



## **NOTULE VAN 'N VERGADERING VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU IN DIE STADSAAL, MALMESBURY OP DONDERDAG, 28 APRIL 2022 OM 10:00**

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### **TEENWOORDIG:**

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

### **RAADSLEDE:**

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

### Beampes:

Munisipale Bestuurder, mnr J J Scholtz  
Direkteur: Elektriese Ingenieursdienste, mnr R du Toit  
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  
Senior Bestuurder: Vaste Afval en Handelsdienste, mnr J J Venter  
Bestuurder: Sekretariaat en Rekords, me N Brand

### **1. OPENING**

Die Speaker verwelkom die Uitvoerende Burgemeester, die Uitvoerende Onderburgemeester, raadshere, raadslede en amptenare en versoek rdl N Smit om die vergadering met skriflesing en gebed te open.

Die Speaker dra sy gelukwense oor aan raadslede en amptenare wat die afgelope tyd verjaar het.

### **2. VERLOF TOT AFWESIGHEID**

Geen verskoning is ontvang nie.

### **3. AFVAARDIGINGS/VERKLARINGS EN MEDEDELINGS/VOORLEGGINGS**

Geen.

### **4. NOTULES VIR BEKRAGTING**

#### **4.1 NOTULE VAN 'N GEWONE RAADSVERGADERING GEHOU OP 31 MAART 2022**

Besluit/...



**MINUTES OF A MEETING OF THE SWARTLAND MUNICIPAL COUNCIL HELD IN THE TOWN HALL, MALMESBURY ON THURSDAY, 28 APRIL 2022 AT 10:00**

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

Officials:

Municipal Manager, mr J J Scholtz  
Director: Electrical Engineering Services, mr R du Toit  
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  
Senior Manager: Solid Waste and Trade Services, mr J J Venter  
Manager: Secretarial and Records, ms N Brand

**1. OPENING**

The Speaker welcomed the Executive Mayor, the Deputy Executive Mayor, aldermen, councillors and officials and requested clr N Smit to open the meeting with a scripture reading and a prayer.

The Speaker congratulated councillors and officials who had celebrated birthdays recently.

**2. APOLOGIES**

No apologies received.

**3. DEPUTATIONS/DECLARATIONS AND COMMUNICATIONS/SUBMISSIONS**

None.

**4. MINUTES FOR APPROVAL**

**4.1 MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 31 MARCH 2022**

Resolution/...

4.1/...

**BESLUIT**

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

Dat die notule van Gewone Raadsvergadering gehou op 31 Maart 2022 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 BURGE-MEESTERSKOMITEE GEHOU 23 MAART 2022**

saamgelees met

**NOTULE VAN 'N VERGADERING VAN PORTEFEULJEKOMITEES GEHOU OP 9 MAART 2022**

**5.2 NOTULE VAN 'N SPESIALE VERGADERING VAN DIE UITVOERENDE BURGE-MEESTERSKOMITEE GEHOU 25 MAART 2022**

**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 1 MAART 2022**

**7. SAKE VOORTSPRUITEND UIT DIE NOTULES**

Geen.

**8. SAKE VIR BESPREKING**

**8.1 GOEDKEURING VAN DIE 2021/2022 TOT 2023/2024 SPESIALE AANSUIWERINGBEDRYF- EN KAPITAALBEGROTING (5/4/1)**

Die 2021/2022 tot 2023/2024 Spesiale Aansuiweringbedryf- en Kapitaalebegroting is tydens 'n Uitvoerende Burgemeesterskomiteevergadering gehou op 21 April 2022 oorweeg vir goedkeuring deur die Raad en word deur die Uitvoerende Burgemeester ter tafel gelê.

Die Munisipale Bestuurder verduidelik dat Swartland Munisipaliteit bevoorreg was om op 30 Maart 2022 'n addisionele MIG-toekenning ten bedrae van R4 miljoen vanaf die nasionale regering te ontvang. Die rede hiervoor is dat die Munisipaliteit teen Desember 2021 reeds 70% van sy MIG-toekenning spandeer het en dus – saam met nog net een ander munisipaliteit – vir addisionele fondse in aanmerking gekom het.

Op navraag van rdl B J Penxa aangaande die aanwending van die addisionele fondse, bevestig die Munisipale Bestuurder dat die fondse slegs spandeer mag word op projekte wat reeds op die MIG-program geregistreer is. Laasgenoemde proses kan tot 18 maande duur en verg dit dus deeglike beplanning deur die Departement: Siviele Ingenieursdienste.

Die Speaker versoek dat daar tot stemming oorgegaan word vir die goedkeuring van die 2021/2022 tot 2023/2024 Spesiale Aansuiweringbedryf- en Kapitaalebegroting en word daar –

4.1/...

**RESOLUTION**

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

That the minutes of an Ordinary Council Meeting held on 31 March 2022 are approved and signed by the Speaker.

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

**RESOLUTION**

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

**5.1 MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR’S COMMITTEE HELD ON 23 MARCH 2022**

read in conjunction with

**MINUTES OF A MEETING OF THE PORTFOLIO COMMITTEES HELD ON 9 MARCH 2022**

**5.2 MINUTES OF A SPECIAL MEETING OF THE EXECUTIVE MAYOR’S COMMITTEE HELD ON 25 MARCH 2022**

**6. REPORT IN RESPECT OF THE DELEGATED DECISION MAKING BY THE MUNICIPAL MANAGER**

**RESOLUTION**

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

**6.1 MINUTES OF A TENDER AWARD COMMITTEE MEETING HELD ON 1 MARCH 2022**

**7. MATTERS ARISING FROM THE MINUTES**

None.

**8. MATTERS FOR DISCUSSION**

**8.1 APPROVAL OF THE 2021/2022 TO 2023/2024 SPECIAL ADJUSTED OPERATING AND CAPITAL BUDGETS (5/4/1)**

The 2021/2022 to 2023/2024 Special Adjusted Operating and Capital Budgets were considered for approval by the Council during the Executive Mayor’s Committee Meeting held on 21 April 2022 and were tabled by the Executive Mayor.

The Municipal Manager explained that Swartland Municipality was privileged to receive an additional MIG grant to the amount of R4 million from the national government. The reason therefore is that by December 2021 the Municipality had spent 70% of its MIG grant and was therefore – together with only one other municipality – considered for additional funding.

On inquiry from clr B J Penxa, in respect of the appropriation of the additional funds, the Municipal Manager confirmed that the funds may only be spent on projects which are already registered on the MIG programme. The latter process can last up to 18 months and requires thorough planning by the Department: Civil Engineering Services. The Speaker brought the matter, in respect of approval of the 2021/2022 and 2023/2024 Special Adjusted Capital and Operating Budgets, to the vote and there was –

**EENPARIG BESLUIT**

(op voorstel van rdh J H Cleophas, gesekondeer deur rdl N Smit)

- (a) Dat kennis geneem word dat die Begrotingsbeheerkomitee dringend vergader het om die verduidelikings en motivering van die finansiële personeel en verantwoordelike direkteur te oorweeg gegewe die veranderinge;
- (b) Dat goedkeuring verleen word om die hoë-vlak bedryfsbegroting vir 2021/2022 as volg te wysig met geen veranderinge aan die buite jare nie;

	Oorspronklike Begroting 2021/22	Half-Jaarlikse Aansuiwerings begroting 2021/22	Tweede Aansuiwerings begroting 2021/22	Spesiale Aansuiwerings begroting 2021/22	Oorspronklike Begroting 2022/23	Oorspronklike Begroting 2023/24
Kapitaalebegroting	166 435 729	166 040 448	166 040 448	170 040 448	132 744 732	136 678 848
Bedryfsuitgawes	911 967 149	951 133 356	953 347 356	953 347 356	983 835 346	1 055 314 274
Bedryfsinkomste	968 875 613	1 007 040 106	1 009 254 106	1 013 254 106	1 048 008 388	1 119 714 984
<b>Begrote (Surplus)/ Tekort</b>	<b>(56 908 464)</b>	<b>(55 906 750)</b>	<b>(55 906 750)</b>	<b>(59 906 750)</b>	<b>(64 173 042)</b>	<b>(64 400 709)</b>
Minus: Kapitaal Toekennings, Donasies & Ontwikkelingsbydraes	47 912 409	48 027 246	48 027 246	52 027 246	45 865 556	50 788 078
<b>(Surplus)/ Tekort</b>	<b>(8 996 055)</b>	<b>(7 879 504)</b>	<b>(7 879 504)</b>	<b>(7 879 504)</b>	<b>(18 307 486)</b>	<b>(13 612 631)</b>

- (c) Dat kennis geneem word dat die veranderinge in die begroting geen impak op tariewe het ten opsigte van die 2021/2022 finansiële jaar en dat die begrote netto surplus van R7 879 504 onveranderd bly;
- (d) Dat die aangepaste begrotingskedules soos vereis deur die Begroting- en Verslagdoeningsregulasies goedgekeur word soos vervat in **(Annexure B: Budget Report and B-Schedules 2021/22 – 2023/24)**;
- (e) 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;
- (f) Dat die Dienslewering- en Begrotingimplementeringsplan (SDBIP) toepaslik diennooreenkomstig gewysig word.

**8.2 KWARTAALVERSLAG (ART 52 VAN MFMA): JANUARIE TOT MAART 2022 (7/1/2-2)**

Die voorlegging van die kwartaalverslag word voorgeskryf deur Artikel 52(d) van die MFMA.

Die voorlegging van die verslag aan die Raad dien as een van die Uitvoerende Burgemeester se algemene verantwoordelikhede om die Raad in te lig aangaande die implementering van die begroting en die stand van die finansiële sake van die Munisipaliteit.

Die kwartaalverslag is bespreek tydens 'n vergadering van die Munisipale Publieke Verantwoordbaarheidskomitee gehou op 26 April 2022 ten einde dié komitee se oorsigrol te vervul.

**BESLUIT**

(op voorstel van rdl E C O'Kennedy, gesekondeer deur rdd M van Zyl)

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 Begrotingimplementeringsplan van die Munisipaliteit vir die periode 1 Januarie 2022 tot 31 Maart 2022.

**GETEKEN:  
SPEAKER**

8.1/...

# **UNANIMOUS RESOLUTION**

(proposed by ald J H Cleophas, seconded by clr N Smit)

- (a) That it be noted that the Budget Steering Committee urgently convened to consider the explanations and motivations provided by the financial staff and responsible director as it relates to the adjustments;
- (b) That approval be granted to amend the high-level operating budget for 2021/2022 with no amendments to the outer years as follows:

	Original Budget 2021/22	Mid-Year Adj Budget 2021/22	Second Adj Budget 2021/22	Special Adj Budget 2021/22	Original Budget 2022/23	Original Budget 2023/24
Capital budget	166 435 729	166 040 448	166 040 448	170 040 448	132 744 732	136 678 848
Operating Expenditure	911 967 149	951 133 356	953 347 356	953 347 356	983 835 346	1 055 314 274
Operating Revenue	968 875 613	1 007 040 106	1 009 254 106	1 013 254 106	1 048 008 388	1 119 714 984
<b>Budgeted (Surplus)/ Deficit</b>	<b>(56 908 464)</b>	<b>(55 906 750)</b>	<b>(55 906 750)</b>	<b>(59 906 750)</b>	<b>(64 173 042)</b>	<b>(64 400 709)</b>
Less: Capital Grants, Donations & Development Charges	47 912 409	48 027 246	48 027 246	52 027 246	45 865 556	50 788 078
<b>(Surplus)/ Deficit</b>	<b>(8 996 055)</b>	<b>(7 879 504)</b>	<b>(7 879 504)</b>	<b>(7 879 504)</b>	<b>(18 307 486)</b>	<b>(13 612 631)</b>

- (c) That it be noted that the changes to the budget will have no impact on tariffs in respect of the 2021/2022 financial year or beyond and the budgeted net surplus of R7 879 504 will remain unchanged;
- (d) That the adjusted budget schedules as required by the Budget and Reporting Regulations be approved as set out in **(Annexure B: Budget Report and B-Schedules 2021/22 – 2023/24)**;
- (e) 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;
- (f) That the Service Delivery Budget Implementation Plan (SDBIP) where appropriate be amended accordingly.

## **8.2 QUARTERLY REPORT (SECTION 52 OF MFMA): JANUARY TO MARCH 2022 (7/1/2-2)**

The submission of the quarterly report is prescribed in Section 52 (d) of the MFMA.

The submission of the report to the Council serves as one of the Executive Mayor's general responsibilities in order to enlighten the Council in respect of the implementation of the budget and the state of the Municipality's financial matters.

The quarterly report was discussed during a meeting of the Public Accountability Committee held on 26 April 2022 in fulfilment of the committee's oversight role.

## **RESOLUTION**

(proposed by clr E C O'Kennedy, seconded by ald M van Zyl)

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 January to 31 March 2022.

**SIGNED  
SPEAKER**



**NOTULE VAN 'N VERGADERING VAN DIE UITVOERENDE BURGEMEESTERSKOMITEE GEHOU IN DIE BANKETSAAL, MALMESBURY OP DONDERDAG, 21 APRIL 2022 OM 10:00**

**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:

Rdh M A Rangasamy (Speaker)

Beamptes:

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

**1. OPENING**

Die voorsitter verwelkom lede en versoek die Munisipale Bestuurder, mnr J J Scholtz, om die vergadering met gebed te open.

**2. VERLOF TOT AFWESIGHEID**

Geen verskonings is ontvang nie.

**3. VOORLEGGINGS/AFVAARDIGINGS/SPREEKBEURTE**

Geen.

**4. NOTULES**

**4.1 NOTULE VAN 'N GEWONE UITVOERENDE BURGEMEESTERSKOMITEE-VERGADERING GEHOU OP 23 MAART 2022**

**BESLUIT**

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

Dat die notule van 'n Gewone Uitvoerende Burgemeesterskomiteevergadering gehou op 23 Maart 2022 goedgekeur en deur die Uitvoerende Burgemeester onderteken word.

4.2/...



**MINUTES OF A MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE BANQUETING HALL, MALMESBURY ON THURSDAY, 21 APRIL 2022 AT 10:00**

**PRESENT:**

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

Members of the Mayor's Committee:

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

Other councillors:

Ald M A Rangasamy (Speaker)

Officials:

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

**1. OPENING**

The chairman welcomed those present and requested the Municipal Manager, mr J J Scholtz to open the meeting with a prayer.

**2. APOLOGIES**

No apologies received.

**3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS**

None.

**4. MINUTES**

**4.1 MINUTES OF AN ORDINARY EXECUTIVE MAYOR'S COMMITTEE MEETING HELD ON 23 MARCH 2022**

**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 23 March 2022 are approved and signed by the Executive Mayor

4.2/...

**4.2 NOTULE VAN 'N SPESIALE UITVOERENDE BURGEMEESTERSKOMITEE-VERGADERING GEHOU OP 25 MAART 2022**

**BESLUIT**

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

Dat die notule van 'n Spesiale Uitvoerende Burgemeesterskomiteevergadering gehou op 25 Maart 2022 goedgekeur en deur die Uitvoerende Burgemeester onderteken word.

**5. OORWEGING VAN AANBEVELINGS UIT DIE NOTULE**

**5.1 NOTULES VAN PORTEFEULJEKOMITEESVERGADERINGS GEHOU OP 13 APRIL 2022**

**5.1.1 MUNISIPALE BESTUURDER, ADMINISTRASIE EN FINANSIES**

**BESLUIT**

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

Dat die Uitvoerende Burgemeester die aanbevelings in die betrokke notule bekragtig en dat rdl A K Warnick as teenwoordig in die betrokke notule aangeteken word.

**5.1.3 ONTWIKKELINGSDIENSTE**

**BESLUIT**

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

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

**5.1.4 BESKERMINGSDIENSTE**

**BESLUIT**

(op voorstel van rdl A K Warnick, 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 BEGROTINGSBEHEERKOMITEE 2021/2022-2023/2024 SPESIALE AAN-SUIWERINGBEDRYFS- EN KAPITAALBEGROTING, TEGNIESE AANBEVELINGS (5/1/1/1, 5/1/1/2, 5/1/4-2021/2022)**

Die Direkteur: Finansiële Dienste, mnr M Bolton, bevestig dat 'n addisionele MIG-toekenning vanaf die nasionale regering ontvang is ten bedrae van R4 000 000 vir allokering aan die Departement: Siviele Ingenieursdienste.

Die Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann, gee agtergrond tot die prosesse wat daarmee gepaardgaan om gereed te wees om addisionele MIG-fondse op te neem, onder andere, die vroegetydige voorbereiding vir die registrasie van MIG-projekte.

**4.2 MINUTES OF A SPECIAL EXECUTIVE MAYOR'S COMMITTEE MEETING HELD ON 25 MARCH 2022**

**RESOLUTION**

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

That the minutes of a Special Meeting of the Executive Mayor's Committee held on 25 March 2022 are approved and signed by the Executive Mayor.

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

**5.1 MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 13 APRIL 2022**

**5.1.1 MUNICIPAL MANAGER, ADMINISTRATION AND FINANCES**

**RESOLUTION**

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

That the Executive Mayor ratifies the recommendations in the relevant minutes and that clr A K Warnick is noted as present in the relevant minutes.

**5.1.3 DEVELOPMENT SERVICES**

**RESOLUTION**

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

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 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 BUDGET MANAGEMENT COMMITTEE 2021/2022-2023/2024 SPECIAL ADJUSTED OPERATING AND CAPITAL BUDGETS, TECHNICAL RECOMMENDATIONS (5/1/1/1, 5/1/1/2, 5/1/4-2021/2022)**

The Director: Financial Services, mr M Bolton, confirmed that an additional MIG grant amounting to R4 000 000 was received from the national government for allocation to the Department: Civil Engineering Services.

The Director: Civil Engineering Services, mr L D Zikmann, provided the background to the processes which had to be executed in order to be ready to receive additional MIG funding, inter alia, the early preparation for the registration of MIG projects.



7.1/...

Die Begrotingsbeheerkomitee het op 19 April 2022 die tegniese aanbevelings oorweeg en word die 2021/2022-2023/2024 Aansuiweringsbedryf- en Kapitaalbegroting aan die Uitvoerende Burgemeesterskomitee voorgelê vir aanbeveling aan die Raad.

**BESLUIT** (vir voorlegging aan die Raad op 28 April 2022)  
(op voorstel van rdl N Smit, gesekondeer deur rdl J M de Beer)

- (a) Dat kennis geneem word dat die Begrotingsbeheerkomitee dringend vergader het om die verduidelikings en motivering van die finansiële personeel en verantwoordelike direkteur te oorweeg gegewe die veranderinge;
- (b) Dat goedkeuring verleen word om die hoë-vlak bedryfsbegroting vir 2021/2022 as volg te wysig met geen veranderinge aan die buite-jare nie;

	Oorspronklike Begroting 2021/22	Half-Jaarlíkse Aansuiwerings begroting 2021/22	Tweede Aansuiwerings begroting 2021/22	Spesiale Aansuiwerings begroting 2021/22	Oorspronklike Begroting 2022/23	Oorspronklike Begroting 2023/24
Kapitaalbegroting	166 435 729	166 040 448	166 040 448	170 040 448	132 744 732	136 678 848
Bedryfsuitgawes	911 967 149	951 133 356	953 347 356	953 347 356	983 835 346	1 055 314 274
Bedryfsinkomste	968 875 613	1 007 040 106	1 009 254 106	1 013 254 106	1 048 008 388	1 119 714 984
<b>Begrote (Surplus)/ Tekort</b>	<b>(56 908 464)</b>	<b>(55 906 750)</b>	<b>(55 906 750)</b>	<b>(59 906 750)</b>	<b>(64 173 042)</b>	<b>(64 400 709)</b>
Minus: Kapitaal Toekennings, Donasies & Ontwikkelingsbydraes	47 912 409	48 027 246	48 027 246	52 027 246	45 865 556	50 788 078
<b>(Surplus)/ Tekort</b>	<b>(8 996 055)</b>	<b>(7 879 504)</b>	<b>(7 879 504)</b>	<b>(7 879 504)</b>	<b>(18 307 486)</b>	<b>(13 612 631)</b>

- (c) Dat kennis geneem word dat die veranderinge in die begroting geen impak op tariewe het ten opsigte van die 2021/2022 finansiële jaar en dat die begrote netto surplus van R7 879 504 onveranderd bly;
- (d) Dat die aangepaste begrotingskedules soos vereis deur die Begroting- en Verslagdoeningsregulasies goedgekeur word soos vervat in **(Annexure B: Budget Report and B-Schedules 2021/22 – 2023/24)**;
- (e) 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;
- (f) Dat die Dienslewering- en Begroting Implementeringsplan (SDBIP) toepaslik dienooreenkomstig gewysig word.

## 7.2 WYSIGING AAN DIE 2021/2022 DIENSLIEWERING- EN BEGROTING-IMPLEMENTERINGSPLAN (SDBIP) (2/4/2)

Die Munisipale Bestuurder, mnr J J Scholtz, bevestig dat die Spesiale Aansuiweringsbegroting vir die 2021/2022 finansiële jaar wat onlangs deur die Raad op 31 Maart 2022 goedgekeur is, 'n wysiging aan die SDBIP noodsaak.

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

Dat die gewysigde Dienslewering- en Begrotingimplementeringsplan (SDBIP) vir die 2021/2022 finansiële jaar in terme van Artikel 54(1)(c) van die Wet op Munisipale Finansiële Bestuur (Wet 56 van 2003) goedgekeur word.

7.1/...

The Budget Management Committee considered the technical recommendations on 19 April 2022 and presented the 2021/2022/2023/2024 Adjusted Operating and Capital Budgets for recommendation to the Council.

**RESOLUTION** (for recommendation to the Council on 28 April 2022)  
(proposed by clr N Smit, seconded by clr J M de Beer)

- (a) That it be noted that the Budget Steering Committee urgently convened to consider the explanations and motivations provided by the financial staff and responsible director as it relates to the adjustments;
- (b) That approval be granted to amend the high-level operating budget for 2021/2022 with no amendments to the outer years as follows:

	Original Budget 2021/22	Mid-Year Adj Budget 2021/22	Second Adj Budget 2021/22	Special Adj Budget 2021/22	Original Budget 2022/23	Original Budget 2023/24
Capital budget	166 435 729	166 040 448	166 040 448	170 040 448	132 744 732	136 678 848
Operating Expenditure	911 967 149	951 133 356	953 347 356	953 347 356	983 835 346	1 055 314 274
Operating Revenue	968 875 613	1 007 040 106	1 009 254 106	1 013 254 106	1 048 008 388	1 119 714 984
<b>Budgeted (Surplus)/ Deficit</b>	<b>(56 908 464)</b>	<b>(55 906 750)</b>	<b>(55 906 750)</b>	<b>(59 906 750)</b>	<b>(64 173 042)</b>	<b>(64 400 709)</b>
Less: Capital Grants, Donations & Development Charges	47 912 409	48 027 246	48 027 246	52 027 246	45 865 556	50 788 078
<b>(Surplus)/ Deficit</b>	<b>(8 996 055)</b>	<b>(7 879 504)</b>	<b>(7 879 504)</b>	<b>(7 879 504)</b>	<b>(18 307 486)</b>	<b>(13 612 631)</b>

- (c) That it be noted that the changes to the budget will have no impact on tariffs in respect of the 2021/2022 financial year or beyond and the budgeted net surplus of R7 879 504 will remain unchanged;
- (d) That the adjusted budget schedules as required by the Budget and Reporting Regulations be approved as set out in **(Annexure B: Budget Report and B-Schedules 2021/22 – 2023/24)**;
- (e) 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;
- (f) That the Service Delivery Budget Implementation Plan (SDBIP) where appropriate be amended accordingly.

## 7.2 AMENDMENT TO THE 2021/2022 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) (2/4/2)

The Municipal Manager, mr J J Scholtz, confirmed that the Special Adjusted Budget for the 2021/2022 financial year, which was approved recently by the Council on 31 March 2022, necessitated an amendment to the SDBIP.

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

That the amended Service Delivery and Budget Implementation Plan (SDBIP) for the 2021/2022 financial year be approved in terms of Section 54(1)(c) of the Municipal Finance Management Act (Act 56 of 2003).

**7.3 OPSKORTING VAN VOORKEURVERKRYGINGSREGULASIES, 2017: ONTTREKING VAN DIE RAAD SE VOORKEURVERKRYGINGSBELEID (8/1/B/1)**

Die Direkteur: Finansiële Dienste, mnr M Bolton, bevestig dat die Munisipaliteit vrystelling van die Nasionale Tesourie ontvang het ten opsigte van die toepassing van die Voorkeurverkrygingsregulasies, 2017.

Voormelde spruit voort uit die saak, *Minister of Finance v Afribusiness NPC [2022] ZACC 4*, waar die Hooggeregshof die voorkeurverkrygingregulasies ongeldig verklaar het.

Gevolglik moet die Raad se Voorkeurverkrygingsbeleid onttrek word en dat voorkeurverkryging toegepas word in lyn met die Nasionale Tesourie se goedkeuringsvoorwaardes om vrystelling.

Die Direkteur: Finansiële Dienste adviseer om nie op SALGA se aanbeveling wysigings aan die Voorkeurverkrygingsbeleid aan te bring nie, alvorens daar nuwe regulasies deur die Nasionale Tesourier uitgevaardig word.

Rdl A K Warnick noem dat plaaslike ekonomiese ontwikkeling as 'n fokusarea geïdentifiseer is tydens die onlangse induksie vir wykskomitees, en dat die Raad sal moet kyk hoe om plaaslike entrepreneurs en besighede te bemagtig.

**BESLUIT** (vir voorlegging aan die Raad op 26 Mei 2022)

- (a) Dat die Munisipaliteit se Voorkeurverkrygingsbeleid met ingang van 16 Februarie 2022 teruggetrek en gekanselleer word;
- (b) Dat die 80/20 puntstelsel vir die verkryging van tenders met randwaardes bo R30 000.00 tot R50 miljoen, en die 90/10 puntstelsel vir tenders met randwaardes bo R50 miljoen, tesame met die toepaslike BBBEE-telkaarte, gebruik word vir tenders wat op of na 16 Februarie 2022 geadverteer word (in ooreenstemming met Nasionale Tesourie se vrystelling hierby aangeheg).

**7.4 VERSLAG AANGAANDE DIE IMPLEMENTERING VAN DIE VOORSIENING-KANAALBESTUURSBELEID VIR DIE PERIODE 1 JANUARIE 2022 TOT 31 MAART 2022 (8/1/B/2)**

'n Verslag insake die implementering van die Voorsieningkanaalbestuursbeleid moet op 'n kwartaallikse basis ingevolge paragraaf 6(3) van die Munisipale Voorsiening-kanaalbestuursregulasies aan die Uitvoerende Burgemeester voorgelê word.

Die verslag vir die periode 1 Januarie 2022 tot 31 Maart 2022 is met die sakelys gesirkuleer.

**BESLUIT**

- (a) Dat kennis geneem word van die kwartaalverslag ten opsigte van die implementering van die beleid vir die Voorsieningkanaalbestuursbeleid soos beoog in artikel 6(3) van die regulasies, asook verslae oor die formele tenders (bylae A), informele tenders (bylae B), en die Afwykingsverslag (Aanhangsel C);
- (b) Dat kennis geneem word van die dienste wat gelewer word vir die periode 1 Januarie 2022 tot 31 Maart 2022, met verwysing na die uitsonderings waar dit onprakties is om die mark te toets en daarom 'n afwyking van die verkrygingsprosesse regverdig ingevolge paragraaf 2(6) van die Beleid oor die Voorsieningkanaalbestuursbeleid (Bylae D).

**7.5 TENDER L04/21/22: VERVREEMDING VAN BESIGHEIDSPERSELE TE RIEBEEK KASTEEL (12/2/B)**

[Rdl D G Bess verlaat die lokaal vir die bespreking van die item. Dit word verder bevestig dat rdl D G Bess nie betrokke was by enige voorafgesprekke rakende die betrokke item nie.]

Die Raad het op 20 Oktober 2021 goedkeuring verleen vir die vervreemding van drie besigheidsperselle te Riebeeck Kasteel.

**7.3 SUSPENSION OF PREFERENTIAL PROCUREMENT REGULATIONS, 2017: WITHDRAWAL OF THE COUNCIL'S PREFERENTIAL PROCUREMENT REGULATION (8/1/B/1)**

The Director: Financial Services, mr M Bolton, confirmed that the Municipality has received exemption from the National Treasurer in respect of the application of the Preferential Procurement Regulations, 2017.

The latter arises from the case, *Minister of Finance v Afribusiness NPC [2022] ZACC 4*, in which the High Court ruled that the preferential procurement regulations are invalid.

As a result the Council had to withdraw the Preferential Procurement Policy and that preferential procurement suspension is applied in line with the National Treasurer's approved conditions for exemption.

The Director: Financial Services advised, at the suggestion of SALGA, not to introduce the amendments to the Preferential Procurement Policy, until new regulations are issued by the National Treasurer.

Clr A K Warnick stated that local economic development was identified as a focus area during the recent induction of ward committees, and that the Council must look at how to empower local entrepreneurs and businesses.

**RESOLUTION** (for submission to Council on 26 May 2022)

- (a) That the the municipality's Preferential Procurement Policy be withdrawn and cancelled with effect from 16 February 2022;
- (b) That the 80/20 points system for procurement Rand values above R30,000.00 to R50 million, and the 90/10 points system for Rand values above R50 million, together with the applicable BBBEE scorecards, be utilised for tenders advertised on or after 16 February 2022 (in line with NT Exemption attached hereto).

**7.4 REPORT IN RESPECT OF IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY FOR THE PERIOD 1 JANUARY 2022 TO 31 MARCH 2022 (8/1/B/2)**

A report in respect of the implementation of the Supply Chain Management Policy must be submitted, on a quarterly basis, to the Executive Mayor in accordance with paragraph 6(3) of the Municipal Supply Chain Management Regulations.

The report for the period 1 January 2022 to 31 March 2022 was circulated with the agenda.

**RESOLUTION**

- (a) That cognisance is taken of the Quarterly Report in respect of the implementation of the Supply Chain Management Policy as envisaged by section 6(3) 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 January 2022 to 31 March 2022 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).

**7.5 TENDER L04/21/22: ALIENATION OF BUSINESS PREMISES IN RIEBEEK KASTEEL (12/2/B)**

[Clr D G Bess left the meeting for the duration of the discussion of the item. It was also confirmed that clr D G Bess was not involved in any of the preliminary talks in respect of the relevant item]

On 20 October 2021 the Council approved the alienation of the three business premises in Riebeeck Kasteel.

7.5/...

Die betrokke besigheidspersone is onontwikkelde grond en is gesoneer as Sakesone 2: Woonbuursake. Die doel van hierdie sone is om voorsiening te maak vir lae-intensiteit kommersiële en gemengde-gebruik ontwikkeling wat in die plaaslike buurt se behoeftes vir gebruiksgoedere en persoonlike dienste voorsien.

Daar is op tender uitgegaan en die aanbiedinge ontvang teen die sluitingsdatum, 4 Maart 2022, is uiteengesit in Aanhangsel A tot die verslag.

**BESLUIT**

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

- (a) Dat Tender L04.21.22 vir die Verkoop van Besigheidspersone in Riebeeck Kasteel soos volg toegeken word, BTW uitgesluit:

Erf nr	2364	2365
SS La Meyer		R107 000.00
DG Bess	R70 000.00	

- (b) Dat goedkeuring verleen word vir die oordrag van die erwe soos per voormelde skedule;
- (c) Dat, sou enige van die goedgekeurde transaksies nie realiseer nie, goedkeuring verleen word dat die volgende hoogste bod aanvaar mag word, totdat die transaksie suksesvol afgehandel kan word;
- (d) Dat erf 2577, Riebeeck Kasteel aan Mnr & Mev VJ van Neel te koop aangebied word teen dieselfde prys as die aanbod ontvang tydens die tenderproses, synde R60 000, BTW uitgesluit, met dien verstande dat die koper sal voldoen aan al die vereistes soos vervat in die tenderdokumente.

**7.6 TENDER L03/21/22: VERVREEMDING VAN MUNISIPALE ONROERENDE EIENDOM (KERKPERSEEL) TE RIEBEEK KASTEEL (12/2/B)**

Die Raad het op 20 Oktober 2021 inbeginsel goedkeuring verleen vir die vervreemding van 'n kerkperseel te Riebeeck Kasteel.

Daar is slegs een tender ontvang tydens die tenderproses wat gediskwalifiseer is, aangesien daar nie voldoen is aan die tendervereiste om 'n voorgestelde Ontwikkelingsplan saam met die tenderdokumente in te dien nie.

Rdh T van Essen versoek dat die voorkeepsvoorwaardes op kerkpersele heroorweeg en streng toegepas moet word om te voorkom dat kerkpersele van die vele oopruimtes raak waarop onwettige vuilnis gestort word.

**BESLUIT**

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

- (a) Dat kennis geneem word dat die tender wat ten opsigte van Tender L03/21/22 ontvang is, gediskwalifiseer is vir die rede soos gemeld in die verslag, en dat die betrokke tenderaar dienooreenkomstig in kennis gestel is;
- (b) Dat daar verder kennis geneem word dat tenders mettertyd weer gevra sal word vir hierdie eiendom.

**7.7 VOORGESTELDE AFSLUITING VAN STEGIE TUSSEN FONTEIN- EN DELPHINIUMSTRAAT, DARLING (15/3/1)**

'n Petisie is ontvang vir die sluiting van 'n gedeelte van die stegie tussen Fontein- en Delphiniumstraat, Darling.

Die Direkteur: Korporatiewe Dienste, me M S Terblanche, bevestig dat daar 'n servituut geregistreer is oor Erf 2063, Darling (stegie) vir doeleindes om die rioolpyplyding te beskerm en nie as 'n deurloop vir die publiek nie.

