

ITEM NUMBER : C 61/05/09

**RECOMMENDATION FROM THE EXECUTIVE MAYOR: 19 MAY 2009**

MC 69/05/09

**APPLICATION FOR THE DETERMINATION OF A SPECIAL RATING AREA AND THE ESTABLISHMENT OF A CITY IMPROVEMENT DISTRICT IN THE ZWAANSWYK RESIDENTIAL AREA**

**AANSOEK OM DIE BEPALING VAN 'N SPESIALE-AANSLAGGEBIED EN DIE STIGTING VAN 'N STADSVERBETERINGSDISTRIK IN DIE ZWAANSWYK RESIDENSIËLE GEBIED**

**ISICELO SOKUMISELWA KOMMANDLA ORHAFISWA NGENDLELA EYODWA KUNYE NOKUSEKWA KOPHUCULO LWEZITHILI ZESIXEKO KUMMANDLA WENDAWO YOKUHLALA E-ZWAANSWYK**

**RECOMMENDED that:**

- (a) in terms of Section 22(1)(a) of the Municipal Property Rates Act, No. 6 of 2004 (MPRA), the City of Cape Town determines the area that encompasses the following roads, Zwaanswyk Close, Charnwood Avenue, Charnwood Close, Suddie Close, Debaren Close, Thorpe Close and Almondbury Close be declared as a special rating area
- (b) in terms of Section 8.1(b) of the City Improvement By-Law, the City of Cape Town approves the application submitted by Mr. Robert Tiffin, the registered owner of Erf 4657, Zwaanswyk to establish a City Improvement District in the Zwaanswyk residential area and that it be declared a City Improvement District subject to –
  - (i) the conclusion of a Finance Agreement between the City of Cape Town and the Zwaanswyk City Improvement District Management Committee. The City Manager or his nominee be hereby authorised to finally settle and conclude the Finance Agreement on behalf of the City of Cape Town
  - (ii) the written approval of the Articles of Association of the Zwaanswyk City

Improvement District Management  
Committee (Section 21 company), in terms  
of Section 12 of the CID By-Law

- (iii) the applicant provides proof that more than 75% of the property owners in number and in rates base value support the formation of the City Improvement District per the proposed Business Plan before 30 June 2009.
- (c) the objections to the establishment of the Zwaanswyk City Improvement District be noted but not upheld for the reasons discussed in the report on the agenda
- (d) the City of Cape Town furthermore approves the levying of an additional rate in terms of section 22(1)(b) of the MPRA at a rate of 0.001922 cents-in-the-rand on property value.

**AANBEVEEL** dat:

- (a) ingevolge artikel 22(1)(a) van die Wet op Munisipale Eiendomsbelasting, no 6 van 2004 (MPRA), die Stad Kaapstad bepaal dat die gebied begrens deur die volgende strate/paaie:  
Zwaanswyksingel, Charnwoodlaan,  
Charnwoodslot, Suddieslot, Debarenslot,  
Thorpeslot en Almondburyslot as 'n spesiale-aanslaggebied verklaar word
- (b) ingevolge artikel 8.1(b) van die Verordening op Stadsverbeteringsdistrikte die Stad Kaapstad die aansoek van mnr. Robert Tiffin, die geregistreerde eienaar van erf 4657, Zwaanswyk goedkeur om 'n stadsverbeteringsdistrik in die Zwaanswyk residensiële gebied te stig en dat dit as 'n stadsverbeteringsdistrik verklaar word onderworpe aan-
  - (i) die sluiting van 'n finansiesooreenkoms tussen die Stad Kaapstad en die Zwaanswyk stadsverbeteringsdistrik-bestuurskomitee. Die stadsbestuurder of sy benoemde word hiermee gemagtig om die finansiesooreenkoms namens die Stad Kaapstad finaal te beding en te sluit

- (ii) die skriftelike goedkeuring van die statute van die Zwaanswyk stadsverbeteringsdistrik -bestuurskomitee (artikel 21-maatskappy), ingevolge artikel 12 van die Verordening op Stadsverbeteringsdistrikte
- (iii) die verskaffing van skriftelike bewyse deur die aansoeker voor 30 Junie 2009 dat meer as 75% van die eiendomsbesitters in getal en belastinggrondslagwaarde die stigting van 'n stadsverbeteringsdistrik volgens die voorgestelde sakeplan steun
- (c) daar kennis geneem word van die besware teen die stigting van die Zwaanswyk stadsverbeteringsdistrik maar dat dit om die redes in die verslag op die agenda nie gehandhaaf word nie
- (d) die Stad Kaapstad voorts goedkeuring verleen aan die heffing van 'n bykomende aanslag ingevolge artikel 22(1)(b) van die MPRA teen 'n koers van 0.001922 sent-in-die-rand op eiendoms waarde.

**KUNDULULWE ukuba:**

- (a) ngokwemigaqo yeCandelo-22(1)(a) loMthetho ongamaXabiso eePropati zikaMasipala onguNomb.6 wango2004 (i-MPRA), isiXeko saseKapa simisela ummandla ongqonge ezi ndlela zilandelayo, Zwaanswyk Close, Charnwood Avenue, Charnwood Close, Suddie Close, Debaren Close, Thorpe Close ne-Almondbury Close ukuba ubhengezwe njengommandla orhafiswa ngendlela eyodwa;
- (b) ngokwemigaqo yeCandelo 8.1(b) loMthetho kaMasipala ongoPhuculo lwesiXeko, isiXeko saseKapa siyasamkela isicelo esingeniswe nguMnu. Robert Tiffin, umnini obhalisiweyo weSiza 4657, eZwaanswyk sokuba kusekwe uPhuculo lweZithili zesiXeko kwindawo yokuhlala eZwaanswyk kunye nokuba le ndawo mayibhengezwe njengoPhuculo lweSithili sesiXeko, kodwa oko kuya kuxhomekeka --
- (i) ekuphethweni kweSivumelwano seZimali phakathi kwesiXeko saseKapa neKomiti eLawulayo kummandla woPhuculo lweSithili sesiXeko eZwaanswyk. Ngenxa yoko uMphathi wesiXeko okanye lowo wonyulwe

enjengebambela esikhundleni sakhe ugunyaziselwe ukuba aphethe okokugqibela yaye agqibezele iSivumelwano seZimali egameni lesiXeko saseKapa;

- (ii) ulwamkelo olubhaliweyo lweMigaqo yamaSoloty okuZimela eKomiti eLawulayo kummandla woPhuculo lweSithili sesiXeko eZwaanswyk (iNkampani ephantsi kweCandelo lama-21), ngokwemigaqo yeCandelo 12 loMthetho kaMasipala olawula uPhuculo lweZithili zesiXeko (i-CID).
- (iii) umfaki-sicelo makanike ubungqina bokuba umyinge ongaphezu kwama-75% enani labanini propati nexabiso ellisekelwe kwimirhumo bayaluxhasa uluvo loPhuculo lweSithili sesiXeko njengoko kuboniswe kwiSicwangciso soShishino esiphakanyisiweyo phambi komhla wama-30 Juni 2009.
- (c) maziqwalaselwe izicelo ezichasa ukumiselwa koPhuculo lweSithili seSixeko kodwa mazingaxhaswa ngenxa yezizathu ekuxoxwe ngazo apha kule ngxelo.
- (d) ngaphezulu, isiXeko saseKapa masiphumeze ukuhlawuliswa kwerhafu yeqondo elongeziweyo ngokwemigaqo yecandelo lama-22(1)(b) le-MPRA ngeqondo elifikelela kwi-0.001922 yeesenti kwirandi ngokwexabiso lepropati.



