



**MINUTES OF A MEETING OF THE EXECUTIVE MAYORAL COMMITTEE HELD IN THE COUNCIL CHAMBER, MALMESBURY ON WEDNESDAY, 17 SEPTEMBER 2025 AT 10:00**

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**PRESENT:**

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

Members of the Mayoral Committee:

cllr D G Bess  
cllr N Smit  
cllr A K Warnick

Officials:

Municipal Manager, mr J J Scholtz  
Director: Financial Services, mr M Bolton  
Director: Civil Engineering Services, mr L D Zikmann  
Director: Electrical Engineering Services, mr T Möller  
Director: Protection Services, mr H Witbooi  
Director: Development Services, ms J S Krieger  
Director: Corporate Services, ms M S Terblanche  
Manager: Secretariate and Records Services, ms N Brand

**1. OPENING**

The Chairperson welcomed members and requested cllr D G Bess to open the meeting with prayer.

**2. LEAVE OF ABSENCE**

Apologies received from ald T van Essen and the Speaker, ald M A Rangasamy have been noted.

**3. PRESENTATIONS/DEPUTATIONS/SPEECHES**

None.

**4. MINUTES**

**4.1 MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYORAL COMMITTEE HELD ON 21 AUGUST 2025**

**RESOLUTION**

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

That the minutes of an Ordinary Executive Mayoral Committee meeting held on 21 August 2025 be approved and signed by the Executive Mayor, subject to the following correction:

ITEM 3.1: POSSIBLE IMPLEMENTATION OF AARTO IN THE SWARTLAND MUNICIPALITY

Paragraph 3.1(1): Provision of traffic services is an underfunded mandate...

## **5. CONSIDERATION OF RECOMMENDATIONS FROM THE MINUTES**

### **5.1 MINUTES OF THE PORTFOLIO COMMITTEE MEETINGS HELD ON 10 SEPTEMBER 2025**

#### **5.1.1 MUNICIPAL MANAGEMENT, ADMINISTRATION AND FINANCE (7/1/2/2-1)**

##### **RESOLUTION**

(proposed by ald J M de Beer, seconded by cllr A K Warnick)

That the Executive Mayor ratifies the recommendations in the relevant minutes.

#### **5.1.2 CIVIL AND ELECTRICAL SERVICES (7/1/2/2-4)**

##### **RESOLUTION**

(proposed by ald J M de Beer, seconded by cllr A K Warnick)

That the Executive Mayor ratifies the recommendations in the relevant minutes.

#### **5.1.3 DEVELOPMENT SERVICES (7/1/2/2-5)**

##### **RESOLUTION**

(proposed by ald J M de Beer, seconded by cllr A K Warnick)

That the Executive Mayor ratifies the recommendations in the relevant minutes.

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

##### **RESOLUTION**

(proposed by ald J M de Beer, seconded by cllr A K Warnick)

That the Executive Mayor ratifies the recommendations in the relevant minutes.

## **6. MATTERS ARISING FROM THE MINUTES**

None.

## **7. NEW MATTERS**

### **7.1 APPOINTMENT OF MEMBERS ON THE MUNICIPAL PLANNING TRIBUNAL (3/2/4)**

The Municipal Planning Tribunal was constituted in terms of Sections 36 and 37 of SPLUMA and consists of x2 external members and x3 internal members.

A vacancy as an external member, arose on the Municipal Planning Tribunal and nominations were requested from the public to appoint a person with the necessary expertise on the Municipal Planning Tribunal.

##### **RESOLUTION**

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

- (a) That the nomination of Mr Chris Rabie be excepted as external member to the Municipal Planning Tribunal;
- (b) That Christine Havenga as external member be re-appointed to the Municipal Planning Tribunal for a further term of 5 years;
- (c) That the conditions of appointment and remuneration remain at their status quo;
- (d) That it be noted that the Municipal Manager, the Director: Corporate Services and the Director: Development Services will continue as members of the Municipal Planning Tribunal;
- (e) That it be noted that the Municipal Manager is the chairperson with the Director: Corporate Services as the vice-chairperson;

7.1/...

- (f) That the appointment of members to the Municipal Planning Tribunal in terms of section 82(11)c of Swartland Municipality : Municipal Land Use Planning By-law (PN 8226 of 25 March 2020) be confirmed by the Municipal Manager in the Provincial Gazette.