7.5/...

The relevant premises are undeveloped properties and are zoned as Business Zone 2 Neighbourhood Businesses. The aim of this zoning is to make provision for low intensity commercial and mixed use development to provide utilitarian goods and personal services catering to the needs of the local neighbourhood.

Tenders were called for and the offers received by the closing date, 4 March 2022, are explained in Attachment A to the report.

**RESOLUTION**

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

- (a) That Tender L04.21.22 for the Sale of Business Sites in Riebeeck Kasteel be awarded as follows, excluding VAT:

Erf nr	2364	2365
SS La Meyer		R107 000.00
DG Bess	R70 000.00	

- (b) That approval be granted for the transfer of the erven as per the aforesaid schedule;
- (c) That should any of the approved transactions not materialise, approval be granted to accept the next highest bid, until a sales transaction can be concluded successfully;
- (d) That erf 2577, Riebeeck Kasteel be offered for sale to Mr & Mrs VJ van Neel at the price as had been offered during the tender process, being R60 000.00, excluding VAT, provided that the purchaser shall satisfy all requirements as per the tender documents.

**7.6 TENDER L03/21/22: ALIENATION OF MUNICIPAL IMMOVABLE PROPERTY (CHURCH PREMISES) IN RIEBEEK KASTEEL (12/2/B)**

On 20 October 2021 the Council approved, in principle, the alienation of a church property in Riebeeck Kasteel.

Only one tender was received during the tender process, and was disqualified because it did not comply with the tender requirements as a Development Plan was not included with the tender documents.

Ald T van Essen requested that the sale conditions in respect of church properties are reconsidered and strictly applied in order to prevent church properties becoming one of the many properties on which refuse is dumped illegally.

**RESOLUTION**

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

- (a) That cognizance be taken that the tender received in respect of Tender L03/21/22 was disqualified based on the reason noted in the report, and that the tenderer concerned was notified accordingly;
- (b) That it be noted further that tenders will in due course again be invited for this property.

**7.7 PROPOSED CLOSURE OF ALLEY BETWEEN FONTEIN AND DELPHINIUM STREETS, DARLING (15/3/1)**

A petition has been received for the closure of a portion of the alley between Fontein and Delphinium Streets, Darling.

The Director: Corporate Services, ms M S Terblanche, confirmed that there is a servitude registered on erf 2063, Darling (alley) in order to protect the sewerage pipe line and it is not a thoroughfare for the public.

7.7/...

**BESLUIT**

(op voorstel van rdl A K Warnick, gesekondeer deur rdl J M de Beer)

- (a) Dat goedkeuring verleen word vir die sluiting van 'n gedeelte van die stegie tussen Fontein- en Delphiniumstraat, Darling soos aangetoon op Aanhangsel B tot hierdie verslag;
- (b) Dat oorweging daaraan verleen word om die projek as 'n wyksprojek te hanteer vanuit die kapitaalbegroting wat aan wyk 6 toegeken is.

**7.8 OORSKRYDING VAN ERFGRENS: ERF 7551, MALMESBURY (15/3/1)**

'n Bouplan is ingedien vir veranderinge aan die bestaande besigheidsperseel op Erf 7551, geleë te Voortrekkerweg, Malmesbury wat onder andere die verbreding van die bestaande stoepingang insluit.

Die stoepingang (±8 m<sup>2</sup> groot) is reeds ongemagtig opgerig en oorskry die erfgrens en word 'n oorskrydingsooreenkoms vir die betrokke gedeelte benodig alvorens die bouplan vir goedkeuring oorweeg kan word.

**BESLUIT**

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

Dat goedkeuring verleen word dat die oorskrydingsooreenkoms soos vervat in Aanhangsel B met SKH Beleggings (Edms) Bpk, eienaar van erf 7551, Malmesbury gesluit word vir 'n termyn van tien jaar, ten bedrae van R120,00 plus BTW per jaar.

**7.9 HUUROOREENKOMS: SWARTBERG TRUST, MOORREESBURG (15/4/6)**

Die Raad het 'n huurooreenkoms met Swartberg Trust vir die bedryf van Informasie- en Kommunikasietegnologie (IKT)-infrastruktuur op 'n gedeelte (groot ±300 m<sup>2</sup>) van die plaas Swartberg 331, geleë in die omgewing van Moorreesburg.

Die huurooreenkoms verstryk op 30 Junie 2022 en het die IKT-afdeling aangedui dat die voortgesette bedryf van die infrastruktuur – op die spesifieke ligging – noodsaaklik is vir dienslewering.

**BESLUIT**

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

Dat die Raad die aangaan van 'n huurooreenkoms met Swartberg Trust vir die huur van 'n gedeelte van die plaas Swartberg 331 vir die voortgesette bedryf van sy IKT-infrastruktuur soos volg goedkeur:

- (a) 'n huurooreenkoms vir die tydperk 1 Julie 2022 tot 30 Junie 2025 teen betaling van huurgeld van R1 786.52, plus BTW, per maand en wat jaarliks met 6% eskaleer, asook 'n opsie om die huurooreenkoms daarna te mag hernu.

**7.10 UITSTAANDE DEBITEURE: MAART 2022 (5/7/1/1)**

'n Volledige verslag van die stand van uitstaande debiteure is met die sakelys gesirkuleer.

Die Direkteur: Finansiële Dienste, mnr M Bolton, noem dat daar die afgelope nege maande daarin geslaag is om die betaalsyfer na afloop van die Covid-pandemie vanaf ±95% na 98% te verbeter. Die ideaal is dat die betaalsyfer meer as 100% moet wees, want dan word agterstallige skuld ook betaal. 'n Verdere voordeel van 'n gunstige betaalsyfer is, met die oog op die meerjarige begroting, dat daar minder vir slegte skuld voorsiening gemaak kan word.

Die Direkteur: Finansiële Dienste noem dat daar tans 'n opname gemaak word onder alle deernishuishoudings om die aantal huishoudings, strukture (ingesluit tipe struktuur) en inwoners op 'n perseel te bepaal.

7.7/...

**RESOLUTION**

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

- (a) That approval be granted for the closure of a portion of the alley between Fontein and Delphinium Street, Darling as indicated on Annexure B to this report;
- (b) That the project be dealt with as a ward project from the capital budget allocated for ward 6.

**7.8 ENCROACHMENT ON ERF BOUNDARY: ERF 7551, MALMESBURY (15/3/1)**

A building plan has been received for alterations to the existing business premises on erf 7551, situated in Voortrekker Road, Malmesbury which, inter alia, includes the widening of the existing veranda entrance.

The veranda entrance (±8 m<sup>2</sup> in extent) has already been erected and encroaches on the erf boundary, and an encroachment agreement for the relevant portion is necessary before the building plan can be considered for approval.

**RESOLUTION**

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

That approval be granted that the encroachment agreement as per Annexure B be concluded with SKH Beleggings (Pty) Ltd, owner of erf 7551, Malmesbury, for a period of ten years, at the amount of R120,00 plus VAT per annum.

**7.9 LEASE AGREEMENT: SWARTBERG TRUST, MOORREESBURG (15/4/6)**

The Council has a lease agreement with Swartberg Trust for the operation of an information and communication technology (ICT) infrastructure on a portion (±300 m<sup>2</sup> in extent) of the farm Swartberg 331, situated in the Moorreesburg district.

The lease agreement expires on 30 June 2022 and the ICT division has indicated that the continued operation of the infrastructure – on this specific site – is necessary for service delivery.

**RESOLUTION**

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

That the Council approves entering into a lease agreement with Swartberg Trust for the leasing of a portion of the Farm Swartberg 331 for the continuous operating of its ICT-infrastructure as follows:

- (a) a lease agreement for the period 1 July 2022 until 30 June 2025 at an amount of R1 786.52, plus VAT, rental fee per month with a yearly escalation of 6%, as well as the option to renew the lease.

**7.10 OUTSTANDING DEBTORS: MARCH 2022 (5/7/1/1)**

A complete report in respect of outstanding debtors was circulated with the agenda.

The Director: Financial Services, mr M Bolton, stated that in the last nine months the payment figure, after the Covid-19 pandemic, has improved from ±95% to 98%. The ideal is that the payment figure must be more than 100%, because then even debt in is paid off. Another benefit of a favourable payment figure, with an eye on the multi-year budget, is that a smaller amount can be provided for bad debt.

The Director: Financial Services stated that at present a survey is being carried out amongst all destitute households in order to determine the number of households, structures (including types of structures) and residents on the premises.

7.10/...

Daar is slegs 130 deernishuishoudings wat nog oor 'n konvensionele elektrisiteitmeter beskik, maar sal 'n kapitaalprojek geregistreer moet word om dit met 'n voorafbetaaltipe elektrisiteitmeter te vervang.

Op versoek van rdh T van Essen, dat amptenare wat agterstallig raak met hul munisipale rekeninge dringend aangespreek moet word, bevestig die Direkteur: Korporatiewe Dienste, me M S Terblanche, dat dieselfde gedragskode van toepassing is op amptenare as op raadslede, naamlik dat die munisipale rekening nie vir langer as drie (3) maande agterstallig mag wees nie.

Me Terblanche noem verder dat 'n opinie vanaf SALGA verkry is aangaande die verpligting, by wyse van die dienskontrak, op amptenare om 'n aftrekorder ten gunste van die Munisipaliteit te registreer om die bedrag van die munisipale rekening direk vanaf die salaris te verhaal en het SALGA aangedui dat dit nie afdwingbaar gemaak kan word nie.

**BESLUIT** dat kennis geneem word van die verslag aangaande die stand van Swartland Munisipaliteit se uitstaande debiteure vir Maart 2022.

#### 7.11 VORDERING MET UITSTAANDE VERSEKERINGSEISE: MAART 2022 (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 Maart 2022 soos met die sakelys gesirkuleer.

#### 7.12 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 rdh T van Essen)

- (a) Dat die aansoek om verlof van die Munisipale Bestuurder vir die volgende dae in beginsel goedgekeur word, naamlik:
  - 27 Junie 2022 – 8 Julie 2022 (10 dae), met inbegrip daarvan dat dit weens omstandighede mag verander, na oorlegpleging met die Uitvoerende Burgemeester;
- (b) Dat daar kennis geneem word dat vir die tydperk vanaf 27 Junie 2022 tot 8 Julie 2022 die waarnemende Munisipale Bestuurder nader aan die verloftydperk aangewys sal word.

(GET) J H CLEOPHAS  
UITVOERENDE BURGEMEESTER

7.10/...

There are only 130 destitute households who still have a conventional electricity meter, but a capital project must be registered to replace these with a pre-paid electricity meter.

At the request of ald T van Essen that officials who are in arrears with their municipal accounts must be urgently addressed, the Director: Corporate Services, ms M S Terblanche, confirmed that the same code of conduct applies to officials as well as councillors, namely that the municipal accounts may not be in arrears for longer than (3) three months.

Ms Terblanche also stated that an opinion had been received from SALGA in respect of the obligation, by means of the service contract, to register a debit order in favour of the municipality in order to get the amount of the municipal account directly from the salary, but SALGA indicated that it cannot be made enforceable.

#### RESOLUTION

That Council takes cognizance of the report with reference to the state of the outstanding debtors of Swartland Municipality for March 2022.

#### 7.11 PROGRESS IN RESPECT OF OUTSTANDING INSURANCE CLAIMS: MARCH 2022 (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 progress with outstanding insurance claims for the period ending 31 March 2022.

#### 7.12 APPLICATION FOR LEAVE FROM THE MUNICIPAL MANAGER AND DIRECTORS AND THE APPOINTMENT OF AN ACTING MUNICIPAL MANAGER (4/8/3)

The Municipal Manager must make application for leave to the Executive Mayor's Committee and therefore -

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

- (a) That the application for leave of the Municipal Manager for the following days be approved in principle, namely:
  - 27 June 2022 - 8 July 2022 (10 days), including that it may change due to circumstances, after consultation with the Executive Mayor;
- (b) That it be noted that for the period from 27 June 2022 to 8 July 2022, the acting Municipal Manager will be appointed closer to the leave period.

(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, 13 APRIL 2022 OM 10:00**

**TEENWOORDIG:**

**RAADSLEDE:**

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

O'Kennedy, E C	Soldaka, P E
Penxa, B J	Van Essen, T (rdh)
Pypers, D C	van Zyl, M (rdd)
Rangasamy, M A (rdh)	Vermeulen, G
	Warnick, A K

**BEAMPTES:**

Munisipale Bestuurder, mnr J J Scholtz  
Direkteur: Beskermingsdienste, mnr P A C Humphreys  
Direkteur: Korporatiewe Dienste, me M S Terblanche  
Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann  
Direkteur: Finansiële Dienste, mnr M A C Bolton  
Senior Bestuurder: Bou-Omgewing, mnr A M Zaayman  
Senior Bestuurder: Tegniese Dienste, mnr M J Swanepoel  
Komitee beampte, me S Willemsse

**1. OPENING/VERLOF TOT AFWESIGHEID**

Die voorsitter verwelkom lede en versoek rdl A K Warnick 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 die Direkteur: Ontwikkelingsdienste, me J S Krieger en die Direkteur: Elektriese Ingenieursdienste, mnr R du Toit.

**2. NOTULE**

**2.1 NOTULE VAN 'N PORTEFEULJEKOMITEEVERGADERING (MUNISIPALE BESTUUR-, ADMINISTRASIE- EN FINANSIESKOMITEE) GEHOU OP 9 MAART 2022**

**BESLUIT**

(voorgestel deur rdh T Van Essen, gesekondeer deur rdd M van Zyl)

Dat die notule van die Portefeuljekomiteevergadering (Munisipale Bestuur-, Administrasie- en Finansieskomitee) gehou op 9 Maart 2022 goedgekeur word.

**3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS**

Geen

**4. SAKE VOORTSPRUITEND UIT NOTULES**

Geen

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



**MINUTES OF A MEETING OF THE MUNICIPAL MANAGEMENT, ADMINISTRATION AND FINANCES PORTFOLIO COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 13 APRIL 2022 AT 10:00**

**PRESENT:**

**COUNCILLORS:**

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

O'Kennedy, E C	Soldaka, P E
Penxa, B J	van Essen, T (ald)
Pypers, D C	van Zyl, M (ald)
Rangasamy, M A (ald)	Vermeulen, G
	Warnick, A K

**OFFICIALS:**

Municipal Manager, mr J J Scholtz  
Director: Financial Services, mr M A C Bolton  
Director: Protection Services, mr P A C Humphreys  
Director: Corporate Services, ms M S Terblanche  
Director: Civil Engineering Services, mr L D Zikmann  
Senior Manager: Built Environment, mr A M Zaayman  
Senior Manager: Technical Services, mr M J Swanepoel  
Committee Officer, ms S Willemsse

**1. OPENING/APOLOGIES**

The chairperson welcomed members and requested clr A K Warnick to open the meeting with a prayer.

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

Apologies received from the Director: Development Services, ms J S Krieger and the Director: Electrical Engineering Services, mr R du Toit.

**2. MINUTES**

**2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (MUNICIPAL MANAGEMENT, ADMINISTRATION AND FINANCES COMMITTEE) HELD ON 9 MARCH 2022**

**RESOLUTION**

(proposed by ald T van Essen, seconded by ald M van Zyl)

That the minutes of a Portfolio Committee Meeting (Municipal Management, Administration and Finance Committee) held on 9 March 2022 are approved.

**3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS**

None

**4. MATTERS ARISING FROM THE MINUTES**

None

**5. DELEGATED MATTERS IN RESPECT OF MUNICIPAL MANAGER**

**5.1 MAANDVERSLAG: FEBRUARIE 2022**

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

Die Munisipale Bestuurder gee agtergrond oor die aantal appêlle teen die Munisipaliteit rakende die toekenning van tenders wat onsuksesvol was.

Die Munisipale Bestuurder meld dat daar 54.9% van die kapitaalbegroting spandeer is. Die mikpunt was dat die spandering teen einde Desember ten minste op 35% staan, maar het die direkteure die versekering gegee dat die totale kapitaalspandering vir die 2021/2022 finansiële jaar ±95% sal wees.

Verder meld die Munisipale Bestuurder dat die teiken insake aantal werksgeleenthede geskep deur die Munisipaliteit se kapitaalprojekte (kontrakte > R200 000) vir die 2021/2022 finansiële jaar 'n totaal van 150 werksgeleenthede is. Indien die meerjarige tenders in ag geneem word vermeerder die totaal met 66 werksgeleenthede.

Die Munisipale Bestuurder meld dat die klein kapitaalprojekte in terme van die voorsieningskanaalbestuurproses afgehandel word. Die notaboek vir die res van die raadslede sal binne die volgende drie tot agt weke afgelewer word.

**BESLUIT**

(voorgestel deur rdl E C O'Kennedy, gesekondeer deur rdl N Smit)

Dat kennis geneem word van die maandverslag van die Munisipale Bestuurder vir Februarie 2022.

**6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER**

Geen

**7. GEDELEGEERDE SAKE M.B.T. ADMINISTRASIE****7.1 MAANDVERSLAG: FEBRUARIE 2022**

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

**BESLUIT**

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

Dat kennis geneem word van die maandverslag van die Direktoraat Korporatiewe Dienste vir Februarie 2022.

**8. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER**

Geen

**9. GEDELEGEERDE SAKE M.B.T. FINANSIES****9.1 MAANDVERSLAG: FEBRUARIE 2022**

Die voorsitter lê die maandverslag ter tafel soos met die sakelys gesirkuleer en versoek die Direkteur: Finansiële Dienste, mnr M A C Bolton, om belangrike aspekte uit te wys.

**BESLUIT**

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

Dat kennis geneem word van die maandverslag van die Direktoraat Finansiële Dienste vir Februarie 2022.

**10. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER**

Geen.

(GET) RDL I S LE MINNIE  
VOORSITTER

**5.1 MONTHLY REPORT: FEBRUARY 2022**

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

The Municipal Manager provides background on the number of appeals against the Municipality regarding the award of tenders that were unsuccessful.

The Municipal Manager stated that 54.9% of the capital budget has been spent. The target was for the expenditure to be at least 35% by the end of December, but the directors gave the assurance that the total capital expenditure for the 2021/2022 financial year would be ± 95%.

Furthermore, the Municipal Manager stated that the target regarding number of jobs created by the Municipality's capital projects (contracts > R200 000) for the 2021/2022 financial year is a total of 150 jobs. If the perennial tenders are taken into account, the total will increase by 66 jobs.

The Municipal Manager stated that the small capital projects are completed in terms of the supply chain management process. The notebooks for the rest of the board members will be delivered within the next three to eight weeks.

**RESOLUTION**

(proposed by cllr E C O'Kennedy, seconded by cllr N Smit)

That cognisance be taken of the monthly report of the Office of the Municipal Manager for February 2022.

**6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR**

None

**7. DELEGATED MATTERS IN RESPECT OF ADMINISTRATION****7.1 MONTHLY REPORT: FEBRUARY 2022**

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

**RESOLUTION**

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

That cognisance be taken of the monthly report of the Directorate Corporate Services for February 2022.

**8. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR**

None

**9. DELEGATED MATTERS IN RESPECT OF FINANCES****9.1 MONTHLY REPORT: FEBRUARY 2022**

The chairperson tabled the monthly report as circulated with the agenda and requested the Director: Financial Services, mr M A C Bolton, to point out important aspects.

**RESOLUTION**

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

That cognisance be taken of the monthly report of the Director Financial Services for February 2022.

**10. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR**

None

(SGD) CLLR N SMIT  
DEPUTY CHAIRPERSON





**NOTULE VAN 'N VERGADERING VAN DIE SIVIELE- EN ELEKTRIESE DIENSTE  
PORTEFEULJEKOMITEE VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 13  
APRIL 2022 OM 10:20**

**TEENWOORDIG:**

**RAADSLEDE:**

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

Bess, D G	Smit, N
Duda, A A	Stanley, B J (rdh)
Fortuin, C	van Zyl, M (rdd)
O'Kennedy, E C	Warnick, A K

**BEAMPTES:**

Munisipale Bestuurder, mnr J J Scholtz  
Direkteur: Beskermingsdienste, mnr P A C Humphreys  
Direkteur: Korporatiewe Dienste, me M S Terblanche  
Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann  
Direkteur: Finansiële Dienste, mnr M A C Bolton  
Senior Bestuurder: Bou-Omgewing, mnr A M Zaayman  
Senior Bestuurder: Tegniese Dienste, mnr M J Swanepoel  
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 C Pieters, die Direkteur: Ontwikkelingsdienste, me J S  
Krieger en die Direkteur: Elektriese Ingenieursdienste, mnr R du Toit.

**2. NOTULE**

**2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (SIVIELE- EN  
ELEKTRIESE DIENSTEKOMITEE) GEHOU OP 9 MAART 2022**

**BESLUIT**

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

Dat die notule van die Portefeuljekomiteevergadering (Siviele- en Elektriese Dienste)  
gehou op 9 Maart 2022 goedgekeur word.

**3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS**

Geen

**4. SAKE VOORTSPRUITEND UIT NOTULES**

Geen

**5. GEDELEGEERDE SAKE**

**5.1. MAANDVERSLAG: FEBRUARIE 2022**



**MINUTES OF A MEETING OF THE CIVIL AND ELECTRICAL ENGINEERING SERVICES PORTFOLIO  
COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 13 APRIL 2022  
AT 10:20**

**PRESENT:**

**COUNCILLORS:**

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

Bess, D G	Smit, N
Duda, A A	Stanley, B J (rdh)
Fortuin, C	van Zyl, M (rdh)
O'Kennedy, E C	Warnick, A K

**OFFICIALS:**

Municipal Manager, mr J J Scholtz  
Director: Financial Services, mr M A C Bolton  
Director: Protection Services, mr P A C Humphreys  
Director: Corporate Services, ms M S Terblanche  
Director: Civil Engineering Services, mr L D Zikmann  
Senior Manager: Built Environment, mr A M Zaayman  
Senior Manager: Technical Services, mr M J Swanepoel  
Committee Officer, ms S Willemse

**1. OPENING/APOLOGIES**

The chairperson welcomed members.

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

Apologies received from cllr C Pieters, the Director: Development Services, ms J S Krieger and  
the Director: Electrical Engineering Services, mr R du Toit.

**2. MINUTES**

**2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (CIVIL AND ELECTRICAL  
SERVICES COMMITTEE) HELD ON 9 MARCH 2022**

**RESOLUTION**

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

That the minutes of a Portfolio Committee Meeting (Civil and Electrical Services) held on  
9 March 2022 are approved..

**3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS**

None

**4. MATTERS ARISING FROM THE MINUTES**

None

**5. DELEGATED MATTERS**

**5.1. MONTHLY REPORT: FEBRUARY 2022**

### 5.1.1 SIVIELE INGENIEURSDIENSTE

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

Die Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann, gee – onder andere – inligting deur insake die finale uitvloeisel van die Swartland-afvalwatersuiweringswerke.

Die Direkteur: Siviele Ingenieursdienste meld dat Swartland Munisipaliteit 3de gelys word in die Weskaap met betrekking tot die "*Green Drop Evaluation*", met 'n totale telling van 89%. Die belegging wat die raad gemaak het met betrekking tot watersuiweringswerke, is beloon, met die goeie telling wat die munisipaliteit verwerk het.

Die Direkteur: Siviele Ingenieursdienste gee statistieke deur insake die stand van die damvlakke.

Verder meld die Direkteur: Siviele Ingenieursdienste dat onwettige storting steeds 'n bekommernis is en dat 'n onwettige stortingskomitee gestig is, verteenwoordiging van amptenare en raadslede om die probleem aan te spreek.

Rdl A A Duda meld dat die publiek opgevoed moet word deur die munisipale amptenare rakende onwettige storting wat plaasvind in die gemeenskap.

#### BESLUIT

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

Dat kennis geneem word van die maandverslag van die Direktoraat Siviele Ingenieursdienste vir Februarie 2022.

### 5.1.2 ELEKTRIESE INGENIEURSDIENSTE

Die voorsitter lê die maandverslag ter tafel, soos met die sakelys gesirkuleer, en versoek die Senior Bestuurder: Tegniese Dienste, mnr M J Swanepoel, om die belangrikste aspekte uit te lig.

Mnr M J Swanepoel gee die skedule deur vir die res van die week se kragonderbrekings.

#### BESLUIT

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

Dat kennis geneem word van die maandverslag van die Direktoraat Elektriese Ingenieursdienste vir Februarie 2022.

## 6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

[Rdh B J Stanley verlaat die vergadering, voor die verdaging van die vergadering, sonder toestemming vanaf die Voorsitter.]

(GET) RDL R J JOOSTE  
VOORSITTER

### 5.1.1 CIVIL ENGINEERING SERVICES

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

The Director: Civil Engineering Services, Mr L D Zikmann, provides, among other things - information on the final outcome of the Swartland wastewater treatment plants.

The Director: Civil Engineering Services stated that Swartland Municipality is listed 3rd in the Western Cape with regard to the Green Drop Evaluation, with a total score of 89%. The investment made by the council in relation to water purification works was rewarded, with the good score processed by the municipality.

The Director: Civil Engineering Services provides statistics on the state of the dam levels.

Furthermore, the Director: Civil Engineering Services stated that illegal dumping is still a concern and that an illegal dumping committee has been set up, representing officials and councillors to address the problem.

Cllr A A Duda stated that the public should be educated by the municipal officials regarding illegal dumping that is taking place in the community.

#### RESOLVED

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

That cognisance be taken of the monthly report of the Directorate Civil Engineering Services for February 2022.

### 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 M J Swanepoel, to highlight the most important aspects.

Mr M J Swanepoel provided the schedule for the rest of the week's load shedding.

#### RESOLUTION

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

That cognisance be taken of the monthly report of the Directorate: Electrical Engineering Services for February 2022.

## 6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

[Ald B J Stanley left the meeting, before the meeting adjourning, without permission from the Chairperson.]

(SGD) CLLR R J JOOSTE  
CHAIRPERSON



**NOTULE VAN 'N VERGADERING VAN DIE ONTWIKKELINGSDIENSTE PORTEFEULJEKOMITEE VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 13 APRIL 2022 OM 10:38**

**TEENWOORDIG:**

**RAADSLEDE:**

Voorsitter, rdl G Vermeulen  
Ondervoorsitter, rdl D G Bess

Booyesen, A M	Rangasamy, M A (rdh)
De Beer, J M	Smit, N
Le Minnie, I S	Soldaka, P E
Pypers, D C	

**BEAMPTES:**

Munisipale Bestuurder, mnr J J Scholtz  
Direkteur: Beskermingsdienste, mnr P A C Humphreys  
Direkteur: Korporatiewe Dienste, me M S Terblanche  
Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann  
Direkteur: Finansiële Dienste, mnr M A C Bolton  
Senior Bestuurder: Bou-Omgewing, mnr A M Zaayman  
Senior Bestuurder: Tegniese Dienste, mnr M J Swanepoel  
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: Ontwikkelingsdienste.

Verlof tot afwesigheid word verleen aan die rdl C Daniels, die Direkteur: Ontwikkelingsdienste, me J S Krieger en die Direkteur: Elektriese Ingenieursdienste, mnr R du Toit.

**2. NOTULE**

**2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (ONTWIKKELINGSDIENSTE) GEHOU OP 9 MAART 2022**

**BESLUIT**

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

Dat die notule van die Portefeuljekomiteevergadering (Ontwikkelingsdienste) gehou op 9 Maart 2022 goedgekeur word.

**3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS**

Geen

**4. SAKE VOORTSPRUITEND UIT NOTULES**

Geen

**5. GEDELEGEERDE SAKE**



**MINUTES OF A MEETING OF THE DEVELOPMENT SERVICES PORTFOLIO COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 13 APRIL 2022 AT 10:38**

**PRESENT:**

**COUNCILLORS:**

Chairperson, cllr G Vermeulen  
Deputy chairperson, cllr D G Bess

Booyesen, A M	Rangasamy, M A (ald)
De Beer, J M	Smit, N
Le Minnie, I S	Soldaka, P E
Pypers, D C	

**OFFICIALS:**

Municipal Manager, mr J J Scholtz  
Director: Financial Services, mr M A C Bolton  
Director: Protection Services, mr P A C Humphreys  
Director: Corporate Services, ms M S Terblanche  
Director: Civil Engineering Services, mr L D Zikmann  
Senior Manager: Built Environment, mr A M Zaayman  
Senior Manager: Technical Services, mr M J Swanepoel  
Committee Officer, ms S Willems

**1. OPENING/APOLOGIES**

The chairperson welcomed the members.

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

Apologetics received from cllr C Daniels, the Director: Development Services, ms J S Krieger and the Director: Electrical Engineering Services, mr R du Toit.

**2. MINUTES**

**2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (DEVELOPMENT SERVICES) HELD ON 9 MARCH 2022**

**RESOLUTION**

(proposed by cllr N Smit, seconded by cllr D C Pypers)

That the minutes of a Portfolio Committee Meeting (Development Services) held on 9 March 2022 are approved.

**3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS**

None

**4. MATTERS ARISING FROM THE MINUTES**

None

**5. DELEGATED MATTERS**

#### 5.1 MAANDVERSLAG: FEBRUARIE 2022

Die voorsitter lê die maandverslag ter tafel.

Die Munisipale Bestuurder, mnr J J Scholtz, gee inligting deur insake die vordering met die onderskeie behuisingsprojekte en kleinboere in die munisipale area.

#### BESLUIT

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

Dat kennis geneem word van die maandverslag van die Direktoraat Ontwikkelingsdienste vir Februarie 2022.

#### 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 09 Februarie 2022.

#### 7. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

(GET) RDL G VERMEULEN  
VOORSITTER

#### 5.1 MONTHLY REPORT: FEBRUARY 2022

The chairperson tabled the monthly report.

The Municipal Manager, Mr J J Scholtz, provided information on the progress of the various housing projects and smallholder farmers in the municipal area.

#### RESOLUTION

(proposed by cllr J M De Beer, seconded by cllr D C Pypers)

That cognisance be taken of the monthly report of the Directorate Development Services for February 2022.

#### 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 9 February 2022.

#### 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, 13 APRIL 2022 OM 11:03**

**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	Stanley, B J (rdh)
Jooste, R J	

**BEAMPTES:**

Munisipale Bestuurder, mnr J J Scholtz  
Direkteur: Beskermingsdienste, mnr P A C Humphreys  
Direkteur: Korporatiewe Dienste, me M S Terblanche  
Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann  
Direkteur: Finansiële Dienste, mnr M A C Bolton  
Senior Bestuurder: Bou-Omgewing, mnr A M Zaayman  
Senior Bestuurder: Teghiese Dienste, mnr M J Swanepoel  
Komitee beampte, me S Willemse

**1. OPENING/VERLOF TOT AFWESIGHEID**

Die voorsitter verwelkom lede.

Rdd M van Zyl bevestig die teenwoordigheid van raadslede wat dien op die Portefeuljekomitee: Beskermingsdienste.

Verlof tot afwesigheid word verleen aan rdl C Daniels, C Pieters, die Direkteur: Ontwikkelingsdienste, me J S Krieger en die Direkteur: Elektriese Ingenieursdienste, mnr R du Toit.

**2. NOTULE**

**2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (BESKERMINGS-DIENSTE) GEHOU OP 9 MAART 2022**

**BESLUIT**

(voorgestel deur rdl D G Bess, gesekondeer deur rdl I S Le Minnie)

Dat die notule van die Portefeuljekomiteevergadering (Beskermingsdienste) gehou op 9 Maart 2022 goedgekeur word, onderhewig aan die regstelling dat 10 Maart ingevoeg word by "môre" op bl 183.

**3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS**

Geen

**4. SAKE VOORTSPRUITEND UIT NOTULES**

Geen

**5. GEDELEGEERDE SAKE**

**5.1. MAANDVERSLAG: FEBRUARIE 2022**



**MINUTES OF A MEETING OF THE PROTECTION SERVICES PORTFOLIO COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 13 APRIL 2022 AT 11:03**

**PRESENT:**

**COUNCILLORS:**

Chairperson, aldi M van Zyl  
Deputy chairperson, clir A K Warnick

Bess, D G	Le Minnie, I S
De Beer, J M	Papier, J R
Fortuin, C	Stanley, B J (ald)
Jooste, R J	

**OFFICIALS:**

Municipal Manager, mr J J Scholtz  
Director: Financial Services, mr M A C Bolton  
Director: Protection Services, mr P A C Humphreys  
Director: Corporate Services, ms M S Terblanche  
Director: Civil Engineering Services, mr L D Zikmann  
Senior Manager: Built Environment, mr A M Zaayman  
Senior Manager: Technical Services, mr M J Swanepoel  
Committee Officer, ms S Willemse

**1. OPENING/APOLOGIES**

The chairperson welcomed members.

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

Apologies received from clirs C Daniels, C Pieters, the Director: Development Services, ms J S Krieger and the Director: Electrical Engineering Services, mr R du Toit.

**2. MINUTES**

**2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (PROTECTION SERVICES) HELD ON 9 MARCH 2022**

**BESLUIT**

(proposed by clir D G Bess, seconded by clir I S Le Minnie)

That the minutes of a Portfolio Committee Meeting (Protection Services) held on 9 March 2022 are approved, subject to the correction, that 10 March be inserted at "tomorrow" on p 184.

**3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS**

None

**4. MATTERS ARISING FROM THE MINUTES**

None

**5. DELEGATED MATTERS**

**5.1. MONTHLY REPORT FEBRUARY 2022**

**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, mnr P A C Humphreys, om belangrikste aspekte uit die maandverslag aan raadslede uit te wys.

Die Direkteur: Beskermingsdienste meld dat die Verkeer- en Wetstoepassingsdienste oor die Paasnaweek die Swartland area sal beskerm om die ongeluksyfer te verlaag wat gewoonlik oor Paasnaweek plaasvind.