1. ITEM NUMBER : **MC 69/05/09**

2. SUBJECT

APPLICATION FOR THE DETERMINATION OF A SPECIAL RATING AREA AND THE ESTABLISHMENT OF A CITY IMPROVEMENT DISTRICT IN THE ZWAANSWYK RESIDENTIAL AREA:

2. ONDERWERP

AANSOEK OM DIE BEPALING VAN 'N SPESIALE-AANSLAGGEBIED EN DIE STIGTING VAN 'N STADSVERBETERINGSDISTRIK IN DIE ZWAANSWYK RESIDENSIËLE GEBIED

2. ISIHLOKO

ISICELO SOKUMISELWA KOMMANDLA ORHAFISWA NGENDLELA EYODWA KUNYE NOKUSEKWA KOPHUCULO LWEZITHILI ZESIXEKO KUMMANDLA WENDAWO YOKUHLALA E-ZWAANSWYK:

LSU8171

3. PURPOSE

To approve a special rating area and establish a City Improvement District in the Zwaanswyk Residential Area.

4. STRATEGIC INTENT

*Economic growth and job creation.*

5. FOR DECISION BY

*This report must be approved by Council.*

## 6. EXECUTIVE SUMMARY

In terms of the Local Government: Municipal Property Rates Act, No. 6 of 2004 (MPRA) and the City Improvement District By-Law - promulgated as per Provincial Notice No.6118 dated 26 March 2004 (the By-Law), Council has received an application to determine a special rating area and establish a City Improvement District (CID) in the Zwaanswyk Area.

The application reflects that all legal aspects were complied with (in the process).

This report recommends that the application be approved and that a CID be declared in the Zwaanswyk Area, subject to obtaining the required support.

That the objections are noted but not upheld for the reasons set out in the report.

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## 7. RECOMMENDATIONS

*Not delegated: For Decision by Council*

It is recommended that:

- 7.1 In terms of Section 22(1)(a) of the MPRA, the City of Cape Town determines the area that encompasses the following roads, Zwaanswyk Close, Charnwood Avenue, Charnwood Close, Suddie Close, Debaren Close, Thorpe Close and Almondbury Close be declared as a special rating area;
- 7.2 In terms of Section 8.1(b) of the By-Law, the City of Cape Town approves the application submitted by Mr. Robert Tiffin, the registered owner of Erf 4657, Zwaanswyk to establish a City Improvement District in the Zwaanswyk residential area and that it be declared a City Improvement District subject to –
  - 7.2.1 the conclusion of a Finance Agreement between the City of Cape Town and the Zwaanswyk City Improvement District Management Committee. The City Manager or his nominee is hereby authorised to finally settle and conclude the Finance Agreement on behalf of the City of Cape Town;
  - 7.2.2 the written approval of the Articles of Association of the Zwaanswyk City Improvement District Management Committee (Section 21 company), in terms of Section 12 of the CID By-Law.
  - 7.2.3 The applicant provides proof that more than 75% of the property owners in number and in rates base value support the formation of the City Improvement District per the proposed Business Plan before 30 June 2009.

- 7.3 The objections to the establishment of the Zwaanswyk City Improvement District be noted but not upheld for the reasons discussed in the report.
- 7.4 The City of Cape Town furthermore approves the levying of an additional rate in terms of section 22(1)(b) of the MPRA at a rate of 0.001922 cents-in-the-rand on property value.

## 7. AANBEVELINGS

Nie gedelegeer nie: vir besluit deur die Raad:

Daar word aanbeveel dat:

- 7.1 Ingevolge artikel 22(1)(a) van die MPRA, die Stad Kaapstad bepaal dat die gebied begrens deur die volgende strate/paaie: Zwaanswyksingel, Charnwoodlaan, Charnwoodslot, Suddieslot, Debarenslot, Thorpeslot en Almondburyslot as 'n spesiale-aanslaggebied verklaar word;
- 7.2 Ingevolge artikel 8.1 van die Verordening keur die Stad die aansoek van mnr. Robert Tiffin, die geregistreerde eienaar van erf 4657, Zwaanswyk goed om 'n stadsverbeteringsdistrik in die Zwaanswyk residensiële gebied te stig en dat dit as 'n stadsverbeteringsdistrik verklaar word onderworpe aan –
- 7.2.1 die sluiting van 'n finansiesooreenkoms tussen die Stad Kaapstad en die Zwaanswyk stadsverbeteringsdistrik-bestuurskomitee. Die stadsbestuurder of sy benoemde word hiermee gemagtig om die finansiesooreenkoms namens die Stad Kaapstad finaal te beding en te sluit;
- 7.2.2 die skriftelike goedkeuring van die statute van die Zwaanswyk stadsverbeteringsdistrik-bestuurskomitee (artikel 21-maatskappy), ingevolge artikel 12 van die Verordening op Stadsverbeteringsdistrikte.
- 7.2.3 die verskaffing van skriftelike bewyse voor 30 Junie 2009 dat meer as 75% van die eiendomsbesitters in getal en belastinggrondslagwaarde die stigting van 'n stadsverbeteringsdistrik volgens die voorgestelde sakeplan steun ingevolge artikel 9 van die Verordening op Stadsverbeteringsdistrikte steun.
- 7.3 Daar kennis geneem word van die besware teen die stigting van die Zwaanswyk stadsverbeteringsdistrik maar dat dit om die redes in die verslag nie gehandhaaf word nie.
- 7.4 Die Stad Kaapstad voorts goedkeuring verleen aan die heffing van 'n bykomende aanslag ingevolge artikel 22(1)(b) van die MPRA teen 'n koers van 0.001922 sent-in-die-rand op eiendoms waarde.

## 7 IZINDULULO

Azigunyaziswanga: ISiggibo seseBhunga

Kundululwa ukuba:

- 7.1 Ngokwemigaqo yeCandelo lama-22(1)(a) le-MPRA, iSixeko saseKapa simisela ummandla ongqonge ezi ndlela zilandelayo, Zwaanswyk Close, Charnwood Avenue, Charnwood Close, Suddie Close, Debaren Close, Thorpe Close ne-Almondbury Close ukuba ubhengezwe njengommandla orhafiswa ngendlela eyodwa;
- 7.2 Ngokwemigaqo yeCandelo 8.1(b) loMthetho kaMasipala, iSixeko saseKapa siyasamkela isicelo esingeniswe nguMnu. Robert Tiffin, umnini obhalisiweyo weSiza 4657, eZwaanswyk sokuba kusekwe koPhuculo lweZithili zeSixeko kwindawo yokuhlala eZwaanswyk kunye nokuba le ndawo mayibhengezwe njengoPhuculo lweSithili seSixeko, kodwa oko kuya kuxhomekeka –
- 7.2.1 ekuphethweni kweSivumelwano seZimali phakathi kweSixeko saseKapa neKomiti eLawulayo kummandla woPhuculo lweSithili seSixeko eZwaanswyk. Ngenxa yoko uMphathi weSixeko okanye lowo wonyulwe enjengebambela esikhundleni sakhe ugunyaziselwe ukuba apethe okokugqibela yaye agqibezele iSivumelwano seZimali egameni leSixeko saseKapa;
- 7.2.2 ulwamkelo olubhaliweyo lwemigaqo ye-Articles of Association yeKomiti eLawulayo kummandla woPhuculo lweSithili seSixeko eZwaanswyk (iNkampani ephantsi kweCandelo lama-21), ngokwemigaqo yeCandelo 12 loMthetho kaMasipala olawula uPhuculo lweZithili zeSixeko (i-CID).
- 7.2.3 umfaki-sicelo makanike ubungqina bokuba umyinge ongaphezu kwama-75% enani labanini propati nexabiso ellisekelwe kwimirhumo bayaluxhasa uluvo loPhuculo lweSithili seSixeko njengoko kuboniswe kwiSicwangciso soShishino esiphakanyisiweyo phambi komhla wama-30 Juni 2009.
- 7.3 Maziqwalaselwe izicelo ezichasa ukumiselwa koPhuculo lweSithili seSixeko kodwa mazingaxhaswa ngenxa yezizathu ekuxoxwe ngazo apha kule ngxelo.
- 7.4 Ngaphezulu iSixeko saseKapa masiphumeze ukuhlawuliswa kwerhafu yeqondo elongeziweyo ngokwemigaqo yecandelo lama-22(1)(b) le-MPRA ngeqondo elifikelela kwi-0.001922 yeesenti kwirandi ngokwexabiso lepropati.

