



**MINUTES OF A MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE BANQUETING HALL, MALMESBURY ON WEDNESDAY, 17 JULY 2019 AT 11:00**

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**PRESENT:**

Executive Mayor, ald T van Essen (chairman)  
Deputy Executive Mayor, add M S I Goliath

Members of the Mayor's Committee:

Clr P E Solomons  
Clr O M Stemele  
Ald R F van der Westhuizen  
Add M van Zyl

Other councillors:

The Speaker, clr M A Rangasamy

Officials:

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

**1. OPENING**

The Executive Mayor welcomed members and requested clr O M Stemele to open the meeting with a prayer.

**2. APOLOGIES**

Apology received from the Director: Engineering Services, mr L D Zikmann.

**3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS**

None

**4. MINUTES**

**4.1 MINUTES OF AN ORDINARY EXECUTIVE MAYOR'S COMMITTEE HELD ON 19 JUNE 2019**

**RESOLUTION**

That the minutes of an Ordinary Meeting of the Executive Mayor's Committee held on 19 June 2019 are approved and signed by the Mayor, subject to correction of the title of Director: Development Services, ms J S Krieger, and the following correction under item 3, namely

The Municipal Manager gave the background.... employees from ASLA were injured (in place of they lost their lives).

## 5. MATTERS ARISING FROM THE MINUTES

None

## 6. NEW MATTERS

### 6.1 NERSA APPROVAL OF ELECTRICITY TARIFFS FOR 2019/2020 (16/2/1/2/1)

The proposed electricity tariffs were submitted to NERSA on 28 May 2019 for approval. Based on the increase of 15.63% by Eskom to municipalities NERSA determined a guideline increase of 13.07% and other guidelines in respect of specific tariffs and categories.

The Municipal Manager pointed out that NERSA only commenced the consultation process in March 2019 and that it is problematic for local authorities which are already at an advanced stage in respect of the budget process for the new financial year.

**RESOLUTION** (for recommendation to the Council on 25 July 2019)

- (a) That the approval of the electricity tariffs by NERSA for 2019/20 be noted.
- (b) That the following reduced tariff increases as determined by NERSA for 2019/20 be approved and accepted for implementation from 1 July 2019:

Tariff	NERSA Increase allowed	Tariff per kWh approved by NERSA
4. Commercial alternative <15A	12.96%	R2.3016
8. Commercial pre-paid	12.90%	R2.3016

### 6.2 SWARTLAND MUNICIPALITY: DRAFT REGULATION IN RESPECT OF FILMING (1/1)

The existing process for authorising filming in the Swartland municipal area is wordy and time consuming which may give rise to lost opportunities for the Municipality or result in illegal filming taking place.

A draft regulation was therefore drawn up to manage and regulate filming in the municipal area with the aim of -

- (1) Supporting the important role that filming plays in the Western Cape economy;
- (2) To protect the rights of the residents to privacy and a safe environment;
- (3) Facilitating the processing of applications for filming within a time frame which is beneficial, both administratively and economically, and in accordance with the Constitution and other legislation.

**RESOLUTION** (for recommendation to the Council on 25 July 2019)

- (a) That the draft Swartland Municipality: Filming By-Law be submitted to Council for in-principle approval on 25 July 2019; and
- (b) After the in-principle approval by Council, the draft by-law be advertised for public comment in terms of section 12(3)(b) of the Systems Act, 2000 both in the local media and on the municipal website.

6.3/...

**6.3 ANNUAL REPORT IN RESPECT OF THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY (8/1/B/2)**

Regulation 6(2)(a)(i) of the *Municipal Supply Chain Management Regulations* stipulates that a report in respect of the implementation of the Supply Chain Management Policy is submitted annually to the Council.

The annual report for the period 1 July 2018 to 30 June 2019 was circulated with the agenda.

**RESOLUTION** (for recommendation to the Council on 25 July 2019)

- (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 2019 to 30 June 2019 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).

**6.4 CHATSWORTH AND RIVERLANDS AREA: APPROVAL FOR THE PROVISION OF ELECTRICITY CONNECTIONS BY ESKOM TO THE EXISTING OCCUPANTS OF ERF 7816 (15/3/1)**

Erf 7816 is situated in the Greater Chatsworth area and is presently occupied by about 93 households who, for many years, have been agitating to get electricity connections.

The authority responsible for the provision of electricity to the area is Eskom and the latter has requested permission from the owner, Western Cape Government, as well as the municipality to provide electricity infrastructure. The permission involves the Municipality in supporting the existing layout of the plots and that electricity infrastructure must be installed accordingly.

The Municipal Manager explained that portions of the land are also earmarked for land redistribution by the Western Cape Government. The land usage processes, which includes partial township establishment, and the electrification of the area will take place simultaneously.

The Municipal Manager stated that the land which belongs to HDA is excluded from the above mentioned process, because HDA must go through the same process with Eskom.

**RESOLUTION**

That the current occupation and layout of informal households and smallholdings residing on erf 7816 Greater Chatsworth be accepted and adopted and that approval be granted to Eskom to proceed with the electrification of the area and the provision of electrical connections to the households and smallholdings residing on the property.

