



**MINUTES OF A MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE BANQUETING HALL ON WEDNESDAY, 21 AUGUST 2019 AT 11:00**

---

**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, cllr 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: Civil Engineering Services, mr L D Zikmann  
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 ald R F van der Westhuizen to open the meeting with a prayer.

**2. APOLOGIES**

None

**3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS**

None

**4. MINUTES**

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

**RESOLUTION**

That the minutes of an Ordinary Executive Mayor's Committee Meeting held on 17 July 2019 are approved and signed by the Mayor.

**5. CONSIDERATION OF RECOMMENDATIONS AND MATTERS ARISING FROM THE MINUTES**

**5.1 MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 14 AUGUST 2019**

*[Corrections held over at the prerogative of the various committees.]*

5.1/...

Recommendations submitted for approval:

**5.1.1 MUNICIPAL MANAGER, ADMINISTRATION AND FINANCES**

**RESOLUTION** that the Executive Mayor ratifies the recommendations in the relevant minutes.

**5.1.2 CIVIL AND ELECTRICAL SERVICES**

**RESOLUTION** that the Executive Mayor ratifies the recommendations in the relevant minutes.

**5.1.3 DEVELOPMENT SERVICES**

**RESOLUTION** that the Executive Mayor ratifies the recommendations in the relevant minutes.

**5.1.4 SECURITY SERVICES**

**RESOLUTION** that the Executive Mayor ratifies the recommendations in the relevant minutes.

**6. MATTERS ARISING FROM THE MINUTES**

None

**7. NEW MATTERS**

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

In terms of 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 process.

**RESOLUTION** (for submission to the Council on 29 August 2019)

That the time schedule for the 3rd revision of the IDP and the compilation of the annual budget be recommended for approval by Council in terms of section 21(1) of the Municipal Finance Management Act, Act 56 of 2003.

**7.2 APPROVAL OF (1) WATER AND SANITATION SERVICES AMENDED REGULATION; (2) REGULATION IN RESPECT OF INSTALLATION OF TELECOMMUNICATIONS INFRASTRUCTURE (1/1)**

The draft by-laws were submitted to the Executive Mayoral Committee on 22 May 2019 for recommendation to the Council on 30 May 2019. The draft by-laws were approved in principle by the Council subject to a public participation process.

No public comments were received.

**RESOLUTION** (for submission to the Council on 29 August 2019)

(a) That the following by-laws be recommended for approval 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.

### **7.3 REPORT IN RESPECT OF COMMUNITY DEVELOPMENT PROJECTS 2018-2019 OUTCOMES AND IMPACT (17/2/2)**

The Division: Community Development must report annually on the outcomes and impact of the community development projects, in accordance with the Swartland Municipal Social Development Policy and Strategy.

The report, circulated with the agenda, includes the outcomes and impact of the projects which were offered during the 2018/2019 financial year, which were also in line with the following focus areas in the Strategy:

- (1) Promote the formalization of Early Child Development and facilities (ECD) (ages 0-6)
- (2) Promote child development (ages 7 – 14)
- (3) Promote youth development (ages 15 – 35)
- (4) Promote liaison and co-ordination
- (5) Facilitate access to the economy
- (6) Lobby for the vulnerable groups

#### **RESOLUTION**

- (a) That cognisance be taken of the evaluation of the outcomes and impact of the community development projects in the 2018/2019 financial year.
- (b) That an annual report in respect of the outcomes and impact of the community development projects in the previous financial year is presented to the Council by the end of August 2019.

### **7.4 PHOLA PARK HOUSING REQUEST (17/2/2)**

The attached letter dated 24 June 2019 was received from Mr Sibongile Mbenyana, on behalf of the Housing Committee, for the construction of *Peoples Housing Project* in phases 2, 3 and 4 in Phola Park, Ilange Lethu.

Mr Mbenyana requested that the project is commenced in the 2019/2020 financial year.

#### **RESOLUTION**

- (a) That cognisance be taken of the content of the correspondence dated 13 August 2019 as prepared by the Department: Development Services in reply to the request of Mr Mbenyana;
- (b) That Mr Mbenyana be notified accordingly.

### **7.5 SWARTLAND STREET NAME POLICY (17/2/2)**

At present there are only limited guidelines in respect of the assignment of street names and there is a need to put a policy in place.

The draft policy was circulated separately to the agenda.

