



MINUTES OF A VIRTUAL MEETING OF THE SWARTLAND MUNICIPAL COUNCIL, HELD ON THURSDAY, 28 MAY AT 10:00

PRESENT:

Speaker, cLJr M Rangasamy

Executive Mayor, ald T van Essen

Deputy Executive Mayor, ald M S I Goliath

Bess, D G (DA)

Bekebu, Z (ANC)

De Beer, J M (DA)

Humphreys, F S (ANC)

Maart, E S M (DA)

McQuire, V D (DA)

O'Kennedy, E C (DA)

Papers, C H (DA)

Penxa, B J (ANC)

Philander, D B (ANC)

Smit, N (DA)

Solomons, P E (DA)

Stanley, B J (DA)

Stemele, O M (DA)

Van der Westhuizen, R F (DA)

Van Zyl, M (DA)

Zatu, N S (ANC)

Officials:

Municipal Manager, Mr J J Scholtz

Director: Financial Services, Mr M A C Bolton

Director: Protection Services, Mr P A C Humphreys

Director: Electrical Engineering Services, Mr R du Toit

Director: Corporate Services, Ms M S Terblanche

Director: Civil Engineering Services, Mr L D Zikmann

Director: Development Services, Ms J S Krieger

Manager: Secretarial and Records, Ms N Brand

1. OPENING

The Speaker welcomed the Executive Mayor, Deputy Executive Mayor, councillors, officials and the media.

The Speaker requested the Municipal Manager, Mr J J Scholtz, to open the meeting with a scripture reading and a prayer. The Speaker requested a moment of silence in condolences with the lost of life worldwide due to the Covid-19 pandemic.

The Speaker congratulated councillors and officials who had celebrated birthdays during the months of April and May.

2. APOLOGIES

Apologies received from Cllrs C Daniels, whilst Cllr L E Mfutwana experienced difficulties connecting to the Zoom-meeting. Cllr A M Sneewe is absent without leave.

3. DEPUTATIONS/DECLARATIONS AND COMMUNICATIONS/SUBMISSIONS

None

4. MINUTES FOR APPROVAL

4.1 MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 26 MARCH 2020

Resolution/...

4.1/...

RESOLUTION

(proposed by Cllr O M Stemele, seconded by Cllr J M de Beer)

That the minutes of an Ordinary Council Meeting held on 26 March 2020 are approved and signed by the Speaker, subject to the correction of Cllr F S Humphreys initials.

4.2 MINUTES OF A VIRTUAL COUNCIL MEETING HELD ON 12 MAY 2020**RESOLUTION**

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

That the minutes of a Virtual Council Meeting held on 12 May 2020 are approved and signed by the Speaker.

5. REPORT IN RESPECT OF THE DELEGATED DECISION MAKING BY THE EXECUTIVE MAYOR**RESOLUTION**

That note is taken of the decisions taken by the Executive Mayor in respect of his delegated power, referred to in the following minutes:

5.1 MINUTES OF A SPECIAL MEETING OF THE EXECUTIVE MAYORAL COMMITTEE HELD ON 19 MARCH 2020**5.2 MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYORAL COMMITTEE HELD ON 24 MARCH 2020****6. REPORT IN RESPECT OF THE DELEGATED DECISION MAKING BY THE MUNICIPAL MANAGER**

None

7. MATTERS ARISING FROM THE MINUTES**7.1 MINUTES OF A VIRTUAL COUNCIL MEETING HELD ON 12 MAY 2020****ITEM 3.1: ADOPTION OF RULES FOR VIRTUAL MEETINGS OR SITTINGS OF THE COUNCIL AND COUNCIL COMMITTEES (3/4/2/1)**

At the meeting of Council held on 12 May 2020, Council adopted a set of generic rules to apply to virtual meetings of Council and its committees, as submitted by SALGA on 11 May 2020.

Following a Speakers' Forum meeting held on 14 May 2020, a revised document was distributed by SALGA to be customized and adapted as per the requirements of each Municipality.

The proposed rules will supplement Council's By-law relating to the Rules of the Conduct of Meetings.

