

ITEM NUMBER : C 08/03/11

RECOMMENDATION FROM THE EXECUTIVE MAYOR: 02 MARCH 2011

MC 10/03/11 APPLICATION FOR THE EXTENSION OF THE IMPLEMENTATION PLAN OF BLACKHEATH CITY IMPROVEMENT DISTRICT TO 30 JUNE 2016

AANSOEK OM VERLENGING VAN DIE IMPLEMENTERINGSPLAN TEN OPSIGTE VAN BLACKHEATH-STADSVERBETERINGS-DISTRIK TOT 30 JUNIE 2016

ISICELO SOKWANDISWA KWESICWANGCISO SOKUMISELWA KOPHUCULO LWESITHILI SESIXEKO I- BLACKHEATH UKUSUSELA KOWAMA-30 JUNI 2016

RECOMMENDED that:

- (a) Council note the objection by Mr John de Smidt but do not uphold it for the reasons stated in the report on the agenda
- (b) in terms of Section 15 of the Special Rating Area By-Law, the extension of the Implementation Plan of the Blackheath Improvement District dated November 2010 from 1 July 2011 to 30 June 2016 be approved.

AANBEVEEL dat:

- (a) die Raad kennis neem van die beswaar deur mnr John de Smidt maar dit nie handhaaf nie om die redes in die verslag op die agenda uiteengesit;
- (b) ingevolge artikel 15 van die Verordening op Spesiale-aanslaggebiede, die verlenging van die implementeringsplan van die Blackheath-stadsverbeteringsdistrik van November 2010 vanaf 1 Julie 2011 tot 30 Junie 2016, goedgekeur word.

KUNDULULWE ukuba:

- (a) IBhunga maliqaphela isichaso sikaMnu. John de Smidt kodwa lingasixhasi, ngokwezizathu njengoko zibonakalisiwe kwingxelo ekwi-ajenda.
- (b) Makuphunyezwe ukwandiswa kwexesha lesiCwangciso sokuMiselwa koPhuculo lweSithili sesiXeko i- Blackheath, esibhalwe umhla ka-Oktobha 2010 ukususela kowo-1 Julayi 2011 ukuya kowama-30 Juni 2016, ngokungqinelana neCandelo-15 loMthetho kaMasipala ongeMimandla engeeRhafu ezizodwa/we-SRA.

1. **ITEM NUMBER :** MC 10/03/11

2. **SUBJECT**

**APPLICATION FOR THE EXTENSION OF THE IMPLEMENTATION PLAN OF
BLACKHEATH IMPROVEMENT DISTRICT TO 30 JUNE 2016**

ONDERWERP

**AANSOEK OM VERLENGING VAN DIE IMPLEMENTERINGSPLAN TEN
OPSIGTE VAN BLACKHEATH-STADSVERBETERINGSDISTRIK TOT 30
JUNIE 2016**

ISIHLOKO

**ISICELO SOKWANDISWA KWESICWANGCISO SOKUMISELWA
KOPHUCULO LWESITHILI SESIXEKO I- BLACKHEATH UKUSUSELA
KOWAMA-30 JUNI 2016**

LSUB0379

3. **PURPOSE**

In terms of the Special Rating Area By-Law - promulgated as per Provincial Notice No.6651/2009 dated 21 August 2009 (the By-Law), Council received an application, in terms of Section 15 to extend the Implementation Plan of Blackheath Improvement District.

4. **FOR DECISION BY**

Council.

5. **EXECUTIVE SUMMARY**

5.1 Application has been made in terms of Section 15 of the By-Law for the extension of the Implementation Plan of Blackheath Improvement District from 1 July 2011 to 30 June 2016.



- 5.2 The Motivation Plan proposes the same services as currently provided by the Blackheath Improvement District. The Implementation Plan proposes relevant action steps to implement the services, while the budget proposes an annual growth of 7,3% to that of the existing Business Plan.
- 5.3 This term increase is 16,5% when comparing the existing term with the proposed new budget. The 16,5% increase is required as new developments within the area came about and require additional resources to ensure similar service levels as that provided currently. The higher budget and the property increase in the valuation base have the net effect that the property owners will pay a similar levy during 2011-12 as in the current financial year.
- 5.4 The property owners were given the opportunity to comment/object to the proposed extension of term. **One letter of objection was received.** The objections by Mr. John de Smidt are noted but not upheld for the reasons as stated in this report.