## 8. DISCUSSION/CONTENTS

### 8.1 Constitutional, Policy and Legal Implications

The Steering Committee submitted written proof that:

- in terms of section 22(2)(b) of the MPRA, the majority of the members of the local community in the proposed special rating area (CID area) who will be liable for paying the additional rate, have approved the establishment of a special rating area.
- more than 75% of property owners in number and 73% in rates base value support the formation of the City Improvement District per the proposed Business Plan, as required by Section 9 of the CID By-Law.

The application for the Zwaanswyk City Improvement District, attached as Annexure A, complied with all requirements for applying for the establishment of a Special Rating Area as per Section 22 of the MPRA and the City Improvement District By-Law.

The application has been advertised for comments and objections and was available for scrutiny at the offices of the City and at the Steering Committee offices within the area.

All comments / objections were forwarded to the applicant and the Steering Committee comments and recommended actions are attached as Annexure B.

The comments / objections / concerns are summarized in the schedule attached as Annexure C and include comments and recommended actions from Council which are considered to be in the public interest.

The City of Cape Town, as with most of the major cities in South Africa, is grappling with the challenge of providing an equitable level of service to all its inhabitants. It acknowledges that property owners within an area require a mechanism to create a friendly environment and to enhance its current service delivery capacity. The City Improvement District model thus allows ratepayers to organize top-up Municipal services in their local area that they themselves pay for and manage.

To enable Council to collect the additional rate (equivalent to the CID budget of R 1 230 928) a CID levy was calculated on the total municipal valuation of all properties within the area, of 0.001922 cents-in-the-land.

All documentation relating to the Zwaanswyk City Improvement District application will be available for scrutiny at the Council meeting.

The additional rate, if approved, will be reflected in Council's adjustment budget, as required by section 28 of the Municipal Finance Management Act.

## 8.2 Environmental implications

Does your report result in any of the following:

No

Yes (if yes, please complete the section below by clicking on the relevant tick boxes)

- |   |                          |   |                          |
|---|--------------------------|---|--------------------------|
| Loss of or negative impact on natural space and/or natural vegetation, rivers, vleis or wetlands? | <input type="checkbox"/> | Loss of or negative impact on the city's heritage, cultural and scenic resources? | <input type="checkbox"/> |
| An increase in waste production or concentration, pollution or water usage?                       | <input type="checkbox"/> | Development or any construction within 500m of the coastline?                     | <input type="checkbox"/> |

Does your activity comply with the National Environmental Management Act (NEMA)?  
(mark by clicking on the tick box)

Yes

No

Does your report complement and support the City's approved IMEP strategies?  
(if yes, please select from list below by clicking on the relevant tick box)

- |  |                          |                                  |                          |                                    |                          |
|--|--------------------------|----------------------------------|--------------------------|------------------------------------|--------------------------|
| Biodiversity Strategy and Biodiversity Network | <input type="checkbox"/> | Coastal Zone Management Strategy | <input type="checkbox"/> | Energy and Climate Change Strategy | <input type="checkbox"/> |
| Environmental Education and Training Strategy  | <input type="checkbox"/> | Heritage Management Strategy     | <input type="checkbox"/> | Air Quality Management Plan        | <input type="checkbox"/> |
| Integrated Waste Management Strategy           | <input type="checkbox"/> | Invasive Species Strategy        | <input type="checkbox"/> |                                    |                          |

Do the activities/actions arising from your report:  
(if yes, please select from list below by clicking on the relevant tick box)

- |  |                          |   |                          |
|--|--------------------------|---|--------------------------|
| Enhance Cape Town's unique environmental assets? | <input type="checkbox"/> | Negatively impact on Cape Town's unique environmental assets? | <input type="checkbox"/> |
|--|--------------------------|---|--------------------------|

## 8.3 Legal Implications

- Municipal Property Rates Act No.6 of 2004
- Municipal Financial Management Act No.56 of 2003
- City Improvement District By-Law No.6118 dated 26 March 2004

## 8.4 Staff Implications

Does your report impact on staff resources or result in any additional staffing resources being required?

No

Yes

**8.5 Risk Implications**

Does this report and/or its recommendations expose the City to any risk?  
(i.e. does it have any adverse influence on service delivery?)

No   
Yes

**8.6 Other Services Consulted**

Finance: Inter Services Liaison: Eddie Scott (021) 400 1872

**ANNEXURES**

Annexure A - Zwaanswyk application that include the Business Plan.

Annexure B - Comments / recommendations of applicant on objections received.

Annexure C - Schedule (and detail) of Comments / Objections received with recommended action

**FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Runan Rossouw
<b>CONTACT NUMBERS</b>	(021) 400-5148
<b>E-MAIL ADDRESS</b>	Runan.Rossouw@capetown.gov.za
<b>DIRECTORATE</b>	Economic Development
<b>FILE REF No</b>	19/6/1/2/20
<b>SIGNATURE : DIRECTOR</b>	<i>[Signature]</i>

*[Signature]*  
 \_\_\_\_\_  
**Legal Compliance**

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

NON-COMPLIANT

DATE 07/05/2009  
*[Signature]*

COMMENT :  
 Subject to the fact that City/Supros. Direction 4, 5, 6 and 7 of the Bylaws have been complied with

Comment:  
 \_\_\_\_\_  
 \_\_\_\_\_

**EXECUTIVE DIRECTOR**  
**MANSOOR MOHAMED**  
 DATE 7 MAY 2009

**APPLICATION LETTER**

19 January 2008

CID Co-ordinator  
City Of Cape Town  
7th Floor  
12 Hertzog Boulevard  
CAPE TOWN  
8000

Dear Mr. Rossouw

**APPLICATION FOR THE ESTABLISHMENT OF THE ZWAANSWYK RESIDENTIAL CITY IMPROVEMENT DISTRICT**

I have been directed by the Steering Committee of the Zwaanswyk Residential City Improvement District ("RCID") to make application for the City Council's approval of the establishing of the Zwaanswyk Residential City Improvement District.

This application is made to Council in terms of Section 4 of the Cape Town City Improvement District By-Law, 2004 and in terms of section 22 of the Property Rates Act, 2004.

