



**MINUTES OF A MEETING OF THE SWARTLAND MUNICIPAL COUNCIL HELD IN THE TOWN HALL,
MALMESBURY ON THURSDAY, 27 OCTOBER 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 Essen, T (DA)
Ngozi, M (ANC)	Van Zyl, M (DA)

Officials:

Municipal Manager, mr J J Scholtz
Director: Electrical Engineering Services, mr T Möller
Director: Financial Services, mr M A C Bolton
Director: Protection Services, mr P A C Humphreys
Director: Civil Engineering Services, mr L D Zikmann
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, alderdames, aldermen, councillors and officials.

The Municipal Manager opened the meeting with a scripture reading and prayer at the request of the Speaker.

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

2. APOLOGIES

Apologies received from clrs E C O’Kennedy, G Vermeulen, A K Warnick and ald B J Stanley.

3. DEPUTATIONS/DECLARATIONS AND COMMUNICATIONS/SUBMISSIONS

None.

4. MINUTES FOR APPROVAL

4.1/...

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

RESOLUTION

(proposed by clr N Smit, seconded by clr D G Bess)

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

4.2 MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 25 AUGUST 2022

RESOLUTION

(proposed by clr N Smit, seconded by rdl D G Bess)

That the minutes of an Ordinary Council Meeting held on 25 August 2022 are approved and signed by the Mayor.

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

RESOLUTION

That note is taken of the decisions made by the Executive Mayor in accordance with his delegated power in the following minutes:

5.1 MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD ON 13 JULY 2022

5.2 MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD ON 17 AUGUST 2022

read in conjunction with

MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 10 AUGUST 2022

5.3 MINUTES OF A SPECIAL MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD ON 22 SEPTEMBER 2022

read in conjunction with

MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 14 SEPTEMBER 2022

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

RESOLUTION

That note is taken of the decisions made by the Municipal Manager in accordance with his delegated power in the following minutes:

6.1 MINUTES OF A MEETING OF THE TENDER AWARD COMMITTEE HELD ON 16 AUGUST 2022

6.2 MINUTES OF A MEETING OF THE TENDER AWARD COMMITTEE HELD ON 22 AUGUST 2022

6.3 MINUTES OF A MEETING OF THE TENDER AWARD COMMITTEE HELD ON 13 SEPTEMBER 2022

7. MATTERS ARISING FROM THE MINUTES

None.

8. MATTERS FOR DISCUSSION

8.1/...

8.1 ACCEPTANCE OF THE REGULATION IN RESPECT OF CONTROL OVER BUSINESSES SELLING ALCOHOL TO THE PUBLIC (1/1)

The draft Regulation in respect of Control of Businesses selling Alcohol to the Public was submitted to the Council on 25 August 2022 in order to initiate the public participation process.

There were no comments/input received by the closing date 23 September 2022.

The Executive Mayor's Committee considered the regulation on 18 October 2022 for submission to the Council.

The Speaker brought the matter to the vote and it was decided –

UNANIMOUS RESOLUTION

(proposed by clr N Smit, seconded by add M van Zyl)

- (a) That the following by-law be adopted by Council, to take effect on date of promulgation in the Provincial Gazette:
 - Swartland Municipality: By-law relating to Control of Undertakings that sell Liquor to the Public;
- (b) That fines for offences of the by-law be determined by the Department of Justice.

8.2 QUARTERLY REPORT (SECTION 52 VAN MFMA): JULY TO SEPTEMBER 2022 (7/1/2/2-2)

The submission of the quarterly report to the Council is prescribed by section 52(d) of the Local Government Act: Municipal Financial Management, Act 56 of 2003 (MFMA).

The quarterly report was submitted to the Municipal Public Accountability Committee (MPAC) for discussion as part of the latter's oversight role.

RESOLUTION

(proposed by clr D C Pypers, seconded by clr C Daniels)

That Council takes cognisance of the attached quarterly report, as required by Section 52 of the Municipal Finance Management Act, Act 56 of 2003 in respect of the implementation of the budget as well as the performance against the Top Layer Service Delivery and Budget Implementation Plan of the municipality for the period 1 July to 30 September 2022.

8.3 SWARTLAND MUNICIPALITY: REVISION OF RECORD OF SERVICE (4/1/1/2//1)

The Municipality's Record of Service was revised in terms of the Local Government: Municipal Personnel Regulations, No 891 dated 20 September 2021.

The Municipal Manager dealt with the report and confirmed that the existing organizational structure, given the conservative approach to the filling of vacancies and extension of the structure, is largely in line with the guidelines as prescribed by the Personnel Regulations.

The Municipal Manager referred to the list of new posts and stated that these needs would be phased in over a period of time. Posts may not be placed on the organizational structure for which there is no funding and therefore there will be an opportunity to revise the latter with the approval of the Integrated Development Plan.

The Speaker brought the matter to the vote and it was decided (in the absence of four (4) councillors) with eleven (11) votes in favour of the implementation of the revised record of service and the rest of the councillors abstained.

RESOLUTION

(proposed by ald J H Cleophas, seconded by clr N Smit)

8.3/...

- (a) That the Council takes note of the comments and objections of the unions as put forward during the meeting of the Local Labour Forum held on 20 October 2022;
- (b) That the Council takes note of the employer's undertaking to address the comments regarding the Department Traffic/Law Enforcement Operations and Vehicle Licencing Administration as well the the Department Civil Operations and Maintenance, Division Sewer and Waste Water Treatment Works at a later date;
- (c) That the staff establishment review be approved by Council for implementation with effect from 1 January 2023.

**SIGNED
SPEAKER**