Die Direkteur: Beskermingsdienste meld dat daar gesprekke plaasgevind het tussen Swartland Munisipaliteit en Weskus Distriksmunisipaliteit oor 'n diensleweringmodel vir brandbestryders. Weskus Distriksmunisipaliteit sal 'n diensverskaffer aanstel om te bepaal wat die beste diensleweringmodel vir die Weskus sal wees.

**BESLUIT**

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

Dat kennis geneem word van die verslae van die onderskeie afdelings in die Direkoraat Beskermingsdienste, nl. Verkeer- en Wetstoepassing en Brandbestryding vir Februarie 2022.

**6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER**

Geen

(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 report which was circulated with the agenda 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 Traffic and Law Enforcement Services will protect the Swartland area over the Easter weekend, to reduce the accident rate that usually occurs over Easter weekend.

The Director: Protection Services stated that discussions have taken place between Swartland Municipality and the West Coast District Municipality regarding a service delivery model for firefighters. West Coast District Municipality will appoint a service provider to determine what will be the best service delivery model for the West Coast.

**RESOLUTION**

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

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 February 2022.

**6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR**

None

(SGD) ALDL M VAN ZYL  
CHAIRPERSON



**MINUTES OF A MEETING OF THE BID ADJUDICATION COMMITTEE VIRTUALLY HELD ON THURSDAY, 28 APRIL 2022 AT 15:00**

**PRESENT**

Director: Corporate Services, Ms M S Terblanche (chairperson)  
 Director: Financial Services, Mr M A C Bolton  
 Director: Development Services, Ms J Krieger  
 Snr Manager: Solid Waste and Trade Services  
 Manager: Supply Chain Management, Mr P Swart  
 Manager: Secretariat and Records Services, Ms N Brand

**1. OPENING/APOLOGIES**

The chairperson opened the meeting.

**RESOLVED** that the apology of the Director: Civil Engineering Services be noted and consequently the sub-delegation to the Snr Manager: Solid Waste and Trade Services 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 23 MARCH 2022**

**RESOLVED** that the minutes of the Bid Adjudication Committee held on 23 March 2022 be approved.

**3.2 MINUTES OF A BID EVALUATION COMMITTEE MEETING HELD ON 4 APRIL 2022**

**FOR COGNISANCE**

**3.3 MINUTES OF A BID EVALUATION COMMITTEE MEETING HELD ON 19 APRIL 2022**

**FOR COGNISANCE**

**4. CANCELLATION OF TENDER T06/21/22: PROVISION OF ADULT EDUCATION AND TRAINING FOR THE PERIOD ENDING 30 JUNE 2024 (8/2/21)**

Several attempts were made to contact (electronic and in writing) the successful tenderer, Siyaphambili Training Solutions, to make arrangements for the implementation of the tender. No responses were received.

**RESOLVED** that cognisance be taken that the tenderer, Siyaphambili Training Solutions, was informed in accordance with paragraph 32 of the "General Conditions of Tender" that the tender be cancelled due to a breach of the contract and non-performance.

**5. MATTERS FOR DISCUSSION**

**5.1 TENDER T36/21/22: PROVISION OF ADULT EDUCATION AND TRAINING FOR THE PERIOD ENDING 30 JUNE 2024 (8/2/21)**

The Adult Education and Training/...

5.1/...

The Adult Education and Training is one of the training needs identified and forms part of the Workplace Skills Plan. Tenders were invited for AET training on various levels for the period ending to 30 June 2024.

Only one tender, Siphakame Skills Development, was received and adhered to all the tender requirements and specifications.

**RECOMMENDATION<sup>1</sup>**

(a) That the tender of Siphakame Skills Development be accepted for the provision of training for Adult Education and Training for the period ending 30 June 2024 for the tendered "Price per Person" rates.

(b) That the following rates as tendered by Siphakame Skills Development be accepted:

Description	1 July 2021 - 30 June 2022 Amount per person (VAT excl.)	1 July 2022 - 30 June 2023 Amount per person (VAT excl.)	1 July 2023 - 30 June 2024 Amount per person (VAT excl.)
AET level 1 Communication	R 4 598.00	R 5 057.00	R 5 562.00
AET level 1 Numeracy	R 0.00	R 5 057.00	R 5 562.00
AET level 2 Communication	R 4 598.00	R 5 057.00	R 5 562.00
AET level 2 Numeracy	R 0.00	R 5 057.00	R 5 562.00
AET level 3 Communication	R 4 840.00	R 5 324.00	R 5 856.00
AET level 3 Mathematical Literacy	R 0.00	R 5 324.00	R 5 856.00
AET level 4 Language, Literacy and Communication (LLC)	R 4 840.00	R 5 324.00	R 5 856.00
AET level 4 Mathematical Literacy (ML)	R 0.00	R 5 324.00	R 5 856.00
AET level 4 Life Orientation	R 0.00	R 5 324.00	R 5 856.00
AET level 4 Human and Social Sciences	R 0.00	R 5 324.00	R 5 856.00
AET level 4 Natural Sciences	R 0.00	R 5 324.00	R 5 856.00
AET level 4 Small, Medium and Micro Enterprises (SMME)	R 0.00	R 5 324.00	R 5856.00
Pre-assessment Fee	R 0.00	R 0.00	R 0.00

(c) That the estimated expenditure (VAT excluded) be as follow:

Year	Expenditure
2021/2022	R 188 760.00
2022/2023	R 628 200.00
2023/2024	R 690 690.00
<b>Estimated Total</b>	<b>R 1 507 650.00</b>

(d) That the expenditure be allocated to vote number 9/213-1195-953.

**5.2 RENDERING OF BANKING SERVICES FOR THE PERIOD 1 JULY 2022 TO 30 JUNE 2027 (INCLUDING CASH-IN TRANSIT SERVICES) (8/2/2/6)**

The process to procure banking services (including cash-in transit services) commenced in September 2021.

Tenders were invited on 28 January 2022 for the rendering of banking services (including cash-in transit) from 1 July 2022 for a period of 5 years.

A total of four tenders were received and evaluated according to the 80/20 preference point system:

Table/...

<sup>1</sup> Confirmed by the Municipal Manager on 29 April 2022

5.2/...

BIDDER	TENDER PRICE	POINTS FOR PRICE	CONTRIBUTOR LEVEL	PREFERENCE POINTS	TOTAL POINTS
The Standard Bank of South Africa Ltd	R 177 675.42	80.00	1	20	<b>100.00</b>
Nedbank Limited	R 282 368.18	32.86	1	20	52.86
ABSA Bank	R 514 809.56	- 71.80	1	20	- 51.80
First National Bank	R 2 191 810.49	- 826.88	1	20	- 806.88

#### RECOMMENDATION<sup>2</sup>

- (a) That the tender for the Rendering of Banking Services (including Cash-in Transit services) for the period 1 July 2022 to 30 June 2027 be awarded to The Standard Bank of South Africa Ltd for the tendered tariffs/charges and interest rates (Annexure B);
- (b) That the expenditure be allocated to vote numbers 9/210-145-1587, 9/210-147-1603 and 9/210-1017-1321;
- (c) That the annual adjustments in the tariffs of banking charges are linked to CPI and tariffs cannot be increased arbitrarily.

(sgd) M S TERBLANCHE  
CHAIRPERSON

<sup>2</sup> Confirmed by the Municipal Manager on 29 April 2022





## Verslag ♦ Ingxelo ♦ Report

Office of the Municipal Manager  
2022-05-26

2/1/4/4/1  
WARD: N/a

### ITEM \_8.1\_ OF THE AGENDA OF AN ORDINARY COUNCIL MEETING TO BE HELD ON 26 MAY 2022

**SUBJECT: ADOPTION OF THE PREVIOUS COUNCIL'S IDP (WITH AMENDMENTS) AS WELL AS THE AREA PLANS**

*The IDP with amendments as well as the five area plans are circulated under separate cover.*

#### 1. BACKGROUND AND DISCUSSION

In terms of section 25(3)(a) of the Municipal Systems Act (Act 32 of 2000) a newly elected municipal council may adopt the integrated development plan (IDP) of its predecessor, but before taking a decision it must comply with section 29(1)(b)(i), (c) and (d). The applicable subsections are quoted below:

**Section 29 Process to be followed.** (1) *The process followed by a municipality to draft its IDP, including its consideration and adoption of the draft plan, must -*

- (b) *through appropriate mechanisms, processes and procedures established in terms of Chapter 4, allow for -*
  - (i) *the local community to be consulted on its development needs and priorities;*
- (c) *provide for the identification of all plans and planning requirements binding on the municipality in terms of national and provincial legislation; and*
- (d) *be consistent with any other matters that may be prescribed by regulation.*

The newly elected council already decided at their first Council meeting on 16 November 2021 to follow the section 25(3)(a) option of adopting the predecessors IDP.

In terms of section 25(3)(b) a newly elected municipal council that adopts the IDP of its predecessor **with amendments**, must effect the amendments in accordance with the process referred to in section 34(b) - quoted below.

**Section 34(b).** *A municipal council may amend its integrated development plan in accordance with a prescribed process (see paragraph 2 below).*

A work session was held on 1 March 2022 with senior management and all councillors to provide the new council with a proper understanding of the IDP and the way forward, as well as to obtain inputs regarding any amendments to the IDP. Inputs were incorporated in the IDP document that is submitted today.

#### 2. PROCESS FOR AMENDING IDP's

Regulation 3 of the Municipal Planning and Performance Management Regulations, 2001 prescribes the following process for amending IDP's:

- Only a member or committee of a municipal council may introduce a proposal for amending the IDP in the council.
- Any proposal for amending the IDP must be accompanied by a **memorandum** setting out the reasons for the proposal.
- An amendment to the IDP must be adopted by a decision taken by the council in accordance with the rules and orders of the council.
- No amendment to the IDP may be adopted by the municipal council unless -
  - all the members of the council have been given reasonable notice;

- o the proposed amendment has been published for public comment for a period of at least 21 days in a manner that allows the public an opportunity to make representations with regard to the proposed amendment;
- o the municipality has consulted the district municipality on the proposed amendment and has taken all comments submitted to it by the district municipality into account before it takes a final decision on the proposed amendment.

***(The memorandum referred to in the second bullet above is attached as ANNEXURE 1)***

### **3. LEGISLATION**

The following legislation is applicable:

- Municipal Systems Act, No 32 of 2000, Sections 25 to 36
- Municipal Finance Management Act, No 56 of 2003, Sections 21, 24 and 53
- Municipal Planning and Performance Management Regulations, 2001, Regulation 3

### **4. PUBLIC PARTICIPATION**

The IDP was advertised for public comments and inputs in the local newspapers on 5 and 6 April 2022. Inputs were received from the following persons:

- (i) Barry Gouws (member of the Swartland External Audit Committee) (translated into English)

*"Not really any comments or inputs, maybe only for consideration to add the following under the Municipal Manager's challenges/problems mentioned on page ii : Increasing in unemployment rate and decrease in income base."*

**Response:** The problems mentioned in the Municipal Managers foreword on page ii is quoted from a local government report and therefore we unfortunately cannot add other information than what was stated.

- (ii) Tracey Cosgrove requests the following in an email:

- *The Area Plans (Paragraph 1.5 on page 3 of the IDP)*

**Response:** The Area plans can be found on the municipal website at the following link:

[http://www.swartland.org.za/pages/english/documents/idp-perf.-management.php#Area\\_Plans](http://www.swartland.org.za/pages/english/documents/idp-perf.-management.php#Area_Plans)

- *Explain the difference of increasing the rates from agriculture to residential*

**Response:** This request will be dealt with in the budget comments

- *Provide the White Paper on Human Settlements*

**Response:** The white paper can be found at the following link:

[http://www.dhs.gov.za/sites/default/files/legislation/Policies\\_Housing\\_White\\_Paper.pdf](http://www.dhs.gov.za/sites/default/files/legislation/Policies_Housing_White_Paper.pdf)

- (iii) The following people made **exactly the same comments** on a pdf copy of the IDP document: Tracey Cosgrove, Pamela Deacon, Anna Boulton and Michele Coss (see **ANNEXURE 2** attached with the comments and the Municipality's responses).

### **5. STRATEGIC INTEGRATED MUNICIPAL ENGAGEMENT (SIME)**

This engagement between the Western Cape Government (WCG) and the Municipality took place on 4 May 2022. The comments from the WCG on the IDP as well as our response are attached as **ANNEXURE 3**.

### **6. LINK TO THE IDP**

Not applicable

### **7. FINANCIAL IMPLICATION**

None

### **8. AANBEVELING / RECOMMENDATION**

- (a) Dat die Geïntegreerde Ontwikkelingsplan (GOP) van die vorige Raad (met wysigings) in terme van Artikel 25(3)(a) en (b) van die Munisipale Stelselwet (Wet 32 van 2000) goedgekeur word; en
- (b) dat die hersiening van die areaplanne goedgekeur word.

- (a) *That the Integrated Development Plan (IDP) of the previous Council (with amendments) be approved in terms of Section 25(3)(a) and (b) of the Municipal Systems Act (Act 32 of 2000); and*
- (b) *that the revision of the area plans be approved.*

(get) J J Scholtz

**MUNISIPALE BESTUURDER / MUNICIPAL MANAGER**

**DATUM:** 26 Mei 2022 / **DATE:** 26 May 2022



## **Swartland Municipality**

# **MEMORANDUM IN TERMS OF REGULATION 3(2)(A) OF THE MUNICIPAL PLANNING AND PERFORMANCE MANAGEMENT REGULATIONS, 2001**

## **Amendments to the Integrated Development Plan**

**May 2022**

## Sections that are updated or amended

Section	Page
Forewords	
▪ Executive Mayor, Harold Cleophas <i>[Replaced]</i>	
▪ Municipal Manager, Joggie Scholtz <i>[Updated]</i>	
Covid-19 <i>[Updated]</i>	4
Chapter 1: Introduction	5
1.4 Adoption of the IDP of its predecessor by the newly elected council <i>[Replaced]</i>	5
Chapter 2: Context	13
2.1 Swartland municipal area at a glance <i>[Updated]</i>	13
Chapter 3: The planning process	14
3.4 Process of adopting the IDP of its predecessor by the newly elected council <i>[Replaced]</i>	14
Chapter 4: The Organisation	15
4.2 The council and council committees <i>[Updated]</i>	15
Chapter 5: International, national and provincial policy directives	16
5.1 Sustainable Development Goals <i>[Improved]</i>	16
5.2(a) National Development Plan - November 2011 <i>[Improved]</i>	
5.3(b) Western Cape Joint District and Metro Approach <i>[Updated]</i>	17
Chapter 6: District and Local Municipal level policy directives	18
6.2 West Coast District Implementation Plan <i>[Updated]</i>	18
Chapter 7: The strategy	23
7.4(d) Top ten risks facing the Municipality <i>[Updated]</i>	23
7.4 Strategic Goals 1-5 <i>[Updated]</i>	24
Chapter 8: Financial planning and budgets	43
8.3 Swartland Municipality's budgets <i>[Updated]</i>	50
8.4 Swartland Municipality's financial allocations <i>[Updated]</i>	52
8.5 Provincial spending in the Swartland municipal area <i>[Updated]</i>	53
Annexure 1: Swartland profile <i>[Updated with figures from the 2021 MERO and SEP reports]</i>	56
Annexure 3: Status of sector plans and policies <i>[Updated]</i>	65

## Forewords

### Executive Mayor, Harold Cleophas

The foreword of the previous executive mayor is replaced by a foreword by the new Executive Mayor.

### Municipal Manager, Joggie Scholtz

The following two paragraphs are updated:

*The Municipality has since the 2010/2011 financial year achieved nine clean audits. For the financial years 2017/2018 and 2018/2019 we achieved an unqualified audit with one finding. This shows that Swartland is still one of the best managed municipalities in South Africa, with management and staff that are dedicated to meet and maintain high standards of performance at all times.*

*The average spending over the previous eight years was 92.01% of the capital budget and 95.54% of the operating budget. The Municipality has also managed to collect on average 102.3% of all revenue budgeted in the previous eight financial years, which is testimony to a good payment culture in the adverse economic climate in which the Municipality has had to operate for several years now.*

## Covid-19

The following paragraph is changed:

**1 May 2022:** In South Africa 19.6 million individuals were vaccinated. This is 49.4% of the total adult population of 18 years and older (39.8 million). In the Western Cape 2.8 million individuals were vaccinated. This is 56.6% of the total Western Cape's adult population of 18 years and older (4.98 million).

## Chapter 1: Introduction

### 1.3 Adoption of the IDP of its predecessor by the newly elected council

The whole of section 1.3 (Annual review of the IDP) is replaced by this new section.

## Chapter 2: Context

### 2.1 Swartland municipal area at a glance

Updated with figures from the 2021 MERO and SEP reports.

## Chapter 3: The planning process

### 3.4 Process of adopting the IDP of its predecessor by the newly elected council

The whole of section 3.4 (Annual process followed) is replaced by this new section.

## Chapter 4: The Organisation

### 4.2 The council and council committees

The councillor information is replaced by the information of the newly elected Council.

## Chapter 5: International, national and provincial policy directives

### 5.1 Sustainable Development Goals

The layout of this section is improved.

### 5.2 National policy directives

#### (a) NATIONAL DEVELOPMENT PLAN (NDP) - NOVEMBER 2011

The contents of this section is improved.

### 5.3 Provincial policy directives

#### (b) WESTERN CAPE JOINT DISTRICT AND METRO APPROACH

Updated.

## Chapter 6: District and Local Municipal policy directives

### 6.2 West Coast District Implementation Plan

Updated.

## Chapter 7: The strategy

### 7.4 The Municipality's five year strategy

#### (d) TOP TEN RISKS FACING THE MUNICIPALITY

The top ten risks are replaced by the following:

- 1 In-migration population growth and land invasion
- 2 Community safety and law compliance
- 3 Lack of capacity in respect of infrastructure
- 4 Insufficient preparation for disasters
- 5 Potential developers not investing in Swartland
- 6 Ageing infrastructure
- 7 Inadequate management and IT systems
- 8 Non-compliance with laws and regulations
- 9 Insufficient revenue from tax base and trading services to meet all other service demands
- 10 Uninvolved clients

#### STRATEGIC GOAL 1: IMPROVED QUALITY OF LIFE FOR CITIZENS

##### (a) CURRENT STATE OF AFFAIRS

Updated with the latest figures from the 2021 MERO and SEP reports.

##### (d) STRATEGIC RISKS LINKED TO STRATEGIC GOAL 1

Updated in accordance with the Municipality's Risk Register.

##### (e) CAPITAL BUDGET LINKED TO STRATEGIC GOAL 1

Updated with 2022/2023 budget figures.

##### (f) OPERATING BUDGET LINKED TO STRATEGIC GOAL 1

Updated with 2022/2023 budget figures.



## **STRATEGIC GOAL 2: INCLUSIVE ECONOMIC GROWTH**

### **(a) CURRENT STATE OF AFFAIRS**

Updated with the latest figures from the 2021 MERO and SEP reports.

### **(d) STRATEGIC RISKS LINKED TO STRATEGIC GOAL 2**

Updated in accordance with the Municipality's Risk Register.

### **(e) CAPITAL BUDGET LINKED TO STRATEGIC GOAL 2**

Updated with 2022/2023 budget figures.

### **(f) OPERATING BUDGET LINKED TO STRATEGIC GOAL 2**

Updated with 2022/2023 budget figures.

## **STRATEGIC GOAL 3: QUALITY AND SUSTAINABLE LIVING ENVIRONMENT**

### **(d) STRATEGIC RISKS LINKED TO STRATEGIC GOAL 3**

Updated in accordance with the Municipality's Risk Register.

### **(e) CAPITAL BUDGET LINKED TO STRATEGIC GOAL 3**

Updated with 2022/2023 budget figures.

### **(f) OPERATING BUDGET LINKED TO STRATEGIC GOAL 3**

Updated with 2022/2023 budget figures.

## **STRATEGIC GOAL 4: CARING, COMPETENT AND RESPONSIVE INSTITUTIONS, ORGANISATIONS AND BUSINESS**

### **(a) CURRENT STATE OF AFFAIRS**

Updated with the latest figures from the 2021 MERO and SEP reports.

**(d) STRATEGIC RISKS LINKED TO STRATEGIC GOAL 4**

Updated in accordance with the Municipality's Risk Register.

**(e) CAPITAL BUDGET LINKED TO STRATEGIC GOAL 4**

Updated with 2022/2023 budget figures.

**(f) OPERATING BUDGET LINKED TO STRATEGIC GOAL 4**

Updated with 2022/2023 budget figures.

**STRATEGIC GOAL 5: SUFFICIENT, AFFORDABLE AND WELL-RUN SERVICES**

**(a) CURRENT STATE OF AFFAIRS**

The following paragraph is updated:

***Roads:***

There are 332 km surfaced roads in the Swartland Municipal Area (2.15 million m<sup>2</sup>) with a total asset value of R568.31 billion. The maintenance requirement is to reseal roads every 12 years. This equates to 179 252 m<sup>2</sup> or R26.53 million per year.

On average 128 103 m<sup>2</sup> was resealed per year and the average spending on resurfacing over the past 5 years was R16.531 million per year. In 2022 the total backlog in resurfacing R260 million.

**(d) STRATEGIC RISKS LINKED TO STRATEGIC GOAL 5**

Updated in accordance with the Municipality's Risk Register.

**(e) CAPITAL BUDGET LINKED TO STRATEGIC GOAL 5**

Updated with 2022/2023 budget figures.

**(f) OPERATING BUDGET LINKED TO STRATEGIC GOAL 5**

Updated with 2022/2023 budget figures.

## Chapter 8: Financial planning and budgets

### 8.3 Swartland Municipality's budgets

Updated with 2022/2023 budget figures.

### 8.4 Swartland Municipality's financial allocations

#### (a) THE DIVISION OF REVENUE BILL (DORA)

Updated with the information in Government Gazette 45903 of 11 February 2022.

#### (b) PROVINCIAL GAZETTE EXTRAORDINARY 8566 OF 14 MARCH 2022

Updated with the information in Provincial Gazette Extraordinary 8566 of 14 March 2022.

### 8.5 Provincial spending in the Swartland municipal area

Updated with the information obtained from the publication *Western Cape Government's Budget Estimates of Provincial Revenue and Expenditure 2021, Provincial Treasury, 14 March 2022.*

## Annexure 1: Swartland profile

The following sections are updated with figures from the 2021 MERO and SEP reports:

### 1.2 Education

### 1.3 Health

### 1.4 Poverty

### 1.7 Crime

### 1.8 The economy

## Annexure 3: Status of sector plans and policies

Updated with information received from the different departments.

## ANNEXURE 2

### COMMENTS ON THE IDP

Page	Paragraph in IDP document	Comment	Municipality's response
ii	<ul style="list-style-type: none"> <li>Poor communication and accountability relationships with communities</li> </ul>	How do you intend to bridge this gap?	The statement mentioned in the Municipal Managers foreword on page ii is quoted from a local government report.
ii	<ul style="list-style-type: none"> <li><b>ENVIRONMENT:</b> - Quality and sustainable living environment</li> </ul>	Agriculture is a vital source of economic growth for the country. More emphasis needs to be placed on protecting this resource. Also, the state of the town of Malmesbury is declining. It is dirty - there are more informal traders operating from pavements, especially on Bokomo Road. The area suffers pollution from both debris and noise. There are stickers glued to lamp posts, advertising such unsavoury services relating to abortion and penis enlargement. The municipality needs to clean up this area	In the foreword, the five strategic goals are merely mentioned. The detail of how the municipality deals with this specific goal can be found in chapter 7, however we take note of the comment.
ii	...that all citizens of Swartland meet their obligations towards the Municipality	It is of utmost importance that the municipality meets its commitment to treat all ratepayers equitably, and to ensure compliance with all relevant acts and policies.	The successful implementation of the IDP is a partnership between the Municipality and the communities, and will require commitments from both.
iii	...the best interests of all residents of Swartland	The Dassenberg community definitely does not experience this. These are hollow words not supported by actions. For e.g. the high handed approach to rates collections - unilaterally increasing rates in contravention of Act 6 and your policy.	Noted
3	...proper public participation processes	Please define these	Swartland Municipality will advertise a process plan during June/July, which will stipulate the process of compiling the IDP, including the

Page	Paragraph in IDP document	Comment	Municipality's response
			public participation process. The public will be invited to comment on this plan.
3	Swartland South (area plan)	Please explain where Dassenberg (Groenrivier and Groenfontein and stand alone properties) are included in your community participation	The whole of ward 4 is included in the community participation process for the Swartland South Area Plan.
3	These plans are available on request due to their detailed extent	Please provide these detailed area plans. You do not state from whom these can be requested.	We take note of this comment and will include links to external documents in our next IDP. At this stage the area plans are available at the following link <a href="https://bit.ly/3ygwQEL">https://bit.ly/3ygwQEL</a>
5	...illegal connections and wastage of water	How is this being addressed?	Illegal connections, when identified either by physical inspections or by reporting by the public, are removed and repairs are done to the municipal pipe network. The wastage of water is addressed through water conservation and water demand management measures that include pressure control, physical inspections, information sharing and rising block tariffs.
7	services to backyard dwellers	How are you expecting to finance this?	The Municipality cannot finance the upgrading of services on private properties from its own funds. External funding sources would have to be identified and applied for.
39+40	2016 Integrated Urban Development Framework from National Government	Several comments	This is a National government policy document and is included in the IDP for alignment between the different spheres of government. In Chapter 7 Swartland Municipality links its actions to that of National government.

<b>Page</b>	<b>Paragraph in IDP document</b>	<b>Comment</b>	<b>Municipality's response</b>
44	2019 Provincial Strategic Plan	Several comments	This is a provincial government policy document and is included in the IDP for alignment between the different spheres of government. In Chapter 7 Swartland Municipality links its actions to that of Provincial government.
52	West Coast District Municipality IDP goals and objectives	One comment	This is the West Coast District Municipality's document and is included in the IDP for alignment between the different spheres of government.
63	<ul style="list-style-type: none"> <li>Develop the N7 rural corridor south of Malmesbury</li> </ul>	Please provide the development plans supporting this objective	As from the MSDF the following: Develop an intensive agricultural development corridor, along the N7, including Tierfontein and Groenrivier small holdings and the "Swartland Meander" that will result in job creation and economic development (Southern section of Ward 4, intensive agricultural production area). Promote small-scale agri-processing and agricultural service industry opportunity. Support and allow for intensive agriculture, agriculturally related industries and commercial opportunities, exhibition centres and internal densification of agricultural units to support growth and economic development along this corridor. Support intensive irrigation of cultivated area. Maintain and support of road network to support industrial activities, consider

Page	Paragraph in IDP document	Comment	Municipality's response
			<p>alternative transport methods such as the railway line to support the agriculture industry</p> <p>Support development of commercial infrastructure on farms along the Intensive Rural Development Corridor, including farm stalls and agri-processing, tasting of farm produce venues, and petro ports to support the N7 transport zone</p> <p>Promote both extensive agricultural farms (400ha – 780ha) constituting high potential dry land cultivation &amp; smaller agriculture units, constituting medium &amp; high potential land, allowing for rural living e.g. Dassenberg smallholdings (City of Cape Town)</p> <p>Facilitate land reform in Rural Corridor similar to Klipvlei and Leliefontein. (located in corridor)</p> <p>Tourism As part of the Intensive Rural Development Corridor, develop a Swartland Meander along the Old Cape road as the eastern edge of the Intensive Rural Development Corridor. Allow for more tourism related facilities to develop around these routes (accommodation, recreation facilities, agri-processing and selling of products venues, etc.)</p> <p>Promote prominent agri-processing related tourism destinations in the Swartland. Produce niche produce (value adding) specific to the intensive rural development corridor and the</p>

Page	Paragraph in IDP document	Comment	Municipality's response
			"Swartland Meander". Support function and exhibition venues on farms i.e. Outdoor Exhibition Centre on Farm Leliefontein along N7. Promote Outdoor Exhibitions Centre as part of Intensive Rural Development Corridor.
63	<ul style="list-style-type: none"> <li>Develop the Diep River as a historic link between Swartland and Cape Town</li> </ul>	Please provide diagrammatic representation of this area	The development proposal has been identified previously, but not funded due to competition with others projects.
63	<ul style="list-style-type: none"> <li>Enter into negotiations with the national Department of Agriculture to exempt land earmarked for urban development</li> </ul>	Provide a list of area so identified, supported by diagrams	The necessary documents for all towns have been prepared, areas demarcated with co-ordinates, signed by both Swartland Municipality and Provincial Government and sent to National Department early 2021.
96	Enable sustainable rural and agricultural development (Deleted)	Why was this deleted?	The Intensive Rural Development Corridor has been identified as per approved MSDF and projects to grow and diversify the agricultural sector be supported.
96	Finalise conservation and biodiversity management plan (Completed)	Please provide the details of this plan	Council has approved the concept summary of the document in October 2021, while stakeholders working within conservation and biodiversity sectors verify the final technical detail.
107	Operating budget linked to strategic goal 4	Provide breakdown or detail and line items on three of the amounts (manage libraries, manage finance, manage council expenses)	The IDP is a strategic document and does not contain details of line items. The breakdown of



Page	Paragraph in IDP document	Comment	Municipality's response
120	Three year capital budget per department - Human Settlements 2022/2023 budget	Provide line item break down including identified areas	the budgets can found in the Area plans: <a href="https://bit.ly/3ygwQEL">https://bit.ly/3ygwQEL</a>
121	Ten largest capital projects - 2022/2023 - Purchase of building: Erf 2738 Malmesbury	Provide details of this building - as this plan also suggests the selling off of buildings - correlate the two	
121	Three year capital budget per IDP strategic goal - Quality and sustainable living environment	Provide detailed line item and categories together with implementation plan	
122	Three year operating budget per IDP strategic goal - Quality and sustainable living environment	Provide detailed line item and plans for implementation	
122	The Division of Revenue Bill (DORA) - Government Gazette 45903 of 11 February 2022: Equitable share	Provide details please (Equitable share grant)	The cost of the social package of the registered indigent households is financed from the unconditional Equitable Share grant. To receive these free services the households are required to register in terms of the Municipality's Indigent Policy.
145	2017 Client satisfaction survey - Number of responses received per area - Non-urban	What have you done to ensure greater participation in non urban areas. what was your dissemination method?	It was a random survey done in January and February 2017 by fieldworkers under a sample 10% of all urban households. All the questions were related to municipal services delivered in urban areas.

## COMMENTS ON THE SDBIP

PDF Page	Paragraph in SDBIP document	Comment	Municipality's response
16	Performance objective: Correspondence addressed in a timely manner	% of all correspondence recorded by Collaborator less than 60 days old	Collaborator is an internal system that manages all correspondence received by the municipality.
17	Performance objective: Communication Strategy implementation	By communication are you referring to comms with local communities? if so, you need to consider a more effective mechanism like email - as you do with the accounts	Noted.
20	... WILL BE INSERTED WITH THE FINAL SDBIP IN JUNE 2021	June 2021??	This is a typing error, it should be June 2022.
21	Project: Chatsworth Serviced sites (Professional fees)	Provide diagrammatic representation of location for Chatsworth	The project is planned on land owned by Housing Development Agency and situated between the newly built school and the first river.
21	Project: Kalbaskraal: Purchasing of Transnet Land	To do what with?	For the Human settlement projects, with concept layout prepared.
22	Project: Recording of telephone calls	As we pay for call recording, provide mechanism to retrieve these calls for the public	Noted
23	Project: Purchase of Building: Erf 2738 Malmesbury	To do what with	Since tabling of the 90 day budget, this project has been removed from the capital budget. The purchase will therefore not take place.
28	DCoG MFMA Circular No 88 indicators	There should be a link between indicator and target for KPI purposes considering the cost to ratepayers	This is national government indicators that are being tested at municipal level and was only added for information purposes.

# **SIME ENGAGEMENT**

4 May 2022



BETTER TOGETHER.





# IDP & Budget Process



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# IDP and Budget Process

RECOMMENDATIONS	MUNICIPAL RESPONSE
Consider adopting the IDP of its Council's predecessor with no reference to the one year period. Upon adoption of such IDP, the Municipality may commence with the preparation for the drafting of the IDP for the remaining term of office, which must be adopted in line with section 34(b) of the MSA and also follow the process as stipulated in Regulation 3 of the MSA Regulations as neither the MSA nor the MSA Regulations limit the extent to which an IDP may be amended.	Noted



# IDP and Budget Process

RECOMMENDATIONS	MUNICIPAL RESPONSE
Compile a process plan (to guide the planning and drafting of the IDP) and consult the local community before adopting such process plan, to ensure compliance with section 28 of the MSA and to assist the Municipality in the annual review and possible amendment of the tabled IDP for the remaining part of the current planning cycle.	Noted



# IDP and Budget Process

RECOMMENDATIONS	MUNICIPAL RESPONSE
Update the status of all the municipal sector plans in the IDP to be adopted in May 2022 and initiate a process to review those sector plans that are out of date	Noted. Will be addressed in the next IDP.





# Assumptions – planning, spatial, financial, economic



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# Assumptions – planning, spatial, financial, economic

RECOMMENDATIONS	MUNICIPAL RESPONSE
There are plans to improve the ease of doing business within the municipal area through reducing the average time taken to finalise business license applications and the average cost to a business to apply for a construction permit with the Municipality.	The Senior Manager Built Environment has performance management indicators related to building plans and land use applications to accelerate the ease of doing business with us.



# Assumptions – planning, spatial, financial, economic

RECOMMENDATIONS	MUNICIPAL RESPONSE
Infrastructure plays an important role in economic development, the tabled IDP reflects that the Municipality has plans to facilitate land availability, bulk infrastructure provision and the implementation of the Housing Pipeline.	The Municipality attempts to be project ready in terms of the implementation of Human Settlements and therefore included the 3 growing towns in the housing pipeline namely Malmesbury, Moorreesburg and Darling and plan bulk accordingly.