Please find enclosed the following documents:

1. The RCID plan for Zwaanswyk (the "Plan"), covering the period ending on 30 June of the fourth year after the proposed establishment of the RCID and which sets out the description of services to be provided by the management body, a draft budget and the proposed levy. The Plan proposes to finance the securing of the Zwaanswyk RCID boundary with a fence on our northern side and the payment for a collective security service to provide residents with armed response;
2. Affidavit confirming support for the application from owners of rateable properties in the proposed Zwaanswyk RCID who together own no fewer than 50% in number of such properties and not less than 50% of the rates base value of such properties;
3. Newspaper extracts from the Cape Times dated 19 January 2009 and Die Burger dated 19 January 2009, being two daily newspaper circulating in the proposed Zwaanswyk RCID area, evidencing that notice was given of the applicant's intention to apply for the establishment of the Zwaanswyk RCID and giving notice of a public meeting to be held on 13 January 2008 in compliance with Section 5 of the City Improvement District By-Law. I can further confirm that information posters were placed in prominent positions in the proposed Zwaanswyk RCID and that written notices were hand delivered to all owners of rateable property in the

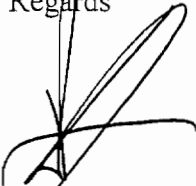
1241

proposed Zwaanswyk RCID. In accordance with these notices the public meeting was duly held on 13 January 2008;

If you have any queries regarding the application please feel free to contact me on 021 514 3100

The City's approval of this application to enable us to commence operations on 01 July 2009 would be greatly appreciated.

Regards

A handwritten signature in black ink, appearing to read 'Rob Tiffin', with a large, sweeping flourish extending to the right.

Rob Tiffin

Enclosures:

1. The RCID plan for Zwaanswyk;
2. Affidavit
3. Newspaper extracts

**AFFIDAVIT**

I, the undersigned,

**Robert George Tiffin,**

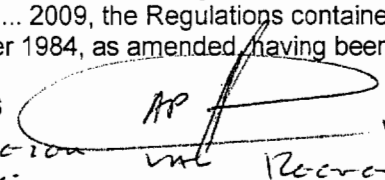
do make oath and say that:

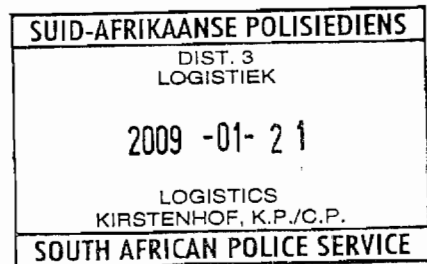
1. I am an adult male residing at 3 Charnwood Avenue, Zwaanswyk, Cape Town and am the registered owner of erf 4657 in Zwaanswyk.
2. I have made application to the City of Cape Town for the establishment of the Zwaanswyk Residential City Improvement District ("RCID") in terms of the City of Cape Town By-Law for the Establishment of City Improvement Districts, 2004, and in terms of section 22 of the Property Rates Act, 2004 in the area known as Zwaanswyk encompassing the following roads: Zwaanswyk Road, Zwaanswyk Close, Charnwood Avenue, Charnwood Close, Suddie Close, Debaren Close, Thorpe Close and Almondbury Close (the "Application").
3. The Application is supported by written confirmations from owners of rateable properties in the proposed Zwaanswyk RCID who together own no fewer than 50% in number of such properties and not less than 50% of the rates base value of such properties.
4. In support of the confirmation in section 3 above, I have attached to this affidavit a spreadsheet identifying the owners of rateable properties in the proposed Zwaanswyk RCID area who have provided written confirmations of their support for the Application.
5. The contents of this affidavit are, except where the contrary is indicated, within my personal knowledge, and are true and correct.

DEPONENT: ..... 

I hereby certify that the Deponent has acknowledged that he knows and understands the contents of this Affidavit, which he/she has signed and sworn to before me at *SAPS KIRSTENHOF* on this Day of *January*..... 2009, the Regulations contained in GN R2477 dated 16 November 1984, as amended, having been complied with.

COMMISSIONER OF OATHS  
NAME: *Andron Perion*  
CAPACITY: *Commissioner*  
DATE: *2009-01-21*

 *AP Perion*



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# **Zwaanswyk Residential City Improvement District**

## **BUSINESS PLAN**

**FOR THE ESTABLISHMENT AND MANAGEMENT**

**OF**

**A RESIDENTIAL CITY IMPROVEMENT DISTRICT**

**In terms of Section 22 of The Local Government: Municipal Property Rates Act, 6/ 2004 &  
The City Improvement District By-Law, 6118/2004**

**IN**

**ZWAANSWYK, CAPE TOWN**

**January 2009**

## RCID IDENTIFICATION

Name of RCID: Zwaanswyk City Improvement District  
Date: December 2008  
Name of Municipality having jurisdiction: City of Cape Town  
Principal Contact Persons:

Rob Tiffin  
3 Charnwood Ave  
Zwaanswyk  
7945  
Tel: (021) 514 3100

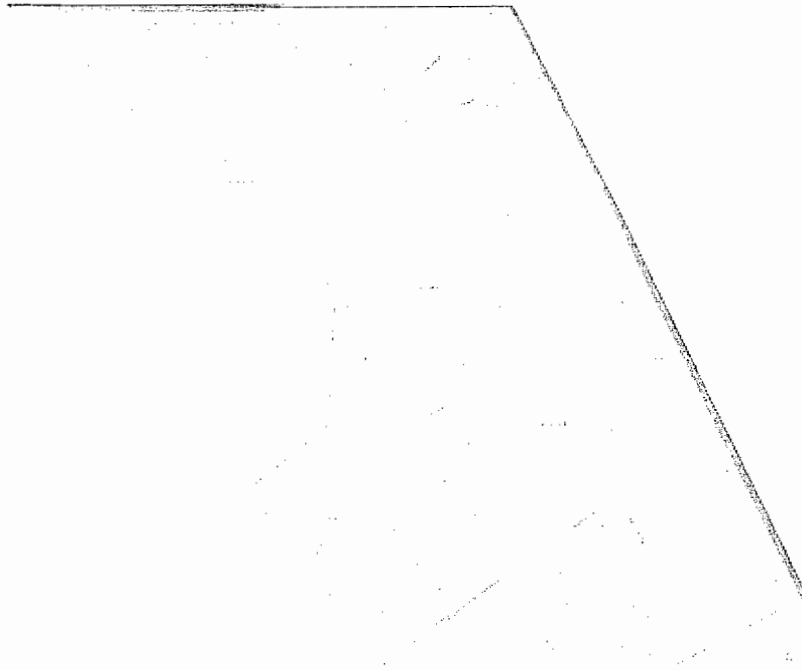
Alison Ward  
10 Debaren Close  
Zwaanswyk  
7945  
Tel: (021) 715 1133

E-mail: [rob@scentpac.co.za](mailto:rob@scentpac.co.za)

E-mail: [ali@mwp.co.za](mailto:ali@mwp.co.za)

Geographic Area:

ZWAANSWYK  
CITY IMPROVEMENT DISTRICT



## VISION, MISSION AND GOALS

### Mission for the RCID

To ensure that Zwaanswyk is a secure, clean and attractive residential area.

