



**MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE COMMITTEE ROOM: CORPORATE SERVICES ON WEDNESDAY, 18 JULY 2018 AT 11:00**

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

**1. OPENING**

The chairman read out a few quotations/philosophies from the former President of South Africa, Nelson Rolihlahla Mandela (better known as Madiba) in remembrance of the father of democracy and the celebration of International Madela Day on this day.

Clr O M Stemele opened the meeting with a prayer at the request of the chairman.

**2. APOLOGIES**

The committee was complete, but it was noted that apologies had been received from the Speaker, clr M Rangasamy.

**3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS**

**3.1 WATER SHORTAGE**

The chairman presented the statistics in respect of the dam levels, namely:

- Berg River Scheme = 84,7%
- Clanwilliam = 96,3%
- Misverstand = 100% (overflowing)
- Theewaterskloof = 40,3%
- Voëlvllei Dam = 54,8%

**FOR INFORMATION**

**4. MINUTES**

4.1/...

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

##### RESOLUTION

That the minutes of an Ordinary Meeting of the Executive Mayor's Committee held on 14 June 2018 are approved and signed by the Mayor, subject to the scrapping of paragraph 7.27(o).

#### 5. MATTERS ARISING FROM THE MINUTES

None

#### 6. MONTHLY REPORTS IN RESPECT OF MAY 2018

[Note: the performance and financial information in respect of Quarter 4 is included in the MFMA article 52 report, which will be submitted to the Council on 26 July 2018, hence the submission of only additional reports in respect of the relevant directorates.]

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

The chairman voiced his concern, with reference to the sewerage report, that the Sewerage Works in both Darling and Moorreesburg are not operating in accordance with the standards laid down.

The Director: Civil Engineering Services confirmed that provision has been made in the budget for the 2018/2019 financial year for the upgrading of the above mentioned sewerage works.

**RESOLUTION** that note is taken of the contents of the report from the Directorate Civil Engineering Services for the month of May 2018.

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

The Director: Electrical Engineering Services dealt with the report and stated that negotiations with Eskom in respect of the power outage in Malmesbury, which is planned during working hours, have not yet been finalized. A quotation is anticipated from Eskom in respect of the contribution from Swartland Municipality to the Eskom expenses if the power outage takes place on a Sunday. Province has already appropriated an amount of R 250 000 for this purpose, and the original quote from Eskom for the amount of R 575 655 was not acceptable.

**RESOLUTION** that note is taken of the contents of the report from the Directorate Electrical Engineering Services for the month of May 2018.

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

###### 6.3.1 TRAFFIC AND LAW ENFORCEMENT SERVICES

###### 6.3.2 FIRE FIGHTING SERVICES

**RESOLUTION** that note is taken of the contents of the report from the Directorate Security Services for the month of May 2018.

##### 6.4 DEVELOPMENT SERVICES

In answer to a question from the chairman, in respect of the delay in approval for the erection of billboards, the Director: Development Services confirmed that the matter would be discussed by the management team.

**RESOLUTION** that note is taken of the contents of the report from the Directorate Development Services for the month of May 2018.7.

#### 7. NEW MATTERS

7.1/...

**7.1 SUMMARY OF THE DISCUSSION WITH THE PROVINCIAL DEPARTMENT OF HUMAN RESOURCES ON 22 JUNE 2018 IN RESPECT OF THE HOUSING PROBLEMS WHICH ARE BEING EXPERIENCED AT PRESENT IN (A) MOORREESBURG AND (B) RIEBEEK KASTEEL (15/3/1)**

There were protests in Moorreesburg from Thursday, 3 May to Saturday, 5 May 2018 and in the Riebeek Valley on Sunday, 10 June and Monday, 11 June 2018 respectively.

The Municipal Manager, Director: Security Services and the Executive Mayor met with the Moorreesburg protesters on Saturday 5 May 2018 who consisted mainly of residents of Sibanye Square and backyard dwellers.

In respect of Riebeek West and Riebeek Kasteel separate discussions took place with representatives from both towns in conjunction with the Commissioner of the Human Rights Commission, mr Chris Nissen.

The item circulated with the agenda contains the outcome of discussions which dealt mainly with the distress call for housing.

The Municipal Manager stated that it must be seen to that Swartland Municipality is not guilty of disregarding the waiting list (queue jumping). It must also be emphasised that because the provision of housing is a provincial and national competency, the projects can only be initiated with external financial sources. No new projects will commence at the expense of the next project in the housing pipeline.

