



**MINUTES OF A MEETING OF THE EXECUTIVE MAYORAL COMMITTEE HELD IN THE BANQUET HALL, MALMESBURY, ON TUESDAY, 21 MAY 2024 AT 10:00**

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**PRESENT:**

Executive Mayor, Ald J H Cleophas (chairperson)  
Executive Deputy Mayor, Cllr J M de Beer

Members of the Mayoral Committee:

Cllr D G Bess  
Cllr N Smit  
Ald T van Essen  
Cllr A K Warnick

Officials:

Municipal Manager, Mr J J Scholtz  
Director: Financial Services, Mr M A C Bolton  
Director: Civil Engineering Services, Mr L D Zikmann  
Director: Protection Services, Mr P A C Humphreys  
Director: Development Services, Ms J S Krieger  
Director: Corporate Services, Ms M S Terblanche  
Manager: Secretariat and Records Services, Ms N Brand

**1. OPENING**

The Chairperson welcomed members and asked the Municipal Manager to open the meeting with scripture reading and prayer.

**2. LEAVE OF ABSENCE**

That the apology received from the Speaker, Ald M A Rangasamy and the Director: Electrical Engineering Services, Mr T Möller, be noted.

**3. SUBMISSIONS/DEPOSITIONS/SPEAKING ENGAGEMENTS**

None.

**4. MINUTES**

**4.1 MINUTES OF AN ORDINARY EXECUTIVE MAYORAL COMMITTEE MEETING HELD ON 17 APRIL 2024**

**RESOLUTION**

(on the proposal of Cllr A K Warnick, seconded by Cllr Mr D G Bess)

That the Minutes of an Ordinary Executive Mayoral Committee Meeting held on 17 April 2024 be approved and signed by the Executive Mayor, subject to the following corrections:

ITEM 7.5: RENTAL OF FORMER COMMAND BUILDING AT MOORREESBURG (15/4/6)

Correcting the spelling of Imibala Trust (instead of Imibale Trust).

4.1/...

**RESOLUTION**

- (a) That note be taken that the lease agreement with Sinethemba in respect of the building located on parts of Erf 41 (instead of Erf 122) and Erf 43 at 6 Hoof Street, Moorreesburg...

**5. MATTERS ARISING FROM THE MINUTES**

None.

**6. MONTHLY REPORT: MARCH 2024**

[Note: The performance and financial information for Quarter 3 was included in the section 52 MFMA report to be submitted to the Council on 30 April 2024, hence the submission of only additional reports as applicable to the relevant directorates.]

**6.1 CIVIL ENGINEERING SERVICES (7/1/2/2-4)**

The Director: Civil Engineering Services mentioned that, although the dam level of the Voëlvlei Dam is more favorable than in previous years, the Elnino weather phenomenon may continue until July. The worrying effect of this is that the cold fronts pass and winter rains can only be expected in July.

Ald T van Essen expressed his concern that the foragers at the Highlands Landfill pose a threat to the workers and the public. It is requested that placing security guards at the landfill be considered.

**RESOLUTION**

(on the proposal of Ald T van of Essen, seconded by Cllr J M de Beer)

That note be taken of the contents of the monthly report of the Directorate: Civil Engineering Services in respect of March 2024.

**6.2 ELECTRICAL ENGINEERING SERVICES (7/1/2/2-6)**

Ald T van Essen mentioned that attention should be paid to the synchronisation of the traffic lights in Bokomo Way, as there are problems to connect to Bokomo Way. The above is further complicated by taxis and law-enforcement vehicles that ignore traffic lights.

Cllr J M de Beer asked if the request to Eskom to supply electricity to the Lynkamp in Kalbaskraal can be followed up, as the residents have no basic services and regular inquiries are received in this regard.

**RESOLUTION**

(on the proposal of Ald T van of Essen, seconded by Cllr J M de Beer)

That note be taken of the content of the monthly report of the Directorate: Electrical Engineering Services in respect of March 2024.

**6.3 DEVELOPMENT SERVICES (7/1/2/2-5)**

The Director: Development Services provided feedback on the progress of the respective housing projects, as contained in the monthly report.

Cllr J M de Beer mentioned that several inquiries are being received from the public regarding the progress of the 9 GAP houses in Abbotsdale. The Chairperson stated that it is unacceptable that there has been no progress for the past three years and that this must be urgently taken up with the Province.

The Director: Development Services mentioned, referring to the provision of basic services to the Lynkamp in Kalbaskraal, that the purchase of land for housing purposes in Kalbaskraal has been placed on the Housing Pipeline. The provision of basic services at Lynkamp will be integrated into the housing project.

6.3/...

Cllr De Beer mentioned that inquiries are being received regarding the progress of the transfer of the Nitrophaska houses in Iris and Tulip Streets.

Cllr De Beer stated that the illegal home shop in Alfa Street, across from the new RSEP park, needs to be addressed.

