



MINUTES OF A MEETING OF THE SWARTLAND MUNICIPAL COUNCIL HELD IN THE TOWN HALL, MALMESBURY ON THURSDAY, 31 MARCH 2022 AT 10:00

PRESENT:

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

COUNCILLORS

Bess, D G (DA)	Pieters, C (ANC)
Booyesen, A M (VF)	Pypers, D C (DA)
Daniels, C (DA)	Smit, N (DA)
Fortuin, C (ANC)	Soldaka, P E (ANC)
Jooste, R J (DA)	Stanley, B J (DA)
Le Minnie, I S (DA)	Van Essen, T (DA)
Ngozi, M (ANC)	Van Zyl, M (DA)
O'Kennedy, E C (DA)	Vermeulen, G (VF)
Papier, J R (GOOD)	Warnick, A K (DA)
Penxa, B J (ANC)	

Officials:

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

1. OPENING

The Speaker welcomed the Executive Mayor, aldermen, councillors and officials. A special word of welcome was extended to members of the public.

Cllr D C Pypers opened the meeting with a scripture reading and prayer at the request of the Speaker.

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

2. APOLOGIES

No apologies were received.

RESOLUTION that cllr A A Duda was absent without an apology.

3. DEPUTATIONS/DECLARATIONS AND COMMUNICATIONS/SUBMISSIONS

None.

4. MINUTES FOR APPROVAL

4.1/...

4.1 MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 27 JANUARY 2022

RESOLUTION

(proposed by cllr E C O’Kennedy, seconded by cllr A K Warnick)

That the minutes of an Ordinary Council Meeting held on 27 January 2022 are approved and signed by the Speaker.

5. REPORTING IN RESPECT OF THE DECISIONS MADE BY THE EXECUTIVE MAYOR IN ACCORDANCE WITH HIS DELEGATED POWER

RESOLUTION

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

5.1 MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR’S COMMITTEE HELD ON 20 JANUARY 2022

5.2 MINUTES OF A SPECIAL MEETING OF THE EXECUTIVE MAYOR’S COMMITTEE HELD ON 14 FEBRUARY 2022

5.3 MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR’S COMMITTEE HELD ON 21 FEBRUARY 2022

Read in conjunction with

MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 16 FEBRUARY 2022

6. REPORTING IN RESPECT OF THE DECISIONS MADE BY THE MUNICIPAL MANAGER IN ACCORDANCE WITH HIS DELEGATED POWER

RESOLUTION

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

6.1 MINUTES OF A TENDER AWARD COMMITTEE MEETING HELD ON 1 FEBRUARY 2022

7. MATTERS ARISING FROM THE MINUTES

None.

8. MATTERS FOR DISCUSSION

8.1 APPROVAL OF THE OVERSIGHT REPORT IN RESPECT OF 2020/2021 ANNUAL REPORT (7/1/1/1)

The Draft Annual Report for the 2020/2021 financial year was submitted to the Council on 27 January 2022 in accordance with section 127 of the Municipal Finance Management Act, 2003 after which the annual report was made available to the public and state authorities for comment.

The Municipal Public Accountability Committee, under the chairmanship of cllr E C O’Kennedy, met on the 11 March 2022 to consider comments received on the draft annual report in the drawing up of the 2020/2021 Oversight Report.

Cllr E C O’Kennedy congratulated the administration on the exceptional performance resulting in the receipt of a clean audit for the 2020/2021 financial year.

The matter was brought to the vote by the Speaker and decided (in the absence of one councillor) with 14 votes (DA councillors) in favour thereof, and the rest of the councillors (8 in total) abstaining.

8.1/...

