



**MINUTES OF A MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE BANQUETTING HALL, MALMESBURY ON TUESDAY, 13 JUNE 2023 AT 09:00**

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**PRESENT:**

Executive Mayor, ald J H Cleophas (chairman)  
Deputy Executive Mayor, clr J M de Beer

Members of the Mayor's Committee:

Clr D G Bess  
Clr N Smit  
Ald T van Essen  
Clr A K Warnick

Officials:

Municipal Manager, mr J J Scholtz  
Director: Development Services ms J S Krieger  
Director: Financial Services, mr M Bolton  
Director: Civil Engineering Services, mr L D Zikmann  
Director: Electrical Engineering Services, mr T Möller  
Senior Manager: Human Resources, ms S de Jongh  
Manager: Secretarial and Record Services, ms N Brand

**1. OPENING**

The Executive Mayor welcomed members and requested clr D G Bess to open the meeting with a prayer.

**2. APOLOGIES**

That **NOTE IS TAKEN** of the apologies received from the Speaker and the Director: Corporate Services.

**3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS**

None.

**4. MINUTES**

**4.1 MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD ON 17 MAY 2023**

**RESOLUTION**

(proposed by clr A K Warnick, seconded by ald T van Essen)

That the minutes of an Ordinary Meeting of the Executive Mayor's Committee held on 17 May 2023 are approved and signed by the Mayor.

**5. CONSIDERATION OF RECOMMENDATIONS IN THE MINUTES**

**5.1 MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 7 JUNE 2023**

5.1.1/...

**5.1.1 MUNICIPAL MANAGER, ADMINISTRATION AND FINANCES**

**RESOLUTION**

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

That the Executive Mayor ratifies the recommendations in the relevant minutes.

**5.1.2 CIVIL AND ELECTRICAL SERVICES**

**RESOLUTION**

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

That the Executive Mayor ratifies the recommendations in the relevant minutes.

**5.1.3 DEVELOPMENT SERVICES**

**RESOLUTION**

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

That the Executive Mayor ratifies the recommendations in the relevant minutes, subject to the following correction -

ITEM 5.1: MONTHLY REPORT, APRIL 2023  
[paragraph 3]

The Director: Development Services stated that residents of Block B, who block the road where electrical works must be installed, will be moved to the earmarked land.

**5.1.4 PROTECTION SERVICES**

**RESOLUTION**

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

That the Executive Mayor ratifies the recommendations in the relevant minutes.

**6. MATTERS ARISING FROM THE MINUTES**

None.

**7. NEW MATTERS**

**7.1 2023/2024 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) (2/4/2)**

Section 53 of the Local Government Act: Financial Management, Act 56 of 2003 (MFMA), stipulates that the Municipality's SDBIP is approved by the Executive Mayor within 28 days of the approval of the annual budget in May (that is before 22 June 2023).

The SDBIP serves to assist the management of the Municipality to attain the service delivery goals and the spending on capital projects within the stipulated timeframe.

**RESOLUTION**

(proposed by clr N Smit, seconded by ald T van Essen)

That the attached 2023/2024 Service Delivery and Budget Implementation Plan (SDBIP) be approved.

**7.2 SUBMISSION OF 2023/2024 PERFORMANCE AGREEMENTS AND PLANS (2/4/2)**

Section 57 of the Local Government Act: Municipal Systems, Act 32 of 2000, stipulates that the performance agreements of the municipal manager and the officials, who report directly to the municipal manager, must be concluded within one month of the beginning of the financial year.

The performance agreements of the Municipal Manager and the Director: Electrical Engineering Services (as an example of those of the directors) were circulated with the agenda.

#### **RESOLUTION**

That the performance agreements and plans of the Municipal Manager and directors for the 2023/2024 financial year be noted.

#### **7.3 MINUTES OF THE MUNICIPAL PERFORMANCE AND RISK AUDIT COMMITTEE MEETING HELD ON 21 FEBRUARY 2023 (5/15/1/5)**

The Audit Committee serves as a totally independent committee from the Council and fulfils its function in accordance with the stipulations of Section 166 of the Local Government: Municipal Financial Management Act, Act 56 of 2003.

The minutes of the Municipal Performance and Risk Audit Committee Meeting held on 21 February 2023 were circulated with the agenda, and do not contain any recommendations to the Executive Mayor's Committee for consideration.

