



OBSERVATORY
Civic Association

MINUTES OF THE OCA AGM

Meeting Date	13 November 2018	Time	18:30
Minutes By	Sarah Driver-Jowitt	Chairperson	Tauriq Jenkins
Register	2018-2019 Committee: Tauriq Jenkins (Chairperson), Gwen Dereymaeker (Vice Chair), Sarah Driver-Jowitt (Secretary), Joy Robinson (Treasurer), Tracy Hyde, De Vos Rabie, Dale Forbes, Mark Turok, Olivia Andrews, Carolyn Neville, Murray Hunter, Leslie London		
Guests	Councilor Paddy Chapple (left early), Electoral Officer: Aditya Kumar 80 Members of the public including 2 Observers		
WELCOME: Welcome from Tauriq and introduction to the context of the meeting as an AGM and as an important meeting in light of the fact that we have major issues facing the community. The members were taken through the constitution. The agenda was accepted which included place for resolutions as well as elections. Aditya Kumar, the Chairperson of DAG was introduced as the electoral officer.			
AGENDA: The agenda was accepted and amended to include a presentation of the Affordable Housing Research, which had been left off the agenda in error.			
PREVIOUS MINUTES: Previous Minutes of the AGM on the 23 rd of January 2018 were circulated in January. Murray Hunter moved to adopt the minutes. Olivia and Mark Neville seconded the motion			
CHAIRPERSONS REPORT: Tauriq presented the Chairperson Report which is attached to the minutes as Addendum A . This moving presentation focused particularly on the journey and challenges facing civic associations since the AGM in January, the successes of the OCA and the community in facing challenges and the new and ongoing threats facing the OCA.			
AFFORDABLE HOUSING SURVEY OF OBSERVATORY RESIDENTS: Leslie London presented the Affordable Housing Research conducted in Observatory by students of North West University in July/August. OCA had previously had a discussion with Ndifuna Ukwazi and other groups about affordable housing and one of the outcomes was a decision to find out what Obs			

residents think about the issue, since we cannot act on this without first knowing what our Constituency want. This led us to organise a survey of Observatory residents by visiting students. This report is attached as **Addendum B**. The main message is that most people were receptive to the idea of affordable housing in Observatory and were not put off by the idea though it wasn't clear people understood what it meant in any depth.

Question from the floor: Definition and Importance of Affordable Housing.

A clarification on the definition of Social Housing was requested.

Social Housing: for people who cannot afford to purchase or afford housing solutions.

Affordable Housing: Different levels for people who can afford to buy in. (People earning between R1,500 and 15,000 a month) and very much like any other property and units in the region of R650,000 to build.

Importance: The reasons that this is important is that a number of large developments have been approved on the basis of the fact that affordable housing will be offered. We need to continue educating our community on this issue.

FINANCE REPORT:

Joy Robinson presented the annual financial report. This summarized as:

The majority of the income comes from the car park. The expenses in turn however mostly relate to the car park (rental equipment, rental of the property, wages). We are still uncertain as to what rental the City will charge us and whether and how much we will have to back pay on rental. It may be as much as R 130 000.

Overall we have experienced a loss of R51 363.54 for the last financial year. This is because we have to accrue expenses for the rental of the car park from the City. Even though we are not paying the rental they have asked, we have to budget as if we will be liable for the full amount backdated. That is why the current balance reflects a loss of R 51 000. If we do not have to pay back the R 130 000 that is liable, we will have a positive balance of R 82 000 for the year.

EOH is the supplier of the rental equipment for the car park, which has been expensive. We have been able to take over the equipment at a residual value of R14 000.

It is anticipated that the net income once we settle the car park negotiations with the City of Cape Town that the surplus will be in the region of R5 000 per month which will enable us to fund some modest community activities.

The Financial Reports have been signed off by Brian Amery who is a chartered accountant.

In discussion, the following was raised:

The OCA membership was requested to consider fundraising opportunities particularly in light of the matters we would discuss later in the AGM. Members raised the possibility of donation options during the sign up process and it was shared with the membership that the OCA Constitution Task team are debating a range of different membership options which will impact on funds and funding from members. It was also proposed that we double the membership fee, whilst still being reasonable, would improve our income from a source other than the car park.

It was noted that the Financial Report, even though it was submitted before the AGM, was not circulated to members prior to the AGM and this oversight will be rectified for future meetings. Questions were raised as to what the OCA spends its funds on and it was clarified that funds were spent on local good causes and that agenda items to follow would highlight future funding needs.

ACCEPTANCE OF THE FINANCIAL REPORT:

PROPOSED: Murray Hunter proposed adopting the financial report

SECONDED: Olivia Andrews.

PUBLIC VOTING WAS RECORDED AS FOLLOWS:

6 Abstentions

72 Agreed

CAR PARK PORTFOLIO:

De Vos updated the fact that the City presented a back dated escalation for 11 months a year ago. Without a lease, we have attempted to clarify the lease position and we have submitted a proposal for a small increase but this has been delayed due to internal issues.

