



NOTULE VAN 'N VERGADERING VAN DIE SWARTLAND MUNISIPALE RAAD GEHOUD IN DIE STADSZAAL, MALMESBURY OP DONDERDAG, 25 MEI 2023 OM 10:00

TEENWOORDIG:

Speaker, rdh M A Rangasamy
Uitvoerende Burgemeester, rdh J H Cleophas
Uitvoerende Onderburgemeester, rdl J M de Beer

RAADSLEDE:

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

Beampies:

Munisipale Bestuurder, mnr J J Scholtz
Direkteur: Elektriese Ingenieursdienste, mnr R du Toit
Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann
Direkteur: Finansiële Dienste, mnr M A C Bolton
Direkteur: Beskermingsdienste, mnr P A C Humphreys
Direkteur: Korporatiewe Dienste, me M S Terblanche
Direkteur: Ontwikkelingsdienste, me J S Krieger
Bestuurder: Sekretariaat en Rekords, me N Brand

1. OPENING

Die Speaker verwelkom die Uitvoerende Burgemeester, die Uitvoerende Onderburgemeester, raadshere, raadslede en amptenare.

Pastoor Doktor D Andrew van die AGS Rosenhof-gemeente, Moorreesburg open met skriflesing en gebed op versoek van die Speaker.

Die Speaker dra sy gelukwense oor aan raadslede en amptenare wat gedurende Meimaand verjaar.

2. VERLOF TOT AFWESIGHEID

BESLUIT dat verlof tot afwesigheid verleen word aan rdle A M Booysen en C Fortuin.

3. AFVAARDIGINGS/VERKLARINGS EN MEDEDELINGS/VOORLEGGINGS

3.1 INLIGTING INSAKE DIE "SERVICE EXCELLENCE" TOEKENNINGS

Die Munisipale Bestuurder stel die volgende amptenare aan die Raad voor, naamlik:

Interne Ouditafdeling:

- Senior Bestuurder, me Jurene Erasmus
- Interne Ouditeur, mnr Msizi Mseleni
- Intern: Risikobestuur, mnr Robert Hess



MINUTES OF A MEETING OF THE SWARTLAND MUNICIPAL COUNCIL HELD IN THE TOWN HALL, MALMESBURY ON THURSDAY, 25 MAY 2023 AT 10:00

PRESENT:

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

COUNCILLORS:

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

Officials:

Municipal Manager, mr J J Scholtz
Director: Electrical Engineering Services, mr R du Toit
Director: Civil Engineering Services, mr L D Zikmann
Director: Financial Services, mr M A C Bolton
Director: Protection Services, mr P A C Humphreys
Director: Corporate Services, ms M S Terblanche
Director: Development Services ms J S Krieger
Manager: Secretarial and Records, ms N Brand

1. OPENING

The Speaker welcomed the Executive Mayor, Deputy Executive Mayor, aldermen, councillors and officials.

Pastor Doctor D Andrew of the AGS Rosenhof-community, Moorreesburg opened the meeting with a scripture reading and a prayer at the request of the Speaker.

The Speaker congratulated councillors and officials who had celebrated birthdays during the month of May.

2. APOLOGIES

RESOLUTION that apologies were received from clrs A M Booysen and C Fortuin.

3. DEPUTATIONS/DECLARATIONS AND COMMUNICATIONS/SUBMISSIONS

3.1 INFORMATION IN RESPECT OF THE "SERVICE EXCELLENCE" AWARDS

The Municipal Manager presented the following officials to the Council, namely:

Internal Audit Division:

- Senior Manager, ms Jurene Erasmus
- Internal Auditor, mr Msizi Mseleni
- Intern: Risk Management, mr Robert Hess

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Strategiese Dienste-afdeling:

- GOP/LED beampte, me Nomfundo Skhosana
- Prestasiebestuur, me Samuelah Jasson

Die Munisipale Bestuurder gee agtergrond tot die inisiatief van die Premier van die Wes-Kaap om uitstaande dienslewering te erken deur die toekenning van “service excellence awards”. Hierdie jaar is dit die eerste keer dat twee kategorieë vir munisipaliteite geskep is om aan hierdie toekennings deel te neem, naamlik (1) beste munisipale projekte en (2) beste plaaslike owerheid.

Vir die 1^{ste} kategorie is daar in totaal 49 inskrywing van munisipaliteite in die Wes-Kaap ontvang, waarvan Swartland Munisipaliteit 8 projekte ingeskryf het. Uit die 8 projekte het 3 projekte die finale 5 plekke gehaal en het Swartland Munisipaliteit die volgende toekennings gekry –

- 1^{ste} plek – Highlands Stortingsterrein
- 3^{de} plek – Early Childhood Development (ECD)

Verder het Swartland Munisipaliteit 'n 2^{de} plek behaal, gesamenlik met Drakenstein Munisipaliteit, as beste plaaslike owerheid.

Die trofee wat tydens die funksie van die Premier ontvang is, word oorhandig aan die betrokke personeel en lede van die Uitvoerende Burgemeesterskomitee as blyk van waardering vir uitstaande dienslewer.

VIR KENNISNAME

4. NOTULES VIR BEKRAGTIGING

4.1 NOTULE VAN 'N GEWONE RAADSVERGADERING GEHOU OP 26 APRIL 2023

BESLUIT

(op voorstel van rdl E C O’Kennedy, gesekondeer deur rdl A K Warnick)

Dat die notule van Gewone Raadsvergadering gehou op 26 April 2023 goedgekeur en deur die Speaker onderteken word.

5. VERSLAGDOENING INSAKE GEDELEGEERDE BESLUITNEMING DEUR DIE UITVOERENDE BURGEMEESTER

BESLUIT

Dat kennis geneem word van die Uitvoerende Burgemeester se besluite ingevolge gedelegeerde bevoegdheid, soos vervat in die onderstaande notules:

5.1 NOTULE VAN 'N GEWONE VERGADERING VAN DIE UITVOERENDE BURGEMEESTERSKOMITEE GEHOU 19 APRIL 2023
saamgelees met

NOTULE VAN 'N VERGADERING VAN PORTEFEULJEKOMITEES GEHOU OP 12 APRIL 2023

6. VERSLAGDOENING INSAKE GEDELEGEERDE BESLUITNEMING DEUR DIE MUNISIPALE BESTUURDER

BESLUIT

Dat kennis geneem word van die Munisipale Bestuurder se besluite ingevolge gedelegeerde bevoegdheid, soos vervat in die onderstaande notule:

6.1 NOTULE VAN 'N BODBEOORDELINGSKOMITEE GEHOU OP 20 APRIL 2023

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Strategic Services Division:

- IDP/LED official, ms Nomfundo Skhosana
- Performance Manager, ms Samuelah Jasson

The Municipal Manager provided the background to the initiative from the Western Cape Premier in order to recognise outstanding service delivery through the awarding of “service excellence awards”. This year it is the first time that two categories were created for municipalities to take part in these awards, namely (1) best municipal projects and (2) best local authority.

In the 1st categorie 49 entries were received from municipalities in the Western Cape, of which the Swartland Municipality entered 8 projects. Out of the 8 projects 5 reached the finals and the Swarland Municipality received the following awards:

- 1^{ste} place – Highlands Dumping Ground
- 3^{de} place – Early Childhood Development (ECD)

The Swartland Municipality also gained 2nd place, together with Drakenstein Municipality, as best local authority.

The trophies, which were received during the Premier’s function, were handed to the relevant personnel and members of the Executive Mayor’s Committee as a sign of appreciation for outstanding service delivery.

FOR NOTING

4. MINUTES FOR RATIFICATION

4.1 MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 26 APRIL 2023

RESOLUTION

(proposed by clr E C O’Kennedy, seconded by clr A K Warnick)

That the minutes of an Ordinary Council Meeting held on 26 April 2023 are approved and signed by the Speaker.

5. REPORTING IN RESPECT OF DELEGATED DECISION MAKING BY THE EXECUTIVE MAYOR

RESOLUTION

That note is taken of the decisions taken by the Executive Mayor in accordance with his delegated powers in the following minutes:

5.1 MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR’S COMMITTEE HELD ON 19 APRIL 2023

read in conjunction with

MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 12 APRIL 2023

REPORTING IN RESPECT OF DELEGATED DECISION MAKING BY THE MUNICIPAL MANAGER

RESOLUTION

That note is taken of the decisions taken by the Municipal Manager in accordance with his delegated powers in the following minutes:

6.1 MINUTES OF A TENDER AWARD COMMITTEE MEETING HELD ON 20 APRIL 2023

7./...

7. SAKE VOORTSPRUITEND UIT DIE NOTULES

Geen.

8. SAKE VIR BESPREKING

8.1 2023 GEÏNTEGREERDE ONTWIKKELINGSPLAN EN AREAPLANNE (2/1/4/4/1)

Die Speaker gee geleentheid om navrae te rig insake die 2023 Geïntegreerde Ontwikkelingsplan (GOP) en Areaplanne.

Rdl P E Soldaka noem dat die gemeenskap van Moorreesburg ontevrede is met die wyse waarop die publieke deelnameproses uitgevoer is, deurdat die inhoud van die GOP nie in detail met die gemeenskap behandel was nie.

Die Munisipale Bestuurder bevestig dat die benadering tot publieke deelname wat die Munisipaliteit gevolg het om soveel as moontlik rolspelers te betrek by die opstel van die GOP, deur Provinsie as een van die beste metodologieë beskou word.

Die Munisipale Bestuurder bevestig dat die gesamenlike opedae tussen die GOP en Ruimtelike Ontwikkelingsraamwerk (ROR) daartoe bygedra het dat lede van die publiek, in persoon, insae kon lewer.

Rdle Penxa en Ngozi ondersteun die standpunt dat die GOP 'n komplekse dokument is wat in detail met die gemeenskap behandel moet word en noem die Munisipale Bestuurder dat die Thandi-video gebruik is om die boodskap op 'n verstaanbare wyse uit te dra. Die wykskomitees het 'n groot rol gespeel in die opstel van die Areaplanne.

Die Uitvoerende Burgemeester noem dat die GOP en Areaplanne as uitstaande stukke werk beskou word en bevestig, met verwysing na die omvang van kommentaar wat ontvang is, dat die metodologie wat gevolg is in die opstel daarvan as 'n suksesverhaal beskou word wat wyd nagevolg sal word.

Die GOP en Areaplanne word deur die Uitvoerende Burgemeester ter tafel gelê. Die Speaker bring die aangeleentheid tot stemming en word die goedkeuring van die GOP en Areaplanne beslis met 15 raadslede (x14 DA-stemme en x1 VF⁺-stem) ten gunste daarvan en ses (6) raadslede (x4 ANC, x1 EFF en x1 COPE) wat buite stemming bly.

BESLUIT

(op voorstel van rdh J H Cleophas, gesekondeer deur rdl A K Warnick)

- (a) Dat die 2023 Geïntegreerde Ontwikkelingsplan (GOP) vir die Swartland munisipale gebied, sowel as die vyf Areaplanne vir 2023/2024, goedgekeur word in terme van Hoofstuk 5 van die Wet op Munisipale Stelsels Nr 32 van 2000;
- (b) Dat die Raad kennis neem van die wysigings aan die Ruimtelike Ontwikkelingsraamwerk soos vervat in die opsomming in Hoofstuk 2, paragraaf 2.5(c) van die GOP;
- (c) Dat die kommentaar en insette wat tydens April 2023 ontvang is (insluitende die SIME kommentaar), hanteer word ooreenkomstig Aanhangsels 2 en 3;
- (d) Dat die wetlike proses, soos voorgeskryf in die Wet op Munisipale Stelsels Nr 32 van 2000, die Wet op Munisipale Finansiële Bestuur Nr 56 van 2003 en die Munisipale Begroting- en Verslagdoeningregulasies, 2009, afgehandel word.

[Nota: Die Munisipale Bestuurder maak van die geleentheid gebruik om afskeid te neem van die voormalige Senior Bestuurder: Strategiese Dienste, mnr Leon Fourie wat op 31 Mei 2023, na 15 jaar diens by die Swartland Munisipaliteit, aftree.]

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7. MATTERS ARISING FROM THE MINUTES

None.

8. MATTERS FOR DISCUSSION

8.1 2023 INTEGRATED DEVELOPMENT PLAN AND AREA PLANS (2/1/4/4/1)

The Speaker opened the floor for questions in respect of the 2023 Integrated Development Plan and Area Plans.

Clr P E Soldaka stated that the community of Moorreesburg are unhappy with the manner in which the public participation was carried out because the contents of the IDP were not dealt with in detail with the community.

The Municipal Manager confirmed that the approach to the public participation process, which the Municipality followed in order to reach as many roleplayers as possible in the drawing up of the IDP, is regarded by Province as one of the best methodologies.

The Municipal Manager confirmed that the joint open days for the IDP and Spatial Development Framework (SDF) contributed thereto that members of the public could inspect both in person.

Clrs Penxa and Ngozi support the standpoint that the IDP is a complex document which must be dealt with in detail with the public, and the Municipal Manager stated that the Thandi video was used in order to carry the message in an understandable manner. The ward committees played a big role in the drawing up of the Area Plans.

The Executive Mayor stated that the IDP and Area Plans are regarded as outstanding pieces of work and confirmed that, with reference to the number of comments which were received, that the method which was used in the drawing up of the latter is regarded as a success story, which would be imitated far and wide.

The IDP and Area Plans were tabled by the Executive Mayor. The Speaker brought the matter to the vote and approval of the IDP and Area Plans was decided with 15 councillors (14 x DA votes and 1x VF vote) in favour thereof and 6 councillors (ANC x4, 1x EFF and 1x Cope) abstained from voting.

RESOLUTION

(proposed by ald J H Cleophas, seconded by clr A K Warnick)

- (a) That the 2023 Integrated Development Plan (IDP) for the Swartland municipal area, as well as the five Area Plans for 2023/2024, be approved in terms of Chapter 5 of the Municipal Systems Act No 32 of 2000;
- (b) That Council notes the amendments to the Spatial Development Framework as included in the summary in Chapter 2, paragraph 2.5(c) of the IDP;
- (c) That the comments and inputs received during April 2023 (including the SIME comments) be dealt with in accordance with ANNEXURES 2 and 3; and
- (d) 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.

[Note: The Municipal Manager took the opportunity to take leave of the former Senior Manager: Strategic Services, mr Leon Fourie, who retires on 31 May 2023 after 15 years of service with the Swartland Municipality.]

8.2/...

8.2 SWARTLAND MUNISIPALITEIT: WYSIGING VAN RUIMTELIKE ONTWIKKELINGSRAAMWERK: 2023-2027 (15/1/4/1)

Die doel van die wysiging van die Munisipale Ruimtelike Ontwikkelingsraamwerk 2023-2027 (ROR) is om 'n beleidsdokument daar te stel wat as riglyn dien vir volhoubare ruimtelike ontwikkeling binne die munisipale gebied.

Alle toepaslike nasionale, provinsiale en plaaslike wetgewing en regulasies is in ag geneem om die ROR te belyn met die nodige beleidsriglyne, sowel as met die ruimtelike implikasies vervat in die GOP.

Die Munisipale Bestuurder noem, met verwysing na rdl P E Soldaka se kommer aangaande verourderde inligting wat 'n impak mag hê op implementering van behuisingsprojekte, dat die Departement van Menslike Nedersettings die eienaar van die data is. Die Munisipaliteit se rol is om gereed te wees vir die implementering van behuisingsprojekte ten opsigte van grondgebruikbeplanning, omgewingsimpakstudies en voorsiening van grootmaat infrastruktuur.

Die Speaker bring die aangeleentheid tot stemming en die goedkeuring van die ROR word beslis met 17 stemme (x14 DA, x1 VF⁺, x1 Good en x1 EFF) ten gunste daarvan en die res van die raadslede (x4 ANC) wat buite stemming bly.

BESLUIT

(op voorstel van rdh J H Cleophas, gesekondeer deur rdd M van Zyl)

Dat die Raad die wysigings van die Swartland Munisipaliteit: Munisipale Ruimtelike Ontwikkelingsraamwerk vir die totale regsgebied van Swartland ingevolge artikel 7(3) van die Verordening insake Munisipale Grondgebruikbeplanning (PK 8226 van 25 Maart 2020) aanneem, onderhewig aan die volgende:

- (a) Die Raad moet binne 14 dae vanaf besluitneming in die media en die Provinsiale Koerant kennis gee van sy besluit;
- (b) Die persone/instansies wat in die publieke deelnameproses kommentaar gelewer het van die Raad se besluit en reaksie in kennis gestel word;
- (c) Alle toekomstige ontwikkelingsaansoeke aan die beginsels van die Munisipale Ruimtelike Ontwikkelingsraamwerk oorweeg en evalueer sal word;
- (d) Aksieplanne uit die Munisipale Ruimtelike Ontwikkelingsraamwerk jaarliks na die GOP proses vir befondsing verwys word;
- (e) Spesiale pogings jaarliks aangewend sal word ten einde uitvoering aan aksieplanne in die Munisipale Ruimtelike Ontwikkelingsraamwerk te gee.

8.3 GOEDKEURING VAN DIE FINALE MEERJARIGE KAPITAAL- EN BEDRYFSBEGROTINGS, GEWYSIGDE BEGROTING- EN VERWANTE BELEIDE, EIENDOMSBELASTING, TARIWE EN ANDER HEFFINGS VIR 2023/2024, 2024/2025 EN 2025/2026 (5/1/1/1, 5/1/1/2 – 2023/24, 5/1/4)

[Nota: Vir die volledigheid en implementering van die besluit, sal daar op die Engelse weergawe staat gemaak word.]

Die Speaker gee geleentheid aan die Uitvoerende Burgemeester, rdh J H Cleophas, om sy tweede Begrotingsrede (*State of the Municipal Address*) as uitvoerende burgemeester van die Swartland Munisipaliteit te lewer (sien aangeheg vir volledigheidshalwe).

Die Speaker gee geleentheid aan raadslede om repliek te lewer op die begrotingsrede en versoek rdl Penxa dat oorweging daaraan verleen moet word om, in 'n poging om onwettige rommel strooi aan te spreek, *wheelie bins* vir die totale munisipale gebied te implementeer. Die vyf swartsakke wat aan deernishuishoudings voorsien word is nie genoegsaam, met in ag neming van die aantal agterplaasbewoners nie, om al die vullis op 'n erf te versamel nie.

8.2 SWARTLAND MUNICIPALITY: AMENDMENT TO THE SPATIAL DEVELOPMENT FRAMEWORK: 2023-2027 (15/1/4/1)

The aim of the amendment to the Municipal Spatial Development Framework 2023-2027 (SDF) is to establish a policy document which serves as a guideline for sustainable spatial development within the municipal area.

All applicable national, provincial and local legislation and regulations were taken into account in order to bring the SDF into line with the necessary policy guidelines, as well as the spatial implications contained in the IDP.

The Municipal Manager stated, with reference to clr P E Soldaka's concern in respect of old information, which may have an impact on the implementation of the housing projects, that the Department of Human Settlements owns the data. The Municipality's role is to be ready for the implementation of the housing projects in respect of land usage planning, environmental impact studies and provision of bulk infrastructure.

The Speaker brought the matter to the vote and approval of the SDF was decided with 17 votes (14x DA, 1x VF and 1x Good and 1x EFF) in favour thereof and the rest of the councillors (4x ANC) abstained from voting.

RESOLUTION

(proposed by ald J H Cleophas, seconded by aldd M van Zyl)

That Council adopts the amendments of the Swartland Municipality Municipal Spatial Development Framework for the entire Swartland area of jurisdiction in terms of section 7(3) of the Land Use Planning By-Law (PN 8226 of 25 March 2020) subject to the following:

- (a) The Council resolution must within 14 days of decision making give notice of its decision in the media and Provincial Gazette;
- (b) Any stakeholder competing in the public participation process be informed of Council's decision and reaction;
- (c) All future development proposals be evaluated in accordance with the principles as set in the Municipal Spatial Development Framework;
- (d) Action plans within Municipal Spatial Development Framework annually be submitted via the IDP process for budgeting;
- (e) Special attempts be made annually to address action plans within the Municipal Spatial Development Framework.

8.3 APPROVAL OF THE MULTI-YEAR CAPITAL AND OPERATING BUDGETS, ADJUSTED BUDGET AND RELEVANT POLICIES, PROPERTY RATES AND TAXES, TARIFFS AND OTHER LEVIES FOR 2023/2024, 2024/2025 AND 2025/2026 (5/1/1/1, 5/1/1/2 – 2023/24, 5/1/4)

[Note: For completeness and implementation of the decision, the English rendering will be relied on]

The Speaker gave the Executive Mayor, ald J H Cleophas, the opportunity to deliver his 2nd *State of the Municipality Address* as Executive Mayor of the Swartland Municipality (see attached for the sake of completeness).

The Speaker gave the councillors the opportunity to reply to the budget speech and clr Penxa requested that consideration must be given, in an attempt to address illegal waste dumping, to introduce *wheelie bins* for the entire municipal area. The five black bags provided to destitute households are not sufficient, taking into account the number of backyard dwellers, in order to collect all the refuse on a plot.

The approval of the multi-year capital and operating budgets, adjusted budgets and relevant policies, property rates and taxes, tariffs and other levies for the 2023/2024, 2024/2025 and 2025/2026 was brought to the vote and decided with 16 councillors

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Die goedkeuring van die meerjarige kapitaal- en bedryfsbegrotings, gewysigde begrotingsverwante beleide, heffing van eiendomsbelasting, tariewe en ander heffings vir 2023/2024, 2024/2025 en 2025/2026 word tot stemming gebring en besluit met 16 raadslede (x14 DA-stemme, x1 VF⁺-stem en x1 GOOD-stem) ten gunste daarvan en die res van die raadslede (x4 ANC en x1 EFF) wat buite stemming bly.

BESLUIT

(op voorstel van rdh J H Cleophas, gesekondeer deur rdl A K Warnick)

- (a) Dat daar kennis geneem word van die publieke en provinsiale insette wat ontvang is en dat die reaksie en kommentaar (**Annexure E, Inputs received on Draft Budget**) daarop, soos aanbeveel deur die Begrotingsbeheerkomitee en Uitvoerende Burgemeesterskomitee, insoverre dit verband hou met die 2023/2024 MTREF Konsep Begroting deur die Raad aanvaar word. Dat daar verder besluit word dat, na oorweging van die insette op die konsepbegroting, geen wysigings aan die begroting of beleide nodig is nie;
- (b) Dat die Raad kennis neem dat die koste soos beoog deur Artikel 19(2)(a)(b) verkry is na konsultasie met die onderskeie direkteur(e) wie die koste bevestig het soos per (**Annexure A: 2023/2024 – 2025/2026 Final Budget and Tariff File**);
- (c) Dat die Raad, voor die goedkeuring van die kapitaal projekte bo R50 miljoen soos gelys in (**Annexure B: 2023/2024 – 2025/2026 Capital Projects ito Sec 19**), eers die geprojekteerde koste wat alle finansiële jare dek totdat die projek in werking is, en die toekomstige bedryfskoste en inkomste op die projek, met inbegrip van belasting- en tariefimplikasies oorweeg;
- (d) Dat die Raad dit toepaslik geag het om die totale kapitaalprogram te oorweeg, uitgesluit die drie(3) individuele projekte bo R50 miljoen, aangesien die voorgenoemde kapitaalprogram se operasionele koste, insluitend die toekomstige koste gedek sal word deur belasting en die normale kostesentrums soos in die bedryfsbegroting;
- (e) Dat die toekomstige kapitaalbegrotings vanaf jaar drie(3) beperk word tot 16.5% van die bedryfsbegroting (gebaseer op NT se norm van tussen 10% en 20% vir Kapitaalbesteding tot totale Bedryfsbesteding) as gevolg van die opwaartse druk wat dit het op die bedryfsbegroting en die bekostigbaarheid van tariewe;
- (f) Dat die Raad die befondsingsbronne oorweeg wat verband hou met die Raad se kapitaalprogram en daarop let dat die befondsingsbronne beskikbaar is en nie vir ander doeleindes geormerk is nie;

FINANCING SOURCES	Final Budget 2023/2024	Final Budget 2024/2025	Final Budget 2025/2026
Capital Replacement Reserve (CRR)	R 101 665 452	R 70 374 545	R 99 643 329
External Loans	R -	R 33 000 000	R 17 000 000
Municipal Infrastructure Grant (MIG)	R 24 708 000	R 25 664 000	R 26 660 000
Dept. Human Settlements	R 55 314 000	R 64 890 000	R 30 000 000
Integrated National Electrification Programme (INEP)	R 23 658 000	R 25 000 000	R 35 000 000
RSEP	R 500 000	-	-
Contributions / Donations	R 1 224 943	-	-
Dept. Cultural Affairs and Sport	R 1 016 000	-	-
Community Safety Grant	R 40 000	R 40 000	-
Fire Service Capacity Building Grant	R 926 000	-	-
GRAND TOTAL	R 209 052 395	R 218 968 545	R 208 303 329

(14x DA votes, 1x VF vote and 1x GOOD vote) in favour thereof and the rest of the councillors (4x ANC and 1x EFF) abstained from voting.

RESOLUTION

(proposed by ald J H Cleophas, seconded by clr A K Warnick)

- (a) That cognisance be taken of the inputs received from the public and province and that the comments and responses thereto (**Annexure E, Inputs received on Draft Budget**) be accepted as per the recommendations by the Budget Steering Committee and Executive Mayoral Committee, insofar as it relates to the 2023/2024 MTREF Draft Budget and in having considered the inputs into the draft budget, it is resolved that no amendments to the budget or policies are required;
- (b) That cognisance be taken that the future costs as envisaged by Section 19 (2)(a)(b) were derived after consultation with the respective director(s), as per (**Annexure A: 2023/2024 – 2025/2026 Final Budget and Tariff File**);
- (c) That Council, prior to approving the capital projects above R50 million as listed in (**Annexure B: 2023/2024 – 2025/2026 Capital Projects ito Sec 19**), first consider the projected 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;
- (d) That Council deemed it appropriate to consider the entire capital program excluding the three (3) 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;
- (e) That the future capital budgets from year 3 be limited to 16.5% 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;
- (f) 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 2023/2024	Final Budget 2024/2025	Final Budget 2025/2026
Capital Replacement Reserve (CRR)	R 101 665 452	R 70 374 545	R 99 643 329
External Loans	R -	R 33 000 000	R 17 000 000
Municipal Infrastructure Grant (MIG)	R 24 708 000	R 25 664 000	R 26 660 000
Dept. Human Settlements	R 55 314 000	R 64 890 000	R 30 000 000
Integrated National Electrification Programme (INEP)	R 23 658 000	R 25 000 000	R 35 000 000
RSEP	R 500 000	-	-
Contributions / Donations	R 1 224 943	-	-
Dept. Cultural Affairs and Sport	R 1 016 000	-	-
Community Safety Grant	R 40 000	R 40 000	-
Fire Service Capacity Building Grant	R 926 000	-	-
GRAND TOTAL	R 209 052 395	R 218 968 545	R 208 303 329

- (g) That Council approves the capital projects as part of its consolidated capital program as per (**Annexure A: 2023/2024 – 2025/2026 Final Budget and Tariff File**);

8.3/...

- (g) Dat die Raad die kapitaalprojekte as deel van die gekonsolideerde kapitaalprogram goedkeur soos per **(Annexure A: 2023/2024 – 2025/2026 Final Budget and Tariff File)**;
- (h) Dat die Raad spesifiek kennis neem dat sommige konvensie-benamings (waar van toepassing en toepaslik) gewysig moet word om te voldoen aan die vereistes van die bates-hiërargie, bv. 'n projek in die kapitaalbegroting genoem Omheining;
- (i) Dat die Raad in beginsel goedkeuring verleen vir die opneem van 'n eksterne lening tot 'n bedrag van R50 miljoen vir jaar twee (2) van die 2023/24 MTREF, vir die gedeeltelike finansiering van die volgende kapitaalprojekte: Malmesbury De Hoop 132/11kV Substation (R29 miljoen) en die Development of Highlands New Landfill Cell (R21 miljoen), deur die mark te toets by wyse van die inwin van tenders vanaf die finansiële instellings soos beoog in artikel 46 van die MFMA;
- (j) Dat die hoëvlak meerjarige Kapitaal- en Bedryfsbegrotings ten opsigte van die **2023/2024–2025/2026** finansiële jare goedgekeur word as finaal, in ooreenstemming met artikel 16, 17, 18 en 19 van die MFMA;

	Oorspronklike Begroting 2022/23	Spesiale Aansuiwerings begroting 2022/23	Finale Begroting 2023/24	Finale Begroting 2024/25	Finale Begroting 2024/25
Kapitaalbegroting	191 095 805	178 839 804	209 052 395	218 968 545	208 303 329
Bedryfsuitgawes	1 029 331 855	1 025 575 992	1 071 330 062	1 174 132 994	1 371 930 505
Bedryfsinkomste	1 093 983 961	1 098 017 579	1 192 485 181	1 311 049 716	1 489 696 468
Begrote (Surplus)/ Tekort	(64 652 106)	(72 441 587)	(121 155 119)	(136 916 722)	(117 765 963)
Minus: Kapitaal Toekennings & Donasies	77 109 000	78 890 510	107 386 943	115 594 000	91 660 000
(Surplus)/ Tekort	12 456 894	6 448 923	(13 768 176)	(21 322 722)	(26 105 963)

- (k) Dat daar goedkeuring verleen word vir die kennisgewing ingevolge artikel 14(1) en (2) van die Plaaslike Regering: Wet op Munisipale Eiendomsbelasting, 2004 ten opsigte van die heffing van finale eiendomsbelastingkoerse, vrystellings en afslag op eiendomme soos gespesifiseer in die onderstaande skedule en in die eiendomsbelastingbeleid vir die 2023/2024 finansiële jaar;

Category of property	Rate ratio	(c/R) rate determined for the relevant property category
Residential properties	1: 1	0,5956
Business and Commercial properties	1: 1,4586	0,8769
Industrial properties	1: 1,4586	0,8769
Agricultural properties	1: 0,25	0,1489
Mining properties	1: 1,4586	0,8769
Public Service Infrastructure	1: 0,25	0,1489
Properties owned by an organ of state and used for public service purposes	1: 1,4586	0,8769
Public Benefit Organisations	1: 0	0,0000
Vacant properties	1: 1,3470	0,8022
Municipal properties	1: 0	0,0000
Conservation Areas	1: 0	0,0000
Protected Areas	1: 0	0,0000
National Monuments	1: 0	0,0000
Informal Settlements	1: 0	0,0000

8.3/...

- (h) That Council specifically notes that some naming conventions (where applicable and appropriate) are due to be amended to co-inside with the requirements of the hierarchy of assets for eg, a project in the capital budget named Fencing;
- (i) That Council in-principle approves the raising of an external loan to the amount of R50 million in year 2 of the new 2023/24 MTREF for the partial financing of the following capital projects: Malmesbury De Hoop 132/11kV Substation (R29 million) and the Development of Highlands New Landfill site Cell (R21 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 **2023/2024 – 2025/2026** financial years, be approved as final, in accordance with sections 16, 17, 18 and 19 of the MFMA;

	Original Budget 2022/23	Special Adj Budget 2022/23	Final Budget 2023/24	Final Budget 2024/25	Final Budget 2024/25
Capital budget	191 095 805	178 839 804	209 052 395	218 968 545	208 303 329
Operating Expenditure	1 029 331 855	1 025 575 992	1 071 330 062	1 174 132 994	1 371 930 505
Operating Revenue	1 093 983 961	1 098 017 579	1 192 485 181	1 311 049 716	1 489 696 468
Budgeted (Surplus)/ Deficit	(64 652 106)	(72 441 587)	(121 155 119)	(136 916 722)	(117 765 963)
Less: Capital Grants & Contributions	77 109 000	78 890 510	107 386 943	115 594 000	91 660 000
(Surplus)/ Deficit	12 456 894	6 448 923	(13 768 176)	(21 322 722)	(26 105 963)

- (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 2023/24 financial year with effect from 1 July 2023;

Category of property	Rate ratio	(c/R) rate determined for the relevant property category
Residential properties	1: 1	0,5956
Business and Commercial properties	1: 1,4586	0,8769
Industrial properties	1: 1,4586	0,8769
Agricultural properties	1: 0,25	0,1489
Mining properties	1: 1,4586	0,8769
Public Service Infrastructure	1: 0,25	0,1489
Properties owned by an organ of state and used for public service purposes	1: 1,4586	0,8769
Public Benefit Organizations	1: 0	0,0000
Vacant properties	1: 1,3470	0,8022
Municipal properties	1: 0	0,0000
Conservation Areas	1: 0	0,0000
Protected Areas	1: 0	0,0000
National Monuments	1: 0	0,0000
Informal Settlements	1: 0	0,0000

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.

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.

- (l) Dat die Raad die tariefstrukture en heffings vir water, vullisverwydering, riool en ander diverse heffings soos uiteengesit in **(Annexure A: 2023/2024 – 2025/2026 Final Budget and Tariff File)** goedkeur as finaal;
- (m) Dat die Raad die voorgestelde elektriesiteitstariewe as finaal goedkeur vir die 2023/2024 finansiële jaar, met inagneming dat dit **onderhewig is aan finale goedkeuring deur NERSA** en dat die Tyd-van-Gebruik kliënte daarop moet let dat die TVG-tydsgleuwe onderhewig is aan verandering hangende Nersa/Eskom se uitklaring;
- (n) Dat die jaarlikse begrotingstabelle soos vereis deur die Begrotings- en Rapporterings-regulasies en uiteengesit is in **(Annexure C: Budget Report and A-Schedules 2023/2024 – 2025/2026)** goedgekeur word;
- (o) Dat die wysigings aan die begrotings- en verwante beleide soos vervat in **(Annexure D: Final Amendments to Budget & Related Policies 2023/2024)**, goedgekeur word as finaal;
- (p) Dat die opleidingsbegroting beperk is tot **0,60%** van die salarisbegroting ten bedrae van **R1 898 364** vir die 2023/2024 finansiële jaar as finaal goedgekeur word;
- (q) Dat die Raad kennis neem van die verhoging in die salarisrekening van ongeveer **5.99%**:
 - Ten opsigte van alle personeel, 'n verhoging van **5.4%** vir 2023/2024; **5%** vir die 2024/2025 en **5%** vir 2025/2026 finansiële jare, uitgesluit die toename in ander voordele wat van toepassing is en die jaarlikse 2,5% kerfverhoging waar van toepassing;
 - Daar is voldoende begroot vir alle salarisaanpassings;
 - Voorsiening is gemaak vir 'n **3%** verhoging vir politieke ampsbekleërs wat val binne die middelband van die inflasietekens soos bepaal deur die Suid-Afrikaanse Reserwebank (SARB).
- (r) Dat die Raad kennis neem van die begrote bedryfssurplusse en dat die begroting "kontant gefinansier". Die totale groei in uitgawes van **4.5%** vanaf die huidige na die nuwe finansiële jaar en die inkomstebronne met 'n groei in inkomste van **8.6%** (**6.5% kapitale toekennings uitgesluit**) vir die MTREF periode, sowel as die kontantvloei-staat soos per **(A-schedule: A7)** vir die volgende drie finansiële jare;
 - die risikofaktor vir kontantdekking vir bedryfsuitgawes is **10 maande** vir 2023/24, **10.4 maande** vir 2024/25 en **9 maande** vir die 2025/26 finansiële jaar (dit kan wesenlik beïnvloed word, maar op hierdie stadium is dit nie moontlik om wetenskaplik te bepaal nie);
 - oor die volgende drie finansiële jare is die beplanning van so 'n aard dat netto bedryfsurplusse verwag word vir 2023/24, 'n bedrag van **R 13 768 176**, vir 2024/25 'n bedrag van **R 21 322 722** en vir 2025/26, 'n bedrag van **R 26 105 963 (kapitale toekennings uitgesluit)**, wat ver onder die NT-norm is van minstens 'n 10% surplus.

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.

- (l) That Council approves the final tariff structures and charges for water, refuse removal, sewerage and other sundry charges as set out in **(Annexure A: 2023/2024 – 2025/2026 Final Budget and Tariff File)**;
- (m) That Council approves the electricity tariffs as final for the 2023/2024 financial year, **bearing in mind that it is still subject to NERSA's final approval** and that Time of Use customers must note that the TOU slots are subject to change pending Nersa/Eskom's clarification;
- (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 2023/2024– 2025/2026)**;
- (o) That the **amendments** to the budget and related policies as set out in **(Annexure D: Final Amendments to Budget & Related Policies 2023/2024)** hereto, be approved as final;
- (p) That the training budget limited to **0,60%** of the salary budget in the amount of **R1 898 364** for the 2023/2024 financial year be approved as final;
- (q) That Council takes note of the increase in the salary bill of around **5.99%**:
 - In respect of all personnel, an increase of **5.4%** for 2023/2024; **5%** for 2024/2025 and **5%** for the 2025/2026 financial years, excluding the increase in other benefits that are applicable and the annual 2.5% 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).
- (r) That Council takes note of the budgeted operating surpluses and that the budget is "cash-funded". The total expenditure growth of **4.5%** from the current to the new financial year and the revenue streams with growth in revenue of **8.6% (6.5% 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 **10 months** for 2023/24, **10.4 months** for 2024/25 and **9 months** for the 2025/26 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 operating net surpluses are envisaged for 2023/24 to an amount of **R 13 768 176**, for 2024/25 an amount of **R 21 322 722** and for 2025/26 an amount of **R 26 105 963 (excluding capital grant income)**, which is well below the NT norm of at least a surplus of 10%.
- (s) 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;
- (t) That Council takes note that the budget was prepared in the new mSCOA Version 6.7 as required by National Treasury.

8.3/...

- (s) Dat die Direkteur: Finansiële Dienste voldoen aan die vereistes van die Begrotingsomsendbriewe en –formate in die konteks van die verslagdoeningsvereistes aan Provinsiale en Nasionale Tesourie;
- (t) Dat die Raad kennis neem dat die begroting opgestel is in die nuwe mSCOA Weergawe 6.7 soos vereis deur Nasionale Tesourie.

8.4 VASSTELLING VAN ONTWIKKELINGSBYDRAES VIR 2023/2024 (15/1/B)

Die tariewe vir die 2023/2024 finansiële jaar is hersien ten einde 'n balans te vind tussen ontwikkelingsbydraes en werklike ingenieurskoste. Die tariewe het dus aansienlik verhoog, aangesien daar nie veel aanpassings in die voorafgaande jare was nie.

Dit is belangrik dat die Munisipaliteit 'n omgewing skep waarbinne ekonomiese groei en werkskepping bevorder word, daarom word daar voorgestel om 'n korting van 60% op die ontwikkelingsbydraes te oorweeg om beleggers/ontwikkelaars na die Swartland munisipale area te lok.

Die voorgestelde ontwikkelingsbydraes en korting daarop word deur die Speaker tot stemming gebring en beslis met 15 raadslede ten gunste daarvan, met die res van die raadslede wat buite stemming bly.

BESLUIT

(op voorstel van rdl N Smit, gesekondeer deur rdl D G BEss)

- (a) Die aangehegte ontwikkelingbydraes vir die 2023/2024 finansiële jaar goedgekeur word:
 - (i) Greenfields"-ontwikkelingbydraes vir grootmaat elektrisiteit – (Bylae "A");
 - (ii) "Brownfields"-ontwikkelingbydraes vir elektrisiteit – (Bylae "B");
 - (iii) Ontwikkelingbydraes water – (Bylae "C");
 - (iv) Ontwikkelingsbydraes vir riool – (Bylae "D");
 - (v) Ontwikkelingsbydraes vir paaie – (Bylae "E")
- (b) 'n Korting van 60% op genoemde ontwikkelingbydraes ten opsigte van die 2023/2024 finansiële jaar toegestaan word, omrede:
 - Ontwikkelaars 'n ooreenkoms met die Munisipaliteit aangaan m.b.t. die betaling van ontwikkelingbydraes ingevolge die bestaande beleid;
- (c) Ontwikkelings van ondernemings en nywerhede van 100 m² en kleiner is vrygestel van die betaling van ontwikkelingsbydraes;
- (d) Addisionele wooneenhede van 60 m² en kleiner is vrygestel van die betaling van ontwikkelingsbydraes;
- (e) Die werklike koste van ontwikkelingsbydraes sal op alle ontwikkelings van toepassing wees, soos bepaal en bereken deur die Direkteur: Siviele Ingenieursdienste en die Direkteur: Elektriese Ingenieursdienste van toepassing wees.

8.5 HERSIENING VAN STELSEL VAN DELEGASIES (2/5/1, 2/5/2)

Artikel 59 van die Munisipale Stelselwet bepaal dat 'n Raad 'n Stelsel van Delegasies moet ontwikkel en onderhou wat administratiewe en operasionele doeltreffendheid sal optimaliseer en voorsiening maak vir voldoende wigte en teenwigte.

Die aanhangsels tot die sakelys behels die tweede hersiening van die Stelsel van Delegasies wat op 16 November 2021 deur die Raad aanvaar is.

BESLUIT

(op voorstel van rdl N Smit, gesekondeer deur rdl J M de Beer)

- (a) Dat die wysiging tot die Raad se Stelsel van Delegasie (2^{de} Hersiening) soos vervat in Aanhangsels A tot C goedgekeur word, en kennis geneem word van die wysigings aan die Munisipale Bestuurder en Hoof Finansiële Beampte se delegasiestelsels soos vervat in Aanhangsels D tot G;

8.4 DETERMINATION OF DEVELOPMENT CONTRIBUTIONS FOR 2023/2024 (15/1/B)

The tariffs for the 2023/2024 financial year were revised in order to find a balance between development contributions and real engineering costs. The tariffs have therefore increased considerably because there were not many adjustments in previous years.

It is important that the Municipality creates an environment in which economic growth and job creation are furthered, therefore there has been a proposal to consider a discount of 60% on the development contributions in order to entice investors/developers to the Swartland municipal area.

The proposed development contributions and discount were brought to the vote by the Speaker and decided with 15 councillors in favour thereof and the rest of the councillors abstained from voting.

RESOLUTION

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

- (a) The attached Development Charges for the 2023/2024 financial year be approved:
 - (i) "Greenfields" Development Charges for bulk electricity – (Annexure "A")
 - (ii) "Brownfields" Development Charges for electricity – (Annexure "B")
 - (iii) Development Charges for water – (Annexure "C")
 - (iv) Development Charges for sewerage – (Annexure "D")
 - (v) Development Charges for roads – (Annexure "E")
- (b) A rebate of 60% be considered regarding development charges in respect of the 2023/2024 financial year, for the following reasons:
 - Developers have to enter into an agreement with the Municipality regarding the payment of charges in terms of the existing policies;
- (c) The development of businesses and industries of 100 m² and smaller in extent be exempted from the payment of development charges;
- (d) Additional dwelling units of 60 m² and smaller in extent be exempted from the payment of development charges;
- (e) Actual Cost of Development Charges will apply to all developments, as determined and calculated by the Directors of Civil and Electrical Engineering Services.

8.5 REVISION OF SYSTEM OF DELEGATIONS (2/5/1, 2/5/2)

Section 59 of the Municipal Systems Act stipulates that a Council must develop and maintain a System of Delegations, which will optimise and make provision for adequate checks and balances.

The attachments to the agenda contain the second revision of the System of Delegations, which was approved by the Council on 16 November 2021.

RESOLUTION

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

- (a) That the amendments to Council's System of Delegation (2nd Revision) as per Annexures A to C be approved, and cognizance be taken of the amendments to the delegation systems of the Municipal Manager and Chief Financial Officer as per Annexures D to G;
- (b) 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.

8.5/...

- (b) Dat kennis geneem word dat geen wysigings aangebring is aan die Artikel 53 Roluitleg vir politieke strukture, politieke ampsbekleërs en die Munisipale Bestuurder nie, welke dokument deel uitmaak van die Stelsel van Delegasie.

8.6 (1) EISE VANAF KALBASKRAAL VIR ONMIDDELLIKE BEHUISINGSPROJEK; VERSOEK VANAF Ilinge LETHU EN PHOLA PARK VIR 'N TYDELIKE DEURGANGSKAMP (17/4/2/B)

Die Munisipale Bestuurder doen 'n voorlegging om eerstens die eise deur inwoners van Kalbaskraal en tweedens die versoek van Ilinge Lethu en Phola Park te illustreer – die voorlegging word aangeheg vir volledigheidshalwe.

Die Munisipale Bestuurder bevestig dat daar tans 16 144 name op die behuisingswaglys is en vestig die Raad se aandag op die kriteria wat deur die Nasionale Regering daar gestel is om te kwalifiseer vir 'n topstruktuur, naamlik begunstigdes:

- (1) wat 60 jaar en ouer is;
- (2) wat militêre veterane is;
- (3) wat gestremd is;
- (4) waar kinders hoof van huishouding is.

Met die profielsamestelling van die begunstigdes van gedienste erwe uit voormelde kriteria (soos geïllustreer), kwalifiseer slegs 10 uit die 134 begunstigdes vir topstrukture.

Die Munisipale Bestuurder bevestig dat die versoek van Ilinge Lethu en Phola Park voortspruit uit 'n behoefte om 'n deurgangskamp vir agterplaasbewoners te skep wat nie aan voormelde kriteria voldoen nie.

Die Munisipale Bestuurder illustreer die impak wat die skep van 'n deurgangskamp op die De Hoop-behuisingsprojek sal hê, met verwysing na verlies in behuisingsgeleenthede en gelde.

BESLUIT

(op voorstel van rdl J M de Beer, gesekondeer deur rdl D C Pypers)

A: TEN OPSIGTE VAN KALBASKRAAL

- (a) Dat daar kennis geneem word van die eis en behoefte vanuit Kalbaskraal vir topstrukture vir 134 erwe wat gedurende 2020 van dienste voorsien is;
- (b) Dat daar kennis geneem word dat die diens van die erwe voorafgegaan is deur 'n proses van grondaankope vanaf Transnet en die privaatsektor en dat die nodige veranderinge in grondgebruik ten opsigte van hersonering, konsolidasie en onderverdeling eweneens volvoer is;
- (c) Dat daar verder kennis geneem word dat uit die 134 begunstigdes slegs 10 persone aan die kriteria voldoen om te kwalifiseer vir 'n topstruktuur;
- (d) Dat daar kennis geneem word dat enige topstrukture vir Kalbaskraal as "queue jumping" beskou sal word en Phola Park 2, 3 en 4 tereg ongelukkig kan voel omdat hulle in orde van prioriteit voor Kalbaskraal gehelp behoort te word, omrede hulle reeds sedert 2015 wag, in teenstelling met Kalbaskraal se 2020-projek;
- (e) Dat daar kennis geneem word van die toekenning van Menslike Nedersettings vir die MTREF tydperk – soos elders in die sakelyst en in die begroting gemeld, en dat indien Kalbaskraal voorkeur geniet die gevolg daarvan sal wees dat die ander projekte minder geld sal ontvang;
- (f) Dat die Kalbaskraal eis van onmiddellike huise vir die redes hierbo nie voorkeur behandeling kry nie, omrede dit nie billik sal wees teenoor die ander projekte in die Swartland Munisipaliteit nie;

B: Ten opsigte van/...

**8.6 (1) DEMANDS FROM KALBASKRAAL FOR IMMEDIATE HOUSING PROJECT;
REQUEST FROM ILINGE LETHU AND PHOLA PARK FOR A TEMPORARY
THOROUGHFARE (17/4/2/B)**

The Municipal Manager proposed to deal firstly with the demands from the residents in Kalbaskraal, and secondly the request from Ilinge Lethu and Phola Park – the proposal is attached for completeness.

The Municipal Manager confirmed that there are at present 16 144 names on the housing waiting list and drew the Council's attention to the criteria which have been set by national government to qualify for a topstructure, namely first timers:

- (1) who are 60 years and older;
- (2) who are military veterans;
- (3) who are disabled;
- (4) where children are the head of the household.

With the profile composition of first timers of serviced erwen in respect of the above mentioned criteria (as illustrated) only 10 out of the 134 first timers qualify for top structure.

The Municipal Manager confirmed that the request from Ilinge Lethu and Phola Park arises from a need for the creation of a thoroughfare for back yard dwellers, who do not meet the above mentioned criteria.

The Municipal Manager illustrated the impact that the creation of a thoroughfare would have on the De Hoop Housing Project, with reference to the loss of housing opportunities and monies.

RESOLUTION

(proposed by clr J M de Beer, seconded by clr D C Pypers)

A: IN RESPECT OF KALBASKRAAL

- (a) That note is taken of the demand and need from Kalbaskraal for top structure for 134 erwen which were provided with services during 2020;
- (b) That note is taken that the services to the erwen were preceded by a process of land purchases from Transnet and the private sector and that the necessary changes in land usage in respect of rezoning, consolidation and subdivision were likewise completed;
- (c) That note is also taken that out of the 134 first timers only 10 persons comply with the criteria to qualify for top structure;
- (d) That note is taken that any top structure for Kalbaskraal will be seen as "queue jumping" and Phola Park 2, 3 and 4 can rightly feel unhappy because in order of priority they should be assisted before Kalbaskraal, because they have been waiting since 2015, in contrast with Kalbaskraal's 2020 project;
- (e) That note is taken of the grant from Human Settlement for MTREF period - as mentioned in the agenda and in the budget, and that if Kalbaskraal is given preference the effect will be that the other projects will receive less money;
- (f) That the Kalbaskraal demand for immediate housing will not receive preferential treatment for the above mentioned reasons, because it will not be fair in respect of the other projects in the Swartland Municipality;

B: In respect of/...

B: TEN OPSIGTE VAN ILLINGE LETHU EN PHOLA PARK

- (a) Dat daar kennis geneem word dat tenders vir die diens van 1013 erwe in die De Hoop Ontwikkeling reeds geadverteer is met die sluitingsdatum teen einde Mei 2023;
- (b) Dat daar kennis geneem word dat die grootmaatsdienste vir die De Hoop Ontwikkeling – met verwysing na riool en water – reeds die voorafgaande finansiële jare aangebring is, en dat elektrisiteit grootmaat infrastruktuur eersdaags (2 jaar) beskikbaar sal wees;
- (c) Dat daar kennis geneem word dat die voorsiening van grond vir 'n deurgangskamp, oftewel 'n TRA 'n negatiewe impak op die ontwikkeling van die 1013 erwe gaan hê ingevolge waarvan die geleentheid wesenlik sal verminder;
- (d) Dat daar kennis geneem word dat die “profiling of beneficiaries” van die eerste 1100 persone op die waglys ongeveer 'n 60/40 verdeling is van persone onderskeidelik woonagtig in Wesbank en Ilinge Lethu;
- (e) Dat daar kennis geneem word dat daar nie in die huidige begroting voorsiening gemaak is vir enige dienste vir 'n deurgangskamp nie en dat, indien daar wel uit die huidige toekenning 'n sywaartse allokasie vir 'n TRA gedoen word, daar pro-rata soveel minder geld vir die De Hoop Projek beskikbaar sal wees;
- (f) Dat die versoek van Ilinge Lethu vir 'n TRA vir die redes hierbo gemeld dus nie op hierdie stadium oorweeg kan word nie.

8.7 VOORGESTELDE LANGTERMYN VERHURING VAN ONROERENDE MUNISIPALE EIENDOM: GEDEELTE VAN ERF 327, MALMESBURY (12/2/B)

Die Munisipaliteit is ten gunste van die skep van alternatiewe energie in 'n poging om beurtkrag na die Munisipaliteit te verlaag en jaarlikse elektrisiteitsverhogings te beperk.

Die Munisipaliteit het reeds 'n drie jaar ooreenkoms met Darling Green Utility onderteken om 1MVA sonkrag aan die Munisipaliteit te verskaf met ingang van Januarie 2024.

Die geleentheid bestaan om gedeelte grond van die sogenaamde Klipkoppie-eiendom aan potensiële onafhanklike kragprodusente (IPP's) vir 'n langtermyn huur beskikbaar te stel. Die Klipkoppie word geskik beskou vir die ontwikkeling van 'n sonkragaanleg aangesien dit redelik naby is aan die Munisipaliteit se 11 kV substasies en die helling van die grond front Noord/Noordwes wat die wenslikste is vir sonbestraling.

BESLUIT

(op voorstel van rdh T van Essen, gesekondeer deur rdl E C O'Kennedy)

- (a) Dat die Raad in beginsel goedkeuring verleen in terme van Artikel 14 van die Wet op Munisipale Finansiële Bestuur, 2003 dat 'n gedeelte (die omvang nog bepaal te word) van erf 327, Malmesbury aan potensiële onafhanklike kragprodusente (IPPs) beskikbaar gestel word onder 'n tender vir die daarstel van 'n sonkragaanleg op die betrokke eiendom, onderhewig aan die verkryging van die toepaslike grondgebruiksregte en omgewings-magtigings;
- (b) Dat kennis geneem word dat die eiendom nie vir die verskaffing van 'n minimum of enige ander vlak van basiese munisipale dienste benodig word nie;
- (c) Dat die termyn van huur op twintig (20) jaar vasgestel word om die huuropsie lewensvatbaar te maak vir voornemende beleggers;
- (d) Dat die voorgenome langtermyn verhuring van bogemelde eiendom in terme van die Raad se Verordening insake die Oordrag van Munisipale Kapitale Bates, PK 7394 gedateer 22 Mei 2015 vir kommentaar/besware geadverteer word;

(e)/...

B: IN RESPECT OF ILINGE LETHU AND PHOLA PARK

- (a) That note is taken that tenders for the service of 1013 erven in the De Hoop Development have already been advertised with the closing date at the end of May 2023;
- (b) That note is taken that the bulk services for the De Hoop Development – with reference to sewerage and water – have already been installed in previous years, and that electricity bulk infrastructure will be available one of these days (2 years);
- (c) That note is taken that the provision of land for a thoroughfare, or a TRA will have a negative impact on the development of 1013 erven as a result of which the opportunity will decrease substantially;
- (d) That note is taken that the “profiling of beneficiaries” of the first 1100 persons on the waiting list is approximately an apportionment of 60/40 of persons living in Wesbank and Ilinge Lethu respectively;
- (e) That note is taken that there is no provision made in the present budget for any services for the thoroughfare and that, if there is a side step in the present grant allocation for a TRA, there will be far less money available pro-rata for the De Hoop Project;
- (f) That the request from Ilinge Lethu for a TRA cannot at this stage be considered for the reasons mentioned above.

8.7 PROPOSED LONG TERM LEASE OF IMMOVEABLE MUNICIPAL PROPERTIES: PORTION OF ERF 327, MALMESBURY (12/2/B)

The Municipality is in favour of the creation of alternative energy in an effort to decrease electricity provision to the Municipality and to limit annual electricity increases.

The Municipality has already signed a three year agreement with Darling Green Utility in order to supply 1MVA solar power to the Municipality as of January 2024.

The opportunity consists of making available a portion of land on the so-called Klipkoppie property to potential independent energy producers (IPP's) for a long term lease. The Klipkoppie is seen as suitable for the development of a solar power layout because it is reasonably close to the Municipality's 11 kV substations and the slope of the land is North/North West which is suitable for sunshine.

RESOLUTION

(proposed by ald T van Essen, seconded by clr E C O'Kennedy)

- (a) That in-principle approval be granted by Council in terms of Section 14 of the Municipal Finance Management Act, 2003 for a portion (maximum 30 hectares) of erf 327, Malmesbury to be made available to potential independent power producers (IPPs) under a tender for the establishment of a solar plant on the property concerned, subject to obtaining the applicable land use rights and environmental authorizations;
- (b) That it be noted that the property is not needed to provide the minimum level or any other level of basic municipal services;
- (c) That the term of lease be determined at twenty (20) years, to make the lease option viable for prospective lessees;
- (d) That the proposed long term leasing of said property be advertised for comments/objections in terms of the Council's By-law relating to the Transfer of Municipal Capital Assets, GN 7394 dated 22 May 2015;
- (e)/...

8.7/...

- (e) Dat volmag verleen word
- (i) aan die Munisipale Bestuurder om in samewerking met die Raad se waardeerders 'n billike en markverwante huur te bepaal as reserwe huurgeld;
 - (ii) aan die Uitvoerende Burgemeesterskomitee om te handel met enige besware wat teen die voorgenome langtermyn verhuring van die eiendom ontvang mag word;
 - (iii) aan die Direkteur: Korporatiewe Dienste om die voorwaardes van verhuur te finaliseer;
 - (iv) aan die Direkteur: Elektriese Ingenieursdienste om die tendervoorwaardes vir die aanwending van die perseel vir doeleindes van 'n sonkrag-aanleg te finaliseer.

GETEKEN:
SPEAKER

- (e) That authorization be given as follows:
- (i) to the Municipal Manager to determine a fair and market-related rental to be set as reserve rental amount in conjunction with Council's valuers;
 - (ii) to the Executive Mayoral Committee to deal with any objections that may be forthcoming regarding the proposed long term leasing of the property;
 - (iii) to the Director: Corporate Services to finalise the tender criteria and conditions of lease;
 - (iv) to the Director: Electrical Engineering Services to finalise the tender conditions for the utilization of the property for purposes of a solar plant.

**SIGNED
SPEAKER**



NOTULE VAN 'N VERGADERING VAN DIE UITVOERENDE BURGEMEESTERSKOMITEE GEHOU IN DIE
RAADSAAL, MALMESBURY OP WOENSDAG, 17 MEI 2023 OM 14:00

TEENWOORDIG:

Uitvoerende Burgemeester, rdh J H Cleophas (voorsitter)
Uitvoerende Onderburgemeester, rdl J M de Beer

Lede van die Burgemeesterskomitee:

Rdl D G Bess
Rdl N Smit
Rdh T van Essen
Rdl A K Warnick

Ander raadslede:

Die Speaker, rdl M A Rangasamy

Beamptes:

Munisipale Bestuurder, mnr J J Scholtz
Direkteur: Ontwikkelingsdienste, me J S Krieger
Direkteur: Finansiële Dienste, mnr M Bolton
Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann
Direkteur: Elektriese Ingenieursdienste, mnr T Möller
Direkteur: Korporatiewe Dienste, me M S Terblanche
Strategiese Dienste, mnr L Fourie
Bestuurder: Sekretariaat en Rekordsdienste, me N Brand

1. OPENING

Die Uitvoerende Burgemeester verwelkom lede en versoek rdl J M de Beer om die vergadering met gebed te open.

2. VERLOF TOT AFWESIGHEID

Dat **KENNIS GENEEM** word van die verskonings ontvang vanaf die Senior Bestuurder: Strategiese Dienste, me O Fransman.

3. VOORLEGGINGS/AFVAARDIGINGS/SPREEKBEURTE

Geen.

4. NOTULES

4.1 NOTULE VAN 'N GEWONE UITVOERENDE BURGEMEESTERSKOMITEE-
VERGADERING GEHOU OP 19 APRIL 2023

BESLUIT

(op voorstel van rdh T van Essen gesekondeer deur rdl N Smit)

Dat die notule van 'n Gewone Uitvoerende Burgemeesterskomiteevergadering gehou op 19 April 2023 goedgekeur en deur die Burgemeester onderteken word.

5./...



MINUTES OF A MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE COUNCIL
CHAMBER, MALMESBURY ON WEDNESDAY, 17 MAY 2023 AT 14:00

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:

The Speaker, ald M A Rangasamy

Officials:

Municipal Manager, mr J J Scholtz
Director: Development Services, ms J S Krieger
Director: Financial Services, mr M Bolton
Director: Civil Engineering Services, mr L D Zikmann
Director: Electrical Engineering Services, mr T Möller
Director: Corporate Services, ms M S Terblanche
Strategic Services, mr L Fourie
Manager: Secretarial and Record Services, ms N Brand

1. OPENING

The Executive Mayor welcomed members and requested clr J M de Beer to open the meeting with a prayer.

2. APOLOGIES

That **NOTE IS TAKEN** of the apology received from the Senior Manager: Strategic Services, ms O Fransman.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None.

4. MINUTES

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

RESOLUTION

(proposed by ald T van Essen seconded by clr N Smit)

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

5./...

5. OORWEGING VAN AANBEVELINGS UIT DIE NOTULE

5.1 NOTULE VAN PORTEFEULJEKOMITEESVERGADERING GEHOU OP 10 MEI 2023

5.1.1 MUNISIPALE BESTUUR, ADMINISTRASIE EN FINANSIES

BESLUIT

(op voorstel van rdl A K Warnick, gesekondeer deur rdh T van Essen)

Dat die Uitvoerende Burgemeester die aanbevelings in die betrokke notule bekragtig.

5.1.2 SIVIELE EN ELEKTRIESE DIENSTE

BESLUIT

(op voorstel van rdl A K Warnick, gesekondeer deur rdh T van Essen)

Dat die Uitvoerende Burgemeester die aanbevelings in die betrokke notule bekragtig.

5.1.3 ONTWIKKELINGSDIENSTE

BESLUIT

(op voorstel van rdl A K Warnick, gesekondeer deur rdh T van Essen)

Dat die Uitvoerende Burgemeester die aanbevelings in die betrokke notule bekragtig.

5.1.4 BESKERMINGDIENSTE

BESLUIT

(op voorstel van rdl A K Warnick, gesekondeer deur rdh T van Essen)

Dat die Uitvoerende Burgemeester die aanbevelings in die betrokke notule bekragtig.