RESOLUTION

(proposed by cllr E C O’Kennedy, seconded by aldd M van Zyl)

- (a) That Council, having considered the 2020/2021 Annual Report of Swartland Municipality, adopts the Oversight Report in terms of section 129 of the Municipal Finance Management Act;
- (b) That the 2020/2021 Annual Report of Swartland Municipality be approved without reservations, in terms of section 129 of the MFMA;
- (c) That the minutes of the meetings where the Annual Report was discussed, in the presence of the accounting officer (Municipal Manager) be submitted to the Auditor-General, the Provincial Treasury and the Western Cape Department for Local Government as attached to the report, in terms of section 129(2) of the MFMA;
- (d) That the 2020/2021 Oversight Report of Swartland Municipality be made public in terms of Section 129(3) of the MFMA and be submitted to the Western Cape Legislature in terms of Section 132(2) of the MFMA;
- (e) That, in acceptance of the Oversight Report, the payment of a performance bonus be approved by Council as per paragraph 3.1.2 of the Oversight Report.

8.2 2021/2022 SPECIAL ADJUSTED BUDGET (5/1/1/1, 5/1/1/2-2021/22)

Swartland Municipality received an additional grant to the value of R 2 214 000 from the Provincial Government for the establishment of a Law Enforcement Reaction Unit.

Cllr Penxa welcomed the job opportunities which the additional grant will create and requested that attempts must be made to recruit local residents for the reaction unit.

The Municipal Manager, Mr J J Scholtz, gives background to the project, among other things, regarding the large number of applications received. The applications will be reduced through a screening process to 40 qualifying candidates who will be invited for an interview. However, the applicable legislation does not provide that only local candidates may be recruited.

A vote was requested by the Speaker and the matter was decided with 16 votes (DA=14 and VF+=2) in favour thereof and the rest of the councillors (6 in total) abstaining.

RESOLUTION

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

- (a) That it be noted that the Budget Steering Committee urgently convened to consider the explanations and motivations provided by the financial staff and responsible director as it relates to the adjustments;
- (b) That approval be granted to amend the high-level operating budget for 2021/2022 with no amendments to the outer years as follows:

Table/...

	Original Budget 2021/22	Mid-Year Adj Budget 2021/22	Special Adj Budget 2021/22	Original Budget 2022/23	Original Budget 2023/24
Capital budget	166 435 729	166 040 448	166 040 448	132 744 732	136 678 848
Operating Expenditure	911 967 149	951 133 356	953 347 356	983 835 346	1 055 314 274
Operating Revenue	968 875 613	1 007 040 106	1 009 254 106	1 048 008 388	1 119 714 984
Budgeted (Surplus)/ Deficit	(56 908 464)	(55 906 750)	(55 906 750)	(64 173 042)	(64 400 709)
Less: Capital Grants, Donations & Development Charges	47 912 409	48 027 246	48 027 246	45 865 556	50 788 078
(Surplus)/ Deficit	(8 996 055)	(7 879 504)	(7 879 504)	(18 307 486)	(13 612 631)

- (c) That it be noted that the changes to the budget will have no impact on tariffs in respect of the 2021/2022 financial year or beyond and the budgeted net surplus of R7 879 504 will remain unchanged;
- (d) That the adjusted budget schedules as required by the Budget and Reporting Regulations be approved as set out in **(Annexure B: Budget Report and B-Schedules 2021/22 – 2023/24)**;
- (e) That the Director: Financial Services adhere to the requirements of the Budget Circulars and Budget Reforms in the context of the reporting requirements to Provincial and National Treasury;
- (f) That the Service Delivery Budget Implementation Plan (SDBIP) where appropriate be amended accordingly.

8.3 APPROVAL OF THE PREVIOUS COUNCIL'S 2017-2022 INTEGRATED DEVELOPMENT PLAN (IDP) (WITH AMENDMENTS) AS WELL AS THE AREA PLANS (2/1/4/4/1)

The Executive Mayor, ald J H Cleophas, stated that the Municipal Council had already approved the previous Council's 2017-2022 IDP on 16 November 2021 as permitted by section 25(3) of the Local Government: Municipal Systems Act (Act 32 of 2000).

