



MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE TOWN HALL, MALMESBURY ON WEDNESDAY, 20 MARCH 2019 AT 11:00

PRESENT:

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

Members of the Mayor's Committee:

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

Officials:

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

1. OPENING

Ald R F van der Westhuizen opened the meeting with a prayer at the request of the chairman.

2. APOLOGIES

Apology received from the Director: Civil Engineering Services, mr L D Zikmann and the acting Director: Development Services, mr A M Zaayman.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None.

4. MINUTES

4.1 MINUTES OF A SPECIAL EXECUTIVE MAYOR'S COMMITTEE MEETING HELD ON 25 JANUARY 2019

RESOLUTION

That the minutes of a Special Executive Mayor's Committee Meeting held on 25 January 2019 are approved and signed by the Mayor.

4.2 MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD ON 20 FEBRUARY 2019

RESOLUTION

That the minutes of a Ordinary Executive Mayor's Committee Meeting held on 20 February 2019 are approved and signed by the Mayor.

4.3 MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 13 MARCH 2019

[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 13 MARCH 2019

5.1.1 MUNICIPAL MANAGER, ADMINISTRATION AND FINANCES

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 DEVELOPMENT SERVICES

RESOLUTION that the Executive Mayor approves the recommendations in the relevant minutes.

5.1.4 PROTECTION 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 SECOND REVISION OF THE 2017-2022 INTEGRATED DEVELOPMENT PLAN AND AREA PLANS (2/1/4/4/1)

Article 34(a) of the Local Government Act: Municipal Systems, 2000 stipulates that a municipal council must revise its IDP annually. The revised IDP serves as a basis for the 2019/2020 annual budget, the SDBIP and the performance plans for the various directorates.

The chairman referred briefly to the amendments introduced in the second revision of the IDP and -

RESOLUTION (for recommendation to Council on 28 March 2019)

That the second revision of the 2017-2022 Integrated Development Plan (IDP) as well as the revision of the area plans be considered and referred to Council for approval as draft plans, after which a further consultation and refinement process will be followed during April 2019.

7.2 BUDGET COMMITTEE: TECHNICAL RECOMMENDATIONS FOR THE MULTI-YEAR CAPITAL AND OPERATING BUDGETS, AMENDED BUDGET RELATED POLICIES, PROPERTY RATES AND TAXES, TARIFFS AND OTHER LEVIES FOR 2019/2020, 2020/2021, 2021/2022 (5/1/1/1, 5/1/1/2 (2019/20), 5/1/4)

Article 16(2) of the Local Government Act: Municipal Financial Management, 2003 (MFMA) stipulates that a mayor must table the annual budget at a council meeting at least 90 days before the beginning of the budget year

7.2/...

The draft multi-year capital and operating budgets, respectively, were also presented to the Budget Management Committee on 12 and 19 March 2019 in terms of the *Municipal Budget and Reporting Regulations, 2008*.

The Director: Electrical Engineering Services stated that notice has just been received that an increase of 15,63% in Eskom tariffs has been approved by NERSA and that the report to the Council will be adjusted accordingly.

The chairman stated that the draft budget was dealt with in detail during the Budget Management Committee Meeting and, subject to the adjustments discussed, is therefore -

RESOLUTION (for recommendation to the Council on 28 March 2019)

The following recommendations by the Budget Steering Committee held on 19 March 2019, to be considered by the Executive Mayoral Committee on 20 March 2019 and recommends to Council for purposes of public participation. Final approval shall only take place on 30 May 2019.