#### **RESOLUTION**

That cognizance be taken of the minutes of the meeting of the Municipality's Performance Risk and Audit Committee of 21 February 2023.

#### **7.4 2023/2024 PROGRAMME IN RESPECT OF THE RESEALING AND BUILDING OF ROADS (16/5/5/1)**

An amount of R10 million is available in the 2023/2024 financial year for the resealing of existing upgraded roads in the Swartland Municipal area.

The Municipal Manager presented the recommendation, and the following was confirmed after discussion of the item:

- (1) The order of preference in respect of the building of roads is determined by the Executive Mayor within the budgeted amount;
- (2) The identification of roads for resealing is determined by the iRAMS Pavement Management System, as well as by on-site inspections;
- (3) Note is taken of the need for the upgrading of Abbatoir Street, Moorreesburg;
- (4) The number of roads, which qualify for resealing, will decrease annually as a result of the rising costs thereof and that efforts must be made to get alternate funding from the Council's CRR (*Capital Replacement Reserve*).

#### **RESOLUTION**

(proposed by ald T van Essen, seconded by clr A K Warnick)

- (a) That note is taken of the willingness of the Swartland Municipality to achieve the backlog in wiping out all the gravel streets in the entire Swartland municipal area;
- (b) That the principle is adopted that with any subsidised or private development all streets must be tarred, according to the standard prescribed by the Swartland Municipality, during the consideration of the application;
- (c) That in respect of the building and resealing of streets, special consideration will be given in the future budgets to realising the aim of phasing out all gravel streets in the foreseeable future;
- (d) That further detailed planning, in respect of on-site inspection, will be drawn up in accordance with the criteria for the consideration of the building of roads, in order to optimize the extent of benefits;
- (e) That 5<sup>th</sup> Street in Yzerfontein is provided with a permanent surface of either tar or paving and the costs of the various options will determine the final product;

7.4/...

- (f) That the R2 million CCR (Capital Contribution Reserve), which is available for the BUILDING OF ROADS, and is not subject to the MIG stipulations - will be used for the building of Abattoir Street, Moorreesburg;
- (g) That the roads in all the towns, as per the schedule bound with the agenda, will be evaluated in order to ascertain if there are any streets which are not "saveable", and therefore must be sealed and that the Director: Civil Engineering Services will arrange with the members of the Executive Mayor's Committee to determine the finalization of these roads;
- (h) That the balance of the funds (if any) will be used for the building of streets, and in which order of priority will be determined by the Executive Mayor's Committee before the end of July 2023.

#### **7.5 UPGRADING OF THE CONCRETE STRUCTURE AND TOILETS IN YZERFONTEIN HARBOUR (9/1/3/2)**

'A request has been received from Swarland Tourism for the upgrading of the old concrete structure in the harbour, which was part of the fish factory in the 1950's. There is a plan to change the structure into a look out point and meditation area.

Swartland Tourism will fund the project by means of a fund raising exercise and includes upgrading the following -

- (1) Cleaning the area, restoring the benches and putting shells on the floor;
- (2) Introduction of solar power driven by LED lighting;
- (3) Introduction of security cameras coupled to Yzerfontein Armed Response;
- (4) Introduction of a 3m wide pergola against the back of the structure;
- (5) Upgrading of the existing entrances to the harbour.

#### **RESOLUTION**

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

- (a) That approval be granted for the upgrading of the concrete structure in the Yzerfontein harbour as a lookout and meditation point;
- (b) That permission for the small construction works (as well as the pergola) be obtained from the Building Control department;
- (c) That upgrading of the toilets be referred to the Department: Maintenance & Buildings for placement on the priority list where it will compete with other projects for funding;
- (d) That Swartland Tourism obtain written consent for the project from Yzerfontein Urban Conservancy.

#### **7.6 SONDEZA AFRI-YOUTH INITIATIVE: EVALUATION REPORT 2022 (17/2/2/1)**

The Evaluation Report of the 17<sup>th</sup> Sondeza Afri-Youth Initiative, which was presented from 7 to 15 December 2022 at Ganzekraal, was circulated with the agenda.

#### **RESOLUTION**

- (a) That notice be taken of the Evaluation Report of the Sondeza Afri-Youth Initiative, drawn up by the camp coordinator, I Loock;
- (b) That the good feedback received, including the letter from Germany, which testifies to the value of the project, is gratefully noted.