#### **RESOLUTION**

(on the proposal of Ald T van Essen, seconded by Cllr J M de Beer)

- (a) That note be taken of the contents of the monthly report of the Directorate: Development Services for March 2024;
- (b) That reporting regarding the progress of the following projects be done:
  - (i) Provision of basic services at the Lynkamp, Kalbaskraal;
  - (ii) Completion of construction of the 9 GAP houses in Abbotsdale;
  - (iii) Transfer of Nitrophoska houses in Iris and Tulip Streets;
  - (iv) Action against the illegal home shop in Alfa Street – opposite the new RSEP park.

### **6.4 PROTECTION SERVICES (7/1/2/2-3)**

#### **6.4.1 TRAFFIC AND LAW ENFORCEMENT SERVICE**

The monthly report is tabled and Cllr J M de Beer expressed her concern about the following matters:

- (1) Children on skateboards and the small modified bicycles (without brakes) that violate road rules;
- (2) Growth in the number of small farmers in Saamstaan;
- (3) Outbreak of foot-and-mouth disease in the Eastern Cape and possible spreading.

The Director: Protection Services referred to the campaigns at Spaza shops to identify products that are past their expiration date. However, law enforcement officers do not have the authority to confiscate the products.

#### **RESOLUTION**

(on the proposal of Ald T van Essen, seconded by Cllr J M de Beer)

- (a) That note be taken of the contents of the monthly report of the Traffic and Law Enforcement Services in respect of March 2024;
- (b) That, when campaigns are planned at the Spaza shops to identify expired products, the West Coast District Municipality's Health Inspectors are involved, as the latter have the authority to confiscate expired products.

#### **6.4.2 FIRE SERVICES**

The Director: Protection Services stated that the West Coast District Municipality has confirmed in writing that the status quo regarding the provision of fire services will be maintained, i.e., that the service will not be taken over.

#### **RESOLUTION**

(on the proposal of Ald T van Essen, seconded by Cllr J M de Beer)

That note be taken of the content of the monthly report of the Fire Services in respect of March 2024.

## **7. NEW MATTERS**

### **7.1 2024 AMENDED INTEGRATED DEVELOPMENT PLAN (2/1/4/4/1)**

The Integrated Development Plan (IDP)/...

7.1/...

The Integrated Development Plan (IDP) of a municipality serves as the main strategic plan dealing with the most critical development needs in the municipal area (external focus), as well as the most critical management needs of the organisation (internal focus).

The review of the IDP and associated process is governed by several legislative requirements, including, among others, modification of strategies, new statistics from STASSA and updated budget figures.

The amended IDP and Area Plans were circulated with the agenda.

**RESOLUTION** (for submission to the Council on 31 May 2024)  
(on the proposal of Cllr Mr N Smit, seconded by Cllr Mr D G Bess)

- (a) That the 2024 Amended Integrated Development Plan (IDP) for the Swartland municipal area, as well as the five Area Plans for 2024/2025, be recommended for approval by Council in terms of Chapter 5 of the Municipal Systems Act No 32 of 2000;
- (b) That the comments and inputs received during April 2024 (including the SIME comments) be dealt with in accordance with **ANNEXURES 2 and 3**;
- (c) That the legal process, as prescribed in the Municipal Systems Act No 32 of 2000, Municipal Finance Management Act No 56 of 2003 and the Municipal Budget and Reporting Regulations, 2009, be completed after approval of the IDP by Council.

**7.2 BUDGET STEERING COMMITTEE TECHNICAL RECOMMENDATIONS FOR THE MULTI YEAR CAPITAL AND OPERATING BUDGETS, FINAL BUDGET AND RELATED POLICIES, PROPERTY RATES, TARIFFS AND OTHER CHARGES FOR 2024/2025; 2025/2026 AND 2026/2027 (5/1/2/2)**

The Chairperson requested the Director: Financial Services to present the most important points from the report. The Director: Financial Services confirmed that a public participation process has been followed to receive input on the draft budget, draft rates and related policies by 30 April 2024. A Budget Steering Committee meeting was held on 16 May 2024 to, among other things, consider the input and to support the Executive Mayor in considering the impact of the input on the budget and rates.

The Director: Financial Services confirmed that no input/comment has been received on the proposed tax rate and rates, nor any input/comment necessitating an amendment of the budgets.

The Municipal Manager mentioned, with reference to section 23 of the MFMA, that despite the fact that no input/comment was received on the proposed tax rate, the Executive Mayor will recommend a 10% reduction in the rate to the Council to mitigate the impact of the new valuations.

**RESOLUTION** (for submission to the Council on 31 May 2024)  
(on the proposal of Cllr N Smit, seconded by Cllr T of Essen)

- (a) That consideration be given to the inputs received from the public with due regard to the technical considerations amplified at the Budget Steering Committee meeting of 16 May 2024, which dealt with the fact that both the operational and capital budgets are stretched to the limit as the Municipality placed emphasis on meeting urgent needs like basic services and housing and thereby demonstrating the Executive Mayor's dedication to enhancing the well-being of disadvantaged communities, without placing an additional burden on the paying public (**Annexure E, Inputs received on Draft Budget**);
- (b) That cognisance be taken of the inputs received from Provincial Treasury (SIME report) (**Annexure E, Inputs received on Draft Budget**);

7.2/...

