



**MINUTES OF A SPECIAL MEETING OF THE SWARTLAND MUNICIPAL COUNCIL HELD IN THE TOWN HALL, MALMESBURY ON THURSDAY, 30 NOVEMBER 2023 AT 10:00**

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**PRESENT:**

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

**COUNCILLORS:**

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

Officials:

Municipal Manager, Mr J J Scholtz  
Director: Protection Services, Mr P A C Humphreys  
Director: Electrical Services, Mr T Möller  
Director: Financial Services, Mr M A C Bolton  
Director: Corporate Services, Ms M S Terblanche  
Director: Development Services, Ms J S Krieger  
Manager: Secretarial and Record Services, Ms N Brand

**1. OPENING**

The Speaker welcomed the Executive Mayor, alderdames, aldermen, councillors, officials and members of the public.

Clr N Smit opened the meeting with a scripture reading and prayer at the request of the Speaker.

Condolences were offered to Mr R du Toit (former Director: Electrical Engineering Services) on the passing of his wife.

**2. APOLOGIES**

**COGNISANCE BE TAKEN** of the apologies received from cllrs C Daniels and A K Warnick.

**RESOLUTION** that note is taken that cllr M Gaika is absent without an apology.

**3. MATTERS FOR DISCUSSION**

3.1/...

### 3.1 ELECTION OF NEW COUNCILLOR: MR A M WILLIAMS (17/17/3/2/4; 3/1/7)

The Speaker allowed Cllr A M Williams to take the Oath of Allegiance.

Cllr A M Williams was elected to the Swartland Municipal Council through a by-election in Ward 7 on 8 November 2023, and confirmation was received from the Independent Electoral Commission.

#### RESOLUTION

(proposed by Cllr E C O'Kennedy, seconded by Cllr J H Cleophas)

- (a) That it be noted that Cllr A M Williams was elected as ward councillor of Ward 7 during the by-election that was held on 8 November 2023;
- (b) That it be noted that the appointment of Cllr A M Williams on the municipal council is therefore effective as from 8 November 2023;
- (c) That Cllr A M Williams be appointed to the following committees of Council as representative of the DA:
  - (i) Portfolio Committee: Civil and Electrical Services
  - (ii) Portfolio Committee: Protection Services
  - (iii) Swartland Traffic- and Law Enforcement Services: Supervisory Committee

### 3.2 APPROVAL OF THE 2023/2024 SPECIAL ADJUSTMENTS OPERATING BUDGET (5/1/1/1, 5/1/1/2-2023/24)

Section 28 of the Local Government: Municipal Financial Management Act, Act 56 of 2003 stipulates the circumstances for the consideration of a Adjustment Budget.

The Municipal Manager provided background to the funding to be included in the budget by way of a Special Adjustment Operating Budget, namely

- R500 000 as emergency expenditure approved by the Executive Mayor for the fire disaster in Malmesbury on 8 October 2023 where 54 adults and 29 children were left homeless;
- R680 000 as Municipal Electricity Resilience Grant to carry out a study regarding the cost of supplying electricity.

The Director: Financial Services confirmed that the MFMA determines that if funding are received it must be taken up in the budget within 60 days.

The Speaker brought the matter to the vote and approval for the Adjustment Operating Budget was decided (in the absence of three councillor) with 17 votes in favour thereof, and three councillors abstaining.

#### RESOLUTION

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

- (a) That it be noted that the Budget Steering Committee convened to consider the explanations and motivations provided by the financial and other key directors in a bid to advise the Executive Mayor on way forward;
- (b) That the emergency expenditure to the tune of R 500 000 approved in-principle by the Executive Mayor as unforeseen and unavoidable, be approved as appropriated per the detail provided in **Annexure A**;
- (c) That approval be granted to amend the high-level operating budget for 2023/2024 with no amendments to the outer years as follows:

Table/...

3.2/(c)...

	Original Budget 2023/24	Roll-Over Adj Budget 2023/24	Special Adj Budget 2023/24	Original Budget 2024/25	Original Budget 2025/26
Capital budget	209 052 395	240 803 827	240 803 827	218 968 545	208 303 329
Operating Expenditure	1 071 330 062	1 072 205 062	1 073 385 062	1 174 132 994	1 371 930 505
Operating Revenue	1 192 485 181	1 221 543 458	1 222 223 458	1 311 049 716	1 489 696 468
<b>Budgeted (Surplus)/ Deficit</b>	<b>(121 155 119)</b>	<b>(149 338 396)</b>	<b>(148 838 396)</b>	<b>(136 916 722)</b>	<b>(117 765 963)</b>
Less: Capital Grants and Donations	107 386 943	135 980 220	135 980 220	115 594 000	91 660 000
<b>(Surplus)/ Deficit</b>	<b>(13 768 176)</b>	<b>(13 358 176)</b>	<b>(12 858 176)</b>	<b>(21 322 722)</b>	<b>(26 105 963)</b>

- (d) That it be noted that the changes to the budget will have no impact on tariffs in respect of the 2023/2024 financial year or beyond, whilst the budgeted net surplus of R 13 358 176 will change to R 12 858 176;
- (e) That the adjusted budget schedules as required by the Budget and Reporting Regulations be approved as set out in **(Annexure B: Budget Report and A-Schedules 2023/24 – 2025/26)**;
- (f) 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;
- (g) That the Service Delivery Budget Implementation Plan (SDBIP) where appropriate be amended accordingly.

### 3.3 CONTRACT AMENDMENT: DARLING GREEN UTILITY SOLAR PV PLANT

The Council was informed on 26 October 2023 of the intention to amend the agreement with Darling Green Utility (Pty) Ltd for installing a solar PV plant to extend the compliance deadline until 30 October 2024, subject to a public participation process.

A total of 12 comments were received on the Council's intention, and all are in favour of amending the agreement.

#### RESOLUTION

(proposal by Cllr T van Essen, seconded by Cllr R Jooste)

- (a) That notice is taken of the public participation process that was followed and the input/comments that were received;
- (b) That Council grant approval for the amendment of the agreement with Darling Green Utility (Pty) Ltd to comply with all the approval conditions by 30 October 2024;
- (c) That the Municipal Manager be empowered to sign the amended agreement on behalf of the Municipality.

**SIGNED:  
SPEAKER**