The report aimed to present the amendments to the IDP to the Council, referred to in the Memorandum circulated with the agenda.

The matter was brought to the vote and decided with 17 (DA=14, VF+=2 and GOOD=1) in favour thereof and the rest of the councillors (5 in total) abstaining.

RESOLUTION

(proposed by ald J H Cleophas, seconded by cllr J M de Beer)

- (a) That the Council take cognisance of the amendments to the previous Council's 2017-2022 Integrated Development Plan (IDP) and revision of the area tabled in terms of section 17(3) of the MFMA; and
- (b) That a public consultation process be followed during April 2022.

8.4 TABLING OF THE DRAFT MULTI-YEAR CAPITAL AND OPERATING BUDGETS, AMENDED BUDGETS AND RELATED POLICIES, PROPERTY RATES, TARIFFS AND OTHER LEVIES FOR 2022/2023, 2023/2024 AND 2024/2025 FOR PURPOSES OF PUBLIC PARTICIPATION PROCESS (5/1/1/1, 5/1/1/2 -2022/23, 5/1/4)

The Executive Mayor, ald J H Cleophas, tabled the draft capital and operating budgets for the 2022/2023, 2023/2024 and 2024/2025 financial years in accordance with section 16(2) of the Local Government: Municipal Finance Management Act (Act 56 of 2003) (MFMA).

Ald J H Cleophas stated that the drawing up of the draft budget was a huge challenge taking into account the negative economic situation with which users are burdened.

The proposed tariff increases are presented to the Council including an invitation to the public to use the opportunity to comment and to submit their comments during the public participation process.

The recommendation before the Council (which was considered and recommended during the Executive Mayor's Committee meeting held on 25 March 2022) was brought to the vote by the Speaker and decided (in absence of one councillor) with 14 votes (DA councillors) in favour thereof and the rest of the councillors (8 in total) abstaining.

RESOLUTION

(proposed by ald J H Cleophas, seconded by cllr J M de Beer)

- (a) That council takes note 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: 2022/23 – 2024/2025 Draft Budget and Tariff File)** and consider same;
- (b) That council prior to approving the capital projects above R50 million as listed in **(Annexure B: 2022/23 – 2024/25 Capital Projects ito Sec 19)**, first consider 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;
- (c) That council considers 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;

FINANCING SOURCES	Draft Budget 2022/2023	Draft Budget 2023/2024	Draft Budget 2024/2025
Capital Replacement Reserve (CRR)	R 116 643 433	R 122 483 903	R 130 244 472
Municipal Infrastructure Grant (MIG)	R 33 810 000	R 24 711 000	R 25 670 000
Dept. Human Settlements	R 20 059 000	R 33 600 000	R 5 000 000
Integrated National Electrification Programme (INEP)	R 17 600 000	R 5 000 000	R 5 225 000
RSEP	R 1 200 000		
Contributions / Donations	R 14 360 000		
Dept. Cultural Affairs and Sport	R 50 000		
Community Safety Grant	R 30 000	R 40 000	R 40 000
GRAND TOTAL	R 203 752 433	R 185 834 903	R 166 179 472

8.4/...

- (d) That council deemed it appropriate to consider the entire capital program excluding the 3 contractually combined projects above R 50 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;
- (e) That council approves the capital projects as part of its consolidated capital program as per **(Annexure A: 2022/23 – 2024/25 Draft Budget and Tariff File)**;
- (f) That the draft high-level multi-year Capital and Operating budgets in respect of the 2022/23 – 2024/25 financial years, be approved as draft, in accordance with sections 16, 17 and 19 of the MFMA to allow for public participation;