#### **7.7 HUMAN RESOURCES: NEW POLICY AND REVISION OF EXISTING POLICY(4/2/B)**

The new Municipal Personnel Regulations necessitate the combination of a number of new policies, as well as the revision of existing policies, in order to comply with the requirements stipulated by the regulations.

The report contains the details in respect of the consultations with unions, and the Local Labour Forum in support of the Mentorship and Training Policy and the revised Internal Personnel Bursary Policy.

#### **RESOLUTION**

(proposed by clr N Smit, seconded by ald T van Essen)

- (a) That the Executive Mayoral Committee approve the attached new Mentoring and Coaching Policy with effect from 1 July 2023;
- (b) That the Executive Mayoral Committee approve the attached amended Internal Staff Bursary Policy with effect from 1 July 2023.

#### **7.8 INFRINGEMENT OF MUNICIPAL PROPERTY: ERF 154, DARLING (15/3/1)**

Engen Petroleum Ltd operate a filling station on Erf 2076, Darling and are intending to extend the property in order to accommodate additional pumps.

The proposed extension infringes on municipal land, Erf 154, Darling which serves as a public road reserve in order to accommodate electricity infrastructure. It is therefore impossible to alienate Erf 154, Darling, which was originally requested by Engen Petroleum Ltd. Therefore it has been decided to rather enter into an infringement agreement.

#### **RESOLUTION**

(proposed by clr A K Warnick, seconded by clr D G Bess)

- (a) That approval be granted that an encroachment agreement be concluded with Engen Petroleum Ltd, owner of erf 2076, Darling, for a period of ten years, at the amount of R660,00 plus VAT per annum to encroach on erf 154, Darling;
- (b) That the above amount is to escalate annually by 7%;
- (c) That the Director: Corporate Services be authorized to finalise the terms of the agreement, with the input of the Planning Division.

#### **7.9 LEASE AGREEMENT DOLFYNTJIES CRÈCHE, MOORREESBURG (17/9/2/R)**

The Dolfyntjies Crèche in Moorreesburg is a registered Early Child Development Centre and their activities, according to the Department: Development Services, is of great benefit to the community.

An application has been received from the Dolfyntjies Crèche to lease Erf 1383, Moorreesburg from the Council for a further period of 3 years.

#### **RESOLUTION**

(proposed by ald T van Essen, seconded by clr N Smit)

- (a) That a three (3) year lease agreement be entered into with Dolfyntjies Crèche Moorreesburg for the lease of erf 1383, Moorreesburg, for the operating of an Early Childhood Development Centre;
- (b) That the rental amount be established at R120,00 per annum plus VAT;
- (c) That the existing conditions of lease remain unchanged.

#### **7.10 LEASE OF MUNICIPAL PROPERTY: KHETH'IMPILO (12/1/3/1-1/1)**

The Provincial Department of Health appointed Kheth'Impilo for the delivery of integrated health and welfare programmes in the Moorreesburg area.

Kheth'Impilo does not have suitable premises in order to deliver their services effectively and therefore a request has been received to lease the vacant municipal building in Centre Road, Moorreesburg (known previously as the Library/Housing Office) for their purposes.

The request is supported by the Provincial Department of Health.

**RESOLUTION**

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

- (a) That a lease agreement be entered into with Kheth'Impilo, for a period of one (1) year, for the lease of the municipal building in Sentrum Road, Moorreesburg for the purpose of delivering community based healthcare;
- (b) That the lease tariff of R120.00 per annum, plus VAT, be approved;
- (c) That the Director: Corporate Services be authorized to determine the terms and conditions of said lease agreement, in conjunction with the Director: Development Services;
- (d) That Council's intention to enter into a lease agreement with Kheth'Impilo be advertised for public comment, in the local press.

**7.11 LEASE OF TRADING AREAS IN JAKARANDA STREET, MALMESBURY (12/1/3/1-1/1)**

The Council operates Entrepreneurial trading areas on Erf 7516, Jacaranda Street, Malmesbury which, at present consists of four small businesses, which operate out of purpose built containers, namely:

- Barber/Hair Salon – N Magaginxa
- Clothing shop (fabrication, restoration, alterations as well as sales) – J Meyer
- Take Aways – N Nomnga - Wotyana
- *Tuckshop* – X Mhlungwana

**RESOLUTION**

(proposed by clr J M de Beer, seconded by ald T van Essen)

- (a) That approval be granted for the extension of leases to the respective lessees, for a further period of two (2) years, subjects to terms and conditions as determined by the Directors of Corporate Services and Development Services;
- (b) That the monthly rental remain unchanged at R100.00, VAT excluded.

