

February 2010

Eskom increases: SM also takes stand

Eskom's proposal of an annual 35% increase in electricity tariffs over the next three years is unacceptable to SM and its clients.

It was with this conviction that the Municipal Council, at a special meeting recently, unanimously joined forces with Cosatu and other stakeholders that locked horns with Eskom during the hearings held by the National Electricity Regulator of South Africa (Nersa) in January on the proposed increases.

For a household in the Swartland using 1 000 units of electricity per month at R602.00, this proposed 35% increase means R1 323.00 per month over three years. If SM, which, like Eskom, also has infrastructure backlogs, were to follow the same approach and similarly increase its tax rate every year by 35% to eradicate these backlogs, the consequences would be catastrophic both for the consumer and for the Municipality – this the opinion of the Council members.

Court ruling: SM does have say on mine activities

In what is described as a precedent ruling, the Supreme Court ruled in favour of SM on 21 December 2009 in an application brought by the Municipality against Elsana Quarry to cease mining activities on the farm Lange Kloof outside Malmesbury because the property is not appropriately zoned in terms of the Land Use Planning Ordinance, 1985.

The Minister of Minerals and Energy was also a respondent in this case, in which Judge André le Grange ruled that national government and national legislation do not have higher powers where planning is concerned at local level.

It was argued on behalf of the Minister that control over mining activities is the exclusive domain of national government and that the Municipality's application of the Ordinance is unconstitutional.

Municipalities are currently delivering numerous services that are constitutionally the function of national and provincial government but without remuneration. These so-called unfunded mandates that are offloaded onto municipalities by the government aggravate the inability of municipalities to remain sustainable and deliver affordable services.

Council members and senior officials agreed that *"[a]t this rate, we are becoming simply too expensive for the consumer. The effect of this is that fewer and fewer households will be able to pay – which will ultimately result in SM no longer being able to deliver services"*.

An increase of a maximum of 12% in the Eskom tariff has been suggested by SM.

SM's position, together with that of other municipalities in the region, was conveyed to Nersa, Salga and the Provincial Minister of Local Government.

SM argued that the Ordinance is indeed constitutionally relevant and binding and that it plays a central role in the efforts of local authorities to ensure and coordinate the harmonious use of land to the benefit of all its residents.

The court found that the proper functioning of municipalities is being undermined by the position of the respondents, given that local authorities are obliged by the Municipal Structures Act to ensure integrated, sustainable and equitable social and economic development in their jurisdictions.

It follows on from the above that any mining activities in the SM jurisdiction, whether with or without a permit from the Department of Minerals and Energy, are subject to approval by the Municipality by virtue of its powers in terms of the Ordinance.



Photo: Devonne Pharaoh and Lize Spies

New Junior Mayor dreams big

LIZE SPIES, 16-year-old Grade 11 learner at Swartland High, has just taken over the reins from her predecessor, Devonne Pharaoh, also a learner at Swartland High, as the new Junior Mayor of the Swartland.

Lize dreams of helping the youth of the Swartland to deal with the demands of modern society. "Our youth must begin to think big because, if you think small, you make others around you so uncertain that they eventually also become small. In the words of Franklin D Roosevelt: *'We cannot always build the future for our youth but we can build our youth for the future.'*"

Lize's vision for the Junior Town Council is to help establish SM as the top local government in the Western Cape. "We must tackle projects that focus on the development of the ENTIRE community – projects that unite the community, especially young people, into a whole. The Town Council must show young people that we can take hands to create a better existence."

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The decision is currently being appealed.

If you are operating a sand mine or conducting other mining activities on your property and do not have approval from both the Minister of Minerals and Energy and SM, please contact either AJ Burger or Gerrit Goosen at the Municipality's Division of Town Planning.

Regulation of home shops

The results of the survey of all home shops in the municipal area conducted by **SM** during November and December 2009 are currently being processed.

As soon as this is completed, the results will be taken under consideration. Input on the road ahead and proposals on the regulation of home shops will also be obtained.

If your home shop was not identified during the survey, please contact either AJ Burger or Gerrit Goosen at the Development Services Directorate with the details of your operation.