	Original Budget 2021/22	Adjustments Budget 2021/22	Draft Budget 2022/23	Draft Budget 2023/24	Draft Budget 2024/25
Capital budget	166 435 729	166 040 448	203 752 433	185 834 903	166 179 472
Operating Expenditure	911 967 149	951 133 356	1 026 601 605	1 055 394 402	1 135 542 535
Operating Revenue	968 875 613	1 007 040 106	1 104 983 965	1 113 176 083	1 174 467 869
Budgeted (Surplus)/ Deficit	(56 908 464)	(55 906 750)	(78 382 360)	(57 781 681)	(38 925 335)
Less: Capital Grants & Contributions	47 912 409	48 027 246	87 109 000	63 351 000	35 935 000
(Surplus)/ Deficit	(8 996 055)	(7 879 504)	8 726 640	5 569 319	(2 990 335)

- (g) That council approves the notice given in terms of section 14(1) and (2) of the Local Government: Municipal Property Rates Act, 2004, to levy the draft property tax rates, exemptions and rebates on property reflected in the schedule below and in the property rates policy for the 2022/2023 financial year with effect from 1 July 2022, for purposes of allowing for public participation;

Category of property	Rate ratio	(c/R) rate determined for the relevant property category
Residential properties	1: 1	0,5624
Business and Commercial properties	1: 1,4586	0,8203
Industrial properties	1: 1,4586	0,8203
Agricultural properties	1: 0,25	0,1406
Mining properties	1: 1,4586	0,8203
Public Service Infrastructure	1: 0,25	0,1406
Properties owned by an organ of state and used for public service purposes	1: 1,4586	0,8203
Public Benefit Organisations	1: 0	0,0000
Vacant properties	1: 1,3470	0,7575
Municipal properties	1: 0	0,0000
Conservation Areas	1: 0	0,0000
Protected Areas	1: 0	0,0000
National Monuments	1: 0	0,0000
Informal Settlements	1: 0	0,0000

Exemptions and Reductions

- **Residential Properties:** For all residential properties, the municipality will not levy a rate on the first R15 000 of the property's market value. The R15 000 is the statutory impermissible rate as per section 17(1)(h) of the Municipal Property Rates Act.

Rebates in respect of a category of owners of property are as follows:

- **Indigent owners:** 100 per cent rebate will be granted to registered indigents in terms of the Indigent Policy to a maximum valuation of R105 000;
- **Qualifying senior citizens and disabled persons:** 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.

NB: Please refer to the municipality's property rates policy in respect of all rebates offered.

- (h) That council approve the draft tariff structures and charges for water, refuse removal, sewerage and other sundry charges as set out in **(Annexure A: 2022/23 – 2024/25 Draft Budget and Tariff File)** for purposes of allowing for public participation;
- (i) That council approve the electricity tariffs as draft for the 2022/2023 financial year, **bearing in mind that it is still subject to NERSA's final approval;**
- (j) 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 2022/23 – 2024/25);**
- (k) That the **amendments** to the budget and related policies as set out in **(Annexure D: Draft Amendments to Budget & Related Policies 2022/23)** hereto, be approved for purposes of soliciting the views and comment from the public;
- (l) That the training budget limited to **0,70%** of the salary budget in the amount of **R2 036 894** for the 2022/2023 financial year be approved as draft;
- (m) That Council takes note of the increases of the Directors that are contractually linked to the other personnel, which is negotiated and determined at a national level:
 - In respect of all personnel, an increase of **4.9%** for 2022/2023; **4.4%** for 2023/2024 and **4%** for the 2024/2025 financial years, excluding the increase in other benefits that are applicable and the annual 2.5% notch increase where applicable;
 - All salary adjustments are adequately budgeted for;
 - Provision has been made for a **3%** increase for political office bearers which is within the mid band of the inflation targets set by the South African Reserve Bank (SARB);
- (n) That Council takes note of the budgeted operating surpluses and that the budget is "cash-funded" as a result of cash reserves in table A8, the total expenditure growth of **7.9%** from the current to the new financial year and the revenue streams with growth in revenue of **9.7% (only 5.9% excluding capital grant income)** 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 factor for cash coverage for operating expenses are **8.3 months** for 2022/23, **8.3 months** for 2023/24 and **7.6 months** for the 2024/25 financial year (this can materially be impacted but not possible to determine scientifically at this stage);
 - over the next three financial years the planning is such that operating net deficits are envisaged for 2022/23 to an amount of **R 8 726 640**, for 2023/24 an amount of **R 5 569 319** and for 2024/25 a surplus of **R 2 990 335 (excluding capital grant income)**, which is manageable within the risk appetite of the municipality supported by the improved payment rates;

8.4/...

