



OBSERVATORY
Civic Association

MANCOMM MEETING			
Meeting Date	26 February 2019	Time	18:15 – 20:45
Minutes By	Dale Forbes	Chairperson	Sheila Barsel
Present	Sheila Barsel, Dale Forbes, Joy Robertson, Janet Cronje, Marc Turok, Tracy Hyde, Leslie London, Edwin Angless, DeVos Rabie, Tauriq Jenkins, Eden Musampa		
Apologies	Stephan Frantisek		
Additional residents	Carolyn Neville		
Topic			Responsible Person
<p>1. Welcome</p> <p>The deputy chairperson opened the meeting at 6.15 pm.</p> <p>2. Corrections to January minutes:</p> <p>Register</p> <p style="padding-left: 20px;">Spelling: Farzaneh Behroozi</p> <p style="text-align: center;">3.1 Hartleyvale/Malta Park</p> <p>– The meeting felt that the motions were premature given that there were tasks we agreed to undertake at the Special Mancomm in December. Before we consider the motions, we need to get Geoff Budlender’s opinion on our prospects for success. Once we have that as well as a detailed estimate of potential costs, we will submit a report/presentation to a Special General Meeting, which will decide whether we proceed with legal action.</p> <p>5.4 Circus</p> <p>In response to email from Janet, Paddy indicated that the Circus tenants will receive notice of eviction on 22 January and then will be evicted by 22 February 2019. OCA needs to consider what will happen to the vacant land.</p>			

<p>Janet to draft a letter to the City requesting information about the plans for the area currently occupied by the circus. Tauriq to submit to the City.</p> <p>Because the land falls within the TRUPA, Tauriq indicated that TRUPA would also send a letter to the City requesting information about the use of the land.</p> <p>This information will be important and necessary in relation to the drafting of a Spatial Development Plan for the area.</p> <p>Approved by Edwin Angless, Seconded by Leslie London.</p>	
3. Matters arising from the Minutes	
<p>3.1 High Court Action in Relation to Hartleyvale/ Malta Park and the Anson Sheila, Dale and Leslie met Geoff Budlender.</p> <p>1. On the arguments, he felt that getting the lease reversed was the least likely to succeed, mainly because of how late this court action would be and by the time we get to court, the first lease would be over. On the second argument related to the fencing, he was also not that convinced because the fencing is consequential to the lease decision. A private party would be entitled to protect their property by fencing. There was, however, the decision to allocate something zoned for public open space to private use that might be challengeable. In terms of the PFMA, and the value of the land, a lease of more than 3 years would trigger a process different to one where the least is 3 years or less. That might explain why the initial lease was for 10 years, but the final lease was for three years.</p> <p>2. On the Anson, he felt that what we had would not be strong enough to win the case. The fact that the Mayoral committee whizzed through the 19 appeals would not, itself, prove malfeasance of failure to apply one's mind. Theoretically, the committee members may have read all the documents before the hearing so, if they did not offer any comment, it could not be assumed there was no application of mind.</p> <p>If we secured an affidavit from someone who was there that the process did not allow councillors to speak, or that our Councillor tried to make representations but was not allowed, that might be a strong procedural flaw.</p> <p>Costs: Geoff was willing to give us legal advice pro bono at this current stage. If it went to court, he would act on a contingency basis (i.e. claim payment if we won the case), but we may be liable for costs of legal counsel.</p> <p>De Jager's fee – Joy's contact concluded that it was reasonable for De Jager to demand such a fee given the volume of documents he had to peruse. In the meantime, Andrew Massyn has settled the full amount. Tauriq and DeVos to meet with de Jager to see if we can secure a further reduction.</p>	<p>Leslie</p> <p>Tauriq/DeVos</p>

<p>Task Team: It was proposed that Lara Young be co-opted onto Mancomm as the co-ordinator of the Task Team. Proposed: Tracy. Seconded: Tauriq</p>	Dale
<p>3.2 Fundraising</p> <p>No further report was received from Sarah Driver-Jowitt. Given that she has resigned from the Constitutional Committee, it was unlikely that we could expect anything further from her.</p> <p>Tauriq indicated that there may be the possibility of funding for heritage related proposals. The closing date was 28 February. He and Edwin would submit a proposal.</p> <p>No one was willing to take responsibility for fundraising. A workshop would be organized where we develop an approach to fundraising.</p> <p>3.3 OCA rep on Ward Forum</p> <p>No report or supporting document was received. The matter would stand over to the following meeting. Lara and Tauriq to submit the necessary documents ahead of the following meeting.</p> <p>5.4 NPO – Joy has made some progress but still has to finalise the application. Signed documents have been received. Certificate to be scanned and stored safely.</p> <p>5.5 Circus – It was noted that the reported eviction did not materialize and may not have actually existed. Janet drafted a response to the City on their future plans for the area, but we have yet to receive a reply. It was noted that the OCA has not taken a position in favour of the eviction of the tenants of the Circus tent. We were simply concerned that due process had been followed and that the City had a responsibility to ensure the health and safety of the area and surrounding residents.</p> <p>5.6 Constitutional Committee – Mancomm’s position that the timeline that culminated in a final adoption in August was too long was communicated to the Constitutional Committee. The Constitutional Committee responded by questioning whether the timeline set by Mancomm was realistic. The meeting received a notice in the meeting of the resignation of the entire committee. Dale, Leslie, Tauriq and Sheila will serve on a reconstituted Committee.</p> <p>5.7 Swimming Pool – Kari Cousins in communication with City. Cllr Badroodien to be contacted by Janet. Edwin suggested that the Manager of the pool be approached.</p>	<p>Tauriq/Edwin</p> <p>Tauriq</p> <p>Joy</p> <p>Janet</p> <p>Dale</p> <p>Janet</p>