### Goals

- ◆ To enhance and supplement municipal services.
- ◆ To build a perimeter fence along the Zwaanswyk border with Tokai plantation, so that we can minimise incursions from baboons and generally improve security.
- ◆ Securing the baboons in the plantation area thus minimising human-baboon conflict.
- ◆ To secure our area with a combined community approach to security.
- ◆ To improve the value of our properties by making our area more attractive and secure.
- ◆ To develop a close and mutually beneficial working relationship with the Local Authorities.
- ◆ To coordinate security within Zwaanswyk and neighbouring areas as well as with SAPS.

### **The advantages of the City Improvement District in Zwaanswyk are:**

1. The cost of providing supplementary services and capital expenses is borne by all property owners in the area.
2. Costs are borne in proportion to the value of the property.
3. The Improvement District approach is holistic.
4. The RCID is a Section 21 company which is controlled by its members
5. Better coordination with local authorities regarding service delivery
6. No money raised by the levy is spent outside the RCID

## SERVICES AND LEVELS OF SERVICES TO BE PROVIDED BY THE RCID

### Services and Levels of Services provided by the City of Cape Town (the City Council)

In terms of the relevant By-Law, the Zwaanswyk RCID intends entering into a City Improvement District Service Agreement with the City Council once we have received confirmation of the current City Council service levels within the Zwaanswyk RCID area.

### Proposed Services and Levels of Services to be provided by the RCID

#### 1. Capital Improvements

**Budget provision for the proposed RCID: R 420 000 per annum**

The only capital provision we foresee for the first three years would be the construction of the security fence around the boundary of Tokai Plantation.

The total cost of the Security fence will be +-R 1,000,000.

The budget provides for the repayment of loans from members provided to fund the fence. The repayment period is 3 years with an interest rate of prime less 2%.

The fence will be implemented on a phased basis as SanPark's decisions are known.

#### 2. Management

**Budget provision for proposed RCID: R 96 000 per annum**

It is proposed that the Board of Directors of the Zwaanswyk RCID, will appoint a part time RCID manager who will manage the following:

- ◆ Sub-contractors who will be providing supplementary services to the RCID.
- ◆ Liaison with the City Council on all matters dealing with the common areas under the Council's control and in the future the latter's adherence to guaranteed levels of service to be signed between the Council and the Zwaanswyk RCID.
- ◆ Responsible for assisting the security committee with the neighbourhood watch and liaising with the SAPS.

#### 3. Public Safety and Security

**Budget provision for the proposed RCID: R528 000 per annum**

##### Needs

- ◆ Electronic monitoring of the security fence on the plantation border.
- ◆ Mobile vehicle patrol in area.
- ◆ Armed response to all residents.
- ◆ Stationary guarding between dusk and dawn.
- ◆ Formation of a neighbourhood watch.
- ◆ Building the relationship with the SAPS.

**Recommendations**

- 1) The appointment of a security company to manage the monitoring, response and guarding responsibilities.
- 2) Formation of a security committee that will manage the above together with the RCID manager, form the neighbourhood watch and maintain the relationships with the SAPS.

**4. Maintenance and Cleaning****Budget provision for the proposed RCID: R 120 000 per annum****Needs**

- ◆ Maintenance of security fence.
- ◆ Vegetation clearing around the fence.
- ◆ Supplemental cleaning.
- ◆ Improved general maintenance of lights, poles, trees, litter bins, traffic signage, storm water, paths, etc.
- ◆ Improving landscaping and tree well maintenance.

**Recommendations**

- 1) Service providers to do the fence maintenance.
- 2) Employ a cleaning person who will clear the vegetation around the fence, do supplemental cleaning as well as be eyes and ears for security response.
- 3) The RCID manager will liaise with the Council on general improvements /maintenance with regards to roads, storm water, paths, lighting, litter etc.

**5. Marketing and Communications****Budget provision for the proposed RCID: nil per annum****Needs**

- ◆ Communication to all residents on security and general matters.
- ◆ Annual General Meeting.

**Recommendations**

- ◆ Presently this is done and this will be continued in the future.
- ◆ An AGM of the section 21 Company will be held on an annual basis.

**ZWAANSWYK  
2009/10  
PROPOSED BUDGET**

	AS PER BUSINESS PLAN	%	PROPOSED BUDGET	%	VARIANCE
<b>EXPENDITURE</b>					
1. Employee Related	72,000	5.85	72,000	5.85	0
Salaries	72,000		72,000		0
2. Contracted Services	648,000	52.64	648,000	52.64	0
Security	528,000		528,000		0
Cleansing	120,000		120,000		0
3. Depreciation	0	0.00	0	0.00	0
4. Repairs and Maintenance	0	0.00	0	0.00	0
5. Services Accounts ex CCT	0	0.00	0	0.00	0
6. Interest Paid	0	0.00	0	0.00	0
7. Other	510,928	41.51	510,928	41.51	0
Management	24,000		24,000		0
Security Fence Re-payment	420,000		420,000		0
Establishment Cost	30,000		30,000		0
Other Income	36,928		36,928		0
<b>TOTAL EXPENDITURE</b>	<b>1,230,928</b>	<b>100.00</b>	<b>1,230,928</b>	<b>100.00</b>	<b>0</b>

<b>INCOME</b>					
1. Levy Income	1,230,928		1,230,928		
2. Other			0		
<b>TOTAL INCOME</b>	<b>1,230,928</b>		<b>1,230,928</b>		
<b>(SURPLUS) / SHORTFALL</b>	<b>0</b>		<b>0</b>		

**CID Budget Split**

	BUSINESS PLAN	PROPOSED BUDGET	VARIANCE
Commercial	0		0
Residential	1,230,928	1,230,928	0
<b>Total Budget</b>	<b>1,230,928</b>	<b>1,230,928</b>	<b>0</b>

## ZWAANSWYK

## 3 YEAR BUDGET AS PER BUSINESS PLAN

EXPENDITURE	2009/10		2010/11		2011/12	
		%		%		%
1. Employee Related	72,000	5.85%	79,200	6.20%	87,120	6.40%
Salaries	72,000		79,200		87,120	
2. Contracted Services	648,000	52.64%	712,800	55.83%	784,080	57.61%
Security	528,000		580,800		638,880	
Cleansing	120,000		132,000		145,200	
3. Depreciation	0	0.00%	0	0.00%	0	0.00%
4. Repairs and Maintenance	0	0.00%	0	0.00%	0	0.00%
5. Services Accounts ex CCT	0	0.00%	0	0.00%	0	0.00%
6. Interest Paid	0	0.00%	0	0.00%	0	0.00%
7. Other	474,000	38.51%	446,400	34.97%	449,040	32.99%
Management	24,000		26,400		29,040	
Security Fence Re-payment	420,000		420,000		420,000	
Establishment Cost	30,000		0		0	
8. Bad Debt Provision 3%	36,928	3.00%	38,301	3.00%	40,832	3.00%
<b>TOTAL EXPENDITURE</b>	<b>1,230,928</b>	<b>100.00%</b>	<b>1,276,701</b>	<b>100.00%</b>	<b>1,361,072</b>	<b>100.00%</b>
<b>INCOME</b>						
1. Levy Income	1,230,928		1,276,701		1,361,072	
2. Other	0		0		0	
<b>TOTAL INCOME</b>	<b>1,230,928</b>		<b>1,276,701</b>		<b>1,361,072</b>	
(SURPLUS) / SHORTFALL	0		0		0	
<b>BUDGET GROWTH</b>	<b>0.00%</b>		<b>3.72%</b>		<b>6.61%</b>	

1250

Application for the establishment of a Residential City Improvement District ("RCID") in  
Zwaanswyk