- (a) That council takes note that the costs as envisaged by Section 19 (2)(a)(b) were derived after consultation with the respective director(s) who has confirmed the costs as per **(Annexure A, Section 1: 2019/20 – 2021/22 Capital Projects ito Sec 19)**;
- (b) That council prior to approving the capital projects above R50 million as listed in **(Annexure B, Section 1: 2019/20 – 2021/22 Capital Projects ito Sec 19)**, first consider the projected cost covering all financial years until the project is operational and the future operational costs and revenue on the project, including municipal tax and tariff implications;
- (c) That council considers the funding sources linked to council's capital program and take note that these funding sources are available and have not been committed for other purposes;

FINANCING SOURCES	Draft Budget 2019/2020	Draft Budget 2020/2021	Draft Budget 2020/2021
External Loans	R 22 631 209	R 27 368 791	R -
Capital Replacement Reserve (CRR)	R 53 315 363	R 67 024 928	R 83 369 556
Municipal Infrastructure Grant (MIG)	R 21 301 000	R 22 285 000	R 23 700 000
Dept. Human Settlements	R 32 480 000	R 31 800 000	R -
Integrated National Electrification Programme	R 5 000 000	R 10 000 000	R 10 000 000
Dept. Cultural Affairs and Sport	R 370 000	R -	R -
RSEP / VPUU	R 4 000 000	R 2 000 000	R -
Community Safety Grant	R 10 000	R 10 000	R 10 000
Fire Service Capacity Building Grant	R -	R 841 000	R -
Energy Efficiency Demand Side Management	R 5 000 000	R 5 000 000	R 6 729 000
GRAND TOTAL	R 144 107 572	R 166 329 719	R 123 808 556

- (d) That council deemed it appropriate to consider the entire capital program excluding the 2 individual projects above R 50 million as the aforementioned capital program's operational cost, inclusive of future costs are covered by the rates regime and the normal cost centres found in the operational budget;
- (e) That council note that the upgrading of both the Moorreesburg and Darling Waste Water Treatment Works will have an impact on the outer years, i.e from the 2022/23 financial year and beyond and therefore the process as prescribed in Section 33 of the MFMA is required prior to final approval in May 2019;

7.2/...

- (f) That council approves the capital projects as part of its consolidated capital program as per **(Annexure A, Section 1: 2019/20 – 2021/22 Draft Budget and Tariff File)**;
- (g) That the draft multi-year Capital and Operating budgets with respect to the 2019/20 – 2021/22 financial years be approved, in accordance with sections 16, 17 and 19 of the MFMA to allow for public participation;

	Original Budget 2018/2019	Adjustment Budget 2018/2019	Draft Budget 2019/2020	Draft Budget 2020/2021	Draft Budget 2021/2022
Capital budget	87 245 909	98 785 331	144 107 572	166 329 719	123 808 556
Operating Expenditure	698 278 426	693 672 465	747 413 724	787 878 112	871 723 962
Operating Revenue	746 205 036	761 793 817	829 366 279	904 995 541	950 674 505
Budgeted (Surplus)/ Deficit	(47 926 610)	(68 121 352)	(81 952 555)	(117 117 429)	(78 950 543)
Less: Capital Grants	36 975 000	51 972 114	68 161 000	71 936 000	40 439 000
(Surplus)/ Deficit	(10 951 610)	(16 149 238)	(13 791 555)	(45 181 429)	(38 511 543)

- (h) That council in-principle approves the raising of an external loan to the amount of R50 000 000 for the partial financing of the Moorreesburg and Darling Waste Water Treatment Works in the multi-year capital budget for 2019/20 to 2020/21 financial years, by means of testing the market as envisaged by the MFMA section 46 requesting tenders from the financial institutions (please refer to the impact and schedules dealing with the proposed loan for purposes of public advertisement and final approval in May 2019);
- (i) That in-principle approval be granted to the Director: Financial Services to prepare the necessary tender for purposes of giving effect to section 46 of the MFMA in respect of taking up a capital loan to the value R50 000 000, in terms of the requirements of Section 46 of the MFMA for the specific purpose of partially funding the aforementioned Treatment Works;
- (j) That council approves the property rates tariffs for the 2019/20 financial year as listed below and in the property rates policy for purposes of allowing for public participation;

Property Categories	Tariff (c/R)
Residential properties	.006490
Vacant land	.008580
Industrial properties	.008580
Business and commercial properties	.008580
Agricultural properties (used for agricultural purposes)	.001623
Agricultural properties used for eco-tourism	.008580
Agricultural properties used for trading in or hunting of game;	.008580
Mining properties	.008580
Properties owned by an organ of state and used for public service purposes	.008580
Public service infrastructure	.000000
Properties owned by public benefit organisations:	
(i) welfare and humanitarian organisations;	.008580
(ii) cultural organisations;	
(iii) sporting organisations;	