6. SAKE VOORTSPRUITEND UIT DIE NOTULES

Geen.

7. NUWE SAKE

7.1 2023 GEÏNTEGREERDE ONTWIKKELINGSPLAN (2/1/4/4/1)

Die Geïntegreerde Ontwikkelingsplan (GOP) van 'n munisipaliteit dien as die hoof strategiese plan wat handel met die mees kritieke ontwikkelingsbehoefes in die munisipale area (eksterne fokus), sowel as die mees kritieke bestuursbehoefes van die organisasie (interne fokus).

Die Raad het op 25 Augustus 2022 die Prosesplan aanvaar vir die opstel van 'n nuwe GOP. Die konsep GOP is op 30 Maart 2023 aan die Raad voorgelê met die doel om die publieke deelnameproses te inisieer.

BESLUIT (vir voorlegging aan die Raad op 25 Mei 2023)

(op voorstel van rdl J M de Beer, gesekondeer deur rdl D G Bess)

(a) Dat die 2023 Geïntegreerde Ontwikkelingsplan (GOP) vir die Swartland munisipale gebied, sowel as die vyf Areaplanne vir 2023/2024, vir goedkeuring deur die Raad aanbeveel word in terme van Hoofstuk 5 van die Wet op Munisipale Stelsels Nr 32 van 2000;

(b) dat die Raad kennis neem van die wysigings aan die Ruimtelike Ontwikkelingsraamwerk soos vervat in die opsomming in Hoofstuk 2, paragraaf 2.5(c) van die GOP;

5. CONSIDERATION OF RECOMMENDATIONS IN THE MINUTES

5.1 MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 10 MAY 2023

5.1.1 MUNICIPAL MANAGER, ADMINISTRATION AND FINANCES

RESOLUTION

(proposed by clr A K Warnick, seconded by ald T van Essen)

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

5.1.2 CIVIL AND ELECTRICAL SERVICES

RESOLUTION

(proposed by clr A K Warnick, seconded by ald T van Essen)

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

5.1.3 DEVELOPMENT SERVICES

RESOLUTION

(proposed by clr A K Warnick, seconded by ald T van Essen)

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

5.1.4 PROTECTION SERVICES

RESOLUTION

(proposed by clr A K Warnick, seconded by ald T van Essen)

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

6. MATTERS ARISING FROM THE MINUTES

None.

7. NEW MATTERS

7.1 2023 INTEGRATED DEVELOPMENT PLAN (2/1/4/4/1)

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

The Council approved the Process Plan for the drawing up of a new IDP on 25 August 2022. The draft IDP was submitted to the Council on 30 March 2023 in order to initiate the public participation process.

RESOLUTION (for submission to the Council on 25 May 2023)

(proposed by clr J M de Beer, seconded by clr D G Bess)

- (a) That the 2023 Integrated Development Plan (IDP) for the Swartland municipal area, as well as the five Area Plans for 2023/2024, be recommended for approval by Council in terms of Chapter 5 of the Municipal Systems Act No 32 of 2000;
- (b) That Council notes the amendments to the Spatial Development Framework as included in the summary in Chapter 2, paragraph 2.5(c) of the IDP;
- (c) That the comments and inputs received during April 2023 (including the SIME comments) be dealt with in accordance with ANNEXURES 2 and 3; and

7.1/...

- (c) Dat die kommentaar en insette wat tydens April 2023 ontvang is (insluitende die SIME kommentaar), hanteer word ooreenkomstig Aanhangsels 2 en 3;
- (d) Dat die wetlike proses, soos voorgeskryf in die Wet op Munisipale Stelsels Nr 32 van 2000, die Wet op Munisipale Finansiële Bestuur Nr 56 van 2003 en die Munisipale Begroting en Verslagdoening Regulasies, 2009, afgehandel word na goedkeuring van die GOP deur die Raad.

7.2 SWARTLAND MUNISIPALITEIT: WYSIGING VAN MUNISIPALE RUIMTELIKE ONTWIKKELINGSRAAMWERK 2023-2027 (15/1/4/1)

Die doel van die wysiging van die Munisipale Ruimtelike Ontwikkelingsraamwerk 2023-2027 (ROR) is om 'n beleidsdokument daar te stel wat as riglyn dien vir volhoubare ruimtelike ontwikkeling binne die munisipale gebied.

Alle toepaslike nasionale, provinsiale en plaaslike wetgewing en regulasies is in ag geneem om die ROR te belyn met die nodige beleidsriglyne, sowel as met die ruimtelike implikasies vervat in die GOP.

Die Munisipale Bestuurder verwys na die omvang van kommentaar wat ontvang is op die ROR en die Stadsbeplanners word bedank vir die wyse waarop daar in detail met die kommentaar gehandel is.

BESLUIT (vir voorlegging aan die Raad op 25 Mei 2023)
(op voorstel van rdl J M de Beer, gesekondeer deur rdh T van Essen)

Dat die Raad die wysigings van die Swartland Munisipaliteit: Munisipale Ruimtelike Ontwikkelingsraamwerk vir die totale regsgebied van Swartland ingevolge artikel 7(3) van die Verordening insake Munisipale Grondgebruikbeplanning (PK 8226 van 25 Maart 2020) aanneem, onderhewig aan die volgende:

- (a) Die Raad moet binne 14 dae vanaf besluitneming in die media en die Provinsiale Koerant kennis gee van sy besluit;
- (b) Die persone/instansies wat in die publieke deelnameproses kommentaar gelewer het van die Raad se besluit en reaksie in kennis gestel word;
- (c) Alle toekomstige ontwikkelingsaansoeke aan die beginsels van die Munisipale Ruimtelike Ontwikkelingsraamwerk oorweeg en evalueer sal word;
- (d) Aksieplanne uit die Munisipale Ruimtelike Ontwikkelingsraamwerk jaarliks na die GOP proses vir befondsing verwys word;
- (e) Spesiale pogings jaarliks aangewend sal word ten einde uitvoering aan aksieplanne in die Munisipale Ruimtelike Ontwikkelingsraamwerk te gee.

7.3 BEGROTINGSBEHEERKOMITEE TEGNIESE AANBEVELINGS VIR DIE MEERJARIGE KAPITAAL- EN BEDRYFSBEGROTINGS, GEWYSIGDE BEGROTING- EN VERWANTE BELEIDE, EIENDOMSBELASTING, TARIWE EN ANDER HEFFINGS VIR 2023/2024, 2024/2025 EN 2025/2026 (5/1/1/1, 5/1/1/2, 5/1/4)

Die Direkteur: Finansiële Dienste behandel die verslag ten einde 'n geleentheid aan die Uitvoerende Burgemeesterskomitee te gee om die meerjarige kapitaal- en bedryfsbegrotings gewysigde begrotings- en verwante beleide, eiendomsbelasting, tariewe en ander heffings aan die Raad aan te beveel op 25 Mei 2023.

Die Direkteur: Finansiële Dienste bevestig dat daar nie wesenlike veranderinge in die begrotings aangebring is sedert die voorlegging van die 90-dae begroting aan die Raad in Maart 2023 en die enkele wysigings word uitgewys, onder andere, die verlaging van die elektrisiteitstariewe vanaf 20,49 na 18,49 wat onderhewig is aan NERSA se finale goedkeuring.

Besluit/...

7.1/...

- (d) 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 SWARTLAND MUNICIPALITY: AMENDMENT TO THE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK 2023-2027 (15/1/4/1)

The purpose of the amendment to the Municipal Spatial Development Framework 2023-2027 (SDF) is to put in place a policy document, which serves as a guideline for sustainable spatial development within the municipal area.

All applicable national, provincial and local legislation and regulations were taken into account in order for the SDF to be in line with the necessary policy guidelines, as well as with the spatial implications contained in the IDP.

The Municipal Manager referred to the number of comments in respect of the SDF which were received and the Town Planners were thanked for the manner in which the comments were dealt with in detail.

RESOLUTION (for submission to the Council on 25 May 2023)
(proposed by clr J M de Beer, seconded by ald T van Essen)

- (a) The Council resolution must within 14 days of decision making give notice of its decision in the media and Provincial Gazette;
- (b) Any stakeholder competing in the public participation process be informed of Council's decision and reaction;
- (c) All future development proposals be evaluated in accordance with the principles as set in the Municipal Spatial Development Framework;
- (d) Action plans within Municipal Spatial Development Framework annually be submitted via the IDP process for budgeting;
- (e) Special attempts be made annually to address action plans within the Municipal Spatial Development Framework.

7.3 BUDGET MANAGEMENT'S TECHNICAL RECOMMENDATIONS FOR THE MULTI-YEAR CAPITAL AND OPERATING BUDGETS, ADJUSTED BUDGET AND RELEVANT POLICIES, PROPERTY RATES AND TAXES, TARIFFS AND OTHER LEVIES FOR 2023/2024, 2024/2025 and 2025/2026 (5/1/1/1, 5/1/1/2, 5/1/4)

The Director: Financial Services dealt with the report in order to give the opportunity to the Executive Mayor's Committee to recommend the multi-year capital and operating budgets, adjusted budget and relevant policies, property rates and taxes, tariffs and other levies to the Council on 25 May 2023.

The Director: Financial Services confirmed that no fundamental changes to the budgets had been made since the submission of the 90 day budget to the Council in March 2023 and the only amendments pointed out were, inter alia, the decrease in electricity tariffs from 20,49 to 18,49, which is dependent on final approval from NERSA.

RESOLUTION (for submission to the Council on 25 May 2023)
(proposed by clr N Smit, seconded by clr A K Warnick)

- (a) That cognisance be taken of the inputs received from the public and province and that the comments and responses thereto (**Annexure E, Inputs received on Draft Budget**) be accepted as recommendations by the Budget Steering Committee and Executive Mayoral Committee, insofar as it relates to the 2023/2024 MTREF Draft Budget and in considering the inputs into the draft budget it is advised that there is no need for any amendments to the budget or policies;

7.3/...

BESLUIT (vir voorlegging aan die Raad op 25 Mei 2023)
(op voorstel van rdl N Smit, gesekondeer deur rdl A K Warnick)

- (a) Dat daar kennis geneem word van die publieke en provinsiale insette wat ontvang is en dat die reaksie en kommentaar (**Annexure E, Inputs received on Draft Budget**) daarop as aanbevelings deur die Begrotingsbeheerkomitee en Uitvoerende Burgemeesters-komitee, insoverre dit verband hou met die 2023/2024 MTREF Konsep Begroting, aanvaar word en dat daar, na oorweging van die insette op die konsepbegroting, nie nodig is vir enige wysigings aan die begroting of beleide nie;
- (b) Dat die Raad kennis neem dat die koste soos beoog deur Artikel 19 (2)(a)(b) verkry is na konsultasie met die onderskeie direkteur(e) wie die koste bevestig het soos per (**Annexure A: 2023/2024 – 2025/2026 Final Budget and Tariff File**) en oorweeg dieselfde;
- (c) Dat die Raad voor die goedkeuring van die kapitaal projekte bo R50 miljoen soos gelys in (**Annexure B: 2023/2024 – 2025/2026 Capital Projects ito Sec 19**), eers die geprojekteerde koste wat alle finansiële jare dek totdat die projek in werking is; en die toekomstige bedryfskoste en inkomste op die projek, met inbegrip van belasting- en tarief-implikasies oorweeg;
- (d) Dat die Raad dit toepaslik geag het om die totale kapitaalprogram te oorweeg, uitgesluit die 3 individuele projekte bo R50 miljoen aangesien die voorgenoemde kapitaalprogram se operasionele koste, insluitend die toekomstige koste wat gedek sal word deur belasting en die normale kostesentrums soos in die bedryfsbegroting;
- (e) Dat die toekomstige kapitaalbegrotings vanaf jaar 3 beperk word tot 16.5% van die bedryfsbegroting (gebaseer op NT se norm van tussen 10% en 20% vir Kapitaalbesteding tot Totale Bedryfsbesteding) as gevolg van die opwaartse druk wat dit het op die bedryfsbegroting en die bekostigbaarheid van tariewe;
- (f) Dat die Raad die befondsingsbronne oorweeg wat verband hou met die raad se kapitaalprogram en daarop let dat die befondsingsbronne beskikbaar is en nie vir ander doeleindes geoormerk is nie;

FINANCING SOURCES	Final Budget 2023/2024	Final Budget 2024/2025	Final Budget 2025/2026
Capital Replacement Reserve (CRR)	R 100 565 452	R 70 374 545	R 99 643 329
External Loans	R -	R 33 000 000	R 17 000 000
Municipal Infrastructure Grant (MIG)	R 24 708 000	R 25 664 000	R 26 660 000
Dept. Human Settlements	R 55 314 000	R 64 890 000	R 30 000 000
Integrated National Electrification Programme (INEP)	R 23 658 000	R 25 000 000	R 35 000 000
RSEP	R 500 000	-	-
Contributions / Donations	R 1 224 943	-	-
Dept. Cultural Affairs and Sport	R 1 016 000	-	-
Community Safety Grant	R 40 000	R 40 000	-
Fire Service Capacity Building Grant	R 926 000	-	-
GRAND TOTAL	R 207 952 395	R 218 968 545	R 208 303 329

- (g) Dat die Raad die kapitaalprojekte as deel van die gekonsolideerde kapitaalprogram goedkeur soos per (**Annexure A: 2023/2024 – 2025/2026 Final Budget and Tariff File**);

(h)/...

- (b) 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: 2023/2024 – 2025/2026 Final Budget and Tariff File**) and consider same;
- (c) That council prior to approving the capital projects above R50 million as listed in (**Annexure B: 2023/2024 – 2025/2026 Capital Projects ito Sec 19**), first consider the projected 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;
- (d) That council deemed it appropriate to consider the entire capital program excluding the 3 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;
- (e) That the future capital budgets from year 3 be limited to 16.5% 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;
- (f) 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 2023/2024	Final Budget 2024/2025	Final Budget 2025/2026
Capital Replacement Reserve (CRR)	R 100 565 452	R 70 374 545	R 99 643 329
External Loans	R -	R 33 000 000	R 17 000 000
Municipal Infrastructure Grant (MIG)	R 24 708 000	R 25 664 000	R 26 660 000
Dept. Human Settlements	R 55 314 000	R 64 890 000	R 30 000 000
Integrated National Electrification Programme (INEP)	R 23 658 000	R 25 000 000	R 35 000 000
RSEP	R 500 000	-	-
Contributions / Donations	R 1 224 943	-	-
Dept. Cultural Affairs and Sport	R 1 016 000	-	-
Community Safety Grant	R 40 000	R 40 000	-
Fire Service Capacity Building Grant	R 926 000	-	-
GRAND TOTAL	R 207 952 395	R 218 968 545	R 208 303 329

- (g) That council approves the capital projects as part of its consolidated capital program as per (**Annexure A: 2023/2024 – 2025/2026 Final Budget and Tariff File**);
- (h) That council in-principle approves the raising of an external loan to the amount of R50 million in year 2 of the new 2023/24 MTREF for the partial financing of the following capital projects: Malmesbury De Hoop 132/11kV Substation (R29 million) and the Development of Highlands New Landfill site Cell (R21 million), by means of testing the market as envisaged by MFMA section 46, requesting tenders from the financial institutions;
- (i) That the final high-level multi-year Capital and Operating budgets in respect of the **2023/2024 – 2025/2026** financial years, be approved as final, in accordance with sections 16, 17, 18 and 19 of the MFMA to allow for public participation;

7.3/...

- (h) Dat die Raad in beginsel goedkeuring verleen vir die opneem van 'n eksterne lening tot 'n bedrag van R50 miljoen vir jaar 2 van die 2023/24 MTREF, vir die gedeeltelike finansiering van die volgende kapitaalprojekte: Malmesbury De Hoop 132/11kV Substation (R29 miljoen) en die Development of Highlands New Landfill Cell (R21 miljoen), deur die mark te toets by wyse van die inwin van tenders vanaf die finansiële instellings soos beoog in artikel 46 van die MFMA;
- (i) Dat die finale hoë-vlak meerjarige Kapitaal- en Bedryfsbegrotings ten opsigte van die **2023/2024– 2025/2026** finansiële jare goedgekeur word as finaal, in ooreenstemming met artikel 16, 17, 18 en 19 van die MFMA;

	Oorspronklike Begroting 2022/23	Spesiale Aansuiwerings begroting 2022/23	Finale Begroting 2023/24	Finale Begroting 2024/25	Finale Begroting 2024/25
Kapitaalbegroting	191 095 805	178 839 804	207 952 395	218 968 545	208 303 329
Bedryfsuitgawes	1 029 331 855	1 025 575 992	1 070 130 062	1 174 132 994	1 371 930 505
Bedryfsinkomste	1 093 983 961	1 098 017 579	1 192 485 181	1 302 126 207	1 479 438 894
Begrote (Surplus)/ Tekort	(64 652 106)	(72 441 587)	(122 355 119)	(127 993 213)	(107 508 389)
Minus: Kapitaal Toekennings & Donasies	77 109 000	78 890 510	107 386 943	115 594 000	91 660 000
(Surplus)/ Tekort	12 456 894	6 448 923	(14 968 176)	(12 399 213)	(15 848 389)

- (j) Dat daar goedkeuring verleen word vir die kennisgewing ingevolge artikel 14(1) en (2) van die Plaaslike Regering: Wet op Munisipale Eiendomsbelasting, 2004 ten opsigte van die heffing van finale eiendomsbelastingkoerse, vrystellings en afslag op eiendomme soos gespesifiseer in die onderstaande skedule en in die eiendomsbelastingbeleid vir die 2023/2024 finansiële jaar;

Category of property	Rate ratio	(c/R) rate determined for the relevant property category
Residential properties	1: 1	0,5956
Business and Commercial properties	1: 1,4586	0,8769
Industrial properties	1: 1,4586	0,8769
Agricultural properties	1: 0,25	0,1489
Mining properties	1: 1,4586	0,8769
Public Service Infrastructure	1: 0,25	0,1489
Properties owned by an organ of state and used for public service purposes	1: 1,4586	0,8769
Public Benefit Organisations	1: 0	0,0000
Vacant properties	1: 1,3470	0,8022
Municipal properties	1: 0	0,0000
Conservation Areas	1: 0	0,0000
Protected Areas	1: 0	0,0000
National Monuments	1: 0	0,0000
Informal Settlements	1: 0	0,0000

Exemptions and Reductions/...

	Original Budget 2022/23	Special Adj Budget 2022/23	Final Budget 2023/24	Final Budget 2024/25	Final Budget 2024/25
Capital budget	191 095 805	178 839 804	207 952 395	218 968 545	208 303 329
Operating Expenditure	1 029 331 855	1 025 575 992	1 070 130 062	1 174 132 994	1 371 930 505
Operating Revenue	1 093 983 961	1 098 017 579	1 192 485 181	1 302 126 207	1 479 438 894
Budgeted (Surplus)/ Deficit	(64 652 106)	(72 441 587)	(122 355 119)	(127 993 213)	(107 508 389)
Less: Capital Grants & Contributions	77 109 000	78 890 510	107 386 943	115 594 000	91 660 000
(Surplus)/ Deficit	12 456 894	6 448 923	(14 968 176)	(12 399 213)	(15 848 389)

- (j) 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 2023/24 financial year with effect from 1 July 2023;

Category of property	Rate ratio	(c/R) rate determined for the relevant property category
Residential properties	1: 1	0,5956
Business and Commercial properties	1: 1,4586	0,8769
Industrial properties	1: 1,4586	0,8769
Agricultural properties	1: 0,25	0,1489
Mining properties	1: 1,4586	0,8769
Public Service Infrastructure	1: 0,25	0,1489
Properties owned by an organ of state and used for public service purposes	1: 1,4586	0,8769
Public Benefit Organizations	1: 0	0,0000
Vacant properties	1: 1,3470	0,8022
Municipal properties	1: 0	0,0000
Conservation Areas	1: 0	0,0000
Protected Areas	1: 0	0,0000
National Monuments	1: 0	0,0000
Informal Settlements	1: 0	0,0000

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;

7.3/...

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.

- (k) Dat die Raad die tariefstrukture en heffings vir water, vullisverwydering, riool en ander diverse heffings soos uiteengesit in **(Annexure A: 2023/2024 – 2025/2026 Final Budget and Tariff File)** goedkeur as finaal;
- (l) Dat die Raad die voorgestelde elektrisiteitstariewe as finaal goedkeur vir die 2023/2024 finansiële jaar, met inagneming dat dit **onderhewig is aan finale goedkeuring deur NERSA** en dat die Tyd-van-Gebruik kliënte daarop moet let dat die TVG-tydsgleuwe onderhewig is aan verandering hangende Nersa/Eskom se uitklaring;
- (m) Dat die jaarlikse begrotingstabelle soos vereis deur die Begrotings- en Rapporteringsregulasies en uiteengesit in **(Annexure C: Budget Report and A-Schedules 2023/2024 – 2025/2026)** goedgekeur word;
- (n) Dat die **wysigings** aan die begrotings- en verwante beleide soos vervat in **(Annexure D: Final Amendments to Budget & Related Policies 2023/2024)**, goedgekeur word as finaal;
- (o) Dat die opleidingsbegroting beperk is tot **0,60%** van die salarisbegroting ten bedrae van **R 1 898 364** vir die 2023/2024 finansiële jaar as finaal goedgekeur word;
- (p) Dat die Raad kennis neem van die verhoging in die salarisrekening van ongeveer 5.99%:
- Ten opsigte van alle personeel, 'n verhoging van **5.4%** vir 2023/2024; **5%** vir die 2024/2025 en **5%** vir 2025/2026 finansiële jare, uitgesluit die toename in ander voordele wat van toepassing is en die jaarlikse 2,5% kerfverhoging waar van toepassing;
 - Daar is voldoende begroot vir alle salarisaanpassings;
 - Voorsiening is gemaak vir 'n **3%** verhoging vir politieke ampsbekleërs wat val binne die middelband van die inflasietekens soos bepaal deur die Suid-Afrikaanse Reserwebank (SARB).
- (q) Dat die Raad kennis neem van die begrote bedryfssurplusse en dat die begroting "kontant gefinansier". Die totale groei in uitgawes van **4.4%** vanaf die huidige na die nuwe finansiële jaar en die inkomstebronne met 'n groei in inkomste van **8.6%** (**6.5% kapitale toekennings uitgesluit**) vir die MTREF periode, sowel as die kontantvloei-staat soos per **(A-schedule: A7)** vir die volgende drie finansiële jare;
- die risikofaktor vir kontantdekking vir bedryfssurplusse is **9.8 maande** vir 2023/24, **9.7 maande** vir 2024/25 en **8 maande** vir die 2025/26 finansiële jaar (dit kan wesenlik beïnvloed word, maar op hierdie stadium is dit nie moontlik om wetenskaplik te bepaal nie);
 - oor die volgende drie finansiële jare is die beplanning van so 'n aard dat netto bedryfssurplusse verwag word vir 2023/24, 'n bedrag van **R 14 968 176**, vir 2024/25 'n bedrag van **R 12 399 213** en vir 2025/26, 'n bedrag van **R 15 848 389** (**kapitale toekennings uitgesluit**), wat ver onder die NT-norm is van minstens 'n 10% surplus.

- **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.

- (k) That council approve the final tariff structures and charges for water, refuse removal, sewerage and other sundry charges as set out in **(Annexure A: 2023/2024 – 2025/2026 Final Budget and Tariff File)**;
- (l) That council approve the electricity tariffs as final for the 2023/2024 financial year, **bearing in mind that it is still subject to NERSA's final approval** and that Time of Use customers must note that the TOU slots are subject to change pending Nersa/Eskom's clarification;
- (m) 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 2023/2024– 2025/2026)**;
- (n) That the **amendments** to the budget and related policies as set out in **(Annexure D: Final Amendments to Budget & Related Policies 2023/2024)** hereto, be approved as final;
- (o) That the training budget limited to **0,60%** of the salary budget in the amount of **R1 898 364** for the 2023/2024 financial year be approved as final;
- (p) That Council takes note of the increase in the salary bill of around 5.99%:
- In respect of all personnel, an increase of **5.4%** for 2023/2024; **5%** for 2024/2025 and **5%** for the 2025/2026 financial years, excluding the increase in other benefits that are applicable and the annual 2.5% 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);
- (q) That Council takes note of the budgeted operating surpluses and that the budget is "cash-funded". The total expenditure growth of **4.4%** from the current to the new financial year and the revenue streams with growth in revenue of **8.6%** (**6.5% 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 **9.8 months** for 2023/24, **9.7 months** for 2024/25 and **8 months** for the 2025/26 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 operating net surpluses are envisaged for 2023/24 to an amount of **R 14 968 176**, for 2024/25 an amount of **R 12 399 213** and for 2025/26 an amount of **R 15 848 389** (**excluding capital grant income**), which is well below the NT norm of at least a surplus of 10%;
- (r) 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;
- (s) That Council take note that the budget was prepared in the new mSCOA Version 6.7 as required by National Treasury.

7.3/...

- (r) Dat die Direkteur: Finansiële Dienste voldoen aan die vereistes van die Begrotingsomsendbriewe en –formate in die konteks van die verslagdoeningsvereistes aan Provinsiale en Nasionale Tesourie;
- (s) Dat die Raad kennis neem dat die begroting opgestel is in die nuwe mSCOA Weergawe 6.7 soos vereis deur Nasionale Tesourie.

7.4 VASSTELLING VAN ONTWIKKELINGSBYDRAES VIR 2023/2024 (15/1/B)

Die tariewe vir die 2023/2024 finansiële jaar is hersien ten einde 'n balans te vind tussen ontwikkelingsbydraes en werklike ingenieurskoste. Die tariewe het dus aansienlik verhoog, aangesien daar nie veel aanpassings in die voorafgaande jare was nie.

Die doel van die voorlegging van die ontwikkelingsbydraes is dus om die korting daarop te oorweeg en word 'n 60% afslag voorgestel in oorweging van bekostigbaarheid vir ontwikkelaars.

Die Direkteur: Siviele Ingenieursdienste versoek dat oorweging daaraan verleen moet word om die vrystelling van ontwikkelingsbydraes van toepassing op ontwikkeling van ondernemings en nywerhede kleiner as 100 m² vir Riebeek Vallei, uitgebrei word na die totale munisipale gebied.

BESLUIT (vir voorlegging aan die Raad op 25 Mei 2023)
(op voorstel van rdh T van Essen, gesekondeer deur rdl J M de Beer)

- (a) Die aangehegte ontwikkelingbydraes vir die 2023/2024 finansiële jaar goedgekeur word:
- (i) "Greenfields"-ontwikkelingbydraes vir grootmaat elektrisiteit – (Bylae "A");
 - (ii) "Brownfields"-ontwikkelingbydraes vir elektrisiteit – (Bylae "B");
 - (iii) Ontwikkelingbydraes water – (Bylae "C");
 - (iv) Ontwikkelingsbydraes vir riool – (Bylae "D");
 - (v) Ontwikkelingsbydraes vir paaie – (Bylae "E")
- (b) 'n Korting van 60% op genoemde ontwikkelingbydraes ten opsigte van die 2023/2024 finansiële jaar toegestaan word, omrede:
- Ontwikkelaars 'n ooreenkoms met die Munisipaliteit aangaan m.b.t. die betaling van ontwikkelingbydraes ingevolge die bestaande beleide;
- (c) Ontwikkelings van ondernemings en nywerhede van 100 m² en kleiner is vrygestel van die betaling van ontwikkelingsbydraes;
- (d) Addisionele wooneenhede van 60 m² en kleiner is vrygestel van die betaling van ontwikkelingsbydraes;
- (e) Die werklike koste van ontwikkelingsbydraes sal op alle ontwikkelings van toepassing wees, soos bepaal en bereken deur die Direkteur: Siviele Ingenieursdienste en die Direkteur: Elektriese Ingenieursdienste van toepassing wees.

7.5 SWARTLAND EKONOMIESE ONTWIKKELINGSPLAN (2/1/4/5)

Die Swartland Ekonomiese Ontwikkelingsplan is 'n opsomming van nasionale, provinsiale en andere inisiatiewe wat 'n raamwerk verskaf aan Swartland Munisipaliteit hoe en waar om betrokke te raak by ekonomiese ontwikkeling.

Die hersiening van die plan is gebaseer om die nuwe GOP en ontwikkel met in ag neming van die nuwe doelwitte, sleutelprestasië-aanwysers en teikens in die GOP ten einde 'n post-Covid 19-ekonomiese ontwikkelingstrategie daar te stel.

BESLUIT
(op voorstel van rdl A K Warnick, gesekondeer deur rdh T van Essen)

Dat die Swartland Ekonomiese Ontwikkelingsplan wat as Aanhangel A aangeheg is, goedgekeur word.

7.4 ESTABLISHMENT OF DEVELOPMENT CONTRIBUTIONS FOR 2023/2024 (15/1/B)

The tariffs for the 2023/2024 financial year were revised in order to find a balance between development contributions and real engineering costs. The tariffs have therefore increased considerably, because there were not many adjustments in previous years.

The purpose of the submission of the development contributions is therefore to consider the rebate and a 60% deduction is proposed when considering the affordability for developers.

The Director: Civil Engineering Services requested that consideration must be given to the exemption of development contributions applicable to the development of projects and industries smaller than 100 m² for the Riebeek Valley, and then extended to the whole municipal area.

RESOLUTION (for submission to the Council on 25 May 2023)
(proposed by ald T van Essen, seconded by clr J M de Beer)

- (a) The attached Development Charges for the 2023/2024 financial year be approved:
- (i) "Greenfields" Development Charges for bulk electricity (Annexure "A").
 - (ii) "Brownfields" Development Charges for electricity – Swartland Municipal Area (Annexure "B").
 - (iii) Development Charges for water – (Annexure "C").
 - (iv) Development Charges for sewerage (Annexure "D").
 - (v) Development Charges for roads – (Annexure "E").
- (b) A rebate of 60% be considered regarding development charges in respect of the 2023/2024 financial year, for the following reasons:
- Developers have to enter into an agreement with the Municipality regarding the payment of charges in terms of the existing policies;
- (c) Developments of enterprises and industries of 100 m² and smaller are exempt from the payment of development contributions;
- (d) Additional residential units of 60 m² and smaller are exempt from the payment of development contributions;
- (e) Actual Cost of Development Charges will apply to all developments, as determined and calculated by the Directors of Civil and Electrical Engineering Services.

7.5 SWARTLAND ECONOMIC DEVELOPMENT PLAN (2/1/4/5)

The Swartland's Economic Development Plan is a summary of the National, Provincial and other initiatives, which provided a framework for Swartland Municipality on how and where to become involved in economic development.

The revision of the plan is based on the new IDP and developed, taking into account the new goals, key performance indicators and targets in the IDP in order to establish a post Covid-19 economic development strategy.

RESOLUTION
(proposed by clr A K Warnick, seconded by ald T van Essen)

That the Swartland Economic Development Plan that is attached as Annexure A, be approved.

7.6 (1) MUNISIPALE BEPLANNINGSDOKUMENT VIR VOORLOPIGE DIENSTE EN MENSlike NEDERSETTINGSKWESSIES INGEVOLGE DIE RAAD SE NEDERSETTINGSPLAN; (2) VERSOEK VAN KALBASKRAAL; (3) VERSOEK VAN Ilinge LETHU EN PHOLA PARK (17/4/2/B)

Die Direkteur: Ontwikkelingsdienste behandel die verslag en detail van die behuisingsspylyn. Die probleme wat tans op Kalbaskraal ondervind word, word verder toegelig. Die bevel vanaf begunstigdes van die gedienste erwe is dat 'n topstruktuur ook voorsien moet word, maar waarvan slegs 10 begunstigdes sal kwalifiseer met die toepassing van die voorgeskrewe kriteria.

Verder is die begunstigdes ontevrede oor die grootte van die erf en noem die Direkteur: Ontwikkelingsdienste dat die erwe groter as die norm en voorskrifte van die Provinsiale Regering is.

Die Munisipale Bestuurder verduidelik dat daar 'n versoek vanaf rdl M Ngozi ontvang is om 'n deurgangskamp te vestig vir agterplaas bewoners wat nie vir die De Hoop-behuisingprojek in aanmerking gaan kom nie.

'n Bespreking volg aangaande die invloed wat voormelde versoek op die De Hoop-behuisingprojek sal hê en moontlike behuisingseleenthede wat vir begunstigdes verlore sal gaan. Verder sal dit regverdig wees teenoor ander gemeenskappe wat al vir jare wag op 'n behuisingprojek en dieselfde probleme met agterplaas bewoners ondervind.

BESLUIT

(op voorstel van rdl D G Bess, gesekondeer deur rdl J M de Beer)

- (a) Dat die aangepaste munisipale beplanningdokument, soos voorgelê, deur die Uitvoerende Burgemeesterskomitee aanvaar word;
- (b) Dat die voorgestelde projekte 'n beplanningdokument is en onderworpe is aan die beskikbaarheid van fondse, geskikte grond en grootmaatdienste binne die onderskeie dorpe en indien voldoende fondse nie beskikbaar is nie, projekte moontlik aangeskuif kan word na die volgende finansiële jare;
- (c) Dat die Raad ook kennis neem dat die topstrukture (395) van fase 1 van die Malmesbury De Hoop Behuisingprojek einde April 2023 voltooi is en dat tenders gevra is vir die installering van siviele dienste ten opsigte van De Hoop Fase 2 (1013) erwe en Darling (187) erwe.
- (d) Dat, na oorweging van die versoeke van Kalbaskraal ('n onmiddellike behuisingprojek) en Ilinge Lethu, meer spesifiek Phola Park (vir 'n deurgangskamp – met dienste) die besluitneming in die verband na die Raad verwys word;
- (e) Dat die Uitvoerende Burgemeesterskomitee, gebaseer op voormelde inligting, hulle kommer uitspreek dat voldoening aan die Kalbaskraal en Ilinge Lethu versoeke, sal neerkom op "queue jumping" wat 'n ongelukkigheid by die res van die gemeenskappe en mense op die waglys sal skep.

7.7 TWEDE WYSIGING VAN DIE 2022/2023 MIG GEDETAILEERDE PROJEKIMPLEMENTERINGSPLAN (5/9/2/6/1)

Die Direkteur: Siviele Ingenieursdienste bevestig dat die konstruksie van strate in Kalbaskraal gestaak is weens die onluste. Die MIG-gelde is dus oorgeskuif na Chatsworth wat 'n wysiging in die 2022/2023 MIG-gedetailleerde projekimplementeringsplan noodsaak.

BESLUIT

(op voorstel van rdh T van Essen, gesekondeer deur rdl D G Bess)

- (a) Dat kennis geneem word die konstruksie van strate projek in Kalbaskraal vertraag word deur die voortgesette onrus wat gevolglik 'n aanpassing van die beplande besteding vir 2022/2023 vereis;

7.6 (1) MUNICIPAL PLANNING DOCUMENT FOR PROVISIONAL SERVICES AND HUMAN SETTLEMENT QUESTIONS IN ACCORDANCE WITH THE COUNCIL'S HUMAN SETTLEMENT PLAN; (2) REQUEST FROM KALBASKRAAL; (3) REQUEST FROM Ilinge LETHU AND PHOLA PARK (17/4/2/B)

The Director: Development Services dealt with the report and details of the housing pipeline. The problems which are experienced at present in Kalbaskraal were further highlighted. The mandate from first time buyers of the serviced erven is that the top structure must also be provided for, of which only 10 first timers will qualify with the prescribed criteria.

The first time buyers are also unhappy with the size of the erven and the Director: Development Services stated that the erven are larger than the norm and the prescription provided by the Provincial Government.

The Municipal Manager explained that a request has been received from cllr M Ngozi to establish a servitude for back yard dwellers who are not considered for the De Hoop housing project.

A discussion followed in respect of the influence which the above mentioned request will have on the de Hoop housing project and possible housing opportunities which will be lost to first time buyers. Further it will not be fair on other communities who have been on the housing waiting list for many years and find the same problems with backyard dwellers.

RESOLUTION

(proposed by cllr D G Bess, seconded by cllr J M de Beer)

- (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 the top structures (395) for phase 1 of the Malmesbury De Hoop Housing Project has been completed end of April 2023 and that tenders were requested for the installation of civil services with regards to De Hoop Phase 2 (1013) erven and Darling (187) erven;
- (d) That after consideration of the request of Kalbaskraal (immediate housing project) and Ilinge Lethu, more specific Phola Park (for a Temporary Relocation Area with services) be referred to Council for a decision in this regard;
- (e) That the Executive Mayoral Committee based on the afore-mentioned information raise their concerns to adhere to the request of the Kalbaskraal and Ilinge Lethu (Phola Park) as it will result in queue-jumping and create unhappiness amongst the various communities and applicants on the waiting list.

7.7 SECOND AMENDMENT TO THE 2022/2023 MIG DETAILED PROJECT IMPLEMENTATION PLAN (5/9/2/6/1)

The Director: Civil Engineering Services confirmed that the construction of roads in Kalbaskraal has been suspended due to disturbances. The MIG money has therefore been transferred to Chatsworth, which necessitated an amendment in the MIG detailed project implementation plan.

RESOLUTION

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

- (a) That the Executive Mayoral Committee notes the continued unrest and subsequent delays in the Construction of Roads in Kalbaskraal, necessitating an adjustment of the planned spending for 2022/2023;

7.7/...

- (b) Dat, ten einde die MIG-projekte suksesvol te implementeer daar 'n heralokering van fondse tussen die geregistreerde MIG-projekte gedoen moet word, en dat die 2022/2023 MIG-projekimplementeringsplan dienoreenkomstig gewysig word;
- (c) Dat die volgende projekte en begrotings vir die eerste gewysigde MIG-projek-implementeringsplan vir die 2022/2023 finansiële jaar goedgekeur word:

Nr	Project	MIG Ref.	Budget
1	Rehabilitate Water Networks	WC1287/W/14/17	R 2 217 712
2	De Hoop Development: External Water Supply	WC1864/W/21/24	R 2 464 000
3	De Hoop Development: Upgrade Bulk Water Supply	WC1865/W/21/25	R 19 177 500
4	Malmesbury: Rehabilitation of Roads	WC1765/R.ST/19/23	R 1 250 788
5	Abbotsdale: Construction of Roads	WC1858/R.ST/22/25	R 1 570 489
6	Abbotsdale: Construction of Roads Phase 2	WC/1912/R.ST/22/25	R 1 447 316
7	Malmesbury: Illegelethu: Construction of Roads	WC1859/R.ST/22/25	R 228 019
8	Illegelethu Construction of Roads Phase 2	WC/1911/R.ST/22/25	R 461 112
9	Chatsworth: Construction of Roads	WC1862/R.ST/22/25	R 3 356 382
10	Riebeek West: Construction of Roads Phase 2	WC/1909/R.ST/22/25	R 1 636 682
11	Kalbaskraal: Construction of Roads Phase 2	WC/1913/R.ST/22/25	R 0
Total			R 33 810 000

- (d) Dat die gewysigde MIG-projekimplementeringsplan aan die Departement van Samewerkende Regering en Tradisionele Sake beskikbaar gestel word.

7.8 STRATE, HERSEEL PROGRAM 2023/2024 (16/5/5/1)

Die Direkteur: Siviele Ingenieursdienste verduidelik dat die toedeling van die fondse geskied ingevolg die *Pavement Management System*. Daar is besluit, ten einde die fondse optimaal aan te wend, om slegs strate in Malmesbury en Moorreesburg te herseel, aangesien die hervestigingskoste van die operateur baie duur is.

Rdh T van Essen noem dat voormelde nie regverdig teenoor die res van die dorpe in die Munisipale gebied is nie, en dat die program heroorweeg moet word.

BESLUIT

(op voorstel van rdh T van Essen, gesekondeer deur rdi D G Bess)

Dat die item terugverwys word vir heroorweging van die program.

7.9 KONSTRUKSIE VAN PAAIE PROGRAM 2023/2024 (16/5/5/1)

'n Bedrag van R23 708 000 is beskikbaar in die 2023/2024 finansiële jaar vir die konstruksie/opgradering van paaie, waarvan 'n groot gedeelte uit MIG-fondse befonds word.

Alhoewel die opgradering van paaie bepaal word deur die *Unpaved Roads Management System (iRAMS)* is dit die komitee se mening dat daar gekyk moet word na paaie wat bv. besighede bedien wat werkskepping in die munisipale gebied bevorder.

Die voorsitter noem dat daar ander wyses gevind sal moet word om paaie op te gradeer en nie slegs uit MIG-fondse nie. Verder sal daar 'n plan opgetrek moet word om aan die wyksraadslede te voorsien om inwoners in te lig aangaande die beplanning van die Raad met betrekking tot die konstruksie/opgradering van paaie.

Die Direkteur: Siviele Ingenieursdienste noem dat die paaie op die program reeds geregistreer is op die MIG-program en kan dit nie gewysig word nie.

7.7/...

- (b) That the Executive Mayoral Committee notes that in order to achieve successful project implementation, a re-allocation of funds between MIG projects is required and that the 2022/2023 DPIP must be amended accordingly;
- (c) That the Executive Mayoral Committee approves the following projects and budgets for the second amended of the DPIP for the 2022/2023 financial year:

Nr	Project	MIG Ref.	Budget
1	Rehabilitate Water Networks	WC1287/W/14/17	R 2 217 712
2	De Hoop Development: External Water Supply	WC1864/W/21/24	R 2 464 000
3	De Hoop Development: Upgrade Bulk Water Supply	WC1865/W/21/25	R 19 177 500
4	Malmesbury: Rehabilitation of Roads	WC1765/R.ST/19/23	R 1 250 788
5	Abbotsdale: Construction of Roads	WC1858/R.ST/22/25	R 1 570 489
6	Abbotsdale: Construction of Roads Phase 2	WC/1912/R.ST/22/25	R 1 447 316
7	Malmesbury: Illegelethu: Construction of Roads	WC1859/R.ST/22/25	R 228 019
8	Illegelethu Construction of Roads Phase 2	WC/1911/R.ST/22/25	R 461 112
9	Chatsworth: Construction of Roads	WC1862/R.ST/22/25	R 3 356 382
10	Riebeek West: Construction of Roads Phase 2	WC/1909/R.ST/22/25	R 1 636 682
11	Kalbaskraal: Construction of Roads Phase 2	WC/1913/R.ST/22/25	R 0
Total			R 33 810 000

- (d) That the amended DPIP be submitted to the Department of Cooperative Governance and Traditional Affairs.

7.8 STREETS RESEALING PROGRAMME 2023/2024 (16/5/5/1)

The Director: Civil Engineering Services explained that the apportionment of funds takes place in accordance with the *Pavement Management System*. It has been decided, in order to use the funds optimally, to reseal the streets in Malmesbury and Moorreesburg only, because the resettlement costs of the operator are very expensive.

Ald T van Essen stated that the above mentioned is not fair on the rest of the towns in the Municipal area, and that the programme must be reassessed.

RESOLUTION

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

That the item be referred back for reconsideration of the program.

7.9 CONSTRUCTION OF ROADS PROGRAMME 2023/2024 (16/5/5/1)

An amount of R23 708 000 is available in the 2023/2024 financial year for the construction/upgrading of roads, of which a large proportion is funded from MIG Funds.

Although the upgrading of roads is determined by the *Unpaved Roads Management System (iRAMS)* it is the committee's opinion that roads must be looked at that, for example, service businesses which further job creation in the municipal area.

The chairman stated that other sources of funding must be found in order to upgrade roads and not only from MIG funding. A plan must also be drawn up in order for the ward committee members to enlighten the residents in respect of the Council's Planning with respect to the construction/upgrading of roads.

The Director: Civil Engineering Services stated that the roads are already registered on the MIG Programme and that this cannot be changed.

7.9/... Daar word versoek dat Cimbidium C1 7, Darling vanaf die program verwyder word.

BESLUIT

(op voorstel van rdl A K Warnick, gesekondeer deur rdh T van Essen)

- (a) Dat kennis geneem word van die aangehegte program ten opsigte van die konstruksie/opgradering van paaië;
- (b) Dat Cimbidium Cl 7, Darling vanaf die program verwyder word en dat 'n ander pad geïdentifiseer word;
- (c) Dat verder kennis geneem word dat dit 'n voorlopige program is en onderhewig is aan die finale kosteberekeninge en moontlik afgeskaal sal word in ooreenstemming met die koste van die laagwerke en ontwerpe van syaadjies.

7.10 HERSIENING VAN STELSEL VAN DELEGASIES (2/5/1, 2/5/2)

Artikel 59 van die Munisipale Stelselwet bepaal dat 'n Raad 'n Stelsel van Delegasies moet ontwikkel en onderhou wat administratiewe en operasionele doeltreffendheid sal optimaliseer en voorsiening maak vir voldoende wigte en teenwigte.

Die aanhangsel tot die sakelys behels die tweede hersiening van die Stelsel van Delegasies wat op 16 November 2021 deur die Raad aanvaar is. Die wysigings word in detail in die verslag, met aanhangsels, bespreek.

BESLUIT (vir voorlegging aan die Raad op 25 Mei 2023)

(op voorstel van rdl N Smit, gesekondeer deur rdl A K Warnick)

- (a) Dat die wysiging tot die Raad se Stelsel van Delegasie (2^{de} Hersiening) soos vervat in Aanhangsels A tot C goedgekeur word, en kennis geneem word van die wysigings aan die Munisipale Bestuurder en Hoof Finansiële Beampte se delegasiestelsels soos vervat in Aanhangsels D tot G;
- (b) Dat kennis geneem word dat geen wysigings aangebring is aan die Artikel 53 Roluiklaring vir politieke strukture, politieke ampsbekleërs en die Munisipale Bestuurder nie, welke dokument deel uitmaak van die Stelsel van Delegasie.

7.11 HUUROOREENKOMS: MUNISIPALITEIT SWARTLAND / MALMESBURY GHOLFklub: AANSOEK OM ONDERVERHURING (K2/1/2-Vol 2)

Die Malmesbury Gholfklub is deur Pam Golding genader om kantoorspasie van 12 m² in die klubhuis te huur. Die huurooreenkoms met die Malmesbury Gholfklub bepaal dat onderverhuring van die fasiliteite slegs met die skriftelike goedkeuring van die Munisipaliteit mag geskied.

BESLUIT

(op voorstel van rdh T van Essen, gesekondeer deur rdl J M de Beer)

- (a) Dat toestemming onder hand van die Munisipale Bestuurder verleen word vir die onderverhuring van kantoorspasie, groot 12 m², by die Malmesbury gholfklubfasiliteite, met dien verstande dat die Gholfklub steeds aanspreeklik sal wees vir die volle huurgeld soos bepaal in die huurooreenkoms, asook dienstegeelde (water, elektrisiteit, ens) wat met die onderverhuurde gedeelte verband hou;
- (b) Dat die goedkeuring slegs vir een jaar sal geld, en dat die klub derhalwe opnuut sal moet aansoek doen by verstryking van gemelde termyn;
- (c) Dat die Munisipale Bestuurder met volmag beklee word om enige verdere aansoeke in hierdie verband te mag oorweeg, en toepaslike voorwaardes te mag bepaal.

7.12/...

7.9/...

It has been requested that Cimbidium Cl 7, Darling is removed from the programme.

RESOLUTION

(proposed by clr A K Warnick, seconded by ald T van Essen)

- (a) That note is taken of the attached programme in respect of the construction/upgrading of roads;
- (b) That Cimbidium Cl 7, Darling is removed from the programme and that another road is identified;
- (c) That it is also noted that it is a provisional programme and is subject to the final calculation of costs and will probably be downscaled in compliance with the costs of the basal layers and design of the pavements.

7.10 REVISION OF SYSTEM OF DELEGATIONS (2/5/1, 2/5/2)

Section 59 of the Municipal Systems Act stipulates that a System of Delegations must be developed and maintained, which will optimise administrative and operational efficiency and make provision for adequate checks and balances.

The attachment to the agenda contains the second revision of the System of Delegations, which was approved by the Council on 16 November 2021. The amendments are discussed in detail in the report, together with attachments.

RESOLUTION (for submission to the Council on 25 May 2023)

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

- (a) That the amendments to Council's System of Delegation (2nd Revision) as per Annexures A to C be approved, and cognizance be taken of the amendments to the delegation systems of the Municipal Manager and Chief Financial Officer as per Annexures D to G;
- (b) 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.

7.11 LEASE AGREEMENT: MUNICIPALITY SWARTLAND/ MALMESBURY GOLF CLUB: APPLICATION FOR SUBLETTING (K2/1/2-Vol 2)

The Malmesbury Golf Club has been approached by Pam Golding to lease office space of 12 m² in the club house. The lease agreement with the Malmesbury Golf Club stipulates that subletting can only be allowed with written agreement from the Municipality.

RESOLUTION

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

- (a) That permission be given under the hand of the Municipal Manager for the subletting of office space, 12 m² in extent, at the Malmesbury Golf Club, provided that the Golf Club shall still be liable for payment of the full rental amount as determined in the lease agreement, as well as utility fees (water, electricity, etc) associated with the sublet area;
- (b) That the approval shall be for one year only, and that the club will therefore have to apply again upon termination of the said term;
- (c) That the Municipal Manager be authorized to consider any further applications in this regard, and to determine applicable conditions.

7.12/...

7.12 HUUROOREENKOMS: SINETHEMBA VIR DIE BESTUUR VAN DIE DAHLIA HUIS TE MALMESBURY (17/9/2/R)

Die Direkteur: Ontwikkelingsdienste noem dat me Slingers die bedryf van die Dahlia-huis as 'n Gemeenskapsorgsentrum vir slagoffers van geweld teen einde Januarie 2023 gestaak het.

'n Voorstel is vanaf Sinethemba ontvang om die Dahlia-huis as 'n Veiligheidshuis te bedryf. Die Direkteur: Ontwikkelingsdienste noem dat Sinethemba 'n holistiese benadering volg tot die aanspreek van geweld en in 'n posisie is om 'n volhoubare program te vestig.

BESLUIT

(op voorstel van rdl J M de Beer, gesekondeer deur rdh T van Essen)

- (a) Dat 'n drie (3) jaar huurooreenkoms met Sinethemba, met ingang van 1 Julie 2023, aangegaan word vir die huur en bestuur van die Dahlia Huis (8 Dahliastraat, Malmesbury);
- (b) Dat die huurgeld vasgestel word op R100,00 per jaar plus BTW;
- (c) Dat, indien Sinethemba homself as na behore finansieel volhoubaar bewys en programme volhoubaar aanbied, oorweging geskenk sal word om 'n verdere termyn van drie (3) jaar om die Dahlia Huis te bestuur.

7.13 UITSTAANDE DEBITEURE: APRIL 2023 (5/7/1/1)

'n Volledige verslag van die stand van uitstaande debiteure teen einde Maart 2023 is met die sakelys gesirkuleer.

BESLUIT

Dat kennis geneem word van die verslag aangaande die stand van Swartland Munisipaliteit se uitstaande debiteure vir April 2023.

7.14 VORDERING MET UITSTAANDE VERSEKERINGSEISE (5/14/3/5)

Ingevolge die Batebestuursbeleid moet maandeliks verslag gedoen word insake die uitstaande versekeringseise.

Die komitee spreek sy kommer uit dat daar te veel diefstal uit munisipale store plaasvind. Die Direkteur: Siviele Ingenieursdienste bevestig dat diefstal nie toegeskryf kan word aan die nalatigheid van amptenare nie, maar wel dat daar nie genoeg sekuriteit is nie en gereelde inbrake plaasvind.

BESLUIT

Dat kennis geneem word van die stand van uitstaande versekeringseise tot en met 30 April 2023 soos met die sakelys gesirkuleer.

7.15 VOORRAADOPNAME: 2023 (6/1/1)

Die jaarlikse voorraadopname vind plaas op 29 Junie 2023 vir bywoning deur afgevaardigde raadslede as waarnemers.

BESLUIT

- (a) Dat rdh T van Essen en rdl N Smit (rdle D G Bess en A K Warnick, onderskeidelik as sekundes) aangewys word as waarnemers by die voorraadopname op 29 Junie 2023;
- (b) Dat die betrokke raadslede kennis neem dat die Hoof Magasynmeester graag om 09:00 stiptelik aanvang sal neem met die voorraadopname by die hoof magasyn te Malmesbury.

7.12 LEASE AGREEMENT: SINETHEMBA FOR THE MANAGEMENT OF THE DAHLIA HOUSE IN MALMESBURY (17/9/2/R)

The Director: Development Services stated that ms Slingers discontinued the operation of Dahlia House as a Community Centre for victims of violence at the end of January 2023.

A proposal has been received from Sinethemba to operate Dahlia House as a Safe House. The Director: Development Services stated that Sinethemba follows a holistic approach to addressing violence and is in a position to establish a sustainable programme.

RESOLUTION

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

- (a) That a three (3) year lease agreement be entered into with Sinethemba as of 1 July 2023 for the lease and management of the Dahlia House (8 Dahlia Street, Malmesbury);
- (b) That the rental amount be established at R100,00 per annum plus VAT;
- (c) That should Sinethemba prove itself as a financially sustainable enterprise and programmes are run sustainably, consideration be given to extend the term of three (3) years to manage the Dahlia House.

7.13 OUTSTANDING DEBTORS: APRIL 2023 (5/7/1/1)

A complete list of outstanding debtors, up until the end of April 2023, 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 March 2023.

7.14 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.

The committee voiced its concern that too much theft from the municipal store takes place. The Director: Civil Engineering Services confirmed that theft cannot be blamed on the negligence of officials, but rather that there is not enough security and regular break-ins take place.

RESOLUTION

That cognizance be taken of the state of outstanding insurance claims up to and including 30 April 2023 as circulated with the agenda.

7.15 STOCKTAKES: 2023 (6/1/1)

The annual stocktakes will take place on 29 June 2023 with the attendance of delegated observers.

RESOLUTION

- (a) That ald T van Essen and clr N Smit (clrs D G Bess and A K Warnick, respectively as seconds) are designated as observers at the stocktaking on 29 June 2023;
- (b) That the relevant councillors take note that the Chief Warehouse Master will be happy to start promptly at 09:00 with the stock taking at the main warehouse in Malmesbury.

7.16 AFWYKING VAN VOORGESKREWE VERKRYGINGSPROSEDURES: HERSTELWERK AAN DIE "WASH COMPACTOR SCREEN" BY DIE INLAATWERKE VAN MALMESBURY WWTW (8/1/B/2)

Die inlaatwerke by die Malmesbury WWTW is toegerus met skerms wat verhoed dat nie-afbreekbare stowwe by die WWTW ingelaat word wat toerusting laer af in die stelsel kan beskadig.

Die waskomponent van een van die skerms het onklaar geraak.

BESLUIT

- (a) Dat die Uitvoerende Burgemeesterskomitee kennis neem van die afwyking van die voorgeskrewe verkrygingsprosedures ingevolge paragraaf 36(2) van die Voorsieningkanaalbestuurbeleid;
- (b) Dat verder kennis geneem word van die aksie van die Munisipale Bestuurder om goedkeuring te verleen vir die herstel van die *washer compactor* by die inlaatwerke van die Malmesbury WWTW deur G W Trautman ten bedrae van R51 670.30 (BTW uitgesluit);
- (c) Dat die redes vir die afwyking van die voorgeskrewe verkrygingsprosedures as volg is:
 - (i) Die omvang van die werk wat GW Trautmann aan die masjien gedoen het om die foutiewe komponente te kon inspekteer en 'n kwotasie op te stel;
 - (ii) Dit sal onprakties wees om die amptelike verkrygingsprosesse te volg aangesien dit die hersamestelling van die foutiewe komponente sou vereis
- (d) Dat daar voldoende fondse beskikbaar is en dat die uitgawe ten bedrae van R51 670.30 (BTW uitgesluit) teen posnommer 9/239-851-689 verreken word;
- (e) Dat die Bestuurder: Finansiële State in terme van die Voorsieningkanaalbestuursbeleid opdrag gegee word om bovermelde redes as nota by die finansiële state in te sluit, wanneer die betrokke state opgestel word.

7.17 AFWYKING VAN VOORGESKREWE VERKRYGINGSPROSEDURES: DRINGENDE HERSTEL VAN MENDER BY RIEBEEK KASTEEL WWTW (8/1/B/2)

Die behandelingsproses by die Riebeek Kasteel WWTW bestaan uit verskeie sones van meganiese toerusting wat die vloei van gedeeltelik behandelde riool deur die sones verseker. Die ratkat van die menger het onklaar geraak.

BESLUIT

- (a) Dat die Uitvoerende Burgemeesterskomitee kennis neem van die afwyking van die voorgeskrewe verkrygingsprosedures ingevolge paragraaf 36(2) van die Voorsieningkanaalbestuurbeleid;
- (b) Dat verder kennis geneem word van die aksie van die Munisipale Bestuurder om goedkeuring te verleen vir die herstel van die ratkas van die menger by die Riebeek Kasteel WWTW deur G W Trautman ten bedrae van R38 058.31 (BTW uitgesluit);
- (c) Dat die redes vir die afwyking van die voorgeskrewe verkrygingsprosedures as volg is:
 - (i) Die menger sou vir 'n geruime tyd buite werking gelaat word sou die normale verkrygingsprosedures gevolg word;
 - (ii) Voormelde sou aanleiding gee in die faling van die suiweringsproses en verdere skade aan meganiese komponente;
 - (iii) Die herstelwerk aan die menger is as 'n noodgeval hanteer;
- (d) Dat daar voldoende fondse beskikbaar is en dat die uitgawe ten bedrae van R38 058.31 (BTW uitgesluit) teen posnommer 9/239-851-689 verreken word;

7.16 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: REPAIRS TO THE "WASH COMPACTOR SCREEN" AT THE INTAKE WORKS OF THE MALMESBURY WWTW (8/1/B/2)

The intake works at the Malmesbury WWTW are fitted with screens, which prevent non bio-degradable materials, which may damage equipment further down in the system, from entering the WWTW. The washing component of one of the screens stopped working.

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 repairs to the washer compactor of one of the screens at the inlet works of the Malmesbury WWTW by GW Trautmann for the amount of R 51,670.30 (excluding VAT);
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) The extent of work GW Trautmann has done on the machine to be able to inspect the faulty components and prepare a quotation;
 - (ii) It would be impractical to follow the official procurement processes as it would require re-assembly and re-fitting of the faulty components;
- (d) That there are sufficient funds available and that the expenditure amounting to R51 670.30 (excluding VAT) is settled against post number 9/239-851-689;
- (e) 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.

7.17 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: URGENT REPAIRS TO THE MIXER AT RIEBEEK KASTEEL WWTW (8/1/B/2)

The handling process at the Riebeek Kasteel WWTW consists of various zones of mechanical equipment which ensure the flow of partially purified sewerage through the zones. The gearbox of the mixer stopped working.

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 gearbox of a mixer at the Riebeek Valley WWTW by GW Trautman for the amount of R 38,058.31 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 there are sufficient funds available and that the expenditure amounting to R38 058.31 (excluding VAT) is settled against post number 9/239-851-689;

- (e) Dat die Bestuurder: Finansiële State in terme van die Voorsiening-kanaalbestuursbeleid opdrag gegee word om bovermelde redes as nota by die finansiële state in te sluit, wanneer die betrokke state opgestel word.

7.18 MANDAATVERGADERING: SALGBC ONDERHANDELINGE (4/9/4/B)

'n Uitnodiging is vanaf SALGA ontvang na 'n virtuele mandaatvergadering op 16 Mei 2023. Die doel van die vergadering was om terugvoering te gee insake die onderhandelinge met die Bedingsraad (SALGBC) op nasionale vlak en om 'n mandaat vanaf munisipaliteit te verkry oor die volgende aangeleenthede:

- (1) Hoof Kollektiewe Ooreenkoms;
- (2) Loonkurwe en Kategorisering Kollektiewe Ooreenkoms;
- (3) COVID-19 vergoedingsraamwerk.

Die Munisipale Bestuurder verduidelik die mandate wat aan SALGA deur Swartland Munisipaliteit verleen is soos vervat in die verslag.

BESLUIT

(op voorstel van rdl N Smit, gesekondeer deur rdl A K Warnick)

Dat die Uitvoerende Burgemeesterskomitee kennis neem van die mandaat wat aan SALGA verskaf is rakende die Hoof Kollektiewe Ooreenkoms, die Loonkurwe en Kategorisering Kollektiewe Ooreenkoms sowel as die COVID-19 Vergoedingsraamwerk.

(GET) J H CLEOPHAS
UITVOERENDE BURGEMEESTER

- (e) 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.

7.18 MANDATE MEETING: SALGBC NEGOTIATIONS (4/9/4/B)

An invitation from SALGA was received to attend a virtual mandate meeting on 16 May 2023. The purpose of the meeting was to give feedback in respect of the negotiations with the Bargaining Council (SALGBC) at national level and to obtain a mandate from municipalities in respect of the following matters:

- (1) Principle Collective Agreement;
- (2) Loan graphs and Categorising Collective Agreements;
- (3) COVID-19 remuneration framework.

The Municipal Manager explained the mandate given to SALGA by the Swartland Municipality referred to in the report.

