

FISH HOEK VALLEY RATEPAYERS & RESIDENTS ASSOCIATION

(Incorporating Fish Hoek, Clovelly and Sun Valley)

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TO: MARGARET ISAACS (margaret.isaacs@capetown.gov.za)

SUBJECT: REPEAL OF CITY BY-LAWS – TCT AND TDA

DUE: 11 DECEMBER 2018

1. DISCUSSION

We refer to the notice from the City of Cape Town (CoCT) indicating an intention to repeal the Constitution of the Transport for Cape Town By-law of 2013 (TCT) and the Constitution of the Transport and Urban Development of Cape Town By-law of 2016 (TDA) and our right to comment in terms of section 17 of the Local Government: Municipal Systems Act, Act 32 of 2000.

The notice does not state the reason for the intention to repeal these by-laws and Fish Hoek Valley Ratepayers and Residents Association (FHVRRA) is extremely concerned that legislation made only five and two years ago, respectively, would need to be repealed with all the concomitant costs to the City.

Nevertheless, FHVRRA supports the repeal of these by-laws which it regards as severely flawed for the following reasons:-

1. Both by-laws, but in particular the TDA, place both an inordinate amount of responsibility and power under the control of one commissioner and one member of the Mayco. Recent history suggests that such responsibility and power has not been exercised very effectively. Furthermore, the matrix structure of management that results from the TDA is complex to operate, leads to excessive personnel numbers and costs and tends to reduce management accountability.
2. Both by-laws, but particularly the TDA appears to be the vehicle for the implementation of the Transit Oriented Development (TOD) philosophy/policy of CoCT. FHVRRA has severe reservations about the efficacy of such a policy in Cape Town. Many TOD projects elsewhere have failed.

The literature concerning successful TOD projects elsewhere in the world lists the following criteria for success:-

- Commitment by government;
- The existence of an effective public transport system; and
- Private sector cooperation.

None of these criteria are met in Cape Town. In several places in the TOD policy document published on the City's website, it is stated that neither the public nor the private sector has

supported the TOD and the public transport systems (PRASA and MyCiTi) are largely dysfunctional.

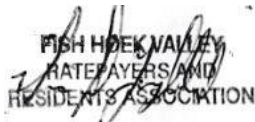
FHVRRA believes that the City's functional departmental structure should be restored, but with the proviso that there is good communication among the various departments i.e. no silos.

FHVRRA also trusts that the City will eliminate the excessive personnel numbers and costs that seem to have been a by-product of some of the "grand schemes" such as the TDA. The increases in electricity, water and personnel costs without a concomitant increase in supply of the relevant goods and services imply that productivity has decreased with the nett result that all the citizens of Cape Town are poorer.

2. RECOMMENDATIONS

Therefore, for the reasons set out in this report, that:

- We cautiously support the repeal of the TCT and TDA, but on condition that it be demonstrated that this will indeed lead to a more efficient, transparency and an accountable administration, which has been lacking for a while now and which we as Capetonians deserve.

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DATE	5 December 2018