



MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE BANQUETING HALL, MALMESBURY ON WEDNESDAY, 15 NOVEMBER 2017 AT 11:00

PRESENT:

Executive Mayor, ald T van Essen (chairman)
Deputy Executive Mayor, ald M S I Goliath

Members of the Mayor's Committee:

Clr P E Solomons
Clr O M Stemele
Clr R F van der Westhuizen
Clr M van Zyl

Officials:

Municipal Manager, mr J J Scholtz
Director: Development Services, mr J T Steenkamp
Director: Corporate Services, ms M S Terblanche
Director: Security Services, mr P A C Humphreys
Director: Financial Services, mr M A C Bolton
Director: Electrical Engineering Services, mr R du Toit
Director: Civil Engineering Services, mr L D Zikmann
Committee Official, ms S A Kulsen

1. OPENING

Ald M S I Goliath opened the meeting with a prayer at the request of the chairman.

The chairman welcomed all present.

2. APOLOGIES

The committee was complete.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

3.1 MALMESBURY EMERGING FARMERS FORUM

The Malmesbury Emerging Farmers Forum sent a written request (letter dated 11 October 2017) to the committee, to make a submission during the meeting.

The request was granted to the forum, but they failed to turn up for the meeting.

The Executive Mayor, ald T van Essen, provided detailed information with respect to the support given, since 2004, to the small and emerging farmers by the Swartland Municipality (SM), the background of which is summarised as follows :-:

Prior: resolution in favour of developing and supporting small farmers

3.1/...

2004	Drawing up of urban and agricultural policy and business plans by Murray Biesenbach, contribution from SM R240 000,00
2004	Additional business plans by Murray Biesenbach, contribution from SM R60 000,00
2004	Drawing up of business plans for application for commonage from the Department of Local Government and Housing by Agri-Expert, contribution from SM R95 000,00
2007	Drawing up of business plan for Darling for Department of Agriculture by Agri-Expert, contribution from SM R93 708,00
2007 – 2008	Technical and organizational training by Goedgedacht <i>Agricultural Resource Centre</i> , Wekufu, contribution from SM R66 000,00
20 June 2007	Agri-Expert appointed to make application to CASP
29 June 2007	Undertaking to conclude a long term lease agreement with Malmesbury Small Farmers Association, (MSA)
2008 – 2009	Technical training by GARC, contribution from SM R15 000,00
2008 – 2009	Fynbos training by Cape Nature, contribution from SM R26 000,00
14 January 2008	Complaints due to the unhygienic conditions at small farmers
7 February 2008	Lease agreement concluded with MSA, subject to a provisional condition of prior approval by SM of their business and financial plans and land usage plan
June 2008	Agri-Expert drew up business plan, subject to " <i>Funding from the state in the form of subsidies will be required in order to implement the project</i> "
2 June 2008	Application for CASP <u>unsuccessful</u>
19 August 2008	A follow-up information session with MSA was planned with respect to funding, with special reference to business, financial and land usage planning
3 December 2008	Emphasis that before small farmers can be established the necessary funding must be obtained from the relevant department(s)
2009 – 2010	Organizational training and facilitating by GARC, contribution from SM was R30 000,00
3 March 2009	Further complaints due to the unhygienic conditions at small farmers
3 April 2009	Further complaints due to the unhygienic conditions at small farmers
July 2009	Another application for CASP
2010 – 2011	Financial Management training by DOL, contribution from SM R1 800,00
2010 – 2011	EMS Training by Desmond Adams, contribution from SM R6 200,00

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28 January 2010	Minutes of the Malmesbury Small Farmers Association stated that premises are hired <u>temporarily</u>
April 2010	Another application for CASP
16 April 2010	Dissatisfaction with the progress of application for CASP
20 April 2010	Application for CASP <u>unsuccessful</u>
2011 – 2012	Leadership training by DOL
2011 – 2012	Conflict Management, Vegetable Garden Training (two modules), contribution from SM R3 500,00
2011 – 2012	Pork production 055 by DOL, contribution from SM R11 500,00
29 June 2011	EMC resolved to write off the debt for water usage to the amount of R52 527,45
2012 – 2013	Pork production by DOL, contribution from SM R6 600,00
2012 – 2013	Financial management training by DOL, contribution from SM R13 200,00
2012 – 2013	Advanced pork production training by DOL, contribution from SM R16 500,00
22 March 2012	During a meeting with the Malmesbury Small Farmers funding (LRAD, PLAS, CASP, etc) was discussed
9 May 2012	Discussion with Swartland Emerging Farmers Forum with members of the EMC, as well as Surplus People Project (SPP)
15 November 2012	Election of a committee representing Malmesbury Small Farmers and an undertaking that no new pens would be constructed, that any new pens must be demolished immediately and that stray animals would be taken to the pound

With reference to the various training which was arranged by the Municipality in order to assist small farmers the costs amounted to R658 008,00.