**7.12 OFFICE ACCOMMODATION: ABBOTSDALE NEIGHBOURHOOD WATCH (12/1/3/1-1/1)**

The Abbotsdale Neighbourhood Watch at present leases a portion of the structure on Erf 1217, Abbotsdale and is keen to extend the existing lease.

The Municipal Manager stated that the service to the community is delivered on a voluntary basis and that most of the members of the neighbourhood watch are pensioners who receive destitute subsidies. It is therefore proposed, supported by the Director: Financial Services, that municipal services are given free.

**RESOLUTION**

(proposed by clr A K Warnick, seconded by clr D G Bess)

- (a) That approval be granted for a lease agreement to be concluded with the Abbotsdale Neighbourhood Watch for the lease of one portion of the structure situated on erf 1217, Abbotsdale, for a further period of one (1) year at the amount of R120,00 per annum, VAT excluded, which amount shall be payable in advance;
- (b) That the current conditions of lease remain applicable;
- (c) That the Municipality makes available free services in respect of water and sewage with effect from 1 July 2023, in the interests of the services which are provided to the community on a voluntary basis.

**7.13 FEEDBACK IN RESPECT OF THE ACTIVITIES OF THE SWARTLAND COMMUNITY PROTECTION FORUM (17/5/1/1)**

The Swartland Traffic and Law Enforcement Department follows an integrated approach to the furthering of a safe environment in the Swartland municipal area. For this reason there is successful co-operation between all the roleplayers in the protection sector.

The Swartland Community Protection Forum originated from the Swartland Safety Initiative, which was founded in 2017 in order to co-ordinate the activities of the various roleplayers and to bring it into line with the objectives of the West Coast District Municipality and the rest of the RSA.

The report aims to enlighten the Executive Mayor's Committee with respect to the operations of the forum, not only with respect to decreasing crime, but also the prevention of crime through addressing the basic causes in order to ensure a safer environment.

**RESOLUTION**

- (a) That cognisance is taken of the content of the report and the efforts of the Swartland Community Safety Forum to build partnerships with all safety role players to in the end to combat crime in the Swartland Municipal area;
- (b) That cognisance be taken that the Swartland Safety Forum will convene on a quarterly basis.

**7.14 APPROVAL OF THE SWARTLAND COMMUNITY SAFETY PLAN, 2023 (17/5/1/1)**

The Swartland Community Safety Plan was drawn up with the help of the Safety Co-ordinator, mr Uys van der Westhuizen.

The Director: Protection Services stated that the plan spells out the functions and responsibilities of the various roleplayers and that which must be done to further a safe environment. It is expected that the various roleplayers report back during Forum meetings in respect of the responsibilities fulfilled.

One of the most important considerations with the drawing up of the safety plan was an understanding of the incidence of crime in the geographical areas in order to identify the so-called hotspots. In so doing focused intervention and programmes can take place in order to combat and prevent crime in a specific geographical area.

**RESOLUTION**

(proposed by clr A K Warnick, seconded by clr D G Bess)

That cognisance be taken of the content of the Swartland Community Safety Plan for 2023 and that the plan be approved accordingly.

**7.15 SWARTLAND MUNICIPALITY: 2023 REVISION OF BUSINESS CONTINUITY AND DISASTER RECOVERY PLAN (17/5/1/1)**

The purpose of the Business Continuity and Disaster Recovery Plan is to prepare the Municipality for extended service interruptions and to restore service delivery as quickly as possible.

**RESOLUTION**

(proposed by clr A K Warnick, seconded by clr D G Bess)

- (a) That cognisance is taken of the changes that was made to the Business Continuity and Recovery Plan;
- (b) That the reviewed 2023 Swartland Business Continuity and Recovery Plan be approved.

## 7.16 WRITE-OFF OF IRRECOVERABLE AND OTHER DEBT: JANUARY 2023 (5/7/3)

The attached schedules show the outstanding amounts, which are classified as irrecoverable, namely:

- Schedule A – write-off in respect of destitute households = R3 404 726.66
- Schedule B – write-off in respect of outstanding debtors = R216 066.62

There must be communication with destitute households on a regular basis in respect of the economical use of municipal services, especially in respect of water.

All efforts must also be made in order to recover the monies from outstanding debtors, but there are instances where the account holders are deceased, or cannot be traced or do not have the will to make any payments.