- (o) That the Director: Financial Services adhere to the requirements of the Budget Circulars and Budget Reforms (**Annexure E: 2022/23 NT and PT Budget Circulars**) in the context of the reporting requirements to Provincial and National Treasury;
- (p) That Council take note that the budget was prepared in the new mSCOA Version 6.6 as required by National Treasury but that the mSCOA data strings could not be uploaded for verification purposes to ensure perfect alignment at the time of finalising the budget due to technical issues experienced by the NT's system of validation;
- (q) That the process of soliciting public input, views or comments into the draft budget, **revised** budget and related policies (limited to the revisions from the previous year) and budget documents, inclusive of the property taxes and tariffs to close at 12 midday on **29 April 2022**.

8.5 DRAFT 2022/2023 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) (2/4/2)

The Local Government: Municipal Finance Management Act, Act 56 of 2003 (MFMA) defines the Service Delivery and Budget Implementation Plan (SDBIP) as a detailed plan which the mayor of a municipality approves in accordance with section 53(1)(c)(ii) of the MFMA for implementing the municipality's service delivery and annual budget.

The aim of the SDBIP is to support the municipal management in attaining the service delivery goals, as well as the spending of the capital budget within given time frames.

The Speaker requested that the matter be brought to the vote, and it was decided with 14 votes (DA councillors) in favour thereof and the rest of the councillors (8 in total) abstaining.

RESOLUTION

(proposed by cllr N Smit, seconded by cllr S le Minnie)

- (a) That the Council take cognisance of the draft 2022/2023 Service Delivery and Budget Implementation Plan (SDBIP) tabled in terms of regulation 14 of the Municipal Budget and Reporting Regulations; and
- (b) That the SDBIP be submitted to National Treasury and Provincial Treasury in terms of regulation 15 of the Municipal Budget and Reporting Regulations.

8.6 NOTICE IN RESPECT OF THE APPROVAL OF ORGANIZATIONAL STRUCTURE AS OF 1 MARCH 2022 TAKING INTO ACCOUNT AMENDMENTS TO THE DEPARTMENT: PROTECTION SERVICES (2/3)

Section 66 of the Municipal Systems Amendment Act, 2011 stipulates that the municipal manager is responsible for the development of an organizational structure for approval by the municipal council.

The amendments to the organizational structure in respect of the Directorate: Protection Services (Law Enforcement Reaction Unit) were fully explained in the attachments to the report, which was circulated with the agenda.

RESOLUTION

(proposed by cllr A K Warnick, seconded by aldd M van Zyl)

That Council take note of the organisational structure as approved by the Municipal Manager taking into account the amendments with regard to Protection Services for implementation with effect from 1 March 2022.

8.7 (1) REPORT IN RESPECT OF A SECTION 56 POST, MR R DU TOIT; (2) FILLING OF A SECTION 56 MANAGEMENT POST DIRECTOR: ELECTRICAL ENGINEERING SERVICES; (3) APPOINTMENT OF SELECTION PANEL (4/3/B; 4/3/1)

The aim of the report is to explain to the Council the vacancy which will exist on the retirement of mr R du Toit at the end of June 2022 and to present to the Council the process plan in respect of filling the vacancy, in accordance with section 56 of the Local Government: Municipal Systems Act (Act 32 of 2000).