RESOLUTION

(proposed by Cllr P E Solomons, seconded by Cllr C H Papers)

That the Generic Rules for Virtual Meetings or Sittings as adopted by Council at its meeting held 12 May 2020 be replaced by the Rules of Virtual Meetings as appended to this report to apply to meetings of Council and its committees with immediate effect.

8. MATTERS FOR DISCUSSION**8.1 NOTICE OF APPROVAL OF THE ORGANIZATIONAL STRUCTURE FOR THE PERIOD 1 JULY 2020 TO 30 JUNE 2021 TAKING INTO ACCOUNT AMENDMENTS TO VARIOUS DEPARTMENTS (2/6)**

The Municipal Manager/...

8.1/...

The Municipal Manager is in accordance with Section 66 of the Municipal Systems Amendment Act, 2011 responsible for the development of an organisational structure for approval by the municipal council.

The amendments to the organizational structure are explained fully in the report circulated with the agenda.

RESOLUTION

(proposed by Ald M van Zyl, seconded by Cllr E S M Maart)

That cognisance be taken of the full organisational structure as approved by the Municipal Manager taking into account the amendments to the organisational structure with regard to all departments for implementation with effect from 1 July 2020.

8.2 APPROVAL OF THE THIRD AMENDMENT OF THE 2017-2022 INTEGRATED DEVELOPMENT PLAN (IDP) AND AREA PLANS (2/1/4/4/1)

The Speaker gave the Executive Mayor, ald T van Essen, the opportunity to table the amendments to the 2017-2022 Integrated Development Plan (IDP) which were considered during the third revision of the IDP.

The Executive Mayor, before tabling the item, gave background regarding the status quo with regard to Covid-19 pandemic and the readiness of Swartland Municipality and the Department of Health (Swartland Hospital). The Executive Mayor thanked officials involved with essential services to ensure continued services for residents.

Cllr D B Philander, with reference to the forewords of the Mayor and Municipal Manager in the IDP, mentioned that not enough is being done to alleviate poverty, e.g. (1) by supporting SMME's, entrepreneurs and informal traders and (2) to transform the tourism industry. The inequalities in the community were especially brought to the fore by the Covid-19 pandemic.

Cllr F S Humphreys thanked the Municipality, especially the essential workers, for their hard work during the national lockdown and requested that awareness campaigns be undertaken to inform the public on the Level 3 requirements.

The matter was brought to the vote by the Speaker, and was decided (in the absence of three councillor) with 15 DA-councillors in favour thereof and abstention by the rest of the councillors.

RESOLUTION

(proposed by Ald T van Essen, seconded by Cllr E C O'Kennedy)

That the –

- (a) third amendment of the 2017-2022 Integrated Development Plan (IDP),
 - (b) the revision of the area plans, and
 - (c) the Financial Plan
- be approved.

8.3 CONSIDERATION AND APPROVAL OF THE FINAL MULTI-YEAR CAPITAL AND OPERATING BUDGETS, AMENDED BUDGET RELATED POLICIES, PROPERTY TAX RATES AND DISCOUNTS, TARIFFS AND OTHER CHARGES FOR 2020/2021, 2021/2022 AND 2022/2023 (5/1/1/1-2020/21, 5/1/1/2-20202/21 AND 5/1/4)

The Executive Mayor, at the request of the Speaker, tabled the item and emphasised that the preparation of the 30-day budget was most difficult due to the uncertain impact of the COVID-19 pandemic on the economy and the Municipality.

The impact of the COVID-19 pandemic compelled the Municipality to revise the 90-day budget as approved by Council on 26 March 2020 and the amendments and potential risks are discussed by the Executive Mayor.

The Executive Mayor emphasised the "pro-poor" principle fundamental to the capital and operating budget to the effect of $\pm 70\%$ benefiting the poor, with the total Equitable Share grant being allocated to the poor.

8.3/...

The Executive Mayor highlighted the following special projects, namely:

- (1) Extended education programmes in the community to combat littering, as part of the Greening Project;
- (2) Safety initiatives in all wards by means of, inter alia, the creation and support of street committees and placing security cameras at strategic places;
- (3) Planting of trees as part of the RSEP project.

