COUNCIL OF THE CITY OF CAPE TOWN 26 MAY 2016

ITEM NUMBER: C 08/05/16

RECOMMENDATION FROM THE EXECUTIVE MAYOR: 19 APRIL 2016

MC 34/04/16 APPLICATION TO EXTEND THE TERM OF THE ZWAANSWYK SPECIAL RATING AREA (ZWAANSWYK SRA) FROM 1 JULY 2016 TO 30 JUNE 2021

It is **RECOMMENDED** that:

(a) Council approve, in terms of Section 15 of the Special Rating Area By-law, 2012, as amended, the extension of the Zwaanswyk Special Rating Area term from 1 July 2016 to 30 June 2021

(b) Council approve Zwaanswyk SRA's new 5 year business plan for the period 1 July 2016 to 30 June 2021

(c) the City of Cape Town imposes the levying of an additional rate on properties in the Zwaanswyk SRA from 1 July 2016 in terms of Section 22(1)(b) of the Local Government Municipal Property Rates Act (MPRA), Act 6 of 2004.

CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

032

REPORT TO COUNCIL DATE 2016 -04- 19

1. ITEM NUMBER : MC 34/04/16

2. SUBJECT

APPLICATION TO EXTEND THE TERM OF THE ZWAANSWYK SPECIAL RATING AREA (ZWAANSWYK SRA) FROM 1 JULY 2016 TO 30 JUNE 2021

ONDERWERP

AANSOEK OM DIE TERMYN VAN DIE ZWAANSWYK-SPESIALEAANSLAGGEBIED (ZWAANSWYK-SRA) VAN 1 JULIE 2016 TOT 30 JUNIE 2021 TE VERLENG

ISIHLOKO

ISICELO SOKWANDISWA KWEXESHA LOKUSEBENZA KOMMANDLA ONGEERHAFU EZIZODWA WASE-ZWAANSWYK (ZWAANSWYK SRA) UKUSUSELA NGOWO-1 JULAYI 2016 UKUYA KOWAMA-30 JUNI 2021

G4699

3. STRATEGIC INTENT

☐ - Opportunity City

☐ - Safe City

☐ - Caring City

☐ - Inclusive City

☒ - Well-run City

4. PURPOSE

In terms of the Special Rating Area By-law - promulgated as per Provincial Notice No.7015/2012 as amended (the By-law), Council received an application in terms of Section 15 to extend the term of the Zwaanswyk Special Rating Area (Zwaanswyk SRA) from 1 July 2016 to 30 June 2021.

5. FOR NOTING BY / FOR DECISION BY

☒ This report is for consideration/decision by:

- Council

JMH

6. EXECUTIVE SUMMARY

The Zwaanswyk SRA was established in 2009 and has had one successful term extension. Application has been made for a term extension as per the new Zwaanswyk SRA Business Plan covering the period 1 July 2016 to 30 June 2021. (Annexure A).

The Zwaanswyk SRA held an AGM on 4 November 2015 to inform the property owners of the content of the new Business Plan. The notice of the AGM was send to all property owners and advertised in the daily newspapers (Annexure B).

The term extension as per the Zwaanswyk SRA Business Plan (1 July 2016 to 30 June 2021) was supported and approved by the members of Zwaanswyk SRA at the AGM, as per Annexure C. One vote against the extension of term was recorded.

The application complies with the SRA Policy and By-law – the property owners were consulted, and the Zwaanswyk SRA new Business Plan was approved at the AGM.

7. RECOMMENDATIONS

Not delegated: for decision by Council:

It is recommended that:

a) Council approve, in terms of section 15 of the Special Rating Area By-law, 2012, as amended, the extension of the Zwaanswyk SRA term from 1 July 2016 to 30 June 2021.

b) Council approve Zwaanswyk SRA`s new 5 year business plan for the period 1 July 2016 to 30 June 2021.

c) The City of Cape Town imposes the levying of an additional rate on properties in the Zwaanswyk SRA from 1 July 2016 in terms of section 22(1)(b) of the Local Government: Municipal Property Rates Act (MPRA), Act 6 of 2004.

AANBEVELINGS

Nie gedelegeer nie: vir besluitneming deur die Raad:

Dit word aanbeveel dat:

a) Die Raad ingevolge artikel 15 van die Verordening op Spesiale-aanslaggebiede, 2012, soos gewysig, die verlenging van die Zwaanswyk-SRA se termyn van 1 Julie 2016 tot 30 Junie 2021, goedkeur.

b) Die Raad Zwaanswyk-SRA se nuwe vyfjaar sakeplan vir die tydperk 1 Julie 2016 tot 30 Junie 2021, goedkeur.

c) Die Stad Kaapstad die heffing van 'n bykomende tarief op eiendomme in die Zwaanswyk-SRA vanaf 1 Julie 2016 instel ingevolge artikel 22(1)(b) van die Wet op Plaaslike Regering: Wet op Munisipale Eiendomsbelasting, Wet 6 van 2004.

