



OBSERVATORY  
Civic & Business  
Association

## OCA TOWN HALL TALK 10 APRIL 2018 HARTLEYVALE & MALTA PARK

**OCA MAN COMM IN ATTENDANCE:** Tauriq Jenkins (Chair Person), Gwen Dereymaeker (Vice Chair), Sarah Driver-Jowitt (Secretary), Carolyn Neville, Tracy Hyde, Olivia Andrews, De Vos Rabie, Leslie London, Dale Forbes, Mark Turok, Murray Hunter

**PUBLIC IN ATTENDANCE:** (To be confirmed from the registers) Approximately 60 residents based on photographs.

### OPEN AND WELCOME

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Opened at 18:42

This is the first time in a while that we have held a Town Hall Talk and we will talk about issues about the Hartleyvale & Malta Park Lease. We were hoping for attendance from the City of Cape Town and from FC Cape Town. We are also expecting Zaid Omar from FC Kaapstad.

### SUMMARY:

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In December last year, Malta Park which was a multi-purpose facility for over 50 years was, without notice to the community of Observatory, OCA or the OBSID enclosed behind a steel fence. This resulted in animosity from families, communities and those who used the park. It became a gated area. Issues claimed were illegal occupancy, crime and irresponsible dog walkers. Around the same time there was a leasing agreement with the Cape Town Football Club. Questions were raised at a sub council meeting and a question was asked why after 30-40 years was there a sudden need for the iron fence. It seems that there is some connection between the lease to Cape Town City FC and the fencing of Malta Park. At the time, JP Smit said that one of the reasons was that Malta Park might be identified as a Water Site as part of the water disaster management plans.

Malta Park and Hartleyvale fall under the Two Rivers Urban Park Association zonal plan and there was no consultation with the Two Rivers Urban Park Committee with regards to a stadium or development.

Following reports in the press and further investigation, there are clear plans for a 10,000 seater stadium. It seems that the formality of the stadium has reached such a stage that there has been an identified vision with the other sports teams and yet there has been no consultation with the community and there is a territorialisation of the two sports clubs. (FCK & FCCT)

The purpose of this meeting is to get a clearer understanding of the facts and for Observatory to be allowed an opportunity to comment on how families feel about the situation and how to take it forward in the best way.

Mark Turok was asked to present the Two Rivers Urban Park Association and the role of the TRUP in this.

### TWO RIVERS URBAN PARK AND THE ROLE OF THE TRUPA

Mark Turok, resident, Heritage and Deputy Chair of TRUPA

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260 years ago the first farms were established on the Liesbeek Parkway. IN 2003 an association was formed after consultation with the community to look after the interests of the park including Malta Park, Hartleyvale and extending into Ode Molen (including into Ndabeni at the insistence of the City, although this is an industrial area) and there have been discussions to develop this area as there has been neglect and there is indeed a recognised need for development in the city. There is support for development around the park to support and complement the area. In the OCA Constitution extends into this area as far as Alexandra Road. There have been proposals to develop this area and there are Heritage and Environmental Assessments needed prior to major developments in an area of this nature. The City has, however, appointed a team which has been involved in designing a development for this area along this space. We do not know what this development is, but there is potential for development in this green belt, the green space and park. The proposal that has been supported has included some consultative development.

There is a 2 year Heritage Western Cape Protection of the area which includes this area so we are saying that we need a proper process of this application.

We know the history of this proposal including an attempt prior to 2010 which was objected to by residents in an open meeting from Observatory Residents.

We do not want to be against development, but we want to support development that supports the area. The proposed lease has followed no consultation process with the TRUPA.

### **THE LEASE RENEWAL PROCESS AND WHO THIS AFFECTS**

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The Clubs affected included a wide range of different clubs all of which have had a lease agreement with the City for many years - none of which were aware of the discussions between the Cape Town FC and the City of Cape Town. You will see this discussed in the sub-council meeting minutes.

### **RENTAL RATE CONCERNS**

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Rental has been agreed at R8,500 per month on an area of 37,000m<sup>2</sup> (120x220m<sup>2</sup>) and this has become a point of reference by the other sports teams. The lease conditions include that It will be for sporting and training purposes only. However, in the newspapers and in discussions there is a definite plan for a commercial 10,000 seater stadium.

### **HISTORY**

Henk Stutterheim HWC Sub Group, Architect, Heritage and Environment

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In 2003, John Cometis approached Observatory in a Town Hall similar to this with a proposal for a stadium. There were many objections and the plan was stopped as Observatory decided that this was not in the interest of Observatory at the time.