On the request of Cllr D B Philander that the Municipality must support the businesses (so-called, middle class) that are severely effected by the national lockdown, the Director: Financial Services emphasized that the Municipality must adhere to its core mandates and rather direct SMME's to stimulus offered by the National Government. However, the Municipality will act with greater consideration when applying credit control mechanisms after the national lockdown. The Director: Financial Services mentioned that the Municipality must be vigilant in how to deal with financial assistance. The Municipality, with reference to the payment rate that dropped from 99% to 83% in April, must ensure that the financial resources remain to provide basic services in a sustainable manner.

The Municipal Manager confirmed that the 90-day budget was revised taking into account the losses suffered by businesses by discount on property tax rates, 0% increase in various tariffs and amendments to the 90-day budget to the effect of ±R60 million in supporting the declining economy.

The Municipal Manager emphasized that during the Covid-19 pandemic non-performing national and provincial governments are the biggest challenge and risk for local authorities. This matter is confirmed by directives from National Treasury warning municipalities to keep to their mandates, to such an extent that the Auditor-General was informed by National Treasury to audit municipalities accordingly.

The Municipal Manager, at request of Cllr D B Philander, explained the rationale behind the purchasing of the Nedbank and Standard Bank buildings to be used as municipal offices after a feasibility study was undertaken, instead of paying rent and annual escalations thereon.

That approval of the multi-year capital and operating budgets, amended budget related policies, property tax rates and discounts, tariffs and other charges for the 2020/21, 2021/22 and 2022/23 was brought to the vote and decided (in the absence of three councillor) with 15 DA-councillors in favour thereof and abstention by the rest of the councillors.

RESOLUTION

(proposed by Ald T van Essen, seconded by Ald M S I Goliath)

- (a) That cognisance be taken of the inputs received from the public and province and that the comments and responses thereto (**Annexure H, Inputs received on Draft Budget**) be accepted as recommendations by the Budget Steering Committee and Executive Mayoral Committee, insofar as it relates to the 2020/2021 MTREF Draft Budget;
- (b) That cognisance be taken that the costs as envisaged by Section 19(2)(a)(b) were derived after consultation with the respective director(s) who has confirmed the costs as per (**Annexure A, Section 1: 2020/21 – 2022/23 Final Budget and Tariff File**) and consider same;
- (c) That Council, prior to approving the capital projects above R50 million as listed in (**Annexure B: 2020/21 – 2022/23 Capital Projects ito Sec 19**), first considered the projected cost covering all financial years until the project is operational and the future operational costs and revenue on the project, including municipal tax and tariff implications;
- (d) That Council considered the funding sources linked to council's capital program and take note that these funding sources are available and have not been committed for other purposes;

Table/...

8.3(d)/...

FINANCING SOURCES	Final Budget 2020/2021	Final Budget 2021/2022	Final Budget 2022/2023
External Loans	R -	R -	R -
Capital Replacement Reserve (CRR)	R 126 713 237	R 109 884 479	R 72 140 243
Municipal Infrastructure Grant (MIG)	R 21 183 000	R 22 700 000	R 23 810 000
Dept. Human Settlements	R 48 474 000	R -	R 36 760 000
Integrated National Electrification Programme	R 7 652 000	R 5 000 000	R 5 000 000
Dept. Cultural Affairs and Sport	R 70 000	R -	R -
RSEP / VPUU	R 3 000 000	R -	R -
Community Safety Grant	R 611 600	R 55 000	R -
Fire Service Capacity Building Grant	R 732 000	R -	R -
Energy Efficiency Demand Side Management	R 4 000 000	R -	R -
GRAND TOTAL	R 212 435 837	R 137 639 479	R 137 710 243

