühl	DA (Chairperson)
Cllr Mandy Marr	DA (Ward 45)
Cllr Simon Liell-Cock	DA (Ward 61)
Cllr Patricia Francke	DA (Ward 69)
Ald Felicity Purchase	DA (PR Councillor)
Cllr Penelope East	DA (PR Councillor)

OFFICIALS

Deon X Louw	Economic Development
Waldo Prinsloo	Traffic Services
Mashudu Phalanndwa	Environmental Management
Desiree Mentor	Subcouncil Manager
Athenkosi Tembani	Subcouncil 19
Donna Green-Thompson	Subcouncil 19
Emmarentia Jacobs	Subcouncil 19
Natasha Jacobs	Subcouncil 19
Raquel Harrison	Subcouncil 19

PUBLIC

Helen O'Regan	Fish Hoek Ratepayers & Residents Association
John Mendes	Ward committee member (Ward 61)
Terence Daniels	Ocean View Civic Association

ACRONYMS USED IN THE MINUTES

ALD	Alderman
CLLR	Councillor
DA	Democratic Alliance
IDP	Integrated Development Plan
CAPEX	Capital Expenditure
EPWP	Expanded Public Works Programme
MAYCO	Mayoral Committee Member
MURP	Mayor's Urban Regeneration Programme
OPEX	Operating Expenditure
PCER	Progressive Capital Expenditure Report

STANDARD BUSINESS

19SUB01/06/23 OPENING AND PRAYER / MOMENT OF SILENCE

The Chairperson, Cllr Aimee Kühl, welcomed all present.

Cllr Patricia Francke opened the meeting with a prayer.

NOTED.

19SUB02/06/23 APOLOGIES / LEAVE OF ABSENCE

The Subcouncil Manager informed that there were no apologies.

NOTED.

19SUB03/06/23 CONFIRMATION OF MINUTES OF ORDINARY MEETING:

RESOLVED that,

The Minute of the Subcouncil meeting held on the 15 May 2023 be **CONFIRMED.**

Proposed by Cllr Mandy Marr, seconded by Cllr Patricia Francke.

ACTION: SECRETARIAT

19SUB04/06/23 CHAIRPERSON'S REPORT

The Chairperson address the meeting as follows:

Good morning members of the public, colleagues and Subcouncil staff. Welcome to our monthly Subcouncil meeting.

Ward 45

- *On Friday 12th May 2023 we celebrated nurse's day and Councillor Marr was asked to speak at an event at the Seawinds Clinic. The event was attended by all the nurses and the admin and cleaning staff of the clinic.*
- *We greatly appreciate the services of the staff who assist our people.*

Ward 61

Dido Valley key handover:

- *On 17 May, the City handed over keys to residents of Red Hill who have been given the opportunity to move into their new homes in Dido Valley.*

- *This 30-year-old project has come a long way as then Ward Councillor for Ocean View, Alderman Nicki Holderness, started it – we thank her for initiating this project.*
- *The day was filled with much joy and laughter as residents received their keys and scrutinized their newly-built homes. This was a very heartwarming experience.*

Ward 64

- *Clovelly Dredging continues as does the Fish Hoek Dune Rehabilitation*
- *Unfortunately, loadshedding continues to severely impact on electricity infrastructure in SC19 – CoCT officials are well aware and are working endlessly to resolve all faults that our residents are experiencing. We are all in this together and need to brace ourselves that these issues will continue, especially in bad weather. Subcouncil 19 has had significant flooding. I thank my colleagues for tackling these issues hands on and pray that all our hard working officials stay safe out there.*

Ward 69

- *Cllr Francke joined SAPS and the Neighbourhood Watch coordinator with handing over new gear to the Masiphumelele Neighbourhood Watch. This team is working hard to ensure safety in their community.*
- *Solid Waste held a Waste Management Workshop at the Masiphumelele community hall where Councillor Francke took the opportunity of saying a few encouraging words to the elderly residents regarding the importance of handling waste.*
- *On 8 June, a public meeting was held at the Masiphumelele community hall regarding the Masiphumelele Trading Plan. A land use application for the Market has been submitted and therefore this open day allowed all stakeholders an opportunity to view the site development plan and to comment.*

*Finally, I want to remind everyone of the opportunity to qualify for **Indigent relief for residents***

Help is available and qualifying residents are urged to approach the City to make use of this financial support.