Architect and Heritage Committee has not yet seen a formulated plan and I cannot therefore give a formal response. The Liesbeek River is a phenomenal part of the history of Cape Town. It is the site of the First People of Cape Town, The site of the First Farms, The First Carriage Way, The route of the first Railway Line and an edge of the physical manifestations of human development of the city and the mountain. Here, along the river, it is the Edge of Observatory and on there is this strip of space from Nelson Road which has become the site of a number of sporting facilities. Right in the middle of this an entity is planning on putting a large site that will give Jon Cometis something that fulfils his requirements and indeed possibly the city – but what does it do for us, the community and for the special sporting codes and the established sports clubs, as the proposed requirements are very different to what we already have. We need to look at this from a social and a heritage point of view. We need to look at current spacial utilisation, what we deal with every day. Ever since the establishment of the City ( Green Point) Stadium, the City has not known what to do with it. The reason for this is that the Cape Town Stadium was designed and approved conditionally without commercial activities and that is NOT what is being proposed here. What is being proposed is that the site will ALSO have commercial activities that will support the stadium financially, which will have

impact on us ( community and existing sports clubs) not only during games, but during the week, and during the times between the games.

Observatory currently have existing different zones for residential and business. However, even where people operate within their zoning rights, There is always conflict between different users in Observatory – between business and between residents. What are the residents down in Hartleyvale going to experience, not only on game days, but with the traffic and the other infringements of their experience as residents? The proposal includes not just sporting practice activity, but also commercial activity. We need to assess whether it is appropriate and consider the disturbance caused by increased traffic and coaches, the increased transport requirements on buses and trains. We need to ask what do we stand to lose in a residential neighbourhood and protected Heritage and Environmental area.

The diminishing of the rights and the experience and some of us are going to suffer as a result of other people rights being given away to empower other's rights to undertake trade by an outside business.

**TAURIQ:** At the meeting on 20 November 2017, Paddy Chappel was quoted in relation to the use of the sports activities currently in place and was NOT in support of the extension of a lease. Amongst other points made by Chappel, he expressed concern that no leases were in place for the existing users of the field. However, FC Kaapstad brokered an agreement in 2010 to move to Observatory as a result of the development of the City Stadium. They have regularly asked for a longer term lease on a year by year basis, but been ignored/ denied. Now suddenly Cape Town FC is granted a lease idespite these constant requests.

For 100 Years Malta Park has one of the oldest cricket history in the country. It is the site of the first cricket club and the post WW1 Veteran Soccer Club. In the early 90's, it was bulldozed and the club was moved to Maitland.

The City is conflating its own development policies and entering into arrangement with a private club for a 10,000 seater stadium while it is within the already existing TRUP plan. It is also the site of the first Water Pod, a site for water crisis disaster management and recent disaster management tests took place on the site. There are three very vital activities already existing at the site, Yet these developments are in conflict. The City needs to delineate its objectives and we (the OCA and existing users) would like to have input into the use and activities at the site.

## **REPORT ON OCA MEETING WITH FC CAPE TOWN**

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**DALE:** Art, Culture and Sport Sub Comitee Chair

We met with John Cometis. The key feature is:

- the building of a 10,000 seater stadium as a focal point
- the old Malta Park A & B as their training fields
- The fields behind this are going to be developed into an artificial pitch for bad weather days. (However, this is contrary to PSL rules as all training must occur on the same pitch surface as matches)

They do not believe they are going to generate enough money through three major fixtures a year – Soweto/ Orlando Pirates, Keiser Chiefs and Mamelodi Sundowns which they anticipate to generally sell out, and the other ( approximately 15) games will sell between 2,000-3,000 seats.

**Underneath the stadium they are looking for an anchor tenants in the form of commercial ventures and are look for a commercial chain, and a beer tent which will run through match days and a fast food outlet and other smaller coffee shops to generate ongoing revenue.**

Their plan is obviously to grow their fan base they have between 300 and 500 supporters and hope to bring additional supporters to the club by having a permanent base.

Support offered for the other Sports Currently in Place:

- FC Kaapstadt Plans – they will look to build a number of 5 a side fields to the far side of current site. ( Not specified: the circus site/ bowling club grounds?)
- Reduce the size of the circus tent and to move the cricket team the far side of Malta Park (the other side of the railway bridge near to Black River Park).

As they have only secured a 3 year lease agreement and they expect to invest 200 million rand, they are looking to extend the lease to 10 years.

