



MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE BANQUETING HALL, MALMESBURY ON TUESDAY 8 AUGUST 2017 AT 11:00

PRESENT:

Executive Mayor, ald T van Essen (chairman)
Deputy Executive Mayor, ald M S I Goliath

Members of the Mayor's Committee:

Clr P E Solomons
Clr O M Stemele
Clr R F van der Westhuizen
Clr M van Zyl

Other councillors:

Clr M A Rangasamy

Officials:

Municipal Manager, mr J J Scholtz
Director: Security Services, mr P A C Humphreys
Director: Electrical Engineering Services, mr R du Toit
Director: Financial Services, mr M A C Bolton
Director: Corporate Services, ms M S Terblanche
Director: Civil Engineering Services, mr L Zikmann
Committee Official, ms S A Kulsen

1. OPENING

Clr R F van der Westhuizen opened the meeting with a prayer at the request of the chairman.

2. APOLOGIES

The committee was complete.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None

4. MINUTES

4.1 MINUTES OF AN ORDINARY EXECUTIVE MAYOR'S COMMITTEE MEETING HELD ON 19 JULY 2017

RESOLUTION

That the minutes of an Ordinary Executive Mayor's Committee Meeting held on 19 July 2017 are approved and signed by the Mayor.

4.2 MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 2 AUGUST 2017

[Corrections held over at the prerogative of the various committees.]

5. CONSIDERATION OF RECOMMENDATIONS AND MATTERS ARISING FROM THE MINUTES

5.1 MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 2 AUGUST 2017

5.1.1 MUNICIPAL MANAGER AND FINANCES

RESOLUTION

That the Executive Mayor approves the recommendations in the relevant minutes.

5.1.2 CIVIL AND ELECTRICAL SERVICES

RESOLUTION

That the Executive Mayor approves the recommendations in the relevant minutes.

5.1.3 ADMINISTRATION, DEVELOPMENT AND SECURITY SERVICES

RESOLUTION

That the Executive Mayor approves the recommendations in the relevant minutes subject to the amendment in item 6.1.1.

6. MATTERS ARISING FROM THE MINUTES

6.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (ADMINISTRATION, DEVELOPMENT AND SECURITY SERVICES) HELD ON 2 AUGUST 2017

6.1.1 ITEM 9.1: REVISION OF THE SWARTLAND MUNICIPAL SOCIAL DEVELOPMENT STRATEGY AND POLICY OF 2013 (17/2/2)

The Swartland Municipal Social Development Strategy and Policy was approved for implementation by the Executive Mayor's Committee during 2013. The policy is in line with the legislation which gives Swartland Municipality the mandate to deliver services to the community which include the following focus areas, namely:

- 1) The establishment of child care facilities and the promotion of childhood development;
- 2) The promotion of youth development;
- 3) The promotion of co-operation and co-ordination;
- 4) The promotion of access to the economy;
- 5) Mediation for vulnerable persons.

This policy is a sectoral plan which is included in the Integrated Development Plan (IDP) for implementation 2017-2022.

In revising the policy the Community Development Division carried out a more interactive study by involving the community, instead of only consulting the various ward committees.

RESOLUTION

- (a) That the Council approves the amendment of the Swartland Municipal Social Development Policy and Strategy 2017-2022 with:
 - (i) The addition of the proposed focus area 2: Promote Child Development (7-14); and
 - (ii)/...

6.1.1(a)(ii)/...

- (ii) Focus area 1 that is more defined with regards to ECD's: Promote the legalisation of Early Childhood Development facilities and early childhood development (0-6);
- (b) That a specified criteria be developed to support ECD facilities financially within the ability of the municipality;
- (c) That Council plan and budget to support childcare facilities according to the specified criteria within the municipalities financial ability;
- (d) That Council approves the proposed strategic focus areas for 2017-2022.

7. NEW MATTERS

7.1 REPORT ON THE COMMUNITY DEVELOPMENT PROJECTS 2016-2017 OUTCOMES AND IMPACT (17/2/2)

The Community Development Division must report annually on the outcomes and impact of the community development projects.

The report circulated with the agenda includes the outcomes and impact of the projects which were presented during the 2016/2017 financial year, and is also in line with the five focus areas according to the Swartland Municipal Social Development Policy and Strategy 2013.

RESOLUTION

- (a) That cognizance be taken of the outcomes and impacts measured of the Community Development projects of 2016-2017;
- (b) That the Community Development Division report annually by August on the outcome and impact of community development projects of the previous financial year.

7.2 FOLLOW-UP PLANNING: APPROVAL OF INCREASING THE RETIREMENT AGE IN RESPECT OF KEY POSTS WITH SPECIFIC SCARCE SKILLS (4/4/1)

Key positions for inclusion in the Follow-up Planning Programme were identified by the Management Team, and after a selection process candidates were approved for certain key positions.

With respect to the positions of Senior Manager: Internal Audit and Senior Manager: Strategic Services, none of the internal candidates complied with the requirements to be included in the Follow-up Plan for these positions.