# Assumptions – planning, spatial, financial, economic

RECOMMENDATIONS	MUNICIPAL RESPONSE
Although food production and food security do not fall under the mandate of the Municipality, it is recommended that the Municipality consider possible food security interventions for implementation in the urban areas	The Municipality has an excellent relationship with the Department of Agriculture and is in the process of registering a cooperative for food gardens in Moorreesburg.



# Assumptions – planning, spatial, financial, economic

RECOMMENDATIONS	MUNICIPAL RESPONSE
<p>New housing opportunities: The De Hoop planned, Greenfields human settlement project offers an opportunity to grow the internal economy and increase efficiencies with regard to facility and service provision. The long-term strategy of benefitting from the strategic (SDF-initiated) link to the N7 is now able to finally pay dividends and raise thresholds for economic activity and facility provision</p>	<p>The De Hoop housing development will ultimately link to the private development known as Swartland Junction, which is located between De Hoop housing project and Abbotsdale connecting the two towns. Swartland Junction is a mixed use development owned by the Agri Industria Pty Ltd and has been approved in terms of Swartland Land Uses Planning Bylaw and NEMA legislation. Some of the proposals include:</p> <ul style="list-style-type: none"><li>- A shopping centre of 100 000m<sup>2</sup> GLA</li><li>- A satellite campus of Stellenbosch University</li></ul>

# Assumptions – planning, spatial, financial, economic

RECOMMENDATIONS	MUNICIPAL RESPONSE
<i>Continued...</i>	<ul style="list-style-type: none"><li>- Mixed commercial opportunities</li><li>- Mixed density residential opportunities</li><li>- A taxi and bus rank</li><li>- Business park and industrial area</li><li>- Social amenities for education and healthcare</li><li>- Agricultural allotment areas</li></ul> <p>The construction of the De Hoop top structures is in process and 200 houses will be completed by 30 June 2022.</p>



# Assumptions – planning, spatial, financial, economic

RECOMMENDATIONS	MUNICIPAL RESPONSE
<i>Continued...</i>	The land use approval for the Swartland Junction(west of the N7) has been issued which link the De Hoop housing project with the N7 and create the necessary integration between the towns of Malmesbury and Abbotsdale.



# Assumptions – planning, spatial, financial, economic

RECOMMENDATIONS	MUNICIPAL RESPONSE
This year the IDP was not amended in substance. The only amendments were of the list in respect of the composition of the Council and an administrative change to a reference in relevant legislation. The MSDF tabled this year remains unchanged.	Swartland Municipality takes note, but is concerned that the delay might influence the finalisation of our MSDF amendment for May 2023.
The IDP is therefore aligned with the projects implicit in the MSDF and there is a section (1.7) addressing alignment between the IDP and MSDF. However, there is no MSDF chapter within the IDP.	The IDP contains a summary of the MSDF , while the <b>full</b> MSDF is available within Provincial Government.



# Assumptions – planning, spatial, financial, economic

RECOMMENDATIONS	MUNICIPAL RESPONSE
Following the adoption of the MSDF, an annual performance review of the MSDF (as part of the IDP review) should be undertaken to assess the Municipality's performance in implementing the MSDF and to identify implementation actions required to be picked up on in the annual budgeting cycle, and to inform any upcoming review of the MSDF.	No need has been identified to review the MSDF this year also due to the amendment to take place in 2022/23. The implementing tool to verified performance is through our SDBID process that forms part of officials PMS.





# Assumptions – planning, spatial, financial, economic

RECOMMENDATIONS	MUNICIPAL RESPONSE
Biodiversity Management	Swartland Mun in process to finalise Conservation/Biodiversity Plan with Cape Nature. Public engagement with all stakeholders planned for 13 May 2022.
The DEA&DP encourage the Municipality to endorse the CMP and also to participate at the MCC meetings as this is the platform for the linkages between the spheres regards coastal matters is discussed. The Department has recently finalised the draft coastal access bylaws which will be circulated shortly.	Municipality in the Coastal Management Act is defined as the District Municipality. Tasks/actions can be assigned between the District Mun and the B –Municipality by agreement. No such agreements exists between the District Mun and Swartland Mun. Furthermore, surely the roles and responsibilities to be clarified between organ of states together with the required funding model to implement such roles and responsibilities.





## Verslag ♦ Ingxelo ♦ Report

Office of the Director: Financial Services  
20 May 2022

5/1/1/1 – 2022/23

5/1/1/2 – 2022/23

5/1/4

### ITEM 8.2 VAN DIE AGENDA VAN 'N GEWONE RAADSVERGADERING WAT GEHOUSAL WORD OP 26 MEI 2022

**ONDERWERP: A: TERTAFELLEGGING VAN DIE VAN DIE FINALE MEERJARIGE KAPITAAL EN  
BEDRYFSBEGROTINGS, GEWYSIGDE BEGROTINGS EN VERWANTE BELEIDE,  
EIENDOMSBELASTING, TARIWE EN ANDER HEFFINGS VIR 2022/2023; 2023/2024  
EN 2024/2025**

**SUBJECT: A: TABLING OF THE FINAL MULTI YEAR CAPITAL AND OPERATING BUDGETS,  
AMENDED BUDGET AND RELATED POLICIES, PROPERTY RATES, TARIFFS  
AND OTHER CHARGES FOR 2022/2023; 2023/2024 AND 2024/2025**

#### 1. BACKGROUND

Prior to the tabling of the Draft budget, comprehensive workshops and engagements took place with the various directorates to ensure that effect is given to organisation wide quality sustainable service delivery in a bid to ensure value for money to all of Swarthland Municipality's citizens. The objective in the main was to ensure efficiencies in directorates and to more importantly give effect to sound expenditure management and cost containment. This proved very challenging given the limitations placed on tariff increases compared to the MTREF's operational expenditure requirements and the fact that very little scope exists for additional savings given the municipality's proven corporate culture in respect of cost containment. It is becoming increasingly challenging to fund community and other services by way of the municipality's basket of basic services and revenue generated through municipal property taxes. Our historical approach to budgets required serious re-invention and consideration given the prevailing economic conditions.

The budget steering committee had an engagement on 12 May 2022 to consolidate and consider all the input and to again provide an opportunity for the Chief Financial Officer to workshop the Final 2022-2023 MTREF. The Budget Steering Committee spent considerable time with the Executive Mayor to consider the inputs and the potential influences it might have on the recommended final 2022-2023 MTREF.

**The following were highlighted in National Treasury Budget Circulars 112 and 115 (dated 6 December 2021 and 4 March 2022) to inform the Final 2022-2023 MTREF**

#### ***The South African economy and inflation targets***

*The National Treasury projected real economic growth of 5.1 per cent in 2021, following an expected contraction of 6.4 per cent in 2020. Real GDP growth is expected to moderate to 1.8 per cent in 2022, 1.6 per cent in 2023 and 1.7 per cent in 2024. South Africa experienced its largest recorded decline in economic output in 2020 due to the strict COVID-19 lockdown. Real GDP contracted by 7.2 per cent in 2020 compared to 0.1 per cent increase in 2019. It is expected to increase by 6.2 per cent in 2021/22 and moderate by an average increase of 1.7 per cent over the 2022/23 MTEF. The main risks to the economic outlook are slowdown in economic growth. The evolution of COVID-19 and slow progress in vaccine rollout reinforces uncertainty and poses risks to economic recovery.*

*Slow implementation of structural reforms continues to weigh on business confidence and private investment. Electricity supply constraints, which worsened over the short term, are a drag on*

economic growth. In contrast, progress on energy reforms poses upside risks to fixed investment and the overall economic outlook.

The world economy is expected to grow by 4.4 per cent this year. This is lower than the 4.9 per cent that was anticipated when tabling the medium-term budget policy statement (MTBPS). The Omicron variant of the coronavirus caused many countries to impose restrictions to manage its spread. In addition, continued imbalances in global value chains have limited the pace of the world's economic recovery. The South African economy has not been shielded from these global developments. National Treasury has revised South Africa's economic growth estimate for 2021 to 4.8 per cent, from 5.1 per cent at the time of the MTBPS.

To maximise the value of spending, government needs to contain costs, more especially consumption related spending, exercise prudent and compliant financial management, and eradicate wasteful treatment of public funds and resources. Compensation of employees remains a major cost pressure. It remains critical for municipalities to adhere to compensation ceilings, manage headcounts proactively and conduct staff audit to ensure the staff complement is aligned to the approved organogram. This will assist government to improve its fiscal position.

Headline inflation is expected to remain between 3 to 6 per cent target range of the SARB over the 2022/23 MTEF.

The Macro-economic forecasts as illustrated below:

Table 1: Macroeconomic performance and projections, 2020 - 2025					
Fiscal year	2020/21	2021/22	2022/23	2023/24	2024/25
	Actual	Estimate	Forecast		
CPI Inflation	2.9%	4.5%	4.8%	4.4%	4.5%

### Key focus areas for the 2022/23 budget process

- Transfers to local government will be increased by R17.8 billion, including R9.3 billion from the local government equitable share, R1.5 billion from the general fuel levy and R6.9 billion in direct conditional grants over the 2022 MTEF period. The local government equitable share formula has been updated to account for projected household growth, inflation and estimated increases in bulk water and electricity costs over the 2022 MTEF period. Over the 2022 MTEF period, direct transfers to municipalities will grow above inflation, at an annual average rate of 7.9 per cent. Direct conditional grants grow at an annual average rate of 5.3 per cent over the MTEF, while the Local Government Equitable Share (LGES) grows faster, at an annual average rate of 10.3 per cent over the same period.
- Municipalities are advised to refer to the guidance (refer to the email sent by CoGTA to all municipalities on 20 October 2021) provided through the joint National Treasury/ Department of Cooperative Governance/ South African Local Government Association (NT/DCoG/SALGA) Joint Circular No.1 on the transitional measures in relation to the IDP consultation process.
- Similar to the rest of government, **municipalities face a difficult fiscal environment**. The **weak economic growth** has put **pressure on consumers' ability to pay for services**, while transfers from national government are growing more slowly than in the past. Some municipalities have managed these challenges well, but others have fallen into financial distress and face liquidity problems. These include municipalities that are unable to meet their payment obligations to Eskom, Water Boards and other creditors. There is a need for municipalities to focus on collecting revenues owed to them and eliminate wasteful and non-core spending.
- National Treasury encourages municipalities to maintain tariff increases at levels that reflect an appropriate balance between the affordability to poorer households and other customers while ensuring the financial sustainability of the municipality. The Consumer Price Index (CPI) inflation **is forecasted to be within the lower limit of the 3 to 6 per cent target band**; therefore, municipalities are required **to justify all increases in excess of the projected inflation target for 2022/23 MREF** in their budget narratives and pay careful attention to tariff increases across all consumer groups. In addition, municipalities should include a detail of their revenue growth assumptions for the different service charges in the budget narrative.

- The **emphasis is on municipalities** to comply with Section 18 of the MFMA and ensure that they **fund their 2022/23 MTREF budgets from realistically anticipated revenues** to be collected. Municipalities are cautioned against assuming collection rates that are unrealistic and unattainable as this is a fundamental reason for municipalities not attaining their desired collection rates. It is **essential that municipalities reconcile their most recent valuation roll data to that of the billing system** to ensure that revenue anticipated from property rates are accurate. Municipalities are also advised to **enforce a culture of payment** for services through their normal **credit control processes**.
- The **National Energy Regulator of South Africa (NERSA)** is responsible for price determination of the bulk costs for electricity. Bulk electricity costs are consistently much higher than inflation, having gone as high as 17.8 per cent in the 2021/22 municipal financial year. Eskom's need for increased funding means that over the period ahead they are applying for much higher tariff increases. In their Multi-Year Price Determination (MYPD 5) application Eskom requested approval for municipal bulk tariff increases of 20.5 per cent in 2022/23, 15 per cent in 2023/24 and 10 per cent in 2024/25. NERSA rejected this revenue application at the end of September 2021 and in October 2021 ESKOM filed an application in the High Court to review NERSA's decision. Following the deliberations, NERSA has approved a 9.6 per cent tariff increase for Eskom starting from April 2022 and this figure accounts for a 3.49 per cent increase in 2022/23. **The final increase for bulk purchases is 8.61% and an increase of 7.47% for electricity reselling.**
- The **Salary and Wage Collective Agreement** for the period 01 July 2021 to 30 June 2024 dated 15 September 2021 through the agreement that was approved by the Bargaining Committee of the Central Council in terms of Clause 17.3 of the Constitution should be used when budgeting for employee related costs for the 2022/23 MTREF. In terms of the agreement, all employees covered by this agreement shall receive with effect from 01 July 2022 and 01 July 2023 an **increase based on the projected average CPI** percentages for 2022 and 2023. The forecasts of the Reserve Bank, in terms of the January 2022 and January 2023, shall be used to determine the projected average CPI. Municipalities are encouraged to perform an annual head count and payroll verification process by undertaking a once-a-year manual salary disbursement, in order to root out ghost employees.
- Municipalities are advised to budget for the **actual costs approved in accordance with the Government Gazette on the Remuneration of Public Office Bearers Act: Determination of Upper Limits** of Salaries, Allowances and Benefits of different members of municipal councils published annually between December and January by the Department of Cooperative Governance. It is anticipated that this salary determination will also take into account the fiscal constraints. Municipalities should also consider guidance provided above on salary increases for municipal officials during this process. Any overpayment to councilors contrary to the upper limits as published by the Minister of Cooperative Governance and Traditional Affairs will be irregular expenditure in terms of Section 167 of the MFMA and must be recovered from the councilor(s) concerned.

### **Funding choices and management issues**

Municipalities are under pressure to generate revenue as a result of the economic landscape, the COVID-19 pandemic, weak tariff setting and increases (in excess of realistic revenue growth) in key cost drivers to provide basic municipal services. The ability of customers to pay for services is declining and this means that less revenue will be collected. Therefore, municipalities must consider the following when compiling their 2022/23 MTREF budgets:

- Improving the effectiveness of revenue management processes and procedures;
- Cost containment measures to, amongst other things, control unnecessary spending on nice-to-have items and non-essential activities as highlighted in the Municipal Cost Containment Regulations read with MFMA Circular No. 82;
- Ensuring value for money via very restrictive and impeding procurement processes;
- Address service delivery failures by ensuring adequate maintenance, upgrading and renewal of existing assets to enable reliable service delivery;
- The setting of cost-reflective tariffs is a requirement of Section 74(2) of the Municipal Systems Act, 2000 which is meant to ensure that municipalities set tariffs that enable them to recover the full cost of rendering the service;
- The affordability of providing free basic services to all households;

- Not taking on unfunded or under-funded mandates, i.e SAPS related responsibilities, etc;
- Strictly control and fix water infrastructure to enable the sustainable provision of water;
- Curbing the consumption of water and electricity by the indigents to ensure that they do not exceed their allocation;
- Unsustainable growth of the salary bill resulting in a potential multiplier effect on future tariff increases.

## 2. LEGISLATIVE RESPONSIBILITIES

### 2.1 Section 16(2) : MFMA

"... the Mayor of the municipality must table the annual budget at a **Council meeting** at least 90 days before the start of the financial year."

#### Artikel 16(2) : MFMA

"... die Burgemeester van die munisipaliteit moet die jaarlikse begroting ten minste **90 dae** voor die aanvang van die begrotingsjaar by 'n **raadsvergadering** ter tafel lê.

### 2.2 Section 24(1) : MFMA

"The municipal Council must at least **30 days** before the start of the budget year consider approval of the annual budget."

#### Artikel 24(1) : MFMA

"Die raad van 'n munisipaliteit moet ten minste **30 dae** voor die aanvang van die begrotingsjaar goedkeuring van die jaarlikse begroting oorweeg."

### 2.3 Section 160(2)(b) (c): Constitution

"The following functions may not be delegated by a Municipal Council:  
... the approval of budgets and tariffs."

#### Artikel 160(2)(b)(c): Grondwet

"Die volgende funksies mag nie deur die Munisipale Raad gedelegeer word nie:  
... die goedkeuring van begrotings en tariewe."

### 2.4 Section 160(3)(a) Constitution

"A majority of the members of a Municipal Council must be present before a vote may be taken on any matter."

#### Artikel 160(3)(a) Grondwet

"Dat die meerderheid Munisipale Raadslede teenwoordig moet wees voordat stemming geneem word oor enige saak."

### 2.5 Section 19: MFMA

"A municipality may spend money on a capital project only if the money for the project, excluding the cost of feasibility studies conducted by or on behalf of the municipality has been appropriated in the capital budget; section 33 has been complied with and the sources of funding are available and have not been committed"

#### Artikel 19: MFMA

"'n Munisipaliteit kan geld aan 'n kapitaalprojek bestee, slegs indien die geld vir die projek, uitgesonderd die koste van uitvoerbaarheidstudies deur of namens die munisipaliteit gedoen in die kapitaalbegroting is; artikel 33 aan voldoen is en die befondsingsbronne beskikbaar is en nie vir ander doeleindes geoormerk is nie"

### 2.6 Section 33: MFMA

"A municipality may enter into a contract which will impose financial obligations on the municipality beyond a financial year, but if the contract will impose financial obligations on the municipality beyond the three years covered in the annual budget for that financial year, it may do so only if....."

#### Artikel 33: MFMA

"'n Munisipaliteit kan 'n kontrak sluit wat die finansiële verpligtinge op die munisipaliteit sal lê na die einde van 'n finansiële jaar, maar indien die kontrak finansiële verpligtinge op die munisipaliteit sal lê na die einde van die drie jaar wat die jaarlikse begroting vir

daardie finansiële jaar gedek word, kan die munisipaliteit so kontrak sluit deur die slegs indien.....”

### 3. DOCUMENTATION

3.1 Attached hereto (**Annexure A: 2022/23 – 2024/25 Final Budget and Tariff File**) find the **Final** Capital and Operating budgets for 2022/2023 as prepared by the Chief Financial Officer, and the multi-year operating and capital budgets for 2023/2024 and 2024/2025.

3.2 Attached hereto (**Annexure B: 2022/23– 2024/25 Capital Projects i.t.o Sec 19**) find the **Final** individual capital projects over the threshold envisaged i.t.o Sec 19 having cognisance of Sec 33 of the MFMA.

#### 3.3 **BUDGETS AND MEDIUM TERM REVENUE AND EXPENDITURE FRAMEWORK 2022/2023 REFORMS**

Attached hereto (**Annexure C: Budget Report and A-Schedules 2022/23– 2024/25**), find the prescribed budget reforms as per MFMA Circulars No.112 and No.115 in accordance with the regulations.

#### 3.4 **OUTSTANDING DEBTORS**

(**Annexure A: 2022/23 – 2024/25 Final Budget and Tariff File**) contains the outstanding debtors as at 30 April 2022.

#### 3.5 **INVESTMENTS & EXTERNAL LOAN REGISTER**

(**Annexure A: 2022/23– 2024/25 Final Budget and Tariff File**) contains the Investments and External loan register as at 30 April 2022.

#### 3.6 **BUDGET RELATED POLICIES**

Also attached hereto (**Annexure D: Final Amendments to Budget & Related Policies 2022/2023**) find the final amended budget and related policies for 2022/23.

Below is a list of the budget and related policies and by-laws, indicating whether amendments by way of track changes were effected, for final approval by Council:

No.	Policy/Plan Name	Reviewed (Yes / No)	Amended (Yes / No)
1.	Tariff Policy	Yes	Yes
2.	Property Rates Policy	Yes	Yes
3.	Property Rates By-law	Yes	No
4.	Credit Control and Debt Collection Policy Schedule and By-Law	Yes	No
5.	Indigent Policy	Yes	No
6.	Cash Management and Investment Policy	Yes	Yes
7.	Asset Management Policy	Yes	Yes
8.	Fleet Management Policy	Yes	Yes
9.	Supply Chain Management Policy	Yes	Yes
10.	Budget Implementation Policy	Yes	No
11.	Funding and Reserves Policy	Yes	No
12.	Debt and Borrowing Policy	Yes	No
13.	Virement Policy	Yes	No
14.	Travel and Subsistence Policy	Yes	Yes

No.	Policy/Plan Name	Reviewed (Yes / No)	Amended (Yes / No)
15.	Cost Containment Policy	Yes	No

#### 4. AREAS COVERED DURING THE BUDGET STEERING COMMITTEE MEETING:

- Struggling South African Economy
- **Conservative budgeting w.r.t the revenue budget and therefore the amounts in years 2 and 3 of the MTREF are indicative only and not fixed, mainly to mitigate the risks and to periodically review assumptions given the global and local poor economic conditions. In this regard expenditure will have to be curbed with careful monitoring of budget performance and payment rates**
- Key focus risk areas for the 2022/23 Budget process
- Extensive revenue modelling informing tariff increases to ensure services are delivered **sustainably and cost reflective** over the longer term with emphasis on the impact of increases on disposable income levels given the dire state of the economy
- Expenditure and Revenue Consolidation and audited basis informing growth from 2021-2022 to 2022-2023
- Revenue streams from trading and economic services insufficient, given the impact of Capital budget programs and Indigents on the Operating account
- Future operational cost of 2 800 housing opportunities, Landfill sites cost of compliance and Rehabilitation, ± R52.6mil capital & R26.9mil operating
- Further initiatives will need to be considered for revenue growth, revenue protection and preventing revenue leakage going forward.
- Extensive consideration and review of the draft budget given the public input received.

To ensure compliance with the Budget and Reporting Regulations, the Budget Steering Committee gave effect to their technical advisory role in strengthening local government finances at a meeting that was held on the 12<sup>th</sup> of May 2022.

#### 5. HIGH-LEVEL DISCUSSION / MOTIVATION

That the Executive Mayoral Committee recommends the approval of the final capital, operating and balance sheet budgets, amendments to the budget and related policies, property tax rates, tariffs and other charges for the 2022/2023; 2023/2024 and 2024/2025 financial years to council for final approval.

##### 5.1 CAPITAL BUDGET

The total final Capital budget for 2022/2023 amounts to **R 191 096** million with around **R 115 813** million invested from Council's own funds in year 1 and the total application of capital investment over the three fiscal years amounting to **R 552 621** million. An increase of **R 113 157** million from the previous approved adjusted MTREF of **R 439 464** million. The ongoing investment in revenue generating and other bulk infrastructure is important as an economic stimulant given the multiplier effect that infrastructure investment has on the local economy and more-over, now than ever before. **The leveraging of these investments in creating jobs remains a key consideration bearing in mind the impact the capital budget have on the operating account.**

##### ADDITIONAL NOTE:-RESEALING OF ROADS

***An additional amount of R4 million MIG funding was received of which R2 450 million was allocated towards the Resealing of roads in the current financial year. This amount however is relatively small when compared to expenses incurred for the establishment of a resealing plant. It is therefore advantageous to use opportunities to increase the amount in order to mitigate the establishment costs.***



***An underspending of R4 750 million has been identified at the Moorreesburg Waste water treatment works project in the current financial year due to the unavailability of certain mechanical and electrical equipment sourced from Europe. Accordingly, the amount of R4 750 million has been re-allocated from the Moorreesburg Waste water treatment works to the Resealing of Roads in the current financial year, therefore the same reversed allocation of funds must be applied to the above mentioned projects for the 2022/2023 financial year.***

## **HOUSING PROJECTS**

**Note:** The allocations in the provincial gazette for housing projects in year 2 and 3 are indicative at this stage because of provincial commitments not yet guaranteed.

## **CAPITAL PROJECTS ABOVE THE THRESHOLD AS ENVISAGED BY SECTION 19 OF THE MFMA**

**SECTION 19 (1)** requires that council consider the operational costs over the MTREF and beyond prior to approving these capital projects:

- (1) "A municipality may spend money on a capital project only if-
  - (a) the money for the project, excluding the cost of feasibility studies conducted by or on behalf of the municipality, has been appropriated in the capital budget referred to in section 17 (2);
  - (b) the project, including the total cost, has been approved by the council;
  - (c) section 33 has been complied with, to the extent that this section may be applicable to the project; and
  - (d) the sources of funding have been considered, are available and have not been committed for other purposes."

FINANCING SOURCES	Final Budget 2022/2023	Final Budget 2023/2024	Final Budget 2024/2025
Capital Replacement Reserve (CRR)	R 115 812 892	R 122 483 903	R 129 755 722
Municipal Infrastructure Grant (MIG)	R 23 810 000	R 34 711 000	R 25 670 000
Dept. Human Settlements	R 20 059 000	R 33 600 000	R 5 000 000
Integrated National Electrification Programme (INEP)	R 17 600 000	R 5 000 000	R 5 225 000
RSEP	R 1 200 000		
Contributions / Donations	R 12 533 913		
Dept. Cultural Affairs and Sport	R 50 000		
Community Safety Grant	R 30 000	R 40 000	R 40 000
<b>GRAND TOTAL</b>	<b>R 191 095 805</b>	<b>R 195 834 903</b>	<b>R 165 690 722</b>

**SECTION 19 (2)** requires the following:

- (2) "Before approving a capital project in terms of subsection (1) (b), the council of a municipality must consider-
  - (a) the projected cost covering all financial years until the project is operational; and
  - (d) the future operational costs and revenue on the project, including municipal tax and tariff implications."

**SECTION 19 (3)** requires the following:

- (3) “A municipal council may in terms of subsection (1) (b) approve capital projects below a prescribed value either individually or as part of a consolidated capital programme.”

## 5.2 **OPERATING BUDGET**

The operating expenditure budget will increase from **R 953 347** million to **R 1 029 332** million resulting in approximate growth of **8%**. The operating revenue budget will increase from **R 1 013 254** million to **R 1 093 984** million (including operating and capital grant allocations) resulting in year on year growth of **8%**. The relationship between the growth in realistically generated revenue compared to the growth in expenditure is however becoming problematic over the medium to longer term and much will have to be done to curb expenditure and grow other revenue sources to ensure longer term financial sustainability.

**IMPORTANT NOTE:** *Council, the public and other stakeholders must take note that the Adjustment budget revenue and expenditure figures, as well as the Final budget growth figures as reported in the A-schedules and Budget Report to National and Provincial Treasury which forms part of the budget documentation, will differ considerably from the figures mentioned above, due to the fact that departmental charges are accounted for differently. The end result however in respect of the overall surpluses or deficits over the MTREF remains unchanged.*

The total salary budget is envisaged to increase from **R 276 344** million to **R 305 281** million (10.47% increase) to make provision for nationally determined annual adjustments in salaries, other benefits such as medical aid and pension contributions and critical posts.

### **TRAINING BUDGET**

The Skills Development Act, Act 97 of 1998, determines that a public service employer in **the national and provincial spheres of government** must budget for at least one per cent of its payroll for the training and education of its employees. This provision does not refer to the local sphere of government, but has nevertheless been applied by the Municipality for many years now. The Department of Labour however after an enquiry in this regard indicated verbally that less may be budgeted, provided that the payment of the 1% levy payable to SARS in terms of said act is not to be deviated from.

A concerted effort was again made to limit this expenditure in an attempt to keep tariffs within the limits of the reduced realistically anticipated revenue streams, with an amount of R 1 911 192 budgeted for training in the 2022/23 operating budget, which constitutes 0.65% of the Municipality's salary budget (excluding councillor remuneration) and will be limited to around 0.65% for the outer MTREF financial years. This budget is considered more than sufficient to provide for training needs within the Municipality given the historic and current training programmes already covered, **but more-over the necessitated curbing of expenditure given the worsening disposable income levels of the paying public during this severe economic downturn, making increases beyond CPI problematic.**

### **SALARY BUDGET**

That Council takes note of the increases of the Directors that are contractually linked to the other personnel, which is negotiated and determined at a national level:

- In respect of all personnel, an increase of **4.9%** for 2022/2023; **4.4%** for 2023/2024 and **4%** for the 2024/2025 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).

It further be noted that due to a lack of sufficiently generated internal funds, no provision could be made for the redemption shortage in respect of the overlapping of the redemption of loans to external banks and the life span of assets.

## PROPERTY TAXES AND TARIFFS OF TRADINGS ERVICES

**The average final increases in property taxes and tariffs for the 2022/2023 financial year are as follows:**

- Property Rates - **4.9%** (detail of main property categories per recommendation (k) for the property tax rate:- cent in the Rand)
  - **6.5%** All other properties ( excluding agricultural properties used for bona fide agricultural activities and vacant land)
- Electricity - **7.47%** (NERSA in the process of considering same- please refer to the detailed electricity tariffs found in the Tariff listing)
- Refuse Removal - **7.5% due to the service being rendered at a loss**
- Sewerage - **5.9%**
- Water - **4.5%** for the first 15kls thereafter – **5.9%** for residential consumers.  
**4.8%** increase for all businesses, sport clubs and **5.9%** for government institutions, please consult the tariff listing for the detail .

Normal Water Tariff Increases	2021/22	2022/23	Increases %	Increases (R)
<b>Residential:</b>				
• Network charge	R67.14	R70.16	<b>4.5%</b>	R3.02
• 0 – 6kl	R5.21	R5.44	<b>4.5%</b>	R0.23
• 7 – 10kl	R8.94	R9.34	<b>4.5%</b>	R0.40
• 11 – 15kl	R17.12	R17.89	<b>4.5%</b>	R0.77
• 16 – 20kl	R21.70	R22.98	<b>5.9%</b>	R1.28
• 21 - 25kl	R32.49	R34.08	<b>5.9%</b>	R1.90
• 26 - 35kl	R47.94	R50.77	<b>5.9%</b>	R2.83
• 36kl and above	R89.40	R94.67	<b>5.9%</b>	R5.27
<b>Business/ Commercial/ Industrial/ etc.</b>				
• Network charge	R113.85	R119.31	<b>4.8%</b>	R5.46
• From 1kl and above – R/Tariff per kl	R22.36	R23.43	<b>4.8%</b>	R1.07
• Sport Clubs	R23.70	R24.84	<b>4.8%</b>	R1.14
• Schools and Government Institutions	R24.86	R26.33	<b>5.9%</b>	R1.47

### 5.3 PROPERTY RATES AND SERVICE CHARGES ASSUMPTIONS

The objective with the exercise of tariff determination was to ensure that trade and economic services show surpluses over the next three to five years in order to sustain quality service delivery to which our consumers in the Swartland area have become accustomed to, but more importantly to finance some other community services and the refurbishment/ renewal of council's bulk infrastructure. This was however not possible with refuse removal which is rendered at a loss.

Every effort was made during the extensive income modelling exercise to apply the principles of zero based budgeting where appropriate. Items such as fuel, tyres, and bulk purchases inclusive of post-retirement benefits were repeatedly verified against past performance and the implementation of improved practices in a bid to realise potential further reductions and savings.

### **Property Rates**

The final property rates increases for the 2022/23 financial year is **4.9%** for residential properties and **6.5%** for business and state owned properties. Increases over the remaining MTREF period, is limited to **5.9%** for residential properties and **6.9%** for business and state owned properties. Over the MTREF additional streams were factored in as a result of the implementation of the new general valuation envisaged for the 2024/25 financial year. Limited growth is forecasted for the years beyond the MTREF.

### **Electricity Tariffs**

On 31 March 2022 NERSA published the municipal consultative guidelines and benchmarks for the 2022/23 electricity tariff adjustments. The final guideline tariff determination has not yet been received, albeit was scheduled for 11 May 2022 by NERSA. The electricity tariff increase determined for the **purchase of electricity by municipalities** is **8.61%** as from 1 July 2022 and the nominal guideline for the increase of **municipal electricity tariffs is 7.47%**. In line with the approach adopted in previous financial years, the residential prepaid tariff (Tariff 12) is adjusted at a lower percentage respectively 6.8% and 7% for consumption blocks 1 and 2, whilst the energy components of the bulk industrial tariffs are increased by 8% effectively remaining within the NERSA benchmark guidelines. The proposed tariff increases of the municipal tariffs are preliminary and subject to revision upon receipt of the final tariff benchmark guidelines from NERSA, at which time the proposed municipal tariff adjustments will be submitted to NERSA for consideration and possible adjustment or approval. **Please consult the detailed tariff listing for the final increases.**

The municipality will need to take up an external loan to partly finance the 132/11kV Eskom Schoonspruit Substation capital project of which the loan amount will be determined after the quantum of grant funding is clarified. This substantial investment will create capacity, which in the main is needed to support/unlock development potential in the area in order to grow the revenue base.

***That Council for now abide with the electricity tariffs that are submitted, bearing in mind that it is still subject to NERSA's final approval.***

### **Water Tariffs**

The final water tariff increases are :- **4.5%** for the first 15kls thereafter a **5.9%** increase for residential consumers, a **4.8%** increase for all businesses and sport clubs and **5.9%** for schools and government institutions. The final tariff increases, which are above the estimated headline inflation rate, are needed given the extent of water infrastructure investment required over the MTREF compounded by illegal connections and an increase in consumption to the south towards Cape Town.

### **Refuse Removal**

The final tariff increase of **7.5%**, which is above the headline inflation rate, is needed to deliver the service effectively and to eventually phase out the deficit over the longer term due to the current economic conditions. The additional percentage of 2.7% above headline inflation is equal to R3.76 per month and needed to ensure that the cost of providing the service is fully funded over the longer term as the service is currently rendered at a loss. Over the remaining MTREF period, the annual adjustment increases to 8.4% to phase out the deficit over the longer term and due to the fact that the municipality will need to take up an external loan to finance the Landfill site cost of compliance and extension which will also be funded from MIG (municipal infrastructure grant) and the CRR (capital replacement reserve).

## Sanitation

The final tariff increase of **5.9%** that is above the headline inflation rate is needed to deliver the service effectively and to prevent that the service does not operate at a deficit in the new 2022/23 MTREF. This will further support critical upgrades of the wastewater treatment works in Moorreesburg and Darling due for completion in 2022/23 without the need to have taken-up a capital loan.

