



MINUTES OF A MEETING OF THE SWARTLAND MUNICIPAL COUNCIL HELD IN THE TOWNHALL, MALMESBURY ON THURSDAY, 25 AUGUST 2022 AT 10:00

PRESENT:

Speaker, ald M A Rangasamy
Executive Mayor, ald J H Cleophas
Deputy Executive Mayor, clr J M de Beer

COUNCILLORS:

Bess, D G (DA)	Papier, J R (GOOD)
Booyesen, A M (VF+)	Penxa, B J (ANC)
Daniels, C (DA)	Pieters, C (ANC)
Duda, A A (EFF)	Pypers, D C (DA)
Fortuin, C (ANC)	Smit, N (DA)
Jooste, R J (DA)	Soldaka, P E (ANC)
Le Minnie, I S (DA)	Van Zyl, M (DA)
Ngozi, M (ANC)	Vermeulen, G (VF+)
O'Kennedy, E C (DA)	Warnick, A K (DA)

Officials:

Municipal Manager, mr J J Scholtz
Director: Civil Engineering Services, mr L D Zikmann
Director: Electrical Engineering Services, mr T Möller
Director: Protection Services mr P A C Humphreys
Director: Corporate Services, ms M S Terblanche
Director: Development Services, ms J S Krieger
Manager: Secretarial and Records, ms N Brand

1. OPENING

The Speaker welcomed the Executive Mayor, the Deputy Executive Mayor, alderdames, aldermen, councillors, officials, members of the public and the interpreter.
A special word of welcome was extended to the newly appointed Director: Electrical Engineering Services, mr T Möller.

Clr E C O'Kennedy opened the meeting with a scripture reading and a prayer at the request of the Speaker.

The Speaker congratulated councillors and officials who had celebrated birthdays recently..

2. APOLOGIES

Apologies received from ald T van Essen and ald B J Stanley.

3. DEPUTATIONS/DECLARATIONS AND COMMUNICATIONS/SUBMISSIONS

3.1 LETTERS RECEIVED IN RESPECT OF THE OUTBREAK OF FOOT AND MOUTH DISEASE IN SOUTH AFRICA/PROCLAMATION BY THE MINISTER OF AGRICULTURE, LAND REFORM AND LOCAL DEVELOPMENT

The Municipal Manager stated that the Municipality had received two letters in respect of the recent outbreak of Foot and Mouth Disease in South Africa in order to draw the Municipality's attention to the illegal movement of cattle in the municipal area.

3.1/...

The Municipal Manager referred to the proclamation from the Minister of Agriculture, Land Reform and Local Development, Minister Thoko Didiza, on 18 August 2022 in respect thereof that:

- (1) a ban is placed for a period of 21 days on the moving of cattle over national, provincial and municipal roads, except where the owner is in possession of a permit issued by a veterinarian, cattle being transported directly to the abattoir for slaughter and cattle slaughtered for ritual purposes;
- (2) any illegal moving of cattle must be reported to the State Veterinarian and SAPS.

The Municipal Manager stated that the Municipality is not aware of any outbreak of the disease in the municipal area, but made an appeal that the proclamation from Minister Didiza is heeded.

FOR NOTING

4. MINUTES FOR APPROVAL

4.1 MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 28 JULY 2022

RESOLUTION

(proposed by clr A K Warnick, seconded by clr E C O'Kennedy)

That the minutes of an Ordinary Council Meeting held on 28 July 2022 are approved and signed by the Speaker.

5 REPORTING IN RESPECT OF THE DELEGATED DECISION MAKING BY THE EXECUTIVE MAYOR

None

6 REPORTING IN RESPECT OF THE DELEGATED DECISION MAKING BY THE MUNICIPAL MANAGER

None

7. MATTERS ARISING FROM THE MINUTES

None.

8. MATTERS FOR DISCUSSION

8.1 NERSA APPROVAL OF ELECTRICITY TARIFFS FOR 2022/2023 (16/2/1/2/1)

A letter dated 5 July 2022 was received from NERSA in respect of approval of the electricity tariffs for the 2022/2023 financial year.

NERSA has requested that, with reference to the increase in the energy component of the industrial tariffs (tariff 3 and tariff 4), are lowered to 7.47% in place of the 8% increase which was applied for, and the rest of the tariffs are approved.

The Speaker brought the matter to the vote and the NERSA approval of the Council's electricity tariffs for the 2022/2023 financial year were accepted by 14 votes in favour thereof and seven councillors who abstained from voting.

RESOLUTION

(proposed by clr A K Warnick, seconded by clr N Smit)

- (a) That the approval of the electricity tariffs by NERSA for 2022/23 be noted and accepted;
- (b) That the NERSA admission that that they lack the statutory and regulatory jurisdiction over the proposed activity between the municipality and small scale embedded generators be noted;

8.1/...

- (c) That the following reduced energy tariffs as determined and approved by NERSA pertaining to the industrial tariff structures be accepted:

No	Tariff Structure	NERSA approved Tariff Excl Vat	NERSA approved increase	Tariff applied for Excl Vat	% Increase applied for
3	Industrial Bulk Normal (3-phase)				
3a	Bulk Consumers: Network Charge per month	R 1 853.4300	7.47%	R 1 853.4300	7.47%
3b	Consumption: per kWh	R 0.8810	7.47%	R 0.8854	8.00%
3c	Maximum Demand: per kVA per month	R 356.5700	7.47%	R 356.5700	7.47%
10	Industrial Bulk 'Time Of Use'-Tariff (3-phase, Alternative for Tariff 3)				
10a	Time Of Use: Network Charge per month	R 1 853.4300	7.47%	R 1 853.4300	7.47%
	Low Consumption Season (Sep - May):				
10b	* Peak (per kWh)	R 1.5277	7.47%	R 1.5352	8.00%
10c	* Standard (per kWh)	R 1.0513	7.47%	R 1.0565	8.00%
10d	* Off peak (per kWh)	R 0.6667	7.47%	R 0.6701	8.00%
	High Consumption Season (Jun - Aug):				
10e	* Peak (per kWh)	R 4.6834	7.47%	R 4.7065	8.00%
10f	* Standard (per kWh)	R 1.4187	7.47%	R 1.4257	8.00%
10g	* Off peak (per kWh)	R 0.7702	7.47%	R 0.7741	8.00%
10h	Maximum Demand: per kVA per month	R 239.1500	7.47%	R 239.1500	7.47%