Thank you

*Cllr Aimee Kühl
Chairsperson: Subcouncil 19*

NOTED.

19SUB05/06/22 MATTERS RECEIVING ATTENTION (MRA)

The MRA's were discussed as follows:

1) ROYAL ROAD UPGRADE

Tony Vieira informed (via email) that the Royal Road Upgrade was part of the next batch of five congestion projects that are the highest priority. These five projects were programmed to be planned in 2026 but through the Strategic management framework process, the department managed to secure budget for next financial year to commence with the conceptual design for these five projects including Royal Road. The scope of works were being finalised to allocate the work to the term tender PSP so that the conceptual design could commence next financial year. During the conceptual design process, the department would engage with the ward councillor and the sub council to ensure that the understanding of the problem was correct.

Once the conceptual design and costing was complete, the department would motivate a budget to implement these five projects.

Cllr Aimee Kühl requested that the response be forwarded to Ald Qually for information.

RESOLVED that,

- a) The item remain be removed from the matters receiving schedule.

ACTION: SECRETARIAT

2) QUESTION FROM THE FLOOR: CITY RENTAL UNIT

Cllr Simon Liell-Cock had a meeting with the official from the Housing Department. However, he was not satisfied with the response.

RESOLVED that,

- a) A skype meeting be arranged with Nicolette Kock to discuss the way forward.
- b) The item remain on the matters receiving schedule until resolved.

ACTION: SECRETARIAT / DESIREE MENTOR

3) QUESTION FROM THE FLOOR: ITALY SPORTS FIELD

Cllr Aimee Kühl stated that the area was big enough for mixed use to include a portion for a school site. She requested a comment from the Housing Department.

RESOLVED that,

- a) A meeting be arranged with the Housing Department to discuss the future use of the Italy Sports Field.
- b) The item remains on the matters receiving schedule until resolved.

ACTION: SECRETARIAT / DESIREE MENTOR

4) QUESTION FROM THE FLOOR: TRAFFIC CIRCLE ON KOMMETJIE ROAD/SLANGKOP ROAD

Tim de Villiers informed (via email) that the City of Cape Town was compliant with the South African Road Traffic Signs Manuals (SARTSM). In accordance to SARTSM, an all-way stop control should only be considered, where:

- the traffic volumes on all approaches are equivalent (with an approximate 60/40 split),
- there is an Equivalence of Class/Environment of the intersecting roads, or
- the sight distances are significantly compromised at an intersection.

Any all-way stop implemented for reasons other than the above could result in driver frustration and disobedience, giving other road users a false sense of security.

The intersection in question does not meet the recommendations, and considering the fact that speeding was a problem on Kommetjie Road, and the lack of lighting with high trees, visibility was not great, which resulted in the following points of concern:

- The higher flow on Kommetjie Road, would result in disobedience of the STOP control, especially those that were already disobeying the rule of the road - there was a number of examples of this across the Metro;
- This presented a false sense of security to other motorists on the side approach and pedestrians trying to cross at the intersection;
- Visibility was poor
- An all way STOP may function on a temporary basis during construction, provided it be manned.
- There was the risk that the temporary measures may become permanent when the development was complete as developers *turn*

around and plead poverty due to overspending on their site. This was not a benefit to public road users.

- Budget must be secured from the start, with conditions.