- (e) That cognisance be taken of the fact that the situation dictates that no new non-critical commitments in respect of the new MTREF capital budget be entered into other than tenders already awarded, until such time that the Municipality's payment rate stabilised to satisfactory levels as determined by the chief financial officer in consultation with the municipal manager and executive mayor;
- (f) That Council deemed it appropriate to consider the entire capital program excluding the two contractually combined projects above R50 million as the aforementioned capital program's operational cost, inclusive of future costs will be covered by the rates regime and the normal cost centres found in the operational budget;
- (g) That cognisance be taken that the upgrading of both the Moorreesburg and Darling Waste Water Treatment Works will have an impact on the outer years, i.e from the 2022/23 financial year and beyond and therefore the process as prescribed in Section 33 of the MFMA was adhered to prior to final approval (whilst no longer in the form of an increase due to finance charges, but increased depreciation charges);
- (h) That the purchasing of the Nedbank and Standard Bank Buildings be approved at a total purchase price of R17 650 million for purposes of owning its own buildings in a bid to mitigate the risk of increasing rentals payable for the "Checkers", "Santam" and "Pep Buildings", excluding the cost additions of around R6 million required to attend to the conversion works" required to operationalise the two buildings over the MTREF with the Standard Bank building becoming available first for the aforementioned purpose (**Annexure E**);
- (i) That the capital projects be approved as part of its consolidated capital program as per (**Annexure A, Section 1: 2020/21 – 2022/23 Final Budget and Tariff File**);
- (j) That the final high-level multi-year Capital and Operating budgets with respect to the 2020/21– 2022/23 financial years be approved, in accordance with sections 16, 17 and 19 of the MFMA;

Table/...

8.3(j)/...

	Original Budget 2019/20	Mid-Year Adj Budget 2019/20	Final Budget 2020/21	Final Budget 2021/22	Final Budget 2022/23
Capital budget	143 857 572	140 815 524	212 435 837	137 639 479	137 710 243
Operating Expenditure	749 828 067	757 190 607	810 670 080	889 949 652	924 976 102
Operating Revenue	830 826 697	855 620 406	882 786 413	928 907 555	998 866 120
Budgeted (Surplus)/ Deficit	(80 998 630)	(98 429 799)	(72 116 333)	(38 957 903)	(73 890 018)
Less: Capital Grants & Donations	67 161 000	80 451 000	86 863 600	28 897 050	66 713 153
(Surplus)/ Deficit	(13 837 630)	(17 978 799)	14 747 267	(10 060 853)	(7 176 865)

- (k) That approval be granted to finance the R50 000 000 (previous partial loan financing) for the upgrading of the Waste Water Treatment Works of Moorreesburg and Darling from Council's own reserves and no longer from external borrowing, given the impact that current prevailing higher finance charges in the market would have had on the cost of the service and specifically note that this option will result in reduced interest income from investments;
- (l) **That Council considered and approved the reduced property tax rates, exemptions and rebates for the 2020/2021 financial year as listed below and in the property rates policy as final which will result in quantifiable discounts of more than R6 million rand to residential property owners and business properties including zero rated rates to NGO's and PBO's;**

Property Categories	Rate (c/R)
Residential properties	0,5160
Vacant land	0,6950
Industrial properties	0,7413
Business and commercial properties	0,7413
Agricultural properties (used for agricultural purposes)	0,1290
Agricultural properties used for eco-tourism	0,7413
Agricultural properties used for trading in or hunting of game;	0,7413
Mining properties	0,7413
Properties owned by an organ of state and used for public service purposes	0,7413
Public service infrastructure	0,0000
100% Rebate to owners of public benefit organisations used for the public benefit listed activities	0,0000
Properties used for multiple purposes	Either 0,7413, 0,5160 or 0,1290, according to permitted use
Properties in rural area zoned for business or in respect of which consent uses have been approved in terms of the Municipality's zoning scheme regulations	0,7413
Municipal properties	0,0000
Informal settlements, including those on land which are not subdivided into residential erven	0,0000
Property acquired through the Provision of Land and Assistance Act, 1993 (126 of 1993) or the Restitution of Land Rights Act, 1994 (Act 22 of 1994) or Communal Property Association Act, 1996	Either 0,7413, 0,5160, according to permitted use
Conservation areas	0,0000
Protected areas	0,0000

National monuments	0,0000
State owned properties	0,7413
A rebate to an amount equal to the rates payable on the first amount of the valuation of such property to a limit of R300 000	Qualifying senior citizens and disabled persons
An additional rebate over and above the impermissible tax , equal to an amount of R35 000 on the valuation of such property will be granted to the category of property in 4 (a)-(residential properties) with no application having to be made, further subject to the rebate being granted to only one property in the name of an owner/s	Residential properties

