



MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYORAL COMMITTEE HELD IN THE BANQUETING HALL, MALMESBURY ON WEDNESDAY, 14 FEBRUARY 2018 AT 11:00

PRESENT:

Executive Mayor, ald T van Essen (chairman)
Deputy Executive Mayor, alw 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 (joined the meeting later)

Officials:

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

3.1 SUBMISSION AND FEEDBACK FROM MR MARC CLAUDEMANS AND STUDENTS IN RESPECT OF DARLING RSEP PROJECT (17/9/4/1)

Mr Marc Claudemans gave a presentation in respect of the *Darling Intercultural Space* project which is envisaged in Darling.

The land identified for the project is situated between the R315 and R307 and is known as "Die Vlei" on which – inter alia – the Passion Play is presented annually.

The chairman thanked mr Claudemans and his chosen team, that Darling has been chosen as one of the towns in the Swartland to establish the project and supported the aim of the project to bring together communities which were divided during the Apartheid era.

The Sr Manager: Building Environment, mr A M Zaayman stated that the fact that Darling has been chosen for the next roll out of a RSEP (*Regional Socio-Economic Programme*) project, supports the *Intercultural Space* project in that the principles of

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both projects are similar. The principles are based on developing a safe and integrated community in order to overcome social, cultural and economic stumbling blocks.

Mr Claudemans explained that the project is still in the planning stage, but that the needs identified by the community include sport/playing facilities (eg. Skateboarding, basketball etc), stage for shows/amphitheatre, space (*containers*) for entrepreneurs/storage and public braai facilities.

Further discussion followed in respect of the lighting, cleaning of the property, empowering the community to take ownership thereof etc. The result is that the project can be used as a platform for existing and new opportunities/projects in Darling in order to bring various communities together eg. moving the recycling project nearer to the property.

The Municipal Manager concluded the discussion and voiced the Swartland Municipality's appreciation that so many role players are already involved in the project and wished mr Claudemans and his team all the best for the exhibition of the project on Friday 16 February 2018.

FOR INFORMATION**3.2 SUBMISSION BY THE CHAIRMAN: SEVERITY OF THE WATER SCARCITY (16/1/17)**

The chairman stated that the water meetings in the various towns had begun, and that the meetings had gone well to date.

The matter, which is getting serious attention at present, is the fact that the water which is being released from the Voëlvlei dam for the Misverstand dam is not reaching the latter. A possible reason is that water along the Berg River is being extracted illegally, and this must be given urgent attention.

The level in the Voëlvlei dam is 17.3% and the National Department of Water affairs is in the process of obtaining pumps in order to pump water to the Swartland intake system.

FOR INFORMATION**4. MINUTES****4.1 MINUTES OF AN ORDINARY EXECUTIVE MAYOR'S COMMITTEE MEETING HELD ON 24 JANUARY 2018****RESOLUTION**

That the minutes of an Ordinary Meeting of the Executive Mayor's Committee held on 24 January 2018 are approved and signed by the Mayor, subject to correcting the spelling of "*rampplan*".

4.2 MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 7 FEBRUARY 2018

[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 7 FEBRUARY 2018****5.1.1 MUNICIPAL MANAGER AND FINANCES**

Resolution/...

5.1.1/...

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.

6. MATTERS ARISING FROM THE MINUTES

None

7. NEW MATTERS**7.1 AMENDMENTS TO THE 2016/2017 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) (2/1/4/4/1)**

The aim of the Service Delivery and Budget Implementation Plan (SDBIP) is to support the Municipal Manager in attaining service delivery goals, as well as the spending of the capital budget within the given timeframe.

The adjusted budget, which was approved by the Council on 31 January 2018, together with the amendments to the KPI's and goals approved by the Executive Mayoral Committee, meant that the SDBIP had to be adjusted accordingly. An amended SDBIP was circulated separately from the agenda.

RESOLVED that the amended Service Delivery and Budget Implementation Plan (SDBIP) for the 2017/2018 financial year be approved in terms of Section 54(1)(c) of the Municipal Finance Management Act (Act 56 of 2003).

7.2 APPROVAL OF DISASTER PLAN FOR CRITICAL WATER SHORTAGE (17/5/1/1)

It has been established that the drought being experienced by the Western Cape Peninsula, Swartland and the West Coast is the worst in living memory.