### RESOLUTION

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

- (a) That the Executive Mayoral Committee approves that the amount of **R 3 404 726,66** be written off as irrecoverable, in respect of indigent households;
- (b) That the Executive Mayoral Committee approves that the amount of **R216 066.62** be written off as irrecoverable, in respect of other debtors linked to and as a direct result of the individual reasons per case;
- (c) That, if after the date of this approval, it comes to light that a portion of the debt owed by a debtor is not correct, or that any information was not made known to the Executive Mayoral Committee at the time of write-off, which would have led to the committee not considering the amount for write-off, the Executive Mayoral Committee retains the right to write back the debt to the relevant debtor and that the necessary steps will be taken to recover the debt;
- (d) That, if a property is in any way alienated, the Council retains the right to refuse clearance on the relevant property in order to recover the amounts written-off, before clearance is given. In order to enforce this decision a register is kept by the Rates and Taxes Division which enables the department to see if any debts were written-off within the previous two years, and if so to recover the amounts before clearance is considered;
- (e) That approval is also given that the current levies, which is not yet incorporated in the current list due to the period from the starting of the administrative process of compiling the write-off list and the period thereafter, form part of the write-off, providing that the Credit Control Division is convinced that the new debt is also irrecoverable under the same circumstances;
- (f) That approval is also given that the amounts owed to the Council, which to date, do not appear on the schedule as a result of the non-completion of socio-economic investigations at all indigent households, will also form part of the write-off, providing that the Credit Control Division is convinced that the new debt is also irrecoverable under the same circumstances;
- (g) That the actual amount for write-off be submitted to the Executive Mayoral Committee at the next meeting;
- (h) That any VAT levied on the services is claimed back from the Receiver of Revenue in the prescribed manner;
- (i) That the Credit Control Division attempt to pay a personal visit to each indigent household in order to explain the write-off and the future obligations of 'responsible users', as well as to explain the installation and workings of water demand management systems, as a proactive credit control measure;
- (j) That approval be given that the costs relating to the replacement of the credit meter with a prepaid electricity meter are for the municipality to bear and that the Chief Financial Officer will recover the costs from the Equitable Share allocation;



7.16/...

- (k) That the Mayoral Committee takes cognizance of the fact that the administration will attempt to put measures in place in a bid to force those users of services not on our financial system to agree and complete the necessary services connection form/s.

**7.17 OUTSTANDING DEBTORS: MAY 2023 (5/7/1/1)**

A complete list of outstanding debtors up to the end of May 2023 was circulated with the agenda.

**RESOLUTION**

That cognizance be taken of the report with reference to the state of the outstanding debtors of Swartland Municipality for May 2023.

**7.18 PROGRESS IN RESPECT OF OUTSTANDING INSURANCE CLAIMS (5/14/3/5)**

In accordance with the Asset Management Policy outstanding insurance claims must be reported monthly.

**RESOLUTION**

That cognizance be taken of the state of outstanding insurance claims up to and including 31 May 2023 as circulated with the agenda.

**7.19 WRITE-OFF OF ASSETS IN ORDER TO REMOVE THEM FROM THE ASSET REGISTER WITH REFERENCE TO INSURANCE CLAIMS UP TO 31 MAY 2023 (5/14/3/5)**

The upkeep of the Asset Register is required in accordance with Section 63 of the Local Government: Municipal Financial Management Act (Act 56 of 2003). A list of assets which can be written-off and therefore must be removed from the Asset Register, was circulated with the agenda.

**RESOLUTION**

(proposed by ald T van Essen, seconded by clr N Smit)

- (a) That approval is granted for the assets as per the attached list (R 8447.50 ) to be written- off and that same be removed from the asset register for purposes of completeness and accurate accounting records;
- (b) That should more such insurance cases materialise for the month of June 2023, that the CFO be authorized to also write those items off and report any difference between the aforementioned amount and those actually written-off for the period ending 30 June 2023 to ensure completeness.

**7.20 WRITE-OFF OF ASSETS IN ORDER TO REMOVE THEM FROM THE ASSET REGISTER IN RESPECT OF LOST, NO CLAIM, DESTROYED AND ECONOMICALLY IRREPARABLE ASSETS (5/14/3/5)**

The Asset Management Policy stipulates the reasons for the write-off off assets, inter alia, as a result of theft, disrepair, irreparable, etc and a register must be kept throughout the year for such assets.