- (m) That the rebate to qualifying senior citizens and disabled persons who are owners of property, be limited to a maximum of R300 000 of the total valuation, as defined in the Property Rates Policy for the 2021/22 financial year, where after the impact of the rebate be assessed in the context of the affordability of increased revenue forgone;
- (n) That approval be granted that the rebate on property rates be increased from R15 000 to R50 0000 when the new valuation roll is implemented with effect from 1 July 2020, noting that the additional rebate is considered as a revenue forgone expense which led to a further shortfall and that the Chief Financial Officer deals with the matter in accordance with the applicable accounting legislation;
- (o) That Council approved the first 2 kl of water consumption free to all residential consumers which per the definition include indigent households for the last three months of the 2019/20 financial year and for the remainder of the lockdown period in the new financial year up to a maximum of 6 months and is considered a revenue forgone expense which led to a further increase in the shortfall. This is amplified as an interim measure to bring relief to hard-hit consumers, it is further noted that whilst not all consumers are struggling, in order to be just and equitable with no discrimination according to ability to pay being made, that those consumers who are able to pay their bills but not doing so, must note that the Municipality will start implementing drastic credit control measures as the payment rate for services continue to drop;
- That Council specifically note that all of the above measures were deemed most appropriate at this time in a bid to stretch disposable income levels and putting more money back into the pockets of consumers;**
- (p) That the final tariff structures and charges for water, refuse removal, sewerage and other sundry charges as set out in **(Annexure A: 2020/21 – 2022/23 Final Budget and Tariff File)** be approved;
- (q) That the first set of applicable water tariffs of 0% up to 10kl and 4.9% thereafter for residential consumers and other users as specified in the tariff listing that is based on a payment rate of 85% or more be approved. The payment rate will be measured over the basket of payments for services including property taxes calculated after month-end;
- (r) That approval be granted by Council for the second set of water tariffs of 0% up to 10 kls and 6% thereafter that will become applicable from the first month (measured after month-end) that the payment rate drops below 85%;
- (s) That the electricity tariffs as final for the 2020/21 financial year, subject to NERSA's final approval, be approved;
- (t) That the annual budget tables as required by the Budget and Reporting Regulations be approved as set out in **(Annexure C: Budget Report and A-Schedules 2020/21 – 2022/23)**;
- (u) That the **amendments** to the budget and related policies, the Credit Control and Debt Collection Policy and By-law also the **amendments** to the Property Rates Policy as set out in **(Annexure D: Final Amendments to Budget Related Policies 2020/21)** hereto, be approved as final;

8.3/...

- (v) That the training budget limited to 0,50% of the salary budget in the amount of **R1 196 912 for the 2020/21 financial year** be approved as final;
- (w) That cognisance be taken and approval be granted (**but specifically having regard for the fact that should the exemption application to the SALGBC be successful, that the said approval will no longer be of legal substance or force**) for the following increases as follows:
- In respect of all personnel (excluding the Municipal Manager, CFO, Directors Civil Services and Development Services bound to the Upper Limit dispensation), an increase of **6.25%** for 2020/21; **6%** for 2021/22 and **6%** for the 2022/23 financial years, excluding the increase in other benefits that are applicable and the annual 2.5% notch increase where applicable.
 - In respect of the other Section 56-appointments, a **6.25%** increase with effect from 1 July 2020 (increases of the directors: Corporate, Electrical and Protection Services being linked to the other personnel costs negotiated and determined at national level as allowed for);
 - That council approves the provision made for the year-on year movements in regulated upper limits for political office bearers.
- (x) That the funding requirement in the salary bill to the tune of R3 803 million from own funds to fund the posts per **Annexure F** be approved;
- (y) That cognisance be taken of the budgeted operating deficit that will be “cash-funded” as a result of cash reserves in table A8, the total expenditure growth of **7.1%** from the current to the new financial year and the reduced revenue streams with minimal growth in revenue of **3.2%** for the MTREF period as well as the cash flow statement as per (**A-schedule A7**) for the next three financial years:
- **the budgeted risk factors for cash coverage for operating expenses reduced materially to 8.6 months for 2020/2021, 7.1 months for 2021/2022 and 7.5 months for 2022/2023 financial years (this weakening from the audited performance amplifies the requirement for reduced capital spending adumbrated above);**
 - over the next three financial years the planning is such that an operating deficit are envisaged for 2020/2021 to an amount of **R 14 747 267** with operating surpluses envisaged for 2021/2022 to an amount of **R 10 060 853** and 2022/2023 an amount of **R 7 176 865 (excluding capital grant income and all things remaining equal);**
- (z) That the Director: Financial Services adhered to the requirements of the Budget Circulars and Budget Reforms in the context of the reporting requirements to Provincial and National Treasury;
- (aa) That cognisance be taken that the budget was also prepared in the new mSCOA Version 6.4 as required by National Treasury;

