



MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE BANQUETING HALL, MALMESBURY ON WEDNESDAY, 12 APRIL 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

Officials:

Municipal Manager, mr J J Scholtz
Director: Security Services, mr P A C Humphreys
Director: Civil Engineering Services, mr A J Botha
Director: Electrical Engineering Services, mr R du Toit
Director: Corporate Services, ms M S Terblanche
Director: Financial Services, mr M A C Bolton
Director: Development Services, mr J T Steenkamp
Manager: Secretarial and Record Services, ms N Brand

1. OPENING

Clr M van Zyl 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 A SPECIAL EXECUTIVE MAYOR'S COMMITTEE MEETING HELD ON 21 FEBRUARY 2017

RESOLUTION

That the minutes of a Special Executive Mayor's Committee held on 21 February 2017 are approved and signed by the Mayor.

4.2 MINUTES OF AN ORDINARY EXECUTIVE MAYOR'S COMMITTEE MEETING HELD ON 22 MARCH 2017

RESOLUTION

That the minutes of an Ordinary Executive Mayor's Committee Meeting held on 22 March 2017 are approved and signed by the Mayor.

5. MATTERS ARISING FROM THE MINUTES

None

6. MONTHLY REPORT IN RESPECT OF FEBRUARY 2017

6.1 MUNICIPAL MANAGER (7/1/2/2-7)

RESOLUTION

That note is taken of the monthly report from the Municipal Manager, together with the SDBIP, for the month of February 2017.

6.2 FINANCIAL SERVICES (7/1/2/2-2)

RESOLUTION

That note is taken of the monthly report from the Financial Services Directorate for the month of February 2017.

6.3 CIVIL ENGINEERING SERVICES (7/1/2/2-4)

RESOLUTION

(a) That note is taken of the monthly report from the Civil Engineering Services Directorate for the month of February 2017.

FURTHER RESOLVED

(b) That note is taken of the communication from the Director: Civil Engineering Services, mr A J Botha, that discussions have already taken place with the West Coast District Municipality (messrs Scott and de Jongh) with respect to the irregularities in the sewerage samples taken;

(c) That note is taken – as communicated by the Director: Civil Engineering Services, mr A J Botha – that a dispute has been declared with the Department of Public Works in respect of the amendment to the EPWP agreement with Swartland Municipality because the job creation target which must be attained has been unilaterally increased to 348;

(d) That, with reference to the Municipal Manager's concern in respect of the lack of concern with which the Department of Water Affairs has approached the water crisis, the Director: Civil Engineering Services is instructed to enter into discussions with mr J Roberts of the above mentioned department in order to timeously start the process in respect of access to the 18% (of which only 8% is potable) of water in the Voëlvele Dam which is behind the berm, and must be channelled to the pumping installation by whatever means.

6.4 ELECTRICAL ENGINEERING SERVICES (7/1/2/2-6)

RESOLUTION

That the monthly report from the Electrical Engineering Services Directorate for the month of February 2017 is noted.

6.5 CORPORATE SERVICES (7/1/2/2-1)

RESOLUTION

That the monthly report from the Corporate Services Directorate for the month of February 2017 is noted.

6.6/...

6.6 SECURITY SERVICES (7/1/2/2-3)**6.6.1 PERFORMANCE REPORT****6.6.2 TRAFFIC AND LAW ENFORCEMENT SERVICES****6.6.3 FIRE SERVICES****RESOLUTION**

That note is taken of the monthly report from the Security Services Directorate, Traffic and Law Enforcement Services, as well as the Fire Services for the month of February 2017.

FURTHER RESOLVED

- (a) That – as instructed by the Municipal Manager – the Director: Security Services reports back to the committee in respect of the procedures followed by the City of Cape Town, in accordance with the Pound Regulation, with respect to stray animals which are taken to the Atlantis Pound by the Swartland Municipality.