Service manifesto

SM reported in a previous edition that it was hard at work drawing up a service manifesto setting out the standards of service delivery on which clients can rely in their dealings with the Municipality.

This manifesto is now ready and will officially be made public on 31 March, after which every household in the Swartland will be provided with a copy.

SM's new website will also see the light at the end of March and promises to have much more spark than its predecessor!

Database for disabled

SM has a database of disabled people, which we would like to update. Please contact Marouise Meyer if you would like to add or check either your own details or those of a dependant.

The information will be used for the planning of new projects and the expansion of existing projects, such as a sports day and day care facility for children.

Wool for children's project

The Swartland Development Foundation, in conjunction with **SM**'s community developers, is currently busy with a programme to make primary-school learners aware of child abuse.

Part of the programme entails giving every child a knitted toy. In 2009, 1 800 children were reached in this way – which means that another 14 200 children in the Swartland still need to be reached!

Many people are happy to help with the knitting – but the Foundation needs wool!

So, if you have extra balls of wool, please take these to Tania Boonzaaier-Snel at 28 Rood Street, Malmesbury, telephone 022 482 4771.

Authorisation for fire-breaks

Agriculturalists in the Swartland must please take note that they must obtain prior approval to burn either fire-breaks or stubble land on their properties.

Contact Bertus Senekal, head of the District fire brigade, at 022 433 8700 either for approval or for more information

PRIOR APPROVAL FOR BUILDING WORK

Residents of the Swartland intending to erect new buildings or to alter existing buildings must take note of the following information:

According to legislation, **SM** is the body tasked with the regulation of all building work on premises in the jurisdiction of the Municipality, **including on property situated in the rural area** of the Municipality, and **no** building work may be undertaken in the municipal area without the prior approval of **SM**.

The following **procedure** must be followed to obtain the required approval:

- An application on a prescribed form obtainable from **SM**, supported by a properly drawn-up building plan and specifications, documents and information required by law and any details that may be required by the Municipality (**in triplicate**), together with the specified inspection fees, must be submitted to the Municipality. Applications may be submitted to any of the municipal offices in Malmesbury, Moorreesburg, Darling, Yzerfontein, Riebeeck Kasteel and Riebeeck West.
- If an application is approved, the applicant is provided with notification forms in addition to a copy of the approved building plan. The forms must be filled in by the applicant and submitted timeously to any of the above-mentioned offices for the purposes of the various terrain inspections by the municipal building inspector as building work progresses.
- Building may begin on approval of the plans and, where required, on approval of the foundation after a foundation inspection by the municipal building inspector.
- On completion of building work and on completion of a final terrain inspection by the municipal building inspector at the written request of the applicant, a certificate of occupation is issued if the Municipality is satisfied that the building work was done in accordance with the approved building plan.

Any building work done without the required prior approval is regarded as **unauthorised and is therefore an offence** and additional inspection fees for the additional work involved are payable to the Municipality. **SM** may also take any steps that it deems necessary and appropriate to correct incompatible activities.
(Enquiries: Jacques Swarts)

Junior Mayor (continued from page 1)

After her term as Junior Mayor, Lize would like to be remembered by both young people and the community as a leader who heard the pleas of the needy, who was prepared to face the challenges associated with pioneering and who took responsibility for decisions that were made – in short, a loyal leader who shared her light with those who are invisible.

One of the projects that will be undertaken this year under Lize's leadership is a symposium for Swartland youth on 27 and 28 September. People from the local communities who would like to make a positive contribution to the symposium, which has "*B a gr8 u!*" as theme, are welcome to contact her.

Wheely bins for sale

As a result of numerous enquiries received by our Civil Engineering Department, we would like to draw attention to the fact that **SM** does service households and businesses that make use of wheely bins.

These 240-litre containers are for sale at all **SM** pay offices at R458.85 (including VAT) per bin and are delivered to your residence free of charge. They are of good quality, comply with SABS standards and come with a five-year guarantee from the supplier. (Enquiries: Freddie Bruwer)