8.4 CAPE WEST COAST/SWARTLAND TOURISM ASSOCIATION: RENEWAL OF SERVICE LEVEL AGREEMENT (9/1/3/B)

A Service Level Agreement was entered into with the Cape West Coast/Swartland Tourism Association (STO) to perform the tourism functions on behalf of the Municipality.

It is necessary to extend the service level agreement for one year in order to finalise the revision of the tourism model, which process was handicapped by the announcement of the national lockdown during March 2020.

At the notion of Cllr Philander that the tourism sector must be transformed, the Director: Corporate Services confirmed that the transformation of the industry was the motive behind developing of a new model for tourism. The tourism industry employed many people in the Swartland municipal area, and the Municipality must make provision to support the sector, especially after the Covid-19 pandemic.

8.4/...

The Speaker voiced his concern about the National Government's relief programme only benefiting persons of colour, as the industry is experiencing many job losses, with the belief of the Government that the hospitality industry are only under white ownership.

RESOLUTION

(proposed by Ald T van Essen, seconded by Ald B J Stanley)

- (a) That approval be granted for a Service Level Agreement to be signed with the Cape West Coast/Swartland Tourism Association with effect from 1 July 2020 until 30 June 2021, based on the same terms and conditions as the present agreement;
- (b) That the Municipal Manager be authorized to sign the Service Level Agreement on behalf of the Council in order to fulfil Council's legislative mandate regarding tourism.

8.5 APPOINTMENT OF A PERFORMANCE AND RISK AUDIT COMMITTEE MEMBER (11/1/3/1/7)

The Municipality is obliged to maintain an Audit Committee as an independent appraisal function according to Section 166 of the Municipal Finance Management Act (MFMA).

Due to the expiring of Ms M Roos contracted term on 31 July 2020, the recruitment process to appoint a new member has been performed. The list with the names and details of the applicants for the appointment of a new member in respect of the Combined Performance and Risk Audit Committee is attached for consideration of the new appointment.

RESOLUTION

(proposed by Cllr V D McQuire, seconded by Cllr C H Papers)

- (a) That cognizance be taken with regards to the composition of the current committee in respect of skills and employment equity, that Ms R Gani be appointed to serve on the Performance and Risk Audit Committee for three (3) years with effect from 1 August 2020. The appointment should be done in accordance with the remuneration tariff approved by the Executive Mayoral Committee of 19 June 2019.
- (b) That the appointment of Ms R Gani to serve on the Performance Audit Committee as well, be approved for the period 1 August 2020 to 31 December 2020.

8.6 MUNICIPAL SPATIAL DEVELOPMENT: TECHNICAL ASSISTANCE FOR THE PREPARATION OF CAPITAL EXPENDITURE FRAMEWORK (15/1/4/1)

Swartland Municipality wishes to enter into a Grant Agreement with the Development Bank of South-Africa (DBSA) in terms of which the DBSA will make available a grant to Swartland Municipality in the amount of R2 000 000.

The purpose of the grant is to obtain technical assistance to develop a Capital Expenditure Framework as a component of the Municipal Spatial Development Framework.