6.7 DEVELOPMENT SERVICES (7/1/2/2-5)**RESOLUTION**

That note is taken of the monthly report from the Development Services Directorate for the month of February 2017.

7. NEW MATTERS**7.1 (A) AMENDMENT TO THE CAPITAL CONTRIBUTIONS POLICY, (B) DETERMINATION OF THE CAPITAL CONTRIBUTIONS FOR 2017/2018 (15/1/B)**

Swartland Municipality has three policies according to which capital development contributions are levied, namely:

- (1) Master Plan for future developments in Malmesbury, the so-called “Green Fields Development Policy”;
- (2) Development Contributions Policy for the Riebeeck Valley;
- (3) Capital Contributions Policy for bulk services, the so-called “Brown Fields Policy”.

Since the development of the above mentioned policies a new land usage planning act and regulation have been promulgated which has an effect on the determination of levies.

The relevant departments began by drawing up a Development Levy Policy for the Swartland, but it is a comprehensive process which, inter alia, includes the upgrading of the master plans for engineering services, the development of new growth potential models for all the towns, involving the determination of the basis on which development levies will be calculated and so forth.

RESOLUTION

- (a) That the various policies dealing with capital development contribution policies, all references to the Land Usage Planning Ordinance (LUPO) No. 15 of 1985, with specific reference to article 42 are replaced with reference to the following relevant provisions:
- (i) Land Usage Planning Act, Act no 3 of 2014, article 40;
 - (ii) Swartland Municipality: Regulation in respect of Municipal Land Usage Planning, PK 7741 of 2017, paragraphs 92 and 93;

7.1/...

- (b) That note is taken of the process of drawing up a new Capital Contributions Levies Policy and the associated upgrading of the growth potential models and master plans to be used as a basis for the calculation of contributions for implementation as of 1 July 2018;
- (c) That the existing decision in respect of the exemption from payment of capital contributions on developments of 100m² or less to organizations and industries in the Riebeek Valley, with respect to the 2017/2018 financial year is confirmed;
- (d) That the real capital contribution charges will apply to all developments, as determined and calculated by the Director: Civil Engineering Services and the Director: Electrical Engineering Services;
- (e) That the attached capital development contributions for the 2017/2018 financial year are approved:
 - (i) "Greenfields"- capital development contributions - Malmesbury (Attachment "A");
 - (ii) "Brown Fields"- capital development contributions - Swartland Municipal Area (Attachment "B");
 - (iii) Capital development contributions – Riebeek Valley (Attachment "C");
- (f) That the discount of 40% on the above mentioned capital development contributions in respect of the 2017/2018 financial year is given for the following reasons:
 - (i) To serve as an incentive to further development and to attract investment;
 - (ii) Due to the fact that, until the new Capital Development Levy Policy is implemented, the calculation of capital development contributions is not in agreement with the new legal prescriptions;
- (g) That the developers must enter into an agreement with the Municipality in respect of the payment of capital development contributions in accordance with the existing policies;
- (h) That note is taken that, due to the unique and specific development challenges which are experienced in Yzerfontein, a Capital Development Levy Policy applicable to Yzerfontein is developed for the interim period, and will remain in force until such time as a similar policy for the Swartland is approved [see the separate report in connection with this].

7.2 APPROVAL OF DEVELOPMENT LEVY POLICY FOR YZERFONTEIN (15/1/B)

The Development Levy Policy for Yzerfontein has been drawn up in accordance with the new land usage planning acts (LUPA and SPLUMA), together with the Swartland Municipality: Regulation in respect of Municipal Land Usage Planning (PK 7741 dated 7 March 2017).

Recently there has been a considerable demand for developments outside the urban edge of Yzerfontein, and capital development contributions calculated according to the existing "Brown Fields Policy" are not sufficient to make provision for bulk engineering services for Yzerfontein.

The Director: Civil Engineering Services and the Director: Electrical Engineering Services are therefore compelled to calculate new development levies for Yzerfontein in accordance with the relevant new land usage planning acts and regulations.