**RESOLUTION** that the item is referred back.

### **7.6 NEW STREET NAMES FOR RIEBEEK WEST HOUSING PROJECT (16/5/6)**

On 19 June 2019 the Executive Mayor instructed that permission for the use of the deceased's names as street names in the Riebeeck West Housing Project must be obtained from the relevant families. Thereafter they must be submitted to the relevant Housing Committee for approval.

The proposed street names, according to the plan in Attachment B, are as follows:

(1)/...  
7.6/...

- (1) Miemmie Markus Street
- (2) Conniffe January Street
- (3) Rudy du Plooy Street
- (4) Thomas Beukes Street
- (5) Japie Fortuin Close
- (6) Yvette Otto Street
- (7) Annie Fransman Street
- (8) Takkies Brander Street
- (9) Maureen Klaassen Close

#### **RESOLUTION**

That the proposed street names as per attachment "B" according to section 108(1) of Swartland Municipality: Municipal Land Use Planning By-law be approved and that the Surveyor-General be informed accordingly.

#### **7.7 STREET NAMES FOR PHOLA PARK PHASES 3 & 4, MALMESBURY (16/5/6)**

During the consideration of two additional street names for Phases 3 & 4, Phola Park Malmesbury, it was overlooked that the name 'Moses Kotane' had already been assigned.

In a letter from clr B J Penxa dated 27 June 2019 it was proposed that the street name, Penxa Street, which was rejected, is replaced with Nxeny Kholeka Street.

#### **RESOLUTION**

That the proposed street name, Nxeny Kholeka Street, be approved as per plan marked "A" according to section 108(1) of Swartland Municipality: Municipal Land Use Planning By-law and that the Surveyor-General be informed accordingly.

#### **7.8 LEASE OF MUNICIPAL LAND MALMESBURY (12/2/4-8/4)**

The Council leases a portion of municipal commonage ( $\pm 2082$  m in extent), situated opposite Swartland High School to the Swartland Voortrekkers for the normal educational purposes of the movement.

The site of the Swartland Voortrekkers falls partially within the road reserve which could possibly be needed for future development.

#### **RESOLUTION**

- (a) That a lease agreement be entered into with the Swartland Voortrekkers for the lease of a portion of the commonage ( $\pm 2082\text{m}^2$  in extent), for a period of one (1) year, commencing on 1 September 2019;
- (b) That the rental bedetermined at R120.00, plus VAT, per annum;
- (c) That the current conditions of lease remain applicable.

#### **7.9 RENEWAL OF THE LEASE AGREEMENT WITH SA POST OFFICE LIMITED (12/2/4-12/1)**

The Council leases portion of erf 163, Riebeek West, on which prefabricated private post boxes have been erected, to the SA Post Office Limited.

An application has been received from the lessee to extend the existing lease agreement for a further three year term.

Resolution/...

7.9/...

#### **RESOLUTION**

- (a) That a lease agreement be entered into with SA Post Office Limited, for a further term of three (3) years, with effect from 1 January 2019, for a portion of erf 163, Riebeeck-Wes for the operation of private mailboxes;
- (b) That annual rental of R360.00 plus VAT be charged, to escalate at a rate of 6% per annum;
- (c) That the current conditions of lease remain unchanged.

#### **7.10 LEASE OF BUILDING IN LANGSTRAAT, ABBOTSDALE (12/1/3/1-1/1)**

[The chairman recused himself for the discussion of the item due to the involvement of a family member in the ACVV. The Deputy Executive Mayor acted as chairman]

The Council leases the building on erf 604, Langstraat, Abbotsdale to the ACVV for the purposes their community activities.

The lease term of five (5) years expired on 31 July 2018.

#### **RESOLUTION**

- (a) That the building situated on Erf 604 Abbotsdale be leased to the ACVV for a further term of five (5) years, with effect from 1 August 2018, for purposes of their community activities;
- (b) That a rental tariff of R200-00 plus VAT, per year be determined.

#### **7.11 OFFICE ACCOMMODATION: ABBOTSDALE NEIGHBOURHOOD WATCH (12/1/3/1-1/1)**

The Abbotsdale Neighbourhood Watch currently leases a portion of the structure situated on erf 1217, Roosmarynstraat, Abbotsdale.

Erf 1217 is the property of the Council and has been identified, together with the adjoining property, for the future erection and provision of business opportunities under the so-called *Socio-economic Programme*.

The existing lease agreement expires on 31 August 2019.