RESOLUTION

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

That the Executive Mayoral Committee take note of the mandate provided to SALGA regarding the Main Collective Agreement, the Wage Curve and Categorising Collective Agreement as well as the COVID-19 Compensatory Framework.

(SGD) J H CLEOPHAS
EXECUTIVE MAYOR



NOTULE VAN 'N VERGADERING VAN DIE MUNISIPALE BESTUUR-, ADMINISTRASIE EN FINANSIES PORTEFEULJEKOMITEE VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 10 MEI 2023 OM 10:00

TEENWOORDIG:

RAADSLEDE:

Voorsitter, rdl I S le Minnie
Ondervoorsitter, rdl N Smit

Penxa, B J	van Essen, T (rdh)
Pypers, D C	van Zyl, M (rdd)
Rangasamy, M A (rdh)	Warnick, A K
Soldaka, P E	

Die Uitvoerende Burgemeester, rdh J H Cleophas (in ex-officio hoedanigheid)

BEAMPTES:

Munisipale Bestuurder, mnr J J Scholtz
Direkteur: Beskermingsdienste, mnr P A C Humphreys
Direkteur: Korporatiewe Dienste, me M S Terblanche
Direkteur: Ontwikkelingsdienste, me J S Krieger
Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann
Direkteur: Elektriese Ingenieursdienste, mnr T Möller
Komitee beampte, me S Willemsse

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom lede en versoek rdl D C Pypers om die vergadering met skriflesing en gebed te open.

Die voorsitter bevestig die teenwoordigheid van raadslede wat dien op die Portefeuljekomitee: Munisipale Bestuurder, Administrasie en Finansies.

Verlof tot afwesigheid word verleen aan rdle E C O'Kennedy, G Vermeulen en die Direkteur: Finansiële Dienste, mnr M A C Bolton.

Die voorsitter dra haar gelukwense oor aan rdl J M de Beer wat die afgelope maand verjaar het.

Die Speaker lewer kommentaar oor van die Raadslede se munisipale rekeninge wat agterstallig is en nie betyds betaal word nie. Raadslede word aangemoedig om hul munisipale rekeninge te vereffen.

2. NOTULE

2.1 NOTULE VAN 'N PORTEFEULJEKOMITEEVERGADERING (MUNISIPALE BESTUUR-, ADMINISTRASIE- EN FINANSIESKOMITEE) GEHOU OP 12 APRIL 2023

BESLUIT

(voorgestel deur rdd M van Zyl, gesekondeer deur rdl D C Pypers)

Dat die notule van die Portefeuljekomiteevergadering (Munisipale Bestuur-, Administrasie- en Finansieskomitee) gehou op 12 April 2023 goedgekeur word.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS



MINUTES OF A MEETING OF THE MUNICIPAL MANAGEMENT, ADMINISTRATION AND FINANCES PORTFOLIO COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 10 MAY 2023 AT 10:00

PRESENT:

COUNCILLORS:

Chairperson, clrr I S le Minnie
Deputy Chairperson, clrr N Smit

Penxa, B J	van Essen, T (ald)
Pypers, D C	van Zyl, M (ald)
Rangasamy, M A (ald)	Warnick, A K
Soldaka, P E	

The Executive Mayor, ald J H Cleophas (ex-officio)

OFFICIALS:

Municipal Manager, mr J J Scholtz
Director: Protection Services, mr P A C Humphreys
Director: Corporate Services, ms M S Terblanche
Director: Development Services, ms J S Krieger
Director: Civil Engineering Services, mr L D Zikmann
Director: Electrical Engineering Services, mr T Möller
Committee Officer, ms S Willemsse

1. OPENING/APOLOGIES

The chairperson welcomed members and requested clrr D C Pypers to open the meeting with a scripture reading and a prayer.

The chairperson confirmed the presence of councillors serving on the Portfolio Committee: Municipal Manager, Administration and Finance.

Apologies received from clrrs E C O'Kennedy, G Vermeulen and the Director: Financial Services, mr M A C Bolton.

The chairperson congratulated clrr J M de Beer who celebrated her birthday the past month.

The Speaker commented on some of the councillor's municipal accounts that are overdue and not paid on time. Councillors are encouraged to settle their municipal accounts.

2. MINUTES

2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (MUNICIPAL MANAGEMENT, ADMINISTRATION AND FINANCES COMMITTEE) HELD ON 12 APRIL 2023

RESOLUTION

(proposed by ald M van Zyl, seconded by clrr D C Pypers)

That the minutes of a Portfolio Committee Meeting (Municipal Management, Administration and Finances Committee) held on 12 April 2023 are approved.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

3.1 SKRYWES VAN DANK EN WAARDERING AAN SWARTLAND MUNISIPALITEIT**BESLUIT**

Dat kennis geneem word van die skrywes van dank en waardering aan Swartland Munisipaliteit soos met die sakelys gesirkuleer.

3.2 PROTESAKSIE: KALBASKRAAL

Die Munisipale Bestuurder lig die raadslede breedvoerig in oor die protesaksies wat tans plaasvind in Kalbaskraal. Daar was die afgelope drie weke vergaderings gehou met die leiers van Kalbaskraal, waarvan die onlangste vergadering op Dinsdag, 9 Mei 2023 plaasgevind het saam met die Uitvoerende Burgemeester en die Direkteur: Ontwikkelingsdienste om behuisingsaangeleenthede te bespreek. Die sogenaamde leiers van Kalbaskraal het 'n brief aan die munisipaliteit gerig, waarin versoek word dat daar onmiddellik huise voorsien moet word aan die inwoners van Kalbaskraal. Die Munisipaliteit het reeds skriftelik op die versoeke gereageer.

Die Munisipale Bestuurder meld dat Kalbaskraal tans nie toeganklik vir mense is om in en uit die dorp te beweeg nie. Die N7 is gelukkig oop, waar die polisie die terrein monitor.

Rdl B J Penxa spreek sy kommer uit dat raadslede en inwoners in gevaar is en verwys na 'n plan van aksie vir die wyksraadslid van die betrokke dorp.

KENNIS GENEEM**4. SAKE VOORTSPRUITEND UIT NOTULES**

Geen

5. GEDELEGEERDE SAKE M.B.T. MUNISIPALE BESTUURDER

Geen – die prestasiemetingsverslae (ingesluit die SDBIP) was voorgelê tydens die Raadsvergadering gehou op 26 April 2023.

6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

7. GEDELEGEERDE SAKE M.B.T. ADMINISTRASIE

Geen – die prestasiemetingsverslae (ingesluit die SDBIP) was voorgelê tydens die Raadsvergadering gehou op 26 April 2023.

8. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

9. GEDELEGEERDE SAKE M.B.T. FINANSIES

Geen – die prestasiemetingsverslae (ingesluit die SDBIP) was voorgelê tydens die Raadsvergadering gehou op 26 April 2023.

10. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

(GET) RDL I S LE MINNIE
VOORSITTER

3.1 LETTERS OF THANKS AND APPRECIATION TO SWARTLAND MUNICIPALITY**RESOLUTION**

That note is taken of the letters of thanks and appreciation received by the Swartland Municipality, circulated with the agenda.

3.2 PROTEST ACTION: KALBASKRAAL

The Municipal Manager informed the councillors in detail about the protest actions currently taking place in Kalbaskraal. Meetings have been held over the past three weeks with the leaders of Kalbaskraal, the most recent meeting of which took place on Tuesday, 9 May 2023 with the Executive Mayor and the Director: Development Services to discuss housing matters. The so-called leaders of Kalbaskraal have sent a letter to the municipality, requesting that houses be immediately provided to the residents of Kalbaskraal. The Municipality has already responded in writing to the requests.

The Municipal Manager stated that Kalbaskraal is currently not accessible for people to move in and out of the town. The N7 is thankfully open, where the police are monitoring the site.

Cllr B J Penxa expressed his concern that councillors and residents are in danger and referred to a plan of action for the ward councillor of the town in question.

NOTED**4. MATTERS ARISING FROM THE MINUTES**

None

5. DELEGATED MATTERS IN RESPECT OF MUNICIPAL MANAGER

None – the performance measurement reports were tabled during the Council meeting held on 26 April 2023.

6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

7. DELEGATED MATTERS IN RESPECT OF ADMINISTRATION

None – the performance measurement reports were tabled during the Council meeting held on 26 April 2023.

8. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

9. DELEGATED MATTERS IN RESPECT OF FINANCES

None – the performance measurement reports were tabled during the Council meeting held on 26 April 2023.

10. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

(SGD) CLLR I S LE MINNIE
CHAIRPERSON



**NOTULE VAN 'N VERGADERING VAN DIE SIVIELE- EN ELEKTRIESE DIENSTE
PORTEFEULJEKOMITEE VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 10
MEI 2023 OM 10:22**

TEENWOORDIG:

RAADSLEDE:

Voorsitter, rdl R J Jooste
Ondervoorsitter, rdh T van Essen

Bess, D G	Smit, N
Duda, A A	Van Zyl, M (rdh)
Fortuin, C	Warnick, A K
Pieters, C	

Die Uitvoerende Burgemeester, rdh J H Cleophas (in ex-officio hoedanigheid)

BEAMPTES:

Munisipale Bestuurder, mnr J J Scholtz
Direkteur: Beskermingsdienste, mnr P A C Humphreys
Direkteur: Korporatiewe Dienste, me M S Terblanche
Direkteur: Ontwikkelingsdienste, me J S Krieger
Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann
Direkteur: Elektriese Ingenieursdienste, mnr T Möller
Komitee beampte, me S Willemse

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom almal teenwoordig.

Die voorsitter bevestig die teenwoordigheid van raadslede wat dien op die Portefeuljekomitee:
Siviele en Elektriese Dienste.

Verlof tot afwesigheid word verleen aan rdl E C O'Kennedy, B J Stanley en die Direkteur:
Finansiële Dienste, mnr M A C Bolton.

2. NOTULE

**2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (SIVIELE- EN
ELEKTRIESE DIENSTEKOMITEE) GEHOU OP 12 APRIL 2023**

BESLUIT

(voorgestel deur rdl A K Warnick, gesekondeer deur rdh T van Essen)

Dat die notule van die Portefeuljekomiteevergadering (Siviele- en Elektriese Dienste)
gehou op 12 April 2023 goedgekeur word.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

Geen

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

5. GEDELEGEERDE SAKE

5.1. MAANDVERSLAG: MAART 2023



**MINUTES OF A MEETING OF THE CIVIL AND ELECTRICAL ENGINEERING SERVICES PORTFOLIO
COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 10 MAY 2023
AT 10:22**

PRESENT:

COUNCILLORS:

Chairperson, cllr R J Jooste
Deputy Chairperson, ald T van Essen

Bess, D G	Smit, N
Duda, A A	Van Zyl, M (ald)
Fortuin, C	Warnick, A K
Pieters, C	

The Executive Mayor, ald J H Cleophas (ex-officio)

OFFICIALS:

Municipal Manager, mr J J Scholtz
Director: Protection Services, mr P A C Humphreys
Director: Corporate Services, ms M S Terblanche
Director: Development Services, ms J S Krieger
Director: Civil Engineering Services, mr L D Zikmann
Director: Electrical Engineering Services, mr T Möller
Committee Officer, ms S Willemse

1. OPENING/APOLOGIES

The chairperson welcomed members.

The chairperson confirmed the presence of councillors serving on the Portfolio Committee: Civil
and Electrical Services.

Apologies received from cllrs E C O'Kennedy, B J Stanley and the Director: Financial Services, mr
M A C Bolton.

2. MINUTES

**2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (CIVIL AND ELECTRICAL
SERVICES COMMITTEE) HELD ON 12 APRIL 2023**

RESOLUTION

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

That the minutes of a Portfolio Committee Meeting (Civil and Electrical Services) held on
12 April 2023 are approved.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None

4. MATTERS ARISING FROM THE MINUTES

None

5. DELEGATED MATTERS

5.1. MONTHLY REPORT: MARCH 2023

5.1.1 SIVIELE INGENIEURSDIENSTE

Die voorsitter lê die maandverslag, soos met die sakelys gesirkuleer, ter tafel.

Rdl C Fortuin spreek haar kommer uit oor die oorvloed van rioolwater in Moorreesburg, wat veral die inwoners se huise benadeel.

Rdl A K Warnick versoek terugvoering oor die onwettige storting regoor Swartland Munisipaliteit wat plaasvind.

Rdl A A Duda lewer kommentaar oor die oorvloed van stortingstereine.

Die Direkteur: Siviele Ingenieursdienste gee 'n opsomming insake die maandverslag van Siviele Ingenieursdienste en lig die onderstaande uit, naamlik:

- Die kommentaar van die raadgewende ingenieur met betrekking tot operasionele aangeleenthede van die verskillende afvalwaterbehandelingswerke word opgesom.
- Die damvlak van die Voëlvleidam is tans 40.5%, vergeleke met verlede jaar met 58%. Daar was sedert Maart nog nie 'n styging in die damvlak nie.
- Daar is 'n toename in onwettige storting en dit is 'n moeilike situasie om te bestuur. 'n Aksie-plan sal uitgewerk moet word tussen die relevante direkteurs en raadslede hoe die probleem hanteer kan word.

Ten slotte stel die Munisipale Bestuurder voor dat daar 'n interaksie tussen die wyksraadslede, direkteure en die gemeenskap moet wees. Die verantwoordelikheid rakende onwettige storting moet na die ekonomiese sektor, gemeenskap en die skole uitgebrei word om as 'n kollektief verantwoordelikheid te neem.

BESLUIT

(op voorstel van rdl D G Bess, gesekondeer deur rdh T van Essen)

Dat kennis geneem word van die maandverslag van die Direkoraat Siviele Ingenieursdienste vir Maart 2023.

5.1.2 ELEKTRIESE INGENIEURSDIENSTE

Die voorsitter lê die maandverslag ter tafel, soos met die sakelys gesirkuleer, en versoek die Direkteur: Elektriese Ingenieursdienste om die belangrikste aspekte uit te lig.

Rdl C Fortuin lewer kommentaar oor die verkeerslig wat vir 'n lang tydperk buitewerking is in Moorreesburg en verneem wie se verantwoordelikheid dit is vir die herstel van die verkeerslig.

Die Direkteur: Elektriese Ingenieursdienste meld dat daar na oplossings gekyk moet word om die genoemde probleem aan te spreek. Die herstel van die verkeerslig moet ook aan 'n begroting gekoppel word.

Rdl A K Warnick versoek terugvoering oor die TID projek en verwys na beurtkrag wat na hoër fases verhoog word. Het die munisipaliteit 'n aksie-plan indien fase 8 tot 10 ingestel word deur Eskom?

Die Direkteur: Elektriese Ingenieursdienste meld dat hy 'n vorderingsverslag ten opsigte van die TID projek sal insluit vir die volgende vergadering.

Verder meld die Direkteur: Elektriese Ingenieursdienste dat daar kragopwekkers geïnstalleer is by verskeie munisipale kantore, waarvan 'n bystand kragopwekker by die hoofgebou installeer is. "Inverters" en batterye sal teen Vrydag, 12 Mei 2023 ontvang word vir die Darling en Yzerfontein kantore vir krag ondersteuning.

5.1.1 CIVIL ENGINEERING SERVICES

The chairperson tabled the monthly report as circulated with the agenda.

Cllr C Fortuin expressed her concern about the overflow of sewage water in Moorreesburg, which particularly harms the residents' homes.

Cllr A K Warnick requested feedback on the illegal dumping that is taking place across Swartland Municipality.

Cllr A A Duda commented on the overflow of landfills.

The Director: Civil Engineering Services gave a summary regarding the monthly report of Civil Engineering Services and highlights the following, namely:

- The comments of the consulting engineer in relation to operational matters of the various waste water treatment works are summarized.
- The dam level of the Voëlvleidam is currently 40.5%, compared to last year with 58%. There has not been a rise in the dam level since March.
- There is an increase in illegal dumping and it is a difficult situation to manage. An action plan will have to be worked out between the relevant directors and councillors on how to deal with the problem.

Conclusively, the Municipal Manager suggested that there should be an interaction between the ward councillors, directors and the community. The responsibility regarding illegal dumping must be extended to the economic sector, community and the schools to take responsibility as a collective.

RESOLVED

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

That cognisance be taken of the monthly report of the Directorate Civil Engineering Services for March 2023.

5.1.2 ELECTRICAL ENGINEERING SERVICES

The chairperson tabled the monthly report as circulated with the agenda and requested the Director: Electrical Engineering Services, Mr T Möller, to highlight the most important aspects.

Cllr C Fortuin commented on the traffic light that has been out of order for a long period of time in Moorreesburg and asked whose responsibility it is for the repair of the traffic light.

The Director: Electrical Engineering Services stated that solutions must be looked at to address the said problem. The restoration of the traffic light must also be linked to a budget.

Cllr A K Warnick requested feedback on the TID project and referred to load shedding being increased to higher phases. Does the municipality have an action plan if phases 8 to 10 are introduced by Eskom?

The Director: Electrical Engineering Services stated that he will include a progress report regarding the TID project for the next meeting.

Furthermore, the Director: Electrical Engineering Services stated that generators have been installed at several municipal offices, of which a standby generator has been installed at the main building. Inverters and batteries will be received by Friday, 12 May 2023 for the Darling and Yzerfontein offices for power support.

In conclusion, the Director: Electrical Engineering Services stated that he has a meeting with Eskom on Friday, 12 May 2023 to address the problems encountered in the municipality.

Ten slotte meld die Direkteur: Elektriese Ingenieursdienste dat hy op Vrydag, 12 Mei 2023 'n vergadering met Eskom het om die probleme wat ondervind word in die munisipaliteit aan te spreek.

BESLUIT

(op voorstel van rdl D G Bess, gesekondeer deur rdh T van Essen)

- (a) Dat kennis geneem word van die maandverslag van die Direktoraat Elektriese Ingenieursdienste vir Maart 2023;
- (b) Dat die Direkteur: Elektriese Ingenieursdienste vordering met die TID-proses in die maandverslag insluit.

6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

(GET) RDL R J JOOSTE
VOORSITTER

RESOLUTION

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

- (a) That cognisance be taken of the monthly report of the Directorate: Electrical Engineering Services for March 2023;
- (b) That the Director: Electrical Engineering Services include the progress with the TID process in the monthly report.

6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

(SGD) CLLR R J JOOSTE
CHAIRPERSON



NOTULE VAN 'N VERGADERING VAN DIE ONTWIKKELINGSDIENSTE PORTEFEULJEKOMITEE VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 10 MEI 2023 OM 11:00

TEENWOORDIG:

RAADSLEDE:

Ondervorsitter, rdl D G Bess

Booyen, A M
De Beer, J M
Le Minnie, I S
Ngozi, M

Pypers, D C
Rangasamy, M A (rdh)
Smit, N
Soldaka, P E

Die Uitvoerende Burgemeester, rdh J H Cleophas (in ex-officio hoedanigheid)

BEAMPTES:

Munisipale Bestuurder, mnr J J Scholtz
Direkteur: Beskermingsdienste, mnr P A C Humphreys
Direkteur: Korporatiewe Dienste, me M S Terblanche
Direkteur: Ontwikkelingsdienste, me J S Krieger
Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann
Direkteur: Elektriese Ingenieursdienste, mnr T Möller
Komitee beampte, me S Willems

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom almal teenwoordig.

Die ondervorsitter bevestig die teenwoordigheid van raadslede wat dien op die Portefeuljekomitee: Ontwikkelingsdienste.

Verlof tot afwesigheid word verleen aan rdle C Daniels, G Vermeulen en die Direkteur: Finansiële Dienste, mnr M A C Bolton.

2. NOTULE

2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (ONTWIKKELINGS-DIENSTE) GEHOU OP 12 APRIL 2023

BESLUIT

(voorgestel deur rdl N Smit, gesekondeer deur rdl D C Pypers)

Dat die notule van die Portefeuljekomiteevergadering (Ontwikkelingsdienste) gehou op 12 April 2023 goedgekeur word, onderhewig aan die regstelling:

Item 7.2: SALGA: Menslike Nedersetting & Stedelike Agenda (HSUA) Provinsiale Werkgroep 13 Februarie 2023

Rdl A M Booyen verwys na noodbehuising in Swartland Munisipaliteit en spreek haar kommer uit dat daar tans geen noodbehuising is vir huishoudings wat betrokke is by uitsettings en wie se huise afbrand nie. Sy versoek dat die munisipaliteit betrokke raak om die genoemde huishoudings te ondersteun.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS



MINUTES OF A MEETING OF THE DEVELOPMENT SERVICES PORTFOLIO COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 10 MAY 2023 AT 11:00

PRESENT:

COUNCILLORS:

Deputy chairperson, clir D G Bess

Booyen, A M
De Beer, J M
Le Minnie, I S
Ngozi, M

Pypers, D C
Rangasamy, M A (ald)
Smit, N
Soldaka, P E

The Executive Mayor, ald J H Cleophas (ex-officio)

OFFICIALS:

Municipal Manager, mr J J Scholtz
Director: Protection Services, mr P A C Humphreys
Director: Corporate Services, ms M S Terblanche
Director: Development Services, ms J S Krieger
Director: Civil Engineering Services, mr L D Zikmann
Director: Electrical Engineering Services, mr T Möller
Committee Officer, ms S Willems

1. OPENING/APOLOGIES

The chairperson welcomed the members.

The deputy chairperson confirmed the presence of councillors serving on the Portfolio Committee: Development Services.

Apologies received from clirs C Daniels, G Vermeulen and the Director: Financial Services, mr M A C Bolton.

2. MINUTES

2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (DEVELOPMENT SERVICES) HELD ON 12 APRIL 2023

RESOLUTION

(proposed by ald M A Rangasamy, seconded by clir D C Pypers)

That the minutes of a Portfolio Committee Meeting (Development Services) held on 12 April 2023 are approved, subject to the correction:

Item 7.2: SALGA: Human Settlement & Urban Agenda (HSUA) Provincial Working Group 13 February 2023

Clir A M Booyen referred to emergency housing in Swartland Municipality and expressed her concern that there is currently no emergency housing for households involved in evictions and whose houses burn down. She requested that the municipality gets involved to support the mentioned households.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

3.1 AFLAAI VAN AGENDAS OOR NAWEKE

Op navraag deur die ondervoorster oor die probleem wat raadslede ondervind om kennisgewings en agendas van vergaderings af te laai oor naweke, meld die Direkteur: Korporatiewe Dienste dat daar na alternatiewe opsies gekyk word om die probleem aan te spreek en dat die kennisgewings en agendas van vergaderings ook afgelaai kan word vanaf die munisipale webtuiste.

KENNIS GENEEM

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

5. GEDELEGEERDE SAKE

5.1 MAANDVERSLAG: MAART 2023

Die voorsitter lê die maandverslag ter tafel.

Die Direkteur: Ontwikkelingsdienste bring die volgende aangeleenthede onder die aandag van raadslede, naamlik –

- Die De Hoop-behuising is besig om afgesluit te word. Aan die einde van Maart 2023 was daar 357 huise uitgedeel.
- Die volgende behuisingprojek sal in Darling en Moorreesburg plaasvind, wat oor 2 finansiële jare sal loop. Vir Moorreesburg sal daar 654 behuisingseleenthede wees en vir Darling sal daar 187 behuisingseleenthede wees.
- SASSA se dienspunte vir Mei word uitgelig.
- 'n ECD forum sal plaavind op Saterdag, 20 Mei 2023 in Malmesbury.
- 'n "SMME Summit" sal gehou word op Vrydag, 12 Mei 2023 in Malmesbury, om op ekonomiese groei te fokus.

Rdl A M Booysen verwys na die Sosiale Ontwikkelingskomitee se vergadering, waarvan sy op die komitee dien, en spreek haar kommer uit oor onwettige storting in Wesbank, Malmesbury wat 'n gesondheidsrisiko vir die inwoners is.

Op navraag deur rdl M Ngozi oor die hoeveelheid jeug wat betrek is by die uitreikprogramme in die Jeugontwikkelingsverslag, meld die Direkteur: Ontwikkelingsdienste dat die volledige getalle in die volgende verslag ingesluit sal word.

Rdl P E Soldaka spreek sy kommer uit dat daar geen verslagdoening is oor jeugontwikkeling in Moorreesburg nie, aangesien daar 'n persoon aangestel was by die jeugsentrum.

Op navraag deur rdl M Ngozi oor hoe Swartland Munisipaliteit kleuterskole help om hul fasiliteite te registreer, meld die Direkteur: Ontwikkelingsdienste dat die munisipaliteit help met die fasiliteringsrol en daar word geen befondsing voorsien deur die munisipaliteit nie. Die munisipaliteit ondersteun wel die kleuterskole deur gereelde opleidingsessies en forums wat gereël word, tesame met die Departement van Onderwys.

BESLUIT

(op voorstel van rdl I S le Minnie, gesekondeer deur rdl J M de Beer)

Dat kennis geneem word van die maandverslag van die Direktoraat Ontwikkelingsdienste vir Maart 2023.

3.1 DOWNLOAD OF AGENDA OVER WEEKENDS

On question by the deputy chairman about the problem that councillors have in downloading notices and agendas of meetings at weekends, the Director: Corporate Services stated that alternative options are being looked at to address the problem and that the notices and agendas of meetings can also be downloaded from the municipal website.

NOTED

4. MATTERS ARISING FROM THE MINUTES

None

5. DELEGATED MATTERS

5.1 MONTHLY REPORT: MARCH 2023

The chairperson tabled the monthly report.

The Director: Development Services brought the following matters to the attention of councillors, namely –

- The De Hoop housing is being finalised. At the end of March 2023, 357 houses had been distributed.
- The next housing project will take place in Darling and Moorreesburg, which will run over 2 financial years. For Moorreesburg there will be 654 housing opportunities and for Darling there will be 187 housing opportunities.
- SASSA's service points for May are highlighted.
- An ECD forum will take place on Saturday, 20 May 2023 in Malmesbury.
- An SMME Summit will be held on Friday, 12 May 2023 in Malmesbury, to focus on economic growth.

Cllr A M Booysen referred to the Social Development Committee's meeting, of which she serves on the committee, and expressed her concern about illegal dumping in Wesbank, Malmesbury which is a health risk for the residents.

On question by cllr M Ngozi about the amount of youth involved in the outreach programs in the Youth Development Report, the Director: Development Services stated that the full numbers will be included in the next report.

Cllr P E Soldaka expressed his concern that there is no reporting on youth development in Moorreesburg, as there was a person appointed at the youth centre.

On question by cllr M Ngozi about how Swartland Municipality helps nursery schools to register their facilities, the Director: Development Services stated that the municipality helps with the facilitation role and no funding is provided by the municipality. The municipality does support the nursery schools through regular training sessions and forums which are organized together with the Department of Education.

RESOLUTION

(proposed by cllr I S le Minnie, seconded by rdl J M de Beer)

That cognisance be taken of the monthly report of the Directorate Development Services for March 2023.

6. VERSLAGDOENING INSAKE GEDELEGEERDE BESLUITNEMING DEUR

6.1 DIE MUNISIPALE BEPLANNINGSTRIBUNAAL

Dat **KENNIS GENEEM** word van die inhoud van die notule van 'n vergadering van die Munisipale Beplanningstribunaal gehou op 12 April 2023.

7. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

(GET) RDL D G BESS
ONDERVOORSITTER

6. REPORTING REGARDING DELEGATED DECISION MAKING BY

6.1 THE MUNICIPAL PLANNING TRIBUNAL

Cognisance be taken of the minutes of the Municipal Planning Tribunal held on 12 April 2023.

7. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

(SGD) CLLR D G BESS
DEPUTY CHAIRPERSON



NOTULE VAN 'N VERGADERING VAN DIE BESKERMINGSDIENSTE PORTEFEULJEKOMITEE VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 10 MEI 2023 OM 11:28

TEENWOORDIG:

RAADSLEDE:

Voorsitter, rdd M van Zyl
Ondervoorsitter, rdl A K Warnick

Bess, D G	Le Minnie, I S
De Beer, J M	Papier, J R
Fortuin, C	Pieters, C
Jooste, R J	

Die Uitvoerende Burgemeester, rdh J H Cleophas (in ex-officio hoedanigheid)

BEAMPTES:

Munisipale Bestuurder, mnr J J Scholtz
Direkteur: Beskermingsdienste, mnr P A C Humphreys
Direkteur: Korporatiewe Dienste, me M S Terblanche
Direkteur: Ontwikkelingsdienste, me J S Krieger
Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann
Direkteur: Elektriese Ingenieursdienste, mnr T Möller
Komitee beampte, me S Willemse

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom lede.

Die voorsitter bevestig die teenwoordigheid van raadslede wat dien op die Portefeuljekomitee: Beskermingsdienste.

Verlof tot afwesigheid word verleen aan rdle C Daniels, B J Stanley en die Direkteur: Finansiële Dienste, mnr M A C Bolton.

2. NOTULE

2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (BESKERMINGS-DIENSTE) GEHOU OP 12 APRIL 2023

BESLUIT

(voorgestel deur rdl A K Warnick, gesekondeer deur rdl R J Jooste)

Dat die notule van die Portefeuljekomiteevergadering (Beskermingsdienste) gehou op 12 April 2023 goedgekeur word.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

Geen

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

5. GEDELEGEERDE SAKE

5.1. MAANDVERSLAG: MAART 2023

5.1.1 VERKEER- EN WETSTOEPASSINGSDIENSTE



MINUTES OF A MEETING OF THE PROTECTION SERVICES PORTFOLIO COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 10 MAY 2023 AT 11:28

PRESENT:

COUNCILLORS:

Chairperson, ald M van Zyl
Deputy chairperson, cllr A K Warnick

Bess, D G	Le Minnie, I S
De Beer, J M	Papier, J R
Fortuin, C	Pieters, C
Jooste, R J	

The Executive Mayor, ald J H Cleophas (ex-officio)

OFFICIALS:

Municipal Manager, mr J J Scholtz
Director: Protection Services, mr P A C Humphreys
Director: Corporate Services, ms M S Terblanche
Director: Development Services, ms J S Krieger
Director: Civil Engineering Services, mr L D Zikmann
Director: Electrical Engineering Services, mr T Möller
Committee Officer, ms S Willemse

1. OPENING/APOLOGIES

The chairperson welcomed members.

The chairperson confirmed the presence of councillors serving on the Portfolio Committee: Protection Services.

Apologies received from cllrs C Daniels, B J Stanley and the Director: Financial Services, mr M A C Bolton.

2. MINUTES

2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (PROTECTION SERVICES) HELD ON 12 APRIL 2023

BESLUIT

(proposed by cllr A K Warnick, seconded by cllr R J Jooste)

That the minutes of a Portfolio Committee Meeting (Protection Services) held on 12 April 2023 are approved.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None

4. MATTERS ARISING FROM THE MINUTES

None

5. DELEGATED MATTERS

5.1. MONTHLY REPORT MARCH 2023

5.1.1 TRAFFIC AND LAW ENFORCEMENT SERVICES

Die voorsitter lê die maandverslag, soos met die sakelys gesirkuleer, ter tafel en gee geleentheid aan die Direkteur: Beskermingsdienste om belangrikste aspekte uit die maandverslag aan raadslede uit te wys.

Die Direkteur: Beskermingsdienste meld dat die Provinsiale Regering die Reaksie-eenheid hernoem het na Landelike Veiligheidseenheid sedert April 2023.

Rdl C Fortuin spreek haar kommer uit oor die toename van alkohol misbruik en onwettige "drag racing" in die publiek en versoek dat Wetstoepassing die areas moet patroleer.

Rdl A K Warnick lewer kommentaar oor daar geen voertuie beskikbaar is vir die Landelike Veiligheidseenheid nie, aangesien die eenheid vir al die munisipaliteite verantwoordelik is in die Weskus.

5.1.2 BRANDBESTRYDING

Die Direkteur: Beskermingsdienste meld dat die meningsverskil oor rekeninge tussen Swartland Munisipaliteit en Weskus Distriksmunisipaliteit opgelos is.

BESLUIT

(op voorstel van rdl I S le Minnie, gesekondeer deur rdl A K Warnick)

Dat kennis geneem word van die verslae van die onderskeie afdelings in die Direktoraat Beskermingsdienste, nl. Verkeer- en Wetstoepassing en Brandbestryding vir Maart 2023.

6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

6.1 EVALUERINGS VAN DIE IMPLEMENTERING VAN DIE K9-EENHEID IN DIE SWARTLAND MUNISIPALITEIT

Die Swartland K9-eenheid is in Oktober 2020 gestig met toelae van die Departement van Gemeenskapsveiligheid (DOCS) met 9 honde en 9 hondehanteerders.

Die provinsiale departement van polisiëringstoetsing en gemeenskapsveiligheid het die K9-eenheid gedurende die einde van 2022 geëvalueer.

BESLUIT

Dat die Portefeuljekomitee kennis neem van die positiewe evalueringsverslag van die Departement van Polisiëringstoetsing en Gemeenskapsveiligheid (POCS) van die K9-eenheid en die aanbevelings wat gelys is.

(GET) RDD M VAN ZYL
VOORSITTER

The chairperson tabled the monthly and requested the Director: Protection Services, mr P A C Humphreys, to highlight important aspects therein to councillors.

The Director: Protection Services stated that the Provincial Government has renamed the Response Unit to Rural Security Unit since April 2023.

Cllr C Fortuin expressed her concern about the increase in alcohol abuse and illegal "drag racing" in the public and requests that Law Enforcement patrol the areas.

Cllr A K Warnick commented on there being no vehicles available for the Rural Safety Unit, as the unit is responsible for all the municipalities in the West Coast.

5.1.2 FIRE FIGHTING

The Director: Protection Services stated that the disagreement regarding accounts between Swartland Municipality and West Coast District Municipality has been resolved.

RESOLUTION

(proposed by cllr I S le Minnie, seconded by cllr A K Warnick)

That cognisance be taken of the monthly reports from the various divisions in the Directorate Protection Services, namely Traffic and Law Enforcement and Fire Fighting, for March 2023.

6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

6.1 EVALUATION OF THE IMPLEMENTATION OF THE K9 UNIT IN THE SWARTLAND MUNICIPALITY

The Swartland K9-Unit was established in October 2020 with grant funding from the Department of Community Safety (DOCS) with 9 dogs and 9 dog handlers.

The Provincial Department of Policing Oversight and Community Safety evaluated the K9-Unit during the end of 2022.

RESOLUTION

That the Portfolio Committee take cognizance of the positive evaluation report from the Department of Police Oversight and Community Safety (POCS) of the K9-Unit and the recommendations listed.

(SGD) ALD M VAN ZYL
CHAIRPERSON



NOTULE VAN 'N VERGADERING VAN DIE UITVOERENDE BURGEMEESTERSKOMITEE GEHOU IN DIE BANKETSAAL, MALMESBURY OP DINSDAG, 13 JUNIE 2023 OM 09:00

TEENWOORDIG:

Uitvoerende Burgemeester, rdh J H Cleophas (voorsitter)
Uitvoerende Onderburgemeester, rdl J M de Beer

Lede van die Burgemeesterskomitee:

Rdl D G Bess
Rdl N Smit
Rdh T van Essen
Rdl A K Warnick

Beamptes:

Munisipale Bestuurder, mnr J J Scholtz
Direkteur: Ontwikkelingsdienste, me J S Krieger
Direkteur: Finansiële Dienste, mnr M Bolton
Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann
Direkteur: Elektriese Ingenieursdienste, mnr T Möller
Senior Bestuurder: Menslike Hulpbronsbestuur, me S de Jongh
Bestuurder: Sekretariaat en Rekordsdienste, me N Brand

1. OPENING

Die Uitvoerende Burgemeester verwelkom lede en versoek rdl D G Bess om die vergadering met gebed te open.

2. VERLOF TOT AFWESIGHEID

Dat **KENNIS GENEEM** word van die verskonings ontvang vanaf die Speaker en die Direkteur: Korporatiewe Dienste.

3. VOORLEGGINGS/AFVAARDIGINGS/SPREEKBEURTE

Geen.

4. NOTULES

4.1 NOTULE VAN 'N GEWONE UITVOERENDE BURGEMEESTERSKOMITEE-VERGADERING GEHOU OP 17 MEI 2023

BESLUIT

(op voorstel van rdl A K Warnick, gesekondeer deur rdh T van Essen)

Dat die notule van 'n Gewone Uitvoerende Burgemeesterskomiteevergadering gehou op 17 Mei 2023 goedgekeur en deur die Burgemeester onderteken word.

5. OORWEGING VAN AANBEVELINGS UIT DIE NOTULE

5.1 NOTULE VAN PORTEFEULJEKOMITEESVERGADERING GEHOU OP 7 JUNIE 2023

5.1.1/...



MINUTES OF A MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE BANQUETTING HALL, MALMESBURY ON TUESDAY, 13 JUNE 2023 AT 09:00

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

Officials:

Municipal Manager, mr J J Scholtz
Director: Development Services ms J S Krieger
Director: Financial Services, mr M Bolton
Director: Civil Engineering Services, mr L D Zikmann
Director: Electrical Engineering Services, mr T Möller
Senior Manager: Human Resources, ms S de Jongh
Manager: Secretarial and Record Services, ms N Brand

1. OPENING

The Executive Mayor welcomed members and requested clr D G Bess to open the meeting with a prayer.

2. APOLOGIES

That **NOTE IS TAKEN** of the apologies received from the Speaker and the Director: Corporate Services.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None.

4. MINUTES

4.1 MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD ON 17 MAY 2023

RESOLUTION

(proposed by clr A K Warnick, seconded by ald T van Essen)

That the minutes of an Ordinary Meeting of the Executive Mayor's Committee held on 17 May 2023 are approved and signed by the Mayor.

5. CONSIDERATION OF RECOMMENDATIONS IN THE MINUTES

5.1 MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 7 JUNE 2023

5.1.1/...

5.1.1 MUNISIPALE BESTUUR, ADMINISTRASIE EN FINANSIES**BESLUIT**

(op voorstel van rdl D G Bess, gesekondeer deur rdl N Smit)

Dat die Uitvoerende Burgemeester die aanbevelings in die betrokke notule bekragtig.

5.1.2 SIVIELE EN ELEKTRIESE DIENSTE**BESLUIT**

(op voorstel van rdl D G Bess, gesekondeer deur rdl N Smit)

Dat die Uitvoerende Burgemeester die aanbevelings in die betrokke notule bekragtig.

5.1.3 ONTWIKKELINGSDIENSTE**BESLUIT**

(op voorstel van rdl D G Bess, gesekondeer deur rdl N Smit)

Dat die Uitvoerende Burgemeester die aanbevelings in die betrokke notule bekragtig, onderhewig aan die volgende regstelling –

ITEM 5.1: MAANDVERSLAG, APRIL 2023
[paragraaf 3]

Die Direkteur: Ontwikkelingsdienste noem dat die inwoners wat in Blok B die pad versper waar elektriese werke aangebring moet word na die geïdentifiseerde grond verskuif sal word.

5.1.4 BESKERMINGDIENSTE**BESLUIT**

(op voorstel van rdl D G Bess, gesekondeer deur rdl N Smit)

Dat die Uitvoerende Burgemeester die aanbevelings in die betrokke notule bekragtig.

6. SAKE VOORTSPRUITEND UIT DIE NOTULES

Geen.

7. NUWE SAKE**7.1 2023/2024 DIENSLIEWERING- EN BEGROTINGIMPLEMENTERINGSPLAN (SDBIP) (2/4/2)**

Artikel 53 van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, Wet 56 van 2003 (MFMA), bepaal dat die Munisipaliteit se SDBIP deur die Uitvoerende Burgemeester goedgekeur moet word binne 28 dae na goedkeuring van die jaarlikse begroting in Mei (dit is voor of op 22 Junie 2023).

Die SDBIP dien as hulpmiddel vir die bestuur van die Munisipaliteit om diensleweringsteikens en spandering op kapitaalprojekte binne die vasgestelde tydsraamwerke te behaal.

BESLUIT

(op voorstel van rdl N Smit, gesekondeer deur rdh T van Essen)

Dat die aangehegte 2023/2024 Dienslewering- en Begrotingimplementeringsplan (SDBIP) goedgekeur word.

5.1.1 MUNICIPAL MANAGER, ADMINISTRATION AND FINANCES**RESOLUTION**

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

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

5.1.2 CIVIL AND ELECTRICAL SERVICES**RESOLUTION**

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

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

5.1.3 DEVELOPMENT SERVICES**RESOLUTION**

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

That the Executive Mayor ratifies the recommendations in the relevant minutes, subject to the following correction -

ITEM 5.1: MONTHLY REPORT, APRIL 2023
[paragraph 3]

The Director: Development Services stated that residents of Block B, who block the road where electrical works must be installed, will be moved to the earmarked land.

5.1.4 PROTECTION SERVICES**RESOLUTION**

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

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

6. MATTERS ARISING FROM THE MINUTES

None.

7. NEW MATTERS**7.1 2023/2024 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) (2/4/2)**

Section 53 of the Local Government Act: Financial Management, Act 56 of 2003 (MFMA), stipulates that the Municipality's SDBIP is approved by the Executive Mayor within 28 days of the approval of the annual budget in May (that is before 22 June 2023).

The SDBIP serves to assist the management of the Municipality to attain the service delivery goals and the spending on capital projects within the stipulated timeframe.

RESOLUTION

(proposed by clr N Smit, seconded by ald T van Essen)

That the attached 2023/2024 Service Delivery and Budget Implementation Plan (SDBIP) be approved.

7.2/...

7.2 VOORLEGGING VAN 2023/2024 PRESTASIE-OOREENKOMSTE EN -PLANNE (2/4/2)

Artikel 57 van die Wet op Plaaslike Regering: Munisipale Stelsels, Wet 32 van 2000, bepaal dat die prestasie-ooreenkomste van die munisipale bestuurder en amptenare wat regstreeks aan die munisipale bestuurder rapporteer, binne een maand na die begin van die finansiële jaar aangegaan moet word.

Die prestasie-ooreenkomste van die Munisipale Bestuurder en die Direkteur: Elektriese Ingenieursdienste (as voorbeeld van dié van die direkteure) is met die sakelys gesirkuleer.

BESLUIT

Dat kennis geneem word van die Munisipale Bestuurder en direkteure se prestasie-ooreenkomste en -planne vir die 2023/2024 finansiële jaar.

7.3 NOTULE VAN 'N MUNISIPALE PRESTASIE- EN RISIKO OUDITKOMITEE GEHOU OP 21 FEBRUARIE 2023 (5/15/15)

Die Ouditkomitee dien as 'n volwaardige onafhanklike komitee van die Raad en vervul sy funksie ingevolge die bepalings van artikel 166 van die Plaaslike Regering: Munisipale Finansiële Bestuurswet, Nr 56 van 2003.

Die notule van die Munisipale Prestasie en Risiko Ouditkomiteevergadering gehou op 21 Februarie 2023 is met die sakelys gesirkuleer, en bevat geen aanbevelings aan die Uitvoerende Burgemeesterskomitee vir oorweging nie.

BESLUIT

Dat kennis geneem word van die notule van die Munisipale Prestasie, Risiko en Ouditkomitee se vergadering van 21 Februarie 2023.

7.4 2023/2024 PROGRAM INSAKE DIE HERSEEL- EN BOU VAN STRATE(16/5/5/1)

Daar is in die 2023/2024 finansiële jaar 'n bedrag van R10 miljoen beskikbaar vir die herseel van bestaande opgegradeerde strate in die Swartland munisipale gebied.

Die Munisipale Bestuurder hou die aanbeveling voor, en die volgende word uit die bespreking van die item bevestig:

- (1) Die rangorde ten opsigte van die bou van strate word bepaal deur die Uitvoerende Burgemeester binne die begrote bedrag;
- (2) Die identisering van strate vir die herseel daarvan word bepaal deur die Geïntegreerde Plaveiselbestuurstelsel (iRAMS Pavement Management System), sowel as ter plaatse inspeksies;
- (3) Kennis word geneem na die behoefte vir die opgradering van Abattoirstraat, Moorreesburg;
- (4) Die aantal strate wat kwalifiseer vir herseel gaan jaarliks afneem, as gevolg van die stygende kostes en dat daar pogings aangewend moet word om alternatiewe befondsing as die Raad se CRR (*Capital Replacement Reserve*) te bekom.

BESLUIT

(op voorstel van rdh T van Essen, gesekondeer deur rdl A K Warnick)

- (a) Dat daar kennis geneem word van die begierigheid van Swartland Munisipaliteit om die agterstand in die uitwissing van grondstrate in die hele Swartland munisipale area, te bereik;
- (b) Dat die beginsel aanvaar word dat met enige gesubsidieerde of privaatt ontwikkelende alle strate geteer moet word, op die standaard soos deur die Swartland Munisipaliteit voorgeskryf, tydens die oorweging van die aansoek;
- (c) Dat die bou- en herseel van strate, in die daaropvolgende begrotings spesiale oorweging geniet ten einde die doel van die uitfasering van grondstrate in die afsienbare toekoms te behaal;

7.2 SUBMISSION OF 2023/2024 PERFORMANCE AGREEMENTS AND PLANS (2/4/2)

Section 57 of the Local Government Act: Municipal Systems, Act 32 of 2000, stipulates that the performance agreements of the municipal manager and the officials, who report directly to the municipal manager, must be concluded within one month of the beginning of the financial year.

The performance agreements of the Municipal Manager and the Director: Electrical Engineering Services (as an example of those of the directors) were circulated with the agenda.

RESOLUTION

That the performance agreements and plans of the Municipal Manager and directors for the 2023/2024 financial year be noted.

7.3 MINUTES OF THE MUNICIPAL PERFORMANCE AND RISK AUDIT COMMITTEE MEETING HELD ON 21 FEBRUARY 2023 (5/15/15)

The Audit Committee serves as a totally independent committee from the Council and fulfils its function in accordance with the stipulations of Section 166 of the Local Government: Municipal Financial Management Act, Act 56 of 2003.

The minutes of the Municipal Performance and Risk Audit Committee Meeting held on 21 February 2023 were circulated with the agenda, and do not contain any recommendations to the Executive Mayor's Committee for consideration.

RESOLUTION

That cognizance be taken of the minutes of the meeting of the Municipality's Performance Risk and Audit Committee of 21 February 2023.

7.4 2023/2024 PROGRAMME IN RESPECT OF THE RESEALING AND BUILDING OF ROADS (16/5/5/1)

An amount of R10 million is available in the 2023/2024 financial year for the resealing of existing upgraded roads in the Swartland Municipal area.

The Municipal Manager presented the recommendation, and the following was confirmed after discussion of the item:

- (1) The order of preference in respect of the building of roads is determined by the Executive Mayor within the budgeted amount;
- (2) The identification of roads for resealing is determined by the iRAMS Pavement Management System, as well as by on-site inspections;
- (3) Note is taken of the need for the upgrading of Abattoir Street, Moorreesburg;
- (4) The number of roads, which qualify for resealing, will decrease annually as a result of the rising costs thereof and that efforts must be made to get alternate funding from the Council's CRR (*Capital Replacement Reserve*).

RESOLUTION

(proposed by ald T van Essen, seconded by clr A K Warnick)

- (a) That note is taken of the willingness of the Swartland Municipality to achieve the backlog in wiping out all the gravel streets in the entire Swartland municipal area;
- (b) That the principle is adopted that with any subsidised or private development all streets must be tarred, according to the standard prescribed by the Swartland Municipality, during the consideration of the application;
- (c) That in respect of the building and resealing of streets, special consideration will be given in the future budgets to realising the aim of phasing out all gravel streets in the foreseeable future;

7.4/...

- (d) Dat verdere detail beplanning, met inbegrip van 'n ter plaatse inspeksie, opgestel word ooreenkomstig die kriteria vir die oorweging van die bou van strate, ten einde die omvang van bevoordeling te optimaliseer;
- (e) Dat 5^{de} straat te Yzerfontein van 'n permanente oppervlakte voorsien word, hetsy teer of pavel en dat die onderskeie kostes van die opsies bepalend sal wees vir die finale produk;
- (f) Dat die R2 miljoen CCR (*Capital Contribution Reserve*) wat vir die BOU VAN STRATE beskikbaar is, en nie aan MIG vereistes ondergeskik is nie – aangewend word vir die bou van Abattoirstraat te Moorreesburg;
- (g) Dat die strate in alle dorpe, soos op die skedule in die sakelys ingebind, evalueer word om te bepaal of daar enige strate is wat nie "redbaar" is nie, en dus wel herseel moet word en dat die Direkteur: Siviele Ingenieursdienste 'n gesprek sal reël met lede van die Uitvoerende Burgemeesterskomitee om die finalisering van hierdie strate te bepaal;
- (h) Dat die balans van fondse (indien enige) gebruik word vir die bou van strate, welke prioriteitsorde deur die Uitvoerende Burgemeesterskomitee bepaal sal word voor die einde van Julie 2023.

7.5 OPGRADERING VAN BETONSTRUKTUUR EN TOILETTE IN YZERFONTEIN HAWE (9/1/3/2)

'n Versoek is ontvang vanaf Swartland Toerisme vir die opgradering van die ou betonstruktuur in die hawe wat in die 1950's deel van 'n visfabriek was. Daar word beplan om die struktuur in 'n uitkykpunt en meditasie area te omskep.

Swartland Toerisme sal die projek befonds deur middel van fondsinsamelingsveldtogte en behels die opgradering die volgende –

- (1) Skoonmaak van die terrein, restourasie van bankies en aanbring van skulpe op die vloer;
- (2) Aanbring van sonkrag aangedrewe LED-beligting;
- (3) Aanbring van sekuriteitskameras gekoppel aan Yzerfontein Armed Response;
- (4) Aanbring van 3 m breë perfolat teen die agterkant van die struktuur;
- (5) Opgradering van bestaande toegangsroete vanaf die hawe.

BESLUIT

(op voorstel van rdl N Smit, gesekondeer deur rdl A K Warnick)

- (a) Dat goedkeuring verleen word vir die opgradering van die betonstruktuur in die Yzerfontein hawe as 'n uitkyk- en meditasiepunt;
- (b) Dat toestemming vir die klein bouwerke (asook die pergola) vanaf die Boubeheerafdeling verkry word;
- (c) Dat opgradering van die toilette verwys word na die Departement: Onderhoud en Geboue vir plasing op die prioriteitslys waar dit sal meeding met ander projekte vir befonding;
- (d) Dat Swartland Toerisme skriftelike toestemming vir die projek verkry vanaf Yzerfontein Stedelike Beware, sowel as omliggende geaffekteerde partye soos geïdentifiseer deur Swartland Munisipaliteit.

7.6 SONDEZA AFRI-JEUGINISIATIEF: EVALUERINGSVERSLAG 2022 (17/2/2/1)

Die Evalueringsverslag van die 17de Sondeza Afri-Jeuginisiatief wat vanaf 7 tot 15 Desember 2022 op Ganzekraal aangebied is, is met die sakelys gesirkuleer.

BESLUIT

- (a) Dat kennis geneem word van die Evalueringsverslag van die Sondeza Afri-Jeuginisiatief, opgestel deur die kamp-koördineerder, I Look;

7.4/...

- (d) That further detailed planning, in respect of on-site inspection, will be drawn up in accordance with the criteria for the consideration of the building of roads, in order to optimize the extent of benefits;
- (e) That 5th Street in Yzerfontein is provided with a permanent surface of either tar or paving and the costs of the various options will determine the final product;
- (f) That the R2 million CCR (*Capital Contribution Reserve*), which is available for the BUILDING OF ROADS, and is not subject to the MIG stipulations - will be used for the building of Abattoir Street, Moorreesburg;
- (g) That the roads in all the towns, as per the schedule bound with the agenda, will be evaluated in order to ascertain if there are any streets which are not "saveable", and therefore must be sealed and that the Director: Civil Engineering Services will arrange with the members of the Executive Mayor's Committee to determine the finalization of these roads;
- (h) That the balance of the funds (if any) will be used for the building of streets, and in which order of priority will be determined by the Executive Mayor's Committee before the end of July 2023.

7.5 UPGRADING OF THE CONCRETE STRUCTURE AND TOILETS IN YZERFONTEIN HARBOUR (9/1/3/2)

'A request has been received from Swartland Tourism for the upgrading of the old concrete structure in the harbour, which was part of the fish factory in the 1950's. There is a plan to change the structure into a look out point and meditation area.

Swartland Tourism will fund the project by means of a fund raising exercise and includes upgrading the following -

- (1) Cleaning the area, restoring the benches and putting shells on the floor;
- (2) Introduction of solar power driven by LED lighting;
- (3) Introduction of security cameras coupled to Yzerfontein Armed Response;
- (4) Introduction of a 3m wide pergola against the back of the structure;
- (5) Upgrading of the existing entrances to the harbour.

RESOLUTION

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

- (a) That approval be granted for the upgrading of the concrete structure in the Yzerfontein harbour as a lookout and meditation point;
- (b) That permission for the small construction works (as well as the pergola) be obtained from the Building Control department;
- (c) That upgrading of the toilets be referred to the Department: Maintenance & Buildings for placement on the priority list where it will compete with other projects for funding;
- (d) That Swartland Tourism obtain written consent for the project from Yzerfontein Urban Conservancy.

7.6 SONDEZA AFRI-YOUTH INITIATIVE: EVALUATION REPORT 2022 (17/2/2/1)

The Evaluation Report of the 17th Sondeza Afri-Youth Initiative, which was presented from 7 to 15 December 2022 at Ganzekraal, was circulated with the agenda.

RESOLUTION

- (a) That notice be taken of the Evaluation Report of the Sondeza Afri-Youth Initiative, drawn up by the camp coordinator, I Look;
- (b) That the good feedback received, including the letter from Germany, which testifies to the value of the project, is gratefully noted.

7.6/...

- (b) Dat daar met dank kennis geneem word van die goeie terugvoering wat ontvang is, ingesluit die skrywe uit Duitsland, wat getuig van die waarde van die projek.

7.7 MENSLIKE HULPBRONNE: NUWE BELEID EN HERSIENING VAN BESTAANDE BELEID (4/2/B)

Die nuwe Munisipale Personeelregulasies noodsaak die samestelling van 'n aantal nuwe beleide, asook die hersiening van bestaande beleide om te voldoen aan die vereistes soos bepaal deur die regulasies.

Die verslag bevat die detail insake die konsultasie met vakbonde en die Plaaslike Arbeidsforum ter ondersteuning van die Mentorskap en Afrigtingbeleid en die gewysigde Interne Personeel Beursbeleid.

BESLUIT

(op voorstel van rdl N Smit, gesekondeer deur rdh T van Essen)

- (a) Dat die Uitvoerende Burgemeesterskomitee die aangehegte nuwe Mentorskap en Afrigtingbeleid goedkeur met ingang van 1 Julie 2023;
- (b) Dat die Uitvoerende Burgemeesterskomitee die aangehegte gewysigde Interne Personeel Beursbeleid goedkeur met ingang van 1 Julie 2023.

7.8 OORSKRYDING VAN MUNISIPALE EIENDOM: ERF 154, DARLING (15/3/1)

Engen Petroleum Ltd bedryf 'n vulstasie vanaf Erf 2076, Darling en is van voorneme om die terrein uit te brei om addisionele pompe te akkommodeer.

Die voorgestelde uitbreiding oorskry tot op munisipale grond, Erf 154, Darling wat as publieke padreserwe dien om elektriese infrastruktuur te akkommodeer. Dit is dus nie moontlik om Erf 154, Darling te vervreem nie, soos wat aanvanklik versoek was deur Engen Petroleum Ltd. Derhalwe is daar besluit om eerder 'n oorskrydingsooreenkoms aan te gaan.

BESLUIT

(op voorstel van rdl A K Warnick, gesekondeer deur rdl D G Bess)

- (a) Dat goedkeuring verleen word dat 'n oorskrydingsooreenkoms gesluit word met Engen Petroleum Ltd, eienaar van erf 2076, Darling, vir 'n periode van tien jaar, ten bedrae van R660,00 plus BTW per jaar om op erf 154, Darling te mag oorskry;
- (b) Dat die bogemelde bedrag jaarliks met 7% sal eskaleer;
- (c) Dat die Direkteur: Korporatiewe Dienste gemagtig word om die terme van die ooreenkoms te bepaal, met die insette van die Beplanningsafdeling.

7.9 HUUROOREENKOMS DOLFYNTJIES BEWAARSKOOL, MOORREESBURG (17/9/2/R)

Die Dolfyntjies Bewaarskool op Moorreesburg is 'n geregistreerde Vroeë Kinderontwikkelingsentrum en is hulle werksaamhede, volgens die Departement: Ontwikkelingsdienste, tot groot voordeel van die gemeenskap.

'n Aansoek is ontvang vanaf die Dolfyntjies Bewaarskool om Erf 1383, Moorreesburg vir 'n verdere termyn van drie jaar vanaf die Raad te huur.

BESLUIT

(op voorstel van rdh T van Essen, gesekondeer deur rdl N Smit)

- (a) Dat 'n drie (3) jaar huurooreenkoms met Dolfyntjies Bewaarskool Moorreesburg, aangegaan word vir die huur van Erf 1383, Moorreesburg vir die bedryf van 'n Vroeë Kinderontwikkelingsentrum;
- (b) Dat die huurgeld vasgestel word op R120,00 per jaar plus BTW;

7.7 HUMAN RESOURCES: NEW POLICY AND REVISION OF EXISTING POLICY(4/2/B)

The new Municipal Personnel Regulations necessitate the combination of a number of new policies, as well as the revision of existing policies, in order to comply with the requirements stipulated by the regulations.

The report contains the details in respect of the consultations with unions, and the Local Labour Forum in support of the Mentorship and Training Policy and the revised Internal Personnel Bursary Policy.

RESOLUTION

(proposed by clr N Smit, seconded by aid T van Essen)

- (a) That the Executive Mayoral Committee approve the attached new Mentoring and Coaching Policy with effect from 1 July 2023;
- (b) That the Executive Mayoral Committee approve the attached amended Internal Staff Bursary Policy with effect from 1 July 2023.

7.8 INFRINGEMENT OF MUNICIPAL PROPERTY: ERF 154, DARLING (15/3/1)

Engen Petroleum Ltd operate a filling station on Erf 2076, Darling and are intending to extend the property in order to accommodate additional pumps.

The proposed extension infringes on municipal land, Erf 154, Darling which serves as a public road reserve in order to accommodate electricity infrastructure. It is therefore impossible to alienate Erf 154, Darling, which was originally requested by Engen Petroleum Ltd. Therefore it has been decided to rather enter into an infringement agreement.

RESOLUTION

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

- (a) That approval be granted that an encroachment agreement be concluded with Engen Petroleum Ltd, owner of erf 2076, Darling, for a period of ten years, at the amount of R660,00 plus VAT per annum to encroach on erf 154, Darling;
- (b) That the above amount is to escalate annually by 7%;
- (c) That the Director: Corporate Services be authorized to finalise the terms of the agreement, with the input of the Planning Division.

7.9 LEASE AGREEMENT DOLFYNTJIES CRÊCHE, MOORREESBURG (17/9/2/R)

The Dolfyntjies Crèche in Moorreesburg is a registered Early Child Development Centre and their activities, according to the Department: Development Services, is of great benefit to the community.

An application has been received from the Dolfyntjies Crèche to lease Erf 1383, Moorreesburg from the Council for a further period of 3 years.

RESOLUTION

(proposed by aid T van Essen, seconded by clr N Smit)

- (a) That a three (3) year lease agreement be entered into with Dolfyntjies Crèche Moorreesburg for the lease of erf 1383, Moorreesburg, for the operating of an Early Childhood Development Centre;
- (b) That the rental amount be established at R120,00 per annum plus VAT;
- (c) That the existing conditions of lease remain unchanged.

7.10/...

7.9/...

- (c) Dat die bestaande huurvoorwaardes gehandhaaf word.

7.10 VERHURING VAN MUNISIPALE EIENDOM: KHETH'IMPILO (12/1/3/1-1/1)

Die Provinsiale Departement van Gesondheid het Kheth'Impilo aangestel vir die lewering van geïntegreerde gesondheid- en welstandprogramme in die Moorreesburg omgewing.

Kheth'Impilo beskik egter nie oor 'n geskikte perseel om hulle dienste effektief te lewer nie en derhalwe is 'n versoek ontvang om die ongebruikte munisipale gebou in Sentrumweg, Moorreesburg (bekend as die voormalige Biblioteek/Behuisingkantoor) vir hierdie doeleindes te huur.

Die versoek word ondersteun deur die Provinsiale Departement van Gesondheid.

BESLUIT

(op voorstel van rdl N Smit, gesekondeer deur rdl D G Bess)

- (a) Dat 'n een (1) jaar huurooreenkoms met Kheth'Impilo aangegaan word vir die huur van die munisipale gebou in Sentrumweg, Moorreesburg vir doeleindes om 'n gemeenskapgebaseerde gesondheidsorgdiens te lewer;
- (b) Dat die huurgeld van R120,00 per jaar plus BTW goedgekeur word;
- (c) Dat volmag aan die Direkteur: Korporatiewe Dienste gegee word om, in oorleg met die Direkteur: Ontwikkelingsdienste, die huurvoorwaardes te bepaal;
- (d) Dat die voorneme van die Raad op 'n huurooreenkoms met Kheth'Impilo aan te gaan in die plaaslike pers geadverteer word vir publieke kommentaar.

