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Municipality  
Umasipala

**MINUTES OF A MEETING OF THE SWARTLAND MUNICIPAL COUNCIL, HELD IN THE MALMESBURY BANQUETING HALL ON THURSDAY 29 AUGUST 2019 AT 10:00**

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**PRESENT:**

Speaker, clr M A Rangasamy

Executive Mayor, ald T van Essen

Deputy Executive Mayor, add M S I Goliath

Bekebu, Z (ANC)

Bess, D G (DA)

Daniels, C (DA)

De Beer, J M (DA)

Humphreys, F S (ANC)

O'Kennedy, E C (DA)

McQuire, V D (DA)

Penxa, B J (ANC)

Philander, D B (ANC)

Smit, N (DA)

Sneewe, A M (ANC)

Solomons, P E (DA)

Stanley, B J (DA)

Stemele, O M (DA)

Van der Westhuizen, R F (DA)

Van Zyl, M (DA)

Zatu, N S (ANC)

Officials:

Municipal Manager, mr J J Scholtz

Director: Electrical Engineering Services, mr R du Toit

Director: Civil Engineering Services, mr L D Zikmann

Director: Security Services, mr P A C Humphreys

Director: Corporate Services, ms M S Terblanche

Director: Development Services, ms J S Krieger

Manager: Secretarial and Record Services, ms N Brand

**1. OPENING**

The Speaker requested Father Craig Abrahams of the Anglican Church, Malmesbury to open the meeting with a scripture reading and prayer.

The Speaker welcomed all present and requested a minute's silence in remembrance of the recent loss of life, specifically during the shooting incidents in Kalbaskraal and Chatsworth.

**2. APOLOGIES**

Apology received from clrs E S M Maart, L E Mfutwana and C H Papers.

**3. DEPUTATIONS/DECLARATIONS AND COMMUNICATIONS/SUBMISSIONS**

None

**4. MINUTES FOR APPROVAL**

**4.1 MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 25 JULY 2019**

**RESOLUTION**

(proposed by add M van Zyl, seconded by clr O M Stemele)

That the minutes of an Ordinary Council Meeting held on 25 July 2019 are approved and signed by the Speaker.

**5. REPORTING IN RESPECT OF THE DECISIONS MADE BY THE EXECUTIVE MAYOR IN ACCORDANCE WITH HIS DELEGATED AUTHORITY**

5./...

**RESOLUTION**

That cognisance be taken of the decisions made by the Executive Mayor in accordance with his delegated authority in respect of the following minutes:

**5.1 MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD ON 19 JUNE 2019**

Read in conjunction with

**MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 12 JUNE 2019**

**5.2 MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD ON 17 JULY 2019**

**6. REPORTING IN RESPECT OF THE DECISIONS MADE BY THE MUNICIPAL MANAGER IN ACCORDANCE WITH HIS DELEGATED AUTHORITY**

**RESOLUTION**

That cognisance be taken of the decisions made by the Municipal Manager in accordance with his delegated authority in respect of the following minutes:

**6.1 MINUTES OF A MEETING OF THE TENDER AWARD COMMITTEE MEETING HELD ON 20 JUNE 2019**

**6.2 MINUTES OF A MEETING OF THE TENDER AWARD COMMITTEE MEETING HELD ON 24 JUNE 2019**

**7. MATTERS FOR DISCUSSION**

**7.1 APPROVAL OF THE TIMETABLE FOR THE 3<sup>rd</sup> REVISION OF THE 2017-2022 IDP AND COMPILATION OF THE ANNUAL BUDGET (2/1/4/4/1)**

In accordance with section 21(1)(b) of the Municipal Financial Management Act, Act 56 of 2003 (MFMA), the mayor must submit a timetable to the Council, at least ten months before the beginning of the budget year, together with key deadlines in respect of the Integrated Development Plan (IDP) and budget processes.

The timetable for the 3<sup>rd</sup> revision of the 2017-2022 IDP and compilation of the annual budget was circulated with the agenda.

The Municipal Manager explained, also with reference to item 7.4 of the agenda, that further liaison with role players may necessitate amendments to the timetable.

**RESOLUTION**

(proposed by ald T van Essen, seconded by add M S I Goliath)

- (a) That that the time schedule for the 3<sup>rd</sup> revision of the 2017-2022 IDP and the compilation of the annual budget be approved in terms of section 21(1) of the Municipal Finance Management Act, Act 56 of 2003;
- (b) That the Provincial Treasury and the Department of Local Government be informed of the compliance to section 21(1) of the Municipal Finance Management Act and be provided with copies of the time schedule;
- (c) That, if amendments to the timetable must be made as a result of further liaison with other role players, inter alia, the West Coast District Municipality, the Executive Mayoral Committee is given the mandate to introduce the amendments and to notify the Council accordingly.