They intend to commence work before the end of this year 2018, complete construction in 18 months and to have the entire facility available for the opening by mid 2020.

## QUESTIONS FROM THE FLOOR

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(Audience comments indicated as <>)

**Jeanine:** In my experience as a soccer fan, my opinion is that there is no need for 10k seater stadium here. Most matches I attend, besides the big ones, have 500-800 pax attendance. From what I have heard tonight, it sounds like a done deal, and why are we here if this is a done deal?

**Tauriq:** With reference to the Ward council minutes: It is official that the city has not received plans but there are in discussions – it is definitely not a “done deal”. No plans have apparently been received or endorsed.

**Ayesha:** We talk about a 10,000 seater stadium who is going to be paying? And why move the circus.

**Tauriq:** Cape Town FC will pay for the stadium and that is a problem because they will then be dictating the terms and have not played open cards with the community.

**Johan Borain:** They are already raising the turf, have they already started digging? <“yes, yes” from the floor> and they are building on a flood plain. Has this been considered in an impact assessment? <not that has been seen>.

**UNKNOWN LADY:** These facilities are being grossly underused and neglected for many years and this is something that we should welcome. We should separate out the process vs the sports deal. We should issue a resolution that this must halt and that we object in the harshest possible terms to the process. However, in principle we do (should) not object to the development, we should approve improvement and development, but look rather at an alternative model, or something in between.

We must ask some harsh questions: if you are investing 200 million rand why are you only paying so little in rent?

- Procedural questions need to be asked: Consultation and informed consent which is procedural and raises red flags around corruption.
- Substantive Questions: about the business plan need to be raised.

**Catherine:** Has a traffic impact assessment been submitted, or traffic mitigation plans considered? Anyone that drives in the area knows that the Station road bridge and Liesbeeck Parkway Bridge to the N2 comes to a standstill at least twice a day, and more on soccer or hockey match days. Even with the small attendance of the Hartleyvale Hockey matches, the Liesbeeck Parkway is reduced to a crawl as the bulk of the parking is across the road. Likewise, Willow Road become single traffic on FCK match days. Most days it can take an hour to get from lower Collingwood to Liesbeeck Parkway.

**Tauriq:** We are not against development; we are against certain types of development. We would support the refurbishment of the site. There are a number of factors involved as this is a heritage area.

**Henrik:** In response to points raised earlier that we need an appropriate attitude to development. This would require that we would need to have a plan that we develop in conjunction with the

community. The City is being opportunistic to take this money by saying this way we get a stadium for free but they are giving the power away under FCCT terms. And they are giving away our fields and our park. **<Loud Applause from the floor>**

**Sheila:** I have lived in Observatory since 1979 and there have been many attempts to use the park for community activities. I remember when there have been attempts in the past by Community based. I endorse the traffic concerns, I live in Arnold Street and I have to have at 06:50 in the morning to get to the freeway and the traffic is hell. I think we should do something as a community and I suggest that we chain ourselves to the fences. I am concerned that we are letting in capitalists **<yes, yes from the floor>** and I believe that we should have some form of protest and I hope that this will kick start some sort of protest.

**Peter:** I am picking up little bits and obviously traffic and the ecological impact, but I am also looking at the 3D impact of developing underground on what is essentially a flood plain. Where is the environmental and engineering impact assessment? There are so many things that are being skilled over on what a commercial development with no community input is. We are talking a single business development who seems to be pushing a model for a single benefactor.

**Claus:** I have been living here since 2010 I have been running a lot in Malta Park and I do not have the impression that Malta Park is underutilised. It is used every day for private, non-commercial activities by the communities. We are privatising public open space. Everyone knows what happens when we privatise public space. If we give away our breathing space. Where the students play – and this must be effectively a rezoning without consultation, which is illegal.

**Colleen:** In terms of light pollution, noise pollution and what are the parameters? Residents already suffer light pollution from the existing lights which will undoubtedly increase.

**Margot From Salt River:** Before they fenced off the parks, a lot of us (from Salt River) used to use that as an exercise area. This might sound strange coming from me as a Muslim woman, but has anyone thought about the impact of the beer facility on the businesses in the area. Maybe we should also get the local pubs to object to the development.

**Leslie:** Please note that the rental is less than the City is charging the OCA to run the parking lot behind the Spar. On the Beer garden – there is a very strong public health rationale that sports should not be linked or sponsored by alcohol. **<Referenced the draft Liquor Amendment Bill to ban alcohol advertisement and sponsorship of sport, recognising that it sends the wrong message.>**

#### **PRESENTATION BY ZAID OMAR – THE OWNER OF FC KAAPSTAD and Sports Journalist**

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This is not going to take 5 minutes. It is important to understand that the issues are complex.