(iv) conservation, environmental and animal welfare organisations; (v) healthcare organisations; and (vi) education and development.	
Properties used for multiple purposes	Differential rate
Properties in rural area zoned for business or in respect of which consent uses have been approved in terms of the municipality's zoning scheme regulations	.008580
Municipal properties	.000000
Informal settlements, including those on land which are not subdivided into residential ervens	.006490
Property acquired through the Provision of Land and Assistance Act, 1993 (126 of 1993) or the Restitution of Land Rights Act, 1994 (Act 22 of 1994) or Communal Property Association Act, 1996	Either .008580 or .006490, depending on use
Conservation areas	.000000
Protected areas (excluding residential and other properties)	.000000
National monuments	.000000
State owned properties	.008580

- (k) That the discount to disabled persons and senior citizens as defined in the Property Rates Policy, be limited to a maximum of R300 000 for the 2020/21 financial year subject to application in the prescribed format per direction of the Chief Financial Officer;
- (l) That council approve the draft tariff structures and charges for water, electricity, refuse removal, sewerage and other sundry charges as set out in **(Annexure A: 2019/20 – 2021/22 Draft Budget and Tariff File)** for purposes of allowing for public participation;
- (m) That council approves the proposed electricity tariffs as draft for the 2019/2020 financial year, bearing in mind that it is still subject to NERSA's final approval;
- (n) That the annual budget tables as required by the Budget and Reporting Regulations be approved as set out in **(Annexure C: A-Schedules 2019/20 – 2021/22 (A1 – A10) inclusive of the** corrections to the 2018/19 adjusted budget schedules due to reclassification changes;
- (o) That the draft revised budget related policies, the revised Credit Control and Debt Collection By-law and Policy and the revised Property Rates Policy and By-law as set out in **(Annexure D: Draft Budget Related Policies and By-laws 2019/20)** hereto, be approved for purposes of public participation;
- (p) That the training budget limited to 0,83% of the salary budget in the amount of R1 775 494 for the 2019/20 financial year be approved as draft;
- (q) That Council takes note and grant approval for the following increases as follows:
- (i) In respect of all personnel, an increase of **6.5%** for 2019/2020; **6.25%** for 2020/21 and **6%** for the 2021/2022 financial years, excluding the increase in other benefits that are applicable and the annual 2.5% notch increase where applicable.
 - (ii) In respect of the other section 56-appointments (excluding the Municipal Manager, CFO and Director Civil Services) a **6.5%** increase with effect from 1 July 2019;
 - (iii)/...

7.2(q)/...

- (iii) Provision has been made for a **5%** increase for political office bearers which are within the upper band of the inflation targets set by the South African Reserve Bank (SARB).
- (r) That council specifically takes note that of the fact that management is in the process of considering both the financial and service delivery impacts that the Labour Relations Act have on contract appointments of which the outcome can only be considered during final approval in May 2019 insofar that the salary bill is impacted;
- (s) That Council takes note of the budgeted operating surpluses, the total expenditure growth of **7.7%** from the current to the new financial year, in the main due to the anticipated high increase in electricity bulk purchases and growth in revenue of **8.9%** for the MTREF period as well as the cash flow statement as per **(A-schedule A7 and SA8)** for the current as well as the next three financial years and more specifically the progress made in this regard;
 - (i) the risk factor for cash coverage for operating expenses is **11 months** for 2019/2020 and 2020/2021 financial years and for 2021/2022 it is **10.5 months**;
 - (ii) over the next three financial years the planning is such that the following operating surpluses are envisaged, 2019/2020 an amount of **R 81 952 555**, 2020/2021 an amount of **R 117 117 429** and 2021/2022 an amount of **R 78 950 541 (inclusive of capital grant income)**;
 - (iii) over the next three financial years the planning is such that the following operating surpluses are envisaged, 2019/2020 an amount of **R 13 791 555**, 2020/2021 an amount of **R 45 181 429** and 2021/2022 an amount of **R 38 511 541 (excluding capital grant income)**;
- (t) That the Director: Financial Services adhere to the requirements of the Budget Circulars and Budget Reforms in the context of the reporting requirements to Provincial and National Treasury;
- (u) That Council take note that the budget was also prepared in the new mSCOA Version 6.3 as required by National Treasury;
- (v) That the public participation process for purposes of input and comment into the draft **revised** budget and related documents will close at 12 midday on 3 May 2019.