- (c) 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: 2024/2025 – 2026/2027 Final Budget and Tariff File)** and consider same;
- (d) That council prior to approving the capital projects above R50 million as listed in **(Annexure B: 2024/2025 – 2026/2027 Capital Projects ito Sec 19)**, first consider the projected operational 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;
- (e) That council deemed it appropriate to consider the entire capital program excluding the 4 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;
- (f) That the future capital budgets from year 3 be limited to 17% of the operating budget (based on NT's norm for *Capital Expenditure to Total Expenditure* that is between 10% to 20%) because of the upward pressure it has on the operating budget and the affordability of tariffs;
- (g) 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	Final Budget 2024/2025	Final Budget 2025/2026	Final Budget 2026/2027
Capital Replacement Reserve (CRR)	R 93 535 241	R 115 676 861	R 116 891 897
External Loans	R 36 950 588	R 3 000 000	R -
Municipal Infrastructure Grant (MIG)	R 29 332 000	R 25 343 000	R 27 225 000
Integrated National Electrification Programme (INEP)	R 22 818 000	R 23 100 000	R 20 868 000
WCED (Private Funding)	R 19 033 109	R -	R -
Dept. of Infrastructure	R 174 289 166	R 49 520 000	R 33 000 000
Dept. Cultural Affairs and Sport	R 484 783	R -	R -
Community Safety Grant	R 34 783	R -	R -
<b>GRAND TOTAL</b>	<b>R 376 477 670</b>	<b>R 216 639 861</b>	<b>R 197 984 897</b>

- (h) That council approves the capital projects as part of its consolidated capital program as per **(Annexure A: 2024/2025 – 2026/2027 Final Budget and Tariff File)**;
- (i) That council in-principle approves the raising of an external loan to the amount of R40 million for the new 2024/25 MTREF for the partial financing of the following capital projects: 132/11kV Eskom Schoonspruit Substation (R29 million) and the Development of Highlands New Landfill site Cell (R10 million), by means of testing the market as envisaged by MFMA section 46, requesting tenders from the financial institutions;
- (j) That the final high-level multi-year Capital and Operating budgets in respect of the **2024/2025 – 2026/2027** financial years, be approved as final, in accordance with sections 16, 17 and 19 of the MFMA;

7.2(j)/...

	Original Budget 2023/24	Adjustments Budget 2023/24	Final Budget 2024/25	Final Budget 2025/26	Final Budget 2026/27
Capital budget	209 052 395	248 689 919	376 477 670	216 639 861	197 984 897
Operating Expenditure	1 071 330 062	1 071 352 206	1 189 045 715	1 434 463 775	1 584 420 812
Operating Revenue	1 192 485 181	1 252 422 713	1 458 996 892	1 535 862 828	1 666 597 277
<b>Budgeted (Surplus)/ Deficit</b>	<b>(121 155 119)</b>	<b>(181 070 507)</b>	<b>(269 951 177)</b>	<b>(101 399 053)</b>	<b>(82 176 465)</b>
Less: Capital Grants & Contributions	107 386 943	119 908 999	246 062 275	97 963 000	81 093 000
<b>(Surplus)/ Deficit</b>	<b>(13 768 176)</b>	<b>(61 161 508)</b>	<b>(23 888 902)</b>	<b>(3 436 053)</b>	<b>(1 083 465)</b>

- (k) 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 final property tax rates, exemptions and rebates on property reflected in the schedule below and in the property rates policy for the 2024/25 financial year with effect from 1 July 2024;

Category of property	Rate ratio	Rate determined for the relevant property category
Residential properties	1: 1	R0,005360
Business and Commercial properties	1: 1,6360	R0,008769
Industrial properties	1: 1,6360	R0,008769
Agricultural properties	1: 0,25	R0,001340
Mining properties	1: 1,6360	R0,008769
Public Service Infrastructure	1: 0,25	R0,001340
Properties owned by an organ of state and used for public service purposes	1: 1,6360	R0,008769
Public Benefit Organizations	1: 0	R0
Vacant properties	1: 1,4966	R0,008022
Municipal properties	1: 0	R0
Conservation Areas	1: 0	R0
Protected Areas	1: 0	R0
National Monuments	1: 0	R0
Informal Settlements	1: 0	R0

#### 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.

7.2/...

