



**MINUTES OF A MEETING OF THE EXECUTIVE MAYORAL COMMITTEE HELD IN THE COUNCIL CHAMBER, MALMESBURY ON WEDNESDAY, 18 JUNE 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  
Ald T van Essen  
Cllr A K Warnick

Officials:

Municipal Manager, mr J J Scholtz  
Director: Financial Services, mr M Bolton  
Director: Protection Services, mr P A C Humphreys  
Director: Civil Engineering Services, mr L D Zikmann  
Director: Development Services, ms J S Krieger  
Senior Manager: Information, Communication and Technological Services, mr J Pienaar  
Senior Manager: Human Resource Management, ms S de Jongh  
Senior Manager: Strategic Services, ms O Fransman  
Manager: Secretariat and Record Services, ms N Brand

**1. OPENING**

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

**2. APOLOGIES**

That note be taken of the apology received from the Speaker, ald M A Rangasamy.

**3. PRESENTATIONS / DEPUTATIONS / SPEECHES**

None.

**4. MINUTES**

**4.1 MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYORAL COMMITTEE HELD ON 21 MAY 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 May 2025 are approved and signed by the Executive Mayor.

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

**5.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING HELD ON 11 JUNE 2025**

Recommendations tabled for ratification

**5.1.1 MUNICIPAL MANAGEMENT, ADMINISTRATION AND FINANCE**

Resolution/...

## 5.1.1/...

**RESOLUTION**

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

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

**5.1.2 CIVIL AND ELECTRICAL SERVICES****RESOLUTION**

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

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

**5.1.3 DEVELOPMENT SERVICES****RESOLUTION**

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

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

**5.1.4 PROTECTION SERVICES****RESOLUTION**

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

That the Executive Mayor ratifies the recommendations in the relevant minutes, subject to the correction of the minutes as reported by the Municipal Manager.

**6. MATTERS ARISING FROM THE MINUTES**

None.

**7. NEW MATTERS****7.1 2025/2026 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) (2/4/2)**

Section 53 of the Local Government: Municipal Finance Management Act, Act 56 of 2003 (MFMA), determines that the Municipality's SDBIP must be approved by the Executive Mayor within 28 days after approval of the annual budget in May (i.e. on or before 25 June 2025).

The SDBIP serves as a tool for the management of the Municipality to achieve service delivery targets and spending on capital projects within the stipulated timeframes.

**RESOLUTION**

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

That the attached 2025/2026 Service Delivery and Budget Implementation Plan (SDBIP) be approved, as submitted to the Executive Mayor on June 11, 2025 for approval.

**7.2 SUBMISSION OF 2025/2026 PERFORMANCE AGREEMENTS AND PLANS (2/4/2)**

The Performance Agreements of the Municipal Manager and Directors must be entered into on an annual basis within one month after the commencement of the financial year in terms of section 57 of the Local Government: Municipal Systems Act, Act 32 of 2000 and serve as a substitute addendum to the appointment contracts.

**RESOLUTION**

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

That the performance agreements and plans of the Municipal Manager and directors for the 2025/2026 financial year be noted, as submitted to the Executive Mayor on June 11, 2025 for approval.

### **7.3 CONDITION OF PAVED SURFACES OF RESIDENTIAL STREETS IN THE SWARTLAND MUNICIPALITY (16/5/5/1)**

Strategic Objective 3 of the IDP – Quality and reliable services – specifically refers to the maintenance and upgrading of the existing condition of tarred/paved streets in the municipal area. Paved streets require specific maintenance interventions to maintain functionality. Failure to implement scheduled maintenance and resealing will result in an increase in pothole formation and degradation of the base layer of the street.

The Director: Civil Engineering Services emphasises the importance of a sustainable maintenance program in order to maintain the condition of paved residential streets.

Ald T van Essen supports the maintenance of residential streets and requests that sufficient funds are budgeted for it.

#### **RESOLUTION**

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

- (a) That the status quo report for 2024/2025 regarding the condition of paved residential streets in the Swartland municipal area be noted;
- (b) That serious consideration be given to the need during the budget process, subject to the financial sustainability of the Council.

### **7.4 INVESTIGATION INTO THE FINANCIAL VIABILITY OF A MUNICIPAL COURT (17/5/B)**

[The item is withdrawn].

### **7.5 SWARTLAND ICT AND CONNECTIVITY STRATEGY (6/2/3/1/B)**

The ICT Strategy and related policies must be reviewed on an annual basis to keep up with technological progress. With the revision, the need for the Connectivity Plan identified, among other things, is to incorporate the Smart City concepts.