7.3 DRAFT 2019/2020 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) (2/4/2)

The Municipal Manager confirmed that the amendments to the 2019/2020 budget were accordingly added to the Service Delivery and Budget Implementation Plan (SDBIP), after the Budget Management Committee Meeting. The amended SDBIP was circulated separately from the agenda to the members of the Executive Mayor's Committee.

RESOLUTION (for recommendation to the Council on 28 March 2019)

That the draft 2019/2020 Service Delivery and Budget Implementation Plan (SDBIP) be approved for purposes of the evaluation of the budget by National and Provincial Treasury.

7.4 AMENDMENT TO KPI'S AND TARGETS FOR 2019/2020 (2/4/2)

The Municipal Planning and Performance Management Regulations, 2001 (R796 dated 24 August 2001) stipulate that a municipality must revise its key performance indicators annually. The regulations also stipulate that when a municipality amends its IDP, the municipality must also amend the key performance indicators affected by such amendments.

7.4/...

The amended KPI's and targets were circulated with the agenda.

RESOLUTION

That the attached amendment of key performance indicators (KPI's) and targets be approved as a draft for the purposes of advertising for public inputs and comments.

7.5 RECOMMENDATION FOR THE AMENDMENT TO THE ORGANIZATIONAL STRUCTURE OF THE DEPARTMENTS ELECTRICAL ENGINEERING SERVICES AND DEVELOPMENT SERVICES (2/3)

Article 66 of the Municipal Systems Amendment Act, 2011 stipulates that the municipal manager is responsible for the development of an organizational structure for approval by the municipal council.

The amendments to the organizational structure, with specific reference to the Directorates: Electrical Engineering, Civil Engineering and Development Services have already been submitted to the Labour Forum and are fully explained in the report attached to the agenda.

The Municipal Manager requested that the proposed amendments in respect of the Directorate: Civil Engineering Services are omitted from the recommendations to the Council to allow for further consultation.

RESOLUTION

That the Executive Mayoral Committee recommend the amendments to the organisational structure with regard to Electrical Engineering Services and Development Services for submission to Council for approval.

7.6 APPROVAL OF THE REGULATION IN RESPECT OF PUBLIC NUISANCE (1/1)

The draft Regulation in respect of Public Nuisance was presented to the Council on 31 January 2019 in order to get approval in principle in order to advertise the draft regulation for public comment and input.

During the public participation process valuable input was received from the Yzerfontein Homeowners Association and ms E Lewis respectively and incorporated in the draft regulation, where applicable.

The amended regulation was circulated with the agenda and must be submitted by the Executive Mayor to the Council for approval, in accordance with paragraph 60 of the Regulation in respect of the Rules for the Holding of Meetings (PK 7501 dated 2 October 2015).

RESOLUTION (for recommendation to the Council on 28 March 2019)

- (a) That the constructive input received from the public regarding the draft by-law be noted with appreciation;
- (b) That the By-law relating to Public Nuisances be adopted;
- (b) That the by-law be promulgated in the Provincial Gazette for implementation with effect from date of promulgation.

7.7 YZERFONTEIN PUBLIC BOAT LAUNCHING FACILITY: OPERATIONAL PLAN (17/5/1/1)

The Director: Security Services advised that the boat launching facility in the Yzerfontein harbour was promulgated as a Public Boat Launching Facility by the Minister of Environmental Affairs and Development Planning in the Provincial Gazette, no. 7410 dated 26 June 2015.