The Disaster Plan for Critical Water Shortage was drawn up in order to enable the Municipality to manage situations as the drought and resulting water shortage deteriorates.

RESOLUTION

- (a) That note is taken that the prevailing drought has necessitated the drawing up of a Disaster Plan for Critical Water Shortage;
- (b) That further note is taken that the purpose of the plan is to use it as a basis for planning and implementing actions and emergency measures as the drought intensifies;
- (c) That the Executive Mayoral Committee approves, with immediate effect, the draft Disaster Plan for Critical Water Shortage.

7.3 EXTENSION TO THE DECLARATION OF A LOCAL DISASTER WITHIN THE BOUNDARIES OF THE SWARTLAND MUNICIPALITY: FIRE AT SWARTLAND HOSPITAL (17/5/1/1)

The declaration of the Swartland Hospital as a local disaster was promulgated in the Provincial Gazette, No. 7785 of 23 June 2017, in consultation with the Provincial Departments and the West Coast District Municipality.

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The declaration was initially valid for a period of three months, whereafter it must be extended on a monthly basis.

RESOLUTION

- (a) That the Mayor in terms of section 55 (5)(c) of the Disaster Management Act, 57 of 2002 as a result of the devastating fire at the Swartland Hospital herewith extend the declaration of a local disaster within the Swartland Municipality from 24 February 2018 to 26 March 2018;
- (b) That Swartland Municipality requests the West Coast District Municipality to support the extension of the local state of disaster;
- (c) That the approved extension of the declaration be sent to the Provincial Government for publication in the next Provincial Gazette.

7.4 EXTENSION TO THE DECLARATION OF A LOCAL DISASTER WITHIN THE BOUNDARIES OF THE SWARTLAND MUNICIPALITY AS A RESULT OF THE DROUGHT (17/5/1/1)

On 28 June 2017 the Executive Mayor declared the Swartland municipal area a disaster area due to the severity of the continuing drought and the water shortage being experienced.

The initial declaration was valid for a period of three months, whereafter it must be extended on a monthly basis.

The situation has not changed in the interim and an extension to the declaration is necessary to get national and provincial support in order to obtain solutions to ensure sustainable provision of water.

RESOLUTION

- (a) That the Mayor in terms of section 55 (5)(c) of the Disaster Management Act, 57 of 2002 as a result of the magnitude and severity of the continuing drought affecting Swartland herewith extend the declaration of a local disaster within the Swartland Municipality from 10 March 2018 to 9 April 2018;
- (b) That Swartland Municipality requests the West Coast District Municipality to support the extension of the local state of disaster.
- (c) That the approved extension of the declaration be sent to the Provincial Government for publication in the next Provincial Gazette.

7.5 PROPOSED ACQUISITION OF LAND: PORTION (5 000 M² IN EXTENT) OF PORTION 7 OF THE FARM 643, DIVISION MALMESBURY (12/2/1-11/3)

A court case was instituted in 2016 against Panorama RK Beleggingstrust (mr J Vlok) for the illegal operation of a recycling business on portion 7 of the Farm 643, Division Malmesbury because the agricultural zoning did not allow for this activity.

A court order (with costs against the respondent mr Vlok) was obtained that the practise must cease within 30 days and the property cleared up. Mr Vlok did not comply with the court order, and during discussions arising from this mr Vlok declared his willingness to sell or donate the portion of land on which the recycling business was situated to the Municipality.

RESOLUTION

- (a) That approval be granted for a deed of donation to be entered into with the Panorama RK Beleggings Trust to acquire a portion (5000 m² in extent) of Portion 7 of Farm 643 Division Malmesbury for future extensions to the

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Riebeek Kasteel refuse transfer station, subject to the conditions as agreed with Mr Vlok and as explained in the report;

- (b) That should the transaction not materialize, the respondent still be held responsible in terms of the court order for the clearing of the premises as well as legal costs.

7.6 LEASE AGREEMENT: VUYOLWETHU CRÈCHE, MOORREESBURG (17/9/2/R)

The temporary structure in which the *Vuyolwethu Crèche* in Moorreesburg operates does not have the capacity to accommodate the growing number of learners.

An application has been received for the lease of erf 4175, Moorreesburg in order to erect a permanent Early Childhood Development centre.