According to the rules of the retirement fund the Municipality may give permission for a member to work for a longer period. A maximum age is not prescribed, therefore the employer can stipulate the age at which an employee must retire.

RESOLUTION

- (a) That the Executive Mayoral Committee delegates the authority to the Municipal Manager to, according to specific circumstances, negotiate with and grant approval to incumbents of critical key positions requiring specific scarce skills, to remain in the service of Swartland Municipality after reaching the age of 65 years on a year to year basis, but not exceeding the age of 70;
- (b)/...

7.2/...

- (b) That the resolution be included in the delegation register that will be submitted to Council in May 2018 for cognisance.

7.3 AMENDMENT TO THE SHIFT SYSTEM: TRAFFIC AND LAW ENFORCEMENT DIVISION (4/2/2)

RESOLUTION

That this item is withdrawn for further consultation and negotiation at the Labour Forum.

7.4 DONATION OF LIBRARY COMPUTER EQUIPMENT (17/8/B)

Swartland Municipality has obsolete computer equipment which was donated by the Provincial Library Services after it was replaced with new equipment at the libraries and the Municipality has no use for it.

The Kraaltjie (Kalbaskraal), Oude Kerk museum and Riebeek Valley tourism (Riebeek Kasteel), as well as the Malmesbury museum have enquired after the equipment because these entities have an urgent need for computer equipment.

RESOLUTION

- (a) That cognizance be taken that the municipality has no use for the outdated stock;
- (b) That the computer equipment be donated to Die Kraaltjie, museums and tourism provided that the Municipality accepts no responsibility for the maintenance of the equipment or any software associated with its use; and
- (c) That permission is granted to remove these items, as listed in the report, from the asset register.

7.5 ALIENATION OF VARIOUS ERWEN (MALMESBURY AND CHATSWORTH) (12/2/B)

During the Council Meeting held on 23 March 2017 approval was given for the alienation of various erwen which are respectively zoned as Business Zone 1 and Community Zone 2.

Tenders with respect to erf 3185, Malmesbury were called for in the media with a closing date of 30 June 2017 and only one offer was received. The tenderer was not successful.

The tender process in respect of erf 9968, Malmesbury is being followed at present.

RESOLUTION

That cognizance be taken of the following:

- (a) That the tender offer in respect of erf 3185, Malmesbury had to be rejected, due to failure by the tenderer to submit a valid tax clearance certificate;
- (b) That no tenders were received in respect of erf 1652, Chatsworth, and that tenders will therefore be invited again at a later stage;
- (c) That six tender proposals have been received for the purchase of erf 9968, Malmesbury, presently under consideration.

7.6 PERMISSION TO SELL ERF 9111, MALMESBURY (12/2/5/4-8/16)

Erf 9111 was alienated to the Pinkster Oppersaal of South Africa per open tender, with the sole purpose of erecting a place of worship. The relevant property was transferred to Pinkster Oppersaal of South Africa on 2 July 2004.

The buyer can no longer carry out his obligation to erect a place of worship on erf 9111, Malmesbury because the entity has moved and is no longer active in Malmesbury.

The Pinkster Oppersaal of South Africa is therefore considering selling erf 9111, Malmesbury, to The New Hope Pentecostal Church situated in Malmesbury, and has requested the Municipality to re-consider its pre-emptive right.

RESOLUTION

That Council relinquish its right of pre-emption in terms of erf 9111, Malmesbury in light of the need for church plots in the area as well as the current owner's lack of ability to develop the said plot.

7.7 LEASE OF MUNICIPAL LAND IN MALMESBURY: SWARTLAND VOORTREKKER COMMANDO (12/2/4-8/4)

The Council leases a portion of municipal land ($\pm 2082\text{m}^2$), situated opposite Swartland High School in Malmesbury to the Swartland Voortrekker Commando. The latter wishes to lease the portion of land for a further period of twelve months.

RESOLUTION

- (a) That a portion of commonage (size $\pm 2082\text{m}^2$) be leased to the Swartland Voortrekker Commando for a further period of one (1) year, with effect from 1 September 2017;
- (b) That the rental be R100.00 plus 14% VAT per annum, payable in advance;
- (c) That the current conditions of lease remain applicable.

7.8 LEASE OF POST OFFICE BUILDING IN RIEBEEK WEST (12/1/3/1-11/1)

The Council leases a portion of the building on erf 163, Riebeek West to ms H J C Kriegler on an annual basis for the purpose of operating a postal agency.

The lease period expires on 31 August 2017.

RESOLUTION

- (a) That a portion of the building situated on erf 163, Riebeek West is leased to ms H J C Kriegler, out of hand, for a further period of 12 months from 1 September 2017 for the purpose of operating a postal agency.
- (b) That, in view of the continued service provision offered to the community of Riebeek West, the Council makes a contribution with the incentive of a lower rental, and that the existing rental of R100,00 per month plus 14% VAT is therefore approved.
- (c) That the existing lease conditions remain in place.