<p>5.8 Communications – It was reported that no notification of the Mancomm meeting had been sent to members. Edwin indicated that he has still experiencing difficulties coming to terms with the communications tools that Murray had set up. He had not submitted a report detailing what the requirements were nor had he submitted a proposal for an IT assistant. The meeting felt that it would be easier to identify some-one with the requisite skills once we were clear exactly what we were looking for. Edwin was tasked with developing a job profile so that we could find some-one who could assist with the technical requirements of communications.</p> <p>5.9 Spar Tables – It was felt that these tables would be more useful once we had our promotional material available. Janet had produced a draft pamphlet on the OCA and a banner was being designed.</p> <p>The following persons/sub-committees would be responsible for organising the tables on a Saturday morning:</p> <p>30 March – LDG 27 April – A & H 25 May – Arts, Sports and Culture 29 June – TRUP 27 July – Social Issues 31 August – Traffic 28 September – Car Park 19 October – Treasurer 26 October – Chairperson</p> <p>5.10 Update on committee’s names/email addresses – The Chairperson had not updated committees’ names with the City. Carolyn indicated that there was a specific form that needed to be completed and she would forward that to Tauriq for completion and submission to the City. The question of obtaining the domain from Andrew Fife had not been done. Tauriq and Edwin would follow up.</p>	<p>Edwin</p> <p>Tauriq Rest of Committee</p> <p>Tauriq/Edwin</p>
<p>6. Observatory Community Centre</p> <p>OCC apparently amended their constitution to largely exclude community participation in the running of the centre. Edwin has been attempting to lay hands of the existing constitution, the minutes of the AGM as well as the MOU with the City, which has proven hard to obtain.</p> <p>The committee has accepted that there are 4 people on the committee representing Observatory residents, 2 representing the OCA and 2 from Business Forum.</p>	<p>Edwin</p>

<p>Tauriq and Edwin were appointed as OCA reps. Members were asked to nominate residents to serve on the committee. Edwin will recirculate the expectations of time commitments for serving on the committee.</p>	
<p>7. Standard Operating Procedure</p> <p>The LDG prepared some notes on the above in relation to expenditure. The appointed committee would consider this in addition to any other matter they below should be covered by a SOP.</p>	<p>Joy, Leslie, DeVos & Tauriq</p>
<p>8. OCA Rep on Ward Forum</p> <p>No documentation was presented to the meeting to deliberate on this issue. Lara would be reminded to submit the legislative framework for the functioning of the Ward Forum and Tauriq would submit a report of its workings to date.</p>	<p>Lara/Tauriq</p>
<p>9. Committee Reports</p> <p>9.1 LDG - Report submitted</p> <p>9.2 A & H - Report submitted</p> <p>9.3 ASC – Report Submitted.</p> <p>9.4 Social Issues – A letter has been submitted to liquor retailers to raise the question of the kind of liquor sold. Tauriq submitted proposal on the mandate of the group.</p> <p>9.5 Traffic – A consulting urban planner has been approached on how to alleviate traffic. UCT students concerned with traffic wishing to undertake a study. Eden to liaise with them. A traffic study request to be made to Obsid through Transport & LDG.</p> <p>9.6 Car Park – The lease approved and signed. Negotiations are still taking place for the arrears to be possibly written off.</p> <p>9.7 Business Forum - Olivia has sold her business and has consequently resigned as co-ordinator of the Business Forum. She is currently seeking to find a replacement.</p> <p>9.8 TRUPA – A ruling has been made from the Ministerial Appeals Tribunal concerning the development of the River Club. The essence of the ruling is that the River Club is granted the right of appearance at the appeal hearing. Negotiations are underway for a permanent employee to represent TRUPA in TRUP.</p>	<p>Stephan</p> <p>Eden/Leslie</p> <p>Devos</p>
<p>10. Water Strategy, Planning Bylaw and Rates and Valuation Roll</p>	

<p>The City has invited comments on the above. A & H to consider on planning bylaws. If necessary, planning experts to be called in. Tauriq to request the Water Task Team to make an input on the Water Strategy. Rates evaluation – Janet to approach Jodi Allermayer to make an input.</p>	<p>Tracy Tauriq Janet</p>
<p>11. Other Matters Carolyn submitted a proposal that the OCA jointly host a public meeting with ONW on a response to the Community Police Forum. The house was divided on whether this is our mandate and whether we should be joint hosts or whether we should support the ONW hosting this event. The meeting finally decided that no decision be made because of lack of information about the request. Mancomm to consider Carolyn’s request and respond by means of an email exchange.</p>	
<p>12. Dates and Times of Mancomm meetings. Meetings would remain on the last Tuesday of the month. A trial arrangement of meetings commencing at 5.30 pm where residents could raise any matter of concern prior to the commencement of the formal Mancomm meeting at 6.00 pm.</p>	
<p>CLOSURE</p>	
<p>The meeting closed at 20:40.</p>	