RESOLUTION

- (a) That a three (3) year lease agreement be entered into with Vuyolwethu Crèche Moorreesburg as of 1 March 2018 for the lease of erf 4175, Moorreesburg, for the construction of an Early Childhood Development Centre;
- (b) That the rental amount be established at R100,00 per annum plus VAT;
- (c) That should Vuyolwethu Crèche Moorreesburg prove itself as a financially sustainable enterprise, consideration will be given to the alienation of erf 4175, Moorreesburg, to said institution in future.

7.7 RENEWAL OF LEASE AGREEMENT WITH SA POST OFFICE LTD (12/2/4-12/1)

The Council leases a portion of erf 163, Riebeek West on an annual basis to the SA Post Office on which prefabricated private post boxes have been erected. The lessee has requested an extension of the existing lease agreement for a further period of three years.

RESOLUTION

- (a) That a lease agreement be entered into SA Post Office Limited, for a further term of three (3) years, with effect from 1 January 2018, for a portion of erf 163, Riebeek-Wes for the operation of private mailboxes;
- (b) That annual rental of R330.00 (VAT exclusive) be charged, to escalate at a rate of 6% per annum;
- (c) That the current conditions of lease remain unchanged.

7.8 LEASE AGREEMENT: LITTLE DARLINGS CRÈCHE (17/9/2/R)

The *Little Darlings Crèche* operates at present from a temporary structure. An application has been received for the lease of erf 4048, Darling because the number of learners has increased and the temporary structure is no longer adequate.

RESOLUTION

- (a) That a three (3) year lease agreement be entered into with Little Darlings Crèche as of 1 March 2018 for the lease of erf 4048, Darling, for the construction of an Early Childhood Development Centre;
- (b) That the rental amount be established at R100,00 per annum plus VAT;
- (c) That should Little Darlings Crèche prove itself as a financially sustainable enterprise, consideration be given to the alienation of erf 4048, Darling, to said institution in future.

7.9 RENEWAL OF LEASE AGREEMENT WITH ESKOM LTD (12/2/4-8/4)

The Council leases ±900 m² of commonage on Klipkoppie to Eskom for the operation of a radio repeater station. The lessee has requested that the existing lease agreement is extended for a further three years.

RESOLUTION

- (a) That, before the lease agreement is renewed, the Director: Corporate Services determines whether or not the relevant portion of Klipkoppie is excluded from the nature conservation area recently approved by the Council, and if not whether the renewal of the lease agreement may go ahead;
- (b) That a lease agreement be entered into with Eskom, for a further term of three (3) years, with effect from 1 January 2018, for ±900m² of municipal land at Malmesbury Klipkoppie, for the operation of a radio repeater station;
- (c) That annual rental of R2910.00 (VAT exclusive) be charged, to escalate at a rate of 6% per annum;
- (d) That the current conditions of lease remain unchanged.

7.10 LEASE OF CAMPS: COMMONAGE, DARLING (12/2/4-3/1)

There are portions of land in Darling which are divided into camps (camps 2 to 6) and leased for agricultural purposes. At present camps 2, 3 and 4 are leased, of which the leases for camps 2 and 4 expire on 28 February 2018 and the lease for camp 3 expires on 30 June 2018.

RESOLUTION

- (a) That Camps 4, 5 and 6 be made available for leasing by means of a public tender;
- (b) That, with reference to previous requests from Ward 4 and 5, as well as from local small farmers, said camps 4, 5 and 6 be leased to persons who permanently resides within the municipal area of Swartland Municipality;
- (c) That the intention of Council be advertised in the local press;
- (d) That Camps 2 and 3 be reserved to be offered to Darling Small Farmers for resettlement.

7.11 OUTSTANDING DEBTORS: JANUARY 2018 (5/7/1/1)

A complete report in respect of outstanding debtors was circulated with the agenda.

The chairman requested that the schedule of council meetings is reconsidered in order to give the Directorate Financial Services enough time to prepare the Section 71 MFMA report for submission to the Portfolio Committees.

RESOLUTION

- (a) That the Council takes note of the report in respect of Swartland Municipality's outstanding debtors for January 2018;
- (b) That the report in respect of outstanding debtors for January 2018, together with the report in respect of February 2018 are presented to the Portfolio Committees in March 2018;
- (c) That the Municipal Manager reconsiders the schedule of council meetings in order to ensure that the Section 71 MFMA report can be presented to the Portfolio Committees, in the interests of transparency.

