



MINUTES OF A MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE BANQUETING HALL, MALMESBURY ON WEDNESDAY, 16 AUGUST 2023 AT 10:00

PRESENT:

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

Members of the Mayor's Committee:

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

Other councillors:

Ald M A Rangasamy (Speaker)

Officials:

Municipal Manager, mr J J Scholtz
Director: Civil Engineering Services, mr L D Zikmann
Director: Electrical Engineering Services, mr T Möller
Director: Protection Services, mr P A C Humphreys
Director: Development Services, ms J S Krieger
Director: Corporate Services, ms M S Terblanche
Manager: Strategic Services, ms O Fransman
Manager: Secretarial and Record Services, ms N Brand

1. OPENING

The Executive Mayor welcomed all present and requested clr N Smit to open the meeting with a scripture reading and prayer.

The Executive Mayor expressed his sympathy to the Speaker on the death of his brother-in-law.

2. APOLOGIES

That note is taken of the apology received from the Director: Financial Services.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None.

4. MINUTES

4.1 MINUTES OF AN ORDINARY EXECUTIVE MAYOR'S COMMITTEE MEETING HELD ON 19 JULY 2023

RESOLUTION

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

That the minutes of an Ordinary Executive Mayor's Committee Meeting held on 19 July 2023 are approved and signed by the Mayor.

4.2 MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 8 AUGUST 2023
[Corrections held over as the prerogative of the various committees]

5. CONSIDERATION OF THE RECOMMENDATIONS AND MATTERS ARISING FROM THE MINUTES

5.1 MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 8 AUGUST 2023

5.1.1 MUNICIPAL MANAGER, ADMINISTRATION AND FINANCES

RESOLUTION that the Executive Mayor ratifies the recommendations in the relevant minutes.

5.1.2 CIVIL AND ELECTRICAL SERVICES

RESOLUTION that the Executive Mayor ratifies the recommendations in the relevant minutes.

5.1.3 DEVELOPMENT SERVICES

RESOLUTION that the Executive Mayor ratifies the recommendations in the relevant minutes.

5.1.4 PROTECTION SERVICES

RESOLUTION that the Executive Mayor ratifies the recommendations in the relevant minutes.

6. MATTERS ARISING FROM THE MINUTES

None.

7. NEW MATTERS

7.1 APPROVAL OF THE IDP AND BUDGET TIME SCHEDULE (2/1/4/4/1)

In accordance with section 21(1)(b) of the Municipal Financial Management Act, Act 56 of 2003 (MFMA) the mayor must submit a time schedule to the Council, including key deadlines in respect of the revision of the Integrated Development Plan (IDP) and budgetting process, at least ten months before the beginning of the budgetting process.

RESOLUTION (for submission to the Council on 24 August 2023)
(proposed by clr N Smit, seconded by clr J M de Beer)

That the attached IDP / Budget time schedule be recommended for approval by Council.

7.2 ATTENDANCE AT SALGA NATIONAL MEMBERS' CONFERENCE (11/1/1/24)

SALGA'S National Office notified members in respect of the formal sitting of SALGA'S National Members' Conference which will take place from 4 to 6 September 2023 at the Birchwood Hotel and OR Tambo Conference Centre, Boksburg, Ekurhuleni.

Matters, inter alia, which will be discussed:

- Annual Report, including the financial statements in respect of the 2022/2023 financial year;
- SALGA'S action and performance plans for the 2023/2024 financial year;
- Proposals in respect of the performance plan and budget for the 2024/2025 financial year;
- Key policy and legislative matters which have an impact on local government;
- Reports from the various working groups, etc.

7.2/...

RESOLUTION

(proposed by clr D G Bess, seconded by ald T van Essen)

- (a) That the delegation to attend the SALGA National Members Assembly be limited to three delegates;
- (b) That the Speaker, clr M A Rangasamy as well as councillors N Smit and A K Warnick be appointed to represent the Swartland Municipality;
- (c) That the Speaker be mandated to vote on behalf of the Municipality;
- (d) That the expenses related to the attendance of the assembly, be paid from the applicable vote numbers, i.e. 9/204-329-2329 (Delegations and Congresses) and 9/204-1209-2391 (Travel and Subsistence: Accommodation).

7.3 APPROVAL OF THE HUMAN RESOURCES STRATEGY AND PLAN FOR 2023 TO 2028 (2/B)

The Human Resources Department's vision and mission statement is in line with the Municipality's aims in order to offer a supporting function and necessary guidelines in order to further effectiveness.

Human resources is the most important and most expensive resource for the Municipality and ensures the implementation of the Human Resources Strategy and Plan, which utilises this resource optimally.

RESOLUTION

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

That the attached Human Resource Management Strategy and HR Plan for the period 1 July 2023 to 20 June 2028 be approved in line with the period of the Integrated Development Plan.