#### **RESOLUTION**

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

- (a) That approval be granted for the inclusion of the Connectivity Plan in the ICT Strategy and that the content of the strategy be supported;
- (b) That the updating of the ICT Strategy be supported to align it with the Local Government Circular regarding the Policy for the Management of Information and Communication Technology Framework by 2026, which action will be set as a PMS indicator for the Senior Manager: ICT Services;
- (c) That the development of a budget guideline for the implementation of the ICT Strategy and Connectivity Plan in support of the municipal priorities and the Smart City concept be supported, subject to cost estimates, and sufficient funding during the budget process;
- (d) That the need for the aforementioned be made part of the budget needs.

### **7.6 SWARTLAND MUNICIPAL OCCUPATIONAL HEALTH AND SAFETY POLICY (H&S) (17/1/B)**

The Swartland Municipality acknowledges and accepts its responsibility to provide and maintain a safe and healthy working environment for all its employees, contractors and visitors at any of the Municipality's workplaces or public facilities.

To achieve the aforementioned, it is essential to have the relevant policy in place in terms of section 7 of the Occupational Health and Safety Act.

#### **RESOLUTION**

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

That the revised Occupational Health and Safety Policy as circulated with the agenda as Annexure A, be approved.

## 7.7 REPAIRS AND MAINTENANCE OF MUNICIPAL RENTAL STOCK: STANDARD OPERATING PROCEDURES (SOP) (17/2/B)

The proposed Standard Operating Procedures (SOP) for the repair and maintenance of Municipal Rental Inventory have been prepared in order to consider and address the effectiveness of reporting and settling of complaints received by tenants.

A discussion follows regarding some tenants who do not have the means of communication to report defects and complaints, as well as the role of the ward councillor. Furthermore, the responsibilities of tenants are discussed, among other things, to pay rent and report complaints themselves.

### RESOLUTION

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

- (a) That the proposed Standard Operating Procedures (SOP) regarding the Repair and Maintenance of Municipal Rental Stock be accepted, subject to the following amendments:

#### **Rental Stock Maintenance Request Process**

- **Reporting of Maintenance Issues:** Tenants can report maintenance issues via phone, email or a dedicated online platform, and only via the ward councillor (with the tenant's authorisation) if mentioned communication resources is not at the disposal of the tenant.

#### **Complaint Reporting Procedure**

- **Submission of Complaints:** Complaints to be **submitted only by the tenant** in writing, via email, or through a dedicated hotline, and only via the ward councillors (with the tenant's authorisation) if mentioned communication resources is not at the disposal of the tenant.
- (b) That it be noted that the Rental Housing Committee will meet on a quarterly basis and that an independent chairperson, who is not the ward councillor, will be elected at the next meeting;
  - (c) That the Rental Housing Committee will review the Standard Operating Procedures (SOP) after six months to ensure the effectiveness of the working methods.

## 7.8 SWARTLAND MUNICIPAL PAUPER BURIAL POLICY (17/2/B)

[The item is withdrawn].

## 7.9 CASE NUMBER 1394/2022: SWARTLAND MUNICIPALITY (EXECUTION CREDITOR) / SYDNEY DAWNDALE JACOBS (JUDGMENT DEBTOR): PROPOSED PURCHASE OF ERF 3986, GREATER CHATSWORTH (5/7/1/1)

The Executive Mayoral Committee has been informed on previous occasions regarding the auction (on which the Municipality was unsuccessful in purchasing the erf) and the sale of Erf 3986, Chatsworth to mr S M Leon.

Due to the location of the erf in question, the Municipality requested CK Rumboll and Partners to approach mr Leon about the possible realignment of erf boundaries so that both owners can use the land more sensibly. After consultation, two functional plots were created with the proposal for associated land uses for consideration by the Executive Mayoral Committee.

### RESOLUTION

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

- (a) That cognizance be taken of the situation regarding Erven 3986 and 7841, Greater Chatsworth, and the complications that the placement of Erf 3986 entails regarding the utilization of both this property and Erf 7841;
- (b) That permission be granted for the necessary processes to be carried out for the realignment of the said properties as presented in the report, given that this will place

the Municipality in a more favourable position to deal meaningfully with the newly created property;

- (c) That approval be granted that the costs associated with the land survey process be borne by the Municipality, as well as costs associated with the re-registration of the properties, and for Mr Leon to cover the land use costs, in exchange for the larger portion of land being allocated to him.

#### **7.10 RENEWAL OF LEASE OF A PORTION OF THE SWARTBERG FARM, FARM NO. 331, MOORREESBURG FROM SWARTBERG TRUST FOR PURPOSES OF ICT INFRASTRUCTURE (15/4/6)**

A portion (size  $\pm 300 \text{ m}^2$ ) on the Swartberg Farm, Moorreesburg is leased by the Council for purposes of ICT infrastructure. The lease expires on 30 June 2025 and the ICT Department has indicated that the infrastructure is essential to ensure service delivery in the surrounding area.