7.11 VERHUUR VAN HANDELSPLASIES TE JAKARANDASTRAAT, MALMESBURY (12/1/3/1-1/1)

Die Raad bedryf 'n Entrepreneursnode vanaf Erf 7516, Jakarandastraat wat tans uit vier klein besighede bestaan wat vanuit doelgemaakte skeepvraghouders opereer, naamlik

- Barbier/Haarsalon – N Magaginxa
- Klerewinkel (vervaardiging, herstelwerk, alterasies sowel as verkope) – J Meyer
- Wegneemetes – N Nomnga - Wotyana
- Snoepie/Tuckshop – X Mhlungwana

BESLUIT

(op voorstel van rdl J M de Beer, gesekondeer deur rdh T van Essen)

- (a) Dat goedkeuring verleen word vir die verlenging van huurooreenkomste met die onderskeie huurders vir 'n verdere termyn van 2 (twee) jaar, onderhewig aan terme en voorwaardes, soos bepaal deur die Direkteure van Korporatiewe Dienste en Ontwikkelingsdienste;
- (b) Dat maandelikse huur onveranderd bly op R100.00, plus BTW.

7.12 KANTOORAKKOMMODASIE: ABBOTSDALE BUURTWAG (12/1/3/1-1/1)

Die Abbottsdale Buurtwag huur tans 'n gedeelte van die struktuur geleë op Erf 1217, Abbottsdale en is begerig om die bestaande huurooreenkoms te verleng.

Die Munisipale Bestuurder noem dat die diens aan die gemeenskap op 'n vrywillige basis gelewer word en dat meeste van die lede van die buurtwag pensionarisse is wat 'n deernissubsidie ontvang. Daar word dus voorgestel, ondersteun deur die Direkteur: Finansiële Dienste, om munisipale dienste gratis beskikbaar te stel.

Besluit/...

7.10 LEASE OF MUNICIPAL PROPERTY: KHETH'IMPILO (12/1/3/1-1/1)

The Provincial Department of Health appointed Kheth'Impilo for the delivery of integrated health and welfare programmes in the Moorreesburg area.

Kheth'Impilo does not have suitable premises in order to deliver their services effectively and therefore a request has been received to lease the vacant municipal building in Centre Road, Moorreesburg (known previously as the Library/Housing Office) for their purposes.

The request is supported by the Provincial Department of Health.

RESOLUTION

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

- (a) That a lease agreement be entered into with Kheth'Impilo, for a period of one (1) year, for the lease of the municipal building in Sentrum Road, Moorreesburg for the purpose of delivering community based healthcare;
- (b) That the lease tariff of R120.00 per annum, plus VAT, be approved;
- (c) That the Director: Corporate Services be authorized to determine the terms and conditions of said lease agreement, in conjunction with the Director: Development Services;
- (d) That Council's intention to enter into a lease agreement with Kheth'Impilo be advertised for public comment, in the local press.

7.11 LEASE OF TRADING AREAS IN JAKARANDA STREET, MALMESBURY (12/1/3/1-1/1)

The Council operates Entrepreneurial trading areas on Erf 7516, Jacaranda Street, Malmesbury which, at present consists of four small businesses, which operate out of purpose built containers, namely:

- Barber/Hair Salon – N Magaginxa
- Clothing shop (fabrication, restoration, alterations as well as sales) – J Meyer
- Take Aways – N Nomnga - Wotyana
- Tuckshop – X Mhlungwana

RESOLUTION

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

- (a) That approval be granted for the extension of leases to the respective lessees, for a further period of two (2) years, subjects to terms and conditions as determined by the Directors of Corporate Services and Development Services;
- (b) That the monthly rental remain unchanged at R100.00, VAT excluded.

7.12 OFFICE ACCOMMODATION: ABBOTSDALE NEIGHBOURHOOD WATCH (12/1/3/1-1/1)

The Abbottsdale Neighbourhood Watch at present leases a portion of the structure on Erf 1217, Abbottsdale and is keen to extend the existing lease.

The Municipal Manager stated that the service to the community is delivered on a voluntary basis and that most of the members of the neighbourhood watch are pensioners who receive destitute subsidies. It is therefore proposed, supported by the Director: Financial Services, that municipal services are given free.

Resolution/...

7.12/...

BESLUIT

(op voorstel van rdl A K Warnick, gesekondeer deur rdl D G Bess)

- (a) Dat goedkeuring verleen word dat 'n huurooreenkoms met die Abbotsdale Buurtwag gesluit word vir die huur van een gedeelte van die struktuur geleë op Erf 1217, Abbotsdale, en wel vir 'n verdere periode van een (1) jaar ten bedrae van R120,00 per jaar, BTW uitgesluit, welke bedrag vooruitbetaalbaar sal wees;
- (b) Dat die huurvoorwaardes wat tans geld, van krag sal bly;
- (c) Dat die Munisipaliteit gratis dienste ten opsigte van water en riool beskikbaar stel met ingang van 1 Julie 2023, in belang van die dienste wat op 'n vrywillige basis aan die gemeenskap gelewer word.

7.13 TERUGVOERING OOR DIE WERKSAAMHEDE VAN DIE SWARTLAND GEMEENSAPVEILIGHEIDSFORUM (17/5/1/1)

Die Swartland Verkeer- en Wetstoepassingsdepartement volg 'n geïntegreerde benadering tot die bevordering van 'n veilige omgewing in die Swartland munisipale gebied. Om hierdie rede bestaan daar suksesvolle samewerking tussen alle rolspelers in die veiligheidssektor.

Die Swartland Gemeenskapveiligheidsforum het sy ontstaan uit die Swartland Veiligheidsinisiatief wat in 2017 gestig is om die werksaamhede van die onderskeie rolspelers te koördineer en dit in lyn te bring met die doelwitte van die Weskus Distrikmunisipaliteit en die res van die RSA.

Die verslag het ten doel om die Uitvoerende Burgemeesterskomitee in te lig aangaande die operasies van die forum om misdaad te verminder, maar ook om misdaad te voorkom deur die kernsake aan te spreek om sodoende 'n veilige omgewing te verseker.

BESLUIT

- (a) Dat kennis geneem word van die inhoud van die verslag en van die pogings deur die Swartland Gemeenskapveiligheidsforum om verhoudinge met alle rolspelers van die veiligheidssektor te bou ten einde misdaad in die Swartland munisipale gebied te bekamp;
- (b) Dat verder kennis geneem word dat die Swartland Gemeenskapveiligheidsforum op 'n kwartaallike basis sal vergader.

7.14 GOEDKEURING VAN DIE SWARTLAND GEMEENSAPVEILIGHEIDSPAN, 2023 (17/5/1/1)

Die Swartland Gemeenskapveiligheidsplan is opgestel met behulp van die Veiligheidskoördineerder, mnr Uys van der Westhuizen.

Die Direkteur: Beskermingsdienste noem dat die plan die funksies en verantwoordelikhede van die onderskeie rolspelers uitspel en wat nagekom moet word om 'n veilige omgewing te bevorder. Daar sal van die onderskeie rolspelers verwag word om tydens vergaderings van die Forum verslag te doen insake nakoming van verantwoordelikhede.

Een van die belangrikste oorwegings met die opstel van 'n veiligheidsplan is 'n begrip van die voorkoms van misdaad binne geografiese gebiede en om die sogenaamde "hotspots" te kan identifiseer. Sodoende kan gefokusde ingrypings en programme plaasvind om misdaad te bekamp en te voorkom in 'n spesifieke geografiese area.

BESLUIT

(op voorstel van rdl A K Warnick, gesekondeer deur rdl D G Bess)

Dat kennis geneem word van die inhoud van die Swartland Gemeenskapveiligheidsplan vir 2023 en dat die plan dienooreenkomstig goedgekeur word.

7.12/...

RESOLUTION

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

- (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 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;
- (c) That the Municipality makes available free services in respect of water and sewage with effect from 1 July 2023, in the interests of the services which are provided to the community on a voluntary basis.

7.13

FEEDBACK IN RESPECT OF THE ACTIVITIES OF THE SWARTLAND COMMUNITY PROTECTION FORUM (17/5/1/1)

The Swartland Traffic and Law Enforcement Department follows an integrated approach to the furthering of a safe environment in the Swartland municipal area. For this reason there is successful co-operation between all the roleplayers in the protection sector.

The Swartland Community Protection Forum originated from the Swartland Safety Initiative, which was founded in 2017 in order to co-ordinate the activities of the various roleplayers and to bring it into line with the objectives of the West Coast District Municipality and the rest of the RSA.

The report aims to enlighten the Executive Mayor's Committee with respect to the operations of the forum, not only with respect to decreasing crime, but also the prevention of crime through addressing the basic causes in order to ensure a safer environment.

RESOLUTION

- (a) That cognisance is taken of the content of the report and the efforts of the Swartland Community Safety Forum to build partnerships with all safety role players in the end to combat crime in the Swartland Municipal area;
- (b) That cognisance be taken that the Swartland Safety Forum will convene on a quarterly basis.

7.14 APPROVAL OF THE SWARTLAND COMMUNITY SAFETY PLAN, 2023 (17/5/1/1)

The Swartland Community Safety Plan was drawn up with the help of the Safety Co-ordinator, mr Uys van der Westhuizen.

The Director: Protection Services stated that the plan spells out the functions and responsibilities of the various roleplayers and that which must be done to further a safe environment. It is expected that the various roleplayers report back during Forum meetings in respect of the responsibilities fulfilled.

One of the most important considerations with the drawing up of the safety plan was an understanding of the incidence of crime in the geographical areas in order to identify the so-called hotspots. In so doing focused intervention and programmes can take place in order to combat and prevent crime in a specific geographical area.

RESOLUTION

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

That cognisance be taken of the content of the Swartland Community Safety Plan for 2023 and that the plan be approved accordingly.

7.15 SWARTLAND MUNISIPALITEIT: 2023 HERSIENING VAN BESIGHEID-KONTINUITITEIT EN RAMPHERSTELPLAN (17/5/1/1)

Die doel van die Besigheidkontinuiteit- en Rampherstelplan is om die Munisipaliteit voor te berei op uitgebreide diensonderbrekings en om dienslewering so spoedig moontlik te herstel.

BESLUIT

(op voorstel van rdl A K Warnick, gesekondeer deur rdl D G Bess)

- (a) Dat kennis geneem word van die wysigings aangebring ter hersiening van die Besigheidkontinuiteit- en Rampherstelplan;
- (b) Dat die hersiening 2023 Swartland Besigheidkontinuiteit- en Rampherstelplan goedgekeur word.

7.16 AFSKRYWING VAN ONINBARE EN ANDER SKULD: JANUARIE 2023 (5/7/3)

Die aangehegte skedules toon die uitstaande bedrae wat as oninvorderbaar geklassifiseer word, naamlik

- Skedule A – afskryfbaar ten opsigte van deernishoudings = R3 404 726.66
- Skedule B – afskryfbaar ten opsigte van uitstaande debiteure = R216 066.62

Daar word op 'n gereelde basis met deernishuishoudings gekommunikeer aangaande die spaarsamige verbruik van munisipale dienste, veral ten opsigte van water.

Verder is alle pogings aangewend om die gelde in te vorder vanaf uitstaande debiteure, maar daar is gevalle waar rekeninghouers oorlede is, of nie opgespoor kon word nie of nie oor die finansiële vermoë beskik om enige betalings te maak nie.

BESLUIT

(op voorstel van rdl N Smit, gesekondeer deur rdl A K Warnick)

- (a) Dat die Uitvoerende Burgermeesterskomitee goedkeuring verleen dat die bedrag van **R 3 404 726,66** en opsigte van deernishuishoudings, afgeskryf word as oninvorderbaar;
- (b) Dat die Uitvoerende Burgermeesterskomitee goedkeuring verleen dat die bedrag van **R216 066.62** ten opsigte van ander uitstaande debiteure, afgeskryf word as oninvorderbaar soos per die individuele redes;
- (c) Dat, indien dit vanaf datum van hierdie goedkeuring aan die lig kom dat 'n gedeelte van die skuld of die totale skuld van 'n debiteur nie korrek sou wees nie, of dat enige inligting wat op datum van afskrywing nie aan die Uitvoerende Burgermeesterskomitee bekend was wat daartoe sou lei dat die komitee die voorgelegde skuld nie vir afskrywing sou oorweeg nie, die Uitvoerende Burgermeesterskomitee die reg voorbehou om die skuld weer terug te skryf na die betrokke debiteur en dat die nodige stappe geneem sal word om die skuld in te vorder;
- (d) Dat, indien 'n eiendom op welke wyse ookal vervreem sou word, die Raad die reg voorbehou om uitklaring op die betrokke eiendom te weerhou en die bedrae afgeskryf eers in te vorder, alvorens uitklaring op die betrokke eiendom gegee sal word. Ten einde uitvoering aan hierdie besluit te gee, is 'n register by die eiendomsbelastingafdeling ingestel waarin gekontroleer word of daar ten opsigte van die betrokke uitklaring vir die voorafgaande twee jaar voor uitklaring, enige afskrywing was, en dat indien wel, die afgeskryfde bedrag met die uitklaring verhaal word;
- (e) Dat verder goedkeuring verleen word dat lopende heffings wat nie by die bestaande lys bygewerk is nie, vanweë die tydsverloop van wanneer die administratiewe proses van genoemde afskrywingslys begin is en die tydperk daarna, ook deel van die afskrywings sal wees, onderhewig daaraan dat die Kredietbeheerafdeling oortuig is dat die nuwe skuld onder dieselfde omstandighede ook oninvorderbaar is;

7.15 SWARTLAND MUNICIPALITY: 2023 REVISION OF BUSINESS CONTINUITY AND DISASTER RECOVERY PLAN (17/5/1/1)

The purpose of the Business Continuity and Disaster Recovery Plan is to prepare the Municipality for extended service interruptions and to restore service delivery as quickly as possible.

RESOLUTION

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

- (a) That cognisance is taken of the changes that was made to the Business Continuity and Recovery Plan;
- (b) That the reviewed 2023 Swartland Business Continuity and Recovery Plan be approved.

7.16 WRITE-OFF OF IRRECOVERABLE AND OTHER DEBT: JANUARY 2023 (5/7/3)

The attached schedules show the outstanding amounts, which are classified as irrecoverable, namely:

- Schedule A – write-off in respect of destitute households = R3 404 726.66
- Schedule B – write-off in respect of outstanding debtors = R216 066.62

There must be communication with destitute households on a regular basis in respect of the economical use of municipal services, especially in respect of water.

All efforts must also be made in order to recover the monies from outstanding debtors, but there are instances where the account holders are deceased, or cannot be traced or do not have the will to make any payments.

RESOLUTION

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

- (a) That the Executive Mayoral Committee approves that the amount of **R 3 404 726,66** be written off as irrecoverable, in respect of indigent households;
- (b) That the Executive Mayoral Committee approves that the amount of **R216 066.62** 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)/...

7.16/...

- (f) Dat verder goedkeuring verleen word dat die bedrae wat aan die Raad verskuldig is, wat op datum van hierdie Item nie by die bestaande lys bygewerk is nie, as gevolg van sosioekonomiese ondersoeke wat nog nie kon plaasvind aan al die deernishuishoudings nie, ook deel van die afskrywings sal wees, onderhewig daaraan dat die Kredietbeheerafdeling oortuig is dat die nuwe skuld onder dieselfde omstandighede ook oninvorderbaar is;
- (g) Dat die werklike bedrag afgeskryf, nadat hierdie voorlegging aan die Uitvoerende Burgemeesterskomitee gemaak was, weer tydens die volgende vergadering voorgelê sal word;
- (h) Dat enige BTW op dienste gehê op die gebruikelike manier vanaf die Ontvanger van Inkomste teruggeëis word;
- (i) Dat die Kredietbeheerafdeling poog om besoeke aan die deernishuishoudings te bring, ten einde die afskrywing te verduidelik en die implikasie van toekomstige verpligtinge van 'verantwoordelike verbruikers' aan hulle duidelik te maak, asook om die installeering van 'n waterbeheermeganismestelsel en die werking daarvan aan die deernishuishoudings te verduidelik, ten einde voorkomende Kredietbeheer toe te pas;
- (j) Dat verdere goedkeuring verleen word dat die kostes met betrekking tot die vervanging van die konvensionele elektrisiteitsmeter deur 'n voorafbetaalde elektrisiteitsmeter, deur die munisipaliteit gedra word en dat die Hoof Finansiële Beampte die kostes van die Deernistoekenning sal verhaal;
- (k) Dat daar kennis geneem word van toekomstige pogings om aansluitings te beperk in 'n poging om verbruikers te dwing om die nodige dienste aansluitings te kom teken.

7.17 UITSTAANDE DEBITEURE: MEI 2023 (5/7/1/1)

'n Volledige verslag van die stand van uitstaande debiteure teen einde Mei 2023 is met die sakelys gesirkuleer.

BESLUIT

Dat kennis geneem word van die verslag aangaande die stand van Swartland Munisipaliteit se uitstaande debiteure vir Mei 2023.

7.18 VORDERING MET UITSTAANDE VERSEKERINGSEISE (5/14/3/5)

Ingevolge die Batebestuursbeleid moet maandeliks verslag gedoen word insake die uitstaande versekeringseise.

BESLUIT

Dat kennis geneem word van die stand van uitstaande versekeringseise tot en met 31 Mei 2023 soos met die sakelys gesirkuleer.

7.19 AFSKRYF VAN BATES TEN DOEL OM DIT VAN DIE BATEREGISTER TE VERWYDERING MET BETREKKING TOT VERSEKERINGSEISE TOT 31 MEI 2023 (5/14/3/5)

Die instandhouding van die Bateregister word ingevolge Artikel 63 van die Plaaslike Regering: Munisipale Finansiële Bestuur (Wet 56 van 2003) vereis. 'n Lys van bates wat afgeskryf kan word en gevolglik van die Bateregister verwyder moet word, is met die sakelys gesirkuleer.

BESLUIT

(op voorstel van rdh T van Essen, gesekondeer deur rdl N Smit)

(a)/...

7.16/...

- (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 for write-off be submitted to the Executive Mayoral Committee at the next 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 prepaid 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.

7.17 OUTSTANDING DEBTORS: MAY 2023 (5/7/1/1)

A complete list of outstanding debtors up to the end of May 2023 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 2023.

7.18 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 May 2023 as circulated with the agenda.

7.19 WRITE-OFF OF ASSETS IN ORDER TO REMOVE THEM FROM THE ASSET REGISTER WITH REFERENCE TO INSURANCE CLAIMS UP TO 31 MAY 2023 (5/14/3/5)

The upkeep of the Asset Register is required in accordance with Section 63 of the Local Government: Municipal Financial Management Act (Act 56 of 2003). A list of assets which can be written-off and therefore must be removed from the Asset Register, was circulated with the agenda.

RESOLUTION

(proposed by ald T van Essen, seconded by clr N Smit)

- (a) That approval is granted for the assets as per the attached list (R 8447.50) to be written- off and that same be removed from the asset register for purposes of completeness and accurate accounting records;

7.19/...

- (a) Dat goedkeuring verleen word vir die afskryf van bates ter waarde van R8447.50 (soos aangeheg) en dat die betrokke bates dienoreenkomstig vanaf die Bateregister verwyder word;
- (b) Dat, indien daar soortgelyke versekeringsgevalle na vore kom tot en met einde Junie 2023, die Direkteur: Finansiële Dienste gemagtig word om die bates te laat afskryf, onderhewig daaraan dat die werklike bedrag afgeskryf vir die periode tot 30 Junie 2023 vir volledigheidshalwe gerapporteer sal word.

7.20 AFSKRYF VAN BATES TEN DOEL OM DIT VAN DIE BATEREGISTER TE VERWYDER MET BETREKKING TOT VERLORE, GEEN EIS, VERNIETIGDE EN ONEKONOMIES HERSTELBARE BATES (5/14/3/5)

Die Batebestuursbeleid bepaal die redes vir die afskryf van bates, onder andere, as gevolg van diefstal, vernietiging, onherstelbaar, ens. en 'n register word gedurende die jaar bygehou van sodanige bates.

Die bates word vir afskrywing aanbeveel, aangesien dit tydens die fisiese inspeksie geverifieer kon word dat die bates met 'n waarde van R7 249.12, vir die redes genoem in die verslag, nie meer bestaan nie.

BESLUIT

(op voorstel van rdh T van Essen, gesekondeer deur rdl N Smit)

Dat goedkeuring verleen word vir die afskryf van bates ter waarde van R7 249.12 (soos aangeheg) en dat die betrokke bates dienoreenkomstig vanaf die Bateregister verwyder word vir doeleindes van volledigheid van die Munisipaliteit se rekenkundige rekords soos op 30 Junie 2023.

7.21 NASIENING EN AFSKRYWING VAN GEBOUE INGESLUIT IN DIE BATE REGISTER SOOS OP 30 JUNIE 2023 (6/1/4)

Tydens 'n ondersoek deur die Direktoraat: Finansiële Dienste is vasgestel dat sommige geboue in die Bateregister nie meer aan die Munisipaliteit behoort nie of dat die fasiliteit onherstelbaar beskadig is. In sommige gevalle is die oordrag van die grond korrek geboekstaaf, maar nie die geboue op die grond nie.

Die resultaat van die ondersoek is dat die toestand en ligging van alle bates (grond en struktuur) van die Munisipaliteit nou met behulp van GIS gekoppel is.

Die impak van die ondersoek behels die afskrywing van 68 geboue (oor 36 persele) en/of strukture ter waarde van R6 327 528.89.

BESLUIT

(op voorstel van rdh T van Essen, gesekondeer deur rdl N Smit)

Dat goedkeuring verleen word vir die afskryf van bates ter waarde van R6 327 528.89 (soos aangeheg) en dat die betrokke bates dienoreenkomstig vanaf die Bateregister verwyder word vir doeleindes van volledigheid van die Munisipaliteit se rekenkundige rekords soos op 30 Junie 2023.

7.22 RATIFISERING VAN PENSIONARIS TARIEF TOEGESTAAN BY KARAVANPARK TYDENS 2019/2020 SONDER BEHOUD VAN REKORDS (5/15/1/5)

Die Ouditeur-Generaal (OG) het in 2019/2020 'n steekproef van transaksies by die Yzerfontein Karavaanpark aangevra. Daar is transaksies gevind waar 'n afslag aan pensionarisse toegestaan is. Op daardie stadium het die Munisipaliteit se beleid nie daarvoor voorsiening gemaak dat rekords gehou moet word as bewys van ouderdom nie, bv. of Identiteitsdokument of SASSA-kaart.

Alhoewel die Administrasie op daardie stadium nie saamgestem het met die bevinding van die OG nie, is kontroles in plek gestel om 'n afskrif van die bewys te behou ten einde te kan bevestig dat die korrekte kamptarief gehef is.

7.19/...

- (b) That should more such insurance cases materialise for the month of June 2023, that the CFO be authorized to also write those items off and report any difference between the aforementioned amount and those actually written-off for the period ending 30 June 2023 to ensure completeness.

7.20 WRITE-OFF OF ASSETS IN ORDER TO REMOVE THEM FROM THE ASSET REGISTER IN RESPECT OF LOST, NO CLAIM, DESTROYED AND ECONOMICALLY IRREPARABLE ASSETS (5/14/3/5)

The Asset Management Policy stipulates the reasons for the write-off off assets, inter alia, as a result of theft, disrepair, irreparable, etc and a register must be kept throughout the year for such assets.

The assets are recommended for write-off, because during the physical inspection it was verified that assets to the value of R7 249.12, no longer existed, for the reasons identified in the report.

RESOLUTION

(proposed by ald T van Essen, seconded by clr N Smit)

That approval is granted for the assets as per the attached list (R7249.12) be written off and that same be removed from the asset register for purposes of completeness of the municipality's financial accounting records as at 30 June 2023.

7.21 VERIFICATION AND WRITE-OFF OF BUILDINGS INCLUDED IN THE ASSET REGISTER AS OF 30 JUNE 2023 (6/1/4)

During an investigation by the Director: Financial Services it was ascertained that some buildings in the Asset Register no longer belong to the Municipality or the facility is no longer reparable due to damage. In some cases the transfer of the land is correctly recorded, but not the buildings on the land.

The result of the investigation is that the condition and location of all assets (land and structure) are now coupled with the help of GIS.

The impact of the investigation has resulted in the write-off of 68 buildings (over 36 properties) and/or structures to the value of R6 327 528.89.

RESOLUTION

(proposed by ald T van Essen, seconded by clr N Smit)

That approval is granted for the assets as per the attached list (R6 327 528.89) be written off and that same be removed from the asset register for purposes of completeness of the municipality's financial accounting records as at 30 June 2023.

7.22 RATIFICATION OF PENSIONERS TARIFF PERMITTED AT THE CARAVAN PARK DURING 2019/2020 WITHOUT THE KEEPING OF RECORDS (5/15/1/5)

In 2019/2020 the Auditor General (AG) requested a random sample of transactions at the Yzerfontein Caravan Park. Transactions were found where a discount for pensioners was permitted. At that stage the Municipality's policy did not make provision for the keeping of records in respect of age, by means of an identity document or SASSA card.

Although the Administration was not of the same opinion at that stage with the findings of the AG, controls were put in place in order to keep a copy in order to be able to confirm that the correct camping tariff was levied.

In order to record the transactions as arithmetically correct -

Resolution/...

7.22/...

Ten einde die transaksies rekeningkundig korrek te boekstaaf word –

BESLUIT

(op voorstel van rdl N Smit, gesekondeer deur rdh T van Essen)

- (a) Dat die toestaan van 'n verminderde kamptarif aan pensionarisse sonder om 'n afskrif te behou van identifikasie vir die periode 1 Julie 2019 tot 30 Junie 2020 gekondoneer word;
- (b) Dat goedkeuring verleen word dat die skedule met die ongekorrigeerde wanvoorstelling dienoreenkomstig opgedateer word.

7.23 AFWYKING VAN VOORGESKREWE VERKRYGINGSPROSEDURES: AANKOOP VAN NOTEBOOK REKENAARS MET SPESIEKE FUNKSIES (8/1/B/2)

Die behoefte het ontstaan om rekenaars met spesifieke funksionaliteite te bekom. Die diensverskaffers van rekanaartoerusting verkry groot hoeveelhede vir die algemene mark en sal slegs rekenaars reserveer op ontvangs van 'n amptelike bestelling.

Daar is kwotasies vanaf drie diensverskaffers aangevra, maar slegs een kon die spesifieke model voorsien ingevolge die spesifikasies en tydsraamwerk van die Munisipaliteit.

BESLUIT

- (a) Dat die Uitvoerende Burgemeesterskomitee kennis neem van die afwyking van die voorgeskrewe verkrygingsprosedures ingevolge paragraaf 36(2) van die Voorsieningkanaalbestuurbeleid;
- (b) Dat kennis geneem word van die aksie van die Munisipale Bestuurder om die verkorte drie-kwotasie proses te volg en die aanvaarding van die kwotasie vanaf Technology Strategy Corp vir rekenaars en toerusting ten bedrae van R172 494,00 (BTW uitgesluit);
- (c) Dat die redes vir die afwyking van die voorgeskrewe verkrygingsprosedures as volg is:
 - (i) Dit word as onprakties beskou om rekenaars deur middel van die formele proses te verkry, weens die standardisering op Dell en HP rekenaars en 'n tekort aan gespesialiseerde rekanaartoerusting. Die enigste praktiese oorweging was om diensverskaffers te nader wat reeds bestellings vir die algemene mark gehad het, en om 'n kwotasie te aanvaar van rekenaars wat nog nie geallokeer was nie;
 - (ii) Omrede drie kwotasies teen die sperdatum ontvang is, maar slegs een diensverskaffer die rekanaar en toerusting ingevolge die spesifikasies kon voorsien, was die kwotasie aanvaar en word dit as 'n deelnemende verkrygingsproses beskou en word die verkoopprijs as regverdig en redelik beskou;
- (d) Dat daar voldoende fondse beskikbaar is en dat die uitgawe ten bedrae van R172 494,00 (BTW uitgesluit) teen posnommer 9/118-64-729 verreken word;
- (e) Dat die Senior Bestuurder: Finansiële State en Batebestuur in terme van die Voorsieningkanaalbestuursbeleid opdrag gegee word om bovermelde redes as nota by die finansiële state in te sluit, wanneer die betrokke state opgestel word.

7.24 AFWYKING VAN VOORGESKREWE VERKRYGINGSPROSEDURES: DRINGENDE HERSTELWERK AAN "BELT FILTER PRESS" BY MALMESBURY WWTW (8/1/B/2)

Die Malmesbury WWTW beskik oor meganiese toerusting om slyk te verwyder en te ontwater gedurende die behandeling van afvalwater. Indien hierdie toerusting onklaar raak kan daaroe lei dat die behandelde rioolwater nie op standaard is nie en besoedeling kan veroorsaak.

Besluit/...

7.22/...

RESOLUTION

(proposed by clr N Smit, seconded by ald T van Essen)

- (a) That the granting of a reduced camping rate to pensioners without retaining a copy of identification for the period 1 July 2019 to 30 June 2020 is condoned;
- (b) That approval be granted for the schedule with the uncorrected misrepresentation to be updated accordingly.

7.23 DEPARTURE FROM PRESCRIBED PROCUREMENT PROCEDURE: PURCHASE OF NOTEBOOK COMPUTERS WITH SPECIFIC FUNCTIONS (8/1/B/2)

The need for computers with specific functions has arisen. The service providers for computer equipment supply a great number for the general market and will only reserve computers on receipt of an official order.

Quotations were requested from three service providers, but only one could supply the specific model in accordance with the specifications and timeframe of the Municipality.

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 be condoned to follow a shortened three quotation process to approve the acceptance of the quotation for the awarding of the contract to Technology Strategy Corp for laptop and accessories to the amount of R172 494,00 excluding VAT;
- (c) That the reason for the deviation from the prescribed procurement process to alleviate the emergency situation be recorded as follows:
 - (i) Due to standardisation on Dell and HP laptops and with a shortage of computer equipment with required functionality, it was impractical to procure notebook computers by means of a formal tendering process. The only practical option was to call for quotations from importers who already had notebook computers on order for the general market, and to accept a quotation for notebook computers which have not yet been allocated in the market;
 - (ii) Since 3 quotations were received by the due date and only one vendor could supply the Notebook Computers with accessories the quotation was accepted, a competitive procurement process was followed, and the purchase price is considered fair and reasonable;
- (d) That there are sufficient funds available and that the expenditure amounting to R172 494,00 (excluding VAT) is settled against post number 9/118-64-729;
- (e) That the Manager: Financial Statements and Control be requested to include the above reasons as a note to the financial statements, when same are compiled.

7.24 DEPARTURE FROM PRESCRIBED PROCUREMENT PROCEDURE: URGENT REPAIRS TO THE "BELT FILTER PRESS" AT MALMESBURY WWTW (8/1/B/2)

The Malmesbury WWTW consists of mechanical equipment in order to remove and dehydrate sludge during the handling of waste water. If this equipment stops working it can result that the processed sewerage water is not up to standard and pollution can result.

Resolution/...

7.24/...

BESLUIT

- (a) Dat die Uitvoerende Burgemeesterskomitee kennis neem van die afwyking van die voorgeskrewe verkrygingsprosedures ingevolge paragraaf 36(2) van die Voorsieningkanaalbestuurbeleid;
- (b) Dat verder kennis geneem word van die aksie van die Munisipale Bestuurder om goedkeuring te verleen vir die herstel van die *belt filter press* by die Malmesbury WWTW deur G W Trautman ten bedrae van R69 208.63 (BTW uitgesluit);
- (c) Dat die redes vir die afwyking van die voorgeskrewe verkrygingsprosedures as volg is:
 - (i) Die *belt filter press* sou vir 'n geruime tyd buite werking gewees het;
 - (ii) Voormelde sou aanleiding gee dat die faling van die behandelingsproses, verliese aan slyk, swak gehalte behandelde rioolwater wat nie op standaard is nie en 'n groot risiko vir omgewingsbesoedeling;
 - (iii) Derhalwe is die herstelwerk as 'n noodgeval hanteer;
- (d) Dat daar voldoende fondse beskikbaar is en dat die uitgawe ten bedrae van R69 208.63 (BTW uitgesluit) teen posnommer 9/239-667-425 verreken word;
- (e) Dat die Senior Bestuurder: Finansiële State en Batebestuur in terme van die Voorsieningkanaalbestuursbeleid opdrag gegee word om bovermelde redes as nota by die finansiële state in te sluit, wanneer die betrokke state opgestel word.

7.25 AFWYKING VAN VOORGESKREWE VERKRYGINGSPROSEDURES: DRINGENDE HERSTELWERK AAN DOMEPEL POMP BY RIOOLPOMPSSTASIE NR 5 IN ABBOTSDALE (8/1/B/2)

Die rioolwerke by Abbotdale is toegerus met verskeie pompstasies om rou riool na Malmesbury WWTW te pomp. Pompstasie Nr 5 het gefaai wat aanleiding gegee het tot die storting van rou riool en dringend herstelwerk is benodig.

BESLUIT

- (a) Dat die Uitvoerende Burgemeesterskomitee kennis neem van die afwyking van die voorgeskrewe verkrygingsprosedures ingevolge paragraaf 36(2) van die Voorsieningkanaalbestuurbeleid;
- (b) Dat verder kennis geneem word van die aksie van die Munisipale Bestuurder om goedkeuring te verleen vir die herstel van die pomp by die Abbotdale Rioolstasie Nr 5 deur CAW ten bedrae van R41 340.00 (BTW uitgesluit);
- (c) Dat die redes vir die afwyking van die voorgeskrewe verkrygingsprosedures as volg is:
 - (i) Die pompstasie sou vir 'n geruime tyd buite werking gewees het, sou die normale verkrygingsproses gevolg word;
 - (ii) Voormelde sou lei tot die faling van die rioolversamelingstelsel en storting van rou riool met die gepaardgaande risiko vir omgewingsbesoedeling;
 - (iii) Derhalwe is die herstelwerk as 'n noodgeval hanteer;
- (d) Dat daar voldoende fondse beskikbaar is en dat die uitgawe ten bedrae van R41 340.00 (BTW uitgesluit) teen posnommer 9/240-849-381 verreken word;
- (e) Dat die Senior Bestuurder: Finansiële State en Batebestuur in terme van die Voorsieningkanaalbestuursbeleid opdrag gegee word om bovermelde redes as nota by die finansiële state in te sluit, wanneer die betrokke state opgestel word.

7.26/...

7.24/...

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 in giving approval for the repair of the *belt filter press* at the Malmesbury WWTW to G W Trautman to the amount of R69 208.63 (excluding VAT) is also noted;
- (c) That the reasons for the deviation from the prescribed procurement procedure are as follows:
 - (i) The *belt filter press* would be out of action for a considerable time;
 - (ii) The above mentioned would lead to the interruption of the handling process, decrement of sludge, poor standard of treated sewerage water, which would not be up to standard, and a great risk of pollution in the area;
 - (i) Therefore the repair work was treated as an emergency;
- (d) That there are sufficient funds available and that the expenditure amounting to R69 208.63 (excluding VAT) is settled against post number 9/239-667-425;
- (e) That the Manager: Financial Statements and Control be requested to include the above reasons as a note to the financial statements, when same are compiled.

7.25 DEPARTURE FROM PRESCRIBED PROCUREMENT PROCEDURE: URGENT REPAIRS TO THE IMMERSION PUMP AT SEWERAGE PUMP STATION NO 5 IN ABBOTSDALE (8/1/B/2)

The sewerage works in Abbotdale are equipped with various pump stations in order to pump raw sewerage to the Malmesbury WWTW. Pump Station no 5 failed which led to the dumping of raw sewerage and urgent repair work was necessary.

Resolution/...

7.25/...

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 repairs of a pump of Abbotdale sewer pump station No.5 by CAW for the amount of R 41,340.00 (excluding VAT);
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) The pump station would have been left out of service for an extended period of time while following due process;
 - (ii) This would have resulted in continued flooding of raw sewerage in the environment and failure of the sewerage collection system;
 - (iii) The repair work to the pump therefore had to be handled as an emergency;
- (d) That there are sufficient funds available and that the expenditure amounting to R41 340.00 (excluding VAT) is settled against post number 9/240-849-381;
- (e) 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.

7.26/...

7.26 AFWYKING VAN VOORGESKREWE VERKRYGINGSPROSEDURES: DRINGENDE HERSTELWERK AAN RIOOLPYPLYN IN SCHOONSPRUITWEG, MALMESBURY (8/1/B/2)

Die Munisipaliteit het 'n klagte ontvang insake 'n rioolverstopping in Schoonspruitweg, Malmesbury. Die stukkende pype het 'n verstopping in die hoofrioolpylyn veroorsaak en dringende herstelwerk was benodig.

Die dienste van 'n spesialis siviele ingenieurskontraakteur is bekom, aangesien die pyplyn op 'n diepte geleë is wat buite bereik van munisipale toerusting is.

BESLUIT

- (a) Dat die Uitvoerende Burgemeesterskomitee kennis neem van die afwyking van die voorgeskrewe verkrygingsprosedures ingevolge paragraaf 36(2) van die Voorsieningkanaalbestuursbeleid;
- (b) Dat verder kennis geneem word van die aksie van die Munisipale Bestuurder om goedkeuring te verleen vir die herstel van die rioolpylyn in Schoonspruitweg, Malmesbury deur Fast Track Plant and Civils ten bedrae van R73 550.00 (BTW uitgesluit);
- (c) Dat die redes vir die afwyking van die voorgeskrewe verkrygingsprosedures as volg is:
 - (i) Die stukkende rioolpype het 'n blokkasie in die hoofrioolpylyn veroorsaak wat aanleiding gegee het tot die storting van rou riool en 'n faling in die lewering van rioldienste;
 - (ii) Derhalwe is die herstelwerk as 'n noodgeval hanteer;
- (d) Dat daar voldoende fondse beskikbaar is en dat die uitgawe ten bedrae van R73 550.00 (BTW uitgesluit) teen posnommer 9/240-681-381 verreken word;
- (e) Dat die Senior Bestuurder: Finansiële State en Batebestuur in terme van die Voorsieningkanaalbestuursbeleid opdrag gegee word om bovermelde redes as nota by die finansiële state in te sluit, wanneer die betrokke state opgestel word.

7.27 AFWYKING VAN VOORGESKREWE VERKRYGINGSPROSEDURES: DRINGENDE HERSTELWERK AAN "TRANSFER MIXER" BY MALMESBURY WWTW (8/1/B/2)

Die behandelingsproses by die Malmesbury WWTW bestaan uit verskeie sones wat uit meganiese komponente bestaan wat die proses aandryf. 'n Menger wat riool tussen twee sones aandryf het onklaar geraak.

BESLUIT

- (a) Dat die Uitvoerende Burgemeesterskomitee kennis neem van die afwyking van die voorgeskrewe verkrygingsprosedures ingevolge paragraaf 36(2) van die Voorsieningkanaalbestuursbeleid;
- (b) Dat verder kennis geneem word van die aksie van die Munisipale Bestuurder om goedkeuring te verleen vir die herstel van die *transfer mixer* by die Malmesbury WWTW deur G W Trautman ten bedrae van R61 042.55 (BTW uitgesluit);
- (c) Dat die redes vir die afwyking van die voorgeskrewe verkrygingsprosedures as volg is:
 - (i) Die *transfer mixer* sou vir 'n geruime tyd buite werking gewees het;
 - (ii) Voormelde sou aanleiding gee in die faling van die behandelingsproses, en beskadiging van meganiese komponente verder aan in die proses;
 - (iii) Derhalwe is die herstelwerk as 'n noodgeval hanteer;
- (d) Dat daar voldoende fondse beskikbaar is en dat die uitgawe ten bedrae van R61 042.55 (BTW uitgesluit) teen posnommer 9/239-851-689 verreken word;
- (e) Dat die Senior Bestuurder: Finansiële State en Batebestuur in terme van die Voorsieningkanaalbestuursbeleid opdrag gegee word om bovermelde redes as nota by die finansiële state in te sluit, wanneer die betrokke state opgestel word.

7.26 DEPARTURE FROM PRESCRIBED PROCUREMENT PROCEDURE: URGENT REPAIRS TO THE SEWERAGE PIPELINE IN SCHOONSPRUIT ROAD, MALMESBURY (8/1/B/2)

The Municipality received complaints in respect of sewerage blockages in Schoonspruit Road, Malmesbury. The broken pipes caused a blockage in the main pipeline and urgent repair work was necessary.

The services of a specialist civil engineer were obtained, because the pipeline is at a depth which cannot be reached by the municipal equipment.

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 repairs of broken sewer pipes in Schoonspruit road, Malmesbury by Fast Track Plant and Civils for the amount of R 73,550.00 (excluding VAT);
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) The broken sewer pipes caused a blockage in the sewer main line that resulted in raw sewerage spillage and a failure in the sewer service;
 - (ii) The repair work of the pipes therefore had to be handled as an emergency;
- (d) That there are sufficient funds available and that the expenditure amounting to R73 550.00 (excluding VAT) is settled against post number 9/240-681-381;
- (e) 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.

7.27 DEPARTURE FROM PRESCRIBED PROCUREMENT PROCEDURE: URGENT REPAIRS TO "TRANSFER MIXER" AT MALMESBURY WWTW (8/1/B/2)

The handling process at the Malmesbury WWTW consists of various zones which are composed of mechanical components which drive the process. A mixer which transfers sewerage between two zones has stopped working.

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 a transfer mixer at the Malmesbury WWTW by GW Trautman for the amount of R 61,042.55 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 61,042.55 excluding VAT;
- (e) 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.

7.28 AFWYKING VAN VOORGESKREWE VERKRYGINGSPROSEDURES: DRINGENDE HERSTELWERK AAN VULLIGVERWYDERINGSVRAGMOTOR, CK 37359 (8/1/B/2)

Die vullisverwyderingsvragmotor, CK 37359, word in Malmesbury gebruik vir die verwydering van vaste afval. Die vragmotor se kompakteerder het onklaar geraak en dringende herstelwerk is benodig.

BESLUIT

- (a) Dat die Uitvoerende Burgemeesterskomitee kennis neem van die afwyking van die voorgeskrewe verkrygingsprosedures ingevolge paragraaf 36(2) van die Voorsieningkanaalbestuursbeleid;
- (b) Dat verder kennis geneem word van die aksie van die Munisipale Bestuurder om goedkeuring te verleen vir die herstel van die vullisverwyderingsvragmotor, CK 37359 deur Transtech ten bedrae van R139 865.59 (BTW ugesluit);
- (c) Dat die rede vir die afwyking van die voorgeskrewe verkrygingsproses soos volg aangeteken word:
 - (i) Die vragmotor sou vir 'n geruime tyd buite werking gelaat word;
 - (ii) Dit sou lei tot 'n ineenstorting in die kapasiteit van die vaste afval-verwyderingsdienste en risiko's vir openbare gesondheid inhou;
 - (iii) Die herstelwerk aan die vragmotor was dus as 'n noodgeval hanteer;
- (d) Dat daar voldoende fondse beskikbaar is en dat die uitgawe ten bedrae van R139 865.59 (BTW uitgesluit) teen posnommer 9/2 verreken word;
- (e) Dat die Senior Bestuurder: Finansiële State en Batebestuur in terme van die Voorsieningkanaalbestuursbeleid opdrag gegee word om bovermelde redes as nota by die finansiële state in te sluit, wanneer die betrokke state opgestel word.

7.29 AANSOEK OM VAKANSIEVERLOF DEUR MUNISIPALE BESTUURDER EN DIREKTEURE EN AANWYS VAN WAARNEMENDE MUNISIPALE BESTUURDER (4/8/3)

Die Munisipale Bestuurder moet by die Uitvoerende Burgemeesterskomitee aansoek doen om verlof en word derhalwe -

BESLUIT

(op voorstel van rdl N Smit, gesekondeer deur rdl J M de Beer)

- (a) Dat die aansoek om verlof van die Munisipale Bestuurder vir die volgende dae in beginsel goedgekeur word, naamlik:
 - 3 tot 7 Julie 2023 (5 dae), met inbegrip daarvan dat dit weens omstandighede mag verander, na oorlegpleging met die Uitvoerende Burgemeester;
- (b) Dat daar kennis geneem word dat die Direkteur: Ontwikkelingsdienste gedurende voormelde tydperk sal waarneem as Munisipale Bestuurder, en indien, om welke rede ookal die Direkteur: Ontwikkelingsdienste nie beskikbaar is nie, die Direkteur: Finansiële Dienste sal waarneem;
- (c) Dat elke Direkteur, die waarnemende Direkteure in hulle onderskeie departement sal aanwys, ten einde goeie kommunikasie en dienslewering te verseker.

7.30 FINANSIERING EN INFRASTRUKTUUR BEPLANNING ONDERSTEUNING DEUR DIE ONTWIKKELINGSBANK VAN SUID-AFRIKA (DBSA) (15/2/21)

Die Munisipaliteit het aansoek gedoen by die DBSA vir befondsing vir die ontwikkeling/opdatering van die projek: *Capital Expenditure Framework and Long Term Financial Plan*.

7.28 DEPARTURE FROM PRESCRIBED PROCUREMENT PROCEDURES: URGENT REPAIRS TO THE REFUSE REMOVAL TRUCK, CK 37359 (8/1/B/2)

The refuse removal truck, CK 37359, is used in Malmesbury for the removal of solid waste. The truck's compactor has stopped working and urgent repairs were necessary.

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 repairs to the waste removal truck CK37359 for the amount of R139,865.59 (excluding VAT) by Transtech;
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) The truck would be left out of service for an extended period of time;
 - (ii) This will result in a failure in the waste removal services capacity and public health risks;
 - (iii) The repair works to the truck therefore is handled as an emergency;
- (d) That there are sufficient funds available and that the expenditure amounting to R139 865.59 (excluding VAT) is settled against post number 9/2;
- (e) That the Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements when compiled.

7.29 APPLICATION FOR LEAVE BY THE MUNICIPAL MANAGER AND DIRECTORS AND THE APPOINTMENT OF ACTING MUNICIPAL MANAGER (4/8/3)

The Municipal Manager must apply to the Executive Mayor's Committee for leave and therefore -

RESOLUTION

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

7.29/...

- (a) That the application for leave of the Municipal Manager for the following days is approved in principle, namely:
 - 3 to 7 July 2023 (5 days), including that it may change due to circumstances, after consultation with the Executive Mayor;
- (b) That it is noted that the Director: Development Services will act as Municipal Manager during the aforementioned period, and if, for whatever reason, the Director: Development Services is unavailable, the Director: Financial Services will act;
- (c) That each Director will appoint the acting Directors in their respective department, in order to ensure good communication and service delivery.

7.30 FINANCING AND INFRASTRUCTURE PLANNING SUPPORT BY THE DEVELOPMENT BANK OF SOUTH AFRICA (DBSA) (15/2/21)

The Municipality has applied to the DBSA for funding for the development/upgrading of the project: *Capital Expenditure Framework and Long Term Financial Plan*.

An amount of R2 500 000 has been approved by the DBSA and will be directly deposited into the account of the service provider, who will be appointed by the DBSA to carry out the project.

Resolution

7.30/...

'n Bedrag van R2 500 000 is deur die DBSA toegestaan en sal direk oorbetaal word aan die diensverskaffer wat deur die DBSA aangestel sal word om uitvoering te gee aan die projek.

BESLUIT

- (a) Dat goedkeuring verleen word vir die projek met die aanvaarding van die befondsing en ondersteuning ten opsigte van beplanning vir infrastruktuur deur die Ontwikkelingsbank van Suid-Afrika (DBSA), en die implementering van die projek derhalwe ondersteun;
- (b) Dat goedkeuring verleen word vir die terme van, en die transaksies soos voorgestel in die Befondsingsooreenkoms wat deur DBSA voorsien is en goedkeuring verder verleen vir die uitvoering van die Befondsingsooreenkoms deur die Munisipaliteit;
- (c) Dat volmag aan die Munisipale Bestuurder verleen word om die Befondsingsooreenkoms namens die Munisipaliteit te onderteken en om alle dokumente en kennisgewing (insluitend enige versoeke tot uitbetalings) te onderteken en/of te versend wat deur die Munisipaliteit onderteken en/of versend moet word kragtens die vereistes van die Befondsingsooreenkoms;
- (d) Dat die Munisipale Bestuurder alle handelinge volvoer om uitvoering te gee aan die besluite vervat in die Befondsingsooreenkoms en/of om alle kennisgewings, kommunikasies, erkennings, besluite of ander dokumente of ooreenkomste namens die Munisipaliteit wat verband hou met die transaksies bedoel, insluitend die voorsiening van FICA-dokumente aangevra deur DBSA in terme van laasgenoemde se vereistes;
- (e) Dat, in die geval waar die Munisipale Bestuurder reeds enige dokumente onderteken het of enige handeling volvoer het, die handelinge (sover dit wetlike moontlik is) van die Munisipale Bestuurder terugwerkend gekondoneer en in geheel aanvaar en bekragtig word.

(GET) J H CLEOPHAS
UITVOERENDE BURGEMEESTER

7.30/...

RESOLUTION

- (a) That Council approves the Project, accepts the Grant and infrastructure planning support from the DBSA, and supports the implementation of the Project;
- (b) That Council approves the terms of, and the transactions contemplated by the Grant Agreement provided by the DBSA to the Municipality, and approves the execution of the Grant Agreement by the Municipality;
- (c) That the Municipal Manager be authorised and mandated to sign the Grant Agreement on behalf of the Municipality, and to sign and/or despatch all documents and notices (including any Disbursement Request) to be signed and/or despatched by the Municipality under or in connection with the Agreement;
- (d) That the Municipal Manager do all acts and things so as to give effect to the resolutions contained herein and/or to give or execute all notices, communications, acknowledgements, resolutions or other documents or agreements on behalf of the Municipality in connection with the transactions contemplated thereby, including providing to the DBSA the FICA documentation requested in terms of the DBSA's internal appraisal and approval requirements;
- (e) That to the extent that the Municipal Manager has already signed any documents or done any act or thing so as to give effect to the resolutions contained herein, the actions of such Municipal Manager in this regard (to the extent legally possible) be retrospectively approved and are ratified and adopted in their entirety.

(SGD) J H CLEOPHAS
EXECUTIVE MAYOR



NOTULE VAN 'N VERGADERING VAN DIE MUNISIPALE BESTUUR-, ADMINISTRASIE EN FINANSIES PORTEFEULJEKOMITEE VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 7 JUNIE 2023 OM 10:00

TEENWOORDIG:

RAADSLEDE:

Voorsitter, rdl I S le Minnie
Ondervoorsitter, rdl N Smit

O'Kennedy, E C van Essen, T (rdh)
Pypers, D C van Zyl, M (rdd)
Rangasamy, M A (rdh) Vermeulen, G
Soldaka, P E Warnick, A K

Die Uitvoerende Burgemeester, rdh J H Cleophas (in ex-officio hoedanigheid)

BEAMPTES:

Munisipale Bestuurder, mnr J J Scholtz
Direkteur: Beskermingsdienste, mnr P A C Humphreys
Waarnemende Direkteur: Korporatiewe Dienste, me S de Jongh
Waarnemende Direkteur: Finansiële Dienste, me H Papier
Direkteur: Ontwikkelingsdienste, me J S Krieger
Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann
Direkteur: Elektiese Ingenieursdienste, mnr T Möller
Komitee beampte, me S Willemsse

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom lede en versoek rdl R J Jooste om die vergadering met gebed te open.

Die voorsitter bevestig die teenwoordigheid van raadslede wat dien op die Portefeuljekomitee: Munisipale Bestuurder, Administrasie en Finansies.

Verlof tot afwesigheid word verleen aan rdl B J Penxa, die Direkteur: Finansiële Dienste, mnr M A C Bolton en die Direkteur: Korporatiewe Dienste, me M S Terblanche.

2. NOTULE

2.1 NOTULE VAN 'N PORTEFEULJEKOMITEEVERGADERING (MUNISIPALE BESTUUR-, ADMINISTRASIE- EN FINANSIESKOMITEE) GEHOU OP 10 MEI 2023

BESLUIT

(voorgestel deur rdl A K Warnick, gesekondeer deur rdd M van Zyl)

Dat die notule van die Portefeuljekomiteevergadering (Munisipale Bestuur-, Administrasie- en Finansieskomitee) gehou op 10 Mei 2023 goedgekeur word, onderhewig aan die regstellings:

Item 5: Gedelegeerde sake m.b.t. Munisipale Bestuurder

Geen

Item 7: Gedelegeerde sake m.b.t. Administrasie

Geen

Item 9: Gedelegeerde sake m.b.t. Finansies

Geen



MINUTES OF A MEETING OF THE MUNICIPAL MANAGEMENT, ADMINISTRATION AND FINANCES PORTFOLIO COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 7 JUNE 2023 AT 10:00

PRESENT:

COUNCILLORS:

Chairperson, cllr I S le Minnie
Deputy Chairperson, cllr N Smit

O'Kennedy, E C van Essen, T (ald)
Pypers, D C van Zyl, M (ald)
Rangasamy, M A (rdh) Vermeulen, G
Soldaka, P E Warnick, A K

The Executive Mayor, ald J H Cleophas (ex-officio)

OFFICIALS:

Municipal Manager, mr J J Scholtz
Director: Protection Services, mr P A C Humphreys
Acting Director: Corporate Services, ms S de Jongh
Acting Director: Financial Services, ms H Papier
Director: Development Services, ms J S Krieger
Director: Civil Engineering Services, mr L D Zikmann
Director: Electrical Engineering Services, mr T Möller
Committee Officer, ms S Willemsse

1. OPENING/APOLOGIES

The chairperson welcomed members and requested cllr R J Jooste to open the meeting with a prayer.

The chairperson confirmed the presence of councillors serving on the Portfolio Committee: Municipal Manager, Administration and Finance.

Apologies received from cllr B J Penxa, G Vermeulen, the Director: Financial Services, mr M A C Bolton and the Director: Corporate Services, ms M S Terblanche.

2. MINUTES

2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (MUNICIPAL MANAGEMENT, ADMINISTRATION AND FINANCES COMMITTEE) HELD ON 10 MAY 2023

RESOLUTION

(proposed by cllr A K Warnick, seconded by ald M van Zyl)

That the minutes of a Portfolio Committee Meeting (Municipal Management, Administration and Finances Committee) held on 10 May 2023 are approved, subject to the corrections:

Item 5: Delegated matters in respect of Municipal Manager

None

Item 7: Delegated matters in respect of Administration

None

Item 9: Delegated matters in respect of Finances

None

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

3.1 SKRYWES VAN DANK EN WAARDERING AAN SWARTLAND MUNISIPALITEIT

BESLUIT

Dat kennis geneem word van die skrywes van dank en waardering aan Swartland Munisipaliteit soos met die sakelys gesirkuleer.

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

5. GEDELEGEERDE SAKE M.B.T. MUNISIPALE BESTUURDER

5.1 MAANDVERSLAG: APRIL 2023

Die voorsitter lê die maandverslag ter tafel soos met die sakelys gesirkuleer en versoek die Munisipale Bestuurder, om belangrike aspekte uit te wys.

Die Munisipale Bestuurder meld dat daar 70% van die kapitaalbegroting spandeer is en dat die doel steeds is om die teiken van 90% teen einde Junie 2023 te bereik.

BESLUIT

(voorgestel deur rdl N Smit, gesekondeer deur rdd M van Zyl)

Dat kennis geneem word van die maandverslag van die Munisipale Bestuurder vir April 2023.

6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

6.1 SALGA WERKGROEPE (SPEAKER'S FORUM): RAPPORTERING

Die Speaker's Forum is van 4 tot 5 Mei 2023 deur raadsheer M A Rangasamy bygewoon.

BESLUIT

- (a) Dat kennis geneem word van die agenda van die Speaker's Forum wat deur, Rdh M A Rangasamy, vanaf 4 tot 5 Mei 2023 bygewoon was;
- (b) Dat verder kennis geneem word van die opinie wat Stad Kaapstad vanaf 'n senior raadgewer verkry het aangaande die Speaker se oorsigrol oor die uitvoerende gesag van die munisipaliteit.

6.2 SALGA: PROVINSIALE WERKGROEP: BESTUUR EN INTER-REGERINGSVERHOUDINGE

Die SALGA: Provinsiale Werkgroep oor Bestuur en Interregeringsverhoudinge is op 10 Mei 2023 deur die Uitvoerende Burgemeester en Munisipale Bestuurder bygewoon.

BESLUIT

Dat kennis geneem word van die aangehegte opsomming van die uitkomst van die SALGA: *Provincial Group on Governance and Intergovernmental Relations* wat deur die Uitvoerende Burgemeester en Munisipale Bestuurder op 10 Mei 2023 bygewoon was.

7. GEDELEGEERDE SAKE M.B.T. ADMINISTRASIE

7.1/...

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

3.1 LETTERS OF THANKS AND APPRECIATION TO SWARTLAND MUNICIPALITY

RESOLUTION

That note is taken of the letters of thanks and appreciation received by the Swartland Municipality, circulated with the agenda.

4. MATTERS ARISING FROM THE MINUTES

None

5. DELEGATED MATTERS IN RESPECT OF MUNICIPAL MANAGER

5.1 MONTHLY REPORT: APRIL 2023

The chairperson tabled the monthly report as circulated with the agenda and requested the Municipal Manager to point out important aspects.

The Municipal Manager stated that 70% of the capital budget has been spent and that the aim is still to reach the target of 90% by the end of June 2023.

RESOLUTION

(proposed by clr N Smit, seconded by ald M van Zyl)

That cognisance be taken of the monthly report of the Office of the Municipal Manager for April 2023.

6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

6.1 SALGA WORKING GROUPS (SPEAKER'S FORUM): REPORTING

The Speaker's Forum was attended by alderman M A Rangasamy from 4 to 5 May 2023.

RESOLUTION

- (a) That cognisance be taken of the Agenda of the Speaker's Forum attended by, Ald M A Rangasamy, from 4 to 5 May 2023;
- (b) That cognisance be further taken of the opinion obtained by City of Cape Town from senior counsel regarding the Speaker's oversight role over the executive authority of the municipality.

6.2 SALGA: PROVINCIAL WORKING GROUP ON GOVERNANCE AND INTERGOVERNMENTAL RELATIONS

The SALGA: Provincial Working Group on Governance and Intergovernmental Relations was attended by the Executive Mayor and Municipal Manager on 10 May 2023.

RESOLUTION

That cognisance be taken of the attached Summary of Outcomes of the SALGA: Provincial Group on Governance and Intergovernmental Relations attended by the Executive Mayor and Municipal Manager on 10 May 2023.

7. DELEGATED MATTERS IN RESPECT OF ADMINISTRATION

7.1/...

7.1 MAANDVERSLAG: APRIL 2023

Die voorsitter lê die maandverslag ter tafel soos met die sakelys gesirkuleer.

BESLUIT

(voorgestel deur rdl N Smit, gesekondeer deur rdd M van Zyl)

Dat kennis geneem word van die maandverslag van die Direkoraat Korporatiewe Dienste vir April 2023.

8. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

9. GEDELEGEERDE SAKE M.B.T. FINANSIES**9.1 MAANDVERSLAG: APRIL 2023**

Die voorsitter lê die maandverslag ter tafel soos met die sakelys gesirkuleer.

BESLUIT

(voorgestel deur rdl N Smit, gesekondeer deur rdd M van Zyl)

Dat kennis geneem word van die maandverslag van die Direkoraat Finansiële Dienste vir April 2023.

10. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

(GET) RDL I S LE MINNIE
VOORSITTER

7.1 MONTHLY REPORT: APRIL 2023

The chairperson tabled the monthly report as circulated with the agenda.

RESOLUTION

(proposed by cllr N Smit, seconded by ald M van Zyl)

That cognisance be taken of the monthly report of the Directorate Corporate Services for April 2023.

8. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

9. DELEGATED MATTERS IN RESPECT OF FINANCES**9.1 MONTHLY REPORT: APRIL 2023**

The chairperson tabled the monthly report as circulated with the agenda.

RESOLUTION

(proposed by cllr N Smit, seconded by ald M van Zyl)

That cognisance be taken of the monthly report of the Director Financial Services for April 2023.

10. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

(SGD) CLLR I S LE MINNIE
CHAIRPERSON



**NOTULE VAN 'N VERGADERING VAN DIE SIVIELE- EN ELEKTRIESE DIENSTE
PORTEFEULJEKOMITEE VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 7
JUNIE 2023 OM 10:13**

TEENWOORDIG:

RAADSLEDE:

Voorsitter, rdl R J Jooste
Ondervoorsitter, rdh T van Essen

Duda, A A	Smit, N
Fortuin, C	Van Zyl, M (rdh)
O'Kennedy, E C	Warnick, A K
Pieters, C	

Die Uitvoerende Burgemeester, rdh J H Cleophas (in ex-officio hoedanigheid)

BEAMPTES:

Munisipale Bestuurder, mnr J J Scholtz
Direkteur: Beskermingsdienste, mnr P A C Humphreys
Waarnemende Direkteur: Korporatiewe Dienste, me S de Jongh
Waarnemende Direkteur: Finansiële Dienste, me H Papier
Direkteur: Ontwikkelingsdienste, me J S Krieger
Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann
Direkteur: Elektriese Ingenieursdienste, mnr T Möller
Komitee beampte, me S Willems

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom almal teenwoordig.