RESOLUTION

(proposed by ald T van Essen, seconded by cllr R J Jooste)

- (a) That notice is taken of the vacancy that will arise in the post of Director of Electrical Engineering Services with the retirement of Mr Roelof du Toit at the end of June 2022;
- (b) That the Council approve and confirm that the macro personnel structure as shown on the approved organizational structure, is in line with the IDP and the post of Director Electrical Engineering Services is relevant and needed to achieve the strategic objectives of the IDP;
- (c) That it be approved that the post of Director Electrical Engineering Services be filled and that approval be granted for filling and advertising - in accordance with the attached advertisement and regulations;
- (d) That the post is filled on an all-inclusive "cost to company" package in accordance with the provisions of the upper limits for senior managers, in terms of 20 March 2020 notice, or as amended;
- (e) That the selection panel consisting of the following persons, be approved –
 - (i) The Municipal Manager - Mr. Joggie Scholtz (Chairperson of the panel)
 - (ii) One councillor to be nominated by Council who must be a member of the mayoral committee or a councillor who is the portfolio head of the relevant portfolio
 - (iii) Director Electrical Engineering Services of a neighbouring municipality, namely Drakenstein Municipality
- (f) That it be noted that a service provider will be appointed by the Municipal Manager to assist in the recruitment and selection process for the appointment of a Director Electrical Engineering Services;
- (g) That the process plan attached hereto be noted and approved;
- (h) That approval be granted that Mr Roelof du Toit is used in a mentorship role after the appointment of his successor for the remaining period of his contract period, provided that he also be used for other tasks, functions and responsibilities, as and when required.

8.8 APPROVAL OF (1) AMENDED FRAMEWORK (2) WORKING PROGRAMME OF THE MUNICIPAL PUBLIC ACCOUNTABILITY COMMITTEE (MPAC) (3/2/2)

The Council appointed the members of the Municipal Public Accountability Committee (MPAC) in accordance with Section 79A of the Structure Amendment Act (Act 3 of 2021). The MPAC considered the Amendment Framework and Working Programme respectively on 25 January 2022 and 11 March 2022 for submission to the Council.

RESOLUTION

(proposed by cllr E C O'Kennedy, seconded by cllr C Daniels)

- (a) That the Terms of Reference of the Municipal Public Accounts Committee (MPAC) be approved by Council;
- (b) That the MPAC Work Program be approved by Council to be incorporated in the meeting/activity schedule of Council.

8.9 RE-DEMARCATION OF MUNICIPAL BOUNDARIES (15/1/1; 17/17/1/1)

A circular 1/2021 was received from the Municipal Demarcation Board in which it was noted that the re-demarcation process of municipal boundaries would be carried out after the Local Elections in November 2021.

RESOLUTION

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

- (a) That note 1 of Circular 1/2021 be received from the Municipal Demarcation Board and of the period for submitting proposals, namely from November 2021 to 31 March 2022;
- (b) That, due to the comprehensive nature of the motivation report to be submitted to the Demarcation Board regarding the demarcation of boundaries, including the consultation process, no proposals will be submitted at this stage;
- (c) That a working group consisting of the members of the Portfolio Committee: Municipal Management, Administration and Finance and relevant officials be constituted to investigate possible areas for the inclusion or exclusion at the Swartland municipal boundaries for recommendation to the Council and future submission to the Municipal Demarcation Board.

8.10 RESULTS OF THE ELECTION OF WARD COMMITTEES AND RELATED MATTERS (3/4/4/B)

On 16 November 2021 the Council decided to establish ward committees in accordance with Section 72 of the Local Government: Municipal Structures Act (Act 117 of 1998).

The election meetings in the various wards were successfully carried out and there are still 26 vacancies which must be filled by means of co-option.