- (l) That council approve the final tariff structures and charges for water, refuse removal, sewerage and other sundry charges as set out in **(Annexure A: 2024/2025 – 2026/2027 Final Budget and Tariff File)**;
- (m) That council approve the electricity tariffs for the 2024/2025 financial year, based on the revenue requirement supported in the cost of supply study;
- (n) 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 2024/2025 – 2026/2027)**;
- (o) That the **amendments** to the budget and related policies as set out in **(Annexure D: Final Amendments to Budget & Related Policies 2024/2025)** hereto, be approved as final;
- (p) That Council takes note that the municipality's DORA allocations was reduced by R39.267 million over the new MTREF;
- (q) That the expansion of the fleet by means of adding a new 8-10 Seater Bus for the Reaction/LEAP unit, be restricted for usage only within the Swartland municipal boundary (WC015) due to council already financing R14 million of the operating cost over and above the grant allocation from 2022/2023;
- (r) That the training budget limited to **0,50%** of the salary budget for the 2024/2025 financial year be approved as final;
- (s) 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 **5.2%** for 2024/2025; **5%** for 2025/2026 and **5%** for the 2026/2027 financial years, excluding the increase in other benefits that are applicable and the annual 2.415% 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).
- (t) 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 **11%** from the current to the new financial year and the revenue streams with growth in revenue of **16.5% (7.1% 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 **6.3 months** for 2024/25, **5.3 months** for 2025/26 and **8.4 months** for the 2026/27 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 net operating surpluses are envisaged for 2024/25 to an amount of **R 23 888 902**, for 2025/26 an amount of **R 3 436 053** and for 2026/27 an amount of **R 1 083 465 (excluding capital grant income)**, which is well below the NT guideline of at least a surplus of 7.5%.
- (u) 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;
- (v) That Council take note that the budget was prepared in the new mSCOA Version 6.8 as required by National Treasury.

### 7.3 SWARTLAND MUNICIPALITY: DEVELOPMENT CHARGE POLICY (15/1/B)

The Municipal Manager mentioned that the determination of development contributions is supported by the Swartland Municipality: Development Charge Policy.

The report sets out the legislative framework from which the Policy takes shape and under which a municipality may levy fees to ensure the availability of services.

#### RESOLUTION

(on the proposal of Ald T van Essen, seconded by Cllr A K Warnick)

That the proposed Development Charge Policy be approved in terms of Section 93(2) of Swartland Municipality: Municipal Land Use Planning By-Law-2020 for the entire jurisdiction area of Swartland Municipality and comes into effect on 1 July 2024.

### 7.4 DETERMINATION OF DEVELOPMENT CHARGES FOR 2024/2025 (15/1/B)

Development charges are calculated as a pro-rata contribution to the actual capital costs of bulk and related infrastructure to provide a given development of engineering services.

Growth models and Master Plans of each service are used to determine future infrastructure requirements in order to meet future development needs.

In order to ensure the affordability of development grants for developers, it is necessary to consider a discount on them.

#### RESOLUTION (for submission to the Council on 31 May 2024)

(on the proposal of Ald T van Essen, seconded by Cllr A K Warnick)

- (a) The attached Development Charges for the 2024/2025 financial year be approved:
  - “Greenfields” Development Charges for bulk electricity – (Annexure “A”).
  - “Brownfields” Development Charges for electricity – Swartland Municipal Area (Annexure “B”).
  - Development Charges for water – (Annexure “C”).
  - Development Charges for sewerage - (Annexure “D”).
  - Development Charges for roads - (Annexure “E”).
- (b) A rebate of 55% be considered regarding development charges in respect of the 2024/2025 financial year as an incentive to promote development and attract investors;
- (c) Developers have to enter into an agreement with the Municipality regarding the payment of charges in terms of the existing policies;
- (d) Actual Cost of Development Charges will apply to all developments, as determined and calculated by the Directors of Infrastructure/Civil Engineering Services and Electrical Engineering Services;

### 7.5 RECOMMENDATION FOR THE ADOPTION OF THE CREDIT CONTROL AND DEBT COLLECTION BY-LAW (1/1; 1/1/3/16)

The draft By-law on Credit Control and Debt Collection was recommended to the Council by the Executive Mayor on 20 March 2024 in order to go through a public participation process.

No input/comment on the by-law was received by the deadline of 15 May 2024.

#### RESOLUTION (for submission to the Council on 31 May 2024)

(on the proposal of Cllr N Smit, seconded by Cllr J M de Beer)

- (a) That the Swartland Municipality: Credit Control and Debt Collection By-law be adopted by Council and promulgated in the Provincial Gazette to take effect on 1 July 2024;



7.5/...

- (b) That fines for offences of the by-law be determined by the Department of Justice.

## **7.6 AMENDMENTS TO THE PREFERENTIAL PROCUREMENT POLICY (8/1/B/1)**

The Preferential Procurement Policy has been revised on the basis of the new Preferential Procurement Regulations, 2022, which came into effect on 16 January 2023.

**RESOLUTION** (for submission to the Council on 31 May 2024)  
(on the proposal of Cllr N Smit, seconded by Cllr A K Warnick)

That the proposed amendments to the municipality's Preferential Procurement Policy, as presented in Appendix B, be approved by Council with immediate effect.

## **7.7 ADOPTION OF WARD ALLOCATION POLICY (3/4/4/B)**

The Municipal Manager mentioned that the policy was submitted to the Executive Mayoral Committee in November 2023 and it was decided to refer the policy back for further input/comment.

The Municipal Manager explained the changes made in accordance with the input/comment received. It is extremely important that proactive planning be carried out in order to include the projects in the budget, otherwise the funds will be forfeited.

The draft policy was circulated with the agenda.

### **RESOLUTION**

(on the proposal of Ald T van Essen, seconded by Cllr A K Warnick)

That the Ward Committee Allocation Policy be accepted for implementation from 1 July 2024 – that is for identifying projects for the 2025/2026 financial year.