The assets are recommended for write-off, because during the physical inspection it was verified that assets to the value of R7 249.12, no longer existed, for the reasons identified in the report.

**RESOLUTION**

(proposed by ald T van Essen, seconded by clr N Smit)

That approval is granted for the assets as per the attached list (R7249.12) be written off and that same be removed from the asset register for purposes of completeness of the municipality's financial accounting records as at 30 June 2023.

**7.21 VERIFICATION AND WRITE-OFF OF BUILDINGS INCLUDED IN THE ASSET REGISTER AS OF 30 JUNE 2023 (6/1/4)**

During an investigation by the Director: Financial Services it was ascertained that some buildings in the Asset Register no longer belong to the Municipality or the facility is no longer repairable due to damage. In some cases the transfer of the land is correctly recorded, but not the buildings on the land.

The result of the investigation is that the condition and location of all assets (land and structure) are now coupled with the help of GIS.

The impact of the investigation has resulted in the write-off of 68 buildings (over 36 properties) and/or structures to the value of R6 327 528.89.

**RESOLUTION**

(proposed by ald T van Essen, seconded by clr N Smit)

That approval is granted for the assets as per the attached list (R6 327 528.89) be written off and that same be removed from the asset register for purposes of completeness of the municipality's financial accounting records as at 30 June 2023.

**7.22 RATIFICATION OF PENSIONERS TARIFF PERMITTED AT THE CARAVAN PARK DURING 2019/2020 WITHOUT THE KEEPING OF RECORDS (5/15/1/5)**

In 2019/2020 the Auditor General (AG) requested a random sample of transactions at the Yzerfontein Caravan Park. Transactions were found where a discount for pensioners was permitted. At that stage the Municipality's policy did not make provision for the keeping of records in respect of age, by means of an identity document or SASSA card.

Although the Administration was not of the same opinion at that stage with the findings of the AG, controls were put in place in order to keep a copy in order to be able to confirm that the correct camping tariff was levied.

In order to record the transactions as arithmetically correct -

**RESOLUTION**

(proposed by clr N Smit, seconded by ald T van Essen)

- (a) That the granting of a reduced camping rate to pensioners without retaining a copy of identification for the period 1 July 2019 to 30 June 2020 is condoned;
- (b) That approval be granted for the schedule with the uncorrected misrepresentation to be updated accordingly.

**7.23 DEPARTURE FROM PRESCRIBED PROCUREMENT PROCEDURE: PURCHASE OF NOTEBOOK COMPUTERS WITH SPECIFIC FUNCTIONS (8/1/B/2)**

The need for computers with specific functions has arisen. The service providers for computer equipment supply a great number for the general market and will only reserve computers on receipt of an official order.

Quotations were requested from three service providers, but only one could supply the specific model in accordance with the specifications and timeframe of the Municipality.

**RESOLUTION**

- (a) That the Executive Mayoral Committees take note of the deviation from the prescribed procurement procedures in terms of clause 36(2) of the Supply Chain Management Policy;
- (b) That further notice be taken of the action of the Municipal Manager be condoned to follow a shortened three quotation process to approve the acceptance of the quotation for the awarding of the contract to Technology Strategy Corp for laptop and accessories to the amount of R172 494.00 excluding VAT;

- (c) That the reason for the deviation from the prescribed procurement process to alleviate the emergency situation be recorded as follows:
  - (i) Due to standardisation on Dell and HP laptops and with a shortage of computer equipment with required functionality, it was impractical to procure notebook computers by means of a formal tendering process. The only practical option was to call for quotations from importers who already had notebook computers on order for the general market, and to accept a quotation for notebook computers which have not yet been allocated in the market;
  - (ii) Since 3 quotations were received by the due date and only one vendor could supply the Notebook Computers with accessories the quotation was accepted, a competitive procurement process was followed, and the purchase price is considered fair and reasonable;
- (d) That there are sufficient funds available and that the expenditure amounting to R172 494.00 (excluding VAT) is settled against post number 9/118-64-729;
- (e) That the Manager: Financial Statements and Control be requested to include the above reasons as a note to the financial statements, when same are compiled.

**7.24 DEPARTURE FROM PRESCRIBED PROCUREMENT PROCEDURE: URGENT REPAIRS TO THE “BELT FILTER PRESS” AT MALMESBURY WWTW (8/1/B/2)**

The Malmesbury WWTW consists of mechanical equipment in order to remove and dehydrate sludge during the handling of waste water. If this equipment stops working it can result that the processed sewerage water is not up to standard and pollution can result.