RESOLUTION

(proposed by cllr A K Warnick, seconded by cllr R J Jooste)

- (a) That cognisance be taken that the process to establish ward committees is concluded and that the remaining vacancies, 26 in total, will be filled through co-optation as soon as possible;
- (b) That cognisance be taken that an induction session for ward councillors and ward committee members will be held in the Town Hall, Malmesbury on Saturday, 9 April 2022 at 08:45;
- (c) That, considering the survey amongst municipalities in the West Coast and others, the remuneration of ward committees be approved by Council as follows:
 - (i) the payment of an attendance fee of R500,00/meeting and R3,50/km if traveling more than 10 km to the meeting;
 - (ii) the payment of an additional attendance fee of R250,00/meeting and R3,50/km if traveling further than 10km to the venue for the attendance of block meetings and where the ward committee member is a representative of council, subject to the submission of the necessary evidence;
- (d) That the two (2) members of the sub-committee of Ward 4 be remunerated on the same basis as in paragraph (b) as a once-off arrangement and that the remuneration of any other member of a sub-committee shall in future be considered on merit;
- (e) That the allocation of councillors as determined by paragraph 20 of the Rules and Procedures of Ward Committees be considered by the Speaker, in collaboration with ward councillors at a later stage, in order to assist the ward councillor in ensuring fully functional ward committees.

8.11 WATER SERVICES SERVICE DELIVERY AGREEMENT: FIFTH AMENDMENT (K11/Vol 5)

In accordance with a Section 78 the West Coast District Municipality was appointed as the Water Services Supplier to the relevant B municipalities.

The extension to the existing Service Delivery Agreement with the West Coast District Municipality is the fifth addendum of the original agreement.

RESOLUTION

(proposed by ald T van Essen, seconded by cllr C Daniels)

- (a) That approval be granted for the existing Service Delivery Agreement with the West Coast District Municipality, Swartland, Bergrivier and Saldanha Bay Municipalities, to be extended for a further term of three years, with effect from 1 July 2022 until 30 June 2025;
- (b) That the Municipal Manager be authorized to sign the Fifth Addendum to the Service Delivery Agreement.

8.12 MOTION RECEIVED FROM GOOD: SUBDIVISION AND ALIENATION OF ERF 12421, MALMESBURY (3/2/2)

The Speaker granted cllr J R Papier, the mover of the motion, an opportunity to explain the motion, in response to which cllr G Vermeulen of the VF+ argued in support of the motion of GOOD, being that a forensic investigation into the relevant transaction be undertaken.

Cllr D G Bess, on behalf of the DA, questioned the motives of GOOD and cllr Papier in the latter's failure to ascertain himself with the correct facts before the press release. Cllr Bess provided background on the resolutions that preceded the transactions with the ACVV and elaborated on the policy aspects, as well as the constitutional objectives, that were taken into account by the former Council to sell the land in question at a subsidised price, which aspects would be taken into account regardless of the institution that would apply for it.

Cllr D G Bess further referred to the conditions of sale, in terms of which - among other things - the property will revert back to the Council if it is not used as a school at any stage in the future. She further elaborated on the growth of the school, which currently accommodates 154 English-speaking pupils in the Swartland, and praises the former Council for their visionary decision to invest in children's education.

The Speaker brought the matter to a vote and 14 votes (in the absence of one councillor) are cast in favor of the motion being rejected. With regard to a subsequent request from the ANC for an opportunity to caucus, the Speaker ruled that it not be granted, because the voting process has already begun. The voting process was completed with 14 votes in favor of the proposal, two votes against and six councillors abstaining.

RESOLUTION

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

- (a) That the motion, as filed by rdl J R Paper of GOOD, be rejected;
- (b) That the Council does not consider it necessary to order a forensic investigation into the matter, given that a case has already been lodged with the Hawks.

Following the item, the Speaker points out that he reserves the right to investigate the actions of cllr Papier under the Code of Conduct for Council, as beforementioned failure to ascertain the correct information before his press release potentially indicates that he compromised the credibility and integrity of the Municipality.

**SIGNED
SPEAKER**