



MINUTES OF A MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE BANQUETING HALL, MALMESBURY ON WEDNESDAY, 18 APRIL 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:

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

Other councillors:

The Speaker, cllr M A Rangasamy

Officials:

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

1. OPENING

Alw M S I Goliath 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 BY THE CHAIRMAN: SEVERITY OF WATER SHORTAGE (16/1/17)

The chairman provided the following information:

- Level of Voëlvlei Dam = 13,75%
- Level of Misverstand Dam = 13,2%

The chairman confirmed that the equipment has already been installed at the Voëlvlei Dam in order to pump water to the Swartland inlet works if the need arises.

At present the biggest challenge is to provide water to towns from the Misverstand Dam -

- with respect to Moorreesburg water is delivered by means of a separate pipe line from the Voëlvlei Dam to the reservoir in Moorreesburg;
- With respect to the other towns on the West Coast, the Department of Water Affairs has decided to release 5 million cubic meters of water from the Berg River Dam, of which 2 million cubic meters will reach the Misverstand Dam within 5 to 7 days.

3.1/...

The chairman stated that, although food security is the main consideration in providing water for agriculture, there are also farmers who are illegally extracting water from the Berg River and the Misverstand Dam.

The chairman thanked the Swartland community for the savings made, and stated that the crisis would have been much more serious if the community had not given their co-operation. There has been a saving in water usage of between 57% and 58% compared with the water usage from 2011-2015.

It is however important that the community continues to save water in order to ensure that there will be sufficient water for next year.

FOR INFORMATION

4. MINUTES

4.1 MINUTES OF AN ORDINARY EXECUTIVE MAYOR'S COMMITTEE MEETING HELD ON 14 MARCH 2018

RESOLUTION

That the minutes of an Ordinary Meeting of the Executive Mayor's Committee held on 14 March 2018 are approved and signed by the Mayor.

5. MATTERS ARISING FROM THE MINUTES

None

6. MONTHLY REPORT IN RESPECT OF FEBRUARY 2018

[Note: The performance and financial information in respect of Quarter 3 is included in the section 52 MFMA report which will be submitted to the Council on 26 April 2018, therefore there will only be the submission of additional reports applicable to the relevant directorates.]

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

The Director: Civil Engineering Services dealt with the report, with specific emphasis on the water usage, which has decreased as a result of the water savings made by the residents. The lower water usage has also had an influence on the flow to the sewerage works and associated composition of the sewerage outflow.

The Director: Civil Engineering Services referred to the graph which deals with the composition of refuse, and stated that it is worrying that half (27%) of household refuse (52%) is dumped on public open spaces. The increase in illegal dumping of household refuse on public open spaces, in spite of the fact that refuse removal takes place on a weekly basis in all the municipal areas, places great pressure on this service. In the past public open spaces were cleaned on a bi-annual basis, but now this must be carried out almost on a weekly basis.

The Municipal Manager stated that it is important to take into account the change in the behaviour of residents, and plans must be put in place accordingly. It will also be necessary to look at interventions, such as education and sterner law enforcement.

RESOLUTION

- (a) That note is taken of the contents of the monthly report from the Director: Civil Engineering Services for the period February 2018;
- (b) That further note is taken of the concern of the Director: Civil Engineering Services in respect of the continuing illegal dumping of household refuse on public open spaces and that, taking into account the change in behaviour patterns of residents, innovative plans will be considered in order to address the problem in a sustainable way.

6.2/...

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

The Director: Electrical Engineering Services dealt with the report and –

RESOLUTION that note is taken of the contents of the report from the Directorate Electrical Engineering Services for the period February 2018.

6.3 SECURITY SERVICES (7/1/2/2-3)

6.3.1 TRAFFIC AND LAW ENFORCEMENT SERVICES

6.3.2 FIRE FIGHTING SERVICES

The Director: Security Services dealt with the reports and referred to the 446 fines issued for the misuse of water.

The chairman thanked the Directorate Security Services for the water awareness campaigns, which were carried out especially amongst learners.

RESOLUTION that note is taken of the contents of the monthly reports from the Directorate Security Services for the period February 2018.

6.4 DEVELOPMENT SERVICES

The Director: Development Services dealt with the report and –

RESOLUTION that note is taken of the contents of the monthly report from the Directorate Development Services for the period February 2018.