Responses to Residents' Objections

	Objections	Response to Objection
<b>Reasons for fence</b>		
1	The original proposal for the erection of fencing was instituted by residents who had inadequate Boundary fences/security on their own properties.	This statement is false and, in any event, not relevant.
<b>Budget</b>		
2	The annual running costs of the RCID seem excessive.	The manager and accounting issues amount to R8, 000 per month (8% of the total). Establishment costs, which have been kept to a minimum, are in year 1 and thereafter not repeated.
	The amount budgeted for the fence is inadequate.	The committee obtained 3 quotes and based the budget on the middle quote, to which was added in excess of R100 000 for clearing and necessary related costs.
<b>Impact on Rates</b>		
3	How would any shortfall in rates payments be applied against prime rates and RCID rates?	At the Council's request the budget provides for a 3% bad debt provision.
4	The estimated RCID levy would equate to a 30%/50% rates increase. For a property valued at around R 5.5 million the estimated monthly levy would be R 1,300 (R 15,600 per annum) or R46,800 for the initial 3 year trial period.	<p>On the basis of the budget set out in the RCID plan, Zwaanswyk ratepayers can expect to pay an additional rates levy of approximately R165 per month for each R1 million of rateable value ascribed to their property by the Council. This will be levied for the three year business plan period. In years two and three the amount of the levy will escalate by 10%. Any additional or lower rates levy will commence in or around July 2009.</p> <p>It should be noted however that the RCID plan contemplates a service delivery contract with Mountain Men for armed response and alarm monitoring for every ratepayer in Zwaanswyk. Each household's armed response costs will be included in the additional rates levy and ratepayers will not be required to make any payments directly to Mountain Men for the provision of these services. Accordingly ratepayers who are currently paying R 512 per month to Mountain Men should take this saving into account when considering the rates increase.</p> <p>Accordingly for a property valued at R5.5 million, the anticipated rates increase in the first year will be approximately R900 per month. The existing</p>

	Objections	Response to Objection
		Mountain Man charge of R512 should be deducted from this amount as this service is provided in the rates amount. Thus the effective increase for the hypothetical owner who is already paying for an alarm monitoring service is R388 per month.
5	It is the view of many residents that these funds could be put to more effective use by securing their own property.	As home invasions and baboon incursions continue it is obvious that individual efforts are not the answer. Security is a neighbourhood issue and needs a pooling of resources and collective effort.
6	The probable increase in rates has been incorrectly calculated.	Please see answer to number 4 above.
<b>The Fence</b>		
7	The fence as designed will not keep out baboons. Only with a Y-extension that is fully electrified on top of the fence and a foot extension below the soil could the fence have a limited effect. This is the opinion of baboon matters.	The proposed fence is the same as that which SANParks are erecting in Scarborough as a deterrent to the baboons. The fence specification is attached hereto. The elected RCID Board will revisit the fence specification before proceeding but within the submitted budget parameters.
8	No input from Baboon Matters has been forwarded to residents.	The committee has consulted with SANParks officials who have experience in baboon issues but no input has been directly received from Baboon Matters.
9	Once inside baboons will be unable to escape from the confines of Zwaanswyk unless they exit at the bottom of the road. Once inside the electric fence will tend to keep baboons in Zwaanswyk contrary to objectives.	If baboons, once inside, are unable to escape Zwaanswyk due to the fence then it follows that the fence would have been successful in reducing baboon incursions.  The committee intends working with Mountain Men to develop procedures to deal with such an occurrence.
10	Electrification of the proposed perimeter fence will not prevent criminals from gaining access into the area. Security experts maintain it will take 22 seconds for criminals to gain access after shorting the fence.	The proposed fence is not a panacea for crime in Zwaanswyk. However we believe that the fence will be a significant extra deterrent to criminals wishing to enter Zwaanswyk.  The fence will be monitored electronically 24 hours a day by Mountain Men from their control room. Any attempt to breach the fence will be identified by the control room who will then be able to despatch Mountain Men security guards to investigate and be able to alert residents by sms messaging.
11	Residents would be better served if they upgraded their own security	Please see the answer above. The fence should be viewed as an extra layer of security to add to residents' own security arrangements.

12	Will an EIA be required to evaluate the impact of the fence on baboon activity?	We do not believe an EIA is required. The fence will be located on SanParks land and accordingly we are in consultation with SanParks regarding all aspects of the proposed fence.
13	The position of the fence on the Northern boundary entering Tokai forest will be unsightly and not in keeping with the rural feel and atmosphere in Zwaanswyk.	Aesthetics are subjectively personal. The current mixture of walls, wire fences, razor tape coils and wooden fences are hardly harmonious with the environment and the alien invaded firebreaks are an eyesore.
14	The proposed fence running along the forest line will ruin the view from my house which borders the fire break. All the interested parties who have voted for the fence don't have a view of the forest and would therefore not be affected by the fence.	The second statement regarding who has voted in favour of the fence is incorrect. The property belonging to this objector has been identified as a weak link for both baboon incursions and criminals.
15	The proposed position of the fence in the middle of the firebreak may detrimentally hinder access in the event of fire or other accidents.	SanParks, who owns the relevant land, have confirmed that the fence will not be a hindrance in this regard.
16	The proposed fencing will require complete electrification at enormous cost to residents. Where is the electric feed to the fence to be installed? What is the monthly running and installation cost? These costs are not included in the budget.	The maintenance budget provides for an amount of about R30 per month per energiser of which there are 10 proposed in the fence line.
17	Many residents use ADT or Chubb rather than Mountain Men. Were quotes obtained from other service providers?	The vast majority of Zwaanswyk residents (in excess of 90 of the 124 properties) utilise Mountain Men. We believe that Mountain Men's proposal is very good value and significantly cheaper than any other company from whom quotations were obtained.
18	Will the electrified fence have an effect on the horses that use the pathways in the plantation?	We do not believe the fence will have any effect on horses but the committee will take this into account in the final fence design.
<b>Access Road</b>		
19	A service road would be necessary to access the fence to check for intrusions and for maintenance. The building of a service road has not been considered and is not included in the budget. What would the cost of this be?	It is envisaged that the fence monitoring will be undertaken by the use of a "quad bike" which would not require a "full blown" access road.
<b>Setting up of a Boom</b>		
20	The proponent of the CID in Zwaanswyk have aimed to erect a control boom at the bottom of	We have considered implementing a boom system at the bottom of Zwaanswyk Road, which would operate from dusk until dawn.

	Zwaanswyk Road and thus prevent or control entry into the area. This would be illegal.	However the RCID would at all times comply will all relevant laws. If such a boom system is illegal then it would not be implemented with the security hut at the bottom of Zwaanswyk Road being manned by Mountain Men instead.
21	It is proposed that employees of residents will carry IDs.	The RCID proposal does not contemplate that employees will be required to carry IDs.
<b>Appointment of RCID Manager</b>		
22	The expense of a CID manager (R126,000 per annum) seems unjustified for the sole purpose of managing one contractor.	The budget provides for a manager at a monthly cost of R 6,000 (R72,000 per annum) and a bookkeeping and accounting cost of R24,000 per annum to make the necessary VAT returns and provide annual audited figures for the section 21 company. The budget also provides for set up costs in year 1 which are not repeated in future years.
23	The appointment of a manager by the committee is questionable. Any such appointment should be subject to nomination and appointment.	No manager has been formally appointed. Any such manager shall be appointed by the management body properly established in accordance with relevant statute to manage the RCID.  We would welcome any nominations for this role.
<b>SanParks Approval</b>		
24	SanParks approval is required, which may not be obtained.	We are in ongoing discussions with SanParks who have given their in principle approval to the proposal. The implementation of the proposal will be subject to final SanPark's board approval.  This will be obtained prior to the establishment of the RCID.
<b>RCID Voting Rights</b>		
25	The proposed voting rights in terms of the RCID should be determined on a valuation basis (i.e. votes in proportion to the amount of extra rates paid) and not per erf.  It is unfair that an owner of one acre has the same vote as owners of larger property.	The voting rights of the RCID are mandated by statute (section 12(2) of the City Improvement District By-Law 6118 of 2004 (the "By-Laws")) which inter alia provides that votes of members must be weighted in proportion to the levies payable by them.
26	There is a fear that wealthy residents will in future vote in any number of issues, which could severely impact those residents without the same resources.	See above answer.