Die voorsitter bevestig die teenwoordigheid van raadslede wat dien op die Portefeuljekomitee:
Siviele en Elektriese Dienste.

Verlof tot afwesigheid word verleen aan rdl D G Bess, die Direkteur: Finansiële Dienste, mnr M A
C Bolton en die Direkteur: Korporatiewe Dienste, me M S Terblanche.

BESLUIT dat kennis geneem word dat rdh B J Stanley afwesig is sonder verlof.

2. NOTULE

**2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (SIVIELE- EN
ELEKTRIESE DIENSTEKOMITEE) GEHOU OP 10 MEI 2023**

BESLUIT

(voorgestel deur rdl A K Warnick, gesekondeer deur rdh T van Essen)

Dat die notule van die Portefeuljekomiteevergadering (Siviele- en Elektriese Dienste)
gehou op 10 Mei 2023 goedgekeur word.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

Geen

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

5. GEDELEGEERDE SAKE



**MINUTES OF A MEETING OF THE CIVIL AND ELECTRICAL ENGINEERING SERVICES PORTFOLIO
COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 7 JUNE 2023 AT
10:13**

PRESENT:

COUNCILLORS:

Chairperson, cllr R J Jooste
Deputy Chairperson, ald T van Essen

Duda, A A	Smit, N
Fortuin, C	Van Zyl, M (ald)
O'Kennedy, E C	Warnick, A K
Pieters, C	

The Executive Mayor, ald J H Cleophas (ex-officio)

OFFICIALS:

Municipal Manager, mr J J Scholtz
Director: Protection Services, mr P A C Humphreys
Acting Director: Corporate Services, ms S de Jongh
Acting Director: Financial Services, ms H Papier
Director: Development Services, ms J S Krieger
Director: Civil Engineering Services, mr L D Zikmann
Director: Electrical Engineering Services, mr T Möller
Committee Officer, ms S Willems

1. OPENING/APOLOGIES

The chairperson welcomed members.

The chairperson confirmed the presence of councillors serving on the Portfolio Committee: Civil
and Electrical Services.

Apologies received from cllr D G Bess, G, the Director: Financial Services, mr M A C Bolton and
the Director: Corporate Services, ms M S Terblanche.

2. MINUTES

**2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (CIVIL AND ELECTRICAL
SERVICES COMMITTEE) HELD ON 10 MAY 2023**

RESOLUTION

(proposed by cllr A K Warnick, seconded by ald T van Essen)

That the minutes of a Portfolio Committee Meeting (Civil and Electrical Services) held on
10 May 2023 are approved.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None

4. MATTERS ARISING FROM THE MINUTES

None

5. DELEGATED MATTERS

5.1. MAANDVERSLAG: APRIL 2023

5.1.1 SIVIELE INGENIEURSDIENSTE

Die voorsitter lê die maandverslag, soos met die sakelys gesirkuleer, ter tafel.

Die Direkteur: Siviele Ingenieursdienste gee inligting deur insake die damvlakke in die Swartland munisipale area.

Rdle R J Jooste, C Fortuin en A A Duda lewer onderskeidelik kommentaar oor die oorsake van water gedurende die reën seisoen en is bekommerd dat dit die inwoners se huise benadeel.

Die Uitvoerende Burgemeester versoek dat rdh T van Essen en die Direkteur: Siviele Ingenieursdienste inspeksie doen in Riverlands om bogenoemde probleem aan te spreek.

BESLUIT

(op voorstel van rdl E C O'Kennedy, gesekondeer deur rdl A K Warnick)

Dat kennis geneem word van die maandverslag van die Direktooraat Siviele Ingenieursdienste vir April 2023.

5.1.2 ELEKTRIESE INGENIEURSDIENSTE

Die Direkteur: Elektriese Ingenieursdienste, mnr T Möller gee 'n opsomming insake die maandverslag en lig die onderstaande uit, naamlik:

- Energie-aankope en inkomste op grootmaatrekeninge.
- Eskom grootmaat rekeningstatistieke.
- Daar was 'n toename in die maksimum aanvraag.
- Soos op 24 Mei 2023 is 'n totaal van 805 meters omgeskakel, as deel van die TID-projek. Die fokus vir die res van die finansiële jaar sal steeds Malmesbury en Moorreesburg wees as gevolg van die impak van beurtkrag op werkskedules van die span.
- Onderhoudsuitgawes. Die impak op die instandhouding van straatligte, veral in die Eskom-gebiede, is baie hoog.
- Die aansienlike toename in na-ure uitroepe in Malmesbury is kommerwekkend.

BESLUIT

(op voorstel van rdl E C O'Kennedy, gesekondeer deur rdl A K Warnick)

Dat kennis geneem word van die maandverslag van die Direktooraat Elektriese Ingenieursdienste vir April 2023.

6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

(GET) RDL R J JOOSTE
VOORSITTER

5.1. MONTHLY REPORT: APRIL 2023

5.1.1 CIVIL ENGINEERING SERVICES

The chairperson tabled the monthly report as circulated with the agenda.

The Director: Civil Engineering Services provided information regarding the dam levels in the Swartland municipal area.

Cllrs R J Jooste, C Fortuin and A A Duda respectively commented on the overflow of water during the rainy season and are concerned that it harms the residents' homes.

The Executive Mayor requested that ald T van Essen and the Director: Civil Engineering Services conduct an inspection in Riverlands to address the above problem.

RESOLVED

(proposed by cllr E C O'Kennedy, seconded by cllr A K Warnick)

That cognisance be taken of the monthly report of the Directorate Civil Engineering Services for April 2023.

5.1.2 ELECTRICAL ENGINEERING SERVICES

The Director: Electrical Engineering Services, Mr T Möller gave a summary regarding the monthly report and highlights the following, namely:

- Energy purchases and income on bulk accounts.
- Eskom bulk account statistics.
- There was an increase in the maximum demand.
- As on 24 May 2023, a total of 805 meters have been converted, as part of the TID project. The focus for the remainder of the financial year will continue to be Malmesbury and Moorreesburg due to the impact of load shedding on the work schedules of the team.
- Maintenance expenses. The impact on the maintenance of street lights, especially in the Eskom areas, is very high.
- The significant increase in after-hours calls in Malmesbury is worrying.

RESOLUTION

(proposed cllr E C O'Kennedy, seconded by cllr A K Warnick)

That cognisance be taken of the monthly report of the Directorate: Electrical Engineering Services for April 2023;

6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

(SGD) CLLR R J JOOSTE
CHAIRPERSON



NOTULE VAN 'N VERGADERING VAN DIE ONTWIKKELINGSDIENSTE PORTEFEULJEKOMITEE VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 7 JUNIE 2023 OM 10:40

TEENWOORDIG:

RAADSLEDE:

Voorsitter, rdl G Vermeulen

Booyesen, A M
Daniels, C
De Beer, J M
Le Minnie, I S
Ngozi, M

Pypers, D C
Rangasamy, M A (rdh)
Smit, N
Soldaka, P E

Die Uitvoerende Burgemeester, rdh J H Cleophas (in ex-officio hoedanigheid)

BEAMPTES:

Munisipale Bestuurder, mnr J J Scholtz
Direkteur: Beskermingsdienste, mnr P A C Humphreys
Waarnemende Direkteur: Korporatiewe Dienste, me S de Jongh
Waarnemende Direkteur: Finansiële Dienste, me H Papier
Direkteur: Ontwikkelingsdienste, me J S Krieger
Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann
Direkteur: Elektriese Ingenieursdienste, mnr T Möller
Komitee beampte, me S Willemse

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom almal teenwoordig.

Die voorsitter bevestig die teenwoordigheid van raadslede wat dien op die Portefeuljekomitee: Ontwikkelingsdienste.

Verlof tot afwesigheid word verleen aan rdl D G Bess, die Direkteur: Finansiële Dienste, mnr M A C Bolton en die Direkteur: Korporatiewe Dienste, me M S Terblanche.

2. NOTULE

2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (ONTWIKKELINGSDIENSTE) GEHOU OP 10 MEI 2023

BESLUIT

(voorgestel deur rdl I S le Minnie, gesekondeer deur rdh M A Rangasamy)

Dat die notule van die Portefeuljekomiteevergadering (Ontwikkelingsdienste) gehou op 12 April 2023 goedgekeur word, onderhewig aan die regstelling:

Item 5.1: MAANDVERSLAG: MAART 2023

Die volgende behuisingsprojek sal in Darling en Moorreesburg plaasvind, wat oor 2 finansiële jare sal loop. Vir Moorreesburg sal daar **645** behuisingsgeleenthede wees en vir Darling sal daar 187 behuisingsgeleenthede wees.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

Geen



MINUTES OF A MEETING OF THE DEVELOPMENT SERVICES PORTFOLIO COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 7 JUNE 2023 AT 10:40

PRESENT:

COUNCILLORS:

Chairperson, cllr G Vermeulen

Booyesen, A M
Daniels, C
De Beer, J M
Le Minnie, I S
Ngozi, M

Pypers, D C
Rangasamy, M A (ald)
Smit, N
Soldaka, P E

The Executive Mayor, ald J H Cleophas (ex-officio)

OFFICIALS:

Municipal Manager, mr J J Scholtz
Director: Protection Services, mr P A C Humphreys
Acting Director: Corporate Services, ms S de Jongh
Acting Director: Financial Services, ms H Papier
Director: Development Services, ms J S Krieger
Director: Civil Engineering Services, mr L D Zikmann
Director: Electrical Engineering Services, mr T Möller
Committee Officer, ms S Willemse

1. OPENING/APOLOGIES

The chairperson welcomed the members.

The chairperson confirmed the presence of councillors serving on the Portfolio Committee: Development Services.

Apologetics received from cllr D G Bess, the Director: Financial Services, mr M A C Bolton and the Director: Corporate Services, ms M S Terblanche.

2. MINUTES

2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (DEVELOPMENT SERVICES) HELD ON 10 MAY 2023

RESOLUTION

(proposed by ald M A Rangasamy, seconded by cllr D C Pypers)

That the minutes of a Portfolio Committee Meeting (Development Services) held on 10 May 2023 are approved, subject to the correction:

Item 5.1: Monthly Report: March 2023

The next housing project will take place in Darling and Moorreesburg, which will run over 2 financial years. For Moorreesburg there will be **645** housing opportunities and for Darling there will be 187 housing opportunities.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

5. GEDELEGEERDE SAKE

5.1 MAANDVERSLAG: APRIL 2023

Die voorsitter lê die maandverslag ter tafel.

Die Direkteur: Ontwikkelingsdienste, gee inligting deur insake die vordering met die onderskeie behuisingsprojekte en die verskeie projekte wat in Swartland Munisipaliteit aangebied word deur Gemeenskapsontwikkeling.

Rdl A M Booysen verwys na die De Hoop-projek fase 2 en soek duidelikheid oor die 31 gedeelde geleenthede.

Die Direkteur: Ontwikkelingsdienste noem dat die inwoners wat in Blok B die pad versper waar elektriese werke aangebring moet word na die geoormerkte grond verskuif sal word.

Verder meld die Munisipale Bestuurder dat dit 'n tydelike reëling is en bied nie geleenthede vir ander mense om na daardie area hervestig te word nie.

Op navraag deur rdl P E Soldaka insake behuisingsgeleentheid vir Koringberg is nie, meld die Direkteur: Ontwikkelingsdienste dat daar 'n klein hoeveelheid individue in Koringberg op die behuisingswaglys is.

Dit sal moeilik wees vir Koringberg om hul eie behuisingsprojek te hê, aangesien 'n groot hoeveelheid grond in Koringberg nie aan die munisipaliteit behoort nie. Een van die voorstelle was dat van die bejaardes oorweeg moet word om by die Moorreesburg-behuisingsprojek ingesluit te word. Daar word tans oorweeg om 'n gesprek met die Moorreesburg inwoners te voer, om te bepaal hoe Koringberg by die groot behuisingsprojek kan insluit.

Rdl P E Soldaka versoek dat daar 'n verteenwoordiger van Koringberg moet wees vir die volgende behuisingsvergadering met die inwoners van Moorreesburg.

BESLUIT

(op voorstel van rdl D C Pypers, gesekondeer deur rdl I S le Minnie)

Dat kennis geneem word van die maandverslag van die Direktoraat Ontwikkelingsdienste vir April 2023.

6. VERSLAGDOENING INSAKE GEDELEGEERDE BESLUITNEMING DEUR

Geen

7. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

(GET) RDL G VERMEULEN
VOORSITTER

4. MATTERS ARISING FROM THE MINUTES

None

5. DELEGATED MATTERS

5.1 MONTHLY REPORT: APRIL 2023

The chairperson tabled the monthly report.

The Director: Development Services, gave information regarding the progress with the respective housing projects and the various projects offered in Swartland Municipality by Community Development.

Cllr A M Booysen referred to the De Hoop project phase 2 and seeks clarity on the 31 shared opportunities.

The Director: Development Services stated that residents of Block B, who block the road where electrical works must be installed, will be moved to the earmarked land.

Furthermore, the Municipal Manager stated that this is a temporary arrangement and does not provide opportunities for other people to be relocated to that area.

On question by cllr P E Soldaka regarding housing opportunities for Koringberg, the Director: Development Services stated that there is a small amount of individuals in Koringberg on the housing waiting list.

It will be difficult for Koringberg to have their own housing project, as a large amount of land in Koringberg does not belong to the municipality. One of the suggestions was that some of the elderly should be considered to be included in the Moorreesburg housing project. It is currently being considered to hold a conversation with the Moorreesburg residents, to determine how Koringberg can be included in the large housing project.

Cllr P E Soldaka requested that there be a representative from Koringberg for the next housing meeting with the residents of Moorreesburg.

RESOLUTION

(proposed by cllr I D C Pypers, seconded by cllr I S le Minnie)

That cognisance be taken of the monthly report of the Directorate Development Services for April 2023.

6. REPORTING REGARDING DELEGATED DECISION MAKING BY

None

7. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

(SGD) CLLR G VERMEULEN
CHAIRPERSON



NOTULE VAN 'N VERGADERING VAN DIE BESKERMINGSDIENSTE PORTEFEULJEKOMITEE VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 7 JUNIE 2023 OM 10:59

TEENWOORDIG:

RAADSLEDE:

Voorsitter, rdd M van Zyl
Ondervoorsitter, rdl A K Warnick

Daniels, C	Le Minnie, I S
De Beer, J M	Papier, J R
Fortuin, C	Pieters, C
Jooste, R J	

Die Uitvoerende Burgemeester, rdh J H Cleophas (in ex-officio hoedanigheid)

BEAMPTES:

Munisipale Bestuurder, mnr J J Scholtz
Direkteur: Beskermingsdienste, mnr P A C Humphreys
Waarnemende Direkteur: Korporatiewe Dienste, me S de Jongh
Waarnemende Direkteur: Finansiële Dienste, me H Papier
Direkteur: Ontwikkelingsdienste, me J S Krieger
Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann
Direkteur: Elektriese Ingenieursdienste, mnr T Möller
Komitee beampte, me S Willemse

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom lede.

Die voorsitter bevestig die teenwoordigheid van raadslede wat dien op die Portefeuljekomitee: Beskermingsdienste.

Verlof tot afwesigheid word verleen aan rdl D G Bess, die Direkteur: Finansiële Dienste, mnr M A C Bolton en die Direkteur: Korporatiewe Dienste, me M S Terblanche.

BESLUIT dat kennis geneem word dat rdh B J Stanley afwesig is sonder verlof.

2. NOTULE

2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (BESKERMINGS-DIENSTE) GEHOU OP 10 MEI 2023

BESLUIT

(voorgestel deur rdl A K Warnick, gesekondeer deur rdl I S le Minnie)

Dat die notule van die Portefeuljekomiteevergadering (Beskermingsdienste) gehou op 10 Mei 2023 goedgekeur word, onderhewig aan die regstelling:

Item 6.1: evaluering van die implementering van die K9-Eenheid in die Swartland Munisipaliteit

Die Swartland K9-eenheid is in Oktober 2020 gestig met *fondse* van die Departement van Gemeenskapsveiligheid (DOCS) met 9 honde en 9 hondehanteerders.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

Geen



MINUTES OF A MEETING OF THE PROTECTION SERVICES PORTFOLIO COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 7 JUNE 2023 AT 10:59

PRESENT:

COUNCILLORS:

Chairperson, ald M van Zyl
Deputy chairperson, cllr A K Warnick

Daniels, C	Le Minnie, I S
De Beer, J M	Papier, J R
Fortuin, C	Pieters, C
Jooste, R J	

The Executive Mayor, ald J H Cleophas (ex-officio)

OFFICIALS:

Municipal Manager, mr J J Scholtz
Director: Protection Services, mr P A C Humphreys
Acting Director: Corporate Services, ms S de Jongh
Acting Director: Financial Services, ms H Papier
Director: Development Services, ms J S Krieger
Director: Civil Engineering Services, mr L D Zikmann
Director: Electrical Engineering Services, mr T Möller
Committee Officer, ms S Willemse

1. OPENING/APOLOGIES

The chairperson welcomed members.

The chairperson confirmed the presence of councillors serving on the Portfolio Committee: Protection Services.

Apologies received from cllr D G Bess, the Director: Financial Services, mr M A C Bolton and the Director: Corporate Services, ms M S Terblanche.

2. MINUTES

2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (PROTECTION SERVICES) HELD ON 10 MAY 2023

BESLUIT

(proposed by cllr A K Warnick, seconded by cllr I S le Minnie)

That the minutes of a Portfolio Committee Meeting (Protection Services) held on 10 May 2023 are approved

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None

4. MATTERS ARISING FROM THE MINUTES

None

5. DELEGATED MATTERS

5.1. MONTHLY REPORT APRIL 2023

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

5. GEDELEGEERDE SAKE

5.1. MAANDVERSLAG: APRIL 2023

5.1.1 PRESTASIEVERSLAG 5.1.2 VERKEER- EN WETSTOEPASSINGSDIENSTE 5.1.3 BRANDBESTRYDING

Die voorsitter lê die maandverslag, soos met die sakelys gesirkuleer, ter tafel en gee geleentheid aan die Direkteur: Beskermingsdienste om belangrikste aspekte uit die maandverslag aan raadslede uit te wys.

Die Direkteur: Beskermingsdienste meld dat daar spesiale pogings in plek is om munisipale grond te beskerm. Alle grond van Cape Nature in die munisipale gebied word gemonitor volgens die opgestelde "MOU".

Die Direkteur: Beskermingsdienste meld dat die Landelike Veiligheidseenheid weer hernoem is na LEAP ("Law Enforcement Advancement Plan").

Rdl J M de Beer lewer kommentaar oor die Verkeer- en Wetstoepassing maandverslag en lig die onderstaande uit, naamlik:

- Probleem huise veral in Markstraat 8 en Dennelaan, Wesbank.
- Maak voorsiening in ons verordening dat "loitering" aangespreek kan word.
- Hoe hanteer Swartland Munisipaliteit inwoners wie in die bosse woon en daardeur ander probleme veroorsaak.
- Ondersoek die moontlikheid om die LPR kamera in Darling-weg te draai na rigting Darling.

BESLUIT

(voorgestel deur rdl A K Warnick, gesekondeer deur rdl I S le Minnie)

Dat kennis geneem word van die verslae van die onderskeie afdelings in die Direktoraat Beskermingsdienste, nl. Verkeer- en Wetstoepassing en Brandbestryding vir April 2023.

6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

6.1 SALGA: NOODDIENSTE EN RAMPBESTUUR (ESDM) PROVINSIALE WERKGROEP GEHOUD OP 11 MAY 2023

Die aangewese afgevaardigdes van Swartland Munisipaliteit om die SALGA ESDM-werkgroep by te woon is Rdl AK Warnick en die Direkteur Beskermingsdienste en albei was op 11 Mei 2023 teenwoordig.

Rdl AK Warnick gee breedvoerig terugvoer oor die IMPS-SA werkwinkel wat hy bygewoon het by Mosselbaai Munisipaliteit.

BESLUIT

Dat Raadslede kennis neem van die inhoudsdokumente en bespreking van die SALGA ESDM-werkgroep.

(GET) RDD M VAN ZYL
VOORSITTER

5.1.1 PERFORMANCE REPORT 5.1.2 TRAFFIC AND LAW ENFORCEMENT SERVICES 5.1.3 FIRE FIGHTING

The chairperson tabled the monthly and requested the Director: Protection Services, mr P A C Humphreys, to highlight important aspects therein to councillors.

The Director: Protection Services stated that there are special efforts in place to protect municipal land. All Cape Nature land in the municipal area is monitored according to the drawn up MOU.

The Director: Protection Services reported that the Rural Safety Unit has been renamed to LEAP ("Law Enforcement Advancement Plan").

Cllr J M de Beer commented on the Traffic and Law Enforcement monthly report and highlights the following, namely:

- Problem houses especially in 8 Market Street and Denne Avenue, Westbank.
- Make provision in our regulation that loitering can be addressed.
- How does Swartland Municipality deal with residents who live in the woods and thereby cause other problems.
- Investigate the possibility of turning the LPR camera in Darling Road towards Darling.

RESOLUTION

(proposed by cllr A K Warnick, seconded by cllr I S le Minnie)

That cognisance be taken of the monthly reports from the various divisions in the Directorate Protection Services, namely Traffic and Law Enforcement and Fire Fighting, for April 2023.

6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

6.1 EMERGENCY SERVICES AND DISASTER MANAGEMENT (ESDM) PROVINCIAL WORKING GROUP HELD ON 11 MAY 2023

The appointed delegates of Swartland Municipality to attend the SALGA ESDM working group is Cllr AK Warnick and the Director Protection Services and both were in attendance on 11 May 2023.

Cllr AK Warnick gave a detailed feedback on the IMPS-SA workshop he attended at Mossel Bay Municipality.

RESOLUTION

That Councillors take cognisance of the content documents and discussion of the SALGA ESDM working group.

(SGD) ALD M VAN ZYL
CHAIRPERSON



**MINUTES OF A MEETING OF A BID ADJUDICATION COMMITTEE HELD IN THE COMMITTEE ROOM:
CORPORATE SERVICES ON MONDAY, 15 MAY 2023 AT 11:00**

PRESENT

Director: Corporate Services, Ms M S Terblanche (chairperson)
Director: Financial Services, Mr M Bolton
Director: Civil Engineering Services, Mr L D Zikmann
Snr Manager: Supply Chain Management, Mr P Swart
Director: Development Services, Ms J S Krieger
Manager: Secretariat and Records Services, Ms N Brand

1. OPENING/APOLOGIES

The chairperson opened the meeting.

2. DECLARATION OF INTEREST

RESOLVED that cognisance is taken that no declaration of interests were made.

3. MINUTES

3.1 MINUTES OF A BID ADJUDICATION COMMITTEE MEETING HELD ON 20 APRIL 2023

RESOLVED

That the minutes of the Bid Adjudication Committee held on 20 April 2023 be approved.

3.2 MINUTES OF A BID EVALUATION COMMITTEE MEETING HELD ON 9 MAY 2023

FOR COGNISANCE

4. MATTERS FOR CONSIDERATION

4.1 TENDER T33/22/23: PROVISION OF WATER AND WASTE WATER TREATMENT PROCESS OPERATIONS LEARNERSHIPS TRAINING FOR THE PERIOD ENDING 30 JUNE 2025 (8/2/2/1)

The Water and Waste Water Treatment Operations learnership is one of the training needs identified and forms part of the Workplace Skills Plan and tenders were invited accordingly.

A total of three tenders were received of which one tender adhered to the tender requirements and specifications.

		Preferential Points							
Tenderer	Tender amount (including VAT)	Points for Price	Contribution level	BBBEE Points	Western Cape		Swartland		Total points
					Yes/ No	Points	Yes / No	Points	
Tshegofentse Facilities & Engineering	R 363 975.00	80.00	1	10	No	0	No	0	90.00

RECOMMENDATION¹

- (a) That the tender of Tshegofentse Facilities & Training be awarded for the provision of training of officials for:

¹ Confirmed by the Municipal Manager on 16 May 2023

4.1(a)/...

- The National Certificate: Water and Waste Water Treatment Process Operations NQF2 (SAQA ID: 58951),
- Further Education and Training Certificate: Water and Waste Water Treatment Process Operations NQF4 (SAQA ID: 61709),
- National Certificate: Sanitation Project Coordination NQF5 (SAQA ID: 48908),
- National Certificate: Water and Waste Water Reticulation Services NQF2 (SAQA ID: 60169) and
- National Certificate: Water and Waste Water Reticulation Services NQF3 (SAQA ID: 60155) learnerships for the period ending 30 June 2025 **for the tendered "Price per Person" rates.**

- (b) That the following rates as tendered by Tshegofentse Facilities & Training be accepted:

Description	Amount per person (VAT excl.)	Amount per person (VAT incl.)
National Certificate: Water and Waste Water Treatment Process Operations NQF2 (SAQA ID: 58951)	R 16 500.00	R 18 975.00
Further Education and Training Certificate: Water and Waste Water Treatment Process Operations NQF4 (SAQA ID: 61709)	R 17 000.00	R 19 550.00
National Certificate: Sanitation Project Coordination NQF5 (SAQA ID: 48908)	R 17 000.00	R 19 550.00
National Certificate: Water and Waste Water Reticulation Services NQF2 (SAQA ID: 60169)	R 16 500.00	R 18 975.00
National Certificate: Water and Waste Water Reticulation Services NQF3 (SAQA ID: 60155)	R 16 500.00	R 18 975.00
Assessment fee	R 0.00	R 0.00

- (c) That the estimated expenditure (VAT excluded) be as follows:

Year	Expenditure
2022/2023	R 35 166.00
2023/2024	R 140 667.00
2024/2025	R 140 667.00
Estimated Total	R 316 500.00

- (d) That the expenditure be allocated to vote number 9/213-1195-953 (Training Efficiency).

4.2 TENDER T35/22/23: APPOINTMENT OF AUCTIONEER FOR THE PERIOD 1 JULY 2023 TO 30 JUNE 2026 (8/2/2/4)

[The Director: Corporate Services withdrew from the meeting during the discussion of Item 4.2 and the Director: Financial Services is appointed as chairperson.]

Tenders were invited from registered professional and experienced service providers for appointment as auctioneer to conduct auctions on the Municipality's behalf to dispose of municipal moveable and immovable property as and when required, for the period 1 July 2023 until 30 June 2026.

A total of five tenders were received of which two tenders adhered to the tender requirements and specifications. The responsive tenders were evaluated in accordance with the 80/20 preferential point system – see table below:

		Preferential Points							
Tenderer	Tender amount (including VAT)	Points for Price	Contribution level	BBBEE Points	Western Cape		Swartland		Total points
					Yes/ No	Points	Yes / No	Points	
Claremart Auctioneers (Pty) Ltd	4.25%	80.00	1	10	Yes	4	No	0	94.00
Home and Hectare (Pty) Ltd	6.90%	30.21	5	4	Yes	4	No	0	38.21

4.2/...

RECOMMENDATION²

- (a) That Claremart Auctioneers (Pty) Ltd be appointed as auctioneer for the period 1 July 2023 to 30 June 2026 to conduct auctions on the Municipality's behalf, based on the following commission:

- Immovable property 4.00% (to be halved in respect of the selling of fixed property to first homeowners)
- Movable assets 4.50%

4.3 TENDER T45/22/23: SUPPLY AND DELIVERY OF 200KVA GENERATOR FOR MALMESBURY MUNICIPAL HEAD OFFICE (8/2/21)

A total of 16 tenders were received on the tender invitation for the supply and delivery of a 200 KVA generator for the Malmesbury Municipal Head Office.

Only two tenders adhered to the tender requirements and specifications. See table below for the results of the preferential procurement evaluation in accordance with the 80/20 point system:

		Preferential Points							
Tenderer	Tender amount (including VAT)	Points for Price	Contri - bution level	BBBE Points	Western Cape		Swartland		Total points
					Yes/ No	Points	Yes / No	Points	
DCI Projects (Pty) Ltd (Option 1)	R 910 617.78	80.00	1	10	No	0	No	0	90.00
Excellent Electrical Projects cc	R 1 086 405.00	64.56	1	10	No	0	No	0	74.56

RECOMMENDATION³

- (a) That the tender for Supply and delivery of 200kVA generator for Malmesbury head office be awarded to DCI Projects (Pty) Ltd (Option 1) (Volvo engine and Mecc-Alte generator) for the amount of R910 617.78 including VAT (R791 841.55 VAT excluded) with 22 weeks delivery.
- (b) That the contract be financed by means of the 2023/24 capital budget, vote 9/117-785-914.
- (c) That the remaining budget of R308 158.45 be used for the departmental installation such as the concrete plinth, cable work and fencing of the generator, subject thereto that the material be quantified by means of a Bill of Quantities.

4.4 TENDER T56/22/23: UPGRADING OF EXISTING TELEPHONE CALL RECORDING SOFTWARE AND HARDWARE (8/2/2/3)

Tenders were invited for the upgrading of existing telephone call recording software and hardware.

A total of two tenders were received and both tenders adheres to the tender requirements and specifications and was evaluated in accordance with the 80/20 preferential procurement point system – see table below for the results:

Table/...

²Confirmed by the Municipal Manager on 16 May 2023

³ Confirmed by the Municipal Manager on 16 May 2023

4.4/...

		Preferential Points							
Tenderer	Tender amount (including VAT)	Points for Price	Contribution level	BBBEE Points	Western Cape		Swartland		Total points
					Yes/ No	Points	Yes / No	Points	
Plus1X Communications (Pty) Ltd t/a +OneX	R197 489.21	80.00	1	10	Yes	4	No	0	94.00
Open Communications Evona (Ptv) Ltd	R218 832.64	71.35	2	9		0		0	80.35

RECOMMENDATION⁴

- (a) That the tender of Plus1X Communications (Pty) Ltd t/a +OneX for upgrading of existing telephone call recording software and hardware with a delivery period of 3 weeks at a cost of R197 489.21 including VAT, (R171 729.75 excluding VAT) be awarded.
- (b) That the expenditure be allocated to the capital budget vote 9/118-612-384 – Recording of telephone calls.

(sgd) M S TERBLANCHE
CHAIRPERSON

⁴ Confirmed by the Municipal Manager on 16 May 2023



**MINUTES OF A MEETING OF A BID ADJUDICATION COMMITTEE HELD IN THE COUNCIL CHAMBERS
ON WEDNESDAY, 17 MAY 2023 AT 16:30**

PRESENT

Director: Corporate Services, Ms M S Terblanche (chairperson)
Director: Financial Services, Mr M Bolton
Director: Electrical Engineering Services, Mr T Möller
Snr Manager: Supply Chain Management, Mr P Swart
Director: Development Services, Ms J S Krieger
Manager: Secretariat and Records Services, Ms N Brand

1. OPENING/APOLOGIES

The chairperson opened the meeting.

2. DECLARATION OF INTEREST

RESOLVED that cognisance is taken that no declaration of interests were made.

3. MINUTES

None

4. MATTERS FOR CONSIDERATION

4.1 TENDER T41/22/23: SUPPLY, DELIVERY AND INSTALLATION OF BACK-UP ELECTRICITY GENERATORS FOR WATER AND SEWER PUMP STATIONS IN THE SWARTLAND MUNICIPAL AREA (8/2/21)

Tenders for the supply, delivery and installation of the following generators were invited by means of advertisement in the printed media and the municipal website:

- (1) New 80kVA generator with canopy for Riverlands Water Pump Station
- (2) New 80kVA generator with canopy for Kalbaskraal Water Pump Station
- (3) New 80kVA generator with canopy for Abbotsdale Sewer Pump Station
- (4) New 40kVA generator with canopy for Wesbank Water Booster Pump and Pressure Tower
- (5) New 30kVA generator with canopy for Darling Sewer Pump
- (6) New 400kVA generator with canopy for Moorreesburg WWTW
- (7) New 150kVA generator with canopy for Darling WWTW
- (8) New 230kVA generator with canopy for Rustfontein Water Pump Station

The three tenders received adhered to the tender requirements and specifications and evaluated in accordance with the 80/20 preferential procurement point system – see table below for the results:

		Preferential Points							
Tenderer	Tender amount (including VAT)	Points for Price	Contribution level	BBBEE Points	Western Cape		Swartland		Total points
					Yes/ No	Points	Yes / No	Points	
VE Reticulation (Pty) Ltd	R 14 999 399.75	80.00	1	10	Yes	4	No	0	94.00
MDL Engineering Company (Pty) Ltd	R 17 294 767.55	67.76	1	10	Yes	4	No	0	81.76
Hydro-Tech Systems (Pty) Ltd	R 18 014 551.28	63.92	1	10	Yes	4	No	0	77.92

4.1/...

RECOMMENDATION (for confirmation by the Municipal Manager)

- (a) That Tender T41/22/23: Supply, delivery and installation of back-up electricity generators for water and sewer pump stations in the Swartland Municipal area be awarded to **VE Reticulation (Pty) Ltd** for the amount of R 14 999 399.75 (including VAT) *R 13 042 956.30 (excluding VAT)* with completion period of 38 weeks.

- (b) That the expense be allocated against the following vote numbers:

Vote Description	Vote Number	Budget
Emergency Power Supply: Water & Sanitation: Municipal Funding 22/23	9/105-613-554	R 285 225.00
Generator Installation: Abbotsdale Sewer Pumpstation	9/111-565-747	R 1 207 596.00
Generator Installation: Moorreesburg WWTW	9/111-574-749	R 1 596 611.00
Generator Installation: Darling WWTW & Pumpstation	9/111-583-753	R 2 204 138.00
Generator Installation: Riverlands Water Pumpstation	9/105-577-763	R 1 338 488.00
Generator Installation: Kalbaskraal Water Pumpstation	9/105-584-767	R 1 468 956.00
Generator Installation: Wesbank Water Tower & Boosters	9/105-593-774	R 1 085 749.00
Generator Installation: Rustfontein Water Pumpstation	9/105-601-731	R 1 758 237.00
Bulk Water Emergency Spending CRR 23/24	9/105-749-871	R 2 000 000.00
Generator Installation: Wesbank Water Tower & Boosters	9/105-513-364	R 1 000 000.00
Swartland System S3.3 & S3.4 Panorama to Wesbank I1/4	9/105-757-880	R 700 000.00

- (c) That matters relating to Health and Safety be handled by AD Astra Health and Safety Services.
- (d) That Clause 5.13 of the General Conditions of Contract 2015 be enforced for late completion.
- (e) That Neil Lyners and Associates (PTY) Ltd be notified of the decision;
- (f) That it specifically be recorded that the balance of the grant funding of R10 945 000 unspent on 30 June 2023 will be subject to a roll-over application to the Provincial Treasury and will form part of a roll-over budget.

**(sgd) M S TERBLANCHE
CHAIRPERSON**



MINUTES OF A MEETING OF A SPECIAL BID ADJUDICATION COMMITTEE HELD IN THE COMMITTEE ROOM: CORPORATE SERVICES ON THURSDAY, 25 MAY 2023 AT 15:00

PRESENT

Director: Corporate Services, Ms M S Terblanche (chairperson)
Director: Financial Services, Mr M Bolton
Director: Electrical Engineering Services, Mr T Möller
Snr Manager: Supply Chain Management, Mr P Swart
Director: Development Services, Ms J S Krieger
Manager: Secretariat and Records Services, Ms N Brand

1. OPENING/APOLOGIES

The chairperson opened the meeting.

2. DECLARATION OF INTEREST

RESOLVED that cognisance is taken that no declaration of interests were made.

3. MINUTES

3.1 MINUTES OF A BID ADJUDICATION COMMITTEE MEETING HELD ON 15 MAY 2023

RESOLVED

That the minutes of the Bid Adjudication Committee held on 15 May 2023 be approved.

3.2 MINUTES OF A SPECIAL BID ADJUDICATION COMMITTEE MEETING HELD ON 17 MAY 2023

RESOLVED

That the minutes of a Special Bid Adjudication Committee held on 17 May 2023 be approved.

3.3 MINUTES OF A SPECIAL BID EVALUATION COMMITTEE MEETING HELD ON 9 MAY 2023

FOR COGNISANCE

4. MATTERS FOR CONSIDERATION

4.1 TENDER T23/22/23: REQUEST FOR PROPOSAL: PROVISION OF PROFESSIONAL CIVIL AND ELECTRICAL ENGINEERING SERVICES FOR VARIOUS PROJECTS (8/2/12)

Tenders were invited to appoint a panel of suitably experienced Civil and Electrical Consulting Engineers for investigations, option analyses, feasibility studies, planning, design, detailed design, compilation of tender specifications, tender documentation and tender evaluation, execution of construction monitoring, engineering project management, dispute resolution and supervision for the execution of various capital and other projects in the service area of Swartland Municipality for the period up to 30 June 2026.

A discussion followed on the basis on which the awards of engineering consultancies will be done from the roster.

RESOLVED

That the item be referred back to the Bid Evaluation Committee in order to consider a fair and transparent process of awarding tenders from the roster.

4.2 TENDER T31/22/23: PROVISION OF ARBORICULTURE AND TREE PRESERVATION AND GARDENING AND HORTICULTURE LEARNERSHIPS TRAINING FOR THE PERIOD ENDING 30 JUNE 2024 (8/2/1)

The Arboriculture: Tree Preservation and Gardening and Horticulture Learnership is one of the training needs identified and forms part of the Workplace Skills Plan.

The Bid Adjudication Committee, after considering the expenditures in the 2022/2023 financial year –

RESOLVED

That the item be referred back to the Bid Evaluation Committee in order to accommodate the proposed expenditures in the 2022/2023 financial year in the following financial year.

4.3 TENDER T32/22/23: PROVISION OF ENVIRONMENTAL PRACTICES LEARNERSHIPS TRAINING FOR THE PERIOD ENDING 30 JUNE 2025 (8/2/1)

The Environmental Practice learnership is one of the training needs identified and forms part of the Workplace Skills Plan.

The Bid Adjudication Committee, after considering the expenditures in the 2022/2023 financial year –

RESOLVED

That the item be referred back to the Bid Evaluation Committee in order to accommodate the proposed expenditures in the 2022/2023 financial year in the following financial year.

(sgd) M S TERBLANCHE
CHAIRPERSON



MINUTES OF A SPECIAL MEETING OF THE BID ADJUDICATION COMMITTEE HELD IN THE COMMITTEE ROOM: CORPORATE SERVICES ON MONDAY, 5 JUNE 2023 AT 10:00

PRESENT

Director: Financial Services, Mr M Bolton (acting Chairperson)
Director: Electrical Engineering Services, Mr T Möller
Snr Manager: Supply Chain Management, Mr P Swart
Director: Development Services, Ms J S Krieger
Senior Manager: Human Resource Management, Ms S de Jongh
Manager: Secretariat and Records Services, Ms N Brand

1. OPENING/APOLOGIES

The chairperson opened the meeting.

RESOLVED that cognisance is taken of the sub-delegation by the Director: Corporate Services to the Senior Manager: Human Resource Management to attend the meeting.

2. DECLARATION OF INTEREST

RESOLVED that cognisance is taken that no declaration of interests were made.

3. MINUTES

3.1 MINUTES OF A BID ADJUDICATION COMMITTEE MEETING HELD ON 25 MAY 2023

RESOLUTION

That the minutes of a Bid Adjudication Committee meeting held on 25 May 2023 be approved.

3.2 MINUTES OF A BID EVALUATION COMMITTEE MEETING HELD ON 30 MAY 2023

That **COGNISANCE BE TAKEN** of the minutes of a Bid Evaluation Committee meeting held on 30 May 2023.

4. MATTERS FOR CONSIDERATION

4.7 TENDER T23.22.23: REQUEST FOR PROPOSAL - PROVISION OF PROFESSIONAL CIVIL AND ELECTRICAL ENGINEERING SERVICES FOR VARIOUS PROJECTS (8/2/2/12)

Tenders were invited to appoint a panel of suitably experienced Civil and Electrical Consulting Engineers for investigations, option analyses, feasibility studies, planning, design, detailed design, compilation of tender specifications, tender documentation and tender evaluation, execution of construction monitoring, engineering project management, dispute resolution and supervision for the execution of various capital and other projects in the service area of Swartland Municipality for the period up to 30 June 2026.

Applications was made for admission on the panel in any one or more of the following categories:

1. Civil and Structural Engineering
2. Electrical Engineering
3. Civil Engineering: *Water & Water Treatment and Landfill Rehabilitation and Development*
4. Engineering Support Services

The tenders received were evaluated for completeness and responsiveness with regard to functionality and eligibility.

The responsive tenders were awarded B-BBEE points in accordance with the claim forms and verification certificates.

In accordance with C2.1.5: Pricing Instructions *For comparative purposes, the Employer will calculate the Professional Fee of the Tenderer based on an ECSA Guideline Professional Fees (Scope of Services and Tariff of Fees for Persons Registered in terms of the Engineering Professions Act, 46 of 2000) fee of R1 000 000 less the percentage discount offered by the Tenderer. The outcome of such an amount will be used to apply the price formula as prescribed in terms of the PPPFA.*

In accordance with the 2017 Preferential Procurement Regulations (tender advertised before 16 January 2023), the following applied:

"If two or more tenderer score equal points in all respects, the award must be decided by the drawing of lots".

The names of all responsive tenders of a specific category were placed in a hat, and the chairperson drew the names one by one in order to determine the ranking of tenders in a specific category.

The item was referred back by the Bid Adjudication Committee on 25 May 2023 to consider the manner in which the roster will be applied.

RECOMMENDED¹

- (a) That the offers of the following engineering consultancies be accepted for admittance to panel for the respective categories:

Civil and Structural Engineering:

1. Bigen Africa Services (Pty)Ltd
2. SMEC South Africa (Pty) Ltd
3. Zutari (Pty) Ltd
4. GIBB (PTY) Ltd
5. BVI Consulting Engineers WC (Pty) Ltd
6. Mariswe (Pty) Ltd
7. Lukhozi Consulting Engineers
8. UDS Africa
9. Neil Lyners & Associates (Pty) Ltd
10. Quantra Consulting SA (PTY) Ltd
11. Flagg Consulting Engineers (Pty)Ltd
12. iX Engineers (Pty) Ltd
13. SKCMasakhizwe Engineers (Pty) Ltd
14. KFD Wilkinson (Pty) Ltd
15. Infrachamps Consulting
16. Element Consulting Engineers (Pty) Ltd
17. Bau-Afrika (Pty)Ltd
18. Sky High Consulting Engineers

Electrical Engineering:

1. Bigen Africa Services (Pty)Ltd
2. iX Engineers (Pty) Ltd
3. CVW Consulting Engineers (Pty)Ltd
4. Neil Lyners & Associates (Pty) Ltd
5. Zutari (Pty) Ltd
6. SMEC South Africa (Pty) Ltd

Civil Engineering Water & Waste Water Treatment and Landfill Rehabilitation and Development:

1. Bigen Africa Services (Pty)Ltd
2. iX Engineers (Pty) Ltd
3. Neil Lyners & Associates (Pty) Ltd
4. Zutari (Pty) Ltd
5. JPCE (Pty) Ltd
6. Water & Waste Water Engineering

¹ Confirmed by the Municipal Manager on 6 June 2023

4.1(a)/...

Engineering Support Services:

1. Bigen Africa Services (Pty)Ltd
2. iX Engineers (Pty) Ltd
3. Neil Lyners & Associates (Pty) Ltd
4. GLS Consulting (Pty) Ltd
5. Zutari (Pty) Ltd
6. JPCE (Pty) Ltd
7. Innovative Transport Solutions (Pty) Ltd
8. Element Consulting Engineers (Pty) Ltd
9. UDS Africa
10. CVW Consulting Engineers (Pty)Ltd
11. IQ Vision CC

- (b) That cognizance be taken that the Bid Evaluation Committee applied Clause 10.3 of the Preferential Procurement Regulations, 2017 to the respective categories to break the deadlock by the drawing of lots to determine the ranking of the consultancies as indicated above;
- (c) That Clause C3.4 will be applied as basis for allocating engineering assignments in a fair and transparent manner, namely:
- Assignments will be allocated based on a ranking order, where the tenderer within a specific category and who is ranked first during the evaluation of the tender will be allocated the first new project approved and budgeted for;
 - The tenderer awarded a project will be moved to the bottom of the roster list and the next ranked tenderer will be considered for the next approved and budgeted project;
 - Where a preferred tenderer is not able to execute an identified project on written confirmation, such Tenderer will be transferred to the bottom of the roster list and the next ranked tenderer will be considered;
 - To ensure cost-effectiveness and continuity, the Employer may allocate a particular assignment to a specific Professional Engineering Consultancy of the panel where that particular consultancy has had involvement in previous work associated with the assignment, has sufficient resources to complete the works and rendered satisfactory work to date;
 - Any work allocated and commenced before the end of the term of this tender, may continue until the end date provided in the assignment. It is recorded that all extensions of contract terms will be subject to the relevant legislative requirement.
- (d) That each appointment of an engineering consultancy from the roster list be confirmed by the Municipal Manager.

4.2 TENDER T31/22/23: PROVISION OF ARBORICULTURE & TREE PRESERVATION AND GARDENING & HORTICULTURE LEARNERSHIPS TRAINING FOR THE PERIOD ENDING 30 JUNE 2024 (8/2/21)

The Arboriculture: Tree Preservation and Gardening and Horticulture Learnership is one of the training needs identified and forms part of the Workplace Skills Plan.

Only one tender was received.

RECOMMENDATION²

- (a) That the tender of BC Landscape Training & Consultancy (Pty) Ltd be awarded for the provision of training of officials for the:
- National Certificate: Arboriculture: Tree Preservation NOF2 (SAQA ID: 65490); and
 - National Certificate: Gardening and Horticulture learnerships for the period ending 30 June 2024 for the **tendered "Price per Person" rates.**

² Confirmed by the Municipal Manager on 6 June 2023

4.2/...

- (b) That the following rates as tendered by BC Landscape Training & Consultancy (Pty) Ltd be accepted:

Description	Amount per person (VAT excl.)	Amount per person (VAT incl.)
National Certificate: Arboriculture: Tree Preservation NQF3	R 33 000.00	R 37 950.00
National Certificate: Gardening & Horticulture NQF4	R 26 500.00	R 30 475.00
Assessment fee	R 2 000.00	R 2 000.00

Assessment fee is VAT 0 rated

- (c) That the estimated expenditure (VAT excluded) be as follows:

Year	Expenditure
2023/2024	R 635 000.00
Estimated Total	R 635 000.00

- (d) That the expenditure be allocated to vote number 9/213-1195-953 (Training Efficiency).

4.3 TENDER 32/22/23: PROVISION OF ENVIRONMENTAL PRACTICES LEARNERSHIPS TRAINING FOR THE PERIOD ENDING 30 JUNE 2025 (8/2/21)

The Environmental Practice learnership is one of the training needs identified and forms part of the Workplace Skills Plan.

A total of three tenders were received of which only one tender adhered to the tender specifications and requirements.

RECOMMENDATION³

- (a) That the tender of Bantubanye Skills be awarded for the provision of training of officials for the:
- National Certificate: Environmental Practice NQF2 (SAQA ID: 49605);
 - National Certificate: Environmental Practice NQF3 (SAQA ID: 49752);
 - Further Education and Training Certificate: Environmental Practices NQF4 (SAQA ID: 50309); and
 - National Certificate: Environmental Practice NQF5 (SAQA ID: 66789) learnerships for the period ending 30 June 2025 **for the tendered "Price per Person" rates.**

- (b) That the following rates as tendered by Bantubanye Skills be accepted:

Description	Amount per person (VAT excl.)	Amount per person (VAT incl.)
National Certificate: Environmental Practice NQF2 (SAQA ID: 49605)	R 18 000.00	R 20 700.00
National Certificate: Environmental Practice NQF3 (SAQA ID: 49752)	R 20 000.00	R 23 000.00
Further Education & Training Certificate: Environmental Practice NQF4 (SAQA ID: 50309)	R 22 000.00	R 25 300.00
National Certificate: Environmental Practice NQF5 (SAQA ID: 66789)	R 24 000.00	R 27 600.00
Assessment fee	R 0.00	R 0.00

- (c) That the estimated expenditure (VAT excluded) be as follows:

Year	Expenditure
2023/2024	R 374 000.00
2024/2025	R 374 000.00
Estimated Total	R 748 000.00

³ Confirmed by the Municipal Manager on 6 June 2023

4.3/...

- (d) That the expenditure be allocated to vote number 9/213-1195-953 (Training Efficiency).

4.4 TENDER T38/22/23: THE MANAGEMENT AND CONTROL OF THE YZERFONTEIN HARBOUR, SLIPWAY AND FISH MARKET FOR THE CONTRACT PERIOD ENDING 30 JUNE 2026 (8/2/21)

Tenders were invited for the management and control of the Yzerfontein harbour, slipway and fish market on behalf of Swartland Municipality, as the management body, from 1 July 2023 to 30 June 2026.

Three tenders were received of which two adhered to the tender specifications and requirements – see table below for the preferential procurement evaluation:

		Preferential Points							
Tenderer	Tender amount (including VAT)	Points for Price	Contribution level	BBBEE Points	Western Cape		Swartland		Total points
					Yes/ No	Points	Yes / No	Points	
Edwin Genade	R 936 000.00	80.00	0	0		0		0	80.00
Jaymat Enviro Solutions cc	R 21 813 871.42	-1704.43	1	10		0		0	-1694.43

RECOMMENDATION⁴

- (a) That the tender for the management and control of the Yzerfontein harbour, slipway and fish market be awarded to **Edwin Genade** for the amount of R936,000.00 (Bidder not VAT registered) from 1 July 2023 to 30 June 2026 (36 months). Detail of the tender allocation is as follows:

Financial Year	Number of months	Amount per month	Amount per year (Excl VAT)
2023/2024	12	R 24 800. 00	R 297 600. 00
2024/2025	12	R 26 000. 00	R 312 000. 00
2025/2026	12	R 27 200. 00	R 326 400. 00
			R 936 000. 00

- (b) That the expense be allocated to vote number 9/235-326-1758.
- (c) The award is subject to a **Service Level Agreement (SLA)** being entered into between the Service provider and the Swartland Municipality.

4.5 TENDER T40/22/23: APPOINTMENT OF A PANEL OF SPECIALIST LEGAL SERVICES PROVIDERS FOR A CONTRACT PERIOD ENDING 30 JUNE 2026 (8/2/21)

Tenders were invited for the establishment of a panel of suitably qualified and experienced legal practitioners for the rendering of professional legal services for a variety of legal fields as and when required, for a period until 30 June 2026.

The tender allowed for service providers to select and tender on any or all of the below categories of legal services:

- Category 1: General legal and advisory services, including evictions;
- Category 2: Property Law, conveyancing, and notarial registrations: general and specialised, including transfers;
- Category 3: Investigations and disciplinary support i.r.o. councillor and municipal officials misconduct;
- Category 4: Debt collection.

For purposes of adjudication, bidders were required to tender **time based fees** for the respective categories for which services are offered. Preferential Procurement was calculated as follows for the various categories:

⁴ Confirmed by the Municipal Manager on 6 June 2023

4.5/...

CATEGORY 1		Preferential Points						
Tenderer	Tender amount (including VAT)	Points for Price	Contribution level	BBBEE Points	Western Cape		Swartland	
					Yes/ No	Points	Yes / No	Points
Yvette Cloete & Associates	R 1 380.00	80.00	0	0	Yes	4	No	0
Malherbe Tubb Faure t/a MHI Attorneys	R 1 437.50	76.67	2	9	Yes	4	No	0
HGS Attorneys	R 1 725.00	60.00	1	10	Yes	4	No	0
Du Plessis & Mostert	R 1 750.00	58.55	4	5	Yes	4	Yes	6
MMH Attorneys	R 2 280.00	27.83	2	9	Yes	4	No	0
Wesley Pretorius & Associates	R 2 500.00	15.07	1	10	No	0	No	0
Cheadle Thompson & Haysom Inc	R 3 565.00	-46.67	0	0	Yes	4	No	0
Webber Wentzel	R 5 865.00	-180.00	1	10	Yes	4	No	0

Cheadle Thompson & Haysom Inc-BEE Certificate expired 06.04.2023
Yvette Cloete & Associates-BEE Certificate not issued by SANAS accredited agency

Since the tender conditions stipulated that **between 3 – 5 service providers** will be selected to the panel for Category 1, the tenders of Wesley Pretorius & Associates, Cheadle Thompson & Haysom Inc and Webber Wentzel are – based on the allocated preferential points – not considered further.

CATEGORY 2		Preferential Points						
Tenderer	Tender amount (including VAT)	Points for Price	Contribution level	BBBEE Points	Western Cape		Swartland	
					Yes/ No	Points	Yes / No	Points
Yvette Cloete & Associates	R 1 380.00	80.00	0	0	Yes	4	No	0
Malherbe Tubb Faure t/a MHI Attorneys	R 1 437.50	76.67	2	9	Yes	4	No	0
Du Plessis & Mostert	R 1 750.00	58.55	4	5	Yes	4	Yes	6
MMH Attorneys	R 2 280.00	27.83	2	9	Yes	4	No	0

Yvette Cloete & Associates-BEE Certificate not issued by SANAS accredited agency

Since the tender conditions stipulated that a **maximum of three service providers** will be selected to the panel for Category 2, the tender of MMH Attorneys are not considered further, based on the allocated preferential points.

CATEGORY 3		Preferential Points						
Tenderer	Tender amount (including VAT)	Points for Price	Contribution level	BBBEE Points	Western Cape		Swartland	
					Yes/ No	Points	Yes / No	Points
Taleni Godi Kupiso Inc	R 1 700.00	80.00	1	10	Yes	4	No	0
Du Plessis & Mostert	R 1 750.00	77.65	4	5	Yes	4	Yes	6
MMH Attorneys	R 2 280.00	52.71	2	9	Yes	4	No	0
Cheadle Thompson & Haysom Inc	R 3 565.00	-7.76	0	0	Yes	4	No	0

Cheadle Thompson & Haysom Inc-BEE Certificate expired 06.04.2023

Since the tender conditions stipulated that a **maximum of two service providers** will be selected to the panel for Category 3, the tender of MMH Attorneys and Cheadle Thompson & Haysom Inc are not considered further, based on the allocated preferential points.

RECOMMENDATION⁵

- (a) That the following legal services providers be appointed to the respective categories for the period until 30 June 2026, at the time-based fees as indicated:

⁵ Confirmed by the Municipal Manager on 6 June 2023

4.5(a)/...

	PRICE PER HOUR, INCL VAT
CATEGORY 1: General legal and advisory services, including evictions (restricted to 3 to 5 service providers as per paragraph 2.4.1.3 of special conditions of tender)	
Malherbe Tubb Faure t/a MHI Attorneys	R1 437.50
Yvette Cloete & Associates	R1 380.00
HGS Attorneys*	R1 725.00
Du Plessis & Mostert	R1 750.00
MMH Attorneys	R2 280.00
*Appointment restricted to fees/hour as tendered per pricing schedule. Additional disbursements as indicated by the bidder elsewhere in the tender document not accepted.	
CATEGORY 2: Property law, conveyancing and notarial registrations: general and specialised including transfers (maximum 3 service providers as per paragraph 2.3.2.3 of special conditions of tender)	
Malherbe Tubb Faure t/a MHI Attorneys	R1 437.50
Yvette Cloete & Associates	R1 380.00
Du Plessis & Mostert	R1 750.00
CATEGORY 3: Investigations and disciplinary support i.r.o. councillor and municipal official misconduct (maximum 2 service providers as per paragraph 2.3.3.2 of special conditions of tender)	
Taleni Godi Kupiso Inc	R1 700.00
Du Plessis & Mostert	R1 750.00
CATEGORY 4: Debt collection (2-3 service providers as per paragraph 2.3.4.2 of special conditions of tender)	
Du Plessis & Mostert	R1 200.00
Taleni Godi Kupiso Inc*	R1 700.00
*subject to having/establishing an office within Swartland boundaries	

- (b) That it be noted that prices are firm, i.e. applicable for the period of the appointment;
- (c) That the allocation of legal matters be awarded on the basis of highest scoring point per category first;
- (d) That the successful tenderers take cognizance in particular of the following special conditions of tender:
- Further, ad para 2.3.6: For continuity and as a cost containment measure, existing service providers, who are not placed on the panel of service providers for this tender, will continue with all matters which have been handed over to them prior to the award of this tender. Work instructions issued to service providers up to 30 June 2023 may be continued after the aforesaid date until the allocated work is concluded provided that the same rates apply. Such work will be deemed as forming part of Tender no. T34/20/21.
- (e) That each appointment of a legal services provider from the panel be confirmed by the Municipal Manager.

4.6 TENDER T46/22/23: SUPPLY AND DELIVERY OF MATERIALS AND REQUIREMENTS FOR THE ELECTRICITY DEPARTMENT FOR THE PERIOD 1 JULY 2023 TO 30 JUNE 2024 (8/2/1)

Tenders were invited for the supply and delivery of materials and services for the Department Electrical Engineering Services – the so called Annual Tender.⁶

RECOMMENDATION⁶

- (a) That the tenders for the supply and delivery of materials and requirements for the electricity department for the financial year 2023/2024 of the tenderers listed below and as per attached annexure be accepted and allocated in order of highest preferential point, subject to (b) below:

⁶ Confirmed by the Municipal Manager on 6 June 2023

4.6(a)/...

1. Aberdare Cables
2. Actom Electrical Products
3. Kader Technologies (Pty) Ltd
4. Powercomm Solutions (Pty) Ltd
5. South Ocean Electric Wire Company (Pty) Ltd
6. Take Note Trading 245cc t/a Universal Trading
7. Obhejane Trading (Pty) Ltd
8. VE Reticulation (Pty) Ltd
9. Progressive Energy (Pty) Ltd
10. JoCastro (Pty) Ltd
11. Greenro Solutions
12. ARB Electrical Wholesalers (Pty) Ltd
13. SGB-Smit Power Matla
14. Maboneng Electrical Distributors (Pty) Ltd
15. Onlab Specialist Electro-Technology (Pty) Ltd
16. Infrapower Engineering (Pty) Ltd
17. Ithuba Industries
18. Zonart Labour Distributions (Pty) Ltd
19. Nolada 8 (Pty) Ltd
20. Pentafortis cc
21. Ontec Systems (Pty) Ltd
22. Conlog (Pty) Ltd
23. Landis & Gyr (Pty) Ltd

- (b) That the tender prices be re-evaluated when each specific item is required, taking into account the escalation indexes, rate of exchange variance, preferential procurement and delivery time.

4.7 TENDER FOR THE MAINTENANCE AND SUPPORT FOR THE UNIFY TELEPHONE SYSTEMS IN SWARTLAND MUNICIPALITY FOR THE PERIOD ENDING 30 JUNE 2026 (8/2/3)

Only one tender was received for the maintenance and support for the unify telephone systems in Swartland Municipality for the period ending 30 June 2026.

RECOMMENDATION⁷

- (a) That the tender for the maintenance and support for the unify telephone systems in Swartland Municipality for the period ending 30 June 2026 at a cost of R631 996.58 including VAT, (R549 562.24 excluding VAT) be awarded to Plus1X Communications (Pty) Ltd t/a +OneX.
- (b) That the expenditure be allocated to the operating budget votes:
9/216-1149-283 – Telephone system: Support,
9/216-657-1925 – License system

4.8 TENDER T59/22/23: TRANSPORTATION OF EMPLOYEES BETWEEN DARLING AND YZERFONTEIN FOR THE PERIOD ENDING 30 JUNE 2024 (8/2/1)

Yzerfontein employees who reside in Darling are transported on a daily basis between Darling and Yzerfontein, due to the fact that employee housing is not readily available in Yzerfontein.

Tenders for the Transportation of employees between Darling and Yzerfontein for the period 1 July 2023 to 30 June 2024 were invited. Six tenders were received and can all be regarded as responsive. See table below for calculation of preferential procurement points:

		Preferential Points							
Tenderer	Tender amount Per day (including VAT)	Points for Price	Contri- bution level	BBBEE Points	Western Cape		Swartland		Total points
					Yes/ No	Points	Yes / No	Points	
Jacen Peter Filander	R 750.00	80.00	1	10	Yes	4	No	6	100.00

⁷ Confirmed by the Municipal Manager on 6 June 2023

		Preferential Points							
Tenderer	Tender amount Per day (including VAT)	Points for Price	Contri- bution level	BBBEE Points	Western Cape		Swartland		Total points
					Yes/ No	Points	Yes / No	Points	
Ricardo John Delleile	R 800.00	74.67	1	10	Yes	4	No	6	94.67
DM Trading And Solutions*	R 1 610.00	-11.73	0	-	-	-	-	-	-11.73
Top Nos CC**	R 2 700.00	-60.80	0	-	-	-	-	-	-60.80
Gan's Tours CC***	R 2 800.50	-138.67	1	10	-	-	-	-	-128.67
Maltilayer Trade Corporation ****	R 5 400.00	-416.00	1	10	-	-	-	-	-406.00

RECOMMENDATION⁸

- (a) That the tender for the transportation of employees between Darling and Yzerfontein for the period 1 July 2023 to 30 June 2024 be awarded to Jacen Peter Filander for the tendered "Price per Day" rate of R750.00 per day (bidder not registered for VAT).
- (b) That the estimated expenditure be as follow:

Financial Year	Vote	Vote Description	Estimated Expenditure
2023/24	9/201-1141-1341	Taxi: Transport Workers	R 187 500.00
Total			R 187 500.00

- (c) That the expenditure be allocated to vote number 9/201-1141-1341.