The chairman referred to the interactions which had taken place with the emerging farmers with reference to Malmesbury small farmers since 2012 in order to address the problems/challenges, namely -

13 February 2013	EMC resolution: "that the necessary legal process must be started in order to inform the small farmers in respect of the cancellation of the lease agreement and that the area must be vacated within a period of 6 months, because: (i) of the violation of or non compliance with certain clauses in the contract, and (ii) the land is necessary for other development"
19 March 2013	Meeting with the Director: Development Services to inform the small farmers of the above mentioned decision
24 June 2013	EMC meeting with discussion of the business plans of the Malmesbury and Darling small farmers
25 October 2013	Demonstration by small farmers

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January 2014	Inventory drawn up of animals and conditions at the small farmers
18 January 2014	Meeting with the intent to find a solution to the dreadful condition of the places belonging to the small farmers and to explain the cancellation of the contract. There was again a request to submit business plans. Mr Fredericks from SPP also attended. There are about 400 small farmers in the Swartland.
19 February 2014	Meeting with the Department in order to again identify agricultural land.
23 April 2014	Letter to the Department in respect of available land.
26 May 2014	Meeting with emerging farmers
23 July 2014	Meeting with the Department of Agriculture and Department of Rural Development and Land Reform
23 October 2014	Breaking down of pens – three by small farmers themselves and ten by SM
19 December 2014	Report from the SPCA in respect of the dreadful conditions at Malmesbury small farmers
16 February 2015	Follow-up meeting in respect of feedback from inventories and DLOGH and the repeated identification of available agricultural land and possible farming
17 June 2015	Consultation with Senior Advocate in respect of small farmers eviction order
13 August 2015	Mediation process with small farmers and a report
13 September 2015	Feedback from mediation process
16 October 2015	Request to small farmers to attend an urgent meeting. The request was not complied with, because the mediation process must be fully completed
11 December 2015	Report from the Mediator. The bottom line is that the small farmers are not prepared to co-operate. DLOGH proposes that they must make R4 million available in their new financial year – 1 April 2016 – in order to purchase 93 ha for an amount of R43 000/ha. If the feedback proves negative the SM will go ahead with carrying out the Council Decision, from 1 February 2016, to get a Court Order. The Malmesbury Small Farmers must be registered as a legal entity.
31 March 2016	Discussions with Geoff Chait in respect of land for small farmers.
25 October 2016	Meeting and discussion between Swartland forum (small farmers), SPP, Moorreesburg Small Farmers, MBEF and SM
26 October 2017	Placard demonstration outside the Council Chambers

Given the above background, the chairman stated that the situation in respect of the Malmesbury small farmers is of such a nature that the Council has no other choice but to instruct that all animals and structures must be removed as soon as possible.

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The following observations were made by the chairman in order to explain to the meeting the situation in respect of the Malmesbury small farmers:

- the area is in an extremely messy condition;
- the smell is overwhelming;
- the dead pigs are not removed;
- there is an enormous increase in animals, especially goats and cattle;
- it appears that people are sleeping there;
- pens are erected within pens;
- that the circumstances in which the animals are living is unacceptable.

The chairman explained further that the land on which the small farmers are at present, is earmarked for part of the housing pipeline and is thus earmarked as a residential area. If the small farmers will not vacate the area, the Council must revise the housing pipeline to exclude that area.

The chairman also stated that the Department of Agriculture is responsible for assisting the small farmers.

RESOLUTION

- (a) That the Executive Mayor's Committee voiced their concern in respect of persons who will not take the opportunity to meet with the committee and to address the relevant questions.
- (b) That, based on the above mentioned background, as well as the decision taken on 13 February 2013 and associated interactions, the obtaining of a court order for eviction the Malmesbury small farmers must be progressed;
- (c) That the Malmesbury Emerging Farmers Forum is notified of the decision;
- (d) That the provincial Minister of Economic Development, mr Alan Winde, is also notified of this decision.