**7.2 APPROVAL OF PRIORITY HOUSING DEVELOPMENT AREA (17/4/2/B)**

The National Department of Human Settlements published a list of *Priority Housing Development Areas* (PHDAs) on 17 May 2019.

7.2/...

A meeting took place on 7 August 2019 with the National and Provincial Departments of Human Settlements in order to consider areas in the Swartland municipal area as PHDA's because of the strategic location between the City of Cape Town and Saldanha Bay, which have already been identified as PHDA's.

On behalf of the ANC cllr D B Philander stated that although the ANC is not against the identification of PHDA's, integration of communities must be a priority. There must be a move away from the apartheid's spatial planning when establishing housing projects in the outer wards of towns. Cllr D B Philander requested the DA to support the proposal to identify PHDA's within the town precincts rather than for the De Hoop development.

On behalf of the DA cllr O M Stemele confirmed that the De Hoop development falls within the town precinct and that an integrated housing development is planned with different types of housing. Although the integration of communities is supported, the space available in the town precinct, taking into account the housing waiting list, is limited for this type of housing. Cllr Stemele stated further that Malmesbury is expanding in the direction of the De Hoop development which will lead to economic activities in the area and that the development is in line with LUPA and SPLUMA principles.

The Municipal Manager supported the concern in respect of housing developments in the outlying areas of the town, with specific reference to the high costs associated with the establishment of infrastructure. The Municipal Manager explained that breaking away from apartheid's spatial planning is being attended to through the identification of restructuring zones in the Spatial Development Framework (SDF). An example of this is the future housing project in Riebeek Kasteel which will be integrated with the town.

Cllrs N S Zatu and Z Bebeku supported cllr Philander's point of view and emphasized again the need for the social integration of communities, because the De Hoop development cannot address the total needs of the housing waiting list. People do not want to live on the edge of town, but where there are shops/facilities. Cllr Bebeku requested that the opportunity is used to be the first municipality which makes the integration of communities possible, and voiced his disappointment that the DA does not support the proposal.

#### **RESOLUTION**

(proposed by cllr O M Stemele, seconded by cllr C Daniels)

- (a) That the De Hoop catalysing housing project, in Malmesbury is approved by the Council as a *Priority Housing Development Area (PHDA)*;
- (b) That the decision of the Council is communicated to the National Department of Human Settlements via the Provincial Department of Human Settlements not later than 13 September 2019.

#### **7.3 APPROVAL OF (1) WATER AND SANITATION SERVICES AMENDMENT REGULATION; (2) REGULATION IN RESPECT OF INSTALLATION OF TELECOMMUNICATIONS INFRASTRUCTURE (1/1)**

The draft by-laws were submitted to the Council on 30 May 2019 with the objectives and executive summary of each by-law. The draft by-laws were approved in principle by the Council subject to a public participation process.

No comments were received from the public and the draft by-laws were submitted to the Executive Mayoral Committee on 21 August 2019 for consideration and recommendation to the Council.

Cllr D B Philander stated that the ANC is opposed to the approval of the by-law because the basic human right of access to water is being taken away. Furthermore the system cannot be trusted because excessively high water accounts are received, thereby threatening the provision of water.

After cllr O M Stemele/...

7.3/...

After cllr O M Stemele explained that the aim of the by-law is to provide more detail with respect to the circumstances for, and the imposition of water restrictions, the matter was put to the vote by the Speaker.

The approval of the regulation was decided with 14 votes in favour thereof and 6 councillors opposed thereto.

**RESOLUTION**

(proposed by cllr O M Stemele, seconded by cllr N Smit)

- (a) That the following by-laws be adopted by Council, to take effect on date of promulgation in the Provincial Gazette:
- Swartland Municipality: Water and Sanitation Services Amendment By-Law;
  - Swartland Municipality: By-Law relating to the Installation of Telecommunications Infrastructure.

**7.4 2020 MEETING SCHEDULE (3/4/2/1)**

The draft 2020 Meeting Schedule was circulated with the agenda.

**RESOLUTION**

(proposed by cllr P E Solomons, seconded by ald R F van der Westhuizen)

- (a) That the proposed meeting schedule for 2020 be accepted;
- (b) That the dates be published bi-annually in the local media for public cognisance, as well as on the municipal website;
- (c) That each councillor be furnished with a copy of the final schedule, as well as the West Coast District Municipality to use for planning purposes;
- (d) That the meeting schedule also be forwarded to SALGA and the Provincial Department of Local Government.

**SIGNED  
SPEAKER**