7. NEW MATTERS

7.1 BI-ANNUAL REPORT FROM THE MUNICIPAL PERFORMANCE AND RISK AUDIT COMMITTEE FOR THE PERIOD ENDING 31 DECEMBER 2017 (5/15/1/3)

The Municipal Performance and Risk Audit Committee fulfils its functions as an independent advice arm of the Council, in accordance with article 166 of the Local Government: Municipal Financial Management legislation, Act of 2003.

The attached bi-annual report does not contain any recommendations for further consideration by the Executive Mayor's Committee and -

RESOLUTION that note is taken of the bi-annual report from the Municipal Performance and Risk Audit Committee for the period ending 31 December 2017.

7.2 REPORT IN RESPECT OF THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 1 JANUARY 2018 TO 31 MARCH 2018 (8/1/B/2)

Section 6(3) of the *Supply Chain Management Regulations* stipulates that a report is submitted to the Executive Mayor, on a quarterly basis, in respect of the activities of the relevant division.

RESOLUTION

- (a) That cognisance is taken of the Quarterly Report in respect of the implementation of the Supply Chain Management Policy as envisaged by section 6(3) of the Regulations, as well as reports on the Formal Tenders (Annexure A), Informal Tenders (Annexure B), and the Deviation Report (Annexure C).
- (b) That cognisance is taken of the services rendered for the period 1 January 2018 to 31 March 2018 with reference to the exceptions where it is impractical to test the market and therefore justified a deviation from the procurement processes in terms of paragraph 2(6) of the Supply Chain Management Policy (Annexure D).

7.3 **SONDEZA AFRI-YOUTH INITIATIVE: EVALUATION REPORT 2017 (17/2/1)**

The 14th Sondeza Afri-Youth initiative took place at Ganzekraal from 1 to 10 December 2017.

The aim of the Sondeza Afri-Youth initiative is to bring together young people from the West Coast and international countries to experience diverse cultures and to develop leadership skills.

The chairman, with reference to the testimonial received from Hoërskool Graafwater, stated that the valuable contribution to the lives of the learners who attended, must not be underestimated.

The 2017 evaluation report was circulated with the agenda.

RESOLVED that cognisance is taken of the content of the Evaluation Report of the 2017 Sondeza Afri-Youth Initiative as compiled by the camp coordinator.

7.4 **POLICY IN RESPECT OF SUPPORT IN EVENT OF DISASTERS (WITH SPECIFIC REFERENCE TO HOUSE FIRES AND OTHER SMALLER DISASTERS) (17/5/B)**

The aim of the policy is to support certain categories of tax payers in times of emergency, with specific reference to homes which have burnt down and smaller disasters such as floods, wind storms, etc.

The amended policy was circulated with the agenda, after it was reviewed by the disaster management committee.

RESOLVED that the reviewed Policy on Support in case of Smaller Disaster (with specific reference to the burning down of dwellings and other smaller disasters) be approved by the Executive Mayoral Committee with immediate effect, subject thereto that the disaster must be reported within one (1) month.

7.5 **DETERMINATION OF CAPITAL DEVELOPMENT CONTRIBUTIONS FOR 2018/2019 (15/1/B)**

Swartland Municipality has four policies in accordance with which capital development contributions are handled, namely:

- (1) Master Plan for future developments in Malmesbury, the so-called "Green Fields Development Policy";
- (2) Development Contributions Policy for the Riebeek Valley;
- (3) Policy for capital contributions for bulk services, the so-called "Brown Fields Policy";
- (4) Capital Development Levies Policy in respect of Yzerfontein.

A tender was recently awarded to the firm *CK Rumboll en Vennote* to draw up growth models for the municipal area by October 2018. The upgrading of the master plans for bulk services will be finalised according to the growth models. After finalisation of the specialist studies, it will be possible to draw up a universal Capital Development Levies Policy for the Swartland.