3.2 WATER SCARCITY

The chairman made a submission in respect of the water scarcity currently existing in the Western Cape, with special reference to the Swartland Municipality.

The submission is attached for completeness.

4. MINUTES

4.1 MINUTES OF AN ORDINARY EXECUTIVE MAYOR'S COMMITTEE MEETING HELD ON 11 OCTOBER 2017

RESOLUTION

That the minutes of an Ordinary Meeting of the Executive Mayor's Committee held on 11 October 2017 are approved and signed by the Mayor.

5. CONSIDERATION OF RECOMMENDATIONS AND MATTERS ARISING FROM THE MINUTES

5.1 MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 8 NOVEMBER 2017

5.1.1 ADMINISTRATION, DEVELOPMENT AND SECURITY SERVICES

RESOLUTION

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

5.1.2 MUNICIPAL MANAGER AND FINANCES

RESOLUTION

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

5.1.3 CIVIL AND ELECTRICAL SERVICES

RESOLUTION

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

6. MATTERS ARISING FROM THE MINUTES

None

7. NEW MATTERS

7.1 EXTENSION TO THE DECLARATION OF A LOCAL DISASTER WITHIN THE BOUNDARIES OF THE SWARTLAND MUNICIPALITY DUE TO THE DROUGHT (17/5/1/1)

On 28 June 2017 the Executive Mayor declared the Swartland municipal area a disaster area due to the severity of the continued drought and the scarcity of water being experienced.

The original declaration was valid for a period of three months, after which it had to be extended on a monthly basis.

RESOLUTION

- (a) That the Mayor in terms of section 55 (5)(c) of the Disaster Management Act, 57 of 2002 as a result of the magnitude and severity of the continuing drought affecting Swartland herewith extend the declaration of a local disaster within the Swartland Municipality from 8 December 2017 to 7 January 2018;
- (b) That Swartland Municipality requests the West Coast District Municipality to support the extension of the local state of disaster.
- (c) That the approved extension of the declaration be sent to the Provincial Government for publication in the next Provincial Gazette.

7.2 EXTENSION TO THE DECLARATION OF A LOCAL DISASTER WITHIN THE BOUNDARIES OF THE SWARTLAND MUNICIPALITY: FIRE AT SWARTLAND MUNICIPALTY (17/5/1/1)

The declaration of the Swartland Hospital as a local disaster was promulgated in Provincial Gazette, No 7785 of 23 June 2017 in conjunction with the relevant Provincial Departments and the West Coast District Municipality.

The original declaration was valid for a period of 3 months, after which it had to be extended on a monthly basis.

RESOLUTION

- (a) That the Mayor in terms of section 55 (5)(c) of the Disaster Management Act, 57 of 2002 as a result of the devastating fire at the Swartland Hospital herewith extend the declaration of a local disaster within the Swartland Municipality from 23 November 2017 to 23 December 2017;
- (b) That Swartland Municipality requests the West Coast District Municipality to support the extension of the local state of disaster;

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- (c) That the approved extension of the declaration be sent to the Provincial Government for publication in the next Provincial Gazette.

7.3 INVESTIGATION INTO THE FINANCIAL VIABILITY OF A MUNICIPAL COURT (13/B)

The Director: Security Services was given a mandate to investigate the establishment of a municipal court as well as the viability and sustainability thereof.

The report, circulated with the agenda, contains the findings of the investigation.

In consideration of the report, it appears that the purchase of an ANRP-bus (*Automated Number Plate Recognition Programme*) must also be investigated.

RESOLUTION

- (a) That note is taken of the investigation undertaken by the Director: Security Services in respect of the viability and sustainability of a municipal court;
- (b) That, with reference to the report, the establishment of a municipal court will not be pursued;
- (c) The Director: Security Services is instructed to investigate the purchase of an ANRP-bus and to submit it to the Budget Office for possible inclusion in the multi-year budget.