**6.5 TENDER L08.18.19: ALIENATION OF RESIDENTIAL ERWEN IN ABBOTSDALE (12/2/B)**

During March 2019 the Council approved the alienation of residential erwen in Abbotsdale by means of a public, competitive process.

A tender was issued and by the closing date of 7 June 2019 the monetary bids referred to in the report, circulated with the agenda, were received.

6.5/...

The Director: Corporate Services confirmed that the tender specifications allowed a tenderer to bid for more than one property, but was limited to the purchase of only one property. Tenderers were therefore advised, where necessary, to indicate their property of choice.

### RESOLUTION

- (a) That Tender L08.18.19 for the Sale of Residential Sites be awarded as follows:

<i>Erf nr</i>	<i>795</i>	<i>796</i>	<i>800</i>	<i>803</i>	<i>805</i>
<b>Reserve Price</b>	<b>R 55 500.00</b>	<b>R 55 500.00</b>	<b>R 56 000.00</b>	<b>R 56 000.00</b>	<b>R 55 500.00</b>
N Mafenuka				R 133 000.00	
F Bocks			R 82 225.00		
R Williams					R 100 000.00
K Esau		R 85 000.00			
NF Meyer	R 110 000.00				

- (b) That approval be granted for the transfer of the erven as per the aforesaid schedule;
- (c) That should any of the approved transactions not realise, approval be granted to accept the next highest bid, until a sales transaction can be concluded successfully.
- (d) That approval be granted that should the properties remain unsold after the competitive process, it be sold out-of-hand on a 'first come first serve' basis at the reserve prices as aforementioned, provided that the Municipality shall make known its intention to sell the erven out-of-hand from a given date, and further provided that the sale of such properties shall be limited to one erf per purchaser and the reservation of properties for a specific purchaser shall be limited to a period of one calendar month.

### 6.6 LEASE AGREEMENT: SWARTBERG TRUST (15/4/6)

Information and Communication Technology infrastructure (ICT infrastructure) has been installed by the Municipality on a portion ( $\pm 300$  m<sup>2</sup>) on the farm Swartberg 331, situated in the Moorreesburg district. As there is no formal lease agreement, the owner, Swartberg Trust, have requested that a lease agreement is put in place.

The ICT division has indicated that the continued operation of the relevant infrastructure, on the specific site, is necessary for service delivery to the relevant area.

### RESOLUTION

That the Council approves entering into a lease agreement with Swartberg Trust for the leasing of a portion of the Farm Swartberg 331 for the continuous operating of its ICT-infrastructure as follows:

- (a) a lease agreement for the period 1 July 2019 until 30 June 2022 at an amount of R1 500,00, plus VAT, rental fee per month with a yearly escalation of 6%, as well as the option to renew the lease;
- (b) the applicable vote be adapted in the 2019/20 adjustments operating budget to accommodate the additional rental fees.

## 6.7 PROPOSED SALE OF PAINTING (9/1/3/2)

The Municipality owns an original painting by van Essche in oils, 88 x 117 cm in size, which was apparently gifted to the Municipality many years ago. The painting has hung for many years, in the Malmesbury Library.

After a member of the public notified the Municipality of the potential value of the painting, the art dealer, Strauss and Co, were requested to carry out a valuation. The value of the painting is estimated at ±R 350 000. There was slight damage to the painting, which has been restored in the interim, which now means that the value thereof has probably increased.

### RESOLUTION

- (a) That approval be granted for the Van Essche painting to be presented for sale, provided that the proposed alienation of the asset be advertised for public comment;
- (b) That approval be granted that the determination of the reserve price is to be included in the tender specifications for the appointment of an auctioneer;
- (c) That the possibility be considered by management that a portion of the proceeds be utilised to capture a photo replica of the painting on canvas for display at the Malmesbury Library.
- (d) That an investigation is undertaken to identify similar assets in the various municipal offices.

## 6.8 OUTSTANDING DEBTORS: JUNE 2019 (5/7/1/1)

A complete list of outstanding debtors was circulated with the agenda.

**RESOLUTION** that cognizance be taken of the report with reference to the state of the outstanding debtors of Swartland Municipality for June 2019.

## 6.9 PROGRESS IN RESPECT OF OUTSTANDING INSURANCE CLAIMS: JUNE 2019 (5/14/3/5)

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

**RESOLUTION** that cognizance be taken of progress in respect of outstanding claims for the period ending June 2019.

## 6.10 SITUATION IN TERMS OF WRITE-OFF OF LOST ASSETS AS OF 30 JUNE 2019 WITH THE PURPOSE OF REMOVAL FROM THE ASSET REGISTER (5/14/3/5)

During the annual stock take of moveable assets, which was undertaken in February 2019, a total of 8005 assets were examined. In total, 29 items on the asset register could not be traced (0,36% of the total assets), the reasons for which are fully explained in the report circulated with the agenda.

The Director: Financial Services stated that the above mentioned percentage is negligible and serves to demonstrate that effective processes and controls are in place to manage the Council's assets.

### RESOLUTION

That approval is given to write-off the assets on the attached list to the amount of R9 241.36, and that the assets are removed accordingly from the asset register to ensure that the Municipality's records, as of 30 June 2019, are comprehensive.