Reconsider the conditions to implement traffic signals, as traffic roundabouts were significantly costly. Traffic signals cost significantly less at approximately R1m, where timing could be managed according to demand and provide a separate stage for pedestrians. A prime example could be seen at the Kommetjie Road/Milky Way/Imhoff intersection.

The future road widening plan for Kommetjie Road have traffic signal intersections, which would allow timing to be set for consistency of flow along the length of the road.

RESOLVED that,

- a) Brendon Fortuin to arrange a meeting with the ward councillor, Cllr Simon Liell-Cock and the developer to discuss the implementation of traffic signals, or a traffic circle at the Kommetjie Road/Slangkop Road intersection.
- b) The item be removed from the Matters Receiving Schedule.

ACTION: SECRETARIAT / BRENDON FORTUIN

**5) MOTION OF EXIGENCY: CLOSURE OF ST CATHERINE ROAD
LAVENDER HILL**

Cllr Mandy Marr stated that the applicant could not afford to pay the advertising fees for the closure of St Catherine Road and asked whether the fee could be waived.

Ald Felicity Purchase stated that Rachel Schnakenberg be requested to facilitate the advertising for the closure of road.

RESOLVED that,

- a) The Subcouncil Manager liaise with Rachel Schnackenberg and Jade Olivier to discuss the method for the applicant to pay for the advertising of the closure of St Catherine Road Lavender Hill.
- b) The item remains on the Matters Receiving Schedule until resolved.

ACTION: SECRETARIAT / DESIREE MENTOR

6) QUESTION FROM THE FLOOR: REGULATION SURROUNDING SEPTIC AND CONSERVANCY TANKS

Cllr Liell-Cock stated that conservancy tanks could only be approved if it was necessary, in the case where septic tanks could not be installed, for example if there was rock underground or in a wetland. He added that as from 1 July 2023, a tariff would be incurred for the septic tanks to be cleared. This would be a significant cost to the consumer, as the previous six free annual 'pumps' would no longer apply.

RESOLVED that,

- a) The MAYCO member, Cllr Zahid Badroodien be requested to issue a media statement to inform consumers of the tariff implementation.
- b) The Planning department, Water & Sanitation and City Health consider approving conservancy tanks when septic tanks could not be implemented, in the Noordhoek area.
- c) The item remain be removed from the Matters Receiving Schedule.

ACTION: SECRETARIAT / SUBCOUNCIL MANAGER

7) MOTION SUBMITTED BY CLLR PATRICIA FRANCKE: LOCAL AREA PLAN FOR NOORDHOEK

Kier Hennessey informed (via email) as follows:

1. The **Southern District Plan (2023)** includes sub-district development guidance for Noordhoek
 - a) It might be that this new 2023 district plan policy guidance for Noordhoek may be considered sufficient and that no overlay zone need be formulated.
 - b) Significant amendments to district plan development guidelines for Noordhoek were also included in view of recent amendments to the Municipal Planning Bylaw (MPBL) re- permitting second and third dwellings on residential erven etc. This relates directly to the dated and now inappropriate, in context MPBL, 'Local Area Minimum Subdivision' overlay zone for Noordhoek (& elsewhere) and its potential future withdrawal.
 - c) The City worked closely with representatives of the Noordhoek community in revising the Southern District plan for 2023, which resulted in substantial policy amendment (as referred to above). It is envisaged that the revised policy development guidance for Noordhoek will contribute significantly to reducing disagreement over proposed future developments in the area.

2. A **LSDF (Local area Spatial Development Framework)** for Noordhoek is another possibility which could be considered.
 - a) Under certain circumstances, the City does prioritise the formulation of a LSDF additional to existing approved policy. These are either where substantial urban growth opportunities exist and substantial development transformation should be enabled (e.g. new 'greenfields' development areas or targeted densification areas), or where highly problematic, challenging and complex development circumstances exist which need detailed development guidance. Noordhoek, however, is not considered either of these and is therefore not a City priority area for a future LSDF.
 - b) Provision has however been made for the opportunity for a LSDF in any local area. This is via the approved community-driven LSDF process. Pursuing this process includes a number of important requirements, chief of which is that the process through to formal approval of such LSDF must be overseen by the City, particularly in regard to public participation and process. This process does therefore have significant capacity implications for the City and therefore requires careful evaluation of community-driven LSDF commitments.