7.4 PROPOSED AGREEMENT BETWEEN SWARTLAND MUNICIPALITY, ERNEST BRINK (PTY) LTD AND THE INTERIM TRUSTEES OF THE ANN DOREE TRUST (16/3/12-11; 15/3/10-12)

Under the management of the previous Riebeek West Municipality a notarial lease agreement was entered into between Ernest Brink (Pty) Ltd as Lessor and the previous municipality as Lessee (now Swartland Municipality as successor in title of the Riebeek West Municipality) for the lease of a portion (about 9,5 ha) of the farm Allesverloren for the purposes of a sewerage farm.

The above mentioned agreement was registered on 25 July 1991 and was valid for a period of 99 years. Amendments were made to the agreement during 1993 in terms of which the Lessor could use 100% of the sewerage water effluent.

Due to the commissioning of the new sewerage purification works in Riebeek Kasteel and the closure of the sewerage farm in Riebeek West, the Municipality naturally wishes to cancel the agreement with mr Brink, in which case the Municipality is obliged, (at their own cost) under the agreement, to clear-up and clean the sewerage works which were established on the rented property, and to repair all damages.

A draft agreement which was drawn up by the council's lawyer was attached to the agenda, in terms of which the three parties to the agreement agree that (1) Ernest Brink (Pty) Ltd has a debt collection right against the Municipality of R755 000 being the agreed costs of reparation of damages and clearing and cleaning of the rented property; and (2) the Municipality has a debt collection right against Ann Doree Trust being the agreed costs of establishing 48 parking bays as stated, and (3) Ernest Brink (Pty) Ltd cedes his debt collection right against the Municipality, to and in favour of the Trust.

Resolution/...

7.4/...

RESOLUTION

- (a) That the contents of both the report and the proposed agreement between Swartland Municipality, Ernest Brink (Pty) Ltd and the Trustees for the time being of the Ann Doree Trust be noted;
- (b) That the Municipal Manager be authorized to sign the agreement on behalf of the Municipality.

7.5 TENDER L02.17.18: ALIENATION OF RESIDENTIAL PROPERTIES IN MALMESBURY (12/2/B)

During a Council meeting held on 17 July 2017 it was decided that certain residential properties referred to in the report may be alienated by means of public tender.

RESOLUTION

- (a) That Tender L02.17.18 for the Sale of Various Residential Properties be awarded as follows:

	Erf 55	Erf 3106	Erf 3129	Erf 3102	Erf 3109	Erf 3092
RESERVE PRICE	R 168 000.00	R 136 150.00	R 122 850.00	R 158 550.00	R 136 150.00	R 154 700.00
Tenderer	Babalwa Nkentsha	Eugene van der Merwe	Hassan Parker	Tiaan Marais	Nokuzola Mafenuka	Claudia Lakey
Monetary Offer (excluding VAT)	R 220 000.00	R 180 000.00	R 140 350.87	R 250 000.00	R 154 700.00	R 180 000.00
TOTAL	1 125 050.87					

- (b) That approval be granted for the transfer of the assets as per the aforesaid schedule.

7.6 LEASE AGREEMENT: MALMESBURY RUGBY FOOTBALL CLUB (17/9/2/R)

The Council at present leases the Rugby clubhouse, on Dieprivier Sports Grounds, to the Malmesbury Rugby Football Club on an annual basis.

The lease agreement expires on 31 December 2017.

RESOLUTION

- (a) That the item be referred back for investigation of the following matters:
- (i) that the funds generated from the bar facilities at the clubhouse are used for the benefit of Malmesbury Rugby Football Club;
 - (ii) that the Malmesbury Rugby Football Club is active and will participate in an official league of the Boland Rugby Union during the 2018 season;
 - (iii) that the Malmesbury Rugby Football Club has a properly elected Management;
- (b) That no agreement will be entered into with a club for exclusive use of the sports grounds.

7.7 REOPENING OF ROADS CLOSED IN YZERFONTEIN (16/5/5/1)

During March 2017 the Yzerfontein Residents Association requested, in writing, that roads, mentioned in the report, are reopened for public access.

Resolution/...

7.7/...

RESOLUTION

- (a) That the Executive Mayoral Committee takes cognisance of the public participation process by means of Notice 23/2017/2018;
- (b) That the Executive Mayoral Committee takes cognisance of the six individuals who favoured the opening of the streets do so under condition that it be paved with a permanent surface;
- (c) That the Status Quo be kept in the streets below:

Street Name	From	To
5th Street	Buitekant Street	Boweg
6th Street	Buitekant Street	Skool Street
6th Street	Skool Street	Boweg
7th Street	Buitekant Street	Boweg

- (d) That the Yzerfontein Homeowners' Association be notified accordingly.