##### **RESOLUTION**

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

- (a) That approval be granted for the renewal of the rental agreement with Swartberg Trust for the renting of a portion of Swartberg Farm, Farm No. 331, measuring approximately  $300 \text{ m}^2$  in extent, for a further period of three years as from 01 July 2025 to 30 June 2028;
- (b) That a monthly rental of R2 127.77 (6% escalation per annum)(VAT excl.) be payable to Swartberg Trust from vote number 9/216-931-1427 (Rental of land);
- (c) That the existing conditions of lease remain unchanged.

#### **7.11 WRITE-OFF OF IRRECOVERABLE DEBT AND OTHER DEBT: JUNE 2025 IN RESPECT OF INDIGENT HOUSEHOLDS AND OTHER IRRECOVERABLE DEBT (5/7/3)**

The attached schedules indicate the outstanding amounts classified as irrecoverable, namely:

- Schedule A – depreciable in respect of indigent households = R5 280 020.32
- Schedule B – depreciable in respect of outstanding debtors = R1 071 399.70

The Director: Financial Services emphasises that thorough processes are followed to identify cases that do not have the necessary merit to be written off as uncollectible debt. Although the amounts written off in comparison to other authorities are considered to be within limits, it is not sustainable to write off debt from indigent households at the quantum that these are occurring and is it an aspect that is strictly being managed.

##### **RESOLUTION**

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

- (a) That the Executive Mayoral Committee approves that the amount of **R5 280 020.32** be written off as irrecoverable, in respect of indigent households;
- (b) That the Executive Mayoral Committee approves that the amount of **R1 071 399.70** be written off as irrecoverable, in respect of other debtors linked to and as a direct result of the individual reasons per case;
- (c) That, if after the date of this approval, it comes to light that a portion of the debt owed by a debtor is not correct, or that any information was not made known to the Executive Mayoral Committee at the time of write-off, which would have led to the committee not considering the amount for write-off, the Executive Mayoral Committee retains the right to write back the debt to the relevant debtor and that the necessary steps will be taken to recover the debt;
- (d) That, if a property is in any way alienated, the Council retains the right to refuse clearance on the relevant property in order to recover the amounts written-off, before clearance is given. In order to enforce this decision a register is kept by the Rates and Taxes Division which enables the department to see if any debts were written-off within

the previous two years, and if so to recover the amounts before clearance is considered;

- (e) That approval is also given that the current levies, which is not yet incorporated in the current list due to the period from the starting of the administrative process of compiling the write-off list and the period thereafter, form part of the write-off, providing that the Credit Control Division is convinced that the new debt is also irrecoverable under the same circumstances;
- (f) That approval is also given that the amounts owed to the Council, which to date, do not appear on the schedule as a result of the non-completion of socio-economic investigations at all indigent households, will also form part of the write-off, providing that the Credit Control Division is convinced that the new debt is also irrecoverable under the same circumstances;
- (g) That the actual amount written off, after this submission was made, will be presented at the next Executive Mayoral Committee meeting;
- (h) That any VAT levied on the services is claimed back from the Receiver of Revenue in the prescribed manner;
- (i) That the Credit Control Division attempt to pay a personal visit to each indigent household in order to explain the write-off and the future obligations of 'responsible users', as well as to explain the installation and workings of water demand management systems, as a proactive credit control measure;
- (j) That approval be given that the costs relating to the replacement of the credit meter with a pre-paid electricity meter are for the municipality to bear and that the Chief Financial Officer will recover the costs from the Equitable Share allocation;
- (k) That the Mayoral Committee takes cognizance of the fact that the administration will attempt to put measures in place in a bid to force those users of services not on our financial system to agree and complete the necessary services connection form/s.

#### **7.12 OUTSTANDING DEBTORS: MAY 2025 (5/7/1/1)**

A full report of the state 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 May 2025.

#### **7.13 PROGRESS: OUTSTANDING INSURANCE CLAIMS (5/14/3/5)**

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

##### **RESOLUTION**

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

#### **7.14 WRITE-OFF AND REMOVAL OF ASSETS FROM THE ASSET REGISTER DUE TO MISSING ASSETS, SALES AS SCRAP AT AUCTION, INSURANCE CLAIMS, REPLACEMENT AND RENOVATIONS UP TO 31 MAY 2025 (5/14/3/5)**

The Asset Management Policy determines the reasons for writing off of assets, among others, due to theft, destruction, irreparable, etc. and a register is maintained during the year of such assets.