7.12 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 is taken of the state of outstanding insurance claims for the period ending 31 January 2018 as circulated with the agenda.

7.13 ANNUAL GENERAL MEETING: LOCAL GOVERNMENT PENSION FUND: APPOINTMENT OF REPRESENTATIVES (11/1/2/5)

The 34th Annual General Meeting of the Local Government Pension Fund takes place on 25 May 2018.

According to rules of the fund the Municipality may nominate one representative from the members, and one representative from council to attend the annual general meeting.

RESOLUTION

- (a) That cognisance is taken that mr A Zaayman was nominated to represent members at the Annual General Meeting of the Local Government Pension Fund on 25 May 2018;
- (b) That clr R F van der Westhuizen be nominated to represent the Council on the said meeting.

7.14 BUDGET FOR MAINTENANCE OF PROVINCIAL MAIN ROADS: 2018/2019 FINANCIAL YEAR (5/6/1/1/2)

The estimated expenditure for the maintenance and rehabilitation of Provincial Main Roads is submitted annually to the District Roads Engineer for consideration and approval.

The estimated expenditure amounts to R17 422 000.00.

ESTIMATED EXPENDITURE ON PROVINCIAL MAIN ROADS : 2018/2019			
PAD NR	DESCRIPTION OF/(TO)	ACTIVITY	REQUESTS 2018/2019
MR 230	Moorreesburg / (Lang St)	Maintenance	None
MR 230	Moorreesburg / (Piketberg Rd)	Maintenance	None
MR 231	Moorreesburg / (Lang St)	Maintenance	R 30 000.00
MR 226	Riebeek Kasteel / (Main Rd.)	Maintenance	R 27 000.00
MR 226	Riebeek Kasteel / (Sarel Cilliers St)	Maintenance	R 9 000.00
MR 226	Riebeek Kasteel / (Piet Retief St)	Maintenance	R 16 000.00
MR 226	Riebeek Kasteel / (Hermon Rd)	Maintenance	R 18 000.00
MR 25	Malmesbury / (Piet Retief St)	Maintenance	None
MR 224	Malmesbury / (Bokomo Rd)	Maintenance	R 204 000.00
MR 224	Malmesbury / (Darling Rd)	Maintenance	R 84 000.00
MR 174	Malmesbury / (Voortrekker St)	Maintenance	R 794 000.00
MR 215	Darling / (Hoof St)	Maintenance	R 62 000.00
MR 228	Darling / (Evita Bezuidenhout Blvd)	Maintenance	R 92 000.00
MR 215	Yzerfontein / (Harbour Rd)	Maintenance	R 8 000.00
MR 25	Malmesbury / (Rainier St)	Rehabilitation	R 1 768 000.00
MR 224	Malmesbury / (Bokomo Rd)	Rehabilitation	R 14 310 000.00
Total			R 17 422 000.00

7.14/...

RESOLUTION

That the Executive Mayor Committee approves the Budget of Expenditure on Provincial Highways for the 2018/2019 financial year as set out above.

7.15 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURE: URGENT REPAIR WORK TO THE IRRIGATION PUMP, DARLING SEWERAGE WORKS (6/1/2/1)

The Gabriel Pharoa Sports Grounds and greens at the Darling Golf Club are irrigated with purified sewerage water from the Darling Sewerage works.

The pump which pumps the purified sewerage water to the irrigation systems of the above mentioned sports facilities has broken down and urgent repairs are required.

RESOLUTION

- (a) That cognisance is taken of the action of the acting Municipal Manager be condoned with regards to the repair of the irrigation pump at the Darling Waste Water Treatment Works by Tricom Africa for the amount of R 33,055.65 including VAT;
- (b) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - The pump located at the Darling Waste Water Treatment Works that supply treated effluent to the irrigation systems at the Gabriel Pharo sports fields and the Darling Golf Club suffered mechanical damages and had to be repaired as an emergency to prevent damage to the playing fields at the sport grounds and the greens at the golf club;
- (c) That cognisance is taken that the expenditure was allocated mSCOA Code: 9/249-849-259 and that there is sufficient funding available for the quoted amount of R 33,055.65 including VAT;
- (d) That the Sr Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when same are compiled.

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