7.4 APPROVAL OF THE RECRUITING AND SELECTION STRATEGY (4/3/B)

The latest personnel regulations stipulate that all vacant funded posts in the organization's structure must be filled within six months of the post becoming vacant.

The Recruiting and Selection Strategy contains guidelines for filling the vacant posts within the timeframe, not only to comply with the law, but also to ensure continued service delivery with a skilled and qualified workforce.

RESOLUTION

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

That the attached Recruitment and Selection Strategy be approved for implementation with effect from 1 July 2023.

7.5 APPROVAL OF THE EQUAL EMPLOYMENT PLAN FOR THE PERIOD 1 JULY 2023 TO 30 JUNE 2028 (4/9/1/2/B)

The process to revise the Equal Employment Plan began in March 2023 and on 28 July 2023 SAMWU confirmed their support.

The Equal Employment Plan for the period 1 July 2023 to 30 June 2028 was circulated with the agenda and contains the results of the revision of the relevant policies and practices in order to show up any gaps in the existing labour profile and in order to implement the necessary affirmative actions.

RESOLUTION

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

That the attached Employment Equity Plan for the period 1 July 2023 to 30 June 2028 be approved for implementation with effect from 1 July 2023.

7.6 TEMPORARY USE OF MUNICIPAL PROPERTY (PORTION ERF 8105) BY RIVERLANDS PRIMARY SCHOOL (12/2/4-8/4)

The increasing learner numbers at Riverlands Primary School necessitated extensions and mobile classrooms were erected on the school property. Provision has also been made for Grade R education.

The available play and parking areas have been compromised by the extensions and the limited play areas have led to many underlying problems between the learners. A request has been received from the Governing Body to use the adjacent land for these purposes.

RESOLUTION

(proposed by ald T van Essen, seconded by clr D G Bess)

- (a) That approval be granted to Riverlands Primary School for the use of a portion of erf 8105 (665m² in extent), commencing on 1 September 2023, subject to the following conditions:
- No construction may take place on the property;
 - The school shall be responsible for the costs of fencing and maintenance thereof;
 - The Municipality to waive the approval at any stage, without any liability for compensation in respect of fencing or other improvements on the property;
- (b) That the land be made available free of charge to the school, taking into consideration that the Municipality will be alleviated from the responsibility to maintain and safeguard the land;
- (c) That the Director: Corporate Services be mandated to determine further terms and conditions as deemed necessary.

7.7 LEASE: RIEBEEK VALLEY MUSEUM (12/1/3/1-8/1)

The Council has leased the buildings on erf 369, Main Road, Riebeek Kasteel since 2013 for purposes of a museum.

RESOLUTION

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

- (a) That a lease agreement be entered into with the Malmesbury Museum for the lease of the facilities at Erf 369, Riebeek Kasteel, for a period of 36 months, with effect from 1 September 2023;
- (b) That a lease tariff of R120.00 plus VAT, per annum be approved;
- (c) That the current conditions of lease remain applicable.

7.8 LEASE: DARLING MUSEUM (12/1/3/1-8/1)

For many years the Darling Museum has occupied the municipal building on erf 175, 20 Hill Street, Darling for the operation of a museum and cultural centre. The purpose of the report is to conclude a formal rental agreement between Swartland Municipality and Darling Museum.

RESOLUTION

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

- (a) That a lease agreement be entered into with the Darling Museum for the lease of the facilities at Erf 175, Darling, for a period of 36 months, with effect from 1 September 2023;
- (b) That a lease tariff of R120.00 plus VAT, per annum be approved;

7.8/...

- (c) That the conditions of lease as applicable to other museums that operate from municipal buildings, shall apply.

7.9 LEASE OF MUNICIPAL COMMONAGE IN MALMESBURY TO SWARTLAND VOORTREKKERS (12/2/4-8/4)

The Council leases a portion of municipal commonage, ±2082 m², situated over the road from the Swartland High School in Malmesbury, to the Swartland Voortrekkers.

The purpose thereof is solely for use by the lessee for the normal educational activities of the Voortrekkers.

The lease agreement expires on 31 August 2023.

RESOLUTION

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

- (a) That a lease agreement be entered into with the Swartland Voortrekkers for the lease of a portion of the commonage (±2082m² in extent), for a period of one (1) year, commencing on 1 September 2023;
- (b) That the rental be determined at R120.00 plus VAT, per annum;
- (c) That the current conditions of lease remain applicable.

7.10 REPORT IN RESPECT OF COMMUNITY DEVELOPMENT PROJECTS 2022/2023: OUTCOMES AND IMPACT (17/2/2)

The Division: Community Development must report annually on the outcomes and impact of community development projects in accordance with the Swartland Municipal Social Development Policy and Strategy.

The report contains the outcomes and impact of projects offered during the 2022/2023 financial year.