7.7/...

In terms of the above mentioned notice, Swartland Municipality was appointed as the managing organisation and has drawn up, in conjunction with the Department of Environmental Affairs and Development Planning, an operational plan for the Public Boat Launching Facility.

The aim of the plan is to provide guidelines in respect of the management and operation of the public launching facility.

RESOLUTION

- (a) That cognizance be taken of the process followed to compile an operational plan for the Yzerfontein Public Launch site.
- (b) That the Yzerfontein Public Launch Site: Operational Plan be approved and a copy of the approved Plan be send to the Provincial Minister of Environmental Affairs and Development Planning.

7.8 PILOT BLUE FLAG STATUS: YZERFONTEIN BEACH 2018/2019 SEASON (9/1/3/2/1, 17/10/R)

The Yzerfontein beach received pilot blue flag status for the 2018/2019 season from 15 December 2018 to 15 January 2019. The aim of the report attached to the agenda, drawn up by mr Rupert Joonè, is to report on the success of the pilot blue flag status during the above mentioned period.

The blue flag beach in Yzerfontein was visited by 5735 visitors and received a grading of 9/10 during the adjudication. The grading is an indication that full blue flag status is possible.

RESOLUTION

- (a) That cognizance be taken of the report of the 2018/19 Pilot Blue Flag project for Yzerfontein beach;
- (b) That Yzerfontein Blue Flag as pilot project for the 2019/20 season be approved; and
- (c) That the amount of R95 350,00 in the budget be allocated towards the Yzerfontein Blue Flag pilot project for the 2019/20 season.

7.9 MINUTES OF A MUNICIPAL PERFORMANCE AND RISK AUDIT COMMITTEE MEETING HELD ON 21 NOVEMBER 2018 (5/15/1/3)

The Audit Committee serves as a fully fledged, independent committee of the Council and fulfils its function in terms of the requirements of article 166 of the Local Government: Municipal Financial Management Act, no 56 of 2003.

The minutes of the Municipal Performance and Risk Audit Committee Meeting held on 21 November 2018 were circulated with the agenda and do not contain any recommendations to the Executive Mayor's Committee for consideration.

RESOLVED that cognizance be taken of the Performance and Risk Audit Committee's minutes of the meeting held on 21 November 2018.

7.10 POSSIBLE PURCHASE OF ERF 944, MOORREESBURG (15/4/1)

Erf 944 is registered in the name of *Palmhurst Investments (Pty) Ltd* and is situated in Graan Street, Moorreesburg. The property was handed over to the Department of Corporate Services during 2012 for litigation, due to the unsightly structure on the property.

In the meantime the company has been deregistered and the services of a tracing agent have been employed in order to trace the only director, mr M Gaffoor.

7.10/...

It was then discovered that mr Gaffoor has died and at that stage (January 2013) no assets had been transferred to the intestate heir.

The services of the council lawyer were obtained to collect the outstanding service debts and to declare the property recoverable in order to sell it, by means of a public auction, but problems have been experienced in finding the parties to serve the necessary documents.

The outstanding municipal account is at present ±R 240 000,00.

RESOLUTION

- (a) That cognizance be taken of the situation regarding Erf 944, Moorreesburg;
- (b) That approval be granted for the property to again be put up for sale in execution;
- (c) That should a proper bid not be received at the auction, the Municipal Manager (or designated official) be authorized to offer an amount up to a maximum of R10 000,00 (or as determined by the committee) for the property in order to obtain ownership and to thus be in a position to deal with the property in a manner to be decided.

7.11 PROPOSED AGREEMENT IN RESPECT OF ERECTING A FENCE: SWARTLAND MUNICIPALITY/WATER SOURCE TRUST (15/3/3-15/ Farm 661/11) (WARD 12)

Two objections were received during the public participation process in respect of the land usage application for the establishment of housing facilities in Riebeek Kasteel on a portion of the Farm Botmaskloof No. 661/11, Division Malmesbury.