## **7.8 NOTICE OF PUBLIC PARTICIPATION PROCESS FOR THE DRAFTING OF THE 2022-2027 WATER SERVICES DEVELOPMENT PLAN (16/1/1/8)**

The Director: Civil Engineering Services mentioned that the Department of Water Services has made amendments to the basis on which the Water Services Development Plan is to be drawn up in order to remain relevant in the planning to deliver water services in an effective, affordable, economic and sustainable manner.

The 2022–2027 Water Services Development Plan has been prepared under the new guidelines and is currently available for public input/comment. The complete set of documents is available from the Directorate: Civil Engineering Services.

### **RESOLUTION**

(on the proposal of Ald T van Essen, seconded by Cllr J M de Beer)

- (a) That cognisance be taken of the concept 2022–2027 Water Services Development Plan;
- (b) That cognisance be further taken that the concept Water Services Development Plan was made available to the public, The Department of Water and Sanitation and neighbouring municipalities for comments in accordance with legislative requirements;
- (c) That the document is available in soft copy on the website of the Municipality and in hard copy at the office of the Executive Mayor and the office of the Director: Civil Engineering Services.

## **7.9 SWARTLAND ECONOMIC DEVELOPMENT PLAN (2/1/4/5)**

The Swartland Economic Development Plan contains information that needs to be updated regularly, among others, the achievements of the Municipality and economic initiatives that guide and support development in the Swartland municipal area.

7.9/...

It is further important to look at National, Provincial and other initiatives that can serve as a framework within which the Municipality can develop its own implementation objectives.

The revised Swartland Economic Development Plan was circulated with the agenda.

**RESOLUTION**

(on the proposal of Cllr D G Bess, seconded by Cllr N Smit)

That the Swartland Economic Development Plan be approved.

**7.10 SWARTLAND MUNICIPALITY: POLICY REGARDING THE SUPPORT TO SMALL BUSINESSES (SMMES) (12/1/3/1-1/1)**

The Director: Development Services mentioned that the focused approach to supporting Small, Medium and Micro Enterprises (SMMEs) stems from the Integrated Development Plan, as it is seen as an important sector for economic growth and job creation.

The Department of Economic Development and Tourism (DEDAT) reached out to municipalities in 2023 to develop a policy outlining the role, function and responsibilities of municipalities towards small businesses.

The Director: Development Services mentioned that Swartland Municipality is one of the first to submit a policy. The draft policy was circulated with the agenda.

**RESOLUTION**

(on the proposal of Cllr D G Bess, seconded by Cllr N Smit)

That the attached Swartland Municipality: Policy regarding the Support to Small Businesses (SMMES) be approved.

**7.11 MUNICIPAL PLANNING DOCUMENT FOR PRELIMINARY SERVICES AND HUMAN SETTLEMENT ISSUES UNDER THE COUNCIL'S SETTLEMENT PLAN (17/4/2/B)**

The municipal planning document with specific housing projects and accompanying budgets for the short, medium and long term was drawn up in accordance with the Council's Settlement Plan. The planning document is provided to the Provincial Department of Infrastructure annually to enable the latter to provide a business plan to the National Department of Infrastructure.

The revised planning document for the 2024/2025 to 2026/2027 financial years, in line with the DORA allocation, was circulated with the agenda and was further clarified by the Director: Development Services.

**RESOLUTION**

(on the proposal of Cllr D G Bess, seconded by Cllr A K Warnick)

- (a) That the municipal planning document as tabled be adopted by the Executive Mayoral Committee;
- (b) That the proposed projects, only be a preliminary planning document and are subjected to the availability of funding, suitable land and bulk services within the relevant towns and should sufficient funding not be available the projects be moved to the following financial years;
- (c) That it be noted that in terms of De Hoop Phase 3 Housing Project (1021 erven) and Moorreesburg Housing Project (650 erven), the Municipality is in the process of procuring a qualified contractor and we envisage that the installation of civil services will commence during July 2024. Also note that this is subject to an appeal period of two weeks and a contractual handover phase.

### **7.12 APPOINTMENT OF TOWN MANAGER FOR DARLING (4/2/B)**

The function of Town Manager has been an established practice in Moorreesburg and Yzerfontein for years.

Due to a variety of operational and service delivery issues in Darling, the need arose to appoint a Town Manager for Darling.

#### **RESOLUTION**

(on the proposal of Cllr A K Warnick, seconded by Ald T van Essen)

- (a) That the Executive Mayoral Committee takes note of the intention to implement a Town Management function as soon as possible at Darling, similar to the successful Town Management functions at Moorreesburg and Yzerfontein;
- (b) That the Executive Mayoral Committee takes note that the recruitment process will provide the opportunity to a current permanent employee working and residing in Darling to offer his/her candidacy for the post and that the Town Manager allowance will be negotiated with the successful candidate, which might include the amendment and re-evaluation of the employee's current job description to include the additional duties;
- (c) That the amendment to the organisational structure will follow once the process has been finalised.