***Council will also revert to the single part tariff for sanitation as was the case in 2020-2021 and the prior years.***

### 6. **POTENTIAL AND REAL RISKS IMPACTING FINANCIAL PLANNING OVER THE MTREF AND ULTIMATELY THE REVENUE MODELLING EXERCISE FORMING THE BASIS FOR THE MTREF:**

- Pressure on supply and demand as a result of the Ukraine and Russia conflict, compounding local inflation in the form of Food and Fuel increases which could potential see the SARB increasing the REPO rate;
- Weaker exchange rates already resulted in an increase in the fuel account;
- Slower recovery of the economy;
- The upward pressure and multiplier effect of increases in staff salaries.

### **THE FOLLOWING RECOMMENDATIONS WERE APPROVED BY COUNCIL ON 31 MARCH 2022 (FOR REFERENCE PURPOSES ONLY).**

***RESOLUTION: (as recommended by the Executive Mayor's Committee on 25 March 2022)***

#### **1. The following recommendations by the Executive Mayoral Committee held on 25 March 2022, for consideration by Council on 31 March 2022 for purposes of public participation. Final approval shall only take place on 26 May 2022.**

- 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: 2022/23 – 2024/2025 Draft Budget and Tariff File)** and consider same;
- That council prior to approving the capital projects above R50 million as listed in **(Annexure B: 2022/23 – 2024/25 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;
- 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	Draft Budget 2022/2023	Draft Budget 2023/2024	Draft Budget 2024/2025
Capital Replacement Reserve (CRR)	R 116 643 433	R 122 483 903	R 130 244 472
Municipal Infrastructure Grant (MIG)	R 33 810 000	R 24 711 000	R 25 670 000
Dept. Human Settlements	R 20 059 000	R 33 600 000	R 5 000 000
Integrated National Electrification Programme (INEP)	R 17 600 000	R 5 000 000	R 5 225 000
RSEP	R 1 200 000		
Contributions / Donations	R 14 360 000		
Dept. Cultural Affairs and Sport	R 50 000		
Community Safety Grant	R 30 000	R 40 000	R 40 000
<b>GRAND TOTAL</b>	<b>R 203 752 433</b>	<b>R 185 834 903</b>	<b>R 166 179 472</b>

- (d) That council deemed it appropriate to consider the entire capital program excluding the 3 contractually combined projects above R 50 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 council approves the capital projects as part of its consolidated capital program as per **(Annexure A: 2022/23 – 2024/25 Draft Budget and Tariff File)**;
- (f) That the draft high-level multi-year Capital and Operating budgets in respect of the 2022/23 – 2024/25 financial years, be approved as draft, in accordance with sections 16, 17 and 19 of the MFMA to allow for public participation;

	Original Budget 2021/22	Adjustments Budget 2021/22	Draft Budget 2022/23	Draft Budget 2023/24	Draft Budget 2024/25
Capital budget	166 435 729	166 040 448	203 752 433	185 834 903	166 179 472
Operating Expenditure	911 967 149	951 133 356	1 026 601 605	1 055 394 402	1 135 542 535
Operating Revenue	968 875 613	1 007 040 106	1 104 983 965	1 113 176 083	1 174 467 869
<b>Budgeted (Surplus)/ Deficit</b>	<b>(56 908 464)</b>	<b>(55 906 750)</b>	<b>(78 382 360)</b>	<b>(57 781 681)</b>	<b>(38 925 335)</b>
Less: Capital Grants & Contributions	47 912 409	48 027 246	87 109 000	63 351 000	35 935 000
<b>(Surplus)/ Deficit</b>	<b>(8 996 055)</b>	<b>(7 879 504)</b>	<b>8 726 640</b>	<b>5 569 319</b>	<b>(2 990 335)</b>

- (g) 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 draft property tax rates, exemptions and rebates on property reflected in the schedule below and in the property rates policy for the 2022/2023 financial year with effect from 1 July 2022, for purposes of allowing for public participation;

Category of property	Rate ratio	(c/R) rate determined for the relevant property category
Residential properties	1: 1	0,5624
Business and Commercial properties	1: 1,4586	0,8203
Industrial properties	1: 1,4586	0,8203
Agricultural properties	1: 0,25	0,1406
Mining properties	1: 1,4586	0,8203
Public Service Infrastructure	1: 0,25	0,1406
Properties owned by an organ of state and used for public service purposes	1: 1,4586	0,8203
Public Benefit Organisations	1: 0	0,0000
Vacant properties	1: 1,3470	0,7575
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;
- **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.

- (h) That council approve the draft tariff structures and charges for water, refuse removal, sewerage and other sundry charges as set out in **(Annexure A: 2022/23 – 2024/25 Draft Budget and Tariff File)** for purposes of allowing for public participation;
- (i) That council approve the electricity tariffs as draft for the 2022/2023 financial year, **bearing in mind that it is still subject to NERSA's final approval;**
- (j) 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 2022/23 – 2024/25);**
- (k) That the **amendments** to the budget and related policies as set out in **(Annexure D: Draft Amendments to Budget & Related Policies 2022/23)** hereto, be approved for purposes of soliciting the views and comment from the public;
- (l) That the training budget limited to **0,70%** of the salary budget in the amount of **R2 036 894** for the 2022/2023 financial year be approved as draft;
- (m) That Council takes note of the increases of the Directors that are contractually linked to the other personnel, which is negotiated and determined at a national level:
  - In respect of all personnel, an increase of **4.9%** for 2022/2023; **4.4%** for 2023/2024 and **4%** for the 2024/2025 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).
- (n) That Council takes note of the budgeted operating surpluses and that the budget is "cash-funded" as a result of cash reserves in table A8, the total expenditure growth of **7.9%** from the current to the new financial year and the revenue streams with growth in revenue of **9.7% (only 5.9% 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 **8.3 months** for 2022/23, **8.3 months** for 2023/24 and **7.6 months** for the 2024/25 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 deficits are envisaged for 2022/23 to an amount of **R 8 726 640**, for 2023/24 an amount of **R 5 569 319** and for 2024/25 a surplus of **R 2 990 335 (excluding capital grant income)**, which is manageable within the risk appetite of the municipality supported by the improved payment rates.
- (o) That the Director: Financial Services adhere to the requirements of the Budget

Circulars and Budget Reforms **(Annexure E: 2022/23 NT and PT Budget Circulars)** in the context of the reporting requirements to Provincial and National Treasury;

(p) That Council take note that the budget was prepared in the new mSCOA Version 6.6 as required by National Treasury but that the mSCOA data strings could not be uploaded for verification purposes to ensure perfect alignment at the time of finalising the budget due to technical issues experienced by the NT's system of validation;

(q) That the process of soliciting public input, views or comments into the draft budget, **revised** budget and related policies ( limited to the revisions from the previous year) and budget documents, inclusive of the property taxes and tariffs to close at 12 midday on **29 April 2022.**

**for purposes of completeness and implementation the English version of the recommendations will be relied upon.**

#### **RECOMMENDATIONS (as recommended by the Executive Mayoral Committee on 19 May 2022)**

- (a) That having considered the inputs received from the public and province as articulated in **(Annexure E, Inputs received on Draft Budget)** it's our considered view that no amendments to the policies or budget are required as it relates to the 2022/2023 MTREF Draft Budget;
- (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 operational costs as per **(Annexure A: 2022/23 – 2024/2025 Final Budget and Tariff File)**;
- (c) That council prior to approving the capital projects above R50 million as listed in **(Annexure B: 2022/23 – 2024/25 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 takes note that the Department of Sport has not timeously issued letters of recommendation for the additional R10 MILLION in specific sport projects resulting in the projects not being registered under the MIG program. Consequently the projects cannot be implemented in the 2022/2023 financial year. The Department of Sport has however approved that the funds be utilised in the 2023/2024 financial year;
- (e) That cognisance be taken of the acceleration of the Resealing Program in the current financial year as a result of the underspending on the Moorreesburg Waste Water Treatment Works project, subject to the budget for the Resealing Program having been reduced by the same amount in the 2022/2023 year and the funds having been reallocated to the Moorreesburg Waste Water Treatment Works;
- (f) That council approve in principle the taking up of an external loan in 2023/24 or 2024/25 to partly finance the Highlands Refuse Site and Bulk electricity capital projects to the tune of around R50 MILLION;
- (g) That council considers the funding sources linked to council's capital program and take note that these funding sources are available and have not been committed for other purposes;



FINANCING SOURCES	Final Budget 2022/2023	Final Budget 2023/2024	Final Budget 2024/2025
Capital Replacement Reserve (CRR)	R 115 812 892	R 122 483 903	R 129 755 722
Municipal Infrastructure Grant (MIG)	R 23 810 000	R 34 711 000	R 25 670 000
Dept. Human Settlements	R 20 059 000	R 33 600 000	R 5 000 000
Integrated National Electrification Programme (INEP)	R 17 600 000	R 5 000 000	R 5 225 000
RSEP	R 1 200 000		
Contributions / Donations	R 12 533 913		
Dept. Cultural Affairs and Sport	R 50 000		
Community Safety Grant	R 30 000	R 40 000	R 40 000
<b>GRAND TOTAL</b>	<b>R 191 095 805</b>	<b>R 195 834 903</b>	<b>R 165 690 722</b>

- (h) That council deemed it appropriate to consider the entire capital program excluding the 3 contractually combined projects above R 50 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;
- (i) That council approves the capital projects as part of its consolidated capital program as per **(Annexure A: 2022/23 – 2024/25 Final Budget and Tariff File)**;
- (j) That the final high-level multi-year Capital and Operating budgets in respect of the 2022/23 – 2024/25 financial years, be approved as final, in accordance with sections 16, 17 and 19 of the MFMA;

	Original Budget 2021/22	Adjustments Budget 2021/22	Final Budget 2022/23	Final Budget 2023/24	Final Budget 2024/25
Capital budget	166 435 729	170 040 448	191 095 805	195 834 903	165 690 722
Operating Expenditure	911 967 149	953 347 356	1 029 331 859	1 061 375 494	1 139 864 067
Operating Revenue	968 875 613	1 013 254 106	1 093 983 965	1 123 993 180	1 174 158 797
<b>Budgeted (Surplus)/ Deficit</b>	<b>(56 908 464)</b>	<b>(59 906 750)</b>	<b>(64 652 106)</b>	<b>(62 617 686)</b>	<b>(34 294 730)</b>
Less: Capital Grants & Contributions	47 912 409	52 027 246	77 109 000	73 351 000	35 935 000
<b>(Surplus)/ Deficit</b>	<b>(8 996 055)</b>	<b>(7 879 504)</b>	<b>12 456 894</b>	<b>10 733 314</b>	<b>1 640 270</b>

- (k) That council approves the notice given in terms of section 14(1) and (2) of the Local Government: Municipal Property Rates Act, 2004, to levy the final property tax rates, exemptions and rebates on property reflected in the schedule below and in the property rates policy for the 2022/2023 financial year with effect from 1 July 2022;

Category of property	Rate ratio	(c/R) rate determined for the relevant property category
Residential properties	1: 1	0,5624
Business and Commercial properties	1: 1,4586	0,8203
Industrial properties	1: 1,4586	0,8203
Agricultural properties	1: 0,25	0,1406
Mining properties	1: 1,4586	0,8203
Public Service Infrastructure	1: 0,25	0,1406

Properties owned by an organ of state and used for public service purposes	1: 1,4586	0,8203
Public Benefit Organisations	1: 0	0,0000
Vacant properties	1: 1,3470	0,7575
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;
- **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 approve the final tariff structures and charges for water, refuse removal, sewerage and other sundry charges as set out in **(Annexure A: 2022/23 – 2024/25 Final Budget and Tariff File)**;
- (m) That council approve the electricity tariffs as final for the 2022/2023 financial year, **bearing in mind that it is still subject to NERSA's final approval**;
- (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 2022/23 – 2024/25)**;
- (o) That the **amendments** to the budget and related policies as set out in **(Annexure D: Final Amendments to Budget & Related Policies 2022/23)** hereto, be approved as final;
- (p) That the training budget be limited to **0,65%** of the salary budget in the amount of **R1 911 192** for the 2022/2023 financial year;
- (q) That Council takes note of the increases of the Directors that are contractually linked to the other personnel, which is negotiated and determined at a national level:
  - In respect of all personnel, an increase of **4.9%** for 2022/2023; **4.4%** for 2023/2024 and **4%** for the 2024/2025 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" as a result of cash reserves in table A8, the total expenditure growth of **8%** from the current to the new financial year and the revenue streams with growth in revenue of

**8% (only 5.6% 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 **8.9 months** for 2022/23, **8.4 months** for 2023/24 and **7.8 months** for the 2024/25 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 deficits are envisaged for 2022/23 to an amount of **R 12 456 894**, for 2023/24 an amount of **R 10 733 314** and for 2024/25 an amount of **R 1 640 270 (excluding capital grant income)**, which is manageable within the risk appetite of the municipality supported by the improved payment rates.
- (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 take note that the budget was prepared in the new mSCOA Version 6.6 as required by National Treasury;

**for purposes of completeness and implementation the English version of the recommendations will be relied upon.**

**AANBEVELINGS (soos aanbeveel deur die Uitvoerende Burgemeesterskomitee op 19 Mei 2022)**

- (a) Dat, na deeglike oorweging van die insette ontvang vanaf die publiek en provinsie soos deurgegee in **(Annexure E, Inputs received on Draft Budget)**, dit ons oorwoë mening is dat geen wysigings aan die beleide of begroting nodig geag word sover dit die 2022/2023 MTREF Konsepbegroting aangaan 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 operasionele kostes bevestig het soos per **(Annexure A: 2022/23 – 2024/25 Final Budget and Tariff File)**;
- (c) Dat die Raad voor die goedkeuring van die kapitaal projekte bo R50 miljoen soos gelys in **(Annexure B: 2022/23 – 2024/25 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 kennis neem dat die Departement van Sport nie betyds die skrywes van aanbeveling spesifiek ten opsigte van sportprojekte ten bedrae van R10 MILJOEN uitgereik het nie. Die gevolg is dat die projekte nie onder die MIG-program geregistreer kon word nie en dus nie gedurende die 2022/2023 finansiële jaar geïmplementeer kan word nie. Die Departement van Sport het egter goedkeuring verleen dat die fondse aangewend word in die 2023/2024 finansiële jaar;
- (e) Dat die Raad kennis neem van die versnelling van die Herseëlprogram in die huidige finansiële jaar as gevolg van die onderspandering op die Moorreesburg Riolsuiweringswerke projek, onderhewig daaraan dat die Herseëlprogram met dieselfde bedrag verminder is in die 2022/2023 jaar en die fondse weer geallokeer was aan die Moorreesburg Riolsuiweringswerke;
- (f) Dat die Raad in beginsel goedkeuring verleen vir die opneem van 'n eksterne lening in 2023/24 of 2024/25 vir die gedeeltelike finansiering van die Highlands Stortingsterrein en Grootmaat Elektrisiteitsprojekte ten bedrae van R50 MILJOEN;
- (g) 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 2022/2023	Final Budget 2023/2024	Final Budget 2024/2025
Capital Replacement Reserve (CRR)	R 115 812 892	R 122 483 903	R 129 755 722
Municipal Infrastructure Grant (MIG)	R 23 810 000	R 34 711 000	R 25 670 000
Dept. Human Settlements	R 20 059 000	R 33 600 000	R 5 000 000
Integrated National Electrification Programme (INEP)	R 17 600 000	R 5 000 000	R 5 225 000
RSEP	R 1 200 000		
Contributions / Donations	R 12 533 913		
Dept. Cultural Affairs and Sport	R 50 000		
Community Safety Grant	R 30 000	R 40 000	R 40 000
<b>GRAND TOTAL</b>	<b>R 191 095 805</b>	<b>R 195 834 903</b>	<b>R 165 690 722</b>

- (h) 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;
- (i) Dat die Raad die kapitaalprojekte as deel van die gekonsolideerde kapitaalprogram goedkeur soos per **(Annexure A: 2022/23 – 2024/25 Final Budget and Tariff File)**;
- (j) Dat die finale hoë-vlak meerjarige Kapitaal- en Bedryfsbegrotings ten opsigte van die 2022/23 tot 2024/25 finansiële jare goedgekeur word as finaal;

	Oorspronklike Begroting 2021/22	Aansuiwerings begroting 2021/22	Finale Begroting 2022/23	Finale Begroting 2023/24	Finale Begroting 2024/25
Kapitaalbegroting	166 435 729	170 040 448	191 095 805	195 834 903	165 690 722
Bedryfsuitgawes	911 967 149	953 347 356	1 029 331 859	1 061 375 494	1 139 864 067
Bedryfsinkomste	968 875 613	1 013 254 106	1 093 983 965	1 123 993 180	1 174 158 797
<b>Begrote (Surplus)/ Tekort</b>	<b>(56 908 464)</b>	<b>(59 906 750)</b>	<b>(64 652 106)</b>	<b>(62 617 686)</b>	<b>(34 294 730)</b>
Minus: Kapitaal Toekenning en Bydraes	47 912 409	52 027 246	77 109 000	73 351 000	35 935 000
<b>(Surplus)/ Tekort</b>	<b>(8 996 055)</b>	<b>(7 879 504)</b>	<b>12 456 894</b>	<b>10 733 314</b>	<b>1 640 270</b>

- (k) Dat die Raad goedkeuring verleen 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 2022/2023 finansiële jaar;

Category of property	Rate ratio	(c/R) rate determined for the relevant property category
Residential properties	1: 1	0,5624
Business and Commercial properties	1: 1,4586	0,8203
Industrial properties	1: 1,4586	0,8203
Agricultural properties	1: 0,25	0,1406

Mining properties	1: 1,4586	0,8203
Public Service Infrastructure	1: 0,25	0,1406
Properties owned by an organ of state and used for public service purposes	1: 1,4586	0,8203
Public Benefit Organisations	1: 0	0,0000
Vacant properties	1: 1,3470	0,7575
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;
- **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: 2022/23 – 2024/25 Final Budget and Tariff File)** goedkeur as finaal;
- (m) Dat die Raad die voorgestelde elektrisiteitsariewe as finaal goedkeur vir die 2022/23 finansiële jaar, **met inagneming dat dit onderhewig is aan finale goedkeuring deur NERSA;**
- (n) Dat die jaarlikse begrotingstabelle soos vereis deur die Begrotings- en Rapporteringsregulasies en uiteengesit is in **(Annexure C: Budget Report and A-Schedules 2022/23 – 2023/24)** goedgekeur word;
- (o) Dat die **wysigings** aan die begrotings- en verwante beleide soos vervat in **(Annexure D: Final Amendments to Budget & Related Policies 2022/23)**, goedgekeur word as finaal;
- (p) Dat die opleidingsbegroting beperk word tot **0,65%** van die salarisbegroting ten bedrae van **R1 911 192** vir die 2022/23 finansiële jaar;
- (q) Dat die Raad kennis neem dat die verhogings vir die Direkteure kontraktueel gekoppel is aan die ander personeel wat op nasionale vlak onderhandel en bepaal word:
  - Ten opsigte van alle personeel, 'n verhoging van **4.9%** vir 2022/2023; **4.4%** vir die 2023/2024 en **4%** vir 2024/2025 finansiële jare, uitgesluit die toename in ander voordele wat van toepassing is en die jaarlikse 2,5% kerkverhoging 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 inflasieteikens soos bepaal deur die Suid-Afrikaanse Reserwebank (SARB).
- (r) Dat die Raad kennis neem van die begrote bedryfssurplusse en dat die begroting “kontant gefinansier” word as gevolg van die kontantreserwes in tabel A8, die totale groei in uitgawes van **8%** vanaf die huidige na die nuwe finansiële jaar en die inkomstebronne met 'n groei in inkomste van **8% (slegs 5.6% 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 **8.9 maande** vir 2022/23, **8.4 maande** vir 2023/24 en **7.8 maande** vir die 2024/25 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 bedryfstekorte verwag word vir 2022/23, 'n bedrag van **R 12 456 894**, vir 2023/24 'n bedrag van **R 10 733 314** en vir 2024/25 'n bedrag van **R 1 640 270 (kapitale toekennings uitgesluit)**, wat bestuurbaar is binne die risiko-apyt van die munisipaliteit en gerugsteun word deur die verbeterde betaalkoerse.
- (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 6.6 soos vereis deur Nasionale Tesourie;

**vir die volledigheid en implementering sal op die Engelse weergawe van die aanbevelings staat gemaak word.**

(get) M Bolton

**DIREKTEUR: FINANSIËLE DIENSTE**

## ITEM 8.3 VAN DIE AGENDA VAN 'N GEWONE RAADSVERGADERING WAT GEHOU SAL WORD OP 26 MEI 2022

<b>ONDERWERP:</b>	<b>VASSTELLING VAN ONTWIKKELINGSBYDRAES VIR 2022/2023</b>
<b>SUBJECT:</b>	<b>DETERMINATION OF DEVELOPMENT CHARGES FOR 2022/2023</b>

### 1. AGTERGROND / BACKGROUND

Tydens 'n Uitvoerende Burgemeesterskomiteevergadering van 19 Mei 2022, is die volgende ontwikkelingsbydraes oorweeg vir voorlegging aan die Raad:

*At an Executive Mayoral Committee meeting held on 19 May 2022, the following development charges was considered for tabling to Council:*

- (i) Greenfields"-development charges – Malmesbury;
- (ii) "Brownfields"- development charges – Swartland municipal area;
- (iii) Development Charges – Riebeek Valley;
- (iv) Development Charges for bulk services – Yzerfontein.

### 2. BESPREKING/DISCUSSION

The Growth Model for the total area of Swartland Municipality has been developed and approved by the Executive Mayoral Committee in December 2018.

The data of the Growth Model be used to determine the future infrastructure needs and estimates for development charges as per section 93 of Swartland Municipality: Municipal Land Use Planning By-law to fund the necessary infrastructure requirements.

*A rebate of 35 % be considered regarding development contribution in respect of the 2022/2023 financial year, for the following reasons:*

- *as an incentive to promote development and attract investment;*
- *the fact that, for the interim and until such time that the new Capital Development Charge Policy is implemented, the calculation of development charges in terms of the existing policies is not in full compliance with the new legislative prescripts;*

### 3. KOPPELING AAN GOP / ALIGNMENT TO THE IDP

- *Strategic Outcome 1 – Financially Sustainable Municipality with well-maintained assets*
  - *Output 1.1 – Secured and increased sources of revenue*
- *Strategic Outcome 5 – Economic Growth that benefits all*
  - *Output 5.3.2 – Adapt the Developers Contribution Policy and Contributions*

### 4. RECOMMENDATION

(a) *The attached Development Charges for the 2022/2023 financial year be approved:*

- *"Greenfields" Development Charges – Malmesbury (Annexure "A").*
- *"Brownfields" Development Contributions – Swartland Municipal Area (Annexure "B").*
- *Development Charges – Riebeek Valley (Annexure "C" and Annexure "C1").*
- *Development charges for Bulk Services – Yzerfontein (Annexure "D").*

- (b) *A rebate of 35% be considered regarding development charges in respect of the 2022/2023 financial year;*
- (c) *Developers have to enter into an agreement with the Municipality regarding the payment of charges in terms of the existing policies;*
- (d) *The previous resolution in terms of which exemption from development charges was granted to businesses and industries in the Riebeek Valley of 100m<sup>2</sup> or smaller in extent, be reconfirmed in respect of the 2022/2023 financial year;*
- (e) *Actual Cost of Development Charges will apply to all developments, as determined and calculated by the Directors of Civil and Electrical Engineering Services;*

#### **AANBEVELING**

- (a) Die aangehegte ontwikkelingbydraes vir die 2022/2023 finansiële jaar goedgekeur word:
- Greenfields"-ontwikkelingbydraes – Malmesbury (Bylae "A");
  - "Brownfields"-ontwikkelingbydraes – Swartland Munisipale Gebied (Bylae "B");
  - Ontwikkelingbydraes – Riebeek Vallei (Bylae "C" & "C1" en Bylae "C");
  - Ontwikkelingsbydraes vir grootmaatsdienste – Yzerfontein (Bylae "D");
- (b) 'n Korting van 35% op genoemde ontwikkelingbydraes ten opsigte van die 2022/2023 finansiële jaar toegestaan word;
- (c) Ontwikkelaars 'n ooreenkoms met die Munisipaliteit aangaan m.b.t. die betaling van ontwikkelingbydraes ingevolge die bestaande beleide.
- (d) Die bestaande besluit insake die vrystelling van betaling van ontwikkelingsbydraes op ontwikkelings van 100m<sup>2</sup> en kleiner aan ondernemings en nywerhede in die Riebeek Vallei, ten opsigte van die 2022/2023 finansiële jaar bevestig word;
- (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.

(get) A M Zaayman

**MUNISIPALE BESTUURDER**

AMZ/ds



# 2022/2023 "Brown Fields" Development Charges for Swartland Municipality

**CHARGES in accordance with the "Brown Fields" Policy** **Schedule B**  
**FIXED DEVELOPMENT CHARGES PAYABLE IN ACCORDANCE WITH PARAGRAPHS 4.1, 5.1 AND 6**

Prices included 15% VAT

	MALMESBURY	MOORREESBURG	DARLING	ABBOTSDALE	KALBASKRAAL	CHATSWORTH	RIVERLANDS	KORINGBERG
<b>1. Water:</b>								
1.1 Reservoir	R 3 071,05	R 3 071,05	R 3 071,05	R 3 071,05	R 3 071,05	R 3 071,05	R 3 071,05	R 3 071,05
15% Vat	R 460,66	R 460,66	R 460,66	R 460,66	R 460,66	R 460,66	R 460,66	R 460,66
Total	R 3 531,71	R 3 531,71	R 3 531,71	R 3 531,71	R 3 531,71	R 3 531,71	R 3 531,71	R 3 531,71
1.2 Pipeline (from reservoir)	R 3 312,28	R 3 312,28	R 3 312,28	R 3 312,28	R 3 312,28	R 3 312,28	R 3 312,28	R 3 312,28
15% Vat	R 496,84	R 496,84	R 496,84	R 496,84	R 496,84	R 496,84	R 496,84	R 496,84
Total	R 3 809,12	R 3 809,12	R 3 809,12	R 3 809,12	R 3 809,12	R 3 809,12	R 3 809,12	R 3 809,12
<b>1. Water - Revenue</b>	R 6 383,33	R 6 383,33	R 6 383,33	R 6 383,33	R 6 383,33	R 6 383,33	R 6 383,33	R 6 383,33
15% Vat	R 957,50	R 957,50	R 957,50	R 957,50	R 957,50	R 957,50	R 957,50	R 957,50
<b>Water Total 1.1 + 1.2</b>	R 7 340,83	R 7 340,83	R 7 340,83	R 7 340,83	R 7 340,83	R 7 340,83	R 7 340,83	R 7 340,83
<b>2. Sewerage:</b>								
2.1 Drainage pipeline (to collection point or sewerage works)	R 865,79	R 865,79	R 865,79	R 865,79	R 865,79	R 865,79	R 865,79	R 865,79
15% Vat	R 129,87	R 129,87	R 129,87	R 129,87	R 129,87	R 129,87	R 129,87	R 129,87
Total	R 995,66	R 995,66	R 995,66	R 995,66	R 995,66	R 995,66	R 995,66	R 995,66
2.3 Purification works/Oxidation dams. (Sewerage pumpings per truck)	R 2 292,10	R 2 292,10	R 2 292,10	R 2 292,10	R 2 292,10	R 2 292,10	R 2 292,10	R 2 292,10
15% Vat	R 343,82	R 343,82	R 343,82	R 343,82	R 343,82	R 343,82	R 343,82	R 343,82
Total	R 2 635,92	R 2 635,92	R 2 635,92	R 2 635,92	R 2 635,92	R 2 635,92	R 2 635,92	R 2 635,92
<b>2. Sewerage - revenue</b>	R 3 157,89	R 3 157,89	R 3 157,89	R 3 157,89	R 3 157,89	R 3 157,89	R 3 157,89	R 3 157,89
15% Vat	R 473,68	R 473,68	R 473,68	R 473,68	R 473,68	R 473,68	R 473,68	R 473,68
<b>Sewerage Total 2.1 + 2.3</b>	R 3 631,57	R 3 631,57	R 3 631,57	R 3 631,57	R 3 631,57	R 3 631,57	R 3 631,57	R 3 631,57
<b>3. Streets and storm water:</b>								
	(2)	(2)	(2)	(2)	(2)	(2)	(2)	
<b>3.1 Streets and storm water - revenue</b>	R 4 704,39	R 4 704,39	R 4 704,39	R 1 929,82	R 1 929,82	R 1 929,82	R 1 929,82	R 4 704,39
15% Vat	R 705,66	R 705,66	R 705,66	R 289,47	R 289,47	R 289,47	R 289,47	R 705,66
<b>3.1 Streets and storm waterTotal</b>	R 5 410,05	R 5 410,05	R 5 410,05	R 2 219,29	R 2 219,29	R 2 219,29	R 2 219,29	R 5 410,05

Civil 1 + 2 + 3 revenue	R	14 245,61	R	14 245,61	R	14 245,61	R	11 471,04	R	11 471,04	R	11 471,04	R	11 471,04	R	14 245,61
15% Vat	R	2 136,84	R	2 136,84	R	2 136,84	R	1 720,66	R	1 720,66	R	1 720,66	R	1 720,66	R	2 136,84
Civil Total	R	16 382,45	R	16 382,45	R	16 382,45	R	13 191,70	R	13 191,70	R	13 191,70	R	13 191,70	R	16 382,45
4. Electricity:																
4.1 Network	R	3 790,35	R	3 790,35	R	3 790,35	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
15% Vat	R	568,55	R	568,55	R	568,55										
4.1 Elec Network	R	4 358,90	R	4 358,90	R	4 358,90	R	-	R	-	R	-	R	-	R	-
4.1 Elec Network	R	3 790,35	R	3 790,35	R	3 790,35	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
15% Vat	R	568,55	R	568,55	R	568,55										
Total Electricity	R	4 358,90	R	4 358,90	R	4 358,90	R	-	R	-	R	-	R	-	R	-
Grand Total Revenue	R	18 035,96	R	18 035,96	R	18 035,96	R	11 470,04	R	11 470,04	R	11 470,04	R	11 470,04	R	14 244,61
15% Vat	R	2 705,39	R	2 705,39	R	2 705,39	R	1 720,66	R	1 720,66	R	1 720,66	R	1 720,66	R	2 136,84
GRAND TOTAL (15% Vat included)		R 20 741,35	R 20 741,35		R 20 741,35		R 13 190,70		R 13 190,70		R 13 190,70		R 13 190,70		R 16 381,45	
NOTE:																
(1) Eskom Supply Area																
Note: .....																