RESOLUTION

- (a) That cognisance is taken of the process to be followed for the development and drafting of a new Capital Development Charge Policy and the associated models and plans to calculate new contributions as soon as all relevant specialist studies are finalized;
- (b) That the previous resolution in terms of which exemption from capital contributions was granted to businesses and industries in the Riebeek Valley of 100m² or smaller in extent, be reconfirmed in respect of the 2018/2019 financial year;

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- (c) That actual Cost Capital Contributions will apply to all developments, as determined and calculated by the Directors of Civil and Electrical Engineering Services;
- (d) That the attached Capital Development Contributions for the 2018/2019 financial year be approved:
 - (i) "Greenfields" Capital Development Contributions – Malmesbury (Annexure "A").
 - (ii) "Brownfields" Capital Development Contributions – Swartland Municipal Area (Annexure "B").
 - (iii) Capital Development Contributions – Riebeek Valley (Annexure "C").
 - (iv) Development charges for Bulk Services – Yzerfontein (Annexure "D")
- (e) That a rebate on the above Capital Development Contributions be approved in respect of the 2018/2019 financial year, for the following reasons:
 - (i) as an incentive to promote development and attract investment;
 - (ii) the fact that, for the interim and until such time that the new Capital Development Charge Policy is implemented, the calculation of capital contributions in terms of the existing policies is not in full compliance with the new legislative prescripts;
- (f) That the developers shall have to enter into an agreement with the Municipality as regards the payment of contributions in terms of the existing policies.

7.6 LEASE AGREEMENT: DEPARTMENT: PUBLIC WORKS (17/9/2/R)

The Department of Public Works leases a portion of the property at the Dieprivier Sports Grounds at present as parking for mobile units, as well as the Cricket clubhouse's waiting area.

The relevant department has not managed to find alternative premises and requests approval for extension to the lease agreement to 30 June 2018.

RESOLUTION

- (a) That a lease agreement be entered into with the Department of Public Works as of 1 April 2018 for the leasing of the facilities for a further period which ends on 30 June 2018;
- (b) That the rental amount be established at R1000,00 per month plus VAT;
- (c) That the established rental amount includes electricity- and water usage.

7.7 TENDER L06.17.18: ALIENATION OF BUSINESS PREMISES IN DARLING (12/2/B)

Stands over until the next meeting.

7.8 OUTSTANDING DEBTORS: MARCH 2018 (5/7/1/1)

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

RESOLUTION

That cognizance is taken of the report with reference to the state of the outstanding debtors of Swartland Municipality for March 2018.

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7.9 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

- (a) That note is taken of the state of outstanding insurance claims up to and including 31 March 2018, as circulated with the agenda;
- (b) That, with reference to the theft of municipal assets, the chairman has instructed that innovative thought and consideration must be given to rewarding persons who report theft for the information.
- (c) That the chairman has instructed that strict action is taken against drivers who ignore stop streets and traffic lights.

7.10 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, where after 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 11 Mei 2018 to 10 June 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.

7.11 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.

The declaration was initially valid for a period of three months, where after 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 27 April 2018 to 28 May 2018;
- (b)/...

7.11/...

- (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.

7.12 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: EMERGENCY CLEARING OF PUBLIC OPEN SPACES (8/2/2/1)

The illegal dumping of refuse, including dead animals and organic material, on commonage and public open spaces throughout the municipal area is becoming a greater problem.

After the receipt of various complaints in this respect, it was decided to initiate an emergency cleansing operation due to the health risks involved in this type of refuse and the fact that it is aggravated by the drought, which is being experienced at present.

RESOLUTION

- (a) That it be noted and the action of the Municipal Manager be condoned with regards to the hiring of three tipper trucks and one TLB from Louw Diggers for the amount of R170 430.00 including VAT;
- (b) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) Extremely unhygienic and unhealthy conditions prevailed on commonage and public open spaces throughout the service area of the Municipality which was caused by the illegal dumping of amongst others dead animals and organic matter.
 - (ii) Taking into account the current drought situation, the extremely unhygienic and unhealthy conditions posed a significant risk to with public health as the open spaces and commonage has unrestricted public access.
 - (iii) In order to mitigate the risk to public health an emergency clean-up campaign had to be initiated.
- (c) That it be noted that the expenditure was allocated mSCOA Code: 9/242-237-1183 and that there is sufficient funding available for the quoted amount of R 170,430.00 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.

7.13 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: SERVICE AND REPAIR TO "AERZEN BLOWER UNIT", MALMESBURY WWTW (8/2/2/1)

The membrane technology used at the Malmesbury Sewerage Purification Works uses four *Aerzen*-blowers, which are necessary for aeration during the biological processes. One of these blowers stopped functioning and was repaired on an emergency basis.