### **7.13 REVISION OF SYSTEM OF DELEGATIONS (2/5/1; 2/5/2)**

Section 59 of the Municipal Systems Act provides that a Council shall develop and maintain a System of Delegations which will optimise administrative and operational efficiency and provide for adequate checks and balances.

#### **RESOLUTION** (for submission to the Council on 31 May 2024)

(on the proposal of Cllr N Smit, seconded by Cllr J M de Beer)

- (a) That amendments to Council's System of Delegation (3<sup>rd</sup> Revision) be approved as follows:
  - as per Annexure C, with effect from 1 July 2024, to replace the delegations as per Annexure B; and
  - as per Annexure D, with immediate effect
- (b) That cognizance be taken of the amendments to the delegation systems of the Executive Mayor (as per Annexure A) and Chief Financial Officer (as per Annexures E and F, with effect from 1 July 2024) be noted;
- (c) That cognizance be taken that no amendments were effected to the Section 53 Role Demarcation of political structures, political office bearers and the Municipal Manager, which document forms part of the System of Delegation.

### **7.14 REVISION OF COMMUNICATION STRATEGY AND RELATED POLICIES (6/2/2/B)**

A review of the 2017–2022 Communication Strategy required the updating of related policies, as well as the preparation of a Corporate Identity Guide.

The Corporate Identity Guide will ensure that a consistent and reliable brand identity is established in all municipal communications by providing guidance to staff on how to use the Municipality's brand.

#### **RESOLUTION**

(on the proposal of Cllr J M de Beer, seconded by Cllr N Smit)

- (a) That the 2023-2027 Communication Strategy be approved as proposed with effect from 1 June 2024;
- (b) That the amended Communication Policy be approved with effect from 1 June 2024;

7.14/...

- (c) That the amended Social Media Policy be approved with effect from 1 June 2024;
- (d) That the Corporate Identity Guide be approved and implemented with effect from 1 June 2024.

**7.15 THE IMIBALA TRUST: USE OF FORMER 'KOMMANDOGEBOU' AT MOORREESBURG (15/4/6)**

On 17 April 2024, the Executive Mayoral Committee was informed that Sinethemba's lease for the use of the former Commando Building in Moorreesburg expires on 30 April 2024 and will not be renewed.

The Imibala Trust has expressed its interest in establishing a skills development centre for disadvantaged school-going youth in Moorreesburg and the Administration has been instructed to explore the future use of the Commando Building.

On 7 May 2024, a meeting was held with the Chief Executive Officer, Mr Theo Willemse, and other representatives of the Imibala Trust and there was an on-site inspection of the Commando Building.

**RESOLUTION**

(on the proposal of Cllr D G Bess, seconded by Cllr J M de Beer)

- (a) That cognisance be taken of the interest expressed by The Imibala Trust to establish a skills development centre for underprivileged school going youth in Moorreesburg and to operationalise such centre by January 2025;
- (b) That it be recommended to Council that the premises of the former Kommando Building be made available to The Imibala Trust under a notarial lease agreement to establish a youth development centre, for a period of twenty (20) years and at a nominal tariff, given the infrastructure investment to be made on the land by the Trust as well as the community benefit that the project brings to Moorreesburg and surrounding area;
- (c) That it shall inter alia be a condition of lease that the existing users of the premises are also to be accommodated at the centre.

**7.16 LEASING OF MUNICIPAL BUILDING (KNOWN AS THE OLD CARNEGIE LIBRARY), SITUATED ON ERF 123, CHURCH STREET, MOORREESBURG TO THE ACVV FOR OFFICE USE (12/1/3/1-9/1)**

An application was received from the ACVV Moorreesburg to lease the building at Erf 123, Moorreesburg (known as the old Carnegie Library), for use as office space for child protection services. The latter services are currently operated from Moorrees House, but the ACVV has indicated that the space is needed to establish an Alzheimer's unit.

The building at Erf 123, Moorreesburg, is currently used by the Law Enforcement Division, but there is sufficient office space at the Moorreesburg municipal office to relocate to there.

**RESOLUTION**

(on the proposal of Cllr J M de Beer, seconded by Cllr D G Bess)

- (a) That in terms of Regulation 34 of the Municipal Asset Transfer Regulations (MATR), read together with the Municipal Asset Transfer Policy (2014), approval be granted for the lease of the building situated on Erf 123, measuring approximately 991m<sup>2</sup> in extent, Church Street, Moorreesburg to the ACVV Moorreesburg at a rental amount of R120.00 (VAT excluded) per annum for a period of 3 (three) years commencing from 1 July 2024 until 30 June 2027, subject to the lessee being responsible for the payment of service connection fees as well as service consumption;
- (b) That the building only be utilised for office space in respect of rendering childcare protection services;

7.16/...

- (c) That in terms of paragraph 13 of the Municipal Asset Transfer Policy, approval be granted for the lease of the property by means of direct negotiations as the ACVV requires accommodation to render a much needed social service to the community of Moorreesburg.