## **7.2      TABLING OF MINUTES OF THE MUNICIPAL PERFORMANCE, RISK AND AUDIT COMMITTEE MEETING HELD ON 27 MAY 2025 (5/15/1/3)**

The Audit Committee serves as a fully-fledged independent committee of Council and fulfills its function in terms of the provisions of section 166 of the Local Government: Municipal Financial Management Act, No 56 of 2003.

The minutes of the Municipal Performance, Risk and Audit Committee meeting held on 27 May 2025 were circulated with the Agenda, and do not contain any recommendations to the Executive Mayoral Committee for consideration.

### **RESOLUTION**

- (a) That cognizance be taken of the minutes of the meeting of the Municipality's Performance, Risk and Audit Committee of 27 May 2025;
- (b) That it be noted that Ms S Jones has indicated that she will resign by the end of the year;
- (c) That it be further noted that no new member will be appointed in place of Ms Jones, as the Municipal Performance, Risk and Audit Committee still complies with the minimum requirements regarding the composition of the relevant committee.

## **7.3      HUMAN RESOURCES: REVIEW OF ESSENTIAL VEHICLE SCHEME CONTRACT (4/2/6)**

The Director: Corporate Services mentions that the Essential Vehicle Scheme has been reviewed in order to make the withdrawal of officials from the scheme practicably possible and to make the actions arising therefrom in line with the budget process.

The reviewed Essential Vehicle Scheme was circulated with the Agenda.

### **RESOLUTION**

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

That the Executive Mayoral Committee approve the amended Essential Vehicle Scheme contract for implementation with effect from 1 October 2025.

## **7.4      RENEWAL OF RENTAL OF BUILDING SITUATED ON A PORTION OF PORTION 3 OF FARM NO 771 (ROZENBURG FARM), MALMESBURY FROM JR TRUST FOR OFFICE ACCOMMODATION FOR THE MUNICIPAL LAW ENFORCEMENT REACTION UNIT (12/1/2-8/8)**

The renewal of the lease agreement with JR Trust regarding office accommodation for the Municipal Law Enforcement Response Unit on Rozenburg Farm was approved in May 2025 for the period 1 July 2025 to 30 June 2028.

The lessor requested that the Municipality cover the costs for the use of services (water and electricity) if it exceeds an amount of R2 400,00 per month.

### **RESOLUTION**

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

- (a) That approval be granted for the renewal of the rental agreement with JR Trust for the renting of a portion of Portion 3 of Farm No. 771 (Rozenburg Farm), measuring approximately 350m<sup>2</sup> in extent, for a further period of three years as from 01 July 2025 to 30 June 2028 as office accommodation for the Municipal Law Enforcement: Reaction Unit;

7.4/...

- (b) That a monthly rental of R16 500.00 (7% escalation per annum)(VAT excl.) including payment for service charges in respect of water and electricity consumption in excess of R2400.00 per month be payable to JR Trust, on condition that proof of the service accounts be submitted to the municipality, from vote number 9/233-1336-3418 (Rent offices: Reaction Unit);
- (c) That the existing conditions of lease remain unchanged.

#### **7.5 RENEWAL OF LEASE AGREEMENT: W DUCKITT & SONS CC: PORTION OF THE REMAINDER OF FARM 577/8, DARLING (15/4/6)**

The Municipality leases a portion (large  $\pm 300 \text{ m}^2$ ) of the farm, Oude Post, located in the vicinity of Darling on which a cable-free network station has been erected.

The extension of the lease agreement is essential for the continued provision of Information, Communication and Technology services in the relevant area.

##### **RESOLUTION**

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

- (a) That the renewal of the lease agreement with W Duckitt and Sons CC for the rental of a portion of Remainder of Portion 8 of the Farm Oude Post 577, measuring  $\pm 300 \text{ m}^2$  in extent for the continuous operating of its cable free network station be approved as follows:
  - (i) a lease agreement for the period 1 October 2025 until 30 September 2028 at a monthly rental amount of R2 610,62 plus VAT, including an annual escalation of 8%, as well as the option to renew the lease.

#### **7.6 OUTSTANDING DEBTORS: AUGUST 2025 (5/7/1/1)**

A full report of the state of outstanding debtors was circulated with the Agenda.

The Director: Financial Services mentions that during the next budget modelling, consideration will be given to increasing the limit to qualify as an indigent household, as the experience is that the income of many households is only a few rand above the limit. This will mean that more households can be assisted, rather than increasing the indigent subsidy.