IZINDULULO

Azigunyaziswanga: isigqibo seseBhunga:

Kundululwe ukuba:

(a) iBhunga maliphumeze, ngokwecandelo-15 loMthetho kaMasipala ongoMmandla ongeeRhafu ezizodwa wango-2012 njengoko ulungisiwe, ukwandiswa kwexesha lokusebenza kwe- Zwaanswyk SRA ukususela ngowo-1 Julayi 2016 ukuya kowama-30 Juni 2021.

(b) lBhunga maliphumeze isicwangciso sendlela yokusebenza esitsha seminyaka emi-5 se- Zwaanswyk SRA kwisithuba esisusela kowo-1 Julayi 2016 ukuya kowama-30 Juni 2021.

(c) lSixeko saseKapa masinyanzelise umrhumo olixabiso elongezelelekileyo kwii-propati ezikummandla we-Zwaanswyk SRA ukususela ngowo-1 Julayi 2016, ngokungqinelana necandelo-22(1)(b) loMthetho wobuRhulumente boMmandla ongamaXabiso eePropati zikaMasipala (MPRA) ongunomb.6 wangowe-2004.

8. DISCUSSION/CONTENTS

8.1. Constitutional and Policy Implications

The Zwaanswyk SRA was established in 2009 and subsequently had one term extension. Application has been made in terms of section 15 of the By-law for a term extension of the new Zwaanswyk SRA Business Plan covering the period 1 July 2016 to 30 June 2021 (Annexure A).

The Business Plan consists of a Motivation Report that defines the need and framework required to provide the additional services, an Implementation Plan proposing relevant action steps to implement the services and the 5 year Budget which indicates the provision required to fund these services. Although the Business Plan proposes a continuation of the same services as implemented during previous years the Motivation Report motivated an increase of 8.4% for the first year to ensure alignment with the associated costs of this residential area and there after a year on year increase that varies between 4.5% and 7.1%.

The AGM held on 4 November 2015 was advertised in the daily newspapers on 8 and 9 October 2015 respectively (Annexure B). The term extension formed part of the agenda of the AGM and all relevant documents were made available through the Zwaanswyk SRA website to all property owners.

The term extension as per the Zwaanswyk SRA Business Plan (1 July 2016 to 30 June 2021) was supported and approved by the members of the Zwaanswyk SRA (one vote against the extension of term was recorded) as per the AGM draft minutes (Annexure C).

The application complies with the SRA Policy and By-law as property owners were consulted, and the Zwaanswyk SRA new Business Plan for 2016 - 2021 was approved at the AGM.

8.2. Sustainability Implications

Does the activity in this report have any sustainability implications for the City?	No ☒	Yes ☐

8.3. Legal Implications

Special Rating Area By-law - promulgated as per Provincial Notice No. Notice No.7015/2012 as amended.

8.4. Staff Implications

Does your report impact on staff resources, budget, grading, remuneration, allowances, designation, job description, location or your organisational structure?

No ☒

Yes ☐

8.5. Risk Implications

None

8.6. Other Services Consulted

The proposed term extension was circulated to all relevant Service Departments requesting them to ensure compliance in terms of the IDP (Annexure D). No such comments were forthcoming from any of the departments so it is assumed that the proposed Zwaanswyk SRA Business Plan aligns with the functions of the respective departments whom they will interact with should the application to extend the term be successful.

ANNEXURES

Annexure A:	The Zwaanswyk SRA Business Plan for the period 1 July 2016 to 30 June 2021.
Annexure B:	Advertisements of AGM
Annexure C:	Zwaanswyk SRA AGM agenda and draft minutes
Annexure D:	Email to relevant Service Departments.

FOR FURTHER DETAILS CONTACT:

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DIRECTORATE	Finance: ISL Department
FILE REF NO	
SIGNATURE : DIRECTOR	17/3/2016

EXECUTIVE DIRECTOR
CFO : Kevin Jacoby

NAME

DATE 04.04.2016

Comment:

☑ REPORT COMPLIANT WITH THE PROVISIONS OF COUNCIL'S DELEGATIONS, POLICIES, BY-LAWS AND ALL LEGISLATION RELATING TO THE MATTER UNDER CONSIDERATION.

☐ NON-COMPLIANT

LEGAL COMPLIANCE

NAME Joan-Mari Holt

TEL 021 400 2753

DATE 05/04/2016

Comment:

JMH

~~Certified as legally compliant:~~
Based on the contents of the report.

EXECUTIVE DIRECTOR: CORPORATE SERVICES AND COMPLIANCE *(ED: CORC)*

☑ SUPPORTED FOR ONWARD SUBMISSION TO MAYOR ☐ / MAYCO ☑ / COUNCIL

☐ AUDIT/PERFORMANCE AUDIT

☐ NOT SUPPORTED

☐ REFERRED BACK

DATE 8/4/16

COMMENT:

MAYORAL COMMITTEE MEMBER
Ald Ian Neilson

COMMENT:

NAME

DATE 11/4/16