**7.17 LEASING OF A PORTION OF ERF 409, LANG STREET, MOORREESBURG, TO THE WEST COAST DISTRICT MUNICIPALITY FOR PARKING PURPOSES (12/1/3/1-9/1)**

Since 2013, the West Coast District Municipality (WKDM) has leased a portion of Erf 409, Lang Street, Moorreesburg (large 1 234 m<sup>2</sup>), from the Council and has improved and fenced the portion involved for parking purposes.

An application was received from WCDM to lease an additional area (large 938 m<sup>2</sup>) for parking purposes. This section will not be fenced and will be available on weekends to the Moorreesburg Bowling Club/Lions Club who use the section as a parking lot on weekends.

**RESOLUTION**

(on the proposal of Cllr J M de Beer, seconded by Cllr N Smit)

- (a) That in terms of Regulation 34 of the Municipal Asset Transfer Regulations (MATR), read together with the Municipal Asset Transfer Policy (2014), approval be granted for the lease of a portion of Erf 409, measuring approximately 2 938m<sup>2</sup> in extent situated in Park Street, Moorreesburg to the West Coast Municipality for parking purposes at a rental amount of R2 938.00 (VAT excluded) per annum for a period of 3 (three) years commencing from 1 July 2024 until 30 June 2027;
- (b) That a portion of Erf 409 Moorreesburg measuring approximately 1704m<sup>2</sup> in extent, only be utilised for the development of an unfenced parking area, subject thereto that the property be accessible for the use of the parking area by the Moorreesburg Bowling Club/Lions Club operating from the adjacent property, Erf 3974 over weekends;
- (c) That the property be maintained by and at the cost of the lessee at all times;
- (d) That in terms of paragraph 12 of the Municipal Asset Transfer Policy, approval for the lease of the property be granted by way of direct negotiations, since the WCDM, being a government institution, will develop the property into a parking area to meet the parking needs of both the WCDM and the Moorreesburg Bowling Club/Lions Club.

**7.18 OFFICE ACCOMMODATION: ABBOTSDALE NEIGHBOURHOOD (12/1/3/1-1/1)**

The Abbotsdale Neighbourhood Watch is currently leasing one part of the structure at Erf 1217, located at Rosemary Street, Abbotsdale, and is keen to extend the lease for a further period.

**RESOLUTION**

(on the proposal of Cllr A K Warnick, seconded by Cllr J M de Beer)

- (a) That approval be granted for a lease agreement to be concluded with the Abbotsdale Neighbourhood Watch for the lease of one portion of the structure situated on erf 1217, Abbotsdale, for a further period of one (1) year with effect from 1 July 2024 at the amount of R120.00 per annum, VAT excluded, which amount shall be payable in advance;
- (b) That the current conditions of lease remain applicable, including that water and sewerage services be made available free of charge, considering that the neighbourhood watch renders a voluntary service to the community.

**7.19 LEASING OF PREFABRICATED STRUCTURE SITUATED ON ERF 213, DARLING WAY, ABBOTSDALE, TO THE ABBOTSDALE NETBALL CLUB FOR THE USE THEREOF AS A CHANGING ROOM (12/1/3/1-1/1)**

An application was received from the Abbotsdale Sport Forum, on behalf of the Abbotsdale Netball Club, to use the prefabricated structure, located on Erf 213, Darling Road, Abbotsdale, as a dressing room.

**RESOLUTION**

(on the proposal of Cllr J M de Beer, seconded by Cllr A K Warnick)

- (a) That, in terms of Regulation 34 of the Municipal Asset Transfer Regulations (MATR), read together with the Municipal Asset Transfer Policy (2014), approval be granted for the lease of the prefabricated structure situated on Erf 213, Darling Way, Abbotsdale to the Abbotsdale Netball Club at a rental amount of R120.00 (VAT excluded) per annum for a period of 3 (three) years commencing from 1 July 2024 until 30 June 2027;
- (b) That the prefabricated structure only be used by the Abbotsdale Netball Club as a changing room and for no other purpose;
- (c) That the club shall take responsibility for any improvements to the structure, as well as for the maintenance and cleaning of same for the duration of the lease;
- (d) That in terms of paragraph 13 of the Municipal Asset Transfer Policy, approval of the lease of the property be granted by way of direct negotiations, as the Abbotsdale Netball Club is a sport organisation that requires a facility to use as a changing room.

**7.20 DISPOSAL OF ERF 1308, ABBOTSDALE (TENDER L03/23/24)) (8/2/2/8)**

On 30 January 2024, the Council approved the alienation of Erf 1308, Abbotsdale, by way of a competitive process. The Council further authorised the Executive Mayoral Committee to consider the alienation after the tender process had been completed.

A tender was issued and three tenders were received, of which only two financial offers exceeded the reserve price. The tenders were considered during a Land Assessment Committee meeting held on 30 April 2024 for recommendation to the Executive Mayoral Committee.

**RESOLUTION**

(on the proposal of Cllr J M de Beer, seconded by Cllr D G Bess)

- (a) That cognizance be taken of the processes followed for Tender L03/23/24 (Sale of Erf 1308 Abbotsdale) to be awarded to SSJ Brothers Save (Pty) Ltd at the amount of R114 500.00 excluding VAT;
- (b) That the transfer of the asset (subject property) to SSJ Brothers Save (Pty) Ltd be approved, and the Agreement of Sale be signed by the Director: Corporate Services.