7.8 CAPE WEST COAST/SWARTLAND TOURISM ORGANIZATION: 2016/17 FINANCIAL YEAR – (1) CHAIRMAN'S REPORT; (2) PERFORMANCE INDICATORS; (3) FINANCIAL STATEMENTS (9/1/3/2/1)

In terms of the provisions of the Council's Service Level Agreement with the Cape West Coast/Swartland Tourism Organization for the rendering of defined tourism functions, they are subject to certain conditions.

The full chairman's report and financial statements of the 5 tourism advice committees are available in ms I Loock's office.

RESOLUTION

- (a) That note is taken of:
- (i) the contents of the chairman's reports;
 - (ii) the measuring of the performance management indicators for the period 1 July 2016 to 30 June 2017; and
 - (iii) the contents of the financial statements for the 2016/17 financial year;
- (b) That, in the light of future financing as of 1 July 2018, an urgent discussion must take place with the tourism operations in the Swartland before 1 April 2018 for budgeting purposes.

7.9 SUPPORT FOR YZERFONTEIN TOURISM: YZERFONTEIN FESTIVAL (1 – 31 DECEMBER 2017) (10/1/R)

An application has been received from the Yzerfontein Tourism Bureau, which is organizing the Yzerfontein Festival for the fifth year for the period 1 to 31 December 2017.

The full programme is indicated in the report circulated with the agenda.

RESOLUTION

- (a) That increased services are provided as a result of the increased number of visitors, and – where necessary – additional personnel must be brought into service.
- (b) That, as in the past, there will be no extra payment for additional services and that the above mentioned requests from the Yzerfontein Tourism Bureau are approved;

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- (c) That note is taken that the increase in law enforcement will not have an effect on service delivery in other towns.

7.10 OUTSTANDING DEBTORS – OCTOBER 2017 (5/7/1/1/MY)

A full report in respect of the state of outstanding debtors was circulated with the agenda and dealt with by the Director: Financial Services at the request of the chairman.

RESOLUTION

That cognisance is taken of the report on outstanding debtors for the month of October 2017 as circulated with the agenda.

7.11 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 cognisance is taken of the state of outstanding insurance claims for the period ending 30 September 2017 as circulated with the agenda.

7.12 SALE OF OBSOLETE ASSETS PER PUBLIC AUCTION (5/14/3/5)

The Municipal Manager confirmed that in this case the guidelines of both the Municipality's Asset Management Policy and the Supply Chain Management Policy would be adhered to.

The Asset Management Policy regulates the disposal of assets by ensuring that it is legal, fair, transparent, competitive and cost effective and that it complies with the Municipality's Supply Chain Management Policy.

The criteria for disposing of assets consists of the following:

- The useable lifespan of the asset has expired;
- The asset is old;
- It is uneconomic to repair the asset or it is irreparable.

RESOLUTION

That approval is given for the sale of obsolete assets, as listed in the attached list, during a public auction, and removed from the asset register accordingly.

7.13 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURE: APPOINTMENT OF LUMICO FOR WEBSITE ADJUSTMENTS AS PART OF THE WATER AWARENESS CAMPAIGN (4/6/2)

In the light of the serious drought situation a task team has been gathered together in order, inter alia, to manage all communication related aspects in respect of the urgent water crisis, including the maintenance of the website with respect thereto.

Lumico, the company which manages the Municipality's social media, was consulted with respect to help with the temporary adjustments to the website, including, namely:

- (i) the reconfiguring/building of the website;
- (ii) the taking of videos for the website and also social media;
- (iii) as well as (2) administration costs (editing and travelling costs).

Resolution/...

7.13/...

RESOLUTION

- (a) That cognisance be taken and the Municipal Manager's action be condoned as regards the appointment of *Lumico (Pty) Ltd* at an amount of R35 000,00 (excluding VAT) to create a website subdomain for the management of communication regarding the water crisis, for the following reasons:
- The Municipality does not have the internal capacity, skills and applicable expertise available to adapt its outdated webpage to effectively manage the water crisis;
 - It is regarded impractical to test the market, considering *Lumico's* knowledge and specialist skills in the fields of digital marketing, graphic design, photography and videography, project management and campaign conceptualisation and the implementation of same, which was adequately proved over the past two years with *Lumico's* management of the Municipality's social media (*Facebook*);
 - The looming water crisis and exceptional circumstances relating to same require that the webpage be activated soonest to continuously provide the public with 'real time' information of all related matters;
- (b) That cognisance be taken that said expenditure will be debited against vote number 9/201-269-891 (Communication);
- (c) That the Manager: Financial Statements and Control be instructed to include the above reasons as notes to the financial statements, when same are compiled.