4.9 RT57-2019 TRANSVERSAL TENDER: SUPPLY AND DELIVERY OF SPORT UTILITY VEHICLE (8/2/2/2)

The award to procure of a Toyota Fortuner from Toyota SA via the applicable tender of National Treasury, RT57-2019 SUPPLY AND DELIVERY OF SEDAN, LIGHT AND HEAVY COMERCIAL VEHICLES, BUSSES, MOTOR CYCLES, AGRICULTURAL TRACTORS, and CONSTRUCTION PLANT AND EQUIPMENT TO THE STATE (hereafter referred to as "RT 57") was made in November 2022.

The vehicle could only be delivered in May 2023 due to supply constraints and a this time, the total cost of procurement increased to R 652 924.00 (including VAT).

The reason for the above is that the pricing in terms of RT 57 is fixed at a national level per quarter and Swartland Municipality had no rights to negotiate the revised price as same is fixed per agreement with NT.

RECOMMENDATION⁹

- (a) That the revised pricing terms of the tender be formally noted.
- (b) That the updated price for the supply and delivery of the SUV, as per specification, be approved as per the NT tender category to TOYOTA South Africa Motors (PTY) LTD for the amount of R 567 760 VAT exclusive (R 652 924 VAT inclusive).
- (c) That the expenditure is set off against vote number 9/116-621-394.

(sgd) M BOLTON
ACTING CHAIRPERSON

⁸ Confirmed by the Municipal Manager on 6 June 2023

⁹ Confirmed by the Municipal Manager on 6 June 2023



**MINUTES OF A MEETING OF THE BID ADJUDICATION COMMITTEE HELD IN THE COMMITTEE ROOM:
CORPORATE SERVICES ON TUESDAY, 13 JUNE 2023 AT 14:00**

PRESENT

Director: Financial Services, Mr M Bolton (acting Chairperson)
Director: Civil Engineering Services, Mr L D Zikmann
Snr Manager: Supply Chain Management, Mr P Swart
Director: Development Services, Ms J S Krieger
Manager: Secretariat and Records Services, Ms N Brand

1. OPENING/APOLOGIES

The chairperson opened the meeting.

2. DECLARATION OF INTEREST

RESOLVED that cognisance is taken that no declaration of interests were made.

3. MINUTES

3.1 MINUTES OF A SPECIAL BID ADJUDICATION COMMITTEE MEETING HELD ON 5 JUNE 2023

RESOLVED that the minutes of a Special Bid Adjudication Committee meeting held on 5 June 2023 be approved.

3.2 MINUTES OF A BID EVALUATION COMMITTEE MEETING HELD ON 8 JUNE 2023

That **COGNISANCE BE TAKEN** of the minutes of a Bid Evaluation Committee meeting held on 8 June 2023

4. MATTERS FOR CONSIDERATION

4.1 TENDER T39/22/23: RENDERING OF SECURITY SERVICES IN MALMESBURY AND YZERFONTEIN FOR THE PERIOD 1 JULY 2023 TO 30 JUNE 2026 (8/2/29)

Tenders were invited to appoint a suitable service provider to deliver the following security services for the period 1 July 2023 to 30 June 2026 in Malmesbury and Yzerfontein as follows:

- **Malmesbury:** 24 hour Grade C security guard with protection dog during night shift at the Municipal Stores in Abattoir Road, Malmesbury;
- **Yzerfontein:** Security services at the harbour, municipal office, caravan park and municipal stores/workshop.

Tenderers were requested to price the above services separately for Malmesbury and Yzerfontein as the Municipality reserves the right to award the tender as a whole or separately.

A total of 30 tenders were received for the rendering of security services in Malmesbury of which all the tenderers adhered to the tender specifications and requirements. See table below for the result of the preferential procurement evaluation:

Table/...

Mun Store MBY										
BIDDER	TENDER PRICE	POINTS FOR PRICE	CONTRIBUTION LEVEL	BBBEE POINTS	WESTERN CAPE (Yes/No)	POINTS	SWARTLAND (Yes/No)	POINTS	PREFERENCE POINTS	TOTAL POINTS
Radat SA (Pty) Ltd	R 966 540.96	80,00	0	0		0		0	0	80,00
Tikoni Holdings	R 1 004 744.14	78,84	0	0		0		0	0	78,84
World Focus 1322	R 1 010 474.64	76,36	1	10	Yes	4	No	0	14	90,36
Uthembekile Security Services	R 1 107 128.74	68,36	0	0		0		0	0	68,36
Redlight Security (Pty) Ltd	R 1 283 627.52	53,75	1	10	Yes	4	No	0	14	67,75
Alid Protection Services (Pty) Ltd	R 1 316 100.34	53,07	1	10	Yes	4	No	0	14	65,07
Skywatch Security	R 1 322 488.77	50,55	0	0		0		0	0	50,55
Bariboko Security Services	R 1 381 596.05	45,65	1	10		0		0	10	55,65
SS Solutions (Pty) Ltd t/a Seal Security	R 1 405 877.76	43,64	0	0		0		0	0	43,64
G Security (Pty) Ltd	R 1 419 057.86	42,55	1	10		0		0	10	52,55
Cabin and Family Security Services (Pty) Ltd	R 1 435 918.29	41,15	0	0		0		0	0	41,15
Metro Watch Security Services	R 1 482 181.35	37,32	1	10	Yes	4	No	0	14	51,32
High Speed Projects (Pty) Ltd	R 1 484 958.38	37,09	0	0	Yes	4	Yes	6	10	47,09
West Run Security and Cleaning Services cc	R 1 489 351.75	36,73	1	10	Yes	4	Yes	6	20	56,73
Platoon Protection Unit (Pty) Ltd	R 1 499 590.23	35,88	1	10	Yes	4	No	0	14	49,88
Bukwe's Security Services	R 1 541 514.23	32,41	1	10		0		0	10	42,41
Himax Holdings Management (Pty) Ltd	R 1 559 645.64	30,91	2	9	Yes	4	No	0	13	43,91
GAP Management (Pty) Ltd	R 1 585 053.37	28,81	0	0		0		0	0	28,81
Greystone Trading 389 cc t/a City Security Services cc	R 1 596 988.27	27,82	1	10		0		0	10	37,82
Malaka Security Patrols (Pty) Ltd	R 1 601 561.01	27,44	0	0		0		0	0	27,44
Husselmann Protection Services and Projects	R 1 670 822.45	21,71	0	0		0		0	0	21,71
Tabete Security Services (Pty) Ltd	R 1 796 690.25	11,29	1	10	Yes	4	No	0	14	25,29
Ensemble Trading 2366	R 1 969 806.96	-3,04	1	10		0		0	10	6,96
All 4 Security Solutions	R 1 976 927.73	-3,61	0	0		0		0	0	-3,61
Alani Corporate Solutions cc	R 1 977 015.60	-3,61	1	10	Yes	4	No	0	14	10,36
Icon Security Services Group (Pty) Ltd	R 2 302 520.24	-30,58	2	9		0		0	9	-21,58
Silver Solutions 1522	R 2 459 059.89	-43,53	1	10	Yes	4	No	0	14	-29,53
Umthombo Security	R 2 691 025.77	-62,73	1	10	No	0	No	0	10	-52,73
Fire Wire System Solutions (Pty) Ltd	R 3 009 482.34	-89,08	1	10		0		0	10	-79,08
Kollowa M Holdings (Pty) Ltd	R 3 339 954.75	-116,45	1	10		0		0	10	-106,45

A total of 28 tenders were received for the rendering of security services in Yzerfontein of which all the tenderers adhered to the tender specification and requirements. See table below for the result of the preferential procurement evaluation:

BIDDER	TENDER PRICE	POINTS FOR PRICE	CONTRIBUTION LEVEL	BBBEE POINTS	WESTERN CAPE (Yes/No)	POINTS	SWARTLAND (Yes/No)	POINTS	PREFERENCE POINTS	TOTAL POINTS
Redlight Security (Pty) Ltd	R382 032.00	80,00	1	10	Yes	4	No	0	14	94,00
Tikoni Holdings	R542 485.44	46,40	0	0		0		0	0	46,40
West Run Security and Cleaning Services cc	R632 644.99	27,52	1	10	Yes	4	Yes	6	20	47,52
G Security (Pty) Ltd	R654 611.83	22,92	1	10		0		0	10	32,92
Radat SA (Pty) Ltd	R660 972.04	17,40	0	0		0		0	0	17,40
Silver Solutions 1522	R695 207.87	14,42	1	10	Yes	4	No	0	14	28,42
World Focus 1322	R746 872.56	3,60	1	10	Yes	4	No	0	14	17,60
Yzerfontein Armed Response cc	R802 997.84	-6,15	5	5	Yes	4	Yes	6	15	6,85
Metro Watch Security Services	R1 136 927.23	-78,08	1	10	Yes	4	No	0	14	-64,08
Platoon Protection Unit (Pty) Ltd	R1 165 350.41	-84,03	1	10	Yes	4	No	0	14	-70,03
Greystone Trading 389 cc t/a City Security Services cc	R1 361 944.08	-125,20	1	10		0		0	10	-115,20
Bukwe's Security Services	R1 420 700.98	-137,50	1	10		0		0	10	-127,50
GAP Management (Pty) Ltd	R1 444 685.24	-142,53	0	0		0		0	0	-142,53
SS Solutions (Pty) Ltd t/a Seal Security	R1 493 745.12	-152,80	0	0		0		0	0	-152,80
Ensemble Trading 2366	R1 750 138.56	-206,49	1	10		0		0	10	-196,49
Alid Protection Services (Pty) Ltd	R1 835 087.40	-224,28	1	10	Yes	4	No	0	14	-210,28
Alani Corporate Solutions cc	R1 933 081.92	-244,80	1	10	Yes	4	No	0	14	-230,80
All 4 Security Solutions	R1 976 927.73	-253,98	0	0		0		0	0	-253,98
Malaka Security Patrols (Pty) Ltd	R2 136 739.43	-287,87	0	0		0		0	0	-287,87
Skywatch Security	R2 145 797.82	-289,34	0	0		0		0	0	-289,34
Husselmann Protection Services and Projects	R2 477 282.37	-358,76	0	0		0		0	0	-358,76
Umthombo Security	R2 691 025.77	-403,52	1	10	No	0	No	0	10	-393,52
Fire Wire System Solutions (Pty) Ltd	R2 760 904.92	-418,15	0	0		0		0	0	-418,15
Cabin and Family Security Services (Pty) Ltd	R2 767 821.84	-419,60	2	9	Yes	4	No	0	13	-406,60
Himax Holdings Management (Pty) Ltd	R2 767 821.84	-419,60	2	9	Yes	4	No	0	13	-406,60
Bariboko Security Services	R2 767 821.84	-419,60	2	9	Yes	4	No	0	13	-406,60
Tabete Security Services (Pty) Ltd	R2 767 821.84	-419,60	2	9	Yes	4	No	0	13	-406,60
Uthembekile Security Services	R2 767 821.84	-419,60	2	9	Yes	4	No	0	13	-406,60
Icon Security Services Group (Pty) Ltd	R2 767 821.84	-419,60	2	9	Yes	4	No	0	13	-406,60

A: RESOLUTION [IN RESPECT OF RENDERING OF SECURITY SERVICES IN YZERFONTEIN]

(a) That the following information be obtained for clarity before considering the item:

- Detail description of the work that will be carried out by the security officer(s) in Yzerfontein;
- Motivate the need that exists for security officer(s) in Yzerfontein, taking into account the recent appointment of a service provider for the management and control of the Yzerfontein Harbour;
- If the work can be accommodated during the normal operations of the Municipality.

B/...

4.1/...

B: RECOMMENDATION¹ [IN RESPECT OF MUNICIPAL STORES, ABATTOIR ROAD, MALMESBURY] (for confirmation by the Municipal Manager)

(a) That **World Focus 1322** be appointed to render a 24 hour security service as per the tender specifications at the Municipal Stores in Abattoir Road, **Malmesbury** for the period 1 July 2023 to 30 June 2026 as follows:

- (i) For the **2023/2024** financial year the expenditure will be **R276,000.00** (VAT excluded),
- (ii) For the **2024/2025** financial year the estimated expenditure will be **R292,560.00** (VAT excluded),
- (iii) For the **2025/2026** financial year the estimated expenditure is **R310,113.60** (VAT excluded).

(b) That the above expenditure be accounted against vote number 9/219-1017-1313;

(c) That the tender prices for the 2024/2025 and 2025/2026 financial years be adjusted annually with the average consumer price index (CPIX) of the preceding 12 months.

4.2 TENDER T50/22/23: SUPPLY AND DELIVER OF 3 TON CREWCAB TRUCK (8/2/22)

Provision is made in the 2023/2024 Capital Budget for the replacement of CK 23064 with a 3 ton Crewcab Truck for the Building and Maintenance Department.

Tenders were invited accordingly and five tenders were received of which three tenders adhered to the tender specifications and requirements – see table below for the result of the preferential procurement evaluation.

		Preferential Points							
Tenderer	Tender amount (including VAT)	Points for Price	Contribution level	BBBEE Points	Western Cape		Swartland		Total points
					Yes/ No	Points	Yes / No	Points	
Fuzion Motors t/a Perdeberg Commercial	R 810 000.00	80.00	2	9		0		0	89.00
Shorts Nissan CC	R 1 015 983.00	59.66	2	9	Yes	4	No	0	72.66
Ihophe Group	R 1 614 500.00	0.54	1	10	Yes	4	No	0	14.54

RECOMMENDATION²

(a) That the tender for the supply of 1 x NPR 400 AMT Isuzu Crewcab Truck be awarded to Fuzion Motors t/a Perdeberg Commercial for an amount of R810 000.00 (including VAT) / R704 347.82 excluding VAT);

(b) That cogniance be taken that the delivery period is 12 to 16 weeks and that the delivery of the vehicle will be in the 2023/2024 financial year;

(c) That the expense be allocated against vote number 9/108-708-821 for the replacement of CK23064.

4.3 TENDER T51/22/23: SUPPLY AND DELIVER OF 3 TON CREWCAB TIPPER TRUCK (8/2/22)

Provision is made in the 2023/2024 Capital Budget for the replacement of CK 15380 with a 3 ton Crewcab Tipper Truck for the Water Department.

Tenders were invited accordingly and the three tenders received, adhered to the tender specifications and requirements – see table below for the result of the preferential procurement evaluation.

Table/...

¹ Confirmed by the Municipal Manager on 14 June 2023

² Confirmed by the Municipal Manager on 14 June 2023

4.3/...

		Preferential Points							
Tenderer	Tender amount (including VAT)	Points for Price	Contribution level	BBBEE Points	Western Cape		Swartland		Total points
					Yes/ No	Points	Yes / No	Points	
Fuzion Motors t/a Perdeberg Commercial	R 840 000.00	80.00	2	9		0		0	89.00
Shorts Nissan CC	R 958 483.00	68.72	2	9	Yes	4	No	0	81.72
Ihophe Group	R 1 720 833.00	-3.89	1	10	Yes	4	No	0	10.11

RECOMMENDATION³

(a) That the tender for the supply of 1 x NPR 400 AMT Isuzu Crewcab Tipper Truck be awarded to Fuzion Motors t/a Perdeberg Commercial for an amount of R840 000.00 (including VAT) / R730 434.78 (excluding VAT);

(b) That cogniance be taken that the delivery period is 12 to 16 weeks and that the delivery of the vehicle will be in the 2023/2024 financial year;

(c) That the expense be allocated against vote numbers 9/105-753-876 for the replacement of CK 15380.

4.4 TENDER T57/22/23: APPOINTMENT OF HEALTH AND SAFETY AGENT FOR THE PERIOD 1 JULY 2023 TO 30 JUNE 2026 (8/2/210)

Tenders were invited from competent persons to act as the Health and Safety Agent for Swartland Municipality as required by the Construction Regulations of the Occupational Health and Safety Act, Act 85 of 1993.

A total of 21 tenders were received of which three tenders did not adhere to the tender specifications and requirements – see table below for the result of the preferential procurement evaluation:

BIDDER	TENDER PRICE	POINTS FOR PRICE	CON-TRIBUTI ON LEVEL	BBBEE POINTS	WESTERN CAPE (Yes/No) POINTS		SWART- LAND (Yes/No) POINTS		PREFE RENCE POINTS	TOTAL POINTS
BH Venture (Pty) Ltd	R670 910,00	80	2	9		0		0	9	89
Siyakhatala Safety CC	R803 861,50	64,15	4	5	Yes	4	No	0	9	73,15
Phayone She Solutions	R990 506,50	41,89	2	9	Yes	4	No	0	13	54,89
Safe Working Practice SA CC	R1 010 746,50	39,48	2	9	Yes	4	No	0	13	52,48
BHC Built Environmental Professionals (Pty) Ltd	R1 385 934,00	-5,26	1	10	Yes	4	No	0	14	8,74
Frontline Occupational Safety Consultancy & Services CC	R1 447 459,00	-12,6	1	10		0		0	10	-2,6
Classic Oriental Trading 533 (Pty) Ltd T/A She Management Consultants	R1 477 359,00	-16,16	0	0		0		0	0	-16,16
Pinpoint Health and Safety (Pty) Ltd	R1 614 669,00	-32,53	1	10		0		0	10	-22,53
EQ Project Management and Safety Solutions (Pty) Ltd	R1 688 959,00	-41,39	0	0	Yes	4	No	0	4	-37,39
Eppe Burger and Associates CC	R1 921 834,00	-69,16	0	0		0		0	0	-69,16
Cairnmead Industrial Consultants	R2 140 507,00	-95,24	0	0		0		0	0	-95,24
Coetzee CHSA (Pty) Ltd	R2 488 784,00	-136,77	4	5	Yes	4	No	0	9	-127,77

³ Confirmed by the Municipal Manager on 14 June 2023

Vaal Group of Companies	R2 735 960,00	-166,24	1	10	No	0	No	0	10	-156,24
Occulaw Consulting (Pty) Ltd	R3 270 209,00	-229,94	4	5	No	0	No	0	5	-224,94
Praxos 373 (Pty) Ltd	R3 705 484,00	-281,85	1	10	Yes	4	No	0	14	-267,85
AKA Risk Management Specialists CC	R3 896 384,00	-304,61	4	5		0		0	5	-299,61
UFEFE Development Consultants	R8 499 259,00	-853,46	1	10	No	0	No	0	10	-843,46
Assagy Environmental (Pty) Ltd	R9 082 309,00	-922,98	1	10	No	0	No	0	10	-912,98
Odire Occupational Health (Pty) Ltd	R12 654 600,00	-1348,95	1	10	No	0	No	0	10	-1338,95

RECOMMENDATION⁴

- (a) That the tender for the appointment of Safety Agent under the Occupational Health and Safety Agent, Act 85 of 1993 (Construction Regulation) be awarded to BH Venture (Pty) Ltd from 1 July 2023 to 30 June 2026 for the tendered tariffs (Attached as Annexure A);
- (b) That the expenses be financed from various projects;
- (c) That proof of insurance to the amount of at least R20 000 000,00 be submitted to the Municipality within 20 days of the Municipality's acceptance of the tender. Failure by the contractor to produce such proof within 20 days will result in the appointment being withdrawn.

4.5 TENDER T42/22/23: SUPPLY AND DELIVERY OF MATERIALS, SUPPLIES AND SERVICES FOR THE PERIOD 1 JULY 2023 TO 30 JUNE 2024 (CIVIL DEPARTEMENT) (8/2/1)

Tenders are annually requested for the supply and delivery of materials, supplies and services for the Civil Engineering Department.

RECOMMENDATION⁵

- (a) That the tenders of the following tenderers for the supply and delivery of materials, supplies and services for the Civil Engineering Department for the 2023/2024 financial year as per attached annexure be accepted and allocated in order of highest preferential point , subject to (b) below:

1	Lategan's Sementwerke (Pty)Ltd	18	Aspira Construction (Pty) Ltd
2	Take Note Trading 245 T/A Universal Trading CC	19	AJ Van Huffel Planthire CC
3	Juno Corp (Pty) Ltd	20	COLAS South Africa (Pty) Ltd
4	Patco Manufacturing CC	21	Leafix (Pty) Ltd
5	AWV Project Management (Pty) Ltd	22	Keynas (Pty) Ltd
6	Diphororo Consulting (PTRY) LTD	23	Henchem Environmental Management Solutions (Pty)Ltd
7	VW Civil Engineering Supplies CC	24	2ACS Services (Pty) Ltd
8	Louw Diggers (Pty) Ltd	25	Top Fiks Suppliers CC
9	TOSAS (Pty) Ltd	26	Conchem-Saligna Bee CC
10	Siyphambili Electrical and Industrial Supplies CC	27	Obhejane Trading (Pty) Ltd
11	NOLADA 8 (Pty) Ltd	28	Virtigo Resources (Pty) Ltd
12	Nu Way Enterprises CC	29	West Coast Skies Services CC
13	Memotek Trading CC	30	NRB Piping Systems (Pty) Ltd
14	PPD Engineering and Hardware suppliers CC	31	Otto Signs (Pty) Ltd
15	Aliphumo Business Solutions (Pty) Ltd	32	BFECT (PTY) LTD
16	Thuthukani SNF Chemicals (Pty) Ltd	33	A Fick Sementwerke CC
17	Maverick Trading 59CC	34	Ithuba Industries CC

- (b) That the tender prices be re-evaluated when a purchase is made against an included item, with cognisance of respective escalation indices, exchange rate variations, preferential procurement and delivery times.

- (c) That Section 9: Roadmarking paint be omitted from the Tender.

4.6 FINAL INTERNAL AUDIT REPORT: EVALUATION OF TENDER T35/22/23: APPOINTMENT OF AUCTIONEER FOR THE PERIOD 1 JULY 2023 TO 30 JUNE 2026 (8/2/2/11)

The Municipal Manager appointed the Senior Manager: Internal Audit, as an independent and impartial person, to evaluate Tender T35/22/23 after an objection was received from one of the tenderers.

The report is tabled to the Bid Evaluation Committee to take cognisance of the findings and recommendations of the Senior Manager: Internal Audit.

RECOMMENDATION (for consideration by the Bid Adjudication Committee)

- (a) That cognisance be taken of the recommendations of the Senior Manager: Internal Audit;
- (b) That Tender T35/22/23: Appointment of Auctioneer for the period 1 July 2023 to 30 June 2026 be cancelled.

(sgd) M BOLTON
ACTING CHAIRPERSON

⁴ Confirmed by the Municipal Manager on 14 June 2023

⁵ Confirmed by the Municipal Manager on 14 June 2023



MINUTES OF A MEETING OF THE BID ADJUDICATION COMMITTEE HELD IN THE COMMITTEE ROOM:
CORPORATE SERVICES ON THURSDAY, 15 JUNE 2023 AT 14:00

PRESENT

Director: Financial Services, Mr M Bolton (acting Chairperson)
Director: Civil Engineering Services, Mr L D Zikmann
Snr Manager: Supply Chain Management, Mr P Swart
Director: Development Services, Ms J S Krieger
Manager: Secretariat and Records Services, Ms N Brand

1. OPENING/APOLOGIES

The chairperson opened the meeting.

2. DECLARATION OF INTEREST

RESOLVED that cognisance is taken that no declaration of interests were made.

3. MINUTES

None

4. MATTERS FOR CONSIDERATION

4.1 TENDER T39/22/23: RENDERING OF SECURITY SERVICES IN MALMESBURY AND
YZERFONTEIN FOR THE PERIOD 1 JULY 2023 TO 30 JUNE 2026 (8/2/29)

Tenders were invited to appoint a suitable service provider to deliver the following security services for the period 1 July 2023 to 30 June 2026 in Malmesbury and Yzerfontein as follows:

- Malmesbury: 24 hour Grade C security guard with protection dog during night shift at the Municipal Stores in Abattoir Road, Malmesbury;
- Yzerfontein: Security services at the harbour, municipal office, caravan park and municipal stores/workshop.

Tenderers were requested to price the above services separately for Malmesbury and Yzerfontein as the Municipality reserves the right to award the tender as a whole or separately.

The Bid Adjudication Committee requested further information for clarity on the security services rendered in Yzerfontein – see attached report from the Director: Protection Services.

A total of 28 tenders were received for the rendering of security services in Yzerfontein of which all the tenderers adhered to the tender specification and requirements. See table below for the result of the preferential procurement evaluation:

Table/...

4.1/...

BIDDER	TENDER PRICE	POINTS FOR PRICE	CONTRIBUTION LEVEL	BBBEE POINTS	WESTERN CAPE (Yes/No)	POINTS	SWARTLAND (Yes/No)	POINTS	PREFERENCE POINTS	TOTAL POINTS
Redlight Security (Pty) Ltd	R382 082.00	80.00	1	30	Yes	4	No	0	14	84.00
Tikodi Holdings	R542 485.44	46.40	0	0		0		0	0	46.40
West Run Security and Cleaning Services cc	R632 644.99	27.52	1	30	Yes	4	Yes	6	20	47.52
G Security (Pty) Ltd	R654 613.83	22.92	1	30		0		0	10	32.92
Rader SA (Pty) Ltd	R680 972.04	17.40	0	0		0		0	0	17.40
Silver Solutions 1522	R695 207.87	14.42	1	30	Yes	4	No	0	14	28.42
World Focus 1322	R746 872.54	3.60	1	30	Yes	4	No	0	14	17.60
Yzerfontein Armed Response cc	R802 997.84	-6.15	4	5	Yes	4	Yes	6	15	6.85
Metro Watch Security Services	R1 136 927.28	-78.08	1	30	Yes	4	No	0	14	-64.08
Platoon Protection Unit (Pty) Ltd	R1 145 580.41	-84.03	1	30	Yes	4	No	0	14	-70.03
Greystone Trading 389 cc t/a City Security Services cc	R1 361 944.08	-125.20	1	30		0		0	10	-115.20
Bukwe's Security Services	R1 420 700.98	-137.50	1	30		0		0	10	-127.50
GAP Management (Pty) Ltd	R1 444 685.24	-142.53	0	0		0		0	0	-142.53
SS Solutions (Pty) Ltd t/a Seal Security	R1 493 745.12	-152.80	0	0		0		0	0	-152.80
Ensemble Trading 2356	R1 750 138.54	-208.49	1	30		0		0	10	-198.49
AIM Protection Services (Pty) Ltd	R1 835 087.40	-224.28	1	30	Yes	4	No	0	14	-210.28
Akani Corporate Solutions cc	R1 933 081.92	-244.80	1	30	Yes	4	No	0	14	-230.80
All 4 Security Solutions	R1 976 927.73	-253.98	0	0		0		0	0	-253.98
Malaka Security Patrols (Pty) Ltd	R2 136 739.41	-287.82	0	0		0		0	0	-287.82
Skywatch Security	R2 145 797.82	-289.34	0	0		0		0	0	-289.34
Husselmann Protection Services and Projects	R2 477 292.37	-358.76	0	0		0		0	0	-358.76
Unethombo Security	R2 691 025.77	-403.52	1	30	No	0	No	0	10	-393.52
Calvin and Family Security Services (Pty) Ltd	R2 760 904.92	-418.15	0	0		0		0	0	-418.15
Hinox Holdings Management (Pty) Ltd	R2 767 821.84	-419.60	2	9	Yes	4	No	0	13	-406.60
Batuboko Security Services	R4 144 787.72	-707.95	1	30		0		0	10	-697.95
Tabete Security Services (Pty) Ltd	R6 431 287.33	-1186.75	1	30	Yes	4	No	0	14	-1172.75
Uthenbekile Security Services	R8 265 023.55	-1570.75	0	0		0		0	0	-1570.75
Rcon Security Services Group (Pty) Ltd	R10 585 820.20	-2056.24	2	9		0		0	9	-2047.24

RECOMMENDATION¹ – IN RESPECT OF RENDERING OF SECURITY SERVICES IN
YZERFONTEIN

- (a) That **Redlight Security (PTY) Ltd** be appointed to render security services as per the tender specifications in **Yzerfontein** for the period 1 July 2023 to 30 June 2026 as follows:
- (i) For the **2023/2024** financial year the expenditure will be **R120,000.00** (VAT excluded),
- (ii) For the **2024/2025** financial year the estimated expenditure is **R127,200.00** (VAT excluded),
- (iii) For the **2025/2026** financial year the estimated expenditure is **R134,832.00** (VAT excluded).
- (b) That it be accounted against vote numbers 9/234-1017-1315 and 9/235-1017-1309
- (c) That the tender prices for the 2024/2025 and 2025/2026 financial years for be adjusted annually with the average consumer price index (CPIX) of the preceding 12 months.

(sgd) M BOLTON
ACTING CHAIRPERSON

¹ Confirmed by the Municipal Manager on 15 June 2023



Verslag ♦ Ingxelo ♦ Report

Kantoor van die Direkteur: Korporatiewe Dienste
7 Julie 2023

3/1/2
WYK: n.v.t.

ITEM 8.1 VAN DIE AGENDA VAN 'N GEWONE RAADSVERGADERING WAT GEHOU SAL WORD OP 27 JULIE 2023

ONDERWERP: SUBJECT:	REGULASIES INSAKE GEDRAGSKODE VIR RAADSLEDE CODE OF CONDUCT REGULATIONS
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1. BACKGROUND

- 1.1 The Minister of Cooperative Governance and Traditional Affairs recently, with effect from 14 June 2023, repealed the Local Government: Municipal Systems Regulations published by Government Notice R459 in Government Gazette 22328 of 25 May 2001.
- 1.2 The Regulations (**Annexure A**) as per Government Gazette 48786 of 14 June 2023 (in terms of Regulation 2 of same) now apply to all councillors and traditional and Khoi-San leaders subject to Item 17¹ of the Code of Conduct for Councillors as per Schedule 7 of the Local Government: Municipal Structures Act, 1998. A copy of the Code of Conduct, hereinafter referred to as 'the Code', was provided to councillors at their first meeting held on 16 November 2021, and is also attached hereto (as **Annexure B**) for ease of cross-reference.
- 1.3 With reference to Regulation 7(2), Councillors must familiarise themselves with the full content of the Regulations since it has bearing on the Code.

2. GENERAL SUMMARY

- 2.1 **Regulation 3: General conduct of councillors** (*to be read with Item 2 of the Code of Conduct*)
 - **Sub-regulations 3(1)(a) & (b)** is a verbatim version of Item 2 of the Code; Sub-regulation 3(1)(c) has been added, regulating councillor conduct at meetings
 - **Sub-regulation 3(2)** is also addressed in the Swartland Municipality: By-law relating to the Conduct of Meetings, 2022 (hereinafter 'the by-law'). In addition to the speaker's duties covered in the by-law, he/she is compelled (MUST) to order an unruly councillor to leave a meeting (and get law enforcement assistance if necessary) under the circumstances as qualified.
 - **Sub-regulation 3(3)** is to be noted in particular: Councillor involvement/engagement in violent protest or labour unrest against the municipality is to be disciplined in terms of the Code. In such instances, criminal charges MUST also be laid with the South African Police Services.
- 2.2 **Regulation 4: Attendance of meetings** (*to be read with Section 15(3) of the by-law*)
 - **Sub-regulation 4(5):** The determination regarding the time to suspend meetings in the event of no quorum begin present, is qualified in both Sub-regulations 4(5)(a) & (b), in that this matter may be regulated in the standing rules and orders (i.e. the by-law) of a Council. Section 15(3) of the by-law in this instance is more restrictive in that it compels the chairperson to delay such meetings for not longer than 30 minutes, whereas the Regulations grant a discretionary power ('*may be suspended*').

¹ Item 17 of the Code regulates application thereof i.r.o. traditional leaders

2.3 **Regulation 5: Voting at meetings** *(to be read with Section 3 of the Code and Section 20(7) of the by-law)*

- Voting in conflict with legislation applicable to local government, is now specifically recorded as a breach of the Code
- Similarly, in terms of **Sub-regulation 5(2)** a councillor who commits a criminal offence in terms of the MFMA, is in breach of the Code.

2.4 **Regulation 6: Prescribed value of gifts received by councillor** *(to be read with Item 10 of the Code)*

The contents of this Regulation is to be noted in particular, since it regulates in detail those aspects pertaining to gifts received by councillors. The value (or cumulative value) of gifts still remain at R1 000.00 as per the repealed 2001 Regulations. 'Gift' is defined in the Regulations as including *physical offerings, rewards, hospitality (such as breakfast, lunch or dinner), money, sponsorships, commissions or any other benefit or gratification that is received by a councillor.*

2.5 **Regulation 8: Breaches of Code**

Chairpersons of committees are to note their obligation to report any alleged breach of the Code to the Speaker within 7 days.

2.6 **Regulation 9: Councillor in arrears** *(to be read with Items 8 and 10 of the Code)*

Councillors are to note the duties of the Municipal Manager and the Speaker regarding rates and service charges owed by councillors to the municipality.

2.7 **Regulation 10: Reporting**

A bi-annual report must be submitted to the MEC for local government on the compliance with the Code, in accordance with a reporting template still to be provided by CoGTA.

3. RECOMMENDATION

- (a) That councillors familiarise themselves with the contents of the 2023 Regulations as per Annexure A to the report, and (once again) with the Code of Conduct for Municipal Councillors as per Annexure B to the report;
- (b) That councillors in particular take cognisance of their obligation to register gifts received with the office of the Municipal Manager, and in this regard to provide all the information as stipulated.

AANBEVELING

- (a) Dat raadslede hulself vergewis van die inhoud van die 2023 Regulasies soos per Aanhangsel A tot die verslag, en (weer eens) van die Gedragskode vir Munisipale Raadslede soos per Aanhangsel B tot die verslag;
- (b) Dat raadslede in besonder kennis neem van hul verpligting om geskenke wat ontvang word by die kantoor van die Munisipale Bestuurder te registreer, en om in hierdie verband al die inligting soos gestipuleer te moet verskaf.

(get) M S Terblanche

MUNISIPALE BESTUURDER

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

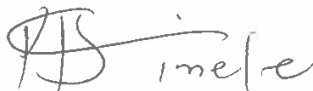
DEPARTMENT OF CO-OPERATIVE GOVERNANCE

NO. 3538

14 June 2023

**LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998
(ACT NO. 117 OF 1998)****CODE OF CONDUCT FOR COUNCILLORS REGULATIONS**

I, Thembi Nkadimeng, Minister of Cooperative Governance and Traditional Affairs, after consultation with the members of Executive Council's responsible for local government in the provinces, and organised local government representing local government nationally, under section 92 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), as amended, hereby make the Regulations in the Schedule.

**MS THEMBI NKADIMENG, MP****MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS****DATE:** 08/06/2023

SCHEDULE

Table of Contents

1. Definitions
2. Application
3. General Conduct of Councillors
4. Attendance at meetings
5. Voting at meetings
6. Prescribed value of gifts received by councillor
7. Duty of speaker
8. Breaches of Code
9. Councillor in arrears to the municipality for rates and service charges
10. Reporting
11. Repeal of Regulations
12. Short title and commencement

1. Definitions

In these Regulations, any word or expression to which a meaning has been assigned in the Act has that meaning and, unless the context indicates otherwise –

“**Act**” means the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), as amended;

“**behaviour**” means verbal or non-verbal communicative conduct, tone of voice, body language and demeanour, deportment, bearing and etiquette relative to one’s conduct towards others;

“**Chairperson**” includes a councillor –

- (a) elected as the speaker of the municipal council;
- (b) elected as a mayor or deputy mayor, or a councillor presiding over meetings of the executive committee;
- (c) elected as the executive mayor or executive deputy mayor;
- (d) elected as the chairperson of a metropolitan sub-council; or
- (e) appointed as the chairperson of a committee that is established in terms of sections 79, 79A or 80 of the Act;

“**Code**” means the Code of Conduct for Councillors in Schedule 7 of the Act;

“committee” means an executive committee established in terms of section 42 of the Act, or a mayoral committee established in terms of section 60 of the Act, or a metropolitan sub-council established in terms of section 61 of the Act, or a committee established in terms of sections 79, 79A or 80 of the Act;

“Department” means the Department of Cooperative Governance;

“gift” includes physical offerings, rewards, hospitality (such as breakfast, lunch or dinner), money, sponsorships, commissions or any other benefit or gratification that is received by a councillor;

“meeting” includes meetings that take place in the chambers of the municipal council, any other venue or virtual platform as indicated in the agenda of the council meeting, and includes meetings of a committee of the council;

“MFMA” means the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003);

“quarter” means any period from 1 January to 31 March, or from 1 April to 30 June, or from 1 July to 30 September, or from 1 October to 31 December, in a calendar year;

“quorum” means a number above 50% of members of the municipal council as envisaged in the Act;

“virtual platform” means an information and communications technology related platform used to convene meetings; and

“walk-out” is an act of leaving a meeting or failing to remain in attendance at that meeting, by a councillor or councillors, without the permission of the chairperson when a vote is taken on any matter, or before the chairperson has adjourned the meeting.

2. Application

These Regulations apply to all councillors and traditional and Khoi-San leaders subject to item 17 of the Code.

3. General conduct of councillors

(1) A councillor must –

- (a) perform the functions of office in good faith, honestly and in a transparent manner;

- (b) at all times act in the best interest of the municipality and in such a way that the credibility and integrity of the municipality are not compromised; and
 - (c) during meetings maintain good and orderly behaviour.
- (2) If a councillor's behaviour is unruly, including when such councillor assaults or threatens to assault an official or another councillor or any other person present at the meeting –
 - (a) the chairperson must order the councillor to immediately leave the meeting; and
 - (b) if the councillor fails to obey the order, request a law enforcement official employed by the municipality to remove the councillor from the meeting.
- (3) If a councillor is known to or have been seen to have orchestrated with a group of members of the public or municipal staff to engage in violent protests or labour unrest against the municipality –
 - (a) such councillor must be disciplined by the municipal council for breach of the Code; and
 - (b) criminal charges must be laid with the South African Police Services and any loss or damage suffered by the municipality as a result of such protest or strike must be recovered from the councillor and cannot be written off.

4. Attendance of meetings

- (1) The municipal council must convene an ordinary meeting for the transaction of business at least once in every quarter.
- (2) A councillor's request for leave of absence contemplated in item 4(a) of the Code may not be unreasonably denied.
- (3) A councillor living with a disability must have adequate access and support from the municipality to ensure that such a councillor participates effectively in council proceedings.
- (4) A meeting must quorate before any matter may be considered.
- (5) (a) In the event of no quorum for a meeting, the scheduled meeting may be suspended for no more than 20 minutes, or as provided in the standing rules and orders for meetings of the municipal council concerned.

- (b) If at the expiry of the 20 minutes provided for in paragraph (a) there is still no quorum, the chairperson **may** suspend the meeting for a further 20 minutes, or as provided in the standing rules and orders for meetings of the municipal council concerned.
- (c) If after the expiry of 20 minutes provided for in paragraph (b) there is still no quorum, the chairperson **must adjourn** the meeting to another date and time.
- (6) (a) If a councillor or councillors walk-out or are ordered to leave the meeting in terms of regulation 3(2), and the remainder of the councillors constitute a quorum, the business of the meeting must proceed.
- (b) A councillor or councillors who walk-out of a meeting or is removed from the meeting by the chairperson in terms of regulation 3(2) is in breach of the Code.
- (c) The chairperson may not unreasonably adjourn or close a meeting because of a walk-out or removal of a councillor or councillors if there is still a quorum for the meeting to proceed.

5. Voting at meetings

- (1) A councillor who votes in favour of or agrees with a proposed resolution that is before the meeting, which conflicts with any legislation applicable to local government, is in breach of the Code.
- (2) **A councillor who commits a criminal offence in terms of section 173(4) and (5) of the MFMA, read with the Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, 2014 and section 174 of the MFMA, is in breach of the Code.**

6. Prescribed value of gifts received by councillor

- (1) **Gifts received by a councillor must be declared in writing** to the municipal manager in terms of item 8(1) of the Code where –
- (a) **the value of a gift exceeds R1,000.00** or a higher amount as may be determined by the Minister from time to time; and
- (b) **the value of gifts received from a single source in any calendar year exceeds the threshold of R1,000.00** or the amount determined by the Minister in terms of sub-regulation (a).
- (2) A declaration of gifts received by a councillor must –

- (a) contain a description of the gifts; and
 - (b) indicate the value and source of such gift or gifts.
- (3) Failure to declare a gift(s) in terms of sub-regulations (1) and (2) is a breach of the Code.
- (4) Gifts received by a councillor above the prescribed amount must be recorded in a designated council's gifts register that must be developed by the municipality, which must include the following –
 - (a) full names, address and contact number of the person or organisation from whom the gift was accepted;
 - (b) value of the gift received or of all gifts received with a value greater than R1,000.00 or cumulative gifts received from the same person or organisation over a period of twelve-months; and
 - (c) the relationship between the councillor accepting the gift and the person or organisation providing the gift.
- (5) A councillor accepting the gift must also make the person or organisation providing the gift aware that their details will be included in the gifts register of the council subject to the provisions of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013).
- (6) A councillor must ensure that any gift declared on the gifts register is recorded within ten working days of receipt thereof.
- (7) A councillor must ensure that the details recorded in the gifts register are true and correct.
- (8) A municipality must ensure that a gifts register is kept for councillors to declare their interests as provided for in item 8 of the Code.
- (9) The municipal council must determine which of the financial interests must be made public having regard to the need for confidentiality and the public interest for disclosure.

7. Duty of speaker

- (1) The speaker must ensure that each councillor and traditional and Khoi-San leader is in receipt of a copy of the Code and is familiar with the content of such Code.

- (2) A councillor and traditional and Khoi-San leader in receipt of a copy of the Code, must familiarise themselves with such Code.

8. Breaches of Code

- (1) If a councillor is alleged to have breached a provision of the Code, such alleged breach must be investigated in terms of items 15 and 16 of the Code.
- (2) If there are any alleged breaches of the Code that has occurred in a committee of the council, the chairperson of the committee must within 7 days of the alleged breach report the breach to the speaker for further action.

9. Councillor in arrears to the municipality for rates and service charges

- (1) The municipal manager must in writing immediately inform the councillor when the councillor is in arrears to the municipality for rates and service charges for a period that is longer than two months, even if the councillor has been newly elected to the municipal council concerned, and request the councillor to settle the account and any arrears without further delay in accordance with the credit control policy of the municipality.
- (2) The municipal manager must immediately submit details of those councillors that are in arrears to the municipality for rates and service charges over a period of three months to the speaker.
- (3) A councillor who is in arrears to the municipality for rates and service charges for a period longer than three months is in breach of the Code, and the speaker must, upon receipt from the municipal manager of the details contemplated in sub-regulation (2), ensure that the arrears is recovered from the councillor.

10. Reporting

- (1) The speaker must submit a report bi-annually on the compliance with the Code to the MEC for local government within 30 days from the beginning of January and July of a calendar year.
- (2) The MEC for local government must, within 30 days of receipt of the report referred to in sub-regulation (1), submit a consolidated report on the compliance of municipalities with the Code to the Minister.
- (3) The reports contemplated in sub-regulations (1) and (2) must be in accordance with a reporting template developed by the Department.

11. Repeal of Regulations

The Local Government: Municipal Systems Regulations published by Government Notice R459 of 2001, in *Government Gazette* 22328 of 25 May 2001, are hereby repealed.

12. Short title and commencement

These Regulations are called the Code of Conduct for Councillors Regulations, 2023, and takes effect on the date of publication hereof.

DEPARTEMENT VAN SAMEWERKENDE REGERING**NO. 3538****14 Junie 2023****WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998
(WET NO. 117 VAN 1998)****REGULASIES OOR GEDRAGSKODE VIR RAADSLEDE**

Ek, Thembi Nkadimeng, Minister van Samewerkende Regering en Tradisionele Sake, vaardig hierby ná oorleg met die lede van Uitvoerende Rade verantwoordelik vir plaaslike regering in die provinsies, en georganiseerde plaaslike regering wat plaaslike regering nasionaal verteenwoordig, kragtens artikel 92 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 11 van 1998), soos gewysig, die Regulasies in die Bylae uit.

MS THEMBI NKADIMENG, LP**MINISTER VAN SAMEWERKENDE REGERING EN TRADISIONELE SAKE**

BYLAE**Inhoudsopgawe**

1. Woordomskrywing
2. Toepassing
3. Algemene gedrag van Raadslede
4. Bywoning van vergaderings
5. Stemming by vergaderings
6. Voorgeskrewe waarde van geskenke deur raadslid ontvang
7. Plig van speaker
8. Verbrekings van kode
9. Raadslid agterstallig by munisipaliteit met erfbelasting en diensgelde
10. Verslagdoening
11. Herroeping van Regulasies
12. Kort titel en inwerkingtreding

1. Woordomskrywing

In hierdie Regulasies het enige woord of uitdrukking waaraan 'n betekenis in die Wet toegewys is, daardie betekenis en, tensy die samehang andersins aandui, beteken—

“Departement” die Departement van Samewerkende Regering;

“gedrag” verbale of nieverbale kommunikerende gedrag, stemtoon, liggaamstaal en handelswyse, houding en etiket in verband met 'n persoon se gedrag teenoor andere;

“geskenk” ook fisieke aanbiedinge, belonings, gasvryheid (soos ontbyt, middagete of aandete), geld, borgskappe, kommissies of enige ander voordeel of gratifikasie wat deur 'n raadslid ontvang word;

“Kode” die Gedragskode vir Raadslede in bylae 7 by die Wet;

“komitee” 'n uitvoerende komitee ingestel ingevolge artikel 42 van die Wet, of 'n burgerlike komitee ingestel ingevolge artikel 60 van die Wet, 'n metropolitaanse subraad ingestel ingevolge artikel 61 van die Wet, of 'n komitee ingevolge artikels 79, 79A of 80 van die Wet ingestel;

“kwartaal” enige tydperk vanaf 1 Januarie tot 31 Maart, of vanaf 1 April tot 30 Junie, of vanaf 1 Julie tot 30 September, of vanaf 1 Oktober tot 31 Desember, in 'n kalenderjaar;

“**kworum**” meer as 50% van lede van die munisipale raad soos in die Wet beoog;

“**MFB-wet**” die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet No. 56 van 2003);

“**uitstap**” is ’n handeling waarin ’n raadslid of raadslede, sonder die toestemming van die voorsitter wanneer oor enige aangeleentheid gestem word, of voordat die voorsitter die vergadering verdaag het, ’n vergadering verlaat of versuim om by daardie vergadering teenwoordig te bly;

“**vergadering**” ook vergaderings wat in die kamers van die munisipale raad, enige ander venue of virtuele platform plaasvind soos in die agenda van die raadsvergadering aangedui, en sluit ook vergaderings van die komitee in;

“**virtuele platform**” ’n platform wat met inligtings- en kommunikasietegnologie verband hou wat gebruik word om vergaderings saam te roep;

“**Voorsitter**” ook ’n raadslid—

- (a) wat as die speaker van die munisipale raad verkies is;
- (b) wat as ’n burgermeester of onderburgermeester verkies is, of ’n raadslid wat voorsit oor vergaderings van die uitvoerende komitee; en
- (c) wat as die uitvoerende burgemeester of uitvoerende onderburgemeester verkies is; of
- (d) wat as die voorsitter van ’n metropolitaanse subraad verkies is; of
- (e) wat as die voorsitter verkies is van ’n koomitee wat ingevolge artikel 79, 79A of 80 van die Wet ingestel is; en

“**Wet**” die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998), soos gewysig.

2. Toepassing

Hierdie Regulasies is van toepassing op alle raadslede en tradisionele en Khoi-San-leiers behoudens item 17 van die Kode.

3. Algemene gedrag van raadslede

- (1) ’n Raadslid moet—

- (a) die werksaamhede van die amp te goeder trou, eerlik en op 'n deursigtige wyse verrig;
 - (b) te alle tye in die beste belang van die munisipaliteit en op so 'n wyse handel dat die geloofwaardigheid en integriteit van die munisipaliteit nie in die gedrang gebring word nie; en
 - (c) tydens vergaderings goeie en ordelike gedrag handhaaf.
- (2) Indien 'n raadslid se gedrag onordelik is, met inbegrip van wanneer sodanige raadslid 'n beamppte of 'n ander raadslid of enige ander persoon wat by die vergadering teenwoordig is aanrand of met aanranding dreig—
 - (a) moet die voorsitter die raadslid beveel om die vergadering onmiddellik te verlaat; en
 - (b) indien die raadslid versuim om die bevel te gehoorsaam, 'n wetstoepassingsbeamppte in diens van die munisipaliteit versoek om die raadslid uit die vergadering verwyder.
- (3) Indien dit bekend is of indien waargeneem is, dat 'n raadslid met 'n groep of lede van die publiek of munisipale personeel georkestreer het om aan gewelddadige oproer of arbeidsonrus teen die munisipaliteit mee te doen—
 - (a) moet sodanige raadslid deur die munisipale raad gedissiplineer word vir verbreking van die Kode; en
 - (b) strafregtelike aanklagte moet by die Suid-Afrikaanse Polisie diens aangehangig gemaak word en enige skade of verlies deur die munisipaliteit gelei as gevolg van sodanige protesaksie of staking, moet van die raadslid verhaal word en kan nie afgeskryf word nie.

4. Bywoning van vergaderings

- (1) Die munisipale raad moet ten minste een keer elke kwartaal 'n gewone vergadering saamroep vir die doen van sake.
- (2) 'n Raadslid se versoek om van 'n vergadering verskoon te word soos in item 4(a) van die Kode beoog, mag nie onredelik geweier word nie.
- (3) 'n Raadslid wat met 'n gestremdheid saamleef, moet voldoende toegang en ondersteuning van die munisipaliteit hê om te verseker dat sodanige raadslid doeltreffend aan raadsverrigtinge deelneem.
- (4) 'n Vergadering moet 'n kworum hê voordat enige aangeleentheid oorweeg kan word.

- (5) (a) Indien daar nie 'n kworum by 'n vergadering is nie, kan die geskeduleerde vergadering met hoogstens 20 minute of soos in die staande reëls en orders vir vergaderings van die betrokke munisipale raad bepaal, uitgestel word.
- (b) Indien daar ná afloop van die 20 minute waarvoor in paragraaf (a) voorsiening gemaak word, steeds nie 'n kworum is nie, kan die voorsitter die vergadering uitstel met nog 20 minute of soos in die staande reëls en orders vir vergaderings van die betrokke munisipale raad bepaal.
- (c) Indien daar ná afloop van die 20 minute waarvoor in paragraaf (b) voorsiening gemaak word, nog steeds geen kworum is nie, moet die voorsitter die vergadering verdaag na 'n ander datum en tyd.
- (6) (a) Indien 'n raadslid of raadslede uitstap of beveel word om die vergadering te verlaat ingevolge regulasie 3(2), en die oorblywende raadslede stel 'n kworum daar, moet die sake van die vergadering voortgaan.
- (b) 'n Raadslid of raadslede wat uit 'n vergadering uit stap of deur die voorsitter uit die vergadering verwyder word ingevolge regulasie 3(2), verbreek die Kode.
- (c) Die voorsitter kan nie 'n vergadering onredelik verdaag of afsluit omdat 'n raadslid of raadslede uitgestap het of verwyder is nie indien daar steeds 'n kworum is vir die vergadering om voort te gaan.

5. Stemming by vergaderings

- (1) 'n Raadslid wat vir 'n voorgestelde resoluëie wat voor die vergadering is, stem of daarmee saamstem, wat in stryd is met enige wetgewing wat op plaaslike regering van toepassing is, verbreek die kode.
- (2) 'n Raadslid wat 'n strafregtelike misdryf pleeg ingevolge artikel 173(4) en (5) van die MFB-wet, gelees met die Munisipale Regulasies oor Finansiële Wangedrag Prosedures en Strafregtelike Verrigtinge, 2014, en artikel 174 van die MFB-wet, verbreek die kode.

6. Voorgeskrewe waarde van geskenke deur raadslid ontvang

- (1) Geskenke wat deur 'n raadslid ontvang word, moet ingevolge item 8(1) skriftelik aan die munisipale bestuurder verklaar word waar—
 - (a) die waarde van 'n geskenk R1 000,00 of 'n hoër bedrag soos van tyd tot tyd deur die Minister bepaal, oorskry; en
 - (b) die waarde van geskenke wat in enige kalenderjaar van 'n enkele bron ontvang is, die drempel van R1 000,00 of die bedrag ingevolge subregulasie (a) deur die Minister bepaal, oorskry.
- (2) 'n Verklaring van geskenke deur 'n raadslid ontvang, moet—
 - (a) 'n beskrywing van die geskenke bevat; en
 - (b) die waarde en bron van sodanige geskenk of geskenke aandui.
- (3) Versuim om 'n geskenk(e) in gevolge sub-regulasie (1) and (2) te verklaar is 'n oortreding van die Kode en moet ondersoek word soos in die Kode en die staande reëls en orders van die raad uiteengesit.
- (4) Geskenke deur 'n raadslid ontvang wat die voorgeskrewe bedrag oorskry, moet in 'n aangewese raad se geskenkregister aangeteken word wat deur die munisipaliteit ontwikkel moet word, wat die volgende moet insluit:
 - (a) volle name, adres en kontaknommer van die persoon of organisasie van wie die geskenk aanvaar is;
 - (b) waarde van die geskenk ontvang of van alle geskenke tot 'n waarde van meer as R1 000,00 of kumulatiewe geskenke van dieselfde persoon of organisasie ontvang oor 'n tydperk van twaalf maande; en
 - (c) die verhouding tussen die raadslid wat die geskenk aanvaar en die persoon of organisasie wat die geskenk voorsien.
- (5) 'n Raadslid wat die geskenk aanvaar, moet ook die persoon of organisasie wat die geskenk voorsien, daarvan bewus maak dat hulle besonderhede in die raad se geskenkregister ingesluit sal word, behoudens die bepalings van die Wet op Beskerming van Persoonlike Inligting, 2013 (Wet No. 4 van 2013).
- (6) 'n Raadslid moet verseker dat enige geskenk wat in die geskenkregister verklaar is, binne tien dae sedert ontvangs daarvan, aangeteken word.

- (7) 'n Raadslid moet verseker dat die besonderhede in die geskenkregister aangeteken waar en korrek is.
- (8) 'n Munisipaliteit moet verseker dat 'n geskenkregister gehou word vir raadslede om hulle belange te verklaar soos in item 8 van die Kode voor voorsiening gemaak.
- (9) Die munisipale raad moet vasstel watter van die finansiële belange openbaar gemaak moet word, met inagneming van die nodigheid vir vertroulikheid en die openbare belang by openbaarmaking.

7. Plig van speaker

- (1) Die speaker moet verseker dat elke raadslid en tradisionele en Khoi-San-leier 'n afskrif van die Kode het en vertrou is met die inhoud van sodanige Kode.
- (2) 'n Raadslid en tradisionele leier of Khoi-San-leier wat 'n afskrif van die Kode ontvang, moet sigself vertrou maak met daardie Kode.

8. Verbreings van Kode

- (1) Indien 'n raadslid na bewering 'n bepaling van die Kode verbreek het, moet sodanige beweerde verbreking ingevolge item 15 en 16 van die Kode ondersoek word.
- (2) Indien enige beweerde verbreings van die Kode in 'n komitee van die raad voorgekom het, moet die voorsitter van die komitee binne 7 dae vanaf die beweerde verbreking, die verbreking by die speaker aanmeld vir verdere stappe.

9. Raadslid agterstallig by munisipaliteit vir eiendomsbelasting en diensgelde

- (1) Die munisipale bestuurder moet die raadslid onmiddellik skriftelik inlig wanneer die raadslid by die munisipaliteit agterstallig is vir eiendomsbelasting en diensgelde vir 'n tydperk van langer as twee maande, selfs as die raadslid nuut tot die betrokke munisipale raad verkies is, en vra dat die raadslid die rekening en enige agterstallige gelde onverwyld skik ooreenkomstig die kredietbeheerbeleid van die munisipaliteit.

- (2) Die munisipale bestuurder moet onmiddellik besonderhede van daardie raadslede wat met meer as drie maande by die munisipaliteit agterstallig is met eiendomsbelasting en diensgeld by die speaker indien.
- (3) 'n Raadslid wat met meer as drie maande by die munisipaliteit agterstallig is vir eiendomsbelasting en diensgelde verbreek die Kode en die speaker moet, by ontvangs van die munisipale bestuurder van die besonderhede in subregulasie (2) beoog, verseker dat die agterstallige bedrag van die raadslid verhaal word.

10. Verslagdoening

- (1) Die speaker moet twee keer 'n jaar 'n verslag stuur oor voldoening aan die Kode aan die LUR vir plaaslike regering binne 30 dae vanaf die begin van Januarie en Julie van 'n kalenderjaar.
- (2) Die LUR vir plaaslike regering moet, binne 30 dae vanaf ontvangs van die verslag in subregulasie (1) bedoel, 'n gekonsolideerde verslag oor die voldoening van munisipaliteite aan die Kode aan die Minister voorlê.
- (3) Die verslae in subregulasies (1) en (2) beoog, moet volgens die sjabloon deur die Departement ontwikkel, saamgestel word.

11. Herroeping van Regulasies

Die Plaaslike Regering: Munisipale Stelselregulasies gepubliseer in Goewermentskennisgewing R459 van 2001, in *Staatskoerant* 22328 van 25 Mei 2001, word hierby herroep.

12. Kort titel en inwerkingtreding

Hierdie Regulasies heet die Regulasies oor Gedragskode vir Raadslede, 2023, en tree in werking by publikasie hiervan.

SATISO SAHULUMENDE**LITIKO LETIKUBUSA NEKUBAMBISANA****No. R.****2023**

**HULUMENDE WASEKHAYA: UMTSETFO WETAKHIWO TAMASIPALA, 1998
(UMTSETFO NO. 117 WANGA-1998)**

IMINGOMO YEKUTIPHATSA YENCHUBO YEMAKHANSELA

Mine, Thembi Nkadimeng, Ndvuna Wetekubusa Ngekubambisana Kanye Netendzabuko, ngemuva kwekubonisana nemalunga eMkhandlu loPhetse lobukene nabohulumende basekhaya etifundzeni, futsi nekuhleleka kwabohulumende basekhaya labamele bohulumende basekhaya kuvelonkhe, ngaphansi kwesigaba 92 saHulumende Basekhaya: Tinklaka Tamasipala. UMtsetfo, 1998 (uMtsetfo No. 117 wanga-1998), njengoba kulungisiwe, ngaloku ushicilela iMitsetfonchubo eHlelweni.

THEMBI NKADIMENG, MP

**INDVUNA YELITKO LETEKUBUSA NGEKUBAMBISANA KANYE
NETENDZABUKO**

LUHLELO

Lokuceketfwe

1. Tinchazelo
2. Sicelo
3. Kutiphatsa lokujwayelekile kwemakhansela
4. Kuba khona emihlanganweni
5. Kuvota emihlanganweni
6. Linani lelincunyiwe letipho letitfolwe likhansela
7. Umsebenti wesikhulumi
8. Kwephulwa Kwekhodi
9. Likhansela lelisilele emuva kumasipala ngetindleko tentsela kanye netindleko tensita
10. Kubika
11. Kuchitswa kwemitsetfonchubo
12. Tindhloko letifishane kanye nekucaliswa

1. Tinchazelo

Kule Mitsetfonchubo, noma ngiliphi ligama noma sisho lesiniketwe inchazelo eMtsetfweni sinaleyo nchazelo futsi, ngaphandle uma incikitsi isho lokuhlukile—

“Umtsetfo” kushiwo Huhulumende Wasekhaya: uMtsetfo Wetindhloko Tamasipala, 1998 (uMtsetfo No. 117 wanga-1998), njengoba kulungisiwe;

“Kutiphatsa” kusho kutiphatsa kwekukhuluma noma lokungakhulumi, liphimbo, lulwimi lwemtimba kanye nekutiphatsa, kanye nendlela yekutiphatsa lehlobene nendlela umuntfu atiphatsa ngayo kulabanye;

“Sihlalo” kufaka likhansela-

- (a) lelocokwe njengasomlomo wemkhandlu wamasipala;
- (b) locokwe njenge-meya noma lisekela-meya, noma likhansela lelengamele imihlangano yelikomidi lelisetulu;
- (c) lelocokwe njenge-meya lephetse noma lisekela lemeza;
- (d) locokwe njengasihlalo wemkhandlu lomncane welidolobha; noma
- (e) locokwe njengasihlalo welikomidi lelisungulwe ngekwetigaba 79, 79A noma 80 teMtsetfo;

“Likhodi” kushiwo Imingomo Yekutiphatsa Kwemakhansela Eluhlelweni 7 leMtsetfo;

“ikomidi” lichaza ikomidi leliphezulu lelisungulwe ngekwesigaba 42 seMtsetfo, noma likomidi lemeya lelisungulwe ngekwesigaba 60 seMtsetfo, noma umkhandlu lomncane wedolobha lelisungulwe ngekwesigaba 61 seMtsetfo, noma likomidi lelisungulwe ngekwetigaba 79, 79A noma 80 teMtsetfo;

“Litiko” kushiwo Litiko Letekubusa Ngekubambisana;

“sipho” sihlanganisa iminikelo lebonakalako, imiklomelo, umoya wekungenisa tihambi (njengesidlo sasekuseni, sidlo sasemini noma sakusihlwa), imali, luchaso, emakhomishini nanoma ngiyiphi lenye inzuzo noma kutenelisa lokutfolwa likhansela.