One of the objections received has been withdrawn in the interim and there have been negotiations with the other objector in order to reconsider the objection. The objection has been withdrawn in exchange for which the Municipality agreed, with certain conditions, to erect a *Clear Vu* fence of about 346,8 meters long (± 2,1 meters high) on the boundary of Portion 11 and Portion 12 of Farm 661.

RESOLUTION

- (a) That cognizance be taken that Ms K E van der Merwe agreed to withdraw the objection by the Waterbron Trust to the land use application for the subdivision and rezoning of Portion 11 of Farm Botmaskloof Nr. 661, Division Malmesbury as per Notice 01/2018/2019, provided that a fence be erected as indicated in this report;
- (b) That approval be granted that an agreement be entered into with the Waterbron Trust regarding its contribution towards the costs pertaining to the erection of the fence, and that the Municipal Manager be authorized to finalise the terms of such agreement and the signing thereof on the Municipality's behalf;
- (c) That the Municipality's contribution be funded by the Department of Human Settlements as part of the Riebeek Kasteel housing project.

7.12 NOTARIAL UNBUNDLING OF ERWEN 8857, 157 AND 164, MALMESBURY (12/25/2-8/2)

During 2005 the Council awarded rights to the Mispah Spa Conference Centre for the use of the mineral water from the spring situated on erf 7211, Malmesbury, subject to certain conditions. Although the water has never been used, certain conditions have been carried met, inter alia, the notarial linking of erwen 8857, 157 and 164, Malmesbury.

Following a tender process during 2018, the right to the use of the relevant mineral water was awarded to La Belle Creations CC in respect of the Mispah development.

7.12/...

One of the tender conditions was that written confirmation must be provided that a loan to the amount of R 3,5 million is successfully obtained in order to finalize the development. Notification of approval for the loan was received, but the loan agreement between La Belle Creations CC and the financial institution is threatened by the old clause in the agreement of 2005 in respect of the notarial connection.

RESOLUTION

- (a) That approval be granted for the notarial bonding between erven 8857, 157 and 164, Malmesbury to be cancelled, given that there are no risks for the Municipality incidental to such cancellation;
- (b) That the costs related to the notarial agreement of cancellation of the bonding agreement, which is to be registered in the deeds office, shall be for the account of La Belle Creations CC.

7.13 RENOUNCEMENT OF PRE-EMPTIVE RIGHT: ERF 12421 MALMESBURY (12/2/5/2-8/5)

[The Executive Mayor left the hall for the discussion of the item due to the involvement of his wife in the ACVV and the Deputy Executive Mayor was appointed as chairman]

In May 2017 the Council approved the alienation of a portion (6 823 m² in extent) of Erf 327, Malmesbury, to the ACVV Malmesbury for consolidation with Erf 3756. The consolidated property is known as Erf 12421 (9670 m² in extent).

The ACVV proposed to establish an English Primary School and the Better Beginnings College was established in 2018 with 13 learners between Grade R and Grade 2. In 2019 a Grade 3 was added and the school grew to 63 learners. The growth in the number of learners confirmed the need for an English Primary School in Malmesbury and the intention is to add another grade each year up to and including grade 7.

The ACVV has therefore decided that the school must be established as an independent entity because a fully fledged school falls out of the expertise of the ACVV.

RESOLUTION

- (a) That cognizance be taken that the ACVV has complied with clause 11.1 of the deed of sale with the Municipality, in that Erf 12421 Malmesbury has already been developed in terms of same;
- (b) That the pre-emptive right as per clause 13 of the deed of sale be waived by the Municipality, and approval be granted to the ACVV to sell the property to Better Beginnings College (BBC), subject thereto that a successful land use application be brought by the ACVV for the subdivision of Erf 12421;
- (c) That removal of the title condition that prohibits subdivision shall depend on the successful outcome of the above-mentioned application for subdivision and the conditions that may be determined in respect of such subdivision;
- (d) That the restrictions as contained in clauses 11.2, 12.2, 12.3 and 13 be included in the deed of sale between the ACVV and BBC in respect of the property which is established as a result of the subdivision, and that a copy of the deed of sale be submitted to the Municipality for approval;
- (e) That the services of Council' attorneys (Du Plessis & Mostert) be utilized by the ACVV to draft the said deed of sale, for the account of the seller.