**RESOLUTION**

- (a) That the Executive Mayoral Committees take note of the deviation from the prescribed procurement procedures in terms of clause 36(2) of the Supply Chain Management Policy;
- (b) That further notice be taken of the action of the Municipal Manager in giving approval for the repair of the *belt filter press* at the Malmesbury WWTW to G W Trautman to the amount of R69 208.63 (excluding VAT) is also noted;
- (c) That the reasons for the deviation from the prescribed procurement procedure are as follows:
  - (i) The *belt filter press* would be out of action for a considerable time;
  - (ii) The above mentioned would lead to the interruption of the handling process, decrement of sludge, poor standard of treated sewerage water, which would not be up to standard, and a great risk of pollution in the area;
  - (i) Therefore the repair work was treated as an emergency;
- (d) That there are sufficient funds available and that the expenditure amounting to R69 208.63 (excluding VAT) is settled against post number 9/239-667-425;
- (e) That the Manager: Financial Statements and Control be requested to include the above reasons as a note to the financial statements, when same are compiled.

**7.25 DEPARTURE FROM PRESCRIBED PROCUREMENT PROCEDURE: URGENT REPAIRS TO THE IMMERSION PUMP AT SEWERAGE PUMP STATION NO 5 IN ABBOTSDALE (8/1/B/2)**

The sewerage works in Abbotsdale are equipped with various pump stations in order to pump raw sewerage to the Malmesbury WWTW. Pump Station no 5 failed which led to the dumping of raw sewerage and urgent repair work was necessary.

Resolution/...

7.25/...

**RESOLUTION**

- (a) That the Executive Mayoral Committees take note of the deviation from the prescribed procurement procedures in terms of clause 36(2) of the Supply Chain Management Policy;
- (b) That further notice be taken of the action of the Municipal Manager to approve the repairs of a pump of Abbotsdale sewer pump station No.5 by CAW for the amount of R 41,340.00 (excluding VAT);
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
  - (i) The pump station would have been left out of service for an extended period of time while following due process;
  - (ii) This would have resulted in continued flooding of raw sewerage in the environment and failure of the sewerage collection system;
  - (iii) The repair work to the pump therefore had to be handled as an emergency;
- (d) That there are sufficient funds available and that the expenditure amounting to R41 340.00 (excluding VAT) is settled against post number 9/240-849-381;
- (e) That the Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when same are compiled.

**7.26 DEPARTURE FROM PRESCRIBED PROCUREMENT PROCEDURE: URGENT REPAIRS TO THE SEWERAGE PIPELINE IN SCHOONSPRUIT ROAD, MALMESBURY (8/1/B/2)**

The Municipality received complaints in respect of sewerage blockages in Schoonspruit Road, Malmesbury. The broken pipes caused a blockage in the main pipeline and urgent repair work was necessary.

The services of a specialist civil engineer were obtained, because the pipeline is at a depth which cannot be reached by the municipal equipment.

**RESOLUTION**

- (a) That the Executive Mayoral Committees take note of the deviation from the prescribed procurement procedures in terms of clause 36(2) of the Supply Chain Management Policy;
- (b) That further notice be taken of the action of the Municipal Manager to approve the repairs of broken sewer pipes in Schoonspruit road, Malmesbury by Fast Track Plant and Civils for the amount of R 73,550.00 (excluding VAT);
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
  - (i) The broken sewer pipes caused a blockage in the sewer main line that resulted in raw sewerage spillage and a failure in the sewer service;
  - (ii) The repair work of the pipes therefore had to be handled as an emergency;
- (d) That there are sufficient funds available and that the expenditure amounting to R73 550.00 (excluding VAT) is settled against post number 9/240-681-381;
- (e) That the Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when same are compiled.

**7.27 DEPARTURE FROM PRESCRIBED PROCUREMENT PROCEDURE: URGENT REPAIRS TO "TRANSFER MIXER" AT MALMESBURY WWTW (8/1/B/2)**

The handling process at the Malmesbury WWTW consists of various zones which are composed of mechanical components which drive the process. A mixer which transfers sewerage between two zones has stopped working.