“umhlangano” kuhlenganisa imihlangano leba khona etindlini temkhandlu wamasipala, nanoma ngiyiphi lenye indzawo noma inkundla lebonakalako njengoba kukhonjisiwe eluhlelweni lemhlangano wemkhandlu, futsi kufaka nemihlangano yelikomidi lemkhundlu;

“i-MFMA” ichaza uMtsetfo Wekuphatfwa Kwetimali taMasipala kuHulumende Wasekhaya, wa-2003 (uMtsetfo No. 56 wanga-2003);

“ikota” kushiwo noma ngisiphi sikhatsi kusukela mhlaka 1 Bhimbidwane kuya kumhlaka 31 Indlovulenkulu, noma kusukela mhlaka 1 kuMbasa kuya mhlaka 30 Inhlaba, noma kusukela ngeti-1 kuKholwane kuya ku-30 Inyoni, noma kusukela mhlaka 1 Imphala kuya mhlaka 31 ingongo, emnyakeni wekhalenda;

“ikhoramu” isho sibalo lesisetulu kwemaphesenti langu-50 emalungu emkhandlu wamasipala njengoba kuhlongotwe eMtsetfweni;

“inkundla lebonakalako” kushiwo inkundla lehlobene nelwati nebuchwepheshe betekuchumana lesetjentiselwa kubita imihlangano; futsi

“Kuphuma” sento sekushiya umhlangano noma kwehluleka kuhlala kulowo mhlango, likhansela noma emakhansela, ngaphandle kwemvume yasihlalo uma kuvotwa kunoma ngiluphi ludzaba, noma ngaphambi kwekuba sihlalo awuhlehlisile umhlangano.

2. Sicelo

LeMitsetfonchubo isebenta kuwo onkhe emakhansela kanye nebaholi bendzabuko noma bemaKhoi-San ngekuya ngeliphuzu lesise-17 leKhodi.

3. Kutiphatsa lokujwayelekile kwemakhansela

(1) Likhansela kufanele -

- (a) ente imisebenti yesikhundla ngekwetsembeka, nalecacile nangendlela lesobala;
- (b) ngaso sonkhe sikhatsi asebente ngendlela lezuzisa masipala nangendlela yekutsi kwetsembeka nebucotfo bamasipala kungaphatamiseki; futsi
- (c) ngesikhatsi semihlangano yemkhandlu gcine kutiphatsa lokuhle nalokuhlelekile, lokuhlanganisa nekulalela imiyalelo wasihlalo.

(2) Uma kutiphatsa kwelikhansela kungalawuleki, lokuhlanganisa uma lelo khansela lihlasela noma lisabisa ngekushaya sikhulu noma lelinye likhansela nanoma ngimuphi lomunye umuntfu lokhona emhlanganweni -

- (a) Sihlalo kufanele ayalele likhansela kutsi liphume ngekushesha emhlanganweni; futsi
- (b) uma likhansela lehluleka kutfobela umyalelo, licele sisebenti semtsetfo lesicashwe ngumasipala kutsi sikhuphe likhansela emhlanganweni.

(3) Uma likhansela latiwa noma libonakala lisebentisana nelicembu lemalunga emphakatsi noma basebenti bamasipala kuba lihlanganyele emibhikishweni lelineludlame noma lutfufuva letebasebenti letimelene namasipala –

- (a) lelo khansela kumele licondziswe tigwegwe ngumkhandlu wamasipala ngekwephula iKhodi; futsi
- (b) emacala ebugebengu kumele abekwe ePhikweni Lwetemaphoyisa aseNingizimu Afrika futsi noma ngikuphi kulahlekelwa noma umonakalo lodalwe ngumasipala ngenca yalowo mbhikisho noma siteleka kufanele utfolakale ekhanseleni futsi angeke asulwe.

4. Kuba khona emihlanganweni

- (1) Umkhandlu wamasipala kumele ubite umhlangano lojwayelekile wekuchutjwa kwelibhizinisi lokungenani kanye njalo ngekota,
- (2) Sicelo selikhansela sekuphumula lesihlongotwe eluphuzwini lesi-4 (a) leKhodi angeke salelwe ngalokungakafaneli.

- (3) Likhansela leliphila nekukhubateka kumele likwati kufinyelela nekwesekwa ngalokwanele kumasipala kute kucinisekise kutsi lelo khansela libamba lichaza ngempumelelo etincubeni temkhandlu.
- (4) Umhlangano kufanele ukhokhe ngaphambi kwekuba kucatjangelwe noma nguluphi ludzaba.
- (5) (a) Uma kwenteka ingekho ikhoramu yemhlangano, umhlangano lohleliwe ungamiswa sikhatsi lesisetulu kwemizuzu lengu-20, noma njengoba kuniketiwe emitsetfweni lemisiwe nemiyalelo yemihlangano yemkhandlu wamasipala lotsintsekako;
- (b) Uma ekupheleni kwemizuzu lengu-20 leshiwo endzimeni (a) ingekho ikhoramu, sihlalo angawumisa umhlangano ngaleminye imizuzu lengu-20, noma njengoba kuniketiwe emitsetfweni lemisiwe nemiyalelo yemihlangano yemkhandlu wamasipala lotsintsekako;
- (c) Uma ngemva kwekuphela kwemizuzu lengu-20 leshiwo endzimeni (b) ingasekho ikhoramu, sihlalo kufanele awuhlehlisele kulelunye lilanga nesikhatsi.
- (6) (a) Uma likhansela noma emakhansela aphuma noma ayalwa kuba aphume emhlanganweni ngekwemtsetfonchubo 3(2), bese kutsi incenye lesele yemakhansela ihlanganise ikhoramu, umsebenti wemhlangano kumele uchubeke.
- (b) Likhansela noma emakhansela laphuma emhlanganweni noma likhishwa ngusihlalo emhlanganweni ngekwemtsetfonchubo wesi-3(2) lephula iKhodi.
- (c) Sihlalo angeke ahlehlise noma avale umhlangano ngalokungakafaneli ngenca yekuphuma noma kususwa kwelikhansela noma emakhansela uma kusekhona ikhoramu kute umhlangano uchubeke.

5. Kuvota emihlanganweni

- (1) Likhansela lelivotela noma lelivumelana nesincumo lesihlongotwako lesiphambi kwemhlangano, lesingcubutana nanoma ngimuphi umtsetfo losebenta kuhulumende wasekhaya, lephula iKhodi.

- (2) Likhansela lelenta licala lebugebengu ngekwesigaba 173(4) na (5) se-MFMA, sifundvwa neMitsetfonchubo yaMasipala Yetinchubo Tekungatiphatsi Kahle Etimalini kanye Nekutsetfwa Kwemacala Ebugebengu, 2014 kanye nesigaba 174 se-MFMA, lephula YeKhodi.

6. Linani lelincunyiwe letipho letitfolwe likhansela

- (1) Tipho letitfolwe likhansela kumele tibhalwe phansi kumphatsi wamasipala ngekweliphuzu lesi-8(1) leKhodi lapho –
- (a) Linani lesipho lidlula R1 000.00 noma linani lelingetulu kwaloko lelingancunywa nguNdvuna ngetikhatsi letitsile; futsi
 - (b) Linani letipho letitfolwe endzaweni leyodvwa kunoma ngimuphi umnyaka wekhalenda lengca umkhawulo wa-R1 000.00 noma linani lelincunyiwe nguNdvuna ngekwemtsetfonchubo longaphansi(a).
- (2) Simemetelo setipho letitfolwe likhansela kufanele–
- (a) ticuketse inchazelo yetipho, futsi
 - (b) akhombise linani kanye nemtfombo waleso siphonoma tipho.
- (3) Kwehluleka kumemetela tipho ngekwesigatjana semtsetfonchubo (1) na (2) kuwukwephula iKhodi.
- (4) Tipho letitfolwe likhansela ngetulu kwelinani lelincunyiwe kufanele tibhalwe kurejista yetipho yemkhandlu lecokiwe lokumele itfutukiswe ngumasipala, lokumele ihlanganise loku lokulandzelako–
- (a) emagama laphelele, likheli kanye nenombolo yekuchumana yemuntfu noma inhlango lokwamukelwe kuyo siphonoma;
 - (b) linani lesipho lesitfoliwe noma lato tonkhe tipho letitfolwe ngelinani lelikhulu ku-R1,000.00 noma tipho leticociwe letitfolwa kumuntfu lofanayko noma inhlango esikhatsini lesitinyanga letishumi nakubili; futsi
 - (c) budlelwano emkhatsini kwelikhansela lelitfoli siphonoma kanye nemuntfu noma inhlango leniketa lesipho.
- (5) Likhansela lelamukela siphonoma kufanele lente umuntfu noma inhlango leniketa lesipho sati kutsi imininingwane yabo itofakwa ebhukwini letincwadzi tesipho

temkhundlu ngekuya ngekuniketa ngeMtsetfo Wekuvikela Lwati Lemuntfu, 2013 (uMtsetfo No. 4 wanga-2013).

- (6) Likhansela kufanele licinisekise kutsi noma ngisiphi kurejista yetipho leticokiwe sicoshwa tingakapheli tinsuku letimashumi tekusebenta sitfolakele.
- (7) Likhansela kufanele licinisekise kutsi imininingwane lebhawle kurejista yetipho iliciniso futsi ilungile.
- (8) Masipala kumele ucinisekise kutsi irejista yetipho igcinelwe emakhansela kudzalula tinshisekelo tawo njengoba kuniketiwe ephuzwini lesi-8 leKhodi.
- (9) Umkhandlu wamasipala kumele uncume kutsi ngikuphi lokuhlomula ngetetimali lokufanele kuvetwe emphakatsini ngekubhekelela sidzingo sekugcinwa kwemfihlo kanye netinshisekelo temphakatsi tekudzalulwa.

7. Umsebenti wasomlomo

- (1) Somlomo kumele acinisekise kutsi likhansela ngalinye kanye nemholi wendzabuko noma wemaKhoi-San utfola ikhophi yeKhodi.
- (2) Likhansela noma umholi wendzabuko noma umholi wemaKhoi-San lapho atfola ikhophi yeKhodi, atijwayete neKhodi.

8. Kwephulwa Kwekhodi

- (1) Uma ikhansela kusolwa kutsi lephule umbandzela waleKhodi, loko kusolwa kwekwephula kumele kuphenywe ngekwemibandzela 15 kanye na-16 yeKhodi.
- (2) Uma kukhona tinsolo tekwephulwa kweMtsetfo lokwenteki ekomitini lemkhandu, sihlalo welikomidi kumele tingakapheli tinsuku letiyi-7 ngemuva kwetinsolo tekwephulwa abike kusomlomo ngekwephulwa kwesincumo kute atsatselwe tinyatselo letengetiwe.

9. Likhansela lelisilele emuva kumasipala ngemanani kanye netindleko tetinsita

- (1) Mphatsi wamasipala kumele yatise likhansela ngekushesha ngekubhala phansi uma likhansela lisalele emuva ngentsela yamasipala kanye netindleko tetinsita sikhatsi lesingetulu kwetinyanga letimbili, noma ngabe likhansela lisandza

kukhetfwa kuba libe semkhandlwini wamasipala lotsintsekako, futsi licele likhansela kutsi likhokhe i-akhawunti kanye nanoma ngitiphi tikweleti letikweletwako ngaphandle kwekubambeleleka lokwengetiwe ngekuhambisana nenchubomgomo yekulawula tikweletu tamasipala.

- (2) Umphatsi wakamasipala kumele ngekushesha iletse imininingwane yalawo makhansela lasalele emuva kumasipala ngetindleko tentsela kanye netindleko tetinsita lesimkhatsini letinyanga letintsatfu kuSomlomo.
- (3) Likhansela lelisilele emuva kumasipala ngemanani kanye netindleko tensita sikhatsi lesingetulu kwetinyanga letintsatfu lephula iKhodi, futsi somlomo kufanele, lapho atfola kumphatsi wamasipala imininingwane lehlolongotwe kusigatshana semtsetfonchubo (2), acinisekise kutsi imali lekweletwako iyatfolwa ekhanseleni.

10. Kubika

- (1) Somlomo kufanele aletse umbiko kabili ngemnyaka mayelana nekutfotjelwa kweliKhodi kuNdvuna nabohulumende basekhaya, tingakapheli tinsuku letingu-30 kusukela ekucaleni kwaBhimbidwane naKholwane emnyakeni wekhalenda.
- (2) INdvuna yabohulumende basekhaya kufanele, tingakapheli tinsuku letingu-30 awutfolile umbiko lokukhulunywe ngawo esigatjaneni semtsetfonchubo (1), atfumele umbiko lohlanganisiwe mayelana nekulandvelwa kwamasipala neKhodi kuNdvuna.
- (3) Imibiko lehlolongotwe emitsetfwaneninchubo (1) na (2) kufanele ihambisane nesifanekiso sekubika lesitfutukiswe Litiko.

11. Kuchitswa Kwemitsetfonchubo

Hulumende Wasekhaya: Imitsetfonchubo Yetinhlelo Tamasipala leshicilelwe ngeSatiso Sahulumende R459 sa-2001, *kuGazethi Yahulumende* 22328 yamhlaka 25 ku-Inkhwekhwetini 2001, ngaloku iyachitfwa.

12. Tinhloko letifishane kanye nekucaliswa

LeMitsetfonchubo libitwa ngeNdlela Yekutiphatsa Yemakhansela, 2023, futsi icala kusebenta ngelusuku lekushicilelwe ngalo.

SCHEDULE 7 CODE OF CONDUCT FOR COUNCILLORS

Preamble.—Councillors are elected to represent local communities on municipal councils, to ensure that municipalities have structured mechanisms of accountability to local communities, and to meet the priority needs of communities by providing services equitably, effectively and sustainably within the means of the municipality. In fulfilling this role, councillors must be accountable to local communities and report back at least quarterly to constituencies on council matters, including the performance of the municipality in terms of established indicators. In order to ensure that councillors fulfil their obligations to their communities, and support the achievement by the municipality of its objectives set out in section 19, the following Code of Conduct is established.

1. Definitions.—In this Schedule “partner” means a person who permanently lives with another person in a manner as if married.

2. General conduct of councillors.—A councillor must—

- (a) perform the functions of office in good faith, honestly and in a transparent manner; and
- (b) at all times act in the best interest of the municipality and in such a way that the credibility and integrity of the municipality are not compromised.

3. Voting at meetings.—A councillor may not vote in favour of or agree to a resolution which is before the council or a committee of the council, which conflicts with any legislation applicable to local government.

4. Attendance at meetings.—A councillor must attend each meeting of the municipal council and of a committee of which that councillor is a member, except when—

- (a) leave of absence is granted in terms of an applicable law or as determined by the rules and orders of the council; or
- (b) that councillor is required in terms of this Code to withdraw from the meeting.

5. Sanctions for non-attendance of meetings.—(1) A municipal council may impose a fine as determined by the standing rules and orders of the municipal council on a councillor for—

- (a) not attending a meeting which that councillor is required to attend in terms of item 4; or
- (b) failing to remain in attendance at such a meeting.

(2) A councillor who is absent from three or more consecutive meetings of a municipal council, or from three or more consecutive meetings of a committee, which that councillor is required to attend in terms of item 4, must be removed from office as a councillor.

(3) (a) Proceedings for the imposition of a fine or the removal of a councillor must be conducted in accordance with a uniform standing procedure which each municipal council must adopt for the purposes of this item.

(b) The uniform standing procedure must comply with the rules of natural justice.

6. Disclosure of interests.—(1) A councillor must—

- (a) disclose to the municipal council, or to any committee of which that councillor is a member, any direct or indirect personal or private business interest that that councillor, or any spouse, partner or business associate of that councillor may have in any matter before the council or the committee; and

- (b) withdraw from the proceedings of the council or committee when that matter is considered by the council or committee, unless the council or committee decides that the councillor's direct or indirect interest in the matter is trivial or irrelevant.

(2) A councillor who, or whose spouse, partner, business associate or close family member, acquired or stands to acquire any direct benefit from a contract concluded with the municipality, must disclose full particulars of the benefit of which the councillor is aware at the first meeting of the municipal council.

(3) This section does not apply to an interest or benefit which a councillor, or a spouse, partner, business associate or close family member, has or acquires in common with other residents of the municipality.

7. Personal gain.—(1) A councillor may not use the position or privileges of a councillor, or confidential information obtained as a councillor, for private gain or to improperly benefit another person.

(2) No councillor may be a party to or beneficiary under a contract for the provision of goods or services to any municipality or any municipal entity established by a municipality.

8. Declaration of interests.—(1) When elected or appointed, a councillor must within 60 days declare in writing to the municipal manager the following financial interests held by that councillor—

- (a) Shares and securities in any company;
- (b) membership of any close corporation;
- (c) interest in any trust;
- (d) directorships;
- (e) partnerships;
- (f) other financial interests in any business undertaking;
- (g) employment and remuneration;
- (h) interest in property;
- (i) pension; and
- (j) subsidies, grants and sponsorships by any organisation.

(2) Any change in the nature or detail of the financial interests of a councillor must be declared in writing to the municipal manager annually.

(3) Gifts received by a councillor above a prescribed amount must also be declared in accordance with subitem (1).

(4) The municipal council must determine which of the financial interests referred in subitem (1) must be made public having regard to the need for confidentiality and the public interest for disclosure.

9. Full-time councillors.—A councillor who is a full-time councillor may not undertake any other paid work except with the consent of a municipal council which consent shall not unreasonably be withheld.

10. Rewards, gifts and favours.—A councillor may not request, solicit or accept any reward, gift or favour for—

- (a) voting or not voting in a particular manner on any matter before the municipal council or before a committee of which that councillor is a member;
- (b) persuading the council or any committee in regard to the exercise of any power, function or duty;
- (c) making a representation to the council or any committee of the council; or

- (d) disclosing privileged or confidential information.

11. Unauthorised disclosure of information.—(1) A councillor may not, without the permission of the municipal council or a committee, disclose any privileged or confidential information of the council or committee to any unauthorised person.

(2) For the purpose of this item 'privileged or confidential information' includes any information—

- (a) determined by the municipal council or committee to be privileged or confidential;
- (b) discussed in closed session by the council or committee;
- (c) disclosure of which would violate a person's right to privacy; or
- (d) declared to be privileged, confidential or secret in terms of law.

(3) This item does not derogate from the right of any person to access to information in terms of national legislation.

12. Interference in administration.—A councillor may not, except as provided by law—

- (a) interfere in the management or administration of any department of the municipal council, unless mandated by the council;
- (b) give or purport to give any instruction to any employee of the council, except when authorised to do so;
- (c) obstruct or attempt to obstruct the implementation of any decision of the council or a committee by an employee of the council; or
- (d) encourage or participate in any conduct which would cause or contribute to maladministration in the council.

13. Municipal property.—A councillor may not use, take, acquire or benefit from any property or asset owned, controlled or managed by the municipality to which that councillor has no right.

14. Councillor in arrears.—A councillor may not be in arrears to the municipality for rates and service charges for a period longer than three months.

15. Breaches of Code.—(1) If the speaker of a municipal council, on reasonable suspicion, is of the opinion that a provision of this Code has been breached, the speaker must—

- (a) authorise an investigation of the facts and circumstances of the alleged breach;
- (b) give the councillor a reasonable opportunity to reply in writing regarding the alleged breach; and
- (c) report the matter to a meeting of the municipal council after paragraphs (a) and (b) have been complied with.

(2) A report in terms of subitem (1) (c) is open to the public.

(3) The speaker must report the outcome of the investigation to the MEC for local government in the province concerned.

(4) The speaker must ensure that each councillor, when taking office, is given a copy of this Code and that a copy of the Code is available in every room or place where the council meets.

(5) If the speaker of council is the alleged perpetrator, or the speaker refuses to authorise an investigation, the council must establish a special committee, as contemplated in Item 16 (1) (b), to investigate and make a finding on any alleged breach of this Code.

16. Investigation of breach.—(1) A municipal council may—

- (a) investigate and make a finding on any alleged breach of a provision of this Code; or

(b) establish a special committee—

- (i) to investigate and make a finding on any alleged breach of this Code; and
- (ii) to make appropriate recommendations to the council.

(2) If the council or a special committee finds that a councillor has breached a provision of this Code, the council may—

- (a) issue a formal warning to the councillor;
- (b) reprimand the councillor;
- (c) request the MEC for local government in the province to suspend the councillor for a certain period;
- (d) fine the councillor; or
- (e) request the MEC to remove the councillor from office.

(3) The speaker must inform the MEC for local government in the province concerned within 14 days of the finding and sanction decided on by the council.

(4) (a) Any councillor who has been warned, reprimanded or fined in terms of paragraph (a), (b) or (d) of subitem (2) may within 14 days of having been notified of the decision of council appeal to the MEC for local government in writing setting out the reasons on which the appeal is based.

(b) A copy of the appeal must be provided to the council by the MEC.

(c) The council may within 14 days of receipt of the appeal referred to in paragraph (b) make any representation pertaining to the appeal to the MEC for local government in writing.

(d) The MEC for local government may, after having considered the appeal, confirm, set aside or vary the decision of the council and inform the councillor and the council of the outcome of the appeal.

(5) The MEC for local government may appoint a person or a committee to investigate any alleged breach of a provision of this Code and to make a recommendation as to the appropriate sanction in terms of subitem (2) if a municipal council does not conduct an investigation contemplated in subitem (1) and the MEC for local government considers it necessary.

(6) The Commissions Act, 1947 (Act No. 8 of 1947), or, where appropriate, applicable provincial legislation, may be applied to an investigation in terms of subitem (4).

(7) If the MEC is of the opinion that the councillor has breached a provision of this Code, and that such contravention warrants a suspension or removal from office, the MEC may—

- (a) suspend the councillor for a period and on conditions determined by the MEC; or
- (b) remove the councillor from office.

(8) Any investigation in terms of this item and any action by the MEC in terms of subitem (7) must be in accordance with section 3 of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).

17. Application of Code to traditional leaders.—(1) Items 1, 2, 6, 7, 10 (b) to (d), 11, 12, 13, 15 and 16 (1) apply to a traditional leader who participates or has participated in the proceedings of a municipal council in terms of section 81.

(2) These items must be applied to the traditional leader in the same way they apply to councillors.

(3) If a municipal council or a special committee in terms of item 16 (1) finds that a traditional leader has breached a provision of this Code, the council may—

- (a) issue a formal warning to the traditional leader; or

(b) request the MEC for local government in the province to suspend or cancel the traditional leader's right to participate in the proceedings of the council.

(4) The MEC for local government may appoint a person or a committee to investigate any alleged breach of a provision of this Code and to make a recommendation on whether the right of the traditional leader to participate in the proceedings of the municipal council should be suspended or cancelled.

(5) The Commissions Act, 1947 (Act No. 8 of 1947), may be applied to an investigation in terms of subitem (4).

(6) If the MEC is of the opinion that the traditional leader has breached a provision of this Code, and that such breach warrants a suspension or cancellation of the traditional leader's right to participate in the council's proceedings, the MEC may—

(a) suspend that right for a period and on conditions determined by the MEC; or

(b) cancel that right.

(7) Any investigation in terms of this item and any action by the MEC in terms of subitem (6) must be in accordance with the rules of natural justice.

(8) The suspension or cancellation of a traditional leader's right to participate in the proceedings of a council does not affect that traditional leader's right to address the council in terms of section 81 (3).



Verslag ♦ Ingxelo ♦ Report

Office of the Municipal Manager
19 July 2023

3/1/1

ITEM 8.2 OF THE AGENDA OF AN ORDINARY MUNICIPAL COUNCIL MEETING TO BE HELD 27 JULY 2023

ONDERWERP: GEDRAGSKODE VIR RAADSLEDE: VERKLARING VAN BELANGE
SUBJECT: CODE OF CONDUCT FOR COUNCILLORS: DECLARATION OF INTERESTS

1. AGTERGROND / BACKGROUND

Die Gedragskode vir Raadslede soos vervat in Bylae 7 van die Munisipale Strukturewet, sowel as die Plaaslike Regering: Munisipale Stelsels Regulasies, 2023 (sien elders in die sakelys) het betrekking.

The Code of Conduct for Councillors, as contained in Schedule 7 of the Municipal Structures Act, as well as the Local Government: Municipal Systems Regulations, 2023 (see elsewhere in agenda) refers.

2. DECLARATION OF INTERESTS

Items 6, 7 and 8 of the Code of Conduct for Councillors determine as follows:

6. Disclosure of interests.—(1) A councillor must—

- (a) disclose to the municipal council, or to any committee of which that councillor is a member, any direct or indirect personal or private business interest that that councillor, or any spouse, partner or business associate of that councillor may have in any matter before the council or the committee; and
- (b) withdraw from the proceedings of the council or committee when that matter is considered by the council or committee, unless the council or committee decides that the councillor's direct or indirect interest in the matter is trivial or irrelevant.

(2) A councillor who, or whose spouse, partner, business associate or close family member, acquired or stands to acquire any direct benefit from a contract concluded with the municipality, must disclose full particulars of the benefit of which the councillor is aware at the first meeting of the municipal council.

(3) This section does not apply to an interest or benefit which a councillor, or a spouse, partner, business associate or close family member, has or acquires in common with other residents of the municipality.

7. Personal gain.—(1) A councillor may not use the position or privileges of a councillor, or confidential information obtained as a councillor, for private gain or to improperly benefit another person.

(2) No councillor may be a party to or beneficiary under a contract for the provision of goods or services to any municipality or any municipal entity established by a municipality.

8. Declaration of interests.—(1) When elected or appointed, a councillor must within 60 days declare in writing to the municipal manager the following financial interests held by that councillor—

- (a) Shares and securities in any company;
- (b) membership of any close corporation;
- (c) interest in any trust;
- (d) directorships;
- (e) partnerships;
- (f) other financial interests in any business undertaking;
- (g) employment and remuneration;

- (h) interest in property;
 - (i) pension; and
 - (j) subsidies, grants and sponsorships by any organisation.
- (2) Any change in the nature or detail of the financial interests of a councillor must be declared in writing to the municipal manager annually.
- (3) Gifts received by a councillor above a prescribed amount must also be declared in accordance with subitem (1).
- (4) The municipal council must determine which of the financial interests referred in subitem (1) must be made public having regard to the need for confidentiality and the public interest for disclosure.

2.1 Betreffende die voorgeskrewe bedrag van geskenke deur raadslede ontvang wat verklaar moet word, bepaal die Plaaslike Regering: Munisipale Stelsels Regulasies, 2023, die volgende –

Artikel 6(1): Geskenke wat deur 'n raadslid ontvang is, moet ingevolge item 8(1) van die Kode skriftelik aan die munisipale bestuurder verklaar word waar—

- (a) die waarde van 'n geskenk R1 000 of 'n hoër bedrag soos van tyd tot tyd deur die Minister bepaal, oorskry; en
- (b) die waarde van geskenke wat in enige kalender jaar van 'n enkele bron ontvang is, die drempel van R1 000 of die bedrag ingevolge subregulasie (a) deur die Minister bepaal, oorskry.

Artikel 6(2): 'n Verklaring van geskenke deur 'n raadslid ontvang, moet—

- (a) 'n beskrywing van die geskenke bevat; en
- (b) die waarde en bron van sodanige geskenk of geskenke aandui.

2.1 *As for the value of gifts to be declared, the Local Government: Municipal Systems Regulations, 2023 stipulate that:*

Section 6(1): “Gifts received by a councillor must be declared in writing to the municipal manager in terms of item 8(1) of the Code where –

- (a) the value of a gift exceeds R1000,00 or a higher amount as may be determined by the Minister from time to time; and*
- (b) the value of gifts received from a single source in any calendar year exceeds the threshold of R1 000,00 or the amount determined by the Minister in terms of sub-regulation (a).*

Section 6(2): “A declaration of gifts received by a councillor must –

- (a) contain a description of the gifts; and*
- (b) indicate the value and source of such gift or gifts..”*

3. Dit word nie van raadslede vereis om die volle omvang aan te dui van bv. aandele in 'n maatskappy nie, maar slegs dat aandele gehou word in bv. Yskor, ABSA Bank, ens.

It is not expected from councillors to indicate the full extent of, eg. shares in a company, but only to indicate the shares held, eg. Yskor, ABSA Bank, etc.

4. Raadslede word versoek, en sal jaarliks daaraan herinner word, om hierdie inligting aan die Direkteur: Korporatiewe Dienste deur te gee. Die vorm vir hierdie doeleindes is apart tot die sakelys gesirkuleer en moet teen nie later nie as 31 Julie 2023 terugbesorg word.

Councillors are requested, and will in future be reminded annually, to submit these particulars to the Office of the Director: Corporate Services. The form for these purposes is circulated separately to the agenda and to be returned by no later than 31 July 2023.

5. **AANBEVELING**

- (a) Dat raadslede kennis neem van die bepalinge ingevolge items 6 tot 8 van die Gedragskode vir Raadslede;

(b)/...

- (b) Dat raadslede kennis neem dat die aard of detail van die finansiële belange van 'n raadslid soos na verwys in Item 8 van die Gedragskode vir Raadslede, **jaarliks op skrif aan die Munisipale Bestuurder verklaar moet word**, ingesluit geskenke wat deur 'n raadslid ontvang word en wat in waarde R1 000,00 oorskry;
- (c) Dat kennis geneem word dat die verklaring soos na verwys in paragraaf (b), teen nie later nie as 31 Julie 2023 by die Direkteur: Korporatiewe Dienste ingedien moet word.

5. RECOMMENDATION

- (a) That councillors take cognisance of the requirements in terms of Item 6 to 8 of the Code of Conduct;
- (b) That councillors take cognisance that the nature or detail of the financial interests of a councillor referred to in Item 8 of the Code of Conduct for Councillors, must be **declared in writing to the Municipal Manager**, including gifts received by such councillor in excess of R1 000,00;
- (c) That cognisance be taken that the declaration referred to in paragraph (b) must be submitted to the Director: Corporate Services by no later than 31 July 2023.

(get) M S Terblanche

MUNISIPALE BESTUURDER

ITEM 8.3 VAN DIE AGENDA VAN 'N GEWONE RAADSVERGADERING WAT GEHOU SAL WORD OP 27 JULIE 2023

ONDERWERP: AANVAARDING VAN VERORDENING INSAKE ELEKTRISITEITSVOORSIENING
SUBJECT: ADOPTION OF ELECTRICITY SUPPLY BY-LAW

1. BACKGROUND

1.1 The following draft by-law was introduced in Council on 26 April 2023 in terms of Chapter 8 of the Swartland Municipality: By-Law relating to the Conduct of Meetings as promulgated in Provincial Gazette Extraordinary, 8649 of 19 August 2022:

- Swartland Municipality: Electricity Supply By-law

1.2 The draft by-law was published on the municipal website and in the local newspapers in both Afrikaans and English. No comments and/or objections were received by the closing date of 26 June 2023.

2. LEGISLATION

2.1 National legislation

2.1.1 The Constitution, Municipal Structures Act and Municipal Systems Act set the framework in terms of which a municipal council must pass by-laws.

2.1.2 The Constitution sets two basic requirements for municipal law-making:

- First, a by-law must have the support of the majority of all the councillors;
- Second, the community must have enjoyed the opportunity to have its say with regard to that by-law.

2.1.3 The following steps were taken when considering the draft by-law:

		Proposed timeframes
Step 1	A draft by-law is prepared by a councillor or a committee of the council and must be introduced in the council.	Executive Mayoral Committee Meeting of 19 April 2023, introduced in Council on 26 April 2023.
Step 2	The council must consult with the community with regard to the draft by-law. It must at least publish the by-law for comment by the public. Note: the municipality may use the ward committees to discuss the merits of a draft by-law.	Placement of media advertisement on 2 May 2023. Period of comment (30 working days) until 26 June 2023.
Step 3	The by-law is introduced in and debated by the council. Before passing a by-law, a council that has an executive committee or executive mayor, must first require that committee or mayor to give a report and recommendation on the by-law.	To be tabled in Council on 27 July 2023, via the Executive Mayoral Committee (meeting on 19 July 2023).
Step 4	The Municipal council votes on the by-law, which – in terms of the Constitution – is to be carried by the majority of all councillors.	Council meeting 27 July 2023
Step 5	If passed by council, the by-law is published in the Provincial Gazette and becomes law on that date or a later date set in the by-law.	By

2.2 **Compliance with the By-law relating to the Conduct of Meetings**

The by-law (Annexure A) is tabled for adoption by Council in accordance with paragraph 60 of the Swartland Municipality: By-law relating to the Conduct of Meetings (PG 8649 dated 19 August 2022).

2.3 Paragraph 60(2) determines that the executive mayor must consider the report by the municipal manager and must submit a report to the council which sets out an executive summary of the draft by-law (see paragraph 2.4), any relevant comments or proposals received (none received) and a recommendation (see paragraph 3).

2.4 **Executive Summary of the draft by-law** (as was submitted in Council on 26 April 2023)

2.4.1 The existing by-law has been amended to include provisions regarding the following:

2.4.2 The amended by-law seeks

- to administer and regulate the reticulation of electricity within the Swartland Municipality's area of jurisdiction, as per the Municipality's constitutional mandate to administer matters pertaining to electricity and gas reticulation in its area of jurisdiction, in terms of section 156(1)(a), read with Part B of Schedule 4 of the Constitution of the Republic of South Africa, 1996;
- to regulate the connection of embedded generation systems to the municipal distribution system and enforce the licensing or registration of any and all embedded generation systems within the municipal boundary in accordance with the requirements of the Electricity Regulation Act, Act 4 of 2006 (ERA);
- to regulate the wheeling of the electricity generated by an embedded generation system within the municipal electrical grid;
- to establish principles for the resale of electricity in line with the provisions of the ERA;
- to regulate the obligation of the Municipality to ensure standby supply of electricity in the event that the embedded generation system is unable to supply electricity to the customer;
- to regulate the metering of the embedded generation system connected to the municipal distribution system;
- to empower the Municipality to determine and publish norms, standards and guidelines relevant to embedded generation within the municipal boundaries;
- to also permit the Municipality to disconnect the embedded generation system to the extent that the customer has not complied with the by-law and/or conditions of connection (either before or after their electricity meter).

2.4.3 Upon publication in the Provincial Gazette, the existing Swartland Municipality: Electricity Supply By-law, as promulgated in Provincial Gazette Extraordinary 7285 of 11 July 2014 will be repealed and replaced with the new by-law.

3. **RECOMMENDATION** (by the Executive Mayoral Committee as per resolution taken on 19 July 2023)

- (a) That the following by-law be adopted by Council, to take effect on date of promulgation in the Provincial Gazette:
- Swartland Municipality: Electricity Supply By-law
- (b) That fines for offences of the by-law be determined by the Department of Justice.

AANBEVELING (van die Uitvoerende Burgemeesterskomitee per besluit geneem op 19 Julie 2023)

- (a) Dat die volgende verordening aangeneem word deur die Raad, om in werking te tree op datum van afkondiging in die Provinsiale Koerant:
- Swartland Munisipaliteit: Verordening insake Elektrisiteitsvoorsiening
- (b) Dat boetes vir ootredings van die verordening vasgestel word deur die Departement van Justisie.

(get) M S Terblanche

MUNISIPALE BESTUURDER

ITEM 8.4 OF THE AGENDA OF A COUNCIL MEETING TO BE HELD ON 27 JULY 2023

SUBJECT: SUBMISSION OF 2023/2024 PERFORMANCE AGREEMENTS AND PLANS

1. BACKGROUND

The concluded and signed performance agreements of the Municipal Manager and directors are for the 2023/2024 financial year and are substituted addendums to their employment contracts. Because the performance agreements of the directors share the same generic contents, only the agreements of the Municipal Manager and the Director Electrical Engineering are attached as **ANNEXURE 1**.

2. LEGISLATION

Performance agreements are compiled in terms of section 57 of the Municipal Systems Act (Act 32 of 2000).

In terms of Section 57(2) of the Municipal Systems Act the performance agreements must be concluded annually within one month after the beginning of each financial year. The performance agreements were concluded and signed during the last week of June 2023.

In terms of Section 53(3)(b) of the Municipal Finance Management Act (Act 56 of 2003) the performance agreements must be submitted to the Council.

3. LINK TO THE IDP

The IDP and the performance agreements are linked by the KPI's and targets in Chapter 4 of the IDP that are included in the performance agreements.

4. FINANCIAL IMPLICATIONS

None

5. RECOMMENDATION

That the performance agreements and plans of the Municipal Manager and directors for the 2023/2024 financial year be noted.

(sgd) J J Scholtz

MUNICIPAL MANAGER



Verslag ♦ Ingxelo ♦ Report

Kantoor van die Direkteur: Korporatiewe Dienste
19 Julie 2023

12/2/5/5-3/1
Ward 2

ITEM 8.5 VAN DIE AGENDA VAN 'N GEWONE RAADSVERGADERING WAT GEHOU SAL WORD OP 27 JULIE 2023

ONDERWERP:	VOORGESTELDE UIT-DIE-HAND-VERVREEMDING VAN 'N GEDEELTE VAN VIERDELAAN, MOORREESBURG
SUBJECT:	PROPOSED OUT-OF-HAND ALIENATION OF A PORTION OF FOURTH AVENUE, MOORREESBURG

1. AGTERGROND/BACKGROUND

- 1.1 Hoerikwaggo CC (Dr J Ferreira), the registered owner of erven 2276 and 2282, Moorreesburg has applied to Council for the closure and to purchase a portion of Fourth Avenue, Moorreesburg, which is located adjacent to his properties as indicated on the location map attached hereto as **Annexure A**. Hoerikwaggo's motivation to purchase said property is attached hereto as **Annexure B**.
- 1.2 Fourth Avenue is zoned as Transport Zone 2: Public Street. The property is 1693 m² in extent, and currently valued at R52,00/m² in terms of a valuation obtained from Council's valuer, i.e. R88 036.00 in total.
- 1.3 The subject property qualifies in terms of Council's Policy relating to the Transfer of Municipal Assets as a so-called 'non-viable asset', i.e. *"immovable property that owing to urban planning or physical constraints or shortcomings, cannot be developed on its own or function as a separate entity and only becomes functional if alienated or leased to an adjoining owner for usage in conjunction with the said owners property"*. The property cannot be used as a road, because it is dissected by the No-Go River and the expenditure to erect a crossing over the river is not justifiable.
- 1.4 **Hierdie verslag word voorgelê om goedkeuring van die Raad te bekom om 'n gedeelte van Vierdelaan, Moorreesburg (groot 1693 m²) uit-die-hand-uit aan Hoerikwaggo CC, die eienaar van erwe 2276 en 2282, Moorreesburg te vervreem. / This report is submitted to obtain Council's approval for the alienation out-of-hand of a portion of Fourth Avenue, Moorreesburg (1693 m² in extent) to Hoerikwaggo CC, the owner of erven 2276 and 2282, Moorreesburg.**

2. WETGEWING / LEGISLATION

- 2.1 The transfer of ownership or disposal of capital assets is regulated by the Municipal Finance Management Act, 2003 (MFMA), the Municipal Asset Transfer Regulations, 2008 (MATR) as well as Council's By-law and Policy relating to the Transfer of Municipal Capital Assets, the latter being effective as from 22 May 2015.
- 2.2 The legislative framework applicable in this instance in respect of non-exempted capital assets which are not considered high value assets, are dealt with below only in as far as it relates to the proposed disposal.

2.2/...

COMPLIANCE WITH MUNICIPAL FINANCE MANAGEMENT ACT, 2003	
Issues to be considered in terms of Section 14 of the MFMA	Comment
a) Whether the asset is needed to provide the minimum level of basic municipal services	The subject property is zoned for transport/road purposes, and is not required by the Municipality for the provision of a minimum of any other level of basic municipal services for the reasons as indicated in paragraph 1.3 of this report.
b) Consideration to be given to the fair market value of the asset	It is proposed that the property be alienated at R52.00/m ² , VAT excluded, as per its municipal valuation.
c) Consideration to be given to the economic and community value to be received in exchange for the asset	Council will gain the selling price of the subject property and a further monthly income in respect of the rates and taxes. Being regarded as 'non-viable asset' in that it cannot be developed on its own or function as a separate entity, consideration of community value is not applicable in this instance.

COMPLIANCE WITH MUNICIPAL ASSET TRANSFER REGULATIONS (GG 31346 DATED 22 AUGUST 2008)	
Issues to be considered in terms of Regulation 7 of the MATR	Comment
a) Whether the capital asset may be required for the municipality's own use at a later stage.	The property is not required for municipal purposes.
b) The expected loss or gain that is expected to result from the proposed transfer or disposal	Council will gain the selling price of the subject property and a further monthly income in respect of the rates and taxes.
c) The extent to which any compensation to be received i.r.o. the proposed transfer or disposal will result in a significant economic or financial cost benefit to the municipality	Financial benefits as a result of the selling price and payment for services.
d) The risks and rewards associated with the operation or control of the capital asset that is to be transferred or disposed of in relation to the municipality's interests	Risks will be managed in terms of the sale conditions and Deed of Sale.
e) The effect that the proposed transfer or disposal will have on the credit rating of the municipality, its ability to raise long-term or short-term borrowings in the future and its financial position and cash flow	No effect
f) Any limitations or conditions attached to the capital asset or the transfer or disposal of the asset, and the consequences of any potential non-compliance with those conditions	No limitations
g) The estimated cost of the proposed transfer or disposal	All costs related to the transaction will be for the purchaser's account.
h) The transfer of any liabilities and reserve funds associated with the capital asset	No liabilities
i) Any comments or representation on the proposed transfer or disposal received from the local community and other interested persons	The intention to alienate the subject property is still to be advertised for public comment.
j) Any written views and recommendations on the proposed transfer or disposal by the National Treasurer and relevant provincial treasury	Not applicable (applicable i.r.o. high value assets only)

2.2/...

k) The interest of any affected organ of state, the municipality's own strategic, legal and economic interests and the interests of the local community	The subject property is not required for municipal purposes, nor does the Municipality enjoy any economic benefit from same in its present shape as explained elsewhere. The proposed transaction can be linked indirectly to Strategic Goal 3 (Quality and Reliable Services) as per the 2023 IDP.
l) Compliance with the legislative regime applicable to the proposed transfer or disposal	Yes, addressed in this report, as well as in the Deed of Sale
Conditions that may be imposed, in terms of Regulation 11, pertaining to the following:	Comment
1) The way in which the capital asset is to be sold or disposed of	Direct alienation by means of out-of-hand sale.
2) A floor price or minimum compensation for the capital asset	The property to be sold at no less than its municipal valuation, in order to reflect fair market value.
3) Whether the capital asset may be transferred for less than its fair market value, in which case the municipal council must first consider the criteria set out in regulation 13(2)	Not applicable
4) A framework within which direct negotiations for the transfer or disposal of the capital asset must be conducted with another person, if transfer or disposal is subject to direct negotiations.	Not applicable

2.3 COMPLIANCE WITH COUNCIL LEGISLATION

2.3.1 Council's By-law relating to the Transfer of Municipal Capital Assets PN 7394 dated 22 May 2015 determines that the municipality may sell or let capital assets out of hand as contemplated in the municipality's Municipal Asset Transfer Policy, provided that its full reasons for preferring such out of hand sale or lease must be recorded in the minutes of the meeting concerned (clause 6).

2.3.2 Council's Municipal Asset Transfer Policy determines that in respect of assets which can only be utilized by one or more adjacent land owners, a transaction may be approved by the Council without any competitive process having been followed, including in response to an unsolicited bid, on the basis that no purpose would be served by a competitive process. Furthermore, upon approval of a transaction contemplated as such, the municipal manager must minute the reasons for the decision.

3. KOPPELING AAN DIE GOP / ALIGNMENT TO THE IDP

The proposed project can indirectly be linked to Strategic Goal 3, i.e. to promote quality and reliable services as per Council's 2023 Integrated Development Plan.

4. FINANSIËLE IMPLIKASIE / FINANCIAL IMPLICATION

Council will gain the selling price of the subject property and a further monthly income in respect of the rates and taxes.

5. AANBEVELING

(a)/...

5./...

- (a) Dat die Raad goedkeuring verleen in terme van die toepaslike Verordening asook Artikel 14 van die Wet op Munisipale Finansiële Bestuur, 2003 dat 'n gedeelte van Vierdelaan, Moorreesburg (groot 1693 m²) uit-die-hand uit aan Hoerikwaggo CC (die eienaar van erwe 2276 en 2282, Moorreesburg) vervreem en oorgedra word, en wel teen R88 036.00 BTW uitgesluit, vir konsolidasie met gemelde erwe;
- (b) Dat kennis geneem word dat die eiendom nie vir die verskaffing van 'n minimum of enige ander vlak van basiese munisipale dienste benodig word nie;
- (c) Dat die volgende redes genotuleer word vir die uit-die-hand vervreemding soos voormeld, sonder om 'n openbare mededingingsproses te deurloop:
 - (i) Die eiendom as 'nie-bestaanbare bate' kwalifiseer deurdat dit as gevolg van fisiese beperkings nie as 'n afsonderlike entiteit sinvol ontwikkel kan word binne die ontwikkelingsparameters vir Vervoersone 2 nie, en dus slegs funksioneel raak indien dit vervreem word aan 'n aangrensende eienaar vir gebruik daarvan tesame met sy of haar eiendom, soos voorgestel;
 - (ii) Oordrag van die eiendom aan 'n individu of entiteit die Munisipaliteit van sy onderhoudslas vrystel, asook die risiko beperk van potensiele grondbesetting of wanaanwending (bv. onwettige storting);
- (d) Dat die volgende voorwaardes van verkoop op die transaksie van toepassing sal wees:
 - (i) Die betrokke gedeelte van Vierdelaan, Moorreesburg gesluit moet word en aansoek gedoen word vir vrystelling vir die onderverdeling en konsolidasie van die gedeelte straat ingevolge Artikel 34 van die Verordening insake Grondgebruikbeplanning;
 - (ii) Die sonering van die gedeelte straat sal vestig as Residensiële sone 5, volgens die bepalinge van artikel 12.9(h) van die Verordening insake Grondgebruikbeplanning;
 - (iii) Benewens die koopprys, die koper verantwoordelik sal wees vir alle aanvullende en toevallige kostes wat uit die transaksie mag voortspruit, ingesluit advertensiekostes, oordragkoste en die kostes van konsolidasie;
- (e) Dat die voorgenome transaksie in die media geadverteer word vir kommentaar en/of potensiele besware, en dat die Uitvoerende Burgemeester met volmag beklee word om in oorlegpleging met sy komitee te handel met enige besware wat ontvang sou word;
- (f) Dat alvorens die voorneme geadverteer word, daar eers skriftelike bevestiging van Hoerikwaggo CC bekom word dat die entiteit instem tot die voorwaardes soos vervat in hierdie verslag;
- (g) Dat die Direkteur: Korporatiewe Dienste volmag verleen word om die verkoop-ooreenkoms te mag finaliseer en onderteken.

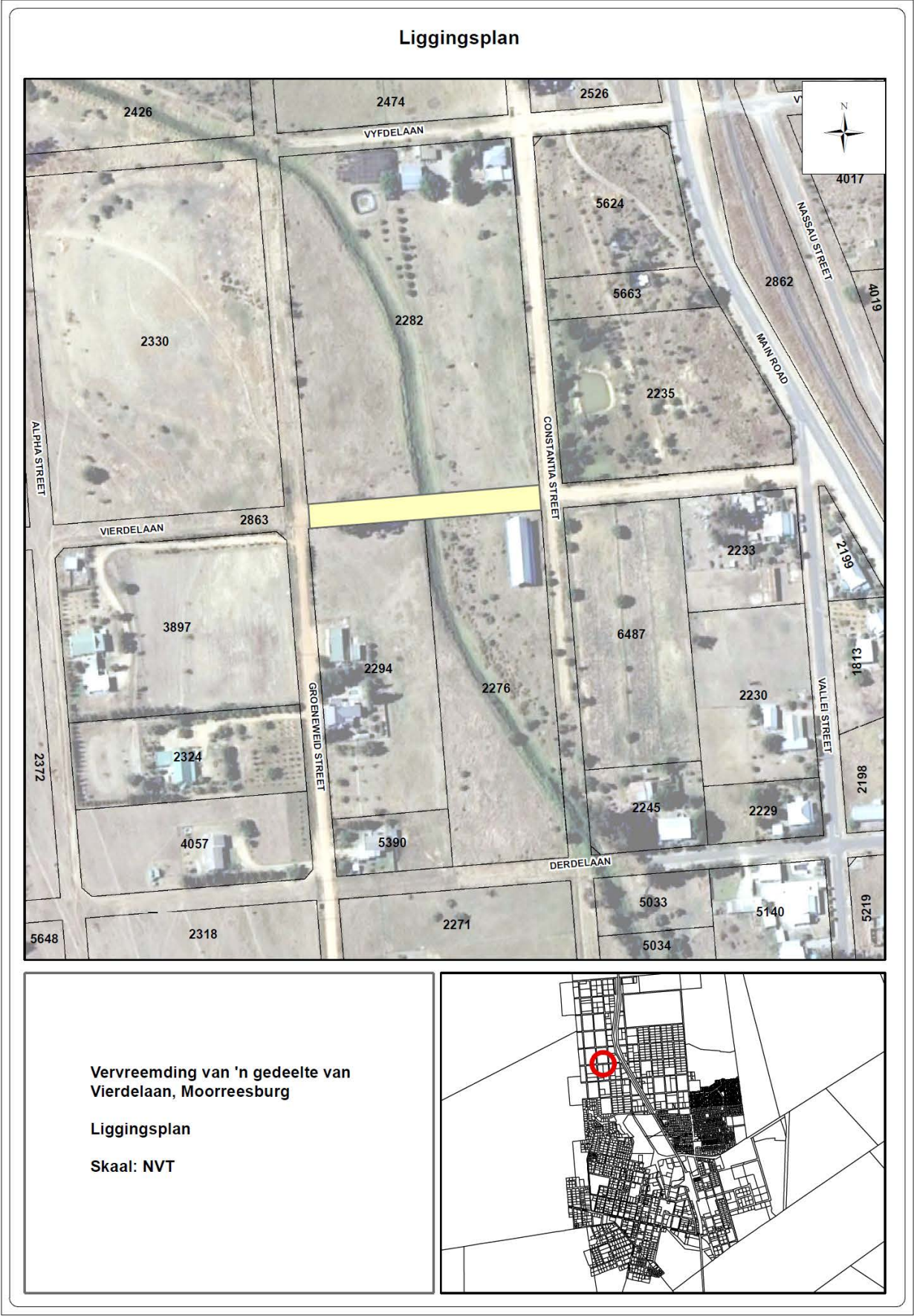
RECOMMENDATION

- (a) That approval be granted by Council in terms of the applicable By-law as well as Section 14 of the Municipal Finance Management Act, 2003 for a portion of Fourth Avenue, Moorreesburg (1693m² in extent) to be alienated and transferred out-of-hand to Hoerikwaggo CC, the owner of erven 2275 and 2282, Moorreesburg at R88 036.00, excluding VAT, for consolidation with said erven;
- (b) That cognizance be taken that the property is not required for the provision of a minimum or any other level of basic municipal services;

- (c) That the following reasons be recorded for the out-of-hand alienation of the portion of land concerned, and for not undergoing a competitive process:
 - (i) The property qualifies as 'non-viable' asset in that due to physical constraints it cannot be developed sensibly as a separate entity within the development parameters for Transport zone 2, and therefore only becomes functional if alienated to an adjoining owner for usage in conjunction with his or her property, as proposed;
 - (ii) Transfer of the property to an individual or entity releases the Municipality from its maintenance obligation, as well as limits the risks of potential land invasion or misuse (e.g. illegal dumping).
- (d) That the following conditions of sale shall apply to the transaction:
 - (i) The portion of Fourth Avenue, Moorreesburg be closed and application be made for exemption of subdivision and consolidation in terms of Section 34 of the Land-Use Planning By-law;
 - (ii) The zoning of the portion of Fourth Avenue, Moorreesburg shall vest as Residential, in terms of Section 9(h) of the Land-Use Planning By-law;
 - (iii) The purchaser, in addition to the purchase price, shall be responsible for all costs ancillary and incidental to this transaction, including advertisement costs, transfer costs and the costs of consolidation;
- (e) That the proposed transaction be advertised in the media for comments and/or potential objections, and that the Executive Mayor be authorized to deal with any forthcoming objections in consultation with his committee;
- (f) That before the intention is advertised, written confirmation first be obtained from Hoerikwaggo CC that the entity agrees to the conditions as provided for in this report;
- (g) That the Director: Corporate Services be authorized to finalise and sign the deed of sale.

(get) M S Terblanche

MUNISIPALE BESTUURDER
GS/



Gustav Solomons

From: Cafeine Retail <johan@cafeine.co.za>
Sent: Friday, 24 March 2023 08:38
To: Gustav Solomons
Cc: Enid Ferreira; Alwyn Burger
Subject: VERHURING VAN PAD GEDEELTE VAN 4DE LAAN OOR NA CONSTANTIASTRAAT, MOORREESBURG
Attachments: PastedGraphic-2.pdf

Goeiemore Mnr Solomons,

Ek reageer op die epos van Alwyn Burger. Ek is vandag op Moorreesburg, ons bly in Kaapstad, en indien moontlik sal ek graag die ontwikkelingsplan van ERF 2282 en 2276 met u wil bespreek.

Is dit moontlik dat ons dalk vanmiddag of Maandagoggend kan gesels; ek kan u op Malmesbury ontmoet?

Ek sal graag ons planne aan u verduidelik en motiveer hoekom ons die padgedeelte van 4 de laan van die munisipaliteit wil huur veral om die risikos van inbrake te verminder en die veiligheid van area te verbeter.

Beste groete, Johan

Dr Johan Ferreira
johan@cafeine.co.za
084 6222192
021-4618097

Munisipale bestuurder Swartland.

Aandag: Alwyn Burger

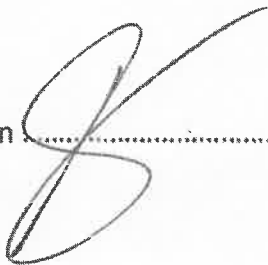
Re. Sluiting van gedeelte van 4 de Laan, Hooikraal, Moorreesburg

Ek die ondergetekende, ondersteun die aansoek van Hoerikwaggo CC van 5 Vyfdelaan, Hooikraal, Moorreesburg verteenwoordig deur Dr JF Ferreira, om die gedeelte van Vierdelaan vanaf Constantialaan tot by die "No Go" rivier af te sluit vir deurgang verkeer. Daar is geen brug oor die rivier nie en geen deurgang vir motorvervoer nie, derhalweverwys die skrywe na voetverkeer.

Daar is permanente staf op die perseel, 5 Vyfdelaan, Hooikraal indien enige offisiële vervoer van Swartland Munisipaliteit, Eskom of Telkom toegang sou vereis met die nodige magtiging.

Ek/ons ondersteun die hoofrede vir die aansoek, daar is 'n geweldige sekuriteits risiko in Hooikraal met gereelde inbrake en indien die gedeelte van Vierdelaan oopgelaat sou word dien dit as 'n kort pad vir gesteelde goedere.

Geteken Naam en Van Erf 6487



J. de Klerk

Munisipale bestuurder Swartland.

Aandag: Alwyn Burger

Re. Sluiting van gedeelte van 4 de Laan, Hooikraal, Moorreesburg

Ek die ondergetekende, ondersteun die aansoek van Hoerikwaggo CC van 5 Vyfdelaan, Hooikraal, Moorreesburg verteenwoordig deur Dr JF Ferreira, om die gedeelte van Vierdelaan vanaf Constantialaan tot by die "No Go" rivier af te sluit vir deurgang verkeer. Daar is geen brug oor die rivier nie en geen deurgang vir motorvervoer nie, derhalweverwys die skrywe na voetverkeer.

Daar is permanente staf op die perseel, 5 Vyfdelaan, Hooikraal indien enige offisiële vervoer van Swartland Munisipaliteit, Eskom of Telkom toegang sou vereis met die nodige magtiging.

Ek/ons ondersteun die hoofrede vir die aansoek, daar is 'n geweldige sekuriteits risiko in Hooikraal met gereelde inbrake en indien die gedeelte van Vierdelaan oopgelaat sou word dien dit as 'n kort pad vir gesteelde goedere.

Geteken  Naam en Van Patrick Africa Erf 2294
4 GROENEWEGSE STRAAT.



Verslag ♦ Ingxelo ♦ Report

Kantoor van die Direkteur: Korporatiewe Dienste
19 Julie 2023

12/2/5/2-8/5

ITEM 8.6 VAN DIE AGENDA VAN 'N GEWONE RAADSVERGADERING WAT GEHOU SAL WORD OP 27 JULIE 2023

ONDERWERP:	VOORGESTELDE VERVREEMDING VAN ONGEREGISTREERDE ERF 12875, MALMESBURY
SUBJECT:	PROPOSED DISPOSAL OF UNREGISTERED ERF 12875, MALMESBURY

1. BACKGROUND

- 1.1 The Municipality is the owner of unregistered Erf 12875, located on the corner of Kwartel and Patrys Street in the De Hoop housing development in Malmesbury as depicted on the attached locality map hereto marked **Annexure A**. The subject property is 1001 m² in extent and is zoned Community Zone 1: Place of Education with the objective to provide for the entire spectrum of educational facilities, together with controlled provision for other reconcilable community uses.
- 1.2 In the recent past interest has been expressed in the property, in view of an apparently dire need for childcare facilities within the community concerned. It is therefore proposed in this report that the Municipality considers the disposal of the property by means of a competitive process, i.e. to invite tenders from institutions with proven experience in early childhood development, who would be financially capable of establishing facilities to accommodate as many children as possible.
- 1.3 As regards the proposed disposal of the subject property at a subsidized price, the following is to be noted:
 - 1.3.1 In terms of section 7 of the **By-law relating to the Transfer of Municipal Capital Assets** the municipality may determine subsidised selling prices in respect of certain classes of capital assets to be sold to approved categories of applicants with the view to promote the municipality's functions and objectives as set out in the Constitution. The **Municipal Asset Transfer Policy** in this regard determines in paragraph 15.2.2 that, subject to Regulation 13(2) of the **Municipal Asset Transfer Regulations** (*dealt with below*), the municipality may dispose of social care-, community- or sport assets at between 5% and 20% of fair market value subject to a suitable reversionary clause being registered against the title deed of the property. In the event of such property ceasing to be used for the purpose originally intended, reversionary rights as contemplated above are triggered and the municipality reserves the right to demand compensation equal to the difference between the purchase price and the current fair market value of the property, or that the property be transferred into the ownership of the municipality at no cost to the municipality. 'Social care-, community- or sport assets' are defined in the policy to include, *inter alia* childcare facilities insofar as it contributes to the functioning of a multi-use childcare facility and is operated on a non-profit basis.
 - 1.3.2 It is proposed in this instance that the selling price for the subject property be determined at between 5% and 20% of its municipal valuation (R80 000.00). In the recent past the practice has been established to sell (for example to churches) at 20% of the municipal valuation, which in this instance amounts to R16 000.00.
- 1.4/...

- 1.4 Hierdie verslag word voorgelê om goedkeuring van die Raad te bekom om Erf 12875, Malmesbury (groot 1001 m²) vir vervreemding aan te bied by wyse van 'n publieke mededingsproses. / This report is submitted to obtain Council's approval to present Erf 12875, Malmesbury (1001 m² in extent) for disposal, by means of a public competitive process.

2. LEGISLATION

- 2.1 The transfer of ownership or disposal of capital assets is regulated by the Municipal Finance Management Act, 2003 (MFMA), the Municipal Asset Transfer Regulations, 2008 (MATR) as well as Council's By-law and Policy relating to the Transfer of Municipal Capital Assets, the latter being effective as from 22 May 2015.
- 2.2 The legislative framework applicable in this instance in respect of non-exempted capital assets which are not considered high value assets, are dealt with below only in as far as it relates to the proposed disposal.