7.2/...

RESOLUTION

- (a) That note is taken that the new development levies for Yzerfontein were calculated by the Directors: Civil and Electrical Engineering Services, in line with the new land usage planning legislation;
- (b) That note is also taken that a start has been made on calculating new development levies for the rest of the Swartland municipal area according to the new land usage planning legislation;
- (c) That the attached Development Levy Policy for Yzerfontein is approved by the Executive Mayor's Committee for implementation as of 1 July 2017;
- (d) That the status quo in respect of the application of the existing "Greenfields", "Brown Fields" and Riebeek Valley policies is approved until a new Development Levy Policy for the rest of the Swartland municipal area is approved;
- (e) That the 40% discount still applies for the 2017/2018 financial year in accordance with the EMC Decision 7.4 of 11 May 2016.

7.3 LEASE OF STORAGE FACILITY IN MALMESBURY (12/1/2-6/2)

The lease of a storage facility in Malmesbury from the Bester Family Trust was approved by the committee on 22 March 2017. However the latter has indicated that the rental will amount to R1050.00 per month and not R880.00 as approved.

RESOLUTION

That the lease agreement with the Bester Family Trust, at an increased rate of R1050.00 per month, is condoned.

7.4 EQUIPMENT ON KLIPKOPPIE, MALMESBURY: CORNERGATE TECHNOLOGIES (6/2/3/1/2)

The internet service provider, *Cornergate Technologies*, operates *Wireless* Network equipment from Klipkoppie, Malmesbury. A lease agreement exists which expired on 30 March 2017.

Since the approval of the previous lease agreement the lessee has erected their own mast, and the relevant equipment has been considerably extended.

The chairman explained that service providers must be encouraged to use optic fibre because the bandwidths are decreasing which makes the communication process more difficult. The Director: Electrical Engineering Services stated that the real problem is that signals from Klipkoppie are being choked.

The chairman requested that, in the case of new developments, an extra cable is laid in order to make provision for an optical cable which can be drawn through later.

RESOLUTION

- (a) That approval is given to *Cornergate Technologies* to operate a *Wireless* Network on Klipkoppie, Malmesbury for a further period of 3 (three) years;
- (b) That the rental is increased to R1 500.00 plus VAT, per month, in order to reflect the considerable extension to the relevant equipment;
- (c) That the rental will escalate by 8% per annum;
- (d) That the lease conditions will be revised in conjunction with the Senior Manager: Information and Communication Technology.

7.5 REPORT IN RESPECT OF THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 1 JANUARY TO 31 MARCH 2017 (8/1/B/2)

Article 63(3) of the *Supply Chain Management* Regulations stipulates that a report in respect of the activities of the relevant division must be submitted to the Executive Mayor on a quarterly basis.

RESOLUTION

- (a) That note is taken of the quarterly report of the Supply Chain Management Policy's implementation for the period 1 January to 31 March 2017, which must be submitted in accordance with article 6(3) of the regulations together with the reports from the Formal Tenders (Attachment A), Informal Tenders (Attachment B) and the Departure Report (Attachment C);
- (b) That note is also taken of the services provided for the same period, with reference to the exceptions where it would have been impractical to test the market and thus gave rise to a departure from the procurement procedure in accordance with paragraph 2(6) of the Supply Chain Management Policy (Attachment D).

7.6 OUTSTANDING DEBTORS – MARCH 2017 (5/7/1/1/MY)

The Director: Financial Services explained that the outstanding debt has increased due to the fact that credit – which was always part of the report – was excluded from the month of March.

RESOLUTION

That note is taken of the report in respect of outstanding debtors for the month of March 2017.

7.7 PROGRESS WITH RESPECT TO OUTSTANDING INSURANCE CLAIMS (5/14/3/5)

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

RESOLUTION

That the status of outstanding insurance claims up to and including 31 March 2017 as circulated with the agenda is noted.

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