2022/2023 "GREEN FIELDS" Development Charges for Malmesbury													
Charges in accordance with the "Green Fields" Policy									Schedule A				
PROPOSED GREENFIELDS DEVELOPMENT CHARGES (DC'S) FOR MALMESBURY													
Land-use	Cost per	Roads DC	Storm water-DC	Water DC	Sewerage DC	Waste Water Treatment	TOTAL DC for CIVIL	Electricity DC		Social Infra-structure DC	Regional Water Levy	TOTAL DC	
Residential: Low (4 units/ha)	Unit	R 29 742,00	R 4 945,00	R 5 501,00	R 1 719,00	R 8 758,00	R 50 665,00	R 12 222,00		R 5 730,00	R 9 470,00	R 78 087,00	per Unit
15%	Vat	R 4 461,30	R 741,75	R 825,15	R 257,85	R 1 313,70	R 7 599,75	R 1 833,30		R 859,50	R 1 420,50	R 11 713,05	
	Total	R 34 203,30	R 5 686,75	R 6 326,15	R 1 976,85	R 10 071,70	R 58 264,75	R 14 055,30		R 6 589,50	R 10 890,50	R 89 800,05	per Unit
Residential: Single (15 units/ha)	Unit	R 27 883,00	R 4 592,00	R 3 896,00	R 1 375,00	R 6 688,00	R 44 434,00	R 10 114,00		R 5 730,00	R 9 470,00	R 69 748,00	per Unit
15%	Vat	R 4 182,45	R 688,80	R 584,40	R 206,25	R 1 003,20	R 6 665,10	R 1 517,10		R 859,50	R 1 420,50	R 10 462,20	
	Total	R 32 065,45	R 5 280,80	R 4 480,40	R 1 581,25	R 7 691,20	R 51 099,10	R 11 631,10		R 6 589,50	R 10 890,50	R 80 210,20	per Unit
Residential: Medium (20-25 units/ha)	Unit	R 20 446,00	R 3 532,00	R 3 323,00	R 1 146,00	R 5 732,00	R 34 179,00	R 9 060,00			**		
15%	Vat	R 3 066,90	R 529,80	R 498,45	R 171,90	R 859,80	R 5 126,85	R 1 359,00		R 859,50	R 1 420,50	R 8 765,85	
	Total	R 23 512,90	R 4 061,80	R 3 821,45	R 1 317,90	R 6 591,80	R 39 305,85	R 10 419,00		R 6 589,50	R 10 890,50	R 67 204,85	per Unit
Residential: High (30-60 units/ha)	Unit	R 14 872,00	R 2 826,00	R 2 865,00	R 1 031,00	R 5 175,00	R 26 769,00	R 9 060,00			**		
15%	Vat	R 2 230,80	R 423,90	R 429,75	R 154,65	R 776,25	R 4 015,35	R 1 359,00		R 859,50	R 1 420,50	R 7 654,35	
	Total	R 17 102,80	R 3 249,90	R 3 294,75	R 1 185,65	R 5 951,25	R 30 784,35	R 10 419,00		R 6 589,50	R 10 890,50	R 58 683,35	per Unit
Affordable Housing (30-40 units/ha)	Unit	R 13 258,00	R 3 010,00	R 1 719,00	R 688,00	R 3 344,00	R 22 019,00	R 5 057,00			**		
15%	Vat	R 1 988,70	R 451,50	R 257,85	R 103,20	R 501,60	R 3 302,85	R 758,55		R 859,50	R 1 420,50	R 6 341,40	
	Total	R 15 246,70	R 3 461,50	R 1 976,85	R 791,20	R 3 845,60	R 25 321,85	R 5 815,55		R 6 589,50	R 10 890,50	R 48 617,40	per Unit
Subsidized Housing (30-40 units/ha)	Unit	R 12 173,00	R 3 010,00	R 1 719,00	R 688,00	R 3 344,00	R 20 934,00	R 2 108,00			**		
15%	Vat	R 1 825,95	R 451,50	R 257,85	R 103,20	R 501,60	R 3 140,10	R 316,20		R 859,50	R 1 420,50	R 5 736,30	
	Total	R 13 998,95	R 3 461,50	R 1 976,85	R 791,20	R 3 845,60	R 24 074,10	R 2 424,20		R 6 589,50	R 10 890,50	R 43 978,30	per Unit
Commercial: Retail	m² GLA	R 340,00	R 11,11	R 11,00	R 3,85	R 14,98	R 380,94			None	R 14,98	R 395,92	per m² GLA
15%	Vat	R 51,00	R 1,67	R 1,65	R 0,58	R 2,25	R 57,14				R 2,25	R 59,39	
	Total	R 391,00	R 12,78	R 12,65	R 4,43	R 17,23	R 438,08			None	R 17,23	R 455,31	per m² GLA

Land-use	Cost per	Roads DC	Storm water-DC	Water DC	Sewerage DC	Waste Water Treatment	TOTAL DC for CIVIL	Electricity DC	Social Infra-structure DC	Regional Water Levy	TOTAL DC		
Commercial: Offices	m² GLA	R 590,20	R 12,07	R 8,25	R 2,89	R 11,24	R 624,65			None	R 8,83	R 633,48	per m² GLA
15%	Vat	R 88,53	R 1,81	R 1,24	R 0,43	R 1,69	R 93,70				R 1,32	R 95,02	
	Total	R 678,73	R 13,88	R 9,49	R 3,32	R 12,93	R 718,35			None	R 10,15	R 728,50	per m² GLA
Industrial	m² Cover	R 203,99	R 15,08	R 11,00	R 3,85	R 10,03	R 243,95			None	R 11,77	R 255,72	per m² Coverage
15%	Vat	R 30,60	R 2,26	R 1,65	R 0,58	R 1,50	R 36,59				R 1,77	R 38,36	
	Total	R 234,59	R 17,34	R 12,65	R 4,43	R 11,53	R 280,54			None	R 13,54	R 294,08	per m² GLA
Commercial: Retail	KVA							R 763,88	/kVA			R 763,88	/kVA
15%	Vat							R 114,58				R 114,58	
	Total							R 878,46	/kVA			R 878,46	/kVA
Commercial: Offices	KVA							R 763,88	/kVA			R 763,88	/kVA
15%	Vat							R 114,58				R 114,58	
	Total							R 878,46	/kVA			R 878,46	/kVA
Industrial	KVA							R 763,88	/kVA			R 763,88	/kVA
15%	Vat							R 114,58				R 114,58	
	Total							R 878,46	/kVA			R 878,46	/kVA
* Total Development Contribution in respect of Commercial and Industrial excludes the electricity contribution of R 763,88/kVA (Vat excluded)													
** Highlighted - <b>Regional Water Levy</b> - The amount of R 9 470.00 (vat excluded) by the residential: medium, high and affordable housing is subject to a decrease in the tariff in terms of the prescribed process.													

Note: .....

**2022/2023    Development Charges for Infrastructure for the Riebeek-Valley**  
**(Riebeek-Kasteel, Riebeek-Wes and Ongegund)    Schedule C**

**Charges in accordance with Riebeek-Valley Policy**

Land-use	Cost Per	Roads DC	Storm-water DC	Water DC	Sewer DC	Waste Water Treatment	TOTAL DC for CIVIL	Regional Water Levy	TOTAL DC	
<b>Residential I: Low Density (1 – 6 units/ha)</b>	Unit	R 7 804,00	R 3 927,00	R 16 529,00	R 7 923,00	R 8 250,00	<b>R 44 433,00</b>	R 9 470,00	<b>R 53 903,00</b>	per Unit
15%	Vat	R 1 170,60	R 589,05	R 2 479,35	R 1 188,45	R 1 237,50	<b>R 6 664,95</b>	R 1 420,50	<b>R 8 085,45</b>	
	Total	<b>R 8 974,60</b>	<b>R 4 516,05</b>	<b>R 19 008,35</b>	<b>R 9 111,45</b>	<b>R 9 487,50</b>	<b>R 51 097,95</b>	<b>R 10 890,50</b>	<b>R 61 988,45</b>	
<b>Residential I: Med. Density (7 – 14 units/ha)</b>	Unit	R 7 141,00	R 3 646,00	R 9 917,00	R 5 943,00	R 6 300,00	<b>R 32 947,00</b>	R 9 470,00	<b>R 42 417,00</b>	per Unit
15%	Vat	R 1 071,15	R 546,90	R 1 487,55	R 891,45	R 945,00	<b>R 4 942,05</b>	R 1 420,50	<b>R 6 362,55</b>	
	Total	<b>R 8 212,15</b>	<b>R 4 192,90</b>	<b>R 11 404,55</b>	<b>R 6 834,45</b>	<b>R 7 245,00</b>	<b>R 37 889,05</b>	<b>R 10 890,50</b>	<b>R 48 779,55</b>	
<b>Residential I: High Density (&gt;14 units/ha)</b>	Unit	R 5 247,00	R 2 805,00	R 8 265,00	R 5 447,00	R 5 850,00	<b>R 27 614,00</b>	R 9 470,00	<b>R 37 084,00</b>	per Unit
15%	Vat	R 787,05	R 420,75	R 1 239,75	R 817,05	R 877,50	<b>R 4 142,10</b>	R 1 420,50	<b>R 5 562,60</b>	
	Total	<b>R 6 034,05</b>	<b>R 3 225,75</b>	<b>R 9 504,75</b>	<b>R 6 264,05</b>	<b>R 6 727,50</b>	<b>R 31 756,10</b>	<b>R 10 890,50</b>	<b>R 42 646,60</b>	
<b>Residential II (15 – 25 units/ha)</b>	Unit	R 3 659,00	R 2 244,00	R 6 198,00	R 4 457,00	R 5 850,00	<b>R 22 408,00</b>	R 9 470,00	<b>R 31 878,00</b>	per Unit
	Vat	R 548,85	R 336,60	R 929,70	R 668,55	R 877,50	<b>R 3 361,20</b>	R 1 420,50	<b>R 4 781,70</b>	
	Total	<b>R 4 207,85</b>	<b>R 2 580,60</b>	<b>R 7 127,70</b>	<b>R 5 125,55</b>	<b>R 6 727,50</b>	<b>R 25 769,20</b>	<b>R 10 890,50</b>	<b>R 36 659,70</b>	
<b>Residential III (30 – 40 units/ha)</b>	Unit	R 3 901,00	R 2 244,00	R 4 959,00	R 3 863,00	R 5 400,00	<b>R 20 367,00</b>	R 9 470,00	<b>R 29 837,00</b>	per Unit
15%	Vat	R 585,15	R 336,60	R 743,85	R 579,45	R 810,00	<b>R 3 055,05</b>	R 1 420,50	<b>R 4 475,55</b>	
	Total	<b>R 4 486,15</b>	<b>R 2 580,60</b>	<b>R 5 702,85</b>	<b>R 4 442,45</b>	<b>R 6 210,00</b>	<b>R 23 422,05</b>	<b>R 10 890,50</b>	<b>R 34 312,55</b>	
<b>Residential IV (40 – 60 units/ha)</b>	Unit	R 3 310,00	R 1 683,00	R 3 306,00	R 2 773,00	R 5 400,00	<b>R 16 472,00</b>	R 9 470,00	<b>R 25 942,00</b>	per Unit
15%	Vat	R 496,50	R 252,45	R 495,90	R 415,95	R 810,00	<b>R 2 470,80</b>	R 1 420,50	<b>R 3 891,30</b>	
	Total	<b>R 3 806,50</b>	<b>R 1 935,45</b>	<b>R 3 801,90</b>	<b>R 3 188,95</b>	<b>R 6 210,00</b>	<b>R 18 942,80</b>	<b>R 10 890,50</b>	<b>R 29 833,30</b>	

Land-use	Cost Per	Roads DC	Storm-water DC	Water DC	Sewer DC	Waste Water Treatment	TOTAL DC for CIVIL	Regional Water Levy	TOTAL DC	
<b>Affordable Housing (30-40 units/ha)</b>	<b>Unit</b>	R 924,00	R 1 683,00	R 3 719,00	R 3 120,00	R 3 150,00	<b>R 12 596,00</b>	R 9 470,00	<b>R 22 066,00</b>	<b>per Unit</b>
15%	<b>Vat</b>	R 138,60	R 252,45	R 557,85	R 468,00	R 472,50	<b>R 1 889,40</b>	R 1 420,50	<b>R 3 309,90</b>	
	<b>Total</b>	<b>R 1 062,60</b>	<b>R 1 935,45</b>	<b>R 4 276,85</b>	<b>R 3 588,00</b>	<b>R 3 622,50</b>	<b>R 14 485,40</b>	<b>R 10 890,50</b>	<b>R 25 375,90</b>	
<b>Industrial</b>	<b>m²Cover</b>	R 40,50	R 15,00	R 33,00	R 24,00	R 60,00	<b>R 172,50</b>	R 14,98	<b>R 187,48</b>	<b>per m² Coverage</b>
15%	<b>Vat</b>	R 6,08	R 2,25	R 4,95	R 3,60	R 9,00	<b>R 25,88</b>	R 2,25	<b>R 28,12</b>	
	<b>Total</b>	<b>R 46,58</b>	<b>R 17,25</b>	<b>R 37,95</b>	<b>R 27,60</b>	<b>R 69,00</b>	<b>R 198,38</b>	<b>R 17,23</b>	<b>R 215,60</b>	
<b>Bussiness/ Commercial</b>	<b>m² GLA</b>	R 246,10	R 12,00	R 33,00	R 28,00	R 60,00	<b>R 379,10</b>	R 14,98	<b>R 394,08</b>	<b>per m² GLA</b>
15%	<b>Vat</b>	R 36,92	R 1,80	R 4,95	R 4,20	R 9,00	<b>R 56,87</b>	R 2,25	<b>R 59,11</b>	
	<b>Total</b>	<b>R 283,02</b>	<b>R 13,80</b>	<b>R 37,95</b>	<b>R 32,20</b>	<b>R 69,00</b>	<b>R 435,97</b>	<b>R 17,23</b>	<b>R 453,19</b>	

Note: .....

**2022/2023 Electricity Development Charges for Ongegund**  
**Bulk Electricity for Infrastructure Developments Schedule C1**

**Charges in accordance with Riebeek-Valley Policy**

DESCRIPTION		DENSITY OR COVERAGE	ADMD kVA	RATE PER kVA for 132/11 kV SUBSTATION	GREENFIELDS CONTRIBUTION	ADD NETWORK PRIMARY AND SECONDARY 11 Kv INFRASTRUCTURE		TOTAL RATE FOR BULK ELECTRICITY CONTRIBUTIONS	
						PER UNIT		PER UNIT	
Low Density 15%	Price	4 u/ha	4k VA per unit	R 1 405,00	R 5 620,00	R 2 526,32		R 8 146,32	
	Vat			R 210,75	R 843,00	R 378,95		R 1 221,95	
	Total			R 1 615,75	R 6 463,00	R 2 905,27		R 9 368,27	
Single Residential 15%	Price	15 u/ha	3 kVA per unit	R 1 405,00	R 4 215,00	R 2 526,32		R 6 741,32	
	Vat			R 210,75	R 632,25	R 378,95		R 1 011,20	
	Total			R 1 615,75	R 4 847,25	R 2 905,27		R 7 752,52	
Medium Density Residential 15%	Price	20 - 25 u/ha	2.5 kVA per unit	R 1 405,00	R 3 512,50	R 2 526,32		R 6 038,82	
	Vat			R 210,75	R 526,88	R 378,95		R 905,82	
	Total			R 1 615,75	R 4 039,38	R 2 905,27		R 6 944,64	
High Density Residential 15%	Price	30 - 60 u/ha	2.5 kVA per unit	R 1 405,00	R 3 512,50	R 2 526,32		R 6 038,82	
	Vat			R 210,75	R 526,88	R 378,95		R 905,82	
	Total			R 1 615,75	R 4 039,38	R 2 905,27		R 6 944,64	
Affordable Housing 15%	Price	30 - 40 u/ha	1.5 kVA per unit	R 1 405,00	R 2 107,50	R 1 263,16		R 3 370,66	
	Vat			R 210,75	R 316,13	R 189,47		R 505,60	
	Total			R 1 615,75	R 2 423,63	R 1 452,63		R 3 876,26	
Subsidized Housing 15%	Price	30 - 40 u/ha	1 kVA per unit	R 1 405,00	R 1 405,00			R 1 405,00	
	Vat			R 210,75	R 210,75			R 210,75	
	Total			R 1 615,75	R 1 615,75	R -		R 1 615,75	
Industrial and Commercial i.e. Non-Residential Erven 15%	Price	Varies	On Application	R 351,25	R 1 405,00	R 157,90	per kVA	R 509,15	per kVA
	Vat			R 52,69	R 210,75	R 23,69		R 76,37	
	Total			R 400,42	R 1 601,70	R 180,01		R 580,43	
								of Applied-for Maximum Demand	

Note: .....

# 2022/2023 DEVELOPMENT CHARGES FOR BULK SERVICES FOR YZERFONTEIN

## Schedule D

Land Use	Density	GLA Factor	Cost per	Bulk Water Distribution	Bulk Water Supply	Sewer	WWTW	Roads	Storm Water	Total Civil*	Total Electrical*	
Residential	20 units/ha	-	Unit	R 4 698,00	R 5 682,00	R 5 287,00	R 7 800,00	R 10 000,00	R 3 966,00	R 37 433,00	R 9 060,00	
			15% Vat	R 704,70	R 852,30	R 793,05	R 1 170,00	R 1 500,00	R 594,90	R 5 614,95	R 1 359,00	
			Total	R 5 402,70	R 6 534,30	R 6 080,05	R 8 970,00	R 11 500,00	R 4 560,90	R 43 047,95	R 10 419,00	
Infill Development	30 units/ha	-	Unit	R 3 915,00	R 4 735,00	R 4 880,00	R 7 200,00	R 10 000,00	R 2 776,00	R 33 506,00	R 9 060,00	
			15% Vat	R 587,25	R 710,25	R 732,00	R 1 080,00	R 1 500,00	R 416,40	R 5 025,90	R 1 359,00	
			Total	R 4 502,25	R 5 445,25	R 5 612,00	R 8 280,00	R 11 500,00	R 3 192,40	R 38 531,90	R 10 419,00	
Medium/High Density Ind	30 units/ha	-	Unit	R 3 915,00	R 4 735,00	R 4 880,00	R 7 200,00	R 10 000,00	R 2 969,00	R 33 699,00	R 9 060,00	
			15% Vat	R 587,25	R 710,25	R 732,00	R 1 080,00	R 1 500,00	R 445,35	R 5 054,85	R 1 359,00	
			Total	R 4 502,25	R 5 445,25	R 5 612,00	R 8 280,00	R 11 500,00	R 3 414,35	R 38 753,85	R 10 419,00	
Restricted Residential Dev.	20 units/ha	-	Unit	R 4 698,00	R 5 682,00	R 5 287,00	R 7 800,00	R 10 000,00	R 3 966,00	R 37 433,00	R 9 060,00	
			15% Vat	R 704,70	R 852,30	R 793,05	R 1 170,00	R 1 500,00	R 594,90	R 5 614,95	R 1 359,00	
			Total	R 5 402,70	R 6 534,30	R 6 080,05	R 8 970,00	R 11 500,00	R 4 560,90	R 43 047,95	R 10 419,00	
Infill Development	30 units/ha	-	Unit	R 3 915,00	R 4 735,00	R 4 880,00	R 7 200,00	R 10 000,00	R 2 650,00	R 33 380,00	R 9 060,00	
			15% Vat	R 587,25	R 710,25	R 732,00	R 1 080,00	R 1 500,00	R 397,50	R 5 007,00	R 1 359,00	
			Total	R 4 502,25	R 5 445,25	R 5 612,00	R 8 280,00	R 11 500,00	R 3 047,50	R 38 387,00	R 10 419,00	
Offices	-	0.20 GLA	m²GLA	R 31,00	R 38,00	R 43,00	R 64,00	R 50,00	R 59,00	R 285,00	R 763,88	
			15% Vat	R 4,65	R 5,70	R 6,45	R 9,60	R 7,50	R 8,85	R 42,75	R 114,58	
			Total	R 35,65	R 43,70	R 49,45	R 73,60	R 57,50	R 67,85	R 327,75	R 878,46	per KVA
Commercial	-	0.25 GLA	m²GLA	R 31,00	R 38,00	R 43,00	R 64,00	R 50,00	R 48,00	R 274,00	R 763,88	
			15% Vat	R 4,65	R 5,70	R 6,45	R 9,60	R 7,50	R 7,20	R 41,10	R 114,58	
			Total	R 35,65	R 43,70	R 49,45	R 73,60	R 57,50	R 55,20	R 315,10	R 878,46	per KVA
Primary Business Centre	-	0.50 GLA	m²GLA	R 31,00	R 38,00	R 43,00	R 64,00	R 40,00	R 24,00	R 240,00	R 763,88	
			15% Vat	R 4,65	R 5,70	R 6,45	R 9,60	R 6,00	R 3,60	R 36,00	R 114,58	
			Total	R 35,65	R 43,70	R 49,45	R 73,60	R 46,00	R 27,60	R 276,00	R 878,46	per KVA
Secondary Business Nodes	-	0.25 GLA	m²GLA	R 31,00	R 38,00	R 43,00	R 64,00	R 50,00	R 49,00	R 275,00	R 763,88	
			15% Vat	R 4,65	R 5,70	R 6,45	R 9,60	R 7,50	R 7,35	R 41,25	R 114,58	
			Total	R 35,65	R 43,70	R 49,45	R 73,60	R 57,50	R 56,35	R 316,25	R 878,46	per KVA



**2022/2023 DEVELOPMENT CHARGES FOR BULK SERVICES FOR YZERFONTEIN - 15% Vat Included**

Land Use	Density	GLA Factor	Cost per	Bulk Water Distribution	Bulk Water Supply	Sewer	WWTW	Roads	Storm Water	Total Civil*	Total Electrical*	
Institutional Functions	-	0.10 GLA	<b>m²GLA</b>	R 31,00	R 38,00	R 43,00	R 64,00	R 10,00	R 119,00	R 305,00	R 763,88	per KVA
			<b>15% Vat</b>	R 4,65	R 5,70	R 6,45	R 9,60	R 1,50	R 17,85	R 45,75	R 114,58	
			<b>Total</b>	R 35,65	R 43,70	R 49,45	R 73,60	R 11,50	R 136,85	R 350,75	R 878,46	
MediClinic Facility	-	0.20 GLA	<b>m²GLA</b>	R 39,00	R 47,00	R 54,00	R 80,00	R 80,00	R 59,00	R 359,00	R 763,88	per KVA
			<b>15% Vat</b>	R 5,85	R 7,05	R 8,10	R 12,00	R 12,00	R 8,85	R 53,85	R 114,58	
			<b>Total</b>	R 44,85	R 54,05	R 62,10	R 92,00	R 92,00	R 67,85	R 412,85	R 878,46	
Service Industry	-	0.10 GLA	<b>m²GLA</b>	R 31,00	R 38,00	R 43,00	R 64,00	R 10,00	R 119,00	R 305,00	R 763,88	per KVA
			<b>15% Vat</b>	R 4,65	R 5,70	R 6,45	R 9,60	R 1,50	R 17,85	R 45,75	R 114,58	
			<b>Total</b>	R 35,65	R 43,70	R 49,45	R 73,60	R 11,50	R 136,85	R 350,75	R 878,46	

Note: .....





## Verslag ♦ Ingxelo ♦ Report

Office of the Municipal Manager  
2022-05-26

2/1/4/4/1  
WARD: N/a

### ITEM \_8.4\_ OF THE AGENDA OF A COUNCIL MEETING TO BE HELD ON 26 MAY 2022

**SUBJECT: DRAFT PROCESS PLAN FOR THE COMPILATION OF THE IDP AND SDF**

*The process plan is circulated under separate cover.*

#### 1. BACKGROUND AND DISCUSSION

The Municipal Systems Act (Act 32 of 2000) stipulates the following regarding the IDP compilation process:

##### **Section 28. Adoption of process.**

- (1) Each municipal council, within a prescribed period after the start of its elected term, must adopt a process set out in writing to guide the planning, drafting, adoption and review of its integrated development plan.
- (2) The municipality must through appropriate mechanisms, processes and procedures established in terms of Chapter 4, consult the local community before adopting the process.
- (3) A municipality must give notice to the local community of particulars of the process it intends to follow.

##### **Section 29. Process to be followed.**

- (1) The process followed by a municipality to draft its integrated development plan, including its consideration and adoption of the draft plan, must -
  - (a) be in accordance with a predetermined programme specifying timeframes for the different steps;
  - (b) through appropriate mechanisms, processes and procedures established in terms of Chapter 4, allow for -
    - (i) the local community to be consulted on its development needs and priorities;
    - (ii) the local community to participate in the drafting of the integrated development plan; and
    - (iii) organs of state, including traditional authorities, and other role players to be identified and consulted on the drafting of the integrated development plan;
  - (c) provide for the identification of all plans and planning requirements binding on the municipality in terms of national and provincial legislation; and
  - (d) be consistent with any other matters that may be prescribed by regulation.
- (2) [district municipality]
- (3) A local municipality must -
  - (a) align its integrated development plan with the framework adopted in terms of section 27; and
  - (b) draft its integrated development plan, taking into account the integrated development processes of, and proposals submitted to it by the district municipality.

## **2. LEGISLATION**

The following legislation is applicable:

- Municipal Systems Act, Nr 32 of 2000, Sections 28 and 29

## **3. LINK TO THE IDP**

Not applicable

## **4. FINANCIAL IMPLICATION**

None

## **5. AANBEVELING / RECOMMENDATION**

- (a) Dat kennis geneem word van die konsep Prosesplan;
  - (b) dat 'n werksessie in verband met die Prosesplan met die Raad gehou word op 9 Julie 2022;
  - (c) dat die plaaslike gemeenskap gedurende Junie en Julie 2022 gekonsulteer word deur middel van kennisgewings in die plaaslike koerante en op die Munisipaliteit se Facebookblad en webtuiste; en
  - (d) dat die finale Prosesplan in Augustus 2022 aan die Raad voorgelê word vir goedkeuring.
- 
- (a) That the draft Process Plan be noted;*
  - (b) that a working session in connection with the Process Plan be held with the Council on 9 July 2022;*
  - (c) that the local community be consulted during June and July 2022 by means of notices in the local newspapers and on the Municipality's Facebook page and website; and*
  - (d) that the final Process Plan be submitted to Council in August 2022 for approval.*

(get) J J Scholtz

**MUNICIPAL MANAGER**

**DATE:** 26 May 2022

## ITEM 8.5 OF THE AGENDA OF AN ORDINARY COUNCIL MEETING TO BE HELD ON 26 MAY 2022

**SUBJECT: SUSPENSION OF PREFERENTIAL PROCUREMENT REGULATIONS 2017/  
WITHDRAWAL OF COUNCIL'S PREFERENTIAL PROCUREMENT POLICY**

### 1. BACKGROUND/DISCUSSION

The Council has adopted a new Preferential Procurement Policy on 23 March 2017 which brought the policy in line with the *Preferential Procurement Regulations, 2017*. In a recent court case, the Preferential Procurement Regulations, 2017 were declared invalid. National Treasury issued Advisory Notes on 25 February 2022 and 3 March 2022 regarding this matter. Swartland Municipality opted to request for Exemption in terms of Section 3(c) of the Preferential Procurement Policy Framework Act, 2000 (PPPFA) (Annexure A). Exemption has been granted by National Treasury on 12 March 2022 (Annexure B).

### 2. LEGISLATION

Local Government: Municipal Finance Management Act, 2003, Municipal Supply Chain Management Regulations.

### 3. ALIGNMENT TO THE IDP

Strategic Outcome 1: A Financially Sustainable Municipality With Well Maintained Assets. The execution of the SCM Policy is linked to various outputs.

### 4. FINANCIAL IMPLICATION

None

### 5. PROPOSED AMENDMENTS

As a result of the suspension of the Preferential Procurement Regulations, 2017, the municipality's Preferential Procurement Policy needs to be withdrawn and cancelled. Once new Regulations has been issued, a new Preferential Procurement Policy will be compiled and tabled for Council to be reviewed and approved.

### 6. RECOMMENDATION (as considered by the Executive Mayoral Committee on 21 April 2022)

- (a) That the the municipality's Preferential Procurement Policy be withdrawn and cancelled with effect from 16 February 2022; and
- (b) That the 80/20 points system for procurement Rand values above R30,000.00 to R50M, and the 90/10 points system for Rand values above R50M, together with the applicable BBBEE scorecards, be utilised for tenders advertised on or after 16 February 2022 (in line with NT Exemption attached hereto).

### AANBEVELING (soos oorweeg deur die Uitvoerende Burgemeesterskomitee op 21 April 2022)

- (a) Dat die Munisipaliteit se Voorkeurverkrygingsbeleid met ingang van 16 Februarie 2022 teruggetrek en gekanselleer word;
- (b) Dat die 80/20 puntstelsel vir die verkryging van tenders met randwaardes bo R30 000.00 tot R50 miljoen, en die 90/10 puntstelsel vir tenders met randwaardes bo R50 miljoen, tesame met die toepaslike BBBEE-telkaarte, gebruik word vir tenders wat op of na 16 Februarie 2022 geadverteer word (in ooreenstemming met Nasionale Tesourie se vrystelling hierby aangeheg).

(get) M Bolton

.....  
**DIRECTOR: Financial Services**



CLEAN AUDITS SINCE 2010/11  
SKOON OUDITS SEDERT 2010/11



Ons gee gestalte aan 'n beter toekoms!  
We shape a better future!  
Sakha ikusasa elingcono!

File Ref:

Enquiries: Mr Mark Bolton

4 March 2022

per email: [Dondo.mogajane@treasury.gov.za](mailto:Dondo.mogajane@treasury.gov.za)  
[DGRegistry@treasury.gov.za](mailto:DGRegistry@treasury.gov.za)  
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[Basani.duiker@treasury.gov.za](mailto:Basani.duiker@treasury.gov.za)  
and [CPO@treasury.gov.za](mailto:CPO@treasury.gov.za)

Attention:

**Mr DONDO MOGAJANE  
DIRECTOR GENERAL:  
NATIONAL TREASURY**

**REQUEST FOR EXEMPTION IN TERMS OF SECTION 3(c) OF THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 (PPPFA)**

Your "Advisory Note: Preferential Procurement Regulations, 2017 - Minister of Finance v Afribusiness NPC [2022] ZACC 4" dated 3 March 2022, bears reference.

As a result of the abovementioned court order having declared the Preferential Procurement Regulations, 2017 invalid, Swartland Municipality hereby humbly request exemption in terms of Section 3(c) of the Preferential Procurement Policy Framework Act, 2000 (PPPFA) for the reason/s adumbrated below, until such time that clarification has been obtained from National Treasury regarding the way forward on procurement in this regard, or new Preferential Procurement Regulations have been adopted.

It will not be in the municipality's interest to hold back procurement above the Rand value of R30,000.00. The municipality seek to apply the 80/20 points system for procurement Rand values above R30,000.00 to R50M, and the 90/10 points system for Rand values above R50M, together with the applicable BBBEE scorecards, for all tenders advertised on or after 16 February 2022.

Your consideration of this request for exemption( on an urgent basis) in terms of Section 3(c) of the Preferential Procurement Policy Framework Act, 2000 (PPPFA), will be highly appreciated.

Regards

**JJ SCHOLTZ  
MUNICIPAL MANAGER**

**CC: Provincial Treasury: Western Cape Government**

[Isac.Smith@westerncape.gov.za](mailto:Isac.Smith@westerncape.gov.za)  
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**Department of Local Government: Western Cape Government**

[Graham.Paulse@westerncape.gov.za](mailto:Graham.Paulse@westerncape.gov.za)

Rig asseblief alle korrespondensie aan:  
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Tel: 022 487 9400  
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Epos/Email: [swartlandmun@swartland.org.za](mailto:swartlandmun@swartland.org.za)

**-94-**  
Moorreesburg Tel: 022 433 2246

Kindly address all correspondence to:  
The Municipal Manager  
Private Bag X52  
Malmesbury 7299  
Yzerfontein Tel: 022 451 2366



## national treasury

Department:  
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REPUBLIC OF SOUTH AFRICA

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**FROM:** Mpho Nxumalo, Tel: 012 315 5208, Email: [PPR2017CC@treasury.gov.za](mailto:PPR2017CC@treasury.gov.za) / [OCPO.SCMPolicy@treasury.gov.za](mailto:OCPO.SCMPolicy@treasury.gov.za)

Mr JJ Scholtz  
Municipal Manager  
Swartland Municipality  
Private Bag X52  
**MALMESBURG**  
7299

Dear Mr Scholtz

### REQUEST FOR EXEMPTION FROM PROVISIONS OF PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT

1. I refer to your letter, dated 09 March 2022, requesting an exemption from the application of the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000 - PPPFA) in order to continue with procurement processes so as to ensure that service delivery requirements are not negatively impacted and that your institution is able to fulfill its obligations in terms of its mandate.
2. Please be informed that the Minister has, in terms of section 3(c) of the PPPFA granted the request for an exemption from the provisions of the PPPFA and regulations made thereunder. The exemption is effective from **11 March 2022** until:-
  - a) new Preferential Procurement Regulations take effect; or
  - b) the Constitutional Court confirms the suspension of the order of invalidity of the Preferential Procurement Regulations, 2017, for a period of 12 months, whichever occurs first.
3. The exemption is limited to the specific Categories of goods and services and values as stipulated in your application.
4. You are reminded that whilst the exemption is in effect, procurement must still comply with section 217 of the Constitution and other legislation applicable to your organ of state. You must ensure that the SCM system is not abused during the period of the exemption.

Kind regards,

**MOLEFE-ISAAC FANI**  
**ACTING CHIEF PROCUREMENT OFFICER**  
**DATE:**





**ITEM 8.6 VAN DIE AGENDA VAN 'N GEWONE RAADSVERGADERING WAT GEHOU SAL WORD OP 26 MEI 2022**

<b>ONDERWERP: VOORLEGGING VAN KONSEP VERORDENING INSAKE DIE HOU VAN VERGADERINGS</b> <b>SUBJECT: TABLING OF DRAFT BY-LAW RELATING TO THE CONDUCT OF MEETINGS</b>
---

**1. BACKGROUND**

- 1.1 Meetings of Council and its committees are presently regulated in terms of the Swartland Municipality: By-law relating to the Rules for the Conduct of Meetings as promulgated in Provincial Gazette Extraordinary 7501 dated 2 October 2015. Said by-law was tabled in the first Council meeting of the 5<sup>th</sup> Council that was held on 16 November 2021, and mention made in the cover report that the by-law would be revised in consultation with the Speaker, in order to align same with the provisions of the Structures Amendment Act, Act 3 of 2021, which came into effect on 1 November 2021.
- 1.2 The existing by-law has since been assessed and amended in terms of said legislation, but also compared and improved with reference to the model by-law as provided by the Provincial Department of Local Government. Whereas, for example, the Council had to approve a separate policy regarding the conduct of virtual meetings, the proposed by-law has now been amended to also include rules of this nature.
- 1.3 The following draft by-law is hereby submitted in terms of paragraphs 56 and 57 of the Swartland Municipality: By-Law relating to the Rules for the Conduct of Meetings as promulgated in Provincial Gazette Extraordinary, No. 7501 dated 2 October 2015:
- Swartland Municipality: Draft By-law relating the the Conduct of Meetings

**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.

**2.2 Municipal legislation**

- 2.2.1 Sections 56 and 57 of the Municipality's existing By-Law relating to the Rules for the Conduct of Meetings determine as follows:

**"56. Submission of draft by-law**

A by-law may only be introduced by a member or the executive mayor.

**57. First submission to council**

(1) A draft by-law submitted by a member or the mayor, must be submitted to the council in the following form –

- (a) an executive summary of the by-law;
- (b) the need to regulate the conduct addressed by the draft by-law;
- (c) the content of the draft by-law;
- (d)/...

## 2.2.1/...

- (d) any other by-law that must be repealed or amended if the draft is adopted;
- (e) any relevant comments or proposals; and
- (f) a recommendation.

(2) After consideration of the report contemplated in sub rule (1) the council must resolve to reject the draft or to adopt it in principle.

(3) When a proposed by-law is adopted in principle, it must be advertised for public comment in terms of rule 59.”

## 2.3 The making of a by-law entails the following steps:

		Proposed timeframes
<b>Step 1</b>	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 May 2022, introduced in Council on 26 May 2022
<b>Step 2</b>	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 31 May 2022. Period of comment until 1 July 2022.
<b>Step 3</b>	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 28 July 2022, via Executive Mayoral Committee (meeting on 13 July 2022).
<b>Step 4</b>	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 28 July 2022
<b>Step 5</b>	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 .....

## 3. COMPLIANCE WITH BY-LAW RELATING TO THE RULES FOR THE CONDUCT OF MEETINGS

### 3.1 Draft By-law relating to the Conduct of Meetings

#### (1) Executive summary of the by-law

The newly proposed by-law aims at aligning same with the specimen provided by the Provincial Department of Local Government, and to provide for changes that came into effect as a result of the Municipal Structures Amendment Act as referred to elsewhere.