7.14 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: APPOINTMENT OF PAPERJET PRINT FOR PRINTING OF WATER AWARENESS MATERIAL (4/6/2)

In the light of the serious drought situation, a task team has been gathered together in order, inter alia, to manage all communication related aspects in respect of the urgent water crisis.

A graphic designer, namely 321 Design, was accordingly appointed to design various materials to highlight the present water situation. This includes the design of various large posters, banners, bookmarks etc.

In consideration of the above mentioned, the Municipal Manager approved the appointment of *Paperjet Print* for the following services, namely:

- printing of 1500 x A1 posters to the amount of R52 485,00 (VAT excluded); and
- printing of 1500 x A3 posters to the amount of R3 885,00 (VAT excluded).

RESOLUTION

- (a) That cognisance be taken and the Municipal Manager's action be condoned as regards the appointment of *Paperjet Print* at an amount of R56 370,00, VAT exclusive for the printing of material for purposes of the water awareness campaign, for the following reasons:
- The looming water crisis and exceptional circumstances relating to same require that awareness be raised as soon and as extensive as possible in the municipal area to create public awareness of the gravity of the matter;
 - Four quotations were indeed obtained to test the market, in an attempt to speed up the matter.
- (b) That cognisance be taken that said expenditure will be debited against vote number 9/201-269-891 (Communication);

7.14/...

- (c) That the Manager: Financial Statements and Control be instructed to include the above reasons as notes to the financial statements, when same are compiled.

7.15 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: APPOINTMENT OF *MALNOTS CC* FOR THE PRINTING OF WATER AWARENESS MATERIAL (4/6/2)

In the light of the serious drought situation, a task team has been gathered together in order, inter alia, to manage all communication related aspects in respect of the urgent water crisis.

A graphic designer, namely 321 Design, was accordingly appointed to design various materials to highlight the present water situation. This includes the design of various large posters, banners, bookmarks etc.

In consideration of the above mentioned, the Municipal Manager approved the appointment of *Malnots CC* (trading as Malnoplata) for the following services to the amount of R47 412,28 (VAT excluded), namely:

- the printing of 5 x 3000mm x 800mm PVC banners, full colour;
- the printing of (1) 15 x 3000mm x 2450mm and (2) 4 x 1500mm x 1225mm UV-resistant vinyl stickers, which must be applied to existing chromadek boards at various places in the Swartland.

RESOLUTION

- (a) That cognisance be taken and the Municipal Manager's action be condoned as regards the appointment of *Malnots CC* at an amount of R47 412,28, VAT exclusive for the printing of material for purposes of the water awareness campaign, for the following reasons:
- The looming water crisis and exceptional circumstances relating to same require that awareness be raised as soon and as extensive as possible in the municipal area to create public awareness of the gravity of the matter;
 - Three quotations were indeed obtained to test the market, in an attempt to speed up the matter.
- (b) That cognisance be taken that said expenditure will be debited against vote number 9/201-269-891 (Communication);
- (c) That the Manager: Financial Statements and Control be instructed to include the above reasons as notes to the financial statements, when same are compiled.

7.16 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: APPOINTMENT OF PROFESSIONAL SERVICE PROVIDER FOR GEO HYDROLIC STUDIES (8/2/2/1)

The Western Cape is at present experiencing the worst drought on record which places enormous pressure on provision of water and interventions are necessary to ensure the provision of water.

Swartland Municipality implemented Level 5 water restrictions from the beginning of November 2017, and various options have been considered as to how to provide water both during and after the drought. One of the options is to draw on underground water by means of boreholes.

Before a borehole can be drilled, a geo-hydraulic survey must be carried out to identify the suitable places for boreholes. The Department of Local Government confirmed on 29 September 2017 that the company Geoss, has been appointed by the Department to carry out geo-hydraulic studies in the West Coast District area. These costs will be covered by the Department.