RESOLUTION

(proposed by Ald R F van der Westhuizen, seconded by Cllr N Smit)

- (a) The Council hereby authorized the Municipal Manager to:
 - (i) enter into the Grant Agreement; and
 - (ii) enter into any other agreements, deeds or documents which may be incidental or related to the Grant Agreement or the transactions contemplated by or the agreements referred to in the Grant Agreement and any addenda to the Grant Agreement required to amplify and/or amend any of the provisions of the Grant Agreement; (collectively referred to as the "relevant Documents")
 - (iii) negotiate, settle the final terms of, sign and implement the Relevant Documents on behalf of the Municipality;

8.6(a)/...

- (iv) act as the Municipality's representative to give effect to the above resolutions; and
 - (v) 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.
- (b) To the extent that the Municipal Manager has already signed any other 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 legal possible) be and are hereby retrospectively approved and are ratified and adopted in their entirety.

8.7 REVISION OF THE SYSTEM OF DELEGATIONS (2/5/1, 2/5/2)

Section 59 of the Municipal Systems Act determines that a Council must develop and maintain a System of Delegations which will optimize administrative and operational efficiency and make provision for adequate checks and balances.

The attachment to the agenda contains the fourth revision to the System of Delegations which was approved by the Council on 11 August 2016.

RESOLUTION

(proposed by Ald R F van der Westhuizen, seconded by Cllr C H Papers)

- (a) That the amendments to the System of Delegation (4th Revision) as per Annexures A to C be approved, and cognisance be taken of the amendments as per Annexures D and E;
- (b) That cognisance be taken that no amendments were effected to the Section 53 Role Definition of political structures, political office bearers and the municipal manager, which document forms part of the System of Delegation.

8.8 PROPOSED SUBSIDIZING OF SELLING PRICES FOR RESIDENTIAL PROPERTIES IN RIVERLANDS 36 HOUSING PROJECT (PHASE 2) (12/2/B)

Since approval was granted by Council in 2018 for the out-of-hand disposal of 14 erven in the so-called Riverlands 36 housing project, meetings were held by the Housing Division with the stakeholders in Riverlands to approved the list of beneficiaries.

Ten of the fourteen beneficiaries qualify for a so-called 'plot and plan' subsidy from the Department of Human Settlements and their applications are presently being processed in order for transfer to take place. The remaining four beneficiaries do not qualify for subsidies since their monthly household income exceeds the subsidy prescripts. They are, however, not in a position to obtain external funding.

The report is tabled to propose an alternative, namely to obtain Council approval for a subsidized selling price to be determined in respect of the properties concerned, in an attempt to facilitate Council's objective to secure tenure for those in need.

RESOLUTION

(proposed by Ald B J Stanley, seconded by Cllr P E Solomons)

- (a) That approval be granted by Council that the selling prices for the below-mentioned vacant residential properties in the so-called Riverlands 36 housing project be determined at 10% of the reserve prices as determined by the Council on 30 May 2020, excluding VAT, to ensure transfer of the properties in the interest of the beneficiaries:

Erf number	Amount
Erf 8107	R6 842,00 (10% of R68 420)
Erf 8109	R7 080,00 (10% of R70 800)
Erf 8111	R4 990,00 (10% of R49 900)
Erf 8114	R4 580,00 (10% of R45 800)

8.8/...

- (b) That the purchasers shall also be responsible for the payment of transfer and other costs associated with the transactions;
- (c) That no transfer or occupation of the properties may take place before the purchase sums and associated costs are fully paid and that the Director: Corporate Services be authorized to finalise the conditions of sale in consultation with the conveyancers.

8.9 MOTION RECEIVED FROM THE OFFICE OF THE ANC CHIEFWHIP (3/2/2)

A motion was submitted by the Chiefwhip of the ANC in terms of Section 36 of the Swartland Municipality: By-law Relating to the Rules for the Conduct of Meetings (PP 7501, dated 2 October 2015).

The motion deals with questions arising from a post by the Executive Mayor on a social media platform relating from a letter addressed to the President of South Africa.

Cllr F S Humphreys requested the Speaker to investigate the matter in accordance with the Code of Conduct for Councillors.

RESOLUTION

That cognisance be taken of the feedback given by the Mayor and of the Speaker's determination that not further investigation will be undertaken on the motion and that the matter is concluded.

**SIGNED
SPEAKER**