It does not only cover meeting, debate and decision-making procedures, but also sets prescripts for councillor conduct at meetings and miscellaneous other matters relating to various types of meetings, such as virtual and hybrid meetings.

#### (2) The need to regulate the conduct addressed by the by-law

The By-law gives effect to the Municipality's mandate as per sections 160(6) and 160(7) of the Constitution, in terms of which a municipal council may make by-laws which prescribe rules and orders for – *inter alia* – its internal arrangements, and its business and proceedings. It aims at setting ground rules to ensure proper conduct at meetings, to ensure effective meetings.

#### (3) The content of the draft by-law – refer **Annexure A**

#### (4) Any other by-law that must be repealed or amended if the draft is adopted

Upon publication in the Provincial Gazette, the existing Swartland Municipality: By-law relating to the Rules for the Conduct of Meetings as promulgated in Provincial Gazette Extraordinary 7501 of 2 October 2015 will be repealed and replaced with the new by-law.

3.1(4)/...

Further, the Rules for Virtual Meetings that was adopted to supplement the above by-law, will be repealed with effect from date of publication of the new by-law.

(5) Any relevant comments or proposals

None

(6) Recommendation: - *refer paragraph 4 below*

#### 4. **RECOMMENDATION**

(as per the resolution taken by the Executive Mayoral Committee on 19 May 2022)

- (a) That approval be granted for the following draft by-law to be submitted in Council on 26 May 2022 for approval in principle:
- Swartland Municipality: By-law relating to the Conduct of Meetings
- (b) That, following on in principle approval by the Council, the draft by-law be published for public comment in terms of section 12(3)(b) of the Systems Act, 2000 in both the local media and on the municipal website.

#### **AANBEVELING**

(soos per besluit van die Uitvoerende Burgemeesterskomitee op 19 Mei 2022)

- (a) Dat goedkeuring verleen word dat die volgende konsepverordening op 26 Mei 2022 aan die Raad voorgelê word vir beginselgoedkeuring:
- Swartland Munisipaliteit: Verordening insake die Hou van Vergaderings
- (b) Dat, na beginselgoedkeuring deur die Raad, die konsep verordening vir publieke kommentaar geadverteer word in terme van artikel 12(3)(b) van die Stelselwet, 2000, in die plaaslike media sowel as op die munisipale webtuiste.

(get) M S Terblanche

#### **MUNISIPALE BESTUURDER**

Mst/raadsitems, SM5/May 2022 Voorlegging van konsepverordening insake die hou van vergaderings



**ITEM 8.7 VAN DIE AGENDA VAN 'N GEWONE RAADSVERGADERING WAT GEHOU SAL WORD OP 26 MEI 2022**

<p><b>ONDERWERP: INSTELLING VAN SPESIALE BELASTINGAREAS IN TERME VAN DIE WET OP MUNISIPALE EIENDOMSBELASTING</b></p> <p><b>SUBJECT: ESTABLISHMENT OF SPECIAL RATING AREAS IN TERMS OF THE MUNICIPAL PROPERTY RATES ACT</b></p>
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## 1. BACKGROUND

- 1.1 The attached letter dated 30 September 2021, accompanied by a Memorandum of Intent (Mol) to establish a so-called Special Rating Area (SRA) for the Riebeek Valley, was received by the Municipality during November 2021. The letter is self-explanatory and, in the main, requests the Municipality to consider (in terms of section 22 of the Municipal Property Rates Act, Act 6 of 2004) the levying of an additional tariff to improve the level of service within the designated SRA geographical boundaries, in order *"to create the conditions that are attractive to a sustainable tourism market and safety and wellbeing of residents"*, with reference to safety and security, cleansing and environmental services, enhancement of public open spaces and promoting social development, as more fully explained in the Mol.
- 1.2 The establishment and regulation of SRAs require the Municipality to develop an applicable Policy and By-law, as is also requested in the letter appended hereto.
- 1.3 Representatives of the Municipality has since met with deputations of the Riebeek Valley Rate Payers Association on two occasions, i.e. on 10 December 2021 and 14 March 2022 to discuss the matter. Enquiries have also been made to other municipalities, including Stellenbosch, Overstrand and Drakenstein where SRAs have been established, to determine their views on the establishment of SRAs.

## 2. LEGISLATION

- 2.1 In terms of section 19 of the Municipal Property Rates Act (MPRA) a municipality may not levy additional rates, except as provided for in section 22 of the Act.

- 2.2 Section 22 determines as follows:

### **Special rating areas.—**

- (1) A municipality may by resolution of its council –
  - (a) determine an area within that municipality as a special rating area;
  - (b) levy an additional rate on property in that area for the purpose of raising funds for improving or upgrading that area; and
  - (c) differentiate between categories of properties when levying an additional rate referred to in paragraph (b).
- (2) Before determining a special rating area, a municipality must –
  - (a) consult the local community, including on the following matters:
    - (i) the proposed boundaries of the area; and
    - (ii) the proposed improvement or upgrading of the area; and
  - (b) obtain the consent of the majority of the members of the local community in the proposed special rating area who will be liable for paying the additional rate.

- (3) When a municipality determines a special rating area, the municipality –
- (a) must determine the boundaries of the area;
  - (b) must indicate how the area is to be improved or upgraded by funds derived from the additional rate;
  - (c) must establish separate accounting and other record-keeping systems regarding –
    - (i) the revenue generated by the additional rate; and
    - (ii) the improvement and upgrading of the area; and
  - (d) may establish a committee composed of persons representing the community in the area to act as a consultative and advisory forum for the municipality on the improvement and upgrading of the area, provided representivity, including gender representivity, is taken into account when such a committee is established. Such a committee must be a subcommittee of the ward committee or committees in the area, if the municipality has a ward committee or committees in the area.
- (4) This section may not be used to reinforce existing inequities in the development of the municipality, and any determination of a special rating area must be consistent with the objectives of the municipality's integrated development plan.
- (5) This section must be read with section 85 of the Municipal Systems Act if this section is applied to provide funding for an internal municipal service district established in terms of that section of the Municipal Systems Act.

2.3 Section 33 of the MPRA is not prescriptive as to the structural arrangements which need to be put in place to administer a special rating area. A municipality may therefor opt, as is the case with Overstrand Municipality, to administer an SRA by means of a Non-profit Company (NPC), to whom the additional rate collected by the municipality is to be paid over, and which NPC has to expend the funds in accordance with a business plan approved by the municipality in terms of the prescripts of its by-law and policy.

### 3. **DISCUSSION**

3.1 Of particular importance is section 22(4) of the MPRA which prescribes that the SRA may not be used to reinforce existing inequities in the development of the Municipality, and that the implementation of same must be consistent with the objectives of the Municipality's integrated development plan.

#### 3.2 **Financial Sustainability concerns and considerations**

In so deciding whether Council supports the principle of the establishment of special rating areas, the following very real potential risks must receive particular attention:

- The Municipality is required to deliver its basic services mandate and other community services over the longer term in a sustainable manner which extends beyond its multi-year budget and 5-year IDP planning cycle;
- Non-homogenous communities and further separation w.r.t. section 22(4) quoted above;
- Separate accounting processes and systems alignment and other record-keeping systems in respect of the revenue generated by the additional rate will require additional resources and oversight, having a direct impact on the Municipality's resource envelope;
- The Municipality's records relating to the payment of rates and municipal services arrears, indicate that around 70% of defaulting consumers reside in the areas serviced by ESKOM, resulting in the unsustainable increase in consumer arrears as the Municipality's leverage to exercise credit control, is severely impeded;
- The aforementioned has a direct impact on council's annual expenditure contribution appropriation provision towards the writing-off of bad debts and the impairment of same;
- Implications for the vulnerable/subsidized households constituting around 43% of the total number of households in the Swartland municipal area;

- Implications linked to requests for special rating areas where the boundaries are such that the income inequality between the wealthier owners and other social grouping profiles are inherently skewed, presenting unique challenges for the implementation and consideration of special rating areas in the context of where it can be supported and implemented successfully.

4. **RECOMMENDATION (to Executive Mayoral Committee on 19 May 2022)**

The mayoral committee is to consider the establishment of SRAs in general, with a view to (or not to) include same in its Integrated Development Plan for 2022 – 2027 when the latter is finalized later this year, in order to table a recommendation in Council.

5. **RECOMMENDATION**

(as per resolution taken by the Executive Mayoral Committee on 19 May 2002 for consideration by Council)

That the establishment of Special Rating Areas at this stage not be approved, having regard to the financial sustainability considerations and real/potential risks as dealt with in the report, and - in particular - considering the potential risk that the establishment of SRAs may advance segregation and existing inequalities in communities that are not homogenous in nature, such as those of Riebeeck West and Riebeeck Kasteel.

**AANBEVELING**

(soos per besluit van die Uitvoerende Burgemeesterskomitee op 19 Mei 2002 vir oorweging deur die Raad)

Dat die instelling van Spesiale Belastingareas in hierdie stadium nie goedgekeur word nie, met inagneming van die finansiële volhoubaarheidsoorweginge en werklike/potensiële risiko soos mee gehandel in die verslag, en – in besonder –in ag genome die potensiële risiko dat die instelling van sodanige areas segregasie en bestaande ongelykhede mag bevorder in gemeenskappe wat nie homogeen van aard is nie, soos dié van Riebeeck-Wes en Riebeeck Kasteel.

(get) J J Scholtz

**MUNISIPALE BESTUURDER**

Mst/raadsitems, SM5/May 2022/Establishment of Special Rating Areas

# RIEBEEK VALLEY RATE PAYERS ASSOCIATION

30 September 2021

Mr J Scholtz  
Municipal Manager  
Swartland Municipality  
Malmesbury

Dear Sir

## **DEVELOPMENT OF SPECIAL RATING AREAS IN THE RIEBEEK VALLEY**

The Riebeek Valley Rate Payers Association (RVRPA) has identified the desirability of following the lead of other towns within South Africa (and the Western Cape in particular) and districts within the City of Cape Town, in forming a Special Rating Area (SRA). The objective of this decision is to enable property owners to elect to pay an additional tariff in order to increase the level of service within the designated SRA geographical boundaries. Whereas the Swartland Municipality provides services at a level to satisfy the average needs of all areas under its control, the property owners in the Riebeek Valley have identified a need to explore the development of the SRA in order to provide a higher level of services in order to enhance the physical, safety and social characteristics of the area.

The SRA is a mechanism that is provided for in terms of Section 22 of the Municipal Property Rates Act, Act 6 of 2004 (MPRA). The City of Cape Town refers to an SRA as a Central Improvement District (CID) and has already established 47 CIDs within the metropolitan area. There are numerous SRAs within South Africa and the Western Cape in particular, and we have consulted with a number of these in developing our planning with respect to the establishment of an SRA or SRAs in the Riebeek Valley. The RVRPA has designated its Deputy Chairperson (Mr William Pulles) to investigate the development of the SRA concept for the Riebeek Valley and Mr Pulles has established an SRA Steering Committee which consists of property owners within the Riebeek Valley who have volunteered to serve on the committee. This Steering Committee has prepared a Memorandum of Intent that provides a broad background to the intentions of the Committee and this is attached for your information.

While the MPRA (Act 6 of 2004) sets out prescribed procedures and principles for the establishment of an SRA, it is common practice for the municipality to develop an SRA policy and appropriate SRA By-Laws to guide and govern the establishment and implementation of SRAs within its area. While a number of such policies and By-Laws have been prepared in different municipalities, we attach those that have been developed for the Overstrand Municipality as an example that we believe may provide useful guidance to the Swartland



Municipality in drafting its own policy and By-Laws that are applicable to the situation in the Swartland.

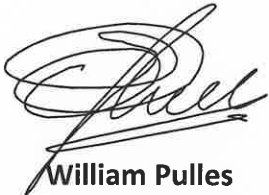
In order to enable us to proceed with the development of an SRA in the Riebeek Valley, we specifically request that the Swartland Municipality give urgent action to the following:

1. Develop, approve and publish a Special Rating Area Policy for the Swartland Municipality
2. Develop, approve and publish a Special Rating Area By-Law for the Swartland Municipality
3. Provide the RVRPA with the most recent property valuation rolls for Riebeek Kasteel, Riebeek West and Ongegund in a useable (Excel) format

With due cognisance of the municipal budget and planning schedules, we request that the above request be actioned urgently in order that the RVRPA can proceed with its SRA development process at speed with the intention of submitting a final SRA Business Plan to the Swartland Municipality by no later than September 2022. In order to meet this timeline and to comply with the significant public participation process inherent in the development of an SRA, we respectfully request that the Swartland Municipality complete the above requested actions by no later than the first quarter of 2022 and earlier if at all possible.

I am available to discuss the contents of this letter and the intentions of the RVRPA at a suitable time. Please also confirm receipt of this letter.

Yours sincerely



**William Pulles**

Deputy Chairperson: Riebeek Valley Rate Payers Association

Chairperson: Riebeek Valley SRA Steering Committee

Tel: 082 6907599      Email: [william@phd.co.za](mailto:william@phd.co.za)

# **RIEBEEK VALLEY RATE PAYER'S ASSOCIATION**

## **MEMORANDUM OF INTENT TO FORM A SPECIAL RATINGS AREA**

The Riebeek Valley Rate Payer's Association (RVRPA) has formed a Steering Committee with volunteers drawn from the Riebeek Valley, with the aim of investigating the formation of a Special Ratings Area (SRA) or Areas in terms of Section 22 of the Municipal Property Rates Act (Act 6 of 2004). As there are no specific guidelines from Swartland Municipality, we have referenced the SRA Policy and By-laws from the City of Cape Town and the Overstrand Municipality in order to guide us in commencing with the process.

Whereas Swartland Municipality provides specified municipal services to all residents and towns within the district and cognisant of the fact that the South African Police Service is under-resourced in the Riebeek Valley, the residents of the Riebeek Valley have identified the need for and desire to develop and implement an SRA (in terms of the MPRA, S22) in the Valley, whereby certain services will then be offered at a higher level by way of higher contributions on the rates bills of property owners. The background to this is as follows:

- Residential (urban and rural) property owners of the Riebeek Valley desire to live in a safe and clean environment where their property and the welfare of themselves and their families are assured.
- Business property owners (urban and rural) of the Riebeek Valley desire to operate their businesses in an environment that is safe for themselves, their employees and their clients. These conditions, in turn, enable them to offer gainful and sustainable employment to their employees, leading to the overall improvement of socioeconomic conditions in the valley. The large majority of businesses in the valley are dependent on the creation of an environment that is attractive to tourists who are a primary source of income and employment.

In order to create the conditions that are attractive to a sustainable tourism market and safety and wellbeing of residents, a higher level of service is required in the following areas:

- Safety and security (provision of foot patrols and vehicle patrols, security camera network and 24/7 monitoring of cameras to direct security patrols to proactively prevent crime)
- Cleansing and environmental services (additional effort in removal of litter and maintenance of verges and sidewalks and coordinated direction of service requests to the Swartland Municipality to attend to specific identified problems within their ambit of responsibility).
- Urban management (enhancement of public open spaces for the benefit of tourists and residents).
- Social development (addressing the problems of delinquent children, social ills and high level of unemployment through engagement with communities, residents and business owners and identification and implementation of novel approaches to address these problems).

The ultimate development of the SRA and its business plan will go through the prescribed procedures and will include the appropriate level of public consultation at key points as required by the relevant Acts, regulations and by-laws.



## Verslag ♦ Ingxelo ♦ Report

Kantoor van die Direkteur: Korporatiewe Dienste  
19 Mei 2022

2/5/1; 2/5/2  
WYK: n.v.t.

### ITEM 8.8 VAN DIE AGENDA VAN 'N GEWONE RAADSVERGADERING WAT GEHOU SAL WORD OP 26 MEI 2022

<b>ONDERWERP:</b> <b>SUBJECT:</b>	<b>HERSIENING VAN STELSEL VAN DELEGASIE</b> <b>REVISION OF SYSTEM OF DELEGATION</b>
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#### 1. BACKGROUND

- 1.1 Section 59 of the Municipal Systems Act, 2000 determines that a municipal council must develop a system of delegation (SoD) that will maximize administrative and operational efficiency and provide for adequate checks and balances.
- 1.2 In terms of the same section, such delegations and instructions must be reviewed when a new council is elected, as was the case at the first meeting of this municipal council that was held on 16 November 2021.
- 1.3 The SoD is not a static document, and amendments/additions to same are made continuously in consultation with Council, who has the prerogative to withdraw, amend or determine additional conditions. Revisions to the SoD are submitted in Council during May annually.
- 1.4 Amendments to be made to the SoD as per the 1<sup>st</sup> revision by the 5<sup>th</sup> Council, are explained below with reference to the applicable annexures. The full SoD was distributed to councillors during November 2021, but is available on request from the office of the Director: Corporate Services.
- 1.5 In terms of the Municipal Manager's SoD, the Director: Corporate Services has the authority to submit reports to Council on existing delegations and to make recommendations on possible changes via the Executive Mayoral Committee.

#### 2. 1<sup>st</sup> REVISION

- 2.1 The 1<sup>st</sup> revision of the SoD entails the following:

- 2.1.1 **Amendments to Part 2: Delegation by Council as Delegating Authority – Powers and Functions delegated to Director: Corporate Services (Part 2.4.4)**

**Annexure A** provides for the inclusion of delegation C-DCS/LEG7 to authorize the Director: Corporate Services to act on the Municipality's behalf in respect of the nomination of trustees/liquidators regarding claims on behalf of the Municipality in terms of the Close Corporation, Companies and/or Insolvency Acts, and to sign all documents pertaining to such claims on behalf of the Municipality.

This delegation was approved for inclusion in the SoD by the Executive Mayoral Committee at an in-committee meeting that was held on 23 November 2021.

2.1.2/...

2.1.2 **Amendments to Part 4: Delegation by Municipal Manager**  
**Delegation of duties in terms of other law, regulation, policy or standing order or council resolution (Part 4.2)**

**Annexure D** reflects the inclusion of various responsibilities in terms of the Privacy Policy adopted in terms of the Protection of Personal Information Act, Act 4 of 2013.

These amendments are only to be taken cognizance of by Council, since it pertains to the Municipal Manager's SoD, and not that of Council.

**3. FINANCIAL IMPLICATION**

Not applicable

**4. ALIGNMENT TO THE IDP**

Maintaining the System of Delegation can be indirectly be linked to Strategic Goal 4 (Caring, competent and responsive institutions, organisations and business) in the 2017-2022 IDP.

**5. RECOMMENDATION**

(as per the resolution taken by the Executive Mayoral Committee on 19 May 2022)

- (a) That the amendments to the System of Delegation (1<sup>st</sup> Revision) as per Annexure A be approved, and cognizance be taken of the amendments as per Annexure B;
- (b) That cognizance be taken that no amendments were effected to the Section 53 Role Definition of political structures, political office bearers and the municipal manager, which document forms part of the System of Delegation.

**AANBEVELING**

(soos per besluit van die Uitvoerende Burgemeesterskomitee op 19 Mei 2022)

- (a) Dat die wysiging tot die Stelsel van Delegasie (1<sup>ste</sup> Hersiening) soos vervat in Aanhangsel A goedgekeur word, en kennis geneem word van die wysigings soos vervat in Aanhangsel B;
- (b) Dat kennis geneem word dat geen wysigings aangebring is aan die Artikel 53 Roluitklaring vir politieke strukture, politieke ampsbekleërs en die munisipale bestuurder nie, welke dokument deel uitmaak van die Stelsel van Delegasie.

(get) M S Terblanche

**DIREKTEUR: KORPORATIEWE DIENSTE**

mst/raadsitems,SM5/Mei 2022/Delegations\_May 2022

## ANNEXURE A

2.4.4 – POWERS AND FUNCTIONS DELEGATED TO DIRECTOR: CORPORATE SERVICES						
ITEM NUMBER	REFERENCE	CRYPTIC DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
<b>LEGAL MATTERS - General</b>						
C-DCS/ LEG7	General	To sign all documents on behalf of the Municipality, to prove claims on behalf of the Municipality, to nominate and vote for the election of a trustee/ liquidator on behalf of the Municipality and to sign powers of attorneys, with or without powers of substitution, in favour of any person to act on behalf of the Municipality at any meeting of creditors and/or members convened in terms of the Close Corporation, Companies and/or Insolvency Acts of the Republic of South Africa to give effect to the aforementioned powers and related actions	Council	Municipal Manager / Director: Corporate Services		As per EMC resolution dated 23 November 2021

## ANNEXURE B

4.2 DELEGATION BY MUNICIPAL MANAGER IN TERMS OF OTHER LAW, REGULATION, POLICY OR STANDING ORDER OR COUNCIL RESOLUTION						
ITEM NUMBER	REFERENCE	CRYPTIC DESCRIPTION OF POWER OR FUNCTION	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
<b>INFORMATION</b>						
<b>PRIVACY POLICY (PP) IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT, ACT 4 OF 2013 (POPIA)</b>						
MM/ POPIA1	Para 19(1), PP	To ensure that the organisation meets its legal obligations in terms of POPIA	Reserved for Municipal Manager (as information officer)			
MM-DIOs POPIA2	Para 19(3)(b), PP	To encourage POPIA compliance with the conditions for lawful processing of personal information; To deal with requests pursuant to POPIA; To work with Regulator i.r.o. POPIA investigations; To ensure compliance with POPIA or as otherwise may be described in terms of POPIA	Municipal Manager (as information officer)	Deputy Information Officers		Deputy information officers to be appointed in writing. Appointees l.t.o. resolution dd 28 June 2021: <ul style="list-style-type: none"> <li>• Director: Corporate Services</li> <li>• Manager: Secretariat &amp; Records Services</li> <li>• Senior Manager: Human Resources</li> <li>• Director: Financial Services</li> <li>• Manager: Credit Control</li> <li>• Director: Development Services</li> <li>• Director: Protection Services</li> <li>• Director: Civil Engineering Services</li> </ul>
MM-DCS/ POPIA2	Para 19(3)(c), PP	To update Information Officer about information assets and personal information protection responsibilities, risks and relating issues; To review personal information protection procedures and related policies; To arrange training and advice; To check and approve contracts with third parties that may collect, handle or store personal information on behalf of the organisation	Municipal Manager (as information officer)	Director: Corporate Services		

## 4.2 DELEGATION BY MUNICIPAL MANAGER IN TERMS OF OTHER LAW, REGULATION, POLICY OR STANDING ORDER OR COUNCIL RESOLUTION

ITEM NUMBER	REFERENCE	CRYPTIC DESCRIPTION OF POWER OR FUNCTION	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
MM-ICT/ POPIA3	Para 19(3)(d), PP	To ensure ICT assets for processing personal information meet capable security standards; To perform regular checks and scans to ensure security hardware and software is functioning optimally; To evaluate third-party services the municipality is considering using to process personal informal	Municipal Manager (as information officer)	Senior Manager: ICT		
MM- CPRO/ POPIA4	Para 19(3)(f), PP	To approve any personal information protection statement attached to communications; To address personal information queries from the media; To work with other business units to ensure communication initiatives abide by privacy protection principles	Municipal Manager (as information officer)	Communication and Public Relations Officer		
MM- DCS/ POPIA5	Para 23, PP	To develop changes to the Privacy Policy	Municipal Manager (as information officer)	Director: Corporate Services		If and when required. Policy changes subject to approval by Information Officer





## ITEM 8.9 VAN DIE AGENDA VAN 'N GEWONE RAADSVERGADERING WAT GEHOU SAL WORD OP 26 MEI 2022

**ONDERWERP:** SWARTLAND TOERISME NPC (MAATSKAPPY SONDER WINSBEJAG) : NUWE DIENSVLAKOOREENKOMS 2022 - 2025

**SUBJECT:** SWARTLAND TOURISM NPC (NON PROFIT COMPANY) : NEW SERVICE LEVEL AGREEMENT 2022 - 2025

### 1. BACKGROUND

- 1.1 Municipalities have a constitutional mandate to promote, develop and administer tourism in its area of jurisdiction.
- 1.2 The following legislation is applicable:
  - The Constitution lists local tourism as a local government competence;
  - The Municipal Systems Act enables municipalities to establish and fund external mechanisms such as regional tourism offices or RTO's;
  - The tourism mandate of local municipalities is also outlined in the Tourism Act of 1993;
  - The White Paper on the Development and Promotion of Tourism and the Tourism Act stipulates that tourism is private sector driven but based in local communities;
  - The National Framework for Local Economic Development (LED) prioritizes the tourism sector as one of the sectors to promote local economic diversification.
- 1.3 At its meeting held on 20 May 2021, the mayoral committee approved the new tourism model which was developed in consultation with consultants over a 3-year period. The Cape West Coast/Swartland Tourism Association will cease to exist and the new Swartland Tourism NPC will come into operation from 1 July 2022.
- 1.4 This new model will have a central tourism structure and will be run by a non-remunerated Board of Directors. A General Manager and Administration Officer will be appointed and based in Malmesbury. Marketing Officers will be appointed in the towns of Riebeeck Kasteel, Darling and Yzerfontein.
- 1.5 A service level agreement (SLA) was drawn up for the NPC for the financial years 1 July 2022 to 30 June 2025 (in line with the 3-year budget cycle). This SLA also makes provision for performance which will be measured quarterly in terms of KPI's (Annexure C to the SLA).

### 2. ALIGNMENT TO THE IDP

- 2.1 In its 2017-2022 Integrated Development Plan, under Strategic Goal 2 (inclusive Economic Growth), Council included the following in the Action Plan:
 

Strategic Objective 2.7: Increase tourism visitors and brand as a good place to live.

Strategic Initiative: Develop a more effective tourism destination marketing and development business model

KPI and target: Study done and revised tourism business model finalised by June 2021 / Model implemented by June 2024.

3./...

### 3. **LEGAL REQUIREMENTS**

- 3.1 In terms of section 33(1) of the Municipal Management Finance Act no 55 of 2003, Council may conclude contracts with future budgetary implications only if the contract does not impose financial obligations on the municipality beyond the three years covered in the annual budget for the financial year.
- 3.2 Where a service delivery agreement is concluded with an external mechanism to provide a municipal service in the municipality's area of jurisdiction, the Municipal Systems Act, 2000 (section 76(b)) requires that the municipal council is to approve such agreement.

### 4. **FINANCIAL IMPLICATION**

- 4.1 An amount of R1 500 000 has been provided for in the 2022/23 operating budget as the annual contribution to the NPC, to be paid in equal quarterly installments. For the 2023/24 and 2024/25 financial years the amount will increase subject to the CPI (Consumer Price Index).

### 5. **RECOMMENDATION**

- (a) That approval be granted for a Service Level Agreement (as per **Annexure A** hereto) to be signed with the Swartland Tourism NPC with effect from 1 July 2022 until 30 June 2025;
- (b) That the Municipal Manager be authorized to sign the Service Level Agreement on behalf of the Council in order to fulfill Council's legislative mandate regarding tourism.

### **AANBEVELING**

- (a) Dat goedkeuring verleen word vir die ondertekening van 'n Diensvlakoooreenkoms (soos per **Aanhangsel A** hiermee) met die Swartland Toerisme NPC met ingang van 1 Julie 2022 tot 30 Junie 2025;
- (b) Dat die Munisipale Bestuurder gemagtig word om die Diensvlakoooreenkoms namens die Raad te onderteken om die Raad se wetlike mandaat insake toerisme te volvoer.

(get) M S Terblanche

**MUNISIPALE BESTUURDER**

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# SERVICE LEVEL AGREEMENT

between

**SWARTLAND MUNICIPALITY**  
("the Municipality")

and

**SWARTLAND TOURISM NPC**  
("the LTO")

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## 1. DEFINITIONS AND INTERPRETATION

- 1.1 In this agreement, unless the context indicates a contrary intention, clause headings are for convenience and shall not be used in its interpretation, a natural person includes an artificial person and vice versa, the singular includes the plural and vice versa, and the following expressions bear the meanings assigned to them below and cognate expressions bear corresponding meanings: -
- 1.1.1 “**the Act**” means the Western Cape Investment and Trade Promotion Agency Amendment Act, Act 6 of 2013 and any regulation made under it;
- 1.1.2 “**Agreement**” means the agreement as set out in this document, including the annexures hereto;
- 1.1.3 “**Board**” means the board of directors of the Swartland Tourism NPC;
- 1.1.4 “**Date of Signature**” means the date on which the last-signing party signs this agreement;
- 1.1.5 “**DMO**” means the Destination Marketing Organisation, established in terms of the Western Cape Government;
- 1.1.6 “**IDP**” means the Integrated Development Plan;
- 1.1.7 “**LTO**” means Swartland Tourism NPC a non-profit Company, with registration number 2022/321947/08, duly incorporated in terms of the Laws of the Republic of South Africa;
- 1.1.8 “**Local Community**” means the community residing within the Municipality’s area of jurisdiction;
- 1.1.9 “**Member(s)**” means any person or business that offers products and is a member of the LTO, and membership shall have the corresponding meaning;
- 1.1.10 “**Municipality**” means the Swartland Municipality;
- 1.1.11 “**Municipality’s area**” currently known as WCO15;
- 1.1.12 “**Parties**” means the Municipality and the LTO;
- 1.1.13 “**Products**” means those tourism services that are offered, including but not limited to accommodation, wine farm operations, tour operations, shops and stores, and conventions and events or any or such tourism service that may be offered by the LTO in the future.
- 1.2 When any number of days is prescribed in this agreement, they shall be reckoned exclusively of the first and inclusively of the last day unless the last day falls on a Sunday

or public holiday, in which case the last day shall be the next succeeding day which is not a Saturday, Sunday or public holiday.

- 1.3 Where figures are referred to in numerals and in words, if there is any conflict between the two, the words shall prevail.
- 1.4 Expressions defined in this agreement shall bear the same meanings in schedules to this agreement, which do not themselves contain their own definitions.
- 1.5 This agreement shall be binding and enforceable by the estates, executors, administrators, trustees, assigns or liquidators of the parties as fully and effectually as if they had signed this agreement in the first instance. Reference to any party shall include such party's estate, executors, administrators, trustees, assigns or liquidators, as the case may be.
- 1.6 Unless stated otherwise, all amounts referred to in this agreement are exclusive of VAT. Insofar as any VAT is payable on such amounts, it shall be paid by the party making the payment in question.
- 1.7 In the event of any conflict between the terms and conditions of this agreement (excluding the annexures) and the annexures, the terms and conditions as set out in the annexures will prevail.

## **2. PREAMBLE**

- 2.1 The DMO and municipalities have a legislative mandate to promote, develop and administer tourism in the Western Cape Province.
- 2.2 The Act provides that the DMO may accredit a local tourism association or any similar organisation established or recognised by a Municipality.
- 2.3 The LTO has been appointed by the Municipality in order to fulfil some of the Municipality's tourism functions and the Municipality has undertaken to make financial contributions to the LTO.
- 2.4 The LTO shall operate as a separate entity with autonomous decision-making powers.
- 2.5 The parties wish to record the terms of their agreement as they hereby do.

## **3. PURPOSE OF THIS AGREEMENT**

This agreement intends to: -

- 3.1 record the terms upon which the Municipality's function and the promotion and development of tourism are to be carried out by the LTO;

- 3.2 set out the services that are to be delivered by the LTO on behalf of the Municipality;
- 3.3 determine the level of service that the LTO must comply with in executing those functions; and
- 3.4 set out the financial and other obligations placed on the Municipality in order to facilitate and support the LTO.

subject to continuous negotiations between the LTO and the Municipality and the availability of funds.

#### **4. COMMENCEMENT AND DURATION**

This agreement shall, notwithstanding the Date of Signature, commence on 1 July 2022 and shall endure until 30 June 2025.

#### **5. APPOINTMENT**

The LTO has been appointed by the Municipality to fulfil some of the Municipality's tourism functions in its municipal area or other area to be agreed upon by the parties. The LTO accepts the appointment.

#### **6. FUNDING AND OTHER SUPPORT**

- 6.1 The Municipality shall provide financial and other support to the LTO, in accordance with the schedule set out in Annexure "B" hereto.
- 6.2 The LTO may receive funding from sources other than the Municipality, such as from the membership fees, sponsorships, revenue from sale of promotional items, commission on bookings and referrals and any other lawful source.

#### **7. IMPLEMENTATION PLAN**

- 7.1 The Board of the LTO shall use all reasonable endeavours to submit the implementation plan to the Municipality by no later than 31 January 2023. The implementation plan shall be reviewed annually and amended as agreed between the Municipality and the LTO. This implementation plan shall contain comprehensive details of their budget and plans for the conduct of the LTO for duration of this Agreement, which implementation plan shall be in a form determined by the Board.
- 7.2 The implementation plan in 7.1 shall include, without limitation:

- 7.2.1. a proposed budget for the duration of this Agreement of the LTO in the form of the proposed income statement, balance sheet and cash flow projection of the LTO for such duration;
  - 7.2.2. the proposed funding by the Municipality to the LTO as set out in Annexure “B” and the manner thereof for the duration of this Agreement; and
  - 7.2.3. the proposed funding, if any, to be afforded inter alia by any legal sources other than the Municipality for duration of this Agreement.
- 7.3 The Board shall procure the implementation by the LTO of the implementation plan during the year concerned and ensure no departure therefrom or permit a departure therefrom in any material respect without the consent of the Municipality

## **8. OBLIGATIONS OF THE LTO**

- 8.1 The main objectives of the Company are to –
- 8.1.1 promote and market the Swartland municipal area (“**Swartland**”) as a preferred tourist destination;
  - 8.1.2 promote tourism awareness and a culture of hospitality among the various stakeholders and service providers in the Swartland;
  - 8.1.3 identify and promote the natural and cultural assets and in particular the natural beauty and ecology of the Swartland, the preservation of such assets and their use and integration into a comprehensive tourism product for the area to maximise the attraction of the Swartland as a tourist destination;
  - 8.1.4 establish an environment for the development of new tourism products in the Swartland in order to ensure that such products are consistent with the Company’s brand strategy and/or marketing plan adopted from time to time;
  - 8.1.5 stimulate the development of tourism-associated infrastructure in the Swartland and encourage efficiency and professionalism in all tourism operations; and
  - 8.1.6 be responsive to the tourism-related needs of the public in general and the tourism sector in particular, within the Swartland municipal area.
- 8.2 The LTO must develop a culture of broad-based participation and in so doing must encourage and create conditions for the various stakeholders to comment on and, where applicable, participate in the affairs of the LTO.
- 8.3 The LTO must develop its strategy in conjunction and co-operation with the Municipality and the DMO.