3. With regard to the above, the City's proposed way forward is that the newly approved applicable development policy guidance is considered for now as sufficient to guide assessment of future development applications, but that this is reviewed in time as to whether additional more-detailed planning assessment mechanism, such as a new local area overlay zone, is deemed necessary in future.
 - a) Importantly, this does not negate the opportunity for the local community to in the meantime consider what an additional planning mechanism might comprise, be it the content for an overlay zone or an LSDF, that is not already applicable and that is in alignment with applicable policy or the MPBL provisions.

RESOLVED that,

- a) The response from Kier Hennessy be **NOTED**.
- b) The Subcouncil Manager request the initiation of an overlay zone.
- c) Kier Hennessy be requested to meet with the Noordhoek Ratepayers Association.

ACTION: SECRETARIAT / SUBCOUNCIL MANAGER

MONTHLY/ QUARTERLY REPORTS, EXCLUDING FINANCIAL REPORTS

19SUB06/06/23 REPORT ON ACTIVITIES FOR TRAFFIC SERVICES WEST 3 FOR THE MONTH OF JAN, FEB AND MAR 2023: SUBOUNCIL 19

Principal Inspector Waldo Prinsloo was present for this item.

Councillors thanked the Traffic officials for their ongoing enforcement and visibility within the Subcouncil area.

RESOLVED that,

- a) The contents of the Traffic Services Report for the months of January, February and March 2023 be **NOTED** with appreciation.

ACTION: SECRETARIAT / MARK HARDING

19SUB07/06/23 QUARTERLY REPORT: FIRE SERVICES - JANUARY TO MARCH 2023

Alderman Felicity Purchase expressed her appreciation to the Fire Services for clearing overgrown plots.

RESOLVED that,

- a) The contents of the Fire Services Quarterly Report for the period 1 January 2023 to 31 March 2023 be **NOTED**.

ACTION: SECRETARIAT / WAYNE OKKERS

FINANCIAL REPORTS AND IDP

19SUB08/06/23 PROGRESSIVE CAPITAL EXPENDITURE REPORT (PCER): MAY 2023

The Subcouncil Manager informed that she received an updated expenditure report reflecting a 95% spend on ward allocations earlier that day.

Alderman Felicity Purchase requested a comprehensive report from the Electricity, Parks and Roads Departments on their planned operating and capital maintenance projects for the next financial year. She added that councillors were not aware when maintenance was taking place in the Subcouncil area.

RESOLVED that,

- a) The contents of the Progressive Capital Expenditure Report (PCER): for May 2023 be **NOTED**.
- b) The line departments be invited to the Activity Day to discuss capital and maintenance projects for the 2023/24 financial year.

ACTION: SECRETARIAT / KAREN FOURIE

19SUB09/06/23 GRANT-IN-AID MONTHLY REPORT BACK: LIVING HOPE TRUST (MAY 2023)

RESOLVED that,

- a) The Living Hope Trust monthly report for May 2023 be **NOTED**.

ACTION: SECRETARIAT / DESIREE MENTOR

PROPERTY MATTERS

19SUB10/06/23 PROPOSED LEASE OF CITY LAND, BEING PORTION OF ERF 85352 CAPE TOWN, SITUATED AT PROMENADE ROAD, MUIZENBERG: SOUTH AFRICAN SEA CADETS

Cllr Kühl stated that this organisation was of great value as they help youth at risk.