RESOLUTION

- (a) That it be noted and the action of the Municipal Manager be condoned with regards to the service and repair of one of the Aerzen blower units at the Malmesbury Waste Water Treatment Works by Aerzen Airgas (Pty)Ltd for the amount of R90 686.33 (including VAT).
- (b) That the reason for the deviation from the prescribed procurement process be recorded as follows:

7.13/...

- (i) Aerzen Airgas (Pty)Ltd is the original manufacturer support in South Africa for the German manufactured Aerzen blower units;
 - (ii) The service is only available from the single service provider.
- (c) That it be noted that the expenditure was allocated mSCOA Code: 9/2239-57-1041 and that there is sufficient funding available for the quoted amount of R90 686.33 (including VAT).
- (d) That the Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when same are compiled.

7.14 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: EMERGENCY REPAIR OF AERATION GEARBOX: DARLING WWTW (8/2/1)

The micro-organisms responsible for the biological processes are dependent on a constant flow of oxygen. When the aerators do not produce enough oxygen this can cause a total breakdown in the process and in the quality of the sewerage outflow.

It was therefore necessary to repair the aerator at the Darling Sewerage Works as quickly as possible.

RESOLUTION

- (a) That it be noted and the action of the Municipal Manager be condoned with regards to the repair of the gearbox of an aerator at Darling Waste Water Treatment Works by GW Trautman for the amount of R70 662.10 (including VAT);
- (b) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) The aerator would have been left out of service for an extended period of time following due process;
 - (ii) This would have resulted in a failure of the biological reactor resulting in a complete failure of the treatment process and consequently poor quality effluent and harm to the environment;
 - (iii) The repair work to the gearbox had therefore to be handled as an emergency;
- (c) That it be noted that the expenditure was allocated mSCOA Code: 9/2239-57-1041 and that there is sufficient funding available for the quoted amount of R70 662.10 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.

7.15 SECOND AMENDMENT TO THE 2017/2018 MIG-PROJECT IMPLEMENTATION PLAN (5/9/2/6/1)

During March 2018 the Council received additional MIG funding of R 3 million and the allocation of funds in the MIG project implementation plan must accordingly be approved by the Executive Mayor's Committee.

RESOLUTION

- (a) That the Executive Mayoral Committee notes that the 2017/2018 MIG allocation for Swartland Municipality has been increased from R 21 608 000.00 with R 3 000 000.00 to R 24 608 000.00.
- (b) That the Executive Mayoral Committee notes that in order to achieve 100% MIG expenditure the additional funding must be allocated to already approved MIG projects and that the 2017/2018 DPIP must be amended accordingly.

7.15/...

- (c) That the Executive Mayoral Committee approves the following projects and budgets for the amended DPIIP for the 2017/2018 financial year:

Nr	Project	Budget	
1	Rehabilitate Water Networks (WC1287/W/14/17)	R	3 989 630.00
2	Malmesbury De Hoop: New Reservoir (WC/1649/W/16/19)	R	537 531.00
3	Malmesbury De Hoop: External Sewer (WC/1650/S/16/20)	R	10 833 184.00
4	New Sports Grounds: Chatsworth (WC1605/CF/16/18)	R	5 547 655.00
5	Riebeeck West IRDP: Ext. Stormwater (ST/WC/14499/17/19)	R	2 877 940.00
6	R-West Housing, Ext Water (ST/WC/1689/W/17/19)	R	622 060.00
7	Moorreesburg WWTW upgrade (269989)	R	200 000.00
TOTAL		R	24 608 000.00

- (d) That the amended DPIIP be submitted to the Department of Cooperative Governance and Traditional Affairs.

7.16 APPROVAL OF THE AMENDED TELECOMMUNICATION POLICY (4/7/2/1)

The decision taken by the Management Team that officials are responsible for insuring their cell phones, necessitated an amendment to the Telecommunications Policy.

The amendment was submitted to the Labour Forum on 11 April 2018 and it was decided to recommend the amendment to the Executive Mayor's Committee. Therefore -

RESOLVED that the Executive Mayoral Committee approve the attached Amended Telecommunications Policy with effect from 1 July 2018;

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