7.14/...

**7.14 DEVELOPMENT PROPOSALS: ERF 4230, DARLING (BUSINESS PREMISES)
(12/2/B)**

Tender LO6.17.18 for the purchase of Erf 4230, Darling for the amount of R305 000,00 (VAT excluded) was awarded to ms M Mbotbo t/a Myrtle Liquor.

One of the conditions of purchase was that a development plan (including draft building plans) was submitted to the Municipality for consideration and approval by 31 December 2018.

The land usage rights for a Business Zone 1 are not in place to accommodate a liquor store on Erf 4230, Darling. An application for consent use must be submitted in accordance with Article 25(2)(o) of the Regulation in respect of Municipal Land Usage Planning and the building plans can only then be considered if and when the land usage application has been successfully completed.

RESOLUTION

That the conclusion of a revival agreement with the purchaser of Erf 4230, Darling be approved, providing an extended period for an amended development proposal within the zoning parameters to be submitted;

7.15 LEASE OF INDUSTRIAL LAND IN MOORREESBURG FOR AGRICULTURAL PURPOSES (12/2/5/5-9/2)

After the Executive Mayor's Committee approved the request for proposals for the lease of a portion (± 17.7 ha) of erf 1133, Moorreesburg a competitive, public tender process was carried out in order to make the land available for agricultural purposes.

The Wheat Industry Museum was the only body which showed interest in leasing the land from the Municipality.

RESOLUTION

- (a) That Tender L04.18.19 for the lease of a portion (± 17.7 ha in extent) of erf 1133, Moorreesburg at the amount of R500,00 per annum, excluding VAT, be awarded to the Koringbedryfmuseum for a period of one year, with effect from 1 April 2019;
- (b) That the Director: Corporate Services be authorized to finalise the conditions of the lease agreement and to sign same.

7.16 OFFICE ACCOMMODATION: MOORREESBURG SPORT FORUM (12/1/3/1-9/1)

The office space, known as the old Tourism Office, is leased to the Moorreesburg Sport Forum on an annual basis.

An application has been received to lease the office for a further period of twelve months.

RESOLUTION

- (a) That the former Tourism Office in Moorreesburg be leased to Moorreesburg Sport Forum for a further term of 12 months as from 1 May 2019 for administrative purposes;
- (b) That the lease tariff be set at R10,00 plus VAT, per month;
- (c) That the existing conditions of lease remain unchanged.

7.17 LEASE OF TRANSNET RESTROOMS IN KALBASKRAAL

The Council leases the restrooms in Kalbaskraal from Transnet. The lease term expires on 31 June 2019.

7.17/...

RESOLVED that the item is referred back in order to consider the effective use of the facility.

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

The Department of Public Works, at present, leases a portion of the Dieprivier Sports Grounds and the Cricket Club House for the activities of the Department of Home Affairs.

The chairman stated that on the one hand the Municipality wishes to help the Department of Public Works in order to provide office space for Home Affairs but on the other hand they wish to put pressure on the relevant department to obtain alternative office space from which to provide a comprehensive service to the public.

RESOLUTION

- (a) That a lease agreement be entered into with the Department of Public Works as of 1 December 2018 for the leasing of the facilities for a further period which ends on 30 June 2019;
- (b) That the rental amount be established at R1000,00 per month plus VAT;
- (c) That cognizance be taken that the established rental amount includes electricity- and water usage.

7.19 LEASE OF STORAGE SPACE IN MALMESBURY (12/1/2-6/2)

At present the Council leases storage space from the Bester Family Trust for the storage of refuse bags and water meters.

The storage space is needed for a further term.

RESOLUTION

- (a) That a rental agreement be entered into with Bester Family Trust for the use of storage space in Malmesbury, for a further term of 12 months as from 1 April 2019;
- (b) That the rental tariff of R1100.00, VAT included, per month be paid from voting number 9/241-369-3007 (purchase of refuse bags);
- (c) That the existing conditions of lease remain unchanged.