RECOMMENDED that,

the lease of portion of City land, being a portion of erf 85352 Cape Town situated at Promenade Road, Muizenberg, shown lettered ABCDEFGHJKL on the attached plan LT1315v1 marked annexure A, in extent approximately 5320 m², to South African Sea Cadets or their successors in title, be **APPROVED** subject to inter alia the following conditions:

- a) A tariff rental of R 1, 039.13 per annum excluding VAT calculated at the rate applicable at the time of transaction be payable. Rates not applicable;
- b) The lease will endure for a period of ten years with an option to renew for a further ten (10) years, subject any time to TWO MONTHS notice of termination;
- b) The rental will be adjusted annually in terms of the rental tariff structure as approved by Council;
- c) The property be used for sporting purposes only;
- d) Subject to such further conditions to be imposed by the Director: Property Management in terms of her delegated authority;

- e) Subject to compliance with any other statutory requirements; g) No compensation will be payable for any improvement made to the property;
- f) h) No electricity services are known to exist within the vicinity, any alterations or deviations to electricity services necessary as a consequence of the proposal, or requested for by the applicant will be carried at the applicant's cost;
- g) No Telkom services are known to exist within the lease area but it is the responsibility of the applicant to notify Telkom immediately should the applicant locate any Telkom plant which might not be indicated on the plan;
- h) j) Telkom requires access to carry out maintenance or upgrade existing plants at all times;
- i) k) Adherence to the requirements of the City of Cape Town's water by-law

ACTION: SECRETARIAT / LEE DICKINSON

19SUB11/06/23 PROPOSED LEASE OF PORTION OF CITY LAND, PORTION OF ERF 3679 GLEN BEACH WAY, SIMONS TOWN FOR GARDENING AND SECURITY PURPOSES: GEORGE ENGLE

RESOLVED that this item be **DEFERRED** to the next meeting.

ACTION: SECRETARIAT / LEE DICKINSON

BUSINESS LICENCING

19SUB12/06/23 INITIATION OF THE REVIEW OF THE INFORMAL TRADING PLAN FOR SIMON'S TOWN

RESOLVED that,

- a) the review of the informal trading plan for Simon's Town be **SUPPORTED**.

ACTION: SECRETARIAT / SADIA NANABHAY

PUBLIC PARTICIPATION

19SUB13/06/23 DRAFT ENERGY STRATEGY FOR THE CITY OF CAPE TOWN FOR PUBLIC COMMENT

RESOLVED that,

- a) The draft Energy Strategy for comment during the public participation period be **NOTED**.
- b) The Sub-council submit its comment on the draft Energy Strategy before the closing date 31 July 2023.
- c) The information related to the public participation period for the Energy Strategy be shared on social platforms.

ACTION: SECRETARIAT / KATHERINE HYMAN

19SUB14/06/23 THE DRAFT DATA STRATEGY AND PUBLIC PARTICIPATION PLAN

RESOLVED that,

- a) The Public Participation Plan for the draft Data Strategy be **NOTED**.
- b) The Subcouncil submit its comments on the draft Data Strategy before the closing date on 15 July 2023.

ACTION: SECRETARIAT / KATHERINE HYMAN

19SUB15/06/23 PUBLIC PARTICIPATION ON THE CITY OF CAPE TOWN DRAFT FILM BY-LAW, 2023

RESOLVED that,

- a) The Subcouncil submit its comments on the City Of Cape Town Draft Film By-Law, 2023 before the closing date.

ACTION: SECRETARIAT / TERENCE ISAACS

LATE ITEMS

19SUB16/06/23 MAYORAL URBAN REGENERATION PROGRAMME (MURP) PROGRESS REPORT

Alderman Felicity Purchase asked the Subcouncil Manager to enquire about the Community Action Plan (CAP) for Ward 45.

RESOLVED that,

- a) The contents of the Mayoral Urban Regeneration Programme (MURP) Progress Report be **NOTED**.
- b) The Community Action Plan (CAP) Report be submitted to the Subcouncil with progress on other issues.
- c) A Community Action Plan (CAP) for Ward 45 be drafted.