7.16/...

Swartland Municipality can therefore also make use of this company for the identification of boreholes for possible water sourcing, and this will not only save on costs, but also complete the process of putting down boreholes as water sources, as quickly as possible.

RESOLUTION

- (a) That the actions of the Municipal Manager to deviate from the prescribed procurement process for the appointment of Geoss as professional service provider for the provision of geohydrological services for the purpose of identifying new borehole positions to the amount of R410 110,00 (VAT excluded) be condoned, for the following reason:
- That it is impractical not to make use of the professional service provider appointed by the Provincial Government and through this take advantage of the resulting benefit;
- (b) That cognisance is taken that mentioned expenditure will be funded from vote number 9/249-699-961 (Master Planning: Services – Water Provision);
- (c) That the Manager: Financial Statements and Control be instructed in accordance with the Supply Chain Management Policy, to include the above stated reasons as a note to the financial statements when same is prepared.

7.17 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: REPAIR OF THE GEARBOX ON AERATOR 2, MALMESBURY SEWERAGE PLANT (8/2/2/1)

The floating aerator (no 2) at the Malmesbury Sewerage Works has experienced serious mechanical gearbox problems and this has affected the introduction of oxygen for the removal of nitrogen.

It was therefore considered both urgent and necessary to repair the gearbox in the aerator (no 2) as quickly as possible.

RESOLUTION

- (a) That cognisance is taken of the actions of the Municipal Manager for condonation regarding the repairs required for the gearbox of aerator no.2 of the Malmesbury WWTW by GW Trautman for the amount of R99 836,05 (VAT included);
- (b) That the expenditure will be funded from vote number 9/239-57-1041;
- (c) That the Manager: Financial Statements and Control be instructed to include the above reason as noted to the financial statements, when same are compiled.

7.18 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: URGENT REPAIR TO DARLING RESERVOIR (8/2/2/1)

During a routine inspection of the Darling Reservoir it was established that there was a leak caused by a fault in the structure. This led to the emptying of the reservoir. A quotation was received from *N2 Consultants* for repairing the leak to the amount of R148 960,00 (VAT excluded).

Whilst the reservoir was empty it was also discovered that the access ladders to the reservoir were rusted and unsafe and needed to be replaced. A quotation for the job was received from Swartland Engineering to the amount of R49 400,00 (VAT excluded).

With the existing drought, which is being experienced, emergency repair work was necessary and therefore the normal procurement procedures could not be followed.

7.18/...

RESOLUTION

- (a) That cognisance is taken of the actions by the Municipal Manager for condonation regarding the urgent repairs to the Darling Reservoir for the amount of R148,960.00 by N2 Consultants and R49,400.00 (VAT excluded) by Swartland Ingenieurswerke, because it has to be dealt with as an emergency.
- (b) That the expenditures of R148,960.00 (VAT excluded) and R49,400.00 (VAT excluded) be debited to budget item no. 9/249-679-259;
- (c) That the Manager: Financial Statements and management is instructed to note the abovementioned reason in the financial statements when the relevant statements are drawn up.

7.19 APPLICATION FOR LEAVE MUNICIPAL MANAGER AND DIRECTORS (4/8/3)

The Executive Mayor has the authority to approve the Municipal Manager's leave.

A leave schedule for the directors was circulated with the agenda in order to indicate which directors are available to deputise.

RESOLUTION

- (a) That the application for leave for the Municipal Manager for the following days is approved:
 - 19 December 2017 to 11 January 2018 (15 days);
- (b) That note is taken that the Director: Civil Engineering Services will act as Municipal Manager during the above mentioned period, and if, for whatever reason, the Director: Civil Engineering Services is not available, the Director: Electrical Engineering Services will deputise.

FURTHER RESOLUTION

- (c) That, as a result of the attainment of the seventh clean audit, the Council has decided that the municipal offices may close for the entire day on Friday 22 December 2017, and will close on Thursday 21 December 2017 at 15:45 and on Friday, 29 December 2017 at 13:00;
- (d) That this is a once off concession and that it must not create expectations for future years;
- (e) That notices in respect of the closing of the offices are put up at pay points in the municipal area and posted on the website.
- (f) That, in respect of this concession, overtime worked will be paid according to the Saturday tariff.

**(SGD) T VAN ESSEN
EXECUTIVE MAYOR**