##### **RESOLUTION**

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

That cognizance be taken of the report with reference to the state of the outstanding debtors of Swartland Municipality for August 2025.

#### **7.7 PROGRESS ON OUTSTANDING INSURANCE CLAIMS (5/14/3/5)**

In terms of the Asset Management Policy, a monthly report must be made regarding outstanding insurance claims.

##### **RESOLUTION**

That cognizance be taken of the state of outstanding insurance claims up to and including 31 August 2025 as circulated with the agenda.

#### **7.8 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: 20 000-HOUR SERVICE OF VOLVO WHEELED LOADER, CK 35769 (8/1/B/2)**

The backhoe (*Volvo Wheeled Loader*), CK 35769 was sent in to Babcock (agent of Volvo) for the vehicle's 20 000-hour service. The cost of the service is R38 005.05 (excluding VAT).

Resolution/...

7.8/...

**RESOLUTION**

(proposed by cllr A K Warnick, seconded by cllr J M de Beer)

- (a) That cognisance be taken of the deviation from the prescribed procurement procedures in terms of Section 36 of the Supply Chain Management Policy;
- (b) That cognisance be taken that the Municipal Manager has approved the 20 000 hour service for CK 35769 for the amount of R38 005.05 excluding VAT by Babcock Equipment;
- (c) That cognisance be taken that in terms of paragraph 2(6) (D) of the SCM Policy a formal tender process was not followed as Babcock Equipment is the original manufacturer support agent for Volvo machinery;
- (d) That it be noted that the expenditure was allocated to mSCOA Code: 9/7-12-2 and that there is sufficient funding available for the quoted amount of R 38 005.05 excluding VAT;
- (e) That the Senior Manager: Financial Statements and Asset Management be instructed to include the above reason as a note to the financial statements when compiled.

**7.9 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: URGENT REPAIR WORK TO A MIXER AT THE RIEBEEK KASTEEL WWTW (8/1/B/2)**

The treatment process at the Riebeek Kasteel WWTW consists of several zones where mechanical equipment ensures the flow of partially treated sewage through the zones. One of the mixers broke down.

**RESOLUTION**

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

- (a) That cognisance be taken of the deviation from the prescribed procurement procedures in terms of Section 36 of the Supply Chain Management Policy;
- (b) That cognisance be taken of the action of the Municipal Manager to approve the repair of the a mixer at the Riebeek Kasteel WWTW by GW Trautman for the amount of R 27,950.56 excluding VAT;
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
  - (i) The mixer would have been left out of service for an extended period of time while following due process;
  - (ii) This would have had the consequence of treatment process failure and further damages to other mechanical components;
  - (iii) The repair work to the mixer therefore had to be handled as an emergency;
- (d) That it be noted that the expenditure was allocated mSCOA Code: 9/239-851-689 and that there is sufficient funding available for the quoted amount of R 27,950.56 excluding VAT;
- (e) That the Senior Manager: Financial Statements and Asset Management be instructed to include the above reason as a note to the financial statements, when same are compiled.

**7.10 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: OUTBREAK OF AFRICAN SWINE FLU AMONG PIGS OF SMALL SCALE FARMERS (8/1/B/2)**

During July 2025, several cases of African Swine Flu were confirmed by Veterinary and Animal Health officials among the pigs of small scale farmers. The outbreak escalated rapidly, resulting in the deaths of numerous pigs and the mandatory eradication of infected or exposed animals to prevent further spreading.

The Director: Financial Services/...

7.10/...

The Director: Financial Services mentioned that more bills are expected and that the final costs will be presented to the Executive Mayoral Committee.

**RESOLUTION**

(proposed by ald J M de Beer, seconded by cllr A K Warnick)

- (a) That cognisance be taken of the deviation from the prescribed procurement procedures in terms of Section 36 of the Supply Chain Management Policy;
- (b) That cognisance be taken of the action of the Municipal Manager given the emergency situation, which necessitated the appointment of the SPCA on an emergency basis, and who is appropriately capacitated to deal with such emergencies as advised by the state veterinarian;
- (c) That the reasons for the deviation from the prescribed procurement process be recorded as: Service rendered from SPCA as an emergency;
- (d) That the expenditure of +/-R95 000.00 (Incl VAT) be allocated against mSCOA Code 9/233-988-2176 and sufficient funding is available;
- (e) That the Senior Manager: Financial Statements and Asset Management be instructed to include the above-mentioned reasons as a note to the financial statements.

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