ACTION: SECRETARIAT / IVAN ANTHONY

19SUB17/06/23 PRESENTATION: POLYPHAGOUS SHOT HOLE BORER (PSHB) BEETLE INFESTATION

Mashudu Phalanndwa was present for this item. He delivered an overhead presentation of the threat posed by the PSHB beetle to the urban forests in the City. (A copy of the presentation is attached as Annexure 'A').

Mr Phalanndwa explained how the PSHB beetle infestation was first discovered in Somerset West in March 2019. The beetle has now spread to the southern suburbs of Cape Town. This pest poses a serious threat to our urban forests as infested trees need to be chipped when they become diseased and pose a danger to people and property.

He informed that planting an indigenous tree or non-invasive exotic tree, suitable to our climate and the specific site, would assist in mitigating the impact of the beetle on Cape Town's urban forest. There was currently no chemical treatment for the beetle and fungi. He added that researchers were looking at the biological control to find the natural enemies of the beetle.

DISCUSSION:

Cllr Penny East asked whether the concern was communicated to landscapers and garden services.

Mr Phalanndwa responded as follows:

- The department was in constant contact with them. He added that to date close to 400 people (i.e. landscapers, contractors, horticulturists and tree fellers) were informed.
- The department would be intensifying the campaign to reach the public through newspapers and outreach programmes.

Cllr Patricia Francke asked whether the selling of firewood was a concern.

Mr Phalanndwa responded that selling of firewood was the biggest risk. Once the infested tree was cut, the beetle would still be able to live for up to one year in the dead wood. He added that that was how the beetles were 'transported' to South Africa; through wooden pallets. He advised the public not to purchase firewood outside of the area where they reside.

Cllr Aimee Kühl asked whether he would be able to engage with the iNaturalist App developers to ascertain how many people were uploading pictures of the infested trees /wood. She stated that press releases were needed in local newspapers and radio advertisements to reach the informal working population.

Mr Phalanndwa responded that the department does have access to the iNaturalist App to monitor and download reports. Once the siting reports were downloaded, they were compared to which trees were 'attacked'.

When **Cllr Kühl** asked whether the iNaturalist App could be used for education, Mr Phalanndwa responded that the idea could be investigated.

Alderman Felicity Purchase raised a concern and enquired whether carpenters that dealt with different types of wood at sawmills were educated about the infestations as the wood may be affected.

Cllr Simon Liell-Cock expressed concern that 40% of trees in the City would be destroyed due to infestation. Mr Phalanndwa responded that those were projections based on a study undertaken on a beetle, not necessarily PSHB. The department was able to observe the behaviour and rate of spread in Cape Town compared to other parts of the province. The infestation could therefore be contained in the Somerset West area.

Cllr Kühl asked the following questions:

- whether there was a complimentary programme to grow indigenous trees;
- Was there any data indicating that it was more difficult to infest certain indigenous trees?

Mr Phalanndwa responded that they were working closely with Recreation & Parks and Solid Waste. Recreation & Parks were currently busy with a tree replacement strategy, to plant as many trees as possible to compensate for the trees that have been destroyed.

Cllr Kühl asked for a list of indigenous trees (with the common names) that could be replanted.

RESOLVED that,

- a) The presentation of the Polyphagous Shot Hole Borer (PSHB) Beetle Infestation be **NOTED**.
- b) The list of the affected indigenous trees (with the common names) be submitted to the Subcouncil.

ACTION: SECRETARIAT / MASHUDU PHALANNDWA

CLOSING ITEMS

19SUB18/06/23 NEXT MEETING DATE

The Subcouncil Manager informed that the next meeting would be held on Monday, 14 August 2023.

19SUB19/06/23 MEETING CLOSING

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

The meeting ended at 11:10.

CHAIRPERSON

DATE