Procedural Questions		
27	Objection to the manner of collecting funds pursuant to an irrevocable three year contract.	This process is mandated by the By-Laws.
28	Please advise the process/procedure by which the Cape Town City Council considerably reduces the required support from 75% to 51%.	Any decision to change the percentage support required to implement an RCID will be made by the Council and is not the prerogative of an RCID.
29	The application will start to be processed under one bylaw and have it finished under another bylaw The requirements of the two bye-laws differ considerably in some cases.	The committee is sure that if the Council make the changes it will have considered all legal and procedural implications.
30	A detailed budget has not been circulated to each household.	The process for the establishment of the RCID as well as the form and content of all notices to residents are set out in the By-Laws. These requirements have been complied with.
31	There is no guarantee that, should the fence be inadequate, the RCID committee will decide to upgrade it at further cost to residents.	Please see the answers above in relation to RCID voting rights.  The level of expenditure set out in the proposed budget will be approved as part of the approval of the RCID. This level of expenditure may not be increased without the approval of residents as set out in section 11 of the By-Laws.
32	Was written permission received to hold meeting outside of proposed area.	Written permission was obtained from Council in accordance with section 6(3) of the By-Laws to hold the meeting outside the proposed area.
33	Did the CFO appoint a qualified/experienced person to chair meeting.	The public meeting was chaired by a suitably qualified and experienced person.
34	Competitive quotes and costs of fence not available at the nominated address.  No financial figures or detail of the planned fence was available at the CTCC and the offices of ZAPO.	The process for the establishment of the RCID as well as identification of the documentation which should be available for inspection are set out in the By-Laws. These requirements have been complied with.
35	Has the applicant furnished copies of the advertisements to the local authority?	The process for the establishment of the RCID is set out in the By-Laws. These requirements have been complied with.
36	Have SHORA members who pay an annual fee to SanParks and have access to the plantation been consulted.	The existing arrangements between SANParks, residents, Shora members and Wild Card holders is envisaged to continue under the RCID structure.
37	No finality on number and location of access points yet.	These arrangements are still to be finalised in consultation with residents and SANParks

**SCHEDULE OF OBJECTIONS RECEIVED REGARDING ESTABLISHMENT OF ZWAANSWYK IMPROVEMENT DISTRICT**

From:	Comments and Objections:	Responses:
1. Clare Ions	<p>a) Opposed to CID – No explanations provided.</p>	<p>a) Noted</p>
2. Bernard Richards	<p>a) Short and long term cost implications not considered.</p> <p>b) New CID levy will mean a R 1000/mth additional expense and unaffordable for pensioners in current financial climate.</p> <p>c) If not paying full Council bill will the debt be against rates or CID levy.</p> <p>d) Business Plan indicates annual increase of 10%. Ludicrous in current deflationary environment.</p> <p>e) Proposed fence and patrolling will not achieve desired effect.</p> <p>f) Required auditing of support.</p>	<p>a) The Business Plan is a three year proposal. The annual budgets and focus areas will be approved annually at the AGM and be considered by Council.</p> <p>b) The CID levy includes an armed response cost as part of the security service that will be provided by the CID security service provider (approximately R 500) which also already serves most of the community. This cost must be regarded as a saving when considering the rate increase as the property owners could terminate their existing contracts.</p> <p>c) Council collects the CID budget as part of its rates account and any payment to Council will be allocated to the oldest debt.</p> <p>d) The Business Plan is a proposal and actual budgets must be approved annually at the AGM.</p> <p>e) The CID is not only about security. Although it forms a large portion of the budget a collective focus to improve the area could be achieved by establishing a CID.</p> <p>f) The applicant did follow due process and applicant provided affidavit regarding support.</p>
3. Mrs C A Berry	<p>a) Proposals budgeted are excessively expensive.</p> <p>b) Residents intimidated to generate interest.</p> <p>c) Safety measures promised will not be allowed by Council, therefore not making informed decision.</p> <p>d) Proposed budget would result in major increase in rates payable and</p>	<p>a) Steering Committee used quotations to set up the proposed budget.</p> <p>b) Noted</p> <p>c) The boom did form part of the initial concept and public meeting. The Business Plan and the official public meeting did not refer to it as Council would not allow it without complying with the applicable policy.</p> <p>d) Refer to comment 2b and e.</p>

	<p>owners should do it them self.</p> <p>e) SAN Parks approval might not be timeous for fencing plan.</p> <p>f) Annual running costs as budgeted seem excessive bearing in mind the amount of work</p>	<p>e) If San Parks do not approve fence application the Board must call a special meeting to resolve this and any changes to the Business Plan.</p> <p>f) The Business plan is based on quotes obtain to implement the propose services.</p>
<p>4. MWP Berry (Estate Late DR Pickering)</p>	<p>a) Inadequate design to keep out baboons.</p> <p>b) Inadequate design against criminals</p> <p>c) Cost – levy would equate a 50% rates increase</p> <p>d) Access via boom gate – illegal and in contravention of government policy</p> <p>e) Positioning of the fence on northern boundary will be unsightly and not keeping with rural feel of area; fence in middle of fire break may detrimentally hinder access</p> <p>f) Cost of manager seems unjustified for managing 1 contractor.</p>	<p>a) Noted</p> <p>b) Noted</p> <p>c) Refer to 2b.</p> <p>d) Refer to 3c</p> <p>e) Noted</p>
<p>5. Mr Patrick A Russell</p>	<p>g) Property owners with inadequate security are driving the process.</p> <p>h) Proposed voting rights should be determined on valuation basis and not per Erf</p> <p>a) Opposed to CID on grounds that it will not work and therefore is a waste of money</p>	<p>f) Business Plan indicates a range of services that need to be managed. Boards need to appoint adequate number of persons to implement this.</p> <p>g) Noted</p> <p>h) The By-Law require a &gt;75% support in number and value base for establishment.</p> <p>a) Noted</p>
<p>6. N S Valdislavich</p>	<p>a) Opposed to formation of CID – No explanation provided</p>	<p>a) Noted</p>
<p>7. Mr Marc Cheminais</p>	<p>a) Establishment of CID will have a very negative impact on an established residential area.</p> <p>b) High cost of adequate fencing as well as provision of services road to patrol the fencing not considered.</p> <p>c) Positioning of fence will compromise rural atmosphere</p> <p>d) Cost of manager is unjustified in light of a single contract</p> <p>e) Estimated CID levy would increase current rates by at least 30%</p>	<p>a) The CID is there to improve and upgrade the area and to be managed as a unit.</p> <p>b) The final design of the fence will be approve by the Board and all members will have an opportunity to comment.</p> <p>c) Noted</p> <p>d) Refer to 4f</p> <p>e) Refer to 2b</p>
<p>8. Mike Lenz</p>	<p>a) Objecting on grounds of unfair distribution and the way of collecting the funds through an irrevocable contract</p>	<p>a) Current legislation require compulsory participation once &gt;75% support is obtained and that the CID budget will be collected from property owners based on their portion of the total CID valuation base.</p>
<p>9. Restful Investments</p>	<p>a) Background</p>	<p>a) Noted</p>