**7.21 LEASE OF CONTAINER TO THE KALBASKRAAL NEIGHBOURHOOD WATCH (12/1/3/1-6/1)**

A letter was received from the Kalbaskraal Community Forum applying for, on behalf of the Kalbaskraal Neighbourhood Watch (which is part of the forum), a container from which they can carry out their activities in Kalbaskraal.

The dilapidated cargo container formerly equipped for Ward 11's neighbourhood watch and moved to Jakaranda Street, Malmesbury, is suitable for use for neighbourhood watch purposes.

**RESOLUTION**

(on the proposal of Cllr J M de Beer, seconded by Cllr A K Warnick)

7.21/...

- (a) That approval be granted that the obsolete container in Jakaranda Street, Malmesbury (opposite the community clinic) be made available to the Kalbaskraal Neighbourhood Watch, and that a lease agreement be entered into for the lease of the structure concerned for a period of one (1) year at the amount of R120.00 per annum, VAT exclusive, which amount shall be payable in advance, with effect from a date after relocation of the container has taken place;
- (b) That the container be moved free of charge by the Municipality to the open portion of land in Rivier Street (adjacent to the bus terminus) in Kalbaskraal;
- (c) That the use of the container shall be subject to the Kalbaskraal Neighbourhood Watch accepting same without improvements, and without electricity and water connections.

#### **7.22 OUTSTANDING DEBT – APRIL 2024 (5/7/1/1)**

A full report of the status of outstanding debtors was circulated with the agenda.

##### **RESOLUTION**

That Council takes cognizance of the report with reference to the state of the outstanding debtors of Swartland Municipality for April 2024.

#### **7.23 PROGRESS WITH OUTSTANDING INSURANCE CLAIMS (5/14/3/5)**

The Asset Management Policy requires monthly reporting of outstanding insurance claims.

##### **RESOLUTION**

That cognizance be taken of the state of outstanding insurance claims up to and including 30 April 2024 as circulated with the agenda.

#### **7.24 INVENTORY STOCK TAKE - 2024 (6/1/1)**

The annual stock take is scheduled for 26 June 2024, and the nominated council members are invited to observe the stock take.

##### **RESOLUTION**

- (a) That Ald T van Essen and Cllr N Smit be designated for the stock taking and that cllr A K Warnick will be on standby if necessary;
- (b) That the designated councillors take note that the Assistant Stock Controller would like to start promptly at 09:00 with the stock taking at the main warehouse in Malmesbury.

#### **7.25 DEVIATION FROM THE PRESCRIBED PROCUREMENT PROCEDURES: APPOINTMENT OF SERVICE PROVIDER FOR THE SUPPLY AND INSTALLATION OF EQUIPMENT FOR THE BRAKE TESTING MACHINE AT THE MOORREESBURG TEST STATION (8/1/B/2)**

The brake testing machine at the Moorreesburg Test Station has become defective and the test station does not comply with the SANS standard and the necessary service delivery to the public cannot take place.

The Clifford brake testing machine was purchased from Fulcrum Technologies who is the sole supplier, developer and service agent of the machines as well as the maintenance of the software.

##### **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 not to invite further quotations but to approve the acceptance of the quotation for the appointment of Fulcrum Technologies for the supply and installation of equipment at the brake testing machine at Moorreesburg Vehicle Testing Station;
- (c) That the reasons for the deviation from the prescribed procurement process be recorded as follows:
  - (i) The Clifford brake testing machine was bought from and installed by Fulcrum Technologies.
  - (ii) Fulcrum Technologies is the manufacturer and supplier of Clifford devices and to maintain its software.
  - (iii) Fulcrum Technologies can calibrate and set these testing machines;
- (d) That the expenditure of R38 580.00 (Excl VAT) be allocated against mSCOA Code: 9/245-677-317 and that there is sufficient funding available;
- (e) That the Senior Manager: Financial Statements and Asset Management be instructed in terms of the Supply Channel Management Policy to include the above reasons as a note in the financial statements, when the relevant statements are drawn up.

**7.26 DEVIATION FROM THE PRESCRIBED PROCUREMENT PROCEDURES: REPAIRS TO COMPACTOR, CK 44823 (8/1/B/2)**

The UD 330 Quester compactor truck is used to deliver garbage removal services in Darling and Yzerfontein and it is essential that the truck be in working condition.

**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 cognisance be taken that in terms of paragraph 2(6)(g) of the Supply Chain Management Policy a formal tender process was not followed as Transtech is the support agent for Heil compactor bodies in the Western Cape;
- (c) That the expenditure of R153 810.93 (Excl VAT) be allocated against mSCOA Code: 9/4-60-5 and that there is sufficient funding available;
- (d) That the Senior Manager: Financial Statements and Asset Management be instructed in terms of the Supply Channel Management Policy to include the above reasons as a note in the financial statements, when the relevant statements are drawn up.

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