The assets are recommended for write-off, as it could be verified during the physical inspection that the assets with a value of R67 627.21, for the reasons stated in the report, no longer exist.

**RESOLUTION**

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

- (a) That council grants approval for the assets as per the attached list (R 67 627.21) to be written off and that same be removed from the asset register for purposes of maintenance of the municipality's financial accounting records for the year ended 30 June 2025;
- (b) That should more such insurance cases materialise for the month of June 2025, that the CFO be authorized to also write those items off and report any difference between the aforementioned amount and those finally written-off for the period ending 30 June 2025;
- (c) That the CFO be authorized to also write off those items those additional assets that are identified as replaced during the asset recordkeeping of the capital expenditure programs due to finalise by 30 June 2025. Any such assets will be reported to Council.

**7.15 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: PAYMENT OF VISA FEES FOR YOUTH EXCHANGE PROGRAM TO GERMANY (8/1/B/2)**

The Executive Mayoral Committee granted approval on 19 June 2024 for a youth group consisting of ten (10) youths and two (2) adults from the Swartland area to attend the youth camp in Germany from 13 to 22 July 2025.

*TLScontakt* has been contracted as a service provider by the German Embassy to deal with visa applications, and is therefore the sole provider of this service.

**RESOLUTION**

- (a) That cognisance be taken that the Municipal Manager has approved the payment of visa fees to *TLScontakt* i.r.o. delegates who will be participating in the Youth Exchange Programme in Germany during July 2025, and for the procurement process in terms of the Supply Chain Management Policy to be deviated from in this instance, for the following reason:
  - (i) The service provider is a single provider, contracted by the German Embassy to administer visa applications on its behalf
- (b) That cognisance further be taken that the Municipal Manager authorised the Manager: Public Affairs, Libraries & Tourism to make payment by credit card to *TLScontakt* on behalf of the delegation, and to be reimbursed for the expenditure amounting to R6 370.00 in terms of the Payment of Travel- and Accommodation- and Subsistence Costs Policy;
- (c) That it be noted that the expenditure will be allocated to mSCOA code: 9/201-1316-1512 and that there is sufficient funding available for the quoted amount of R6 370.00;
- (d) That the Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when same are compiled.

**7.16 DEVIATION FROM THE PRESCRIBED PROCUREMENT PROCEDURES: PAYMENT OF FLIGHT COSTS FOR YOUTH EXCHANGE PROGRAM TO GERMANY VIA THE COUNCIL'S REGISTERED TRAVEL AGENT (8/1/B/2)**

[In conjunction with the aforementioned Item 7.15]

The Executive Mayoral Committee decided, among others, that the youths and the ABSA representative would be responsible for their own flight costs and that the coordinator of the Sondeza camp, the Manager: Public Relations, Libraries and Tourism, as delegates of the Municipality would attend the camp.

All the youths have already paid the flight costs over to the Municipality and the ABSA representative will settle the account himself.

**RESOLUTION**

- (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 further notice be taken of the action of the Municipal Manager to approve the payment of the flight costs for the youth camp in Germany by Swartland Travel for the amount of R 179 050.08 (excluding VAT);
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
  - (i) The deposit for the flights have been paid to Swartland Travel on 4 September 2024.
  - (ii) Swartland Travel is the only accredited provider in the Swartland area who is capable of delivering all the required services. It would therefore not be practical to test the market through quotations obtained from other providers;
- (d) That it be noted that the expenditure was allocated to mSCOA vote: 9/201-1316-1512 and that there is sufficient funding available for the quoted amount of R 179 050.08 including VAT;
- (e) That the Senior Manager Financial Statements be instructed to include the abovementioned reasons as a note to the financial statements.

**7.17 DEVIATION FROM THE PRESCRIBED PROCUREMENT PROCEDURES: REPAIR WORK TO NISSAN LDV, CK 43887 (8/1/B/2)**

The vehicle is used by the Traffic and Law Enforcement Department for patrol work in Darling to apply the enforcement of by-laws and to address traffic offences.

**RESOLUTION**

- (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 further notice be taken of the action of the Municipal Manager to approved the repairs of the Nissan LDV, CK 43887 for the amount of R 37 098.09 excluding VAT by Nissan Malmesbury;
- (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 Nissan Malmesbury is the support agent for Nissan Vehicles;
- (d) That it be noted that the expenditure will be allocated to mSCOA Code: 9/2-52-5 and that there is sufficient funding available for the quoted amount of R 37 098.09 excluding VAT;
- (e) That the Manager Financial Statements and Control be instructed to include the above mentioned reasons as a note to the financial statements when compiled.

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