**RESOLUTION**

- (a) That the Executive Mayoral Committees take note of the deviation from the prescribed procurement procedures in terms of clause 36(2) of the Supply Chain Management Policy;
- (b) That further notice be taken of the action of the Municipal Manager to approve the repair of a transfer mixer at the Malmesbury WWTW by GW Trautman for the amount of R 61,042.55 excluding VAT;
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
  - (i) The mixer would have been left out of service for an extended period of time while following due process;
  - (ii) This would have had the consequence of treatment process failure and further damages to other mechanical components;
  - (iii) The repair work to the mixer therefore had to be handled as an emergency;
- (d) That it be noted that the expenditure was allocated mSCOA Code: 9/239-851-689 and that there is sufficient funding available for the quoted amount of R 61,042.55 excluding VAT;
- (e) That the Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when same are compiled.

**7.28 DEPARTURE FROM PRESCRIBED PROCUREMENT PROCEDURES: URGENT REPAIRS TO THE REFUSE REMOVAL TRUCK, CK 37359 (8/1/B/2)**

The refuse removal truck, CK 37359, is used in Malmesbury for the removal of solid waste. The truck's compactor has stopped working and urgent repairs were necessary.

**RESOLUTION**

- (a) That the Executive Mayoral Committees take note of the deviation from the prescribed procurement procedures in terms of clause 36(2) of the Supply Chain Management Policy;
- (b) That further notice be taken of the action of the Municipal Manager to approve repairs to the waste removal truck CK37359 for the amount of R139,865.59 (excluding VAT) by Transtech;
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
  - (i) The truck would be left out of service for an extended period of time;
  - (ii) This will result in a failure in the waste removal services capacity and public health risks;
  - (iii) The repair works to the truck therefore is handled as an emergency;
- (d) That there are sufficient funds available and that the expenditure amounting to R139 865.59 (excluding VAT) is settled against post number 9/2;
- (e) That the Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements when compiled.

**7.29 APPLICATION FOR LEAVE BY THE MUNICIPAL MANAGER AND DIRECTORS AND THE APPOINTMENT OF ACTING MUNICIPAL MANAGER (4/8/3)**

The Municipal Manager must apply to the Executive Mayor's Committee for leave and therefore -

**RESOLUTION**

(proposed by clr N Smit, seconded by clr J M de Beer)

7.29/...

- (a) That the application for leave of the Municipal Manager for the following days is approved in principle, namely:
- 3 to 7 July 2023 (5 days), including that it may change due to circumstances, after consultation with the Executive Mayor;
- (b) That it is noted that the Director: Development Services will act as Municipal Manager during the aforementioned period, and if, for whatever reason, the Director: Development Services is unavailable, the Director: Financial Services will act;
- (c) That each Director will appoint the acting Directors in their respective department, in order to ensure good communication and service delivery.

**7.30 FINANCING AND INFRASTRUCTURE PLANNING SUPPORT BY THE DEVELOPMENT BANK OF SOUTH AFRICA (DBSA) (15/2/21)**

The Municipality has applied to the DBSA for funding for the development/upgrading of the project: *Capital Expenditure Framework and Long Term Financial Plan*.

An amount of R2 500 000 has been approved by the DBSA and will be directly deposited into the account of the service provider, who will be appointed by the DBSA to carry out the project.

**RESOLUTION**

- (a) That Council approves the Project, accepts the Grant and infrastructure planning support from the DBSA, and supports the implementation of the Project;
- (b) That Council approves the terms of, and the transactions contemplated by the Grant Agreement provided by the DBSA to the Municipality, and approves the execution of the Grant Agreement by the Municipality;
- (c) That the Municipal Manager be authorised and mandated to sign the Grant Agreement on behalf of the Municipality, and to sign and/or despatch all documents and notices (including any Disbursement Request) to be signed and/or despatched by the Municipality under or in connection with the Agreement;
- (d) That the Municipal Manager do all acts and things so as to give effect to the resolutions contained herein and/or to give or execute all notices, communications, acknowledgements, resolutions or other documents or agreements on behalf of the Municipality in connection with the transactions contemplated thereby, including providing to the DBSA the FICA documentation requested in terms of the DBSA's internal appraisal and approval requirements;
- (e) That to the extent that the Municipal Manager has already signed any documents or done any act or thing so as to give effect to the resolutions contained herein, the actions of such Municipal Manager in this regard (to the extent legally possible) be retrospectively approved and are ratified and adopted in their entirety.

**(SGD) J H CLEOPHAS  
EXECUTIVE MAYOR**