It was noted that the OCA took over the car park which at the time was a derelict area and transformed it into a central car park as a service for the community, and an opportunity to offer employment as part of the OCA's role as a social enterprise.

The end of the lease with EOH for the equipment is a great relief to the OCA as it relieves us of an ongoing financial burden.

MALTA PARK RESOLUTION:

A hearty debate was undertaken in relation to the Malta Park and the fact that the City of Cape Town fenced off land designated as Public space for use by a private company, restricting public access to this land and allowing the Cape Town Football Club to install AstroTurf on this land without following their own permission processes which require public participation. The members were updated as to the process that the OCA have taken in relation to the objection to the lease, the request under PAIA for information related to the permissions granted for the land use and the context of this lease as the precursor to a proposed 10,000 seater stadium to be built at Hartleyvale, supported by retail outfits.

In terms of the City's own process they have failed. The question will remain as to if the courts would order a return to the prior status quo. The current stadium is a 1,000 stadium and they are proposing a 10,000 seater stadium. The court case will bring the whole precinct development into public discussion as, at the moment, this is being debated outside of the public remit.

An impassioned plea was made for support for the OCA position to stand up for our community and for the opportunity to participate in the decision making for the precinct to prevent public open spaces being turned into development. We need to argue that the case we are making will be done in a way that leads to systemic change. This fight was described as being about constitutional rights, heritage, community involvement and due process for the precinct as a whole. It was not just about individuals' access to a specific piece of land although this violation is taken very seriously.

Members were requested to support a proposal to take legal action against the existence of the lease and debate was held as to the implications for members as to this action.

RESOLUTION PROPOSED: That this meeting support legal action that will, through the Malta Park case, result in a systemic change and advance democratic practice on the part of the City with regard to this property and future developments. Tauriq second.

PROPOSED: Leslie London

SECONDED: Tauriq Jenkins

PUBLIC VOTING WAS RECORDED AS FOLLOWS:

1 Objection

8 Abstentions

67 Agreed.

Action: The Incoming Management Committee to follow through

SUBCOMMITTEE REPORTS.

All reports will be circulated to members by emails. Proposed by Mark and seconded by Edwin.

It was acknowledged that the OCA should have shared these reports to members in more time and had a presentation at the AGM allowing time for discussion. It was agreed that these reports would be circulated with the minutes to all members.

Action: The Incoming Management Committee to follow through

ELECTIONS:

CHAIRPERSON: Tariq Jenkins: Elected unopposed

DEPUTY CHAIRPERSON:

Eden Musampa received 0 votes

Lara Young received 5 votes

Sheila Barsel: 36 votes

SECRETARY:

Dale Forbes: 48 votes (TBC)

Eden Musampa: 0 votes

TREASURER: Joy Robinson elected unopposed

ARTS CULTURE & SPORT: Janet Cronje elected unopposed

ARCHITECTURE & HERITAGE: Tracy Hyde elected unopposed

LARGE DEVELOPMENTS: Leslie London elected unopposed

COMMUNICATIONS: Edwin Angless elected unopposed

CAR PARK: De Vos Rabie elected unopposed

SOCIAL ISSUES: Stephan Frantisek elected unopposed

TRUPA: Mark Turok elected unopposed

BUSINESS FORUM: Olivia Andrews elected unopposed

TRANSPORT: Eden Musampa elected unopposed
RESOLUTION PROPOSED: Constitution Task Team will present the new Constitution at August 2019 at an SGM prior to the AGM.
PROPOSED: Olivia Andrews
SECONDED: Tauriq Jenkins
PUBLIC VOTING WAS RECORDED AS FOLLOWS:
Unanimously accepted
ANSON SQUARE: The mayoral appeal committee rejected our appeal. To our understanding, the mayor did not apply her mind to the decision and produced the same reasons for her decision as were presented by the MPT and to which we appealed. This is a development within the Heritage Protection Overlay Zone and it felt strongly that this should be taken on review. If this sets a precedent, other disastrous developments, such as the London Road Development, will not be handled with appropriate attention to heritage. Legal opinion has yet to be sought.
MOTION PROPOSED:
A motion was proposed for an SGM on development in Observatory early in 2019 to debate this in detail.
Proposed Sheila Seconded by Stephen.
The meeting closed at 8:30 pm

RESOLUTIONS PASSED AT THE AGM ON 13 NOVEMBER 2018
RESOLUTION 1: That this meeting puts forwards legal action that will, through the Malta Park case, look to a systemic change and the aspects of democracy. Tauriq second.
RESOLUTION 2: Constitution Task Team will present the new Constitution at August 2019 at an SGM prior to the AGM.

ACTION ITEMS AGREED AT THE AGM ON 13 NOVEMBER 2018
ACTION 1: Subcommittee Reports to be circulated to all members
ACTION 2: Financial Reports to be circulated to all members
ACTION 3: Fundraising initiatives to be investigated
ACTION 4: Special General Meeting to be held to development in Observatory particularly Malta Park and Anson Square and the legal implications in this regard