This report recommends that the application to extend the Blackheath Improvement District term to 30 June 2016 be approved and that the objection not be upheld.

6. RECOMMENDATIONS

It is recommended that:

- (a) Council note the objection by Mr John de Smidt but do not uphold it for the reasons stated in this report.
- (b) Council approve, in terms of Section 15 of the SRA By-Law, the extension of the Implementation Plan of the Blackheath Improvement District dated November 2010 from 1 July 2011 to 30 June 2016.

AANBEVELINGS

Daar word aanbeveel dat:

- (a) Die Raad kennis neem van mnr John de Smidt se beswaar maar dit om die redes in hierdie verslag gemeld, nie handhaaf nie.
- (b) Die Raad goedkeuring verleen ingevolge artikel 15 van die Verordening op Spesiale-aanslaggebiede vir die verlenging van die November 2010-implementeringsplan ten opsigte van die Blackheath-stadsverbeteringsdistrik vanaf 1 Julie 2011 tot 30 Junie 2016.

Kundululwe ukuba:

- (a) IBhunga maliqaphele isichaso sikaMnu. John de Smidt kodwa lingasixhasi, ngokwezizathu njengoko zibonakalisiwe kule ngxelo.
- (b) IBhunga maliphumeze ukwandiswa kwexesha leSicwangciso sokuMiselwa koPhuculo lweSithili sesiXeko i- Blackheath, esibhalwe umhla ka-Oktobha 2010 ukususela kowo-1 Julayi 2011 ukuya kowama-30 Juni 2016, ngokungqinelana neCandelo-15 loMthetho kaMasipala we-SRA.

7. DISCUSSION/CONTENTS

7.1. Constitutional and Policy Implications

The second renewal of the Blackheath Improvement District term was approved by Council on 27 March 2008 (Item C 59/03/08).

The Blackheath Improvement District has made an application in terms of Section 15 of the SRA By-Law, to extend the Implementation Plan for another five years (1 July 2011 to 30 June 2016), as per Annexure A.

The application, for extending the Implementation Plan of Blackheath Improvement District, was advertised in the official newspapers and sent to the members of the CID, calling for comments/objections, as per Annexure B.

One objection letter attached as annexure C was received. The objections of Mr. John de Smidt are extracted and discussed in the attached table (Annexure D). The objections are noted but not upheld for the reasons as stated in the table.

The Blackheath Improvement District did not introduce any new services in the Motivation Report. The Implementation Plan proposed relevant action steps to implement the services with a year on year increase in the budget of 7,3%. This term increase is 16,5% when comparing the existing term with the proposed new budget. The 16,5% increase is required as new developments within the area came about and require additional resources to ensure similar service levels as that provided currently. The higher budget and the property increase in the valuation base have the net effect that the property owners will pay a similar levy during 2011-12 as in the current financial year.

The proposed Business Plan was also approved at the Blackheath Improvement District AGM. Council could justify approving the renewal application in terms of Section 15 (a) and (b) of the SRA By-Law.



As the application complies with the SRA By-Law requirements and the property owners were consulted, Council may approve the extension of the Implementation Plan dated November 2009 for the Blackheath Improvement District as from 1 July 2011 to 30 June 2016.

7.2. Environmental implications

Does your report have any environmental implications: No Yes

7.3. Legal Implications

Special Rating Area By-Law - promulgated as per Provincial Notice No.6651/2009 dated 21 August 2009

7.4. Staff Implications

Does your report impact on staff resources, budget, grading, remuneration, allowances, designation, job description, location or your organisational structure?
No
Yes

7.5. Risk Implications

None

7.6. Other Services Consulted

None


ANNEXURES

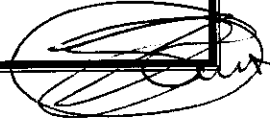
- Annexure A: Blackheath Improvement District Business Plan dated November 2009.
- Annexure B: Advertisement of Application
- Annexure C: Objection Letter
- Annexure D: Summary of objections with Council response



FOR FURTHER DETAILS CONTACT:

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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

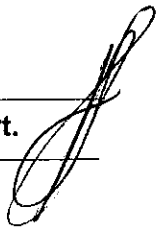
NAME RIPANA SAIED

TEL 021 400 4508

DATE 11 / 02 / 2011

Comment:

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





Comment:

EXECUTIVE DIRECTOR - FINANCE
M Richardson - CFO

DATE 11 / 2 / 11