The Director: Development Services explained the problems with receiving additional funding during a financial year. The Director: Financial Services confirmed that there is no limitation on the number of budget adjustments which can be considered in a financial year. When additional funds are obtained these can be approved by means of an adjusted budget in order to begin immediately with a project.

The Director: Financial Services explained that the delay is often caused by the fact that the additional funds must first be promulgated by the Government before a budget adjustment may be submitted.

**RESOLUTION**

- (a) That note is taken of the contents of the report including the attachments;
- (b) **In respect of MOORREESBURG**
  - (i) That note is taken that the Provincial Department of Human Settlements likes the style (neatness and order) of the existing SIBANYE;
  - (ii) That note is taken that the draft plan – based on the existing format of SIBANYE – is acceptable in principle for Human Settlements;
  - (iii) That the Swartland Municipality must submit, as soon as possible, the *Project Initiation Document* (PID);
  - (iv) That note is taken that, if there are no EIA and zoning problems, the application for funding can be approved within two to three months; and
  - (v) That the draft plan and proposals are endorsed, subject to densification of the plan, due to the high “demand” on the one hand and as well as limited sources of finance, where the existing erf plan and erf size is maintained, because people have already erected their structures and fencing, and that erwen have their own water, sewerage (toilet) and electricity services with Grade B services (in other words gravel roads and surface storm water system). Provincial Human Settlements refers to this as “*UISP- Stage 3 with Grade B service standards*”.
- (c) In respect.....

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(c) **In respect of RIEBEEK KASTEEL (HEMPSTEAD LAND)**

- (i) That note is taken that the various town plans for the Hempstead land were discussed in depth, with good input from the provincial colleagues as to whether or not it fits in with their various programmes;
- (ii) That Swartland Municipality was requested to do more work on the plans to achieve the maximum densification, due to high demand, limited land and limited sources of finance, in order to assist the maximum number of households, which has already been done as indicated in Attachment E;
- (iii) That note is taken that, taking into account paragraph (ii), Human Settlement endorses the concept of  $\pm 50$  m<sup>2</sup> plots on which households will be accommodated with access to
  - own water
  - own sewerage and toilet
  - own prepaid electricity (there must also be consultation with ESKOM) so that when the development takes place connections must be made when the informal structure is erected;
- (iv) That note is taken that Human Settlements refers to the above mentioned project and services as: *"UISP Stage 3 with Grade B service standards"*
- (v) That the *Project Initiation Document (PID)* must be submitted as quickly as possible;
- (vi) That it is noted that Swartland Municipality has already started with the EIA and Rezoning processes;
- (vii) That it is noted that Human Settlements is prepared – based on the above mentioned principles of optimizing available land and the extent of benefits – to finance the project completely, provided that:
  - Swartland Municipality appoints an engineer for the planning, design and drawing up of tender documents for which tenders must be called, because the appointment of ASLA as the implementation agent does not include Riebeeck Kasteel. (As soon as this is finalized and before tenders are called for the Department must be consulted);
  - Due to the fact that this is an ESKOM distribution area, ESKOM is likewise proactively requested to provide financing;
- (viii) That note is taken that it is accepted in principle that Swartland Municipality can provide human resources to assist with the implementation hereof, which can be funded from the grant and the interest earned thereon, which implies that the funding will be made available upfront, and that approval is given that the agreement between Swartland Municipality and Human Settlements will be amended in order to make provision for this;
- (ix) That it is noted that Swartland Municipality's Human Resources Department, in conjunction with Development Services, will deal with this in accordance with Swartland Municipality's recruiting and appointment policies;
- (x) That likewise note is taken that the above mentioned project and initiatives are subject to the waiting list's so-called profiling and allotment must be conscientiously adhered to in order to ensure that queue jumping does not happen.

(d)/...

7.1....

- (d) **RIEBEEK KASTEEL IN RESPECT OF THE LAND WEST OF THE RAILWAY LINE AND NORTH OF THE WINE CELLAR**
- (i) That note is taken that Provincial Human Settlements likes the proactive approach, as well as the approach of integrating communities and realizes that the above mentioned land has its own challenges;
- (ii) That the integrated concept presented by Swartland Municipality is supported in principle, subject to the following actions which must be completed:
- Willing/...
  - Willing buyer/seller concept as first prize;
  - Acquisition of market related property prices;
  - Discussion with owners who are not willing sellers and the investigation into possible expropriation;
  - Complete EIA;
  - Rezoning;
- (That note is also taken of the possibility of objections in respect of the EIA, rezoning and purchase, and that such processes could lead to litigation and that the process might be delayed);
- (iii) That it is with gratitude that note is taken that Human Settlements supports the above mentioned initiative of integrated housing and is also prepared to fund the purchase of land – either on a willing basis or expropriation.