COMPLIANCE WITH MUNICIPAL FINANCE MANAGEMENT ACT, 2003	
Issues to be considered in terms of Section 14 of the MFMA	Comment
a) Whether the asset is needed to provide the minimum level of basic municipal services	The subject property is not earmarked for the provision of a minimum of any other level of basic municipal services, and – in terms of its zoning – has been identified for the establishment of educational facilities
b) Consideration to be given to the fair market value of the asset	It is proposed that the property be disposed of at a subsidised selling price as allowed for by the Municipal Asset Transfer Policy, as explained elsewhere in this report.
c) Consideration to be given to the economic and community value to be received in exchange for the asset	Council will gain the selling price of the subject property and a further monthly income in respect of the rates and taxes. The social value and benefits of education are undeniable, since an investment in education is an investment in the community and in growth.
COMPLIANCE WITH MUNICIPAL ASSET TRANSFER REGULATIONS (GG 31346 DATED 22 AUGUST 2008)	
Issues to be considered in terms of Regulation 7 of the MATR	Comment
a) Whether the capital asset may be required for the municipality's own use at a later stage.	The property is not required for municipal purposes.
b) The expected loss or gain that is expected to result from the proposed transfer or disposal	Council will gain the selling price of the subject property and a further monthly income in respect of the rates and taxes.
c) The extent to which any compensation to be received i.r.o. the proposed transfer or disposal will result in a significant economic or financial cost benefit to the municipality	Financial benefits as a result of the selling price and payment for services.
d) The risks and rewards associated with the operation or control of the capital asset that is to be transferred or disposed of in relation to the municipality's interests	Risks will be managed in terms of the sale conditions and Deed of Sale. In particular, a reversionary clause will be included.
e) The effect that the proposed transfer or disposal will have on the credit rating of the municipality, its ability to raise long-term or short-term borrowings in the future and its financial position and cash flow	No effect
f) Any limitations or conditions attached to the capital asset or the transfer or disposal of the asset, and the consequences of any potential non-compliance with those conditions	No limitations
g) The estimated cost of the proposed transfer or disposal	All costs related to the transaction will be for the purchaser's account.

2.2/...

h) The transfer of any liabilities and reserve funds associated with the capital asset	No liabilities
i) Any comments or representation on the proposed transfer or disposal received from the local community and other interested persons	The intention to alienate the said portion of land is still to be advertised for public comment.
j) Any written views and recommendations on the proposed transfer or disposal by the National Treasurer and relevant provincial treasury	Not applicable (applicable i.r.o. high value assets only)
k) The interest of any affected organ of state, the municipality's own strategic, legal and economic interests and the interests of the local community	The property is not required for municipal purposes. The proposed transaction can be linked to Strategic Goal 1 of the 2023 IDP, i.e. <u>Community safety and wellbeing</u> .
l) Compliance with the legislative regime applicable to the proposed transfer or disposal	Yes, addressed in this report, as well as in the Deed of Sale
Conditions that may be imposed, in terms of Regulation 11, pertaining to the following:	Comment
1) The way in which the capital asset is to be sold or disposed of	A competitive bidding process (tender process) will be followed
2) A floor price or minimum compensation for the capital asset	It is proposed that the floor price is determined at 20% of the municipal valuation, as provided for in the Municipal Asset Transfer Policy.
3) Whether the capital asset may be transferred for less than its fair market value, in which case the municipal council must first consider the criteria set out in regulation 13(2)	See below
4) A framework within which direct negotiations for the transfer or disposal of the capital asset must be conducted with another person, if transfer or disposal is subject to direct negotiations.	Not applicable
Issues to be considered in terms of Regulation 13(2) of the MATR	Comment
a) The interests of – (i) the State; and (ii) the local community	The State in this instance is not considered an affected party. The local community is to benefit from access to childcare facilities.
b) The strategic and economic interests of the municipality, including the long-term effect of the decision on the municipality	No long-term effects envisaged
c) The constitutional rights and legal interests of all affected parties	Everybody has the right to a basic education, whereas – furthermore – everyone has the right to establish and maintain, at their own expense, independent educational institutions (s 29, Constitution). In particular, every child has the right to <i>inter alia</i> social services (s 28, Constitution).
d) Whether the interests of the parties to the transfer should carry more weight than the interest of the local community, and how the individual interest is weighed against the collective interest	The subject property is not to be transferred to individuals, but to a non-profitable institution serving the collective interest.
e) Whether the local community would be better served if the capital asset is transferred at less than its fair market value, as opposed to a transfer of the asset at fair market value.	Since childcare facilities and schools attend to a community's social and educational needs, the Municipal Asset Transfer Policy allows for immovable property to be disposed of at less than fair market value.

2.3 Council's By-law relating to the Transfer of Municipal Capital Assets PN 7394 dated 22 May 2015 determines that the municipality may, in achieving its operational needs and strategic objectives – inter alia – dispose of capital assets and rights in capital assets by way of direct sale, public tender, auction or direct negotiation [section 4 (c)].

2.4 Council's Municipal Asset Transfer Policy, in clause 6, provides for various disposal options, which may include one or more of the following, i.e. public auction, competitive bidding, closed/...

2.4/...

closed bidding or call for proposals. The competitive bidding process may involve to call for purely financial offers for the asset offered for alienation, or – depending on the nature of the transaction – may include a two-stage bidding process in terms of which only those bidders that meet the pre-qualification criteria or pre-determined functionality score specified in the first stage will be allowed to participate in the second stage which will include the monetary bid.

3. KOPPELING AAN DIE GOP / ALIGNMENT TO THE IDP

The proposed project can be linked to Strategic Goal 1, i.e. to promote community safety and wellbeing, as per Council's 2023 Integrated Development Plan.

4. FINANSIËLE IMPLIKASIE / FINANCIAL IMPLICATION

Council will gain the selling price of the subject property and a further monthly income in respect of the rates and taxes.

5. AANBEVELING

- (a) Dat die Raad in beginsel goedkeuring verleen in terme van Artikel 14 van die Wet op Munisipale Finansiële Bestuur, 2003 en die Verordening en Beleid insake die Oordrag van Munisipale Bates dat ongeregistreerde Erf 12875, Malmesbury (1001 m² groot) by wyse van 'n openbare mededingingsproses (wat 'n twee-fase bodproses mag behels) vir vervreemding beskikbaar gestel word aan instellings met bewese ervaring in Vroeë Kinderontwikkeling;
- (b) Dat kennis geneem word dat die eiendom wat te koop aangebied staan te word uit die staanspoor vir vervreemding vir gemeenskapsdoeleindes (plek van onderrig) ingevolge die sonering daarvan geïdentifiseer is en in geen stadium vir die verskaffing van 'n minimum of enige ander vlak van basiese munisipale dienste geormerk is nie;
- (c) Dat die onderstaande gesubsidieerde prys as reserweprys (BTW uitgesluit) vir die eiendom vasgestel word, ooreenkomstig die bevoegdheid aldus verleen deur paragraaf 15.2.2 van die Munisipaliteit se Beleid insake die Oordrag van Munisipale Bates:
 - Ongeregistreerde Erf 12875 Malmesbury R16 000.00 (20% x R80 000.00)
- (d) Dat die koper, benewens die koopprys ook verantwoordelik sal wees vir alle aanvullende en toevallige kostes wat uit die transaksie mag voortspruit, waaronder oordragkoste;
- (e) Dat die voorgenome transaksie in die media geadverteer word vir kommentaar en/of potensiële besware, en dat die Uitvoerende Burgemeester met volmag beklee word om in oorlegpleging met sy komitee te handel met enige besware wat ontvang sou word;
- (f) Dat volmag verleen word
 - (i) aan die Uitvoerende Burgemeesterskomitee om
 - te handel met enige kommentaar en/of besware wat in verband met die voorgenome transaksie ontvang word; en om
 - 'n besluit te mag finaliseer rakende die oordrag van die bate, nadat die toepaslike Voorsieningskanaal- en ander wetgewing gevolg is;
 - (ii) aan die Direkteur: Korporatiewe Dienste om die evalueringskriteria en voorwaardes van verkoop vir tenderdoeleindes te finaliseer in oorlegpleging met al die tersaaklike interne rolspelers, met inagneming van die toepaslike bepalinge in die Beleid insake die Oordrag van Munisipale Bates, waaronder dat 'n toepaslike terugvalklousule teen die eiendom geregistreer moet word.

RECOMMENDATION

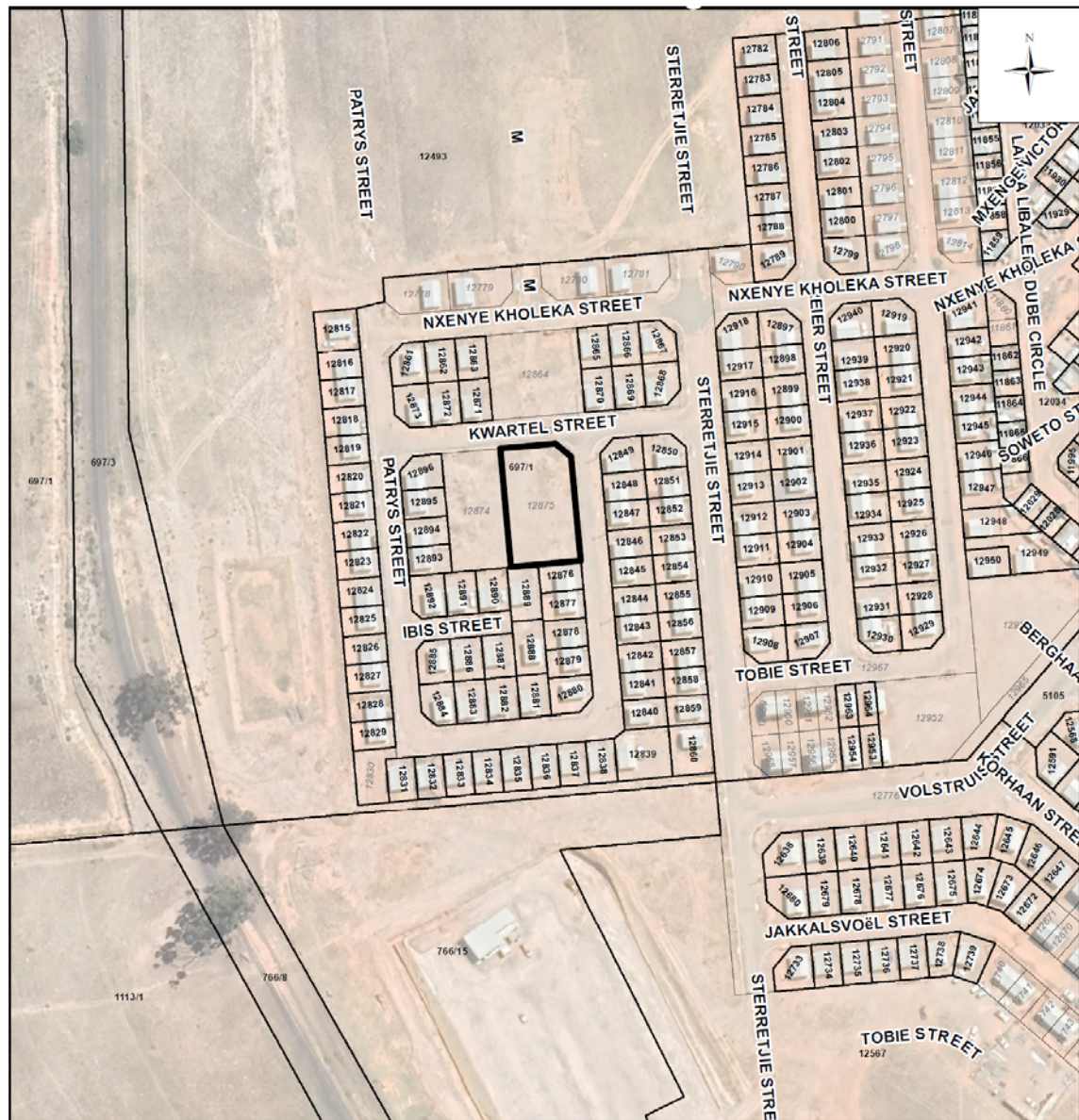
- (a) That in-principle approval be granted by Council in terms of Section 14 of the Municipal Finance Management Act, 2003 and the By-Law and Policy relating the the Transfer of Municipal Assets that unregistered Erf 12875, Malmesbury (1001 m² in extent) be offered for disposal by means of a public competitive process (which may include a two phase bid process) for disposal to institutions with proven experience in Early Childhood Development;
- (b) That cognizance be taken that the property to be sold has been identified from the outset for disposal for community purposes (place of education) in terms of its zoning and at no stage have been earmarked for the provision of a minimum or any other level of basic municipal services;
- (c) That the subsidized price below be determined as reserve price (VAT exclusive) for the property in terms of the competence thus granted by paragraph 15.2.2 of the Municipal Asset Transfer Policy:
- Unregistered Erf 12875, Malmesbury R16 000.00 (20% x R80 000,00)
- (d) That the purchaser shall, in addition to the selling-price, also be responsible for all costs ancillary and incidental to this transaction, including transfer costs;
- (e) That the proposed transaction be advertised for public comments and/or objections, and the executive mayor (in consultation with his committee) be authorized to deal with any objections;
- (f) *That authorization be given as follows:*
- (i) to the Executive Mayoral Committee
 - *to deal with any comments and/or objections received in respect of the proposed transaction; and*
 - *to finalise a decision regarding the transfer of the asset, after all Supply Chain and other legal prescripts have been complied with;*
 - (ii) to the Director: Corporate Services *to finalise the evaluation criteria and conditions of sale for tender purposes with all the relevant internal role-players, with due consideration of the applicable conditions in the Municipal Asset Transfer Policy, including that a suitable reversionary clause must be registered against the property.*

(get) M S Terblanche

MUNISIPALE BESTUURDER

Mst/raadsitems, SM5/Julie 2023/Voorgestelde vervreemding van erf 12875 Malmesbury

LOCATION PLAN OF ERF 12875, MALMESBURY



SKAAL 1:2000 [A4]



Verslag ♦ Ingxelo ♦ Report

Kantoor van die Direkteur: Siviele Ingenieursdienste
26 Junie 2023

5/2/1
WYK: NVT

ITEM 8.6 VAN DIE AGENDA VAN 'N RAADSVERGADERING WAT GEHOU SAL WORD OP
27 JULIE 2023

ONDERWERP:	KONTRAKTE MET TOEKOMSTIGE BEGROTINGSIMPLIKASIES: SLUIT VAN 'N WATERVOORSIENINGSOOREENKOMS MET DIE DEPARTEMENT VAN WATER EN SANITASIE
SUBJECT:	CONTRACTS HAVING FUTURE BUDGETARY IMPLICATIONS: ENTERING INTO A WATER SUPPLY AGREEMENT WITH THE DEPARTMENT OF WATER AND SANITATION

1. INTRODUCTION

Swartland Municipality has already expressed interest to partake in the Berg River Voëlvlei Augmentation Scheme (BVRAS) which is currently being implemented by Trans Caledon Tunnel Authority (TCTA) on behalf of national Department of Water and Sanitation (DWS). Further details of the BRVAS is provided in paragraph 2.

Swartland Municipality has received an initial allocation of 0.66 million m³/annum from the BRVAS. An application was submitted to the DWS for an increase in the allocation to 2 million m³/annum in pursuance of a resolution of the Executive Mayoral Council on 20 May 2020. The DWS has since responded in their letter dated 21 October 2022 and increased the allocation for Swartland Municipality to 1.66 million m³/annum. A copy of the allocation letter is attached as Annexure A.1.

In order for a Swartland Municipality to secure an allocation from the BVRAS the DWS requires that a Water Supply Agreement (WSA) be concluded between the DWS and the water user. However, entering into a WSA with the DWS would constitute a contract with future budgetary implications beyond the approved 2022/2023 MTREF budget. In this regard Section 33 of the Financial Management Act (MFMA) becomes applicable.

This report aims to provide a brief overview of the BVRAS, discuss the implications of the WSA and to recommend that the Council approves that Swartland Municipality enter into a WSA with the DWS.

2. BRVAS

The Western Cape Water Supply System (WCWSS) Reconciliation Strategy was updated in 2015 by the national DWS. The study identified the next water augmentation scheme to be implemented to supplement supply to the WCWSS should be the BRVAS.

During the drought, on 18 May 2017, the Minister of DWS issued a directive to the Trans Caledon Tunnel Association (TCTA), in terms of Sections 74 and 103(2) of the National Water Act, to secure off-budget funding, manage the resulting debt until it is fully repaid, and implement the BRVAS project on a fast-tracked basis to assist in securing an additional source of water for the water users within the WCWSS to help alleviate drought impacts.

The project involves the abstraction of surplus winter water, after provision for the Environmental Water Requirements and downstream users, from the Berg River to increase the yield of the Voëlvlei Dam by approximately 23 million m³/annum. The scheme comprises the following:

- A low-level weir, abstraction works and pump station on the Berg River at Sonquas Drift; and
- A 6.3 km long pipeline to deliver the water into Voëlvlei dam.

The estimated implementation cost is R900 million but the final implementation costs will only be known once it has been commissioned which is estimated to be in the 2026/2027 financial year.

3. WATER RESOURCE AUGMENTATION OPTIONS FOR SWARTLAND

Over the past two decades, a number of water resource augmentation studies were completed by the DWS for the WCWSS, by the West Coast District Municipality for the West Coast Region and by Swartland Municipality for the towns in their Management Area. The DWS also completed the All Towns Reconciliation Strategies for the towns in Swartland Municipality's Management Area.

A desktop overview of all the relevant studies was recently conducted and a report summarising the findings and potential future augmentation options was considered by the Executive Mayoral Committee under item 7.9 of the agenda of a meeting that was held on 15 June 2021.

The report noted that augmentation of bulk water sources should be considered as the current licensed allocation from the WCSS of 9.47 million m³/annum would be reached at around 2032. The report further noted that the unit rand value (URV) of the BRVAS estimated at R4.269/kl (at 2024/2025 prices) is favourable for Swartland Municipality. Other identified resource augmentation options such as ground water development has a URV of R25-39/m³ (at 2024/2025 prices). A copy of the report is attached as an Annexure A.2.

Swartland Municipality has limited options to augment water resources and will most likely remain dependant on the WCWSS in the future. Considering this and the favourable URV it would be advisable for Swartland Municipality to secure an allocation from the BRVAS.

4. WATER SUPPLY AGREEMENT

The current water users from the Western Cape Water Supply System interested in securing a water allocation from the scheme include, the City of Cape Town, Saldanha Bay Municipality, Swartland Municipality, Drakenstein Municipality, Stellenbosch Municipality and Water Boards representing commercial farmers.

In order for users from the WCWSS to receive an allocation from the BRVAS the DWS requires that an WSA be concluded between the DWS and the water user. In terms of the WSA the water user agrees to take up its allocation from the BRVAS and to make payments for the capital unit charge and the operation and maintenance costs. A copy of the WSA is attached as Annexure A.3.

It must be noted that the raw water abstraction license of Swartland Municipality, Licence No. 01/G10F/A/5903 issued by the Minister in October 2017, must be amended in order to confirm an allocation from the BRVAS. The conclusion of the WSA does not confirm the increased allocation and the process to amend the licensed raw water abstraction must be followed separately. It would therefore be advisable to include the proviso that payments in terms of the WSA will only commence once the raw water abstraction license has been amended to include the BRVAS allocation which is 1.66 million m³/annum for Swartland Municipality.

5. SECTION 33 OF THE MUNICIPAL FINANCIAL MANAGEMENT ACT

The WSA will be concluded well before the completion and commissioning of the BRVAS and will impose a financial obligation for the 20-year repayment term. The final implementation costs for the BRVAS will only be known once it has been commissioned which is estimated to be in the 2024/2025 financial year. The indicative capital unit charge is R4.269/m³ for a 20-year repayment period. Entering into the WSA will therefore impose financial obligations on the Municipality beyond the approved 2021/2022 multi-year budget. In this regard Section 33 of the Municipal Finance Management Act, 2003 (MFMA) becomes applicable and determines – in section 33(1)(a) – that the municipal manager, at least 60 days before the meeting of the municipal council at which the contract is to be approved, must:

		Comments
Section 33(1)(a)(i)(aa) and (bb)	<i>Make public the intention and invite the local community and other interested persons to submit comments or representations</i>	<i>Notice 76-22/23 was published in the local and social media on 18 April 2023 requesting comments by 19 May 2023. Comments were received from Mr Peter King</i>
Section 33(1)(a)(ii)(aa) and (bb)	<i>Solicit the views and recommendations of National and Provincial Treasury, the national department of local government</i>	<i>An e-mail was sent on 24 April 2023 to applicable authorities, with a request for comments by 19 May 2023. No Comments were received.</i>
Section 33(1)(b)(iii) and (iv)	<i>Consider the comments or representations received from the local community, interested persons or state departments</i>	<i>Comments were only received from Mr Peter King.</i>
Section 33(1)(b)(i)(ii)	<i>Council to take into account the financial obligations for each financial year covered by the contract and impact on future municipal tariffs and revenue</i>	<i>Refer to paragraph 7 of this report.</i>

6. COMMENTS RECEIVED

Comments were received from Mr Peter King in an e-mail received on 22 April 2023. Mr King is a resident of Darling and expressed his support for the BRVAS and the conclusion of the WSA. Mr Peter King's e-mail is attached as Annexure A.4.

7. FINANCIAL IMPLICATION

The final implementation costs for the BRVAS will only be known once it has been commissioned which is estimated to be in the 2026/2027 financial year. The indicative capital unit charge is R4.60/m³ for a 20-year repayment period. With the allocation for Swartland Municipality of 1.66 million m³/annum, this will translate in an annual operating budget requirement of R7,636,000. The calculated increase in the average tariff for water that will result from the repayment is 11,13% instead of 6% equating to an approximate additional R1,33/kl.

8. ALIGNMENT WITH THE IDP

The 2023 IDP identifies water resource augmentation as a strategic initiative (item 3.1 page 144) in order to achieve strategic Goal 3: Quality and Reliable Services.

9. AANBEVELING/RECOMMENDATION

Ter uitvoering aan Artikel 33 van die Wet op die Bestuur van Munisipale Finansies word **AANBEVEEL** –

- (a) dat die Raad kennis neem dat ten einde a allokasie uit die Bergrivier/Voëlvlei Aanvullingskema te bekom, die Departement van Water en Sanitasie vereis dat 'n Watervoorsieningsooreenkoms met die Departement gesluit word;
- (b) dat die Raad kennis neem dat die sluit van die Watervoorsieningsooreenkoms toekomstige finansiële verpligtinge vir die Munisipaliteit sal meebring wat nie deel vorm van die goedgekeurde 2023/2024 meerjarige begroting nie en verder dat:
 1. die aanduidende kapitale eenheidskoste R 4.60/m³ beloop met beplande voltooiing in 2026/2027 en 'n terugbetaalperiode van 20 jaar;
 2. die kapitale eenheidskoste van R4.60/m³ onderhewig is aan wysig en bepaal sal word volgens die finale implementeringskoste van die Bergrivier/Voëlvlei Aanvullingskema;

3. die jaarlikse terugbetaling vir Swartland Munisipaliteit bereken is op R7,636,000 volgens die toekenning van 1.66 miljoen m³/jaar en die aanduidende kapitale eenheidskoste van R 4.60/m³;
- (c) dat die Raad kennis neem dat kommentaar ingevolge die bepalings artikel 33(1)(b)(iii) en (iv) van die Wet op Munisipale Finansiële Bestuur (MFMA) slegs ontvang was van Mnr Peter King wat aangedui het dat hy die Bergrivier/Voëlvlei Aanvulligskema en die sluit van die watervoorsieningsooreenkoms ondersteun en dat:
1. geen verdere handeling voortspruit met oorweging van die kommentaar van Mnr Peter King ingevolge artikel 33 (1)(b) of the MFMA nie;
- (d) dat die Raad dit goedkeur dat die Watervoorsieningsooreenkoms soos aangeheg aan die verslag met die Departement van Water en Sanitasie gesluit word onderhewig daaraan dat:
1. terugbetaling ingevolge die bepalings van die Waterbvoorsieningsooreenkoms eers gemaak sal word met die verhoging in die gelisensieerde rouwater ontrekkingstoekenning aan Swartland Munisipaliteit ooreenkomstig die toekenning vanuit die Bergrivier/Voëlvlei Aanvulligskema;
- (e) die Munisipale Bestuurder gemagtig word om die Waterbvoorsieningsooreenkoms te onderteken.

In compliance with section 33 of the Municipal Finance Management Act it is **RECOMMENDED THAT –**

- (a) that the Council takes note that in order to secure an allocation from the BRVAS the DWS requires that a WSA be concluded;
- (b) that the Council takes note that the conclusion of the Water Supply Agreement will impose a financial obligation on the Municipality which does not form part of the approved 2023/2024 multi-year budget and further that:
1. the indicative unit capital cost is R 4.60/m³ with planned completion in 2026/2027 and a 20-year repayment period;
 2. the unit capital cost of R 4.60/m³ is subject to adjustment according to the final implementation cost of the Berg/Voëlvlei Augmentation Scheme;
 3. the annual repayment for Swartland Municipality is calculated at R7,636,000 with the allocation of 0.66 million m³/annum and the indicative unit capital cost of R 4.60/m³;
- (c) that the Council notes that comments in accordance with section 33(1)(b)(iii) and (iv) of the Municipal Finance Management Act (MFMA) were only received from Mr Peter King in which he has expressed his support of the BRVAS and the conclusion of the WSA and that:
1. that no further action results with consideration of the comments of Mr Peter King in accordance with section 33 (1)(b) of the MFMA;
- (d) that the Council approves that the Water Supply Agreement as attached to the report be concluded with the Department of Water and Sanitation subject to:
1. payments in terms of the Water Supply Agreement will only be made once the raw water abstraction license has been amended to include the allocation Berg/Voëlvlei Augmentation Scheme;
- (e) that the Municipal Manager be authorised to sign the Water Supply Agreement.

(get) L D Zikmann

MUNISIPALE BESTUURDER
LDZ/ma



Verslag ♦ Ingxelo ♦ Report

Office of Director: Financial Services
19 July 2023

5/3/1/3

ITEM: 8.8 ON THE AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE MEETING
WHICH WILL BE HELD ON 27 JULY 2023

SUBJECT: REPORTING IN TERMS OF SECTION 15 (3) OF THE MUNICIPAL PROPERTY TAX LEGISLATION ON PROPERTY TAX EXEMPTIONS, REBATES AND REDUCTIONS & "REVENUE FORGONE" FOR THE FINANCIAL YEAR 2022/2023

1. BACKGROUND/DISCUSSION:

Section 15(3) *"The municipal manager must annually table in the council of the municipality a –*

- (a) list of all exemptions, rebates and reductions granted by the municipality in terms of subsection (1) during the previous financial year; and*
- (b) statement reflecting the income of the municipality forgone during the previous financial year by way of –*
 - (i) such exemptions, rebate and reductions".*

The above-mentioned legislation obliges the municipal manager to report annually to the council regarding all tax exemptions, rebates and reductions granted in the previous financial year.

For purposes of giving effect to council's oversight role and compliance with legal reporting as mentioned above, feedback is provided to council in respect of the details and categories of properties that have qualified in terms of paragraph 7 (2) and 8 of the Swartland Municipality Property Rates Policy.

2. DISCUSSION:

During the 2022/2023 financial year Property Rates Exemptions and Rebates to specific categories of ratable properties were granted to properties as envisaged by our Property Rates Policy, quoted for ease of reference *"the following properties which have been assigned to the category contemplated in paragraph 7(2) and section 8 of the Property Rates Policy of Swartland Municipality will be exempt from property tax on submission of a valid certificate issued by the SA Revenue Services as proof that the organization which owns such a property, is registered for tax exemption in terms of the Income Tax Act and provided that the organization concerned, on a yearly basis on or before 30 September of each year apply on a prescribed form to be exempt from payment of property tax".*

- Applications were received in terms of section 7 and section 8 to the tune of **R 766 088.57** with a **valuation value of R 102 361 500;**
- An amount of **R1 950 055.33** was allocated to Pensioners to a maximum value of **R 300 000** of the rateable property as a rebate and an amount of **R3 097 515.11** was allocated to **Indigent Households** in line with the Municipality's Equitable Share Policy;
- Farm properties used for bona fide agricultural purposes received no additional discount for the 2022/2023 financial year in respect of ratable property;

3. LINKAGE TO THE IDP:

The monthly report links with Chapter 7 of the IDP Strategic Outcome 1 (A Finally Sustainable Municipality with Assets well-maintained) and especially with –

- Output 1.2 (Affordable and well-managed budget)
- Output 1.3 (Restriction of expenses)
- Compliance with Legal Reporting Requirements

4. FINANCIAL IMPLICATION:

That council takes note of the property rates and discounts already awarded for the 2022-2023 financial year as summarized below:

Description:	Amount:	Type:	
Exemptions: Paragraph 7 & 8	R 766 088.57		
Zero Rebate – Agricultural Property	R 0.00		
TOTAL:	R 766 088.57	Exemptions	Table 1
Revenue Forgone: Pensioners R 300 000	R 1 950 055.33		
TOTAL:	R 1 950 055.33	Revenue Forgone	Table 2
Discount: E/Share R 115 000	R 3 097 515.11		
TOTAL:	R 3 097 515.11	Discount	Table 3

Table 1 - Exemptions: Paragraph 7 & 8

Municipal Area	Value
Malmesbury	R266 820.39
Moorreesburg	R241 805.73
Darling	R115 491.49
Yzerfontein	R14 807.09
Riebeek Kasteel	R49 065.59
Riebeek Wes	R78 098.28
TOTAL	R 766 088.57

Table 2 - Revenue Forgone: Pensioners R 300 000

Municipal Area	Value
Abbotsdale	R 60 019.31
Chatsworth	R 37 858.80
Darling	R 213 607.97
Kalbaskraal	R 12 327.81
Koringberg	R 19 998.94
Malmesbury	R 667 937.17
Moorreesburg	R 246 131.54
PPC	R 28 682.40
Riebeek Kasteel	R 117 423.50
Riebeek Wes	R 94 410.08
Riverlands	R 6 237.01
Yzerfontein	R 411 676.80
Jakkalsfontein	R 8 436.00
Grottobaai	R 13 497.60
Landelik	R 11 810.40
TOTAL	R 1 950 055.33

Table 3 - Discount: Equitable Share R 115 000

Municipal Area	Value
Malmesbury	R2 147 197.11
Darling	R479 263
Moorreesburg	R469 006
Yzerfontein	R2 049
TOTAL	R 3 097 515.11

5. **RECOMMENDATION (tabled for cognisance):**

That cognisance be taken of the municipal property tax rates exemptions to public benefit organisations/non-governmental organisations, discounts, rebates granted and revenue forgone as per the information substantiated above for the financial year ended 30 June 2023.

AANBEVELING

Dat kennis geneem word van die vrystellings van munisipale eiendomsbelasting aan openbare weldaadsorganisasies/nie-regeringsorganisasies, afslag, kortings toegestaan en inkomste afgestaan (*revenue forgone*) soos gestaaf in die verslag hierbo vir die finansiële jaar geëindig 30 Junie 2023.

(get) M Bolton

DIREKTEUR: FINANSIËLE DIENSTE



Verslag ♦ Ingxelo ♦ Report

Kantoor van die Munisipale Bestuurder
19 July 2023

7/1/2/2-2
WYK: ALLE

ITEM 8.9 VAN DIE AGENDA VAN 'N RAADSVERGADERING WAT GEHOU SAL WORD OP 27 JULIE 2023.

ONDERWERP: KWARTAALVERSLAG (ARTIKEL 52 van MFMA) – APRIL - JUNIE 2023

SUBJECT: QUARTERLY REPORT (SECTION 52 of MFMA) – APRIL – JUNE 2023

1. AGTERGROND / BACKGROUND

Die doel van hierdie verslag is om te voldoen aan die vereistes van Artikel 52 (d) van die Wet op Munisipale Finansiële Bestuur, No. 56 van 2003, wat die algemene verantwoordelikhede van die Burgermeester voorskryf om aan die raad die finansiële posisie asook die finansiële vordering van die munisipaliteit voor te lê, gemeet teenoor die goedgekeurde begroting vir die 4de kwartaal soos op 30 Junie 2023.

Hierdie verslag bevat ook die nie-finansiële inligting in die vorm van die munisipaliteit se prestasie gemeet teen die teikens soos uiteengesit in die Topvlak Dienslewering en Begroting Implementeringsplan van 2022/2023.

The purpose of this report is to comply with the requirements of Section 52 (d) of the Municipal Finance Management Act, No. 56 of 2003, which prescribes the general responsibilities of the Mayor to table to council the financial position as well as the financial progress of the municipality, measured against the approved budget for the 4th quarter as at 30 June 2023.

This report also includes the non-financial information in the form of the municipality's performance measured against the targets set out in the Top Level Service Delivery and Budget Implementation Plan 2022/2023.

2. WETGEWING / LEGISLATION

2.1 Local Government: Municipal Systems Act 32 of 2000

2.2 Local Government: Municipal Finance Management Act 56 of 2003

3. KOPPELING AAN DIE GOP / LINK TO THE IDP

The quarterly report links with Chapter 7 of the IDP - Strategic Goal 4 (Caring, Competent and Responsive Institutions, Organisations and Business) and more specifically with the following Strategic Objectives:

- 4.7 (Sound long-term financial planning including making the right investment decisions)
- 4.8 (Sound financial management, budgeting and expenditure control)
- 4.9 (Broaden the tax/ revenue base)

4. FINANSIËLE IMPLIKASIE / *FINANCIAL IMPLICATION*

Not applicable.

5. AANBEVELING / *RECOMMENDATION*

Dat die raad kennis neem van die aangehegte kwartaalverslag, soos voorgeskryf deur Artikel 52 van die Wet op Munisipale Finansiële Bestuur, Wet 56 van 2003 ten opsigte van die implementering van die begroting sowel as die prestasie teenoor die Topvlak Dienslewering en Begroting Implementeringsplan van die munisipaliteit vir die periode 1 April tot 30 Junie 2023.

That Council takes cognisance of the attached quarterly report, as required by Section 52 of the Municipal Finance Management Act, Act 56 of 2003 in respect of the implementation of the budget as well as the performance against the Top Layer Service Delivery and Budget Implementation Plan of the municipality for the period 1 April to 30 June 2023.

(get) J Scholtz

MUNICIPAL MANAGER

ITEM 8.10 ON THE AGENDA OF AN ORDINARY COUNCIL MEETING WHICH WILL BE HELD ON 27 JULY 2023

SUBJECT: ANNUAL REPORT REGARDING THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE FINANCIAL YEAR ENDING 30 JUNE 2023

1. BACKGROUND

In terms of Regulation 6(2)(a)(i) of the Municipal Supply Chain Management Regulations a report regarding the implementation of the Swartland Municipality's Supply Chain Management Policy must be submitted to Council within 30 days of the end of each financial year. Regulation 6(3) of the SCM Regulations requires the Accounting Officer to report quarterly on the implementation of the Supply Chain Management Policy to the Mayor, in order to give effect to Council's oversight role.

2. DOCUMENTATION

Attached hereto please find a copy of the report on the implementation of the Supply Chain Management Policy for the period 1 July 2022 to 30 June 2023 and also the Formal Tenders (Annexure A), Informal Tenders (Annexure B), Deviation Report (Annexure C) and Deviations with reference to the Supply Chain Management Policy (Annexure D) for the last quarter of the financial year.

3. RECOMMENDATION (as recommended by the Executive Mayoral Committee on 19 July 2023)

- (a) That cognisance is taken of the Annual Report regarding the implementation of the Supply Chain Management Policy in accordance with section 6(2)(a)(i) of the Regulations, as well as reports on the Formal Tenders (Annexure A), Informal Tenders (Annexure B), and the Deviation Report (Annexure C).
- (b) That cognisance is taken of the services rendered for the period 1 April 2023 to 30 June 2023 with reference to the exceptions where it is impractical to test the market and therefore justified a deviation from the procurement processes in terms of paragraph 2(6) of the Supply Chain Management Policy (Annexure D). It must be noted that payments must still be finalised for the 2022/2023 financial year. To comply with legislation in terms of quarter 4, any differences will be highlighted in the following SCM quarterly report, subject to figures/transactions that would have an impact on the completeness of the financial statements.

(get) J J Scholtz

MUNICIPAL MANAGER



Supply Chain Management Implementation Report

2022/2023 ANNUAL REPORT

To The Council

Regulation 6(3) of the SCM Regulations requires the Accounting Officer to report quarterly on the implementation of the Supply Chain Management Policy to the Mayor, in order to strengthen Council's oversight role. In accordance with Regulation 6(2)(a)(i) of the Municipal Supply Chain Management Regulations, I submit the required report on the implementation of Swartland Municipality's Supply Chain Management Policy for the period: 1 July 2022 to 30 June 2023.

Municipal Manager
4 July 2023

Executive Summary

Introduction

This report is a summary of the implementation of the Supply Chain Management Policy. It highlights the implementation of Supply Chain Management in the Swartland Municipality. Regulation 6(3) of the SCM Regulations requires the Accounting Officer to report quarterly on the implementation of the Supply Chain Management Policy to the Mayor, in order to strengthen Council's oversight role. In accordance with Regulation 6(2)(a)(i) of the SCM Regulations the Accounting Officer must "within 30 days of the end of each financial year, submit a report on the implementation of the Supply Chain Management Policy of the municipality to the council of the municipality".

Implementation of Supply Chain Management Policy

The Supply Chain Management Policy was adopted by Council on 1 January 2006 to fully comply with the SCM Regulations communicated under National Treasury general notice 868, Gazette no. 27636. The Supply Chain Management Policy has been reviewed and amendments approved by the Council on 30 March 2023.

Committees

The below mentioned committees are established and are functioning fully according to Council's Supply Chain Management Policy and the Supply Chain Management Regulations. The committees are as listed below:

- Bid Specification Committee (BSC)
- Bid Evaluation Committee (BEC)
- Bid Adjudication Committee (BAC)

Tenders Awarded

During the 2022/2023 financial year the BAC met **18 times**, and **50** tenders were awarded.

Attached as Annexure A (Formal Tenders) and Annexure B (Informal Tenders) is a list of all tenders awarded during the last quarter of the 2022/2023 financial year by the Bid Adjudication Committee and Manager: Supply Chain Management respectively.

Herewith a summary of tenders awarded for the 2022/2023 financial year.

	Formal Tenders Awarded			Informal Tenders Awarded	
	Number of Tenders	Bid Committee Meetings	Tender Amount	Number of Tenders	Tender Amount
1 July 2022-30 September 2022	13	5	R 47 515 374.29	21	R 1 847 544.56
1 October 2022-31 December 2022	15	5	R 11 732 198.29	25	R 2 048 570.11
1 January 2023-31 March 2023	3	3	R 4 281 743.14	28	R 2 174 684.57
1 April 2023-30 June 2023	19	5	R 24 290 546.35	17	R 1 516 516.68
	50	18	R 87 819 862.07	91	R 7 587 315.91

Deviations Approved by Manager: Supply Chain Management

In accordance with Paragraph 36 of the Supply Chain Management Policy, all deviations from the official procurement processes must be approved and recorded by the Accounting Officer, and reported to Council. The approval of deviations with a transaction value of up to R30,000 (VAT included), has been delegated to the Manager: Supply Chain Management. The total value of deviations approved by the Manager: Supply Chain Management for the period 1 April 2023 to 30 June 2023 amounted to **R 857 374.04**. The total deviations approved by the Manager: Supply Chain Management for the 2022/2023 financial year amounted to **R 3 809 840.46**. The list of approved deviations for the last quarter is attached as Annexure C.

Deviations Approved by Municipal Manager: 2022/2023

The total deviations approved by the Municipal Manager for the 2022/2023 financial year amounted to **R 3 975 906.64**, VAT included compared to **R 4 385 981.33** for the 2021/2022 financial year .

Deviations with Reference to Exceptions from the Supply Chain Processes in terms of the Supply Chain Management Policy

In paragraph 2(6) of the Supply Chain Management Policy provision is made for exceptions from the supply chain processes regarding the procurement of certain services. These services include the services and repairs of vehicles at the vehicle agents, as well as repairs to equipment at the agents. In these instances only 1 quote needs to be obtained. In accordance with paragraph 36(2) of the Supply Chain Management Policy, these deviations must be reported to Council. Attached as "Annexure D", please find a summary of deviations with reference to exceptions from the supply chain processes for the period 1 April 2023 to 30 June 2023.

Staffing Issues

The staff complement of the Supply Chain Management unit is as follows:

- Manager: Supply Chain Management,
- Head: Logistics,
- Head: Demand & Acquisition,
- Principal Clerk: Orders,
- Secretary: SCM,
- Senior Storeman,
- Storeman,
- Senior Clerk: Stationery and
- Three Senior Clerks (Buyers).

Systems

- **Supplier Database**
 - The municipality is utilising National Treasury's Central Supplier Database with effect from 1 July 2016.

External Relations

- The SCM Unit works very closely with the Provincial Treasury on all the legislative requirements. No Supply Chain Forum meetings were held during this quarter.

Conclusion

The Supply Chain Management Unit is continuously improving its processes and procedures in order to ensure that Council receives value for money in terms of demand and acquisitions management.

FORMAL TENDERS (>R200,000) AWARDED: 1 APRIL 2023 - 30 JUNE 2023

DATE	CONTRACT NO	CONTRACT NAME	AMOUNT	COMPLETION/ DELIVERY PERIOD	CONTRACTOR	CONTRIBUTION LEVEL
2023-04-20	T29/22/23	Provision of a Web-Based System Indigent Management and Income Verification System for the Period Ending 30 June 2025	R1 445 358.18	30-Jun-25	RiscFree Dot Com (Pty) Ltd	5
2023-05-15	T33/22/23	Provision of Water and Waste Water Treatment Process Learnerships Training for the Period ending 30 June 2025	R316 500.00	30-Jun-25	Tshegofentse Facilities & Training	1
2023-05-15	T56/22/23	Upgrading of Existing Telephone Call Recording Software and Hardware	R197 489.21	3 Weeks	Plus1X Communications (Pty) Ltd t/a +OneX	1
2023-05-17	T41/22/23	Supply, Delivery and Installation of Back-Up Electricity Generators for Water and Sewer Pump Stations in the Swartland Municipal Area	R14 999 399.75	38 Weeks	VE Reticulation (Pty) Ltd	1
2023-05-17	T45/22/23	Supply and Delivery of 200kVA Generator for Malmesbury Municipal Head Office	R910 617.78	22 Weeks	DCI Projects (Pty) Ltd	1
2023-06-06	T38/22/23	Management of Yzerfontein Harbour, Slipway & Fishmarket	R936 000.00	30-Jun-26	Edwin Genade	1
2023-06-06	T46/22/23	Materials and Requirement for Electricity Department	R0.00	30 June 024	All tenders accepted	Various
2023-06-06	T40/22/23	Panel of Specialist Legal Services Providers	R0.00	30-Jun-26	Panel	Various
2023-06-06	T23/22/23	Professional Civil & Electrical Engineering Services	R0.00	30-Jun-26	Panel	Various
2023-06-06	T32/22/23	Learnerships Training: Environmental Practices	R988 178.21	30-Jun-25	Bantubanya Skills	1
2023-06-06	T31/22/23	Learnership Training: Arboriculture&Tree Preserve	R635 000.00	30-Jun-24	BC Landscape Training & Consultancy (Pty) Ltd	0
2023-06-06	T59/22/23	Transportation of Employees: Yzerfontein to Darling	R187 500.00	30-Jun-24	Jacen Peter Filander	1
2023-06-06	T55/22/23	Maintenance and Support for the Unify Telephone Systems	R631 996.58	36 Months	Plus 1X Communications (Pty) Ltd t/a +OneX	1
2023-06-13	T42/22/23	Annual Tender: Civil Engineering Department	R0.00	30-Jun-24	All tenders accepted	Various

DATE	CONTRACT NO	CONTRACT NAME	AMOUNT	COMPLETION/ DELIVERY PERIOD	CONTRACTOR	CONTRIBUTION LEVEL
2023-06-13	T51/22/23	3 ton Crewcab Tipper Truck	R840 000.00	12-16 Weeks	Fuzion Motors t/a Perdeberg Commercial	2
2023-06-13	T50/22/23	Supply and Delivery of 3 ton crewcab truck	R810 000.00	12-16 Weeks	Fuzion Motors t/a Perdeberg Commercial	2
2023-06-13	T39/22/23	Security Services Malmesbury Stores	R1 010 474.64	30-Jun-26	World Focus 1322	1
2023-06-13	T39/22/23	Rendering of Security Services in Yzerfontein	R382 032.00	30-Jun-26	Redlight Security (Pty) Ltd	1
2023-06-13	T57/22/23	Appointment of Health and Safety Agent	R0.00	30-Jun-26	BH Venture (Pty) Ltd	2
			R24 290 546.35			

ANNEXURE B

INFORMAL TENDERS (>R30,000<R200,000) AWARDED: 1 APRIL 2023 - 30 JUNE 2023

Contract Description	Tender Number	Date Awarded	Approved Amount	Successful Bidder	Contribution Level
Aquatic Weed Control in Diep River Malmesbury	SCM75.22.23	04.04.2023	R 48 800.00	Swartland and Westcoast Trading (Pty) Ltd	1
Supply and Delivery of Battery Operated Hydraulic Tool	SCM83.22.23	06.04.2023	R 198 470.00	Fremtac Fire and Rescue CC	4
Supply and Fit Fencing at Esterhof Cemetery, Riebeek Kasteel	SCM87.22.23	11.04.2023	R 68 200.00	AA Fencing and Construction Services	1
Supply and Mount Projector at Town Hall Malmesbury	SCM92.22.23	12.04.2023	R 72 877.80	Presentation Solutions (Pty) Ltd	2
Installation of 2x New Air Conditioners at Server Room, Town Hall, Malmesbury	SCM81.22.23	18.04.2023	R 62 000.00	DT Sibenza Security Service (Pty) Ltd	1
Supply and Delivery of Rescue / Utility Gloves and Firefighter Gear / Kitbags	SCM91.22.23	18.04.2023	R 47 437.50	At Work Health And Safety	1
Repair Swimming Pool Filter System in Malmesbury	SCM96.22.23	18.04.2023	R 117 049.66	Viking Pony Africa Pumps (Pty) Ltd t/a Tricom Africa	1
Supply and Delivery of 24 x Catch Pit Frames	SCM97.22.23	24.04.2023	R 80 000.00	Emmerencia Construction	1
Repair Centreless Screw at Malmesbury Waste Water Treatment Works	SCM95.22.23	03.05.2023	R 100 572.00	Trautmann Trading (Pty) Ltd)	1
Supply, Delivery and Installation of Precast Concrete Tables and Seating at Various Locations in the Swartland Municipal Area	SCM94.22.23	03.05.2023	R 90 000.00	Sacio Trading Enterprise	1
Supply and Delivery of 22 x High Back Chairs	SCM90.22.23	04.05.2023	R 113 533.57	Bidvest Waltons	2
Supply and Delivery of Ball Float Valve	SCM99.22.23	11.05.2023	R 66 700.00	Take Note Trading 245CC t/a Universal Trading	1
Supply and Delivery of Folding Tables	SCM98.22.23	15.05.2023	R 75 014.50	Prolinea Office Furniture CC	4
Supply and Delivery of Various Fire Fighting Equipment	SCM102.22.23	23.05.2023	R 199 772.25	Memotek Trading CC	1
Supply and Delivery of Fire Fighting Safety Boots	SCM100.22.23	26.05.2023	R 50 600.00	Stevenridge CC	2
Supply and Delivery of Laptops and Accessories	SCM101.22.23	29.05.2023	R 71 772.65	CHM Vuwani Computer Solutions (Pty) Ltd	1
Renewal of EMC UNITY 300 Support	SCM103.22.23	05.06.2023	R 53 716.75	Storage Technology Services (Pty) Ltd T/A Nexio	1
			R 1 516 516.68		

DEVIATIONS APPROVED BY MANAGER: SUPPLY CHAIN MANAGEMENT FOR THE QUARTER 1 APRIL 2023 TO 30 JUNE 2023

Supplier Name	Approval Date	Deviation Type	Department	Total
Swartland Joernaal	03/04/2023	Impractical	Development Services	R 19 126.80
Swartland Gazette	03/04/2023	Impractical	Development Services	R 17 595.00
Automedell Bk	04/04/2023	Emergency	Protection Services	R 3 320.20
Jubilee Generators	04/04/2023	Impractical	Electrical Engineering Services	R 4 103.20
Cape Armature Winders	05/04/2023	Impractical	Civil Engineering Services	R 20 671.25
Cape Armature Winders	05/04/2023	Impractical	Civil Engineering Services	R 21 275.00
Swartland Gazette	06/04/2023	Impractical	Development Services	R 6 624.00
Swartland Joernaal	06/04/2023	Impractical	Development Services	R 6 955.20
Swartland Joernaal	14/04/2023	Impractical	Corporate Services	R 4 830.00
Swartland Gazette	14/04/2023	Impractical	Corporate Services	R 5 382.00
Swartland Joernaal	17/04/2023	Impractical	Development Services	R 4 636.80
Swartland Gazette	17/04/2023	Impractical	Development Services	R 4 140.00
Johan Bester Ingenieurswerke Bk	17/04/2023	Emergency	Civil Engineering Services	R 2 338.53
CBI Electric	17/04/2023	Emergency	Electrical Engineering Services	R 21 344.12
Swartland Travel Services	18/04/2023	Impractical	Protection Services	R 3 704.20
Johan Bester Ingenieurswerke Bk	18/04/2023	Emergency	Civil Engineering Services	R 2 733.70
Isolabantu	20/04/2023	Impractical	Corporate Services	R 2 805.60
Swartland Joernaal	20/04/2023	Impractical	Corporate Services	R 2 415.00
RVJ Works (Pty) Ltd	20/04/2023	Emergency	Electrical Engineering Services	R 25 070.00
Biocure cc	20/04/2023	Emergency	Civil Engineering Services	R 28 014.00
Agua Africa	20/04/2023	Impractical	Civil Engineering Services	R 23 598.00
Swartland Joernaal	20/04/2023	Impractical	Development Services	R 3 864.00
Swartland Gazette	21/04/2023	Impractical	Corporate Services	R 3 018.75
Swartland Gazette	24/04/2023	Impractical	Development Services	R 3 519.00
Swartland Gazette	26/04/2023	Impractical	Development Services	R 3 312.00
Swartland Joernaal	26/04/2023	Impractical	Development Services	R 3 864.00
Atlantic Fields Services	26/04/2023	Emergency	Civil Engineering Services	R 12 157.77
Atlantic Fields Services	26/04/2023	Emergency	Civil Engineering Services	R 13 409.18
Hydromatic	26/04/2023	Impractical	Civil Engineering Services	R 2 410.40
Swartland Gazette	28/04/2023	Impractical	Corporate Services	R 2 691.00
Macsteel Service Centres SA	03/05/2023	Emergency	Civil Engineering Services	R 6 976.22
Swartland Joernaal	03/05/2023	Impractical	Corporate Services	R 3 400.32
Swartland Gazette	05/05/2023	Impractical	Corporate Services	R 4 980.65
Swartland Gazette	05/05/2023	Impractical	Corporate Services	R 3 018.75
Brasika Consulting (Pty) Ltd	10/05/2023	Impractical	Corporate Services	R 28 462.50
Strategic Business Services (Pty) Ltd	10/05/2023	Impractical	Corporate Services	R 8 050.00
Swartland Travel Services	12/05/2023	Impractical	Corporate Services	R 4 520.01
Swartland Gazette	11/05/2023	Impractical	Corporate Services	R 3 018.75
Swartland Joernaal	11/05/2023	Impractical	Corporate Services	R 4 025.00
Swartland Gazette	12/05/2023	Impractical	Corporate Services	R 4 830.00
Isolabantu	11/05/2023	Impractical	Corporate Services	R 2 805.60
RT Systems (Pty) Ltd	11/05/2023	Impractical	Electrical Engineering Services	R 6 256.00
Thomas Electric	11/05/2023	Emergency	Electrical Engineering Services	R 3 958.87
Johan Bester Ingenieurswerke Bk	11/05/2023	Emergency	Civil Engineering Services	R 7 753.73

Supplier Name	Approval Date	Deviation Type	Department	Total
Johan Bester Ingenieurswerke Bk	11/05/2023	Emergency	Civil Engineering Services	R 2 165.45
Swartland Joernaal	12/05/2023	Impractical	Corporate Services	R 4 037.88
Swartland Joernaal	12/05/2023	Impractical	Corporate Services	R 6 588.12
JB Ingenieurswerke	15/05/2023	Emergency	Civil Engineering Services	R 2 200.00
The Institute of Internal Auditors	15/05/2023	Impractical	Internal Audit	R 2 958.38
Clifford Technical Services cc	15/05/2023	Emergency	Protection Services	R 6 710.02
WJ Cotter Electrical	15/05/2023	Emergency	Civil Engineering Services	R 29 900.00
Channel Mobile (Pty) Ltd	15/05/2023	Impractical	Electrical Engineering Services	R 22 540.00
Mpuko Construction	15/05/2023	Impractical	Electrical Engineering Services	R 2 600.00
Ian Dickie and Company (Pty) Ltd	17/05/2023	Impractical	Civil Engineering Services	R 13 156.00
Tricom Africa	17/05/2023	Impractical	Civil Engineering Services	R 18 894.78
Fremtac Fire and Rescue Services cc	17/05/2023	Impractical	Civil Engineering Services	R 4 761.18
WOT Projects	17/05/2023	Emergency	Civil Engineering Services	R 11 550.00
Swartland Gazette	22/05/2023	Impractical	Development Services	R 2 484.00
Swartland Joernaal	22/05/2023	Impractical	Development Services	R 4 037.88
Swartland Joernaal	22/05/2023	Impractical	Corporate Services	R 3 220.00
WOT Projects	24/05/2023	Emergency	Civil Engineering Services	R 2 500.00
Cape Armature Winders	24/05/2023	Impractical	Civil Engineering Services	R 23 327.75
Cape Armature Winders	24/05/2023	Impractical	Civil Engineering Services	R 18 630.00
GW Trautmann CC	24/05/2023	Emergency	Civil Engineering Services	R 18 506.25
F.E.S. Manufacturing (Pty) Ltd	24/05/2023	Impractical	Protection Services	R 6 408.66
Swartland Joernaal	25/05/2023	Impractical	Development Services	R 2 337.72
Swartland Gazette	25/05/2023	Impractical	Development Services	R 2 070.00
Johan Bester Ingenieurswerke BK	25/05/2023	Emergency	Civil Engineering Services	R 6 995.23
Swartland Gazette	25/05/2023	Impractical	Corporate Services	R 4 140.00
Swartland Joernaal	25/05/2023	Impractical	Corporate Services	R 5 313.00
Silver Solutions 699 cc t/a PG Glass	29/05/2023	Emergency	Protection Services	R 2 836.18
Swartland Gazette	29/05/2023	Impractical	Corporate Services	R 2 484.00
Swartland Joernaal	29/05/2023	Impractical	Corporate Services	R 2 975.28
Swartland Gazette	29/05/2023	Impractical	Development Services	R 12 627.00
Swartland Joernaal	29/05/2023	Impractical	Development Services	R 15 088.92
RA Nell Hardware (Pty) Ltd	29/05/2023	Emergency	Development Services	R 2 687.76
Zenith Car Rental (Pty) Ltd t/a Avis Rent A Car	29/05/2023	Impractical	Civil Engineering Services	R 7 398.70
Swartland Joernaal	02/06/2023	Impractical	Corporate Services	R 4 462.92
Swartland Gazette	05/06/2023	Impractical	Corporate Services	R 3 726.00
Jubilee Generators cc	05/06/2023	Emergency	Electrical Engineering Services	R 4 495.93
RVJ Works (Pty) Ltd	06/06/2023	Impractical	Electrical Engineering Services	R 5 225.60
Cape Armature Winders	06/06/2023	Emergency	Civil Engineering Services	R 9 775.00
NJBEW Construction Services	06/06/2023	Emergency	Civil Engineering Services	R 2 100.00
F.E.S. Manufacturing (Pty) Ltd	07/06/2023	Impractical	Protection Services	R 5 376.25
HEM Services (Pty) Ltd	08/06/2023	Impractical	Civil Engineering Services	R 3 450.00
Swartland Gazette	09/06/2023	Impractical	Development Services	R 11 592.00
Swartland Joernaal	09/06/2023	Impractical	Development Services	R 13 388.76
Dirk Verdoes Attorneys	09/06/2023	Impractical	Development Services	R 20 000.00
Coastal Hire Swartland	12/06/2023	Emergency	Civil Engineering Services	R 8 500.00
F.E.S. Manufacturing (Pty) Ltd	12/06/2023	Emergency	Protection Services	R 15 067.06
F.E.S. Manufacturing (Pty) Ltd	13/06/2023	Emergency	Protection Services	R 14 205.19

Supplier Name	Approval Date	Deviation Type	Department	Total
Dogs and All	15/06/2023	Emergency	Corporate Services	R 2 426.39
Swartland Travel Services	15/06/2023	Impractical	Municipal Manager	R 3 067.40
F.E.S. Manufacturing (Pty) Ltd	19/06/2023	Emergency	Protection Services	R 8 173.87
Swartland Joernaal	20/06/2023	Impractical	Corporate Services	R 2 337.72
Swartland Gazette	20/06/2023	Impractical	Corporate Services	R 2 070.00
VWE Installasies h/a VWE Bande	21/06/2023	Impractical	Civil Engineering Services	R 2 455.72
Hydromatic	21/06/2023	Emergency	Civil Engineering Services	R 2 159.70
NJBEW Construction Services	21/06/2023	Emergency	Civil Engineering Services	R 5 100.00
WOT Projects	21/06/2023	Emergency	Civil Engineering Services	R 8 400.00
Supa Quick Moorreesburg	21/06/2023	Emergency	Electrical Engineering Services	R 3 220.00
Swartland Gazette	26/06/2023	Impractical	Development Services	R 7 866.00
Swartland Joernaal	26/06/2023	Impractical	Development Services	R 8 075.76
Mr Rubble Mover	26/06/2023	Emergency	Civil Engineering Services	R 4 500.00
Johan Bester Ingenieurswerke BK	26/06/2023	Emergency	Civil Engineering Services	R 3 560.41
WJ Cotter Electrical cc	26/06/2023	Emergency	Civil Engineering Services	R 4 252.60
Nichen Services	26/06/2023	Emergency	Civil Engineering Services	R 4 670.00
M & E Roofing	26/06/2023	Emergency	Civil Engineering Services	R 2 500.00
Swartland Travel Services	27/06/2023	Impractical	Municipal Manager	R 2 500.00
Swartland Travel Services	27/06/2023	Impractical	Financial Services	R 3 838.52
Swartland Travel Services	28/06/2023	Impractical	Financial Services	R 2 020.00
J.Lawrence	29/06/2023	Emergency	Civil Engineering Services	R 7 700.00
				R 857 374.04

ANNEXURE D

DEVIATIONS WITH REFERENCE TO PARAGRAPH 2(6) OF THE SUPPLY CHAIN MANAGEMENT POLICY (WHERE IT IS IMPRACTICAL TO TEST THE MARKET) FOR THE PERIOD 1 APRIL 2023 TO 30 JUNE 2023		
SERVICE PROVIDER	AMOUNT	TOTAL TRANSACTIONS
<u>Vehicles: Services & Repairs</u>		
AFGRI	R 38 983.18	6
Babcock Equipment	R 88 936.01	7
Barloworld Equipment (Pty)Ltd	R 153 519.43	4
Bell Equipment Sales	R 42 130.48	4
Boland Motor Group	R 6 743.96	2
Cape Diggers Cc	R 28 783.00	1
Cape Truck and Van (Pty) Ltd	R 20 839.70	1
Compaction + Industrial Equipment	R 37 383.31	2
Hennies Trekkers	R 8 939.20	2
JB's Nissan (Diens En Herstel)	R 157 713.74	15
JB's Trucks - UD Trucks Malmesbury	R 329 142.84	33
Kaap Agri Bedryf Bpk	R 11 768.29	1
Malmesbury Toyota	R 54 982.07	7
Moorreesburg Implemente	R 12 830.40	1
Perdeberg Motors	R 112 918.53	16
Rola VW Malmesbury	R 17 875.00	5
TFM Transtech	R 78 015.79	11
<u>Equipment: Repairs</u>		
AFGRI	R 10 301.46	1
Darling Hersteldienste	R 2 924.00	1
Drager South Africa Pty Ltd	R 7 750.70	1
Euraf Agencies	R 27 539.13	3
JHL Ingenieurs Verskaffers	R 9 945.80	2
LA Rosenberg	R 4 121.05	1
Workshop Electronics	R 3 090.00	1
<u>IT Software (Para 2(6)b)</u>		
Ignite Advisory Services	R 74 945.04	1
Payday Software Systems	R 34 132.00	2
R-Data (Pty) Ltd	R 411 457.37	2
RT Systems	R 7 697.74	1
Spectrum Communications	R 28 287.45	2
<u>Training, Courses, Seminars (Para 2(6)e)</u>		
CIGFARO	R 7 454.00	2
Engineering Council of South Africa	R 23 779.00	2
IDI Technology Solutions	R 15 525.00	1
Ignite Advisory Services	R 13 570.00	2
South African Council for the Property Valuers Profession	R 3 879.00	1
The Institute of Internal Auditors South Africa	R 6 900.00	2
<u>Medical Specialists (Para 2(6)i)</u>		
M. van Heerden	R 2 260.00	1
<u>Material for structural damage in a disaster situation (Para 2(6)f)</u>		
Build It	R 8 405.00	1
	R 1 905 468.67	148