8.2 CONTRACTS WITH FUTURE BUDGET IMPLICATIONS: APPOINTMENT OF VALUATOR OUTSIDE OF THE TERM OF THE MULTI YEAR BUDGET (5/1/B, 5/1/4)

The Municipal Manager explained the time frame for the appointment of the Municipal Valuator and stated that 1 July 2023 is the next date for the Implementation of the General Valuation Roll.

The appointment of a Municipal Valuator for carrying out the General Valuation and Supplementary Valuations is for a period of six years and requires, therefore, that a process must be followed in accordance with Section 33 of the Municipal Financial Management Act, Act 5 of 2003 (MFMA).

RESOLUTION

(proposed by clr J M de Beer, seconded by aldd M van Zyl)

- (a) That, in compliance with section 33 of the Municipal Financial Management Act, Act 56 of 2003 (MFMA) –
- (i) approval be granted for a six year agreement to be concluded for the appointment of HCB Valuations and Services Pty Ltd as the Municipal Valuer for the period 1 July 2022 to 30 June 2028 which will result in the following financial implications as per the requirements of the Local Government Municipal Property Rates Act, 2004:
- R2 475 000 for General Valuation (cost already covered in the new MTREF)
 - R1050.00 per day – Preparation for Appeal board Hearings
 - R6500.00 per day – Attendance of Appeal board Hearings
 - R340,000.00 + CPI per year for Supplementary Valuations (costs for years 1, 2.& 3 already covered in the new MTREF with years 4, 5 & 6 not covered;
- (b) That cognisance be taken that the costs for years 4 to 6 (detail under 1 (B)) are not material in aggregate or individual in relation to the total expenditure budget

and more importantly will not impact tariff increases beyond the rates communicated during the 2022/23- 2024/25 MTREF;

- (c) That cognisance further be taken that the Municipal Manager has complied with the requirements in terms of Section 33 of the MFMA, and that no comments were received from the public or any state institution;
- (d) That all the required supply chain procedures were adhered to;
- (e) That the Municipal Manager be authorized to sign all contracts resulting from the award of the tender to HCB Valuation and Services (Pty) Ltd.

8.3 APPROVAL OF THE PROCESS PLAN FOR THE DRAWING UP OF THE INTEGRATED DEVELOPMENT PLAN (IDP) AND THE REVISION OF THE SPATIAL DEVELOPMENT FRAMEWORK (SDF) (2/1/4/4/1)

The report dealt with the legal requirements, which must be followed for the drawing up of the Integrated Development Plan (IDP) in accordance with sections 28 and 29 of the Municipal Systems Act, 2000 (Act 32 of 2000) and the associated processes after the election of a new municipal council.

The Process Plan was circulated separately to the agenda.

RESOLUTION

(proposed by clr A K Warnick, seconded by clr D C Pypers)

- (a) That the Process Plan for the compilation of the new IDP for Swartland be approved in terms of Section 28 of the Municipal Systems Act (No 32 of 2000);
- (b) That the programme with timeframes / time schedule that is included in the Process Plan as Annexure A be approved in terms of section 29(1)(a) of the Municipal Systems Act as well as section 21(1)(b) of the Municipal Finance Management Act;
- (c) That the Process Plan also guide the revision of the Swartland Spatial Development Framework.

8.4 SUBMISSION OF THE DRAFT REGULATION IN RESPECT OF MANAGEMENT OF BUSINESSES SELLING LIQUOR TO THE PUBLIC (1/1)

The Council has a Regulation in respect of the Management of Businesses selling Liquor to the Public, which was promulgated on 22 May 2015.

The aim of the proposed amendments is the provision of safety and security measures applicable to all premises, licensed or unlicensed, where liquor is sold to the public.

Clr B J Penxa stated that, although local economic opportunities are encouraged with reference to shebeens, grave problems are encountered with persons who use alcohol in public. It has become the norm in some areas and the latter is intensified by illegal shebeens. Clr Penxa requested that the Law Enforcers must take action against these illegalities.

RESOLUTION

(proposed by clr A K Warnick, seconded by clr E C O'Kennedy)

- (a) That the following draft by-law be adopted in principle:
 - Swartland Municipality: By-law relating to Control of Undertakings that sell Liquor to the Public;
- (b) That the draft by-law be published for public comment in terms of section 12(3)(b) of the Systems Act, 2000 in both the local media and on the municipal website;

8.5 2023 MEETING SCHEDULE (3/4/2/1)

The draft 2023 meeting schedule was circulated with the agenda.

RESOLUTION

(proposed by clr J M de Beer, seconded by clr B J Penxa)

- (a) That the proposed meeting schedule for 2023 be accepted;
- (b) That the dates be published bi-annually in the local media for public cognisance, as well as on the municipal website;
- (c) That each councillor be furnished with a copy of the final schedule;
- (d) That the meeting schedule be forwarded to the West Coast District Municipality, SALGA and the Provincial Department of Local Government to use for planning purposes.

**SIGNED:
SPEAKER**