One has to recognise the entities involved and the people who own them. John Cometis is a Businessman. One of his businesses is a property development. HE is also in partnership with the owners of the River Club development (incl. Investec, Biscuit Mill owners and others) which has a 5 Billion Rand Development across the road from the proposed stadium development. We all know that across the world there are only 5% of stadiums that are commercially viable. I have seen the development proposal through contacts at the City of Cape Town: There are office block portions, hotel portions for visiting teams and so on. As FC Kaapstadt, we objected to the lease. Before the lease was advertised in January, the lease was suddenly adjusted for less turf and for less land. The application was adjusted from the original, as advertised in 2017, to be initially smaller to allow for a foot in the door.

To the lady who says that the land is under used does not have her facts right and I am disappointed that the other sports teams are not here. Why are they not here and why is the City of Cape Town not here?

When we came in 2002 we did not have a facility. There were none. We then rented the Greenpoint Stadium and then In 2004 the City of Cape Town then approached us and offered us the old Sea Point

High facilities. We accepted it and spent up to the tune of a million rand we were evicted as we are developing the urban park. We said that we were not moving without being involved in the Greenpoint Urban Park. The City then identified Hartleyvale B. We are also from this area; because our roots were in Hartleyvale, we then said that we wanted to move to Hartleyvale A & B Fields on a long-term lease, but this lease has not been forthcoming. We would not have not moved with a huge amount of risk. We asked the City if there was another club that had a claim. Since 2009 we have used Hartleyvale A & B field every single day. The City of Cape Town is now saying that our use is not enough. Over the last 12 months we have reduced our use as requested by the City due to the water shortage to preserve the pitch.

We have 13 teams, of which 11 are youth teams, many teams who train 3 times a week.

We have wanted the old stadium, but despite requesting we have not been able to secure a long term lease. The stadium could have been upgraded a long time ago if we had long term lease; we had sponsors and investors and quotes to upgrade the building and roof, but without the lease we could not mitigate the risk.

There is a lot more that I can say but the City of Cape Town has met with the City of Cape Town FC and has been planning this since meetings for over a year and it is very difficult when we are being told that political figures (incl WESGRO, Musi Maimane) have endorsed this project and there is nothing that we can do.

**<Loud Applause from the floor>**

**Tauriq** – we thank you very much for coming here and we understand that you are embroiled in legal issues.

#### **OPEN FOR MORE COMMUNITY COMMENTS**

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**Steven VD Spuy**– I want to say those who are in favour of the stadium must bear in mind that there are negative consequences – what about vuvuzelas? You will get intoxicated idiots also. How are residents going to sleep? It will be the same that happened at Newlands: the residents could not sleep at night. This took place outside the stadium and the club did not take responsibility for this. This will not be just 3 times a year. This is a professional soccer league: there will be more than 15 games on any day of the week, any time of day or night. Those who are in favour of the stadium must bear in mind. We do not need upliftment in this area – the Government says we must develop poor areas: if you need to uplift areas, take the development to those communities who need more development.

**Katrin** – if no-one has seen plans. 200 million in terms of stadium development plans does not actually seem like that much money. What are the plans?

**Zaid:** the 2003 plans have been redesigned and submitted to the City for preliminary comment and thereafter to resubmit for approval.

**Katrin:** the reason the fencing originally was fenced off was because of the cricket teams?

**Zaid:** We were about to enter the high court and the City offered us a portion of the Circus land and then they offered us the bowling greens and then they offered Malta Park C&D... They were trying to shuffle us around, all trying to accommodate Cape Town City FC.

**Katrin:** The football is in the foreground, but the reality is that this is just business development.

**( from the floor mutters of GENTRIFICATION)**

**Mark:** This is part of the TRUP and with the same people involved

**Mark 2:** Hearing all this stuff as a resident what can I do and is there a list of things and what is the process – can I write to people.

**Zaid:** We as a club of 300 members are applying to demonstrate a peaceful demonstration and we would like you to join us.