#### **RESOLUTION**

- (a) That approval be granted for a lease agreement to be concluded with the Abbotsdale Neighbourhood Watch for the lease of one portion of the structure situated on erf 1217, Abbotsdale, for a further period of one (1) year at the amount of R120,00 per annum, VAT excluded, which amount shall be payable in advance;
- (b) That the current conditions of lease remain applicable;
- (c) That cognisance be taken that the Abbotsdale Neighbourhood Watch is not registered with the Department of Community Safety, and that a longer lease agreement will be considered after the necessary accreditation is obtained.

#### **7.12 OUTSTANDING DEBTORS: JULY 2019 (5/7/1/1)**

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

**RESOLVED** that cognisance be taken of the outstanding debtors of Swartland Municipality for the period July 2019.

7.13/...

**7.13 PROGRESS IN RESPECT OF OUTSTANDING INSURANCE CLAIMS: JULY 2019 (5/14/3/5)**

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

**RESOLVED** that cognisance be taken of the state of outstanding insurance claims for the period ending July 2019.

**7.14 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURE: EMERGENCY REPLACEMENT OF RADIO REPEATER EQUIPMENT 8/1/B/2)**

All the communication equipment was damaged by lightening on 23 July 2019 which damaged the UHF repeater and UHF base station and antenna, beyond repair. It was necessary to replace this equipment immediately in order to ensure continued radio communication for emergency and operational municipal services.

**RESOLUTION**

- (a) That cognisance be taken of the departure from the prescribed procurement procedures in terms of section 36(20) of the Supply Chain Management Policy;
- (b) That the action of the Municipal Manager be condoned not to invite tenders but to approve the acceptance of the quotation for the purchase of the radio communication equipment from the company Comnet for the amount of R51 994.16 excluding VAT.
- (c) That the reasons for the deviation from the prescribed procurement process to alleviate the emergency situation be recorded as follows:
  - (i) The provision of radio communication is essential for rendering of emergency services and municipal operations.
  - (ii) The temporary radio communication equipment on loan had to be returned to the service provider immediately upon request when required by the service provider.
  - (iii) The risk of failure of the municipal radio communication services constitutes an emergency.
- (d) That it be noted that the expenditure was allocated to mSCOA vote 9/117-332-318 and that there was sufficient funding available for the order in the amount of R51 994.16 excluding VAT.
- (e) That the Snr Manager: Financial Statements and Control be requested to include the above reasons as a note to the financial statements, when same are compiled.

**7.15 APPROVAL OF PRIORITY HOUSING DEVELOPMENT AREAS (17/4/2/B)**

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

The proposed PHDA's are developed in accordance with article 7(3) of the *Housing Developing Agency Act (Act 23 of 2008)* which enables the Agency to declare PHDA's for residential and community purposes, in accordance with integrated development plans and provincial spatial development frameworks.

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

The relevant departments need a relevant council decision and it was -

7.15/...

**RESOLVED** (for recommendation to the Council on 29 August 2019)

- (a) That the catalytic Housing project, De Hoop in Malmesbury be approved as a Priority Housing Development Area (PHDA).

#### **7.16 WRITE-OFF OF NON RECOVERABLE DEBT JUNE 2019 (5/7/3)**

During a meeting of the Executive Mayor's Committee held on 19 June 2019 an amount of R2 241 463.84 was approved for write-off in respect of destitute households, and that the amount of R345 504.76 could be written off in respect of non recoverable debt.

Full investigations were completed and therefore –

#### **RESOLUTION**

- (a) That cognizance be taken that the actual amount written off in respect of indigent households amounted to R2 017 483.98 and in respect of other irrecoverable debt amounted to R343 790.46
- (b) That further cognizance be taken that Swartland Municipality reserves the right to do a reversal of any amount that was written off to the relevant debtor and that all necessary steps will be taken to recover the debt, if it comes to light after the date of this approval that -
  - (i) a household did not comply with the indigent criteria (as determined in Chapter 7: of the Indigent Policy); or
  - (ii) a portion of, or the total debt of a debtor was not correct; or
  - (iii) information came forth that was not known to the Executive Mayoral Committee when the writing off was considered, that would have influenced the decision of the committee.
- (c) That cognizance is taken that if the property is alienated in any way; Swartland Municipality reserves the right to refuse clearance on the property in question in order to first recover the amounts written off. A register is kept in this regard at the Property Rates Division in order to determine if any amounts was written off for the previous two years, in order to recover the write-off amount before clearance is given.

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