### **Performance**

- 8.4 Performance of the LTO will be measured quarterly in terms of the KPI’s (key



performance indicators) as set out in Annexure C hereto.

- 8.5 The Municipality must constantly endeavour to identify and put in place steps that are aimed at improving the LTO's performance.

#### **Governance**

- 8.6 The LTO shall appoint a Board which should preferably be representative of the local community.
- 8.7 The Board may establish such sub committees as may be required from time to time which should preferably be representative of the local community, provided that the applicable functions of the above-mentioned subcommittees shall be determined by the Board.
- 8.8 A subcommittee may continue to function notwithstanding the fact that, due to the resignation of a member or any other reason, it does not have the requisite number of members as set out below.

#### **The Board of Directors**

- 8.9 The LTO shall establish a Board as contemplated in its MOI. Two Councillors of the Municipality and one official employed by the Municipality shall be appointed by the Municipality to attend the meetings of the Board, receive agendas and minutes for such meetings, but without any voting rights.
- 8.10 The functions of the Board are to:
- 8.10.1 approve any appropriate tourism project of the LTO;
  - 8.10.2 ensure that the constitution of the LTO is adhered to;
  - 8.10.3 monitor long term objectives of the LTO and ensure that the LTO's plans are implemented;
  - 8.10.4 monitor and manage, the LTO's finances and budget;
  - 8.10.5 source partnership agreements to enhance the performance of the LTO;
  - 8.10.6 lobby funding from various institutions such as government bodies and the private sector;
  - 8.10.7 create a platform for closer working relationships with other LTOs, the Municipality and the DMO;
  - 8.10.8 co-ordinate, consider and may approve the recommendations of the Committees;
  - 8.10.9 monitor and manage, where applicable, the LTO's administrative matters, including the purchase of office equipment and furniture;

- 8.10.10 appoint appropriate staff;
- 8.10.11 attend to matters relating to the requests and requirements of the local Tourism Advice Committees; and
- 8.10.12 apply and comply with the requirements of the DMO for accreditation.

#### **Financial administration**

- 8.11 The LTO must ensure that the spending of funds received from the Municipality is in accordance with its budget.
- 8.12 The LTO shall:
  - 8.12.1 maintain an effective system of expenditure control;
  - 8.12.2 maintain a management, accounting and information system which:
    - 8.12.2.1 recognise expenditure when it is incurred;
    - 8.12.2.2 account for creditors of the LTO; and
    - 8.12.2.3 account for payments made by the LTO;
    - 8.12.2.4 maintain a system of internal control in respect of creditors and payments.
- 8.13 The financial year of the LTO shall be the same as that of the Municipality.
- 8.14 The LTO shall not borrow money from any third party in order to fulfil its obligations in terms of this agreement. In the event that the LTO does borrow money the LTO shall not be reimbursed by the Municipality for any such amounts.

#### **Bank Account**

- 8.15 The LTO must open and maintain a bank account in the name of the LTO. All monies received by the LTO from the Municipality must be paid into this bank account promptly.
- 8.16 The LTO may not open a bank account, for purposes of this agreement: -
  - 8.16.1 abroad;
  - 8.16.2 with an institution not registered as a bank in terms of the Banks Act, Act 94 of 1990;
  - 8.16.3 otherwise than in the name of the LTO.
- 8.17 The LTO must submit to the Municipality details of the bank account within 30 (thirty) days of date of signature, and annually before the start of each financial year.

## **Reporting**

8.18 Prior to being considered for funding, the company must provide the following in order to qualify for financial support:

8.18.1 The prior year audited annual financial statements (most recent)

8.18.1.1 Such annual financial statements must be audited on the going concern basis. If not, this agreement will be reconsidered as the funding is specifically designed to support the company in achieving its objectives in the current or future year(s).

8.18.1.2 Such annual financial statements must clearly distinguish funds received from the municipality and other revenue streams.

8.18.1.3 Funding will only be provided if the company received an unqualified audit report.

8.19 The LTO shall report to the Municipality on the following matters:

8.19.1 quarterly, the activities of the LTO during the previous reporting period with regards to its obligations in terms of this agreement, or where key performance indicators have been put in place by an LTO, then with reference to the performance indicators;

8.19.2 The financial position of the LTO by providing the Municipality with—

8.19.2.1 quarterly management accounts for the previous period;

8.19.2.2 financial statements within (3) months of the end of its financial year;

8.19.2.3 the report of the auditors on such financial statements.

8.20 The LTO shall submit to the Municipality an annual report.

## **9 BLACK ECONOMIC EMPOWERMENT AND SKILLS TRANSFER**

The LTO acknowledges that it has, *inter alia*, been appointed by the Municipality on the basis that it complies with criteria acceptable to the Municipality in respect of black economic empowerment.

9.1 The LTO shall comply with the Municipality's procurement policy requirements, the Broad-Based Black Economic Empowerment Act, Act 53 of 2003 and the Tourism BEE Charter and Scorecard.

9.2 The LTO undertakes to provide the Municipality with details regarding the structure of the LTO and the Municipality reserves the right to investigate the accuracy of the

declaration made by the LTO in this regard, which undertakes to co-operate with the Municipality during any such investigation.

- 9.3 Should the investigation referred to in clause 9.2 above show that there is a material difference between the structure of the LTO and the position as declared by the LTO, the Municipality shall be entitled, in addition to any remedy available to it at law or under this agreement, to cancel this agreement on 30 (thirty) days written notice to the LTO.
- 9.4 The LTO may not change its structure in respect of black economic empowerment without the consent of the Municipality, which consent may be withheld by the Municipality in its sole and absolute discretion.
- 9.5 The LTO agrees, when called upon to do so by the Municipality, to work with any employee or intern of the Municipality who the Municipality nominates so as to transfer skills to such employee. Neither the Municipality nor the LTO shall be entitled to any remuneration in respect of the application of this clause

## **10 OBLIGATIONS OF THE MUNICIPALITY**

- 10.1 The Municipality shall provide strategic guidance to the LTO, which will be aligned to the DMO's strategy and the Municipality's IDP and local economic development programs.
- 10.2 The Municipality will annually inform the LTO in writing of its budgeting cycle and process so as to assist the LTO in determining the extent of the financial support that the LTO will require from the Municipality.
- 10.3 The Municipality shall facilitate and ensure the regular flow of communication between the Municipality and the LTO on matters relating to this agreement and tourism in general.

## **11 RELATIONSHIP BETWEEN THE PARTIES**

- 11.1 The LTO shall not be entitled to enter into any agreements on behalf of the Municipality or to bind the Municipality in any other way save as set out in this agreement.
- 11.2 Nothing in this agreement shall constitute an employer/employee relationship or a partnership between the parties.

## **12 NOMINATED REPRESENTATIVES**

- 12.1 The parties' representatives for liaison purposes shall be as listed in Annexure "A" hereto.
- 12.2 The parties may vary their representatives from time to time by notifying the other party

in writing of its new representative(s).

### **13 TERMINATION**

- 13.1 This agreement shall, unless otherwise provided to the contrary, terminate —
- 13.1.1 if the LTO commits any breach of any terms of this agreement and fails to remedy that breach within a period of 14 (fourteen) days after the receipt of written notice to that effect by the Municipality or fails to complete the remedy of such breach within a reasonable time;
- 13.1.2 if the LTO fails to meet the agreed performance management indicators, determined in terms of paragraph 8.4 above.
- 13.2 Notwithstanding the provisions of clause 13.1, the Municipality may terminate this agreement on not less than 60 (sixty) days prior written notice to such effect to the LTO -
- 13.2.1 fail to comply with any provisions of this agreement, provided that the LTO was provided the opportunity by the Municipality to remedy such failure or breach within a period of 14 (fourteen) days after the receipt of written notice to that effect by the Municipality or fails to complete the remedy of such failure or breach within a reasonable time;
- 13.2.2 infringe the copyright, or any other right, of any third party in the course of its obligations in terms of this agreement;
- 13.2.3 be provisionally or finally liquidated or take any steps whatsoever for its voluntary winding up, with prior written notice to the Municipality of its intention to do so, or generally do or commit to do anything to be done which may materially prejudice the Municipality's rights under this agreement.
- 13.3 It is recorded that this agreement is subject to the Act and may be terminated on repeal of the Act or the amendment of the Act, which has the effect of either disestablishing the LTO or restructuring the tourism industry in the Western Cape Province.
- 13.4 Upon the termination of this agreement for any reason whatsoever, the LTO agrees to co-operate with the Municipality to such extent as it may be required for a period of up to 3 (three) months from the date of termination, such period to be determined solely by the Municipality, to ensure an orderly and efficient transition and hand over of the services to the Municipality or another organisation appointed by the Municipality to provide the services.
- 13.5 Where the dispute resolution mechanism has been triggered, the LTO agrees to co-operate with the Municipality to such extent as it may be required to ensure that provision of the services is not interrupted for the duration of the resolution of the dispute.

## **14 LIMITATION OF LIABILITY**

- 14.1 The Municipality shall not be held liable in delict, contract, warranty or otherwise for any damage, whether direct or consequential, which arises out of or is pursuant to any act or omission of the LTO, whether intentional or negligent.
- 14.2 Members of the LTO will not be held liable as per its constitution in delict, contract, warranty or otherwise for any damage, whether direct or consequential, which arises out of or is pursuant to any act or omission of the LTO, whether intentional or negligent.

## **15 INDEMNITY AND WARRANTIES**

- 15.1 The LTO warrants that in carrying out its services it will not knowingly violate or infringe the rights of any person and indemnifies the Municipality and undertakes to keep the Municipality indemnified in respect of any harm, loss or damage of any nature arising from any such infringements.
- 15.2 Members of the LTO will not be held liable as per its constitution in delict, contract, warranty or otherwise for any damage, whether direct or consequential, which arises out of or is pursuant to any act or omission of the LTO, whether intentional or negligent.

## **16 ASSIGNMENT, CESSION AND DELEGATION**

The LTO shall not be entitled to cede any of its rights or delegate any of its obligations in terms of this agreement without the prior written consent of the Municipality and the DMO, which consent may be withheld in the Municipality and the DMO's sole and absolute discretion.

## **17 DISPUTE RESOLUTION**

- 17.1 The parties subscribe to principles of co-operation, mutual trust and good faith. These principles must be promoted and adhered to by:
- 17.1.1 assisting and supporting each other;
  - 17.1.2 fostering friendly relations;
  - 17.1.3 informing each other of, and consulting each other on, matters of common interest;
  - 17.1.4 co-ordinating the actions and strategies with each other; and

- 17.1.5                avoiding legal proceedings against each other.
- 17.2                The parties must make every reasonable effort to settle any dispute between them by means of mechanisms and procedures that shall be determined by the parties for that purpose.
- 17.3                Any dispute arising out of or in connection with this agreement must, in the first instance, be referred for consideration and possible resolution to a designated representative of the Municipality and the LTO.
- 17.4                Should the persons referred to in clause 17.3 fail to resolve the dispute within 7 (seven) days of it being referred to them (or within such alternative period as they may mutually decide) then the parties must, by agreement appoint a third party to act as mediator, and not as arbitrator, to mediate the resolution of the dispute. Should they not be able to agree on the mediator, then the mediator will be selected by the chairperson for the time being of the Arbitration Foundation of Southern Africa ("AFSA") or its successor. The cost of the mediator must be borne by the parties to the dispute in equal shares.
- 17.5                Should the mediator referred to in clause 17.4 fail to resolve the dispute within 7 (seven) days (or within such alternative period as they may mutually decide), then any party will have the right to require that the dispute be referred to arbitration, in which event it must be submitted to and determined by arbitration in accordance with the rules of AFSA or its successor by an arbitrator appointed by AFSA. The arbitration must be held in a summary manner with a view to it being completed as soon as possible.
- 17.6                Provided that all other reasonable resources have been exhausted, the parties retain the right to approach any Court for relief should the Court's intervention be justified by the circumstances, such as urgency.

## **18    DOMICILIUM AND NOTICES**

- 18.1                The parties choose as *domicilium citandi et executandi* ("domicilium") for the purposes of giving any notice, the payment of any sum, the serving of any process and for any other purpose arising from this agreement at their respective addresses as set out in Annexure "A" hereto.
- 18.2                The parties shall be entitled from time to time by written notice to the others to vary their *domicilium* to any other address, which is not a post office box or post restante.
- 18.3                Any notice required or permitted to be given in terms of this agreement shall be valid and effective only if in writing.
- 18.4                Any notice given and any payment made by one party to the other "the addressee" which:-
- 18.4.1                is delivered by hand during the normal business hours of the addressee at the

addressee's *domicilium* for the time being shall be presumed, until the contrary is proved, to have been received by the addressee at the time of delivery;

- 18.4.2 is posted by prepaid registered post from an address within the Republic of South Africa to the addressee at the addressee's *domicilium* for the time being, shall be presumed, until the contrary is proved, to have been received by the addressee on the 7th (seventh) day after the date of posting;
- 18.4.3 is transmitted by telefax (subject to the transmitter retaining the fax transmission slip) or e-mail shall be deemed (in the absence of proof to the contrary) to have been received within 1 (one) hour of transmission where it is transmitted during normal business hours of the receiving instrument and within 2 (two) hours of the commencement of the following business day where it is transmitted outside those business hours.
- 18.5 Notwithstanding anything to the contrary herein contained, a written notice or communication actually received by a party from another, including by way of facsimile or e-mail transmission, shall be an adequate written notice or communication to it notwithstanding that it was not sent to or delivered at its chosen *domicilium citandi et executandi*.

## 19 GENERAL

- 19.1 This document, the constitution of the LTO and the delegations stated in Annexure B of the said constitution, constitute the sole record of the agreement between the parties. In question of any doubt the constitution of the LTO shall prevail.
- 19.2 No party shall be bound by any express or implied term, representation, warranty, promise or the like not recorded in the documents mentioned in 19.1.
- 19.3 No addition, variation or agreed cancellation of this agreement shall be of any force and effect unless in writing and signed by or on behalf of the parties.
- 19.4 No extension of time or indulgence which any party ("the grantor") may grant to the other ("the grantee") shall constitute a waiver of any of the rights of the grantor, who shall not thereby be precluded from exercising any rights against the grantee which may have arisen in the past or which may arise in the future.
- 19.5 In the event that any of the terms of this agreement are found to be invalid, unlawful or unenforceable, such terms will be severable and the remaining provisions shall remain of full force and effect. If any invalid term is incapable of amendment to render it valid, the parties agree to negotiate an amendment to remove the invalidity.



SIGNED AT **MALMESBURY** ON

**2022**

AS WITNESSES:

1. \_\_\_\_\_

2. \_\_\_\_\_

---

For and on behalf of the Municipality  
the signatory warranting that he/she is  
duly authorised to sign this agreement

SIGNED AT **MALMESBURY** ON

**2022**

AS WITNESSES:

1. \_\_\_\_\_

2. \_\_\_\_\_

---

For and on behalf of the LTO  
the signatory warranting that he/she is  
duly authorised to sign this agreement

## ANNEXURE A

### DETAILS OF THE MUNICIPALITY

NAME:	<b>MUNICIPALITY SWARTLAND</b>
REGISTERED ADDRESS IN RSA:	<b>1 CHURCH STREET, MALMESBURY</b>
POSTAL ADDRESS:	<b>PRIVATE BAG X52, MALMESBURY, 7299</b>
TELEFAX NUMBER:	<b>022 4879440</b>
TELEPHONE NUMBER:	<b>022 4879400</b>
EMAIL ADDRESS:	<b><u><a href="mailto:swartlandmun@swartland.org.za">swartlandmun@swartland.org.za</a></u></b>
NOMINATED REPRESENTATIVE:	<b>DIRECTOR: CORPORATE SERVICES OR HIS/HER REPRESENTATIVE</b>

### DETAILS OF THE LTO

NAME:	<b>SWARTLAND TOURISM NPC</b>
REGISTRATION NUMBER:	<b>2022/321947/08</b>
REGISTERED ADDRESS IN RSA:	<b>1 CHURCH STREET, MALMESBURY</b>
POSTAL ADDRESS:	<b>PRIVATE BAG X52, MALMESBURY 7299</b>
TELEFAX NUMBER:	<b>022 487 2989</b>
TELEPHONE NUMBER:	<b>022 487 2989</b>
EMAIL ADDRESS:	<b><u><a href="mailto:swartlandtourism@cornergate.com">swartlandtourism@cornergate.com</a></u></b>
NOMINATED REPRESENTATIVE:	<b>LTO CHAIRPERSON</b>

## ANNEXURE B

### FINANCIAL AND OTHER SUPPORT TO BE GIVEN BY SWARTLAND MUNICIPALITY (See also Paragraph 3.4 of Agreement)

#### I. FINANCIAL SUPPORT

<b>SCHEDULE OF PAYMENT FINANCIAL YEAR 1 JULY 2022 UNTIL 30 JUNE 2023</b>	
<b>TOTAL FINANCIAL SUPPORT FOR THE FINANCIAL YEAR 1 JULY 2022 UNTIL 30 JUNE 2022 (R1 500 000,00)</b>	<b>R1 500 000,00</b>
<b>Payable quarterly in advance as follows:</b>	
1 July 2022	R375 000,00
1 October 2022	R375 000,00
1 January 2023	R375 000,00
1 April 2023	R375 000,00
<b>FINANCIAL YEAR 1 JULY 2023 UNTIL 30 JUNE 2024</b>	<b>Subject to CPI</b>
<b>FINANCIAL YEAR 1 JULY 2024 UNTIL 30 JUNE 2025</b>	<b>Subject to CPI</b>

#### II. OTHER SUPPORT

Apart from the financial support mentioned in I, Swartland Municipality will also give the following support:

1. The services of Me D Le Roux at Darling Tourism who will remain on the payroll of Municipality Swartland.
2. Accommodation, free of any charge, situated at:
  - 2.1 Malmesbury Tourism (Office building to accommodate Cape West Coast/Swartland Tourism, Malmesbury Tourism, Swartland Wine and Olive Route)  
Corner of Church and Voortrekker Streets  
Malmesbury
  - 2.2 Darling Tourism  
Museum Building  
28 Hill Street  
Darling
  - 2.3 Riebeek Valley Tourism  
Plein Street  
Riebeek Kasteel

2.4            Yzerfontein Tourism  
                 c/o Municipal Buildings  
                 Main Road  
                 Yzerfontein

including all expenses with regard to water and electricity consumption at the said offices.

## ANNEXURE C

## SWARTLAND TOURISM (NPC) KEY PERFORMANCE AREAS AND INDICATORS

GOAL: To promote and support Tourism in the Swartland Municipal Area

INDICATOR NAME	DEFINITION	DESCRIPTION	TARGET	REMARKS
1. MARKETING	MARKETING OF THE REGION TO ATTRACT MORE TOURISTS	MARKETING STRATEGY	1 per annum	Provide 5 year marketing strategy which strategy is to be revised annually
		ADVERTISING & PROMOTIONAL MATERIAL	4 per annum	Printing of new promotional material and advertising in printed media and online.
		EXHIBITIONS	3 per annum	Exhibiting at trade or consumer exhibitions
		MEDIA	4 per annum	Interviews to promote the Swartland region
		SOCIAL MEDIA AND WEB PAGE	4 per month per platform	Regular updating of website and posting on Facebook, Instagram and Twitter etc.
		EDUCATIONALS	4 per annum	Showcasing the Swartland Region to tour operators and Social Media persons and Influencers
2. DEVELOPMENT	TO GROW TOURISM IN THE SWARTLAND AND ENCOURAGE COMMUNITY INVOLVEMENT	DEVELOPMENT STRATEGY	1 per annum	Provide 5 year development strategy which strategy is to be revised annually
		TOURISM AWARENESS WORKSHOPS	4 per annum	Host workshops in partnership with DEDAT, Weskus Tourism and NDT etc.
		ASSIST START-UP TOURISM BUSINESSES TO GROW	2 per annum	Assist start-up businesses, not financially, but assisting them with information and advice by directing them to the right people/agencies etc.
3. FINANCES	MANAGEMENT OF BUDGET	REPORTS	1 per annum	Provide annual audited statements to the Municipality within 3 (three) months after the financial year-end.
			1 per quarter	Provide financial management reports
4. STATISTICS	TO DETERMINE BETTER MARKETING	REPORTS	12 per annum	Visitor statistics to be collected monthly to be reported on
5. KPI REPORTS	REPORTING ON ALL ASPECTS OF TOURISM	REPORTS	4 per annum	3 x Quarterly KPI reports and one Annual report





## Verslag ♦ Ingxelo ♦ Report

Kantoor van die Direkteur: Korporatiewe Dienste  
5 Mei 2022

12/2/5/5-3/1  
Ward 7

ITEM 8.10 VAN DIE AGENDA VAN 'N GEWONE RAADSVERGADERING WAT GEHOUSAL WORD OP 26 MEI 2022

<b>ONDERWERP:</b>	<b>VOORGESTELDE UIT-DIE-HAND-VERVREEMDING VAN ERF 56, MALMESBURY</b>
<b>SUBJECT:</b>	<b>PROPOSED OUT-OF-HAND ALIENATION OF ERF 56, MALMESBURY</b>

### 1. AGTERGROND/BACKGROUND

- 1.1 Mr J A Vlok, the registered owner of erf 1764, Malmesbury has applied to Council to purchase erf 56 in Auction Street, Malmesbury, which is located adjacent to his property (in Rozenburg Street) as indicated on the location map attached hereto as **Annexure A**. Mr Vlok's motivation to purchase said property is attached hereto as **Annexure B**.
- 1.2 Erf 56 is zoned for residential purposes (residential zone 1), and not public open space as reflected in the valuation roll. The property is 474 m<sup>2</sup> in extent, and currently valued at R284,00/m<sup>2</sup> in terms of a valuation obtained from Council's valuer, i.e. R134 616,00 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*". Although it is 474 m<sup>2</sup> extent, the physical shape of the subject property restricts the sensible development of the property within the development parameters (e.g. prescribed building lines, coverage) for residential zone 1 as per the Municipality's Development Scheme, governed by the Municipal Land Use Planning By-law. At present it also accommodates a sewerage pipeline.
- 1.4 **Hierdie verslag word voorgelê om goedkeuring van die Raad te bekom om erf 56, Malmesbury (groot 474 m<sup>2</sup>) uit-die-hand-uit aan J A Vlok, die eienaar van erf 1764, Malmesbury te vervreem. / This report is submitted to obtain Council's approval for the alienation out-of-hand of erf 56, Malmesbury (474 m<sup>2</sup> in extent) to J A Vlok, the owner of erf 1764, Malmesbury.**

### 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/...

<b>COMPLIANCE WITH MUNICIPAL FINANCE MANAGEMENT ACT, 2003</b>	
<b>Issues to be considered in terms of Section 14 of the MFMA</b>	<b>Comment</b>
a) Whether the asset is needed to provide the minimum level of basic municipal services	The subject property is zoned for residential purposes, and is not required by the Municipality for the provision of a minimum of any other level of basic municipal services.
b) Consideration to be given to the fair market value of the asset	It is proposed that the property be alienated at R284,00/m <sup>2</sup> , 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.

<b>COMPLIANCE WITH MUNICIPAL ASSET TRANSFER REGULATIONS (GG 31346 DATED 22 AUGUST 2008)</b>	
<b>Issues to be considered in terms of Regulation 7 of the MATR</b>	<b>Comment</b>
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 to Strategic Goal 3 (Quality and Sustainable Living Environment), Strategic Objective 3.1 – Maximise economic opportunities and comparative advantage / Spatially strengthen mobility and economic links as per Council's Integrated Development Plan 2017-2022.
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
<b>Conditions that may be imposed, in terms of Regulation 11, pertaining to the following:</b>	<b>Comment</b>
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 be linked to Strategic Goal 3 (Quality and Sustainable Living Environment), Strategic Objective 3.1 – Maximise economic opportunities and comparative advantage / Spatially strengthen mobility and economic links as per Council's Integrated Development Plan 2017-2022.

## 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 goedkeuring verleen in terme van die toepaslike Verordening asook Artikel 14 van die Wet op Munisipale Finansiële Bestuur, 2003 dat erf 56, Malmesbury (groot 474 m<sup>2</sup>) uit-die-hand uit aan J A Vlok (die eienaar van erf 1764, Malmesbury) vervreem en oorgedra word, en wel teen R134 616,00 BTW uitgesluit;
- (b) Dat kennis geneem word dat die eiendom vir residensiële doeleindes gesoneer is en in geen stadium 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-bestaansbare bate' kwalifiseer deurdat dit as gevolg van fisiese beperkings nie as 'n afsonderlike entiteit sinvol ontwikkel kan word binne die ontwikkelingsparameters vir residensiële sone 1 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 potensiële grondbesetting of wanaanwending (bv. onwettige storting).
- (d) Dat die volgende voorwaardes van verkoop op die transaksie van toepassing sal wees:
  - (i) Erf 56 met erf 1764 gekonsolideer moet word deur die koper;
  - (ii) Die rioolpyp wat die erf kruis deur die Munisipaliteit verskuif word vir die rekening van die koper, welke koste R16 205,63 (BTW ingesluit) bedra vir die periode tot 30 Junie 2022, vir herberekening met ingang vanaf 1 Julie 2022;
  - (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 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 alvorens die voorneme geadverteer word, daar eers skriftelike bevestiging van J A Vlok bekom word dat hy 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 erf 56, Malmesbury (474 m<sup>2</sup> in extent) to be alienated and transferred out-of-hand to J A Vlok (the owner of erf 1764, Malmesbury) at R134 616,00, VAT exclusive;
- (b) That cognizance be taken that the property is zoned for residential purposes and at no stage is 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:

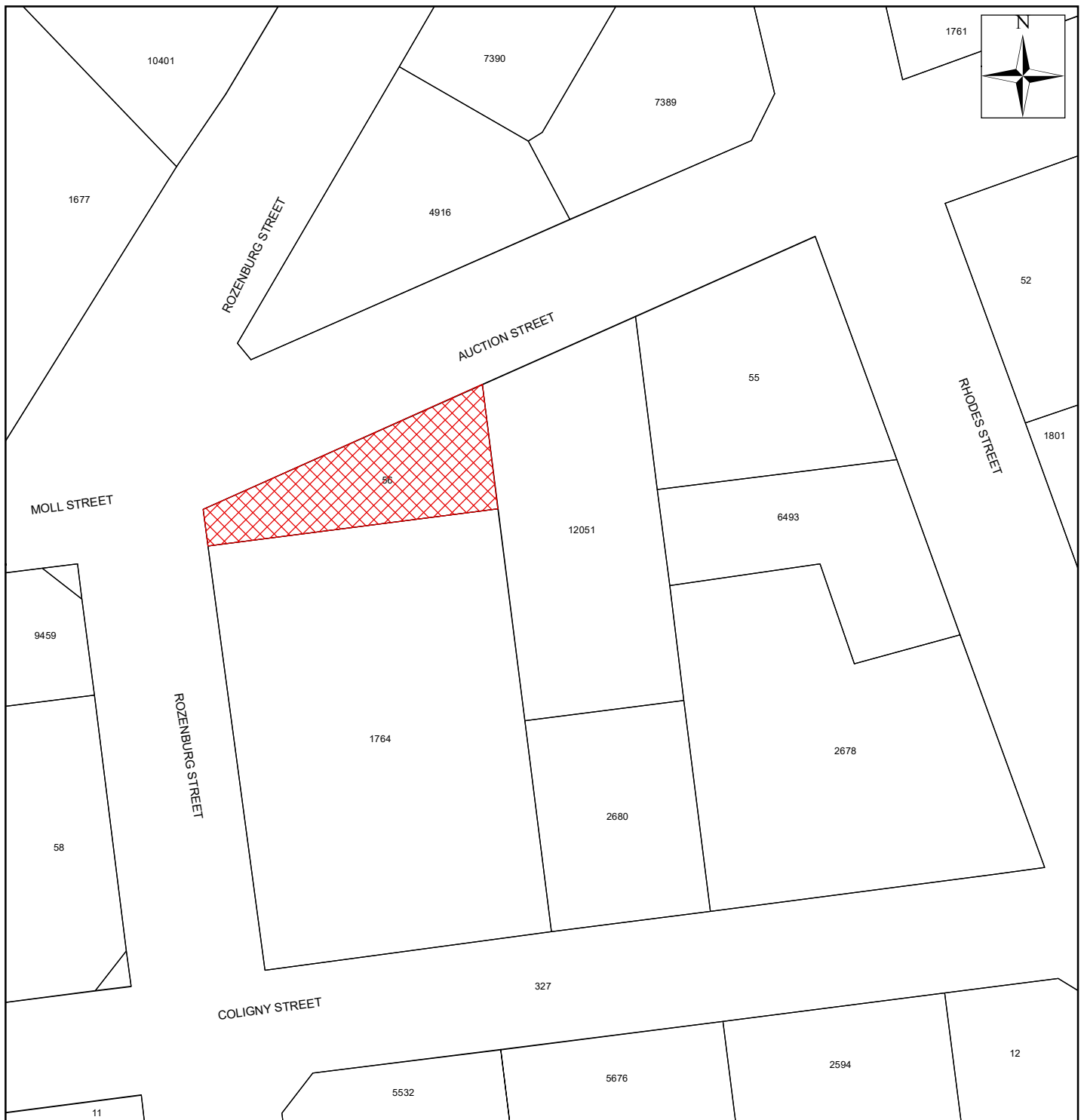
- (i) The property qualifies as 'non-viable' asset in that due to physical constraints it cannot be developed sensibly as a separate entity within the development parameters for residential zone 1, and therefore only becomes functional if alienated to an adjoining owner for usage in conjunction with 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) Erf 56 to be consolidated with erf 1764 by the purchaser;
  - (ii) The sewage pipeline that crosses the property to be relocated by the Municipality for the account of the purchaser, which costs amount to R16 205,63 (VAT inclusive) for the period until 30 June 2022, to be recalculated with effect from 1 July 2022;
  - (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 J A Vlok that he 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**

Mst/raadsitems, SM2/Vervreemding uit die hand\_ erf 56 Malmesbury

# Liggingsplan



Liggingsplan

Erf 56, Malmesbury

Skaal: NVT



**From:** Adriaan Vlok <avlok@rolagrp.co.za>  
**Sent:** Thursday, 24 March 2022 15:28  
**To:** Madelaine Terblanche  
**Subject:** RE: Erf 56 Auctionstraat Malmesbury

Geagte Madelaine Terblanche en Senior Bestuur van Swartland Munsipaliteit.

Ek Jacobus Adriaan Vlok wil graag ERF 56 in Dalsig Malmesbury 7300 by Swartland Munsipaliteit koop.

Die redes vir my versoek om Auction Str ERF 56 te koop is soos volg.

Die eiendom grens aan my eiendom Auction str2,en die uitleg belemer die aansig van 2 Auction Str.

Die eienaars van die twee aan grensende eiendomme het reeds die oop stukke grond voor hulle huise gekoop en ontwikkel ,dus sal dit beter voorkom indien dieselfde op 2 Auction Str geskied.

Ek wil graag my eiendom uitbrei vir die latere doel om moontlik 'n gedeelte van my eiendom te onderverdeel 2 Auction Str.

Dit sal 'n voordeel vir die area wees indien ek suksesvol is met die aankoop van ERF 56 om die volgende redes.

- Beter instandhouding.
- Die voorkoms en gevoel van die eiendom.
- Die skep van bekostigbare akkommodasie of grond in die geval van die verkoop van die eiendom.
- Laer sekuriteitsrisiko , grond word beset eerder as om leeg te wees.

Hierdie spesifieke eiendom het twee keer in die verlede goedkeuring van die raad gehad om 'n woonstelblok te bou.

Persoonlik dink ek nie dat die area geskik is vir 'n blok woonstelle nie en enkel eenhede sal beter by die area pas.

Dankie dat julle die tyd geneem het om na my versoek te kyk en vir my 'n bekostigbare prys te bied om die riool pyp te skuif.

Groete .

Adriaan Vlok

be virus tested before being downloaded to your computer.

**ITEM 8.11 VAN DIE AGENDA VAN 'N GEWONE RAADSVERGADERING WAT GEHOU SAL WORD OP 26 MEI 2022**

<b><u>ONDERWERP:</u></b>	<b>BEDANKING VAN RDH B J STANLEY AS VERTEENWOORDIGER VAN SWARTLAND MUNISIPALITEIT NA DIE WESKUS DISTRIKMUNISIPALITEIT</b>
<b><u>SUBJECT:</u></b>	<b><i>RESIGNATION OF ALD B J STANLEY AS REPRESENTATIVE OF SWARTLAND MUNICIPALITY TO THE WEST COAST DISTRICT MUNICIPALITY</i></b>

**1. DOCUMENTATION**

**1.1** Attached hereto please find the following documents:

- (a) Letter of resignation of Alderman B J Stanley, dated 6 May 2022 (Annexure A).
- (b) IEC list of representatives of the DA that was submitted for election purposes on 16 November 2022 (Annexure B).

**2. COMMENTS: MUNICIPAL MANAGER**

**2.1** The election of representatives of Local