**Tauriq:** This meeting was to gain confirmation of the resident's opinions and clarity of your opinion going forward.

**Katrin:** Can we not join a sub-committee.

**Tracy:** I fully support a sub-committee because the 3 groups ( Large development, Architecture & Heritage and Arts, Culture & Sport) are so busy and we cannot manage it. I would be in favour

**Mary:** I live in Polo Road – everything that you described (Zaid) far exceeds the proposal and it seems that the only reason for the lease is a pretext for development of the business rather than for the community. The stadium is a pretext for commercial rezoning. ( **yes yes from the floor**)

**Murry:** Question for Zaid recognising that R8,500 is less than people pay to rent a room in this area.

- It would be good to know how much FC Kaapstadt pays on a monthly basis.
- We would like to know about the public demonstration and how to get involved.
- We like to circulate a petition.

**Zaid:** Date – we have applied for a permit for peak hour time and we are waiting on confirmation. It has been 2 weeks already. Rates \_ other football clubs pay in the region of 1000 per month. We are currently paying on match by match basis and we are also limited by the costs of the floodlight usage. Initially promised a lease of R2000/ month but now forced into R3/400/ month, more with winter evenings and matches using the lights.

You must also consider that they are 2 teams of 50/60/70 players, and FCK (has been offered 3 smaller fields and): we are 13 teams and we are 250 players.

**Leslie:** I support the need to protest. Sport is a public benefit, why do we need a business model. It is a state responsibility to provide fields for young people and The City should be supplying sports facilities as part of mandate; not privatising urban green space.

**Gwen:** A light has finally gone off for me. This is not about a soccer stadium, this is about a shopping mall. Essentially they are needing to claim a 10,000 seater stadium so that they can have this full ground area so that they have enough floor space for the mall that they want to have. And when they have it, and it is rezoned, then they will be able to do what they want. . **<Loud Applause from the floor>**

**Mark:** This is a diversion for the development of the River Club. . **<Loud Applause from the floor>**

**ZAID:**

**PROPOSAL 1:** We object to any lease from the FC Kaapstadt and halt the current processes underway. . **<Loud Applause from the floor>**

**PROPOSAL 2 (to follow Proposal 1):** OVA request the City give land control to OCA/TRUPA as recognised as having the constitutional historic and legitimate rights in the best interests of the community. The City must recognise the existing lease.

The City of Cape Town Sports Policy Framework has to accommodate the support of youth and amateur clubs but not professional clubs – this development flies in the face of this policy framework.

**Cat:** Firstly, Has anyone done an assessment of what this will do to property value in the area? Secondly, Zaid is there a way to get a copy of the letters that you have sent as well as the press releases ?

**Zaid:** All of these letters have been acknowledged and there is a Sub Council 16 Report

Even before this – the process was not followed because the current users of the land were not consulted in the process.

**Cat:** OCA, TRUP, FCK etc : can we not outbid and pay (say) 12,000 a month.

**Zaid:** We used the old stadium until 3 years ago ( when it was declared unsafe because of the roof) and wanted to upgrade the stadium, but the City did not want to upgrade the building, or allow us to upgrade the building.

**Mark 3:** A lot has been said can we not have a summary statement so we are all on the same page.

## **PROPOSAL OF ACTION**

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**Step 1:** Halt the existing lease agreement of Hartleyvale A & Malta Park B, and to set this aside. This will be a legal process. We will look to see how we can support the FC Kaapstadt. We will also note that there has been no community participation. . **<Loud Applause from the floor>**

**Step 2:** We need to develop an appropriate community response to our objections to this development. There have been many things that have been raised ranging from Light, environmental impact, traffic and parking, fencing of public spaces, the beer garden and its effect, noise levels in and outside game times. There has been protest action proposed and other ideas that we can do. The suggestion is a special task teams to work with the 3 existing subcommittees.

## **FURTHER PUBLIC COMMENT**

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**Andrea:** Woodstock Resident Association. It is quite important to find a way to find an alternative. It is important to start to build what we want and it is important to be part of a dream.

**Mark TRUPA:** we have been working on a dream. There are ideas that need development.

**Howard:** what is our power? This is also a political issue. We should consider local upcoming government elections: Where is our Councillor? Where is he when we are surrounded on all sides by developers?

**Katrin:** This task is very important. The task group needs to pull together what has happened and to utilise Social Media to raise awareness. ( Strategy of task team should include social media and legal consultants)

**Tamsin:** We need a strategy and I will join the task team.

**Mark:** We need to get our concerns out to the entire Cape Town as well as Observatory as this is a developer ignoring the desires or interests of residents.

## **DATE: OF NEXT FEEDBACK MEETING:**

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OCA Meeting - Last Tuesday of the Month

## **CLOSURE:**

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Thank you very much for being here. We wanted to start a process whereby we sought the opinion of residents and to action objection as soon as possible. We take as a mandate that this is something to expedite and take forward.