7.20 LEASE AGREEMENT: MALMESBURY HOMING PIGEON SOCIETY (17/9/2/2/3)

In the past the Council leased a small building to the Malmesbury Homing Pigeon Society, situated on one of the erwen (erf 11338) alienated to the West Coast College.

The sale agreement stipulated that the purchaser, at their own cost, erect a similar building to the satisfaction of the Municipality, which would become the property of the Municipality for use by the Malmesbury Homing Pigeon Society.

The clubhouse was erected on a portion of the Dieprivier Sports Grounds adjoining the bowling club facilities.

The Director: Corporate Services stated that the Malmesbury Homing Pigeon Society erected the previous clubhouse, which is now situated on the land belonging to the West Coast College, at their own cost. The previous lease agreement thus contains a compensation clause which must be considered.

The Malmesbury/...

7.20/...

The Malmesbury Homing Pigeon Society also requests that electricity, water and sewerage connections are provided and have asked for permission to furnish the building with burglar proofing and an alarm system at their own cost.

RESOLUTION

- (a) That a lease agreement be entered into with the Malmesbury Pigeon Club for the lease of the new club house facilities at the Dieprivier sportsgrounds for a period of 3 years (36 months) with effect from 1 July 2019;
- (b) That the rental be determined at R120.00 plus VAT, per annum;
- (c) That the conditions of lease as per prior lease agreements with the pigeon club be maintained, including the compensation clause contained in same, provided that the Director: Corporate Services be authorized to deviate from said conditions if necessary and relevant;
- (d) That approval be granted to the club to install burglar bars and an alarm system at their cost.

7.21 SONDEZA AFRI-YOUTH INITIATIVE: EVALUATION REPORT 2018 (17/2/2/1)

The chairman referred to the vision of the Afri-Youth Initiative and stated that it was heart warming to bring the youth of the West Coast District into contact with the youth from all over the world (Namibia, Russia, Germany, Taiwan) in order to share their diversity, and to leave the camp as leaders and friends.

The chairman extended special thanks to the camp co-ordinator, ms I Loock, for her input and hard work during the camp. The chairman also thanked ABSA, and specifically mr Theo Steenkamp, who is still, even after his retirement, involved in facilitating the camp.

The Evaluation Report, drawn up by the camp co-ordinator, was circulated with the agenda.

RESOLUTION

The Evaluation Report, compiled by the camp coordinator, I Loock, is enclosed for your cognizance.

7.22 OUTSTANDING DEBTORS: FEBRUARY 2018 (5/7/1/1)

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

RESOLVED that cognizance be taken of the report with reference to the state of the outstanding debtors of Swartland Municipality for February 2019.

7.23 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.

The chairman again referred to the fact that most of the claims arise from theft, and damage to municipal property.

RESOLVED that cognizance be taken of progress in respect of outstanding claims for the period ending March 2019.

7.24/...

**7.24 ANNUAL GENERAL MEETING: LOCAL AUTHORITY RETIREMENT FUND:
APPOINTMENT OF REPRESENTATIVES (11/1/2/5)**

The 35th Annual General Meeting of the Local Authorities Retirement Fund takes place on 24 May 2019.

According to the provisions of the fund the Swartland Municipality is entitled to appoint one representative from the members and one representative from the council to attend the meeting.

RESOLUTION

- (a) That cognisance be taken that Mr A M Zaayman was nominated to represent the members at the Annual General Meeting of the Local Authority Retirement Fund that will be held on 24 May 2019;
- (b) That alderman R F van der Westhuizen be nominated to represent Council on said meeting.

**7.25 AMENDMENT TO THE FRAMEWORK FOR THE IMPLEMENTATION OF
PERFORMANCE MANAGEMENT (2/4/2)**

The purpose of the amendment to the Framework for the Implementation of Performance Management is to make the payment of performance bonuses, under certain circumstances, possible.

RESOLUTION1

That the attached amended Framework for Implementing Performance Management be approved for the year under review, namely the 2017/2018 financial year.

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