**7.2 ANNUAL REPORT IN RESPECT OF THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT REGULATIONS FOR THE FINANCIAL YEAR ENDING 30 JUNE 2018 (8/1/B/2)**

Regulation 6(2)(a)(i) of the *Municipal Supply Chain Management Regulations* stipulates that an annual report must be submitted to the Executive Mayor in respect of the implementation of the Supply Chain Management Regulations.

The annual report for the period 1 July 2017 to 30 June 2018 was circulated with the agenda.

**RESOLUTION**

- (a) That cognisance is taken of the Annual Report regarding the implementation of the Supply Chain Management Policy in accordance with section 6(2)(a)(i) 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 April 2018 to 30 June 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 APPROVAL OF THE EQUAL OPPORTUNITIES EMPLOYMENT PLAN FOR THE PERIOD 1 JULY 2018 TO 30 JUNE 2023 (4/9/1/2/B)**

The Equal Opportunities Employment Plan for the period 1 July 2018 to 30 June 2023 was drawn up according to the Equal Opportunities Employment Act (Act 55 of 1998) and the Amended Equal Opportunities Employment Act (Act 47 of 2013).

The consultation process began on 7 September 2017 and the final draft plan was submitted to the Equal Opportunities Employment Forum on 7 June 2018 for recommendation to the Executive Mayor's Committee.

**RESOLVED** that the Executive Mayoral Committee approve the attached Employment Equity Plan for the period 1 July 2018 to 30 June 2023 for implementation with effect from 1 July 2018.

#### **7.4 OUTSTANDING DEBTORS: JUNE 2018**

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

**RESOLVED** that cognizance is taken of the report with reference to the state of the outstanding debtors of Swartland Municipality for June 2018.

#### **7.5 PROGRESS IN RESPECT OF OUTSTANDING INSURANCE CLAIMS: JUNE 2018 (5/14/3/5)**

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

**RESOLVED** that cognizance is taken of the report in respect of outstanding insurance claims for the period ending June 2018.

#### **7.6 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)**

The Executive Mayor declared the Swartland municipal area as a disaster area on 28 June 2017 due to the gravity of the continued drought and the water shortage being experienced.

The original declaration is valid for a period of three months where after it must be extended on a monthly basis.

The dam levels are not yet where we would like them to be, and an extension to the declaration is necessary in order to get provincial and national 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 August 2018 to 10 September 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.

#### **7.7 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 Provincial Gazette, No 7785 of 23 June 2017 after consultation with the relevant Provincial Departments and the West Coast District Municipality.

The original declaration is 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 30 July 2018 to 29 August 2018;
- (b) That Swartland Municipality requests the West Coast District Municipality to support the extension of the local state of disaster;

7.7/...

- (c) That the approved extension of the declaration be sent to the Provincial Government for publication in the next Provincial Gazette.

**7.8 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURE:  
TRAINING OF LAW ENFORCEMENT OFFICERS (8/1/B/2)**

The need for training of Peace Keeping Officers has arisen from a goal of the Integrated Development Plan to focus more on law enforcement and the collection of outstanding debt.

A total of 27 employees have been provisionally nominated to attend training sessions which will be offered locally by the Nelson Mandela University.

**RESOLUTION**

- (a) That it be noted and the action of the Municipal Manager be condoned with regards to the appointment of Nelson Mandela University for the provision of the Law Enforcement by Peace Officer training to the twenty seven (27) employees;
- (b) That the reasons for the deviation from the prescribed procurement processes be recorded as follows:
  - (i) Nelson Mandela University is the only service provider in this instance who provides fully accredited training as required for Law Enforcement by Peace Officers training over a period of 5 days.
- (c) That the appointment be implemented to the amount of R98 550.00 (VAT exempt) and paid from vote number 9/213-1195-953 (Training: Efficiency Development) in the 2018/19 budget;
- (d) That the Sr Manager: Financial Statements and Control, in terms of the Supply Chain Management Policy be instructed to include the aforementioned reasons as a note to the financial statements, when the statements are compiled.

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