RESOLUTION

- (a) That cognizance be taken of the outcomes and impacts measured of the Community Development projects of 2022-2023;
- (b) That the Community Development Division report yearly by August on the outcome and impact of community development projects of the previous financial year.

7.11 IMPLEMENTATION OF 60 MINUTE PARKING: HUGENOTE STREET, MALMESBURY (BETWEEN LANG AND SAREL CILLIERS STREETS (17/6/1/4)

The Municipality has received several requests from business owners in Huguenote Street to introduce a 60 minute parking restriction in order to ensure enough parking for their clients.

The request was advertised in accordance with the National Road Traffic Act, Act 93 of 1996, in order to allow for public input. A total of nine comments were received by the deadline, of which seven were in favour of the introduction of restricted parking.

RESOLUTION

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

- (a) That cognizance be taken of the public participation process followed to obtain the input from the broader business community regarding the proposed implementation of a 60 minute parking restriction in Huguenote Street, between Lang Street and Sarel Cilliers Street;

(b)/...

- (b) That the 60-minute parking restriction be approved, as per the local authority's power to do so in terms of Section 57 (3) (a) of the National Road Traffic Act, Act 93 of 1996, provided that it be implemented in phases as follows to determine the impact of the restriction:
- Phase 1 – between Sarel Cilliers Street and Truter Street;
 - Phase 2 – between Truter Street and Lang Street;
- (c) That, during the first month of implementation, after the necessary road signs are erected, fines will not be issued, but only notifications given informing road users of the 60 minutes parking restriction;
- (d) That the relevant business owners are requested to inform their clients of the parking restriction.

7.12 OUTSTANDING DEBTORS: JULY 2023 (5/7/1/1)

A complete list of outstanding debtors was circulated with the agenda.

RESOLUTION

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

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

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

RESOLUTION

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

7.14 CONDITION OF UPGRADED ROADS IN THE SWARTLAND MUNICIPAL AREA (16/5/1)

This item was withdrawn.

7.15 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURE: URGENT REPAIRS TO THE PERMEATE PUMP SYSTEM, NO 3 AT MALMESBURY WWTW (8/1/B/2)

The Malmesbury WWTW is equipped with membrane technology and permeate pumping systems are used in order to operate the flow of raw sewerage. One of the pumping systems failed and decreased the flow of sewerage by 25%. Urgent repairs were needed in order to operate the handling process and to prevent further damage to the membranes.

RESOLUTION

- (a) That the Executive Mayoral Committees take note of the deviation from the prescribed procurement procedures in terms of clause 36(2) of the Supply Chain Management Policy;
- (b) That further notice be taken of the action of the Municipal Manager to grant approval for the repairs to the permeate pump set, No 3 at the Malmesbury WWTW, by GW Trautmann amounting to R107 015.95 (VAT excluded);
- (c) That the reasons for the deviation from the prescribed procurement procedures are as follows:
- (i) if the normal processes were followed, the pumping system would be left out of action for some time;

7.15/(c)...

- (ii) the aforementioned would lead to an ineffective treatment process and unavoidable damage to the membrane that feeds the pump system;
 - (iii) the repairs at the Malmesbury WWTW were handled as an emergency;
- (d) That there are sufficient funds available and that the expenditure amounting to R107 015.95 (excluding VAT) is settled against post number 9/230-849-425;
- (e) That the Manager Financial Statements and Control be instructed to include the above mentioned reasons as a note to the financial statements.

7.16 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURE: URGENT REPAIRS TO *SUBMERCIBLE PUMP* AT THE ESTERHOF PUMP STATION, RIEBEEK KASTEEL (8/1/B/2)

The Esterhof Pumpstation is equipped with two pumping systems which transport raw sewerage from Riebeek West and Riebeek Kasteel to the Riebeek Kasteel WWTW. One of the pumping systems stopped working and resulted in the pumpstation being flooded with raw sewerage and urgent repairs were needed.

RESOLUTION

- (a) That the Executive Mayoral Committees take note of the deviation from the prescribed procurement procedures in terms of clause 36(2) of the Supply Chain Management Policy;
- (b) That further notice be taken of the action of the Municipal Manager to approve the repair of the pump at the Esterhof Pump station CEW for the amount of R 41,420.28 (excluding VAT);
- (c) That the reasons for the deviation from the prescribed procurement process be recorded as:
 - (i) The submersible pump would have been left out of service for an extended period of time while following due process;
 - (ii) This would have resulted in the flooding of the sewerage pump station and an interruption in the sewerage service;
 - (iii) The repair work to the pump had therefore to be handled as an emergency;
- (d) That it is noted that the expenditure amounting to R41 420.28 (excluding VAT) is settled against post number 9/240-849-381 and that there are sufficient funds available;
- (e) That the Manager Financial Statements and Control be instructed to include the above mentioned reasons as a note to the financial statements.

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