7.9 LEASE OF POST OFFICE BUILDING RIEBEEK KASTEEL (12/1/3/1-11/1)

The Council leases a portion of the building situated on erf 147, Riebeek Kasteel to ms J Jordaan on an annual basis for the purpose of operating a postal agency.

The lease expires on 31 August 2017.

RESOLUTION

- (a) That a portion of the building situated on erf 147, Riebeek Kasteel is leased for a further term of 12 months, from 1 September 2017, to ms J Jordaan for the purpose of operating a postal agency.
- (b) That, in view of the continued service provision offered to the community of Riebeek Kasteel, the Council makes a contribution with the incentive of a lower rental, and that the existing rental of R100,00 per month plus 14% VAT is therefore approved.
- (c) That the existing lease conditions remain in place.

7.10 PROPOSED LEASE OF MUNICIPAL LAND IN DARLING (12/4/4-3/1)

At a public auction held on 31 March 2012 a newly created erf 4359 (51,9087ha in extent), Darling, which was created by the consolidation of the previous agricultural camps 9 and 10 (portion of erf 551), was sold to Anicol Properties (Pty) Ltd for agricultural purposes.

Concomitant with the consolidation of camps 9 and 10, a portion, now erf 4360 (7,9645 ha in extent), was retained for the purpose of future development by the Council.

In surveying this portion of land a smaller portion ($\pm 1,115$ ha) was left out of the consolidated and resurveyed camps by mistake by the land surveyor and the relevant portion of land is presently unused and has been leased to ms Tanya Menhinick for agricultural purposes since 1 July 2012.

RESOLUTION

- (a) That erf 551, Darling (size 1,115 ha) be leased out of hand to the owner of adjoining erf 538 for agricultural purposes, on condition that a written application for extension of lease period be received ;
- (b) That a further lease period of three (3) years, starting 1 July 2017 be approved;
- (c) That lease tariff of R295.47 (VAT excluded) per annum, escalating at 10% per annum, be approved;
- (d) That Council's intention be advertised in terms of the Council's By-law and Policy relating to the Transfer of Municipal Capital Assets;
- (e) That the applicant will be responsible for all advertising costs;
- (f) That a lease agreement, similar to the agreements with the tenants of the adjacent camps be entered into with the lessee;
- (g) That exceptional circumstances be noted, namely
 - (i) The portion of land is adjacent to the applicant's land, erf 538;
 - (ii) No fencing is erected on the erf;

7.10(g)/...

- (iii) Services already exists on the adjacent erf 538;
- (iv) Only the owner of erf 538 will be able to use the section land meaningfully for agricultural purposes and only in the short term. The land has an unnatural shape with an inconvenient access.

7.11 PROPOSED LEASE OF MUNICIPAL LAND IN DARLING (12/2/4-3/1)

At a public auction held on 31 March 2012, a newly created erf 4359 (51,9087ha in extent), which was created by the consolidation of the previous agricultural camps 9 and 10 (portion of erf 551) Darling, was sold to Anicol Properties (Pty) Ltd for agricultural purposes.

Concomitant with the consolidation of camps 9 and 10, a portion, now erf 4360 (7,9645 ha in extent), was retained for the purpose of future development by the Council. The relevant portion of land is at present unused until such time as the Council can proceed with the development and has been leased since 1 July 2012 to Anicol Properties (Pty) Ltd for agricultural purposes.

RESOLUTION

- (a) That erf 4360, Darling (size 7,9645 ha) be leased out of hand to the owner of adjoining erf 4359 for agricultural purposes, on condition that a written application for extension of the lease period be received ;
- (b) That a further lease period of three (3) years, starting 1 July 2017 be approved;
- (c) That lease tariff of R2322.60 per annum, escalating at 10% per annum, be approved;
- (d) That Council's intention be advertised in terms of the Council's By-law and Policy relating to the Transfer of Municipal Capital Assets;
- (e) That the applicant will be responsible for all advertising costs;
- (f) That a lease agreement, similar to the agreements with the tenants of the adjacent camps be entered into with the lessee;
- (g) That the exceptional circumstances be noted, namely
 - (i) Erf 4360 is adjacent to the applicant's land, erf 4359;
 - (ii) No fencing is erected on erf 4360;
 - (iii) Services will be provided on erf 4359 by the applicant and provisional approval is granted to access erf 4359 via erf 4360;
 - (iv) Only the owner of erf 4359 will be able to use erf 4360 meaningfully for agricultural purposes and only in the short term.

7.12 OUTSTANDING DEBTORS: JULY 2017

A complete list of outstanding debtors was circulated with the agenda.

Resolution/...

7.12/...

RESOLUTION

That cognisance be taken of the report regarding outstanding debtors for the month of July 2017.

7.13 PROGRESS IN RESPECT OF OUTSTANDING INSURANCE CLAIMS (5/14/3/5)

In accordance with the Asset Management Policy outstanding insurance claims must be reported monthly.

RESOLUTION

That cognisance be taken of the progress in respect of outstanding insurance claims for the period ending July 2017 as circulated with the agenda.

**(SGD) T VAN ESSEN
EXECUTIVE MAYOR**