<p>b) Electric fencing – unlikely that design will prevent baboons entering residential area  c) Security – unlikely that it will keep criminal elements out.  d) Excessive monthly expense, cost of manager, cost of fence maintenance  e) By which process was “support” reduced for 75% to 51%</p>	<p>b) &amp; c) The fence is only one element of the business plan and by itself will definitely not stop burglaries or the baboon problem. The CID proposes a collective effort.  d) Refer to 7 b, 4f and 2a  e) &gt;75% support is currently required for establishment. Only when new SRA By-Law is promulgated will the requirement be &gt;50%</p>
<p>a) Converting area in a fenced commune is not practical and expensive  b) Municipal services and working relationship with Local Authorities is satisfactory  c) Security is responsibility of each house holder  d) Constant stream of builders, garden services and other vehicles will be extremely difficult to control and logistical nightmare  e) Electrified fence spoiling the view onto the mountain fills one with despair. Have no wish to live in a fenced off compound</p>	<p>a) Refer to 2e  b) Noted  c) Refer to 2e  d) Noted  e) Noted</p>
<p>a) Electric fence will ruin the view from my house and the rural atmosphere of Zwaanswyk.  b) Electric fence will not stop burglaries or resolve the baboon problem.  c) Everyone should provide own security, as we don't want to pay additional rates for the benefit of others</p>	<p>a) Noted and refer to 7b  b) The fence is only one element of the business plan and by itself will definitely not stop burglaries or the baboon problem. The CID proposes a collective effort.  c) The proposed CID is to provide security for the common areas like roads and the perimeter areas. Securing of every property remains the responsibility of every owner.</p>
<p>a) Don't wish to live in a fenced and gated area.  b) Detailed budget not been readily available, we are advised of an estimate of the cost that we will be levied on a monthly basis.  c) Electric fence is not as impenetrable as people have believed.  d) Static guard, at night, when will this be 24 hours – opposed against it.</p>	<p>a) The proposed CID is to improve the area that includes security of the common areas like roads and the perimeter areas. It will not be gated.  b) The budget and proposed actions (Business Plan) was available in the area and at the Council offices. Advertised etc  c) The fence is only one aspect of improving the area and would not solve all problems.  d) The final security service provider is not yet appointed; more the way in which security will be enforced. This will be a decision of the Board that will take cognizance of all the</p>
<p>10. Ann and Tom Carse</p>	
<p>11. Anthony Johnson</p>	
<p>12. Davd and Rachael May</p>	

<p>comments received. e) The CID is not only about security. Although it forms a large portion of the budget a collective focus to improve the area could be achieved by implementing a CID.</p>	<p>e) Opposed to be forced to pay an additional levy to help to try secure properties of those who feel they are at risk.</p>	
<p>a) The CID concept is to improve an area and ensure that the area in total benefits from the improvements. b) The proposal is to improve the area as a whole of which the fence is one element. c) The proposed CID is for a three year term with set budget and actions. A new term will required obtaining support again. d) The Section 21 Company articles and memorandum of association allow for this. e) The CID levy will be almost the same amount that was advocated at the Public meeting. f) The appointment of a manager and any service provider must comply with the Companies Act requirements. g) The fence forms part of the Business Plan that is supported by 75% of the property owners and thus think it will make a difference. SANPARKS approval will be required. If this is not obtained the Board must call a special AGM to obtain support for an alternative. h) The final security service provider is not yet appointed; more the way in which security will be enforced. This will be a decision of the Board that will take cognance of all the comments received. A boom gate will not be allowed without applying for it to Councils Gated Community Policy.</p>	<p>a) A number of residents will benefit substantially from proposal, while all have to pay. b) We will be subsidizing a fence and we do not need one. c) We are pensioners and do not have unlimited financial resources. Also expresses his fear of future projects/costs being enforced on them. d) Financial impact on large properties will be great, owners should not have the same vote e) Probable increase in our rates was incorrectly calculated, incorrect property valuation used. Increase will be 3 times the amount mentioned f) Manager and service providers appointed is questionable; should be nominated and voted for. g) Expensive fence unnecessary and SANPARKS did not give their approval. h) Proposed identification tags for security control is not acceptable. Is boom gate a legal system?</p>	<p>13. Mr and Mrs LR Dreyer</p>
<p>a) (i) The original intent was to erect a boom. This was removed from the Business Plan and was stated as such at the Public meeting. (ii) The final calculated c/r does amount to approximately R160 per month for each R1</p>	<p>a) Incorrect information. (i) Boom at bottom of Zwaanswyk Road. (ii) Suggested cost of CID.</p>	<p>14. SM Durr</p>

<p>million of Municipal valuation as estimated.</p> <p>b) All requirements were met regarding the public meeting.          Yes – The meeting was chair by Nick Harris and attended by Council official responsible for establishing CIDs.          Copies of notice and adverts were made available to Council.          The budget is an amount allocated for this item within the proposed budget. The Board will have to obtain competitive quotations before appointing a preferred contractor.</p> <p>c) If the Business Plan is inadequate or it could not be implemented the Board will have to revisit it. If the revised proposal falls outside their mandate a new mandate must be obtained from the members at a special AGM.          Council will not allow the Business Plan to be materially change (proposed services or budget) before the required support from the property owners were obtained.</p> <p>d) The Business Plan was presented to the members and 75% support was obtained. This indicates that most property owners support the initiative as proposed and is willing to pay for it.</p> <p>e) The proposed SRA By-Law is in the process of being considered by Council. The SRA requires a majority (50% plus 1) support while the CID By-Law requires more than 75% support. This approval report is subject to proof of 75% support. No other considerable differences exist. The new SRA By-Law does allow that any application ito the existing By-Law will be deemed to be made ito the new SRA By-Law after its promulgation.</p>	<p>b) Procedure – did Council give permission to hold public meeting</p> <ul style="list-style-type: none"> <li>– did CFO appoint qualified and experienced person to chair Meeting.</li> <li>– Proof of notice and adverts required.</li> <li>– unable to obtain information regarding competitive cost and quotations on the fence</li> </ul> <p>c) Business Plan – 13 points regarding the proposed fence was raised and includes the following concerns: Finance, alternatives, effectiveness, erection detail, final location, EIA, access and SANPARK support.</p> <p>d) Cost – Annual budget of R1 400 00 will result in massive increase in monthly local authority costs to residents.</p> <ul style="list-style-type: none"> <li>– Emphasis of Business Plan and budget is on security.</li> <li>– The investment will not achieve objectives</li> <li>– Cost and effectiveness of CID manager.</li> </ul> <p>e) Legislation – Application ito current legislation while new legislation will become affective soon.</p> <ul style="list-style-type: none"> <li>– The requirements of the legislation differ considerably.</li> <li>– Transitional phase error.</li> </ul>	<p>a) The final design of the fence will be approved</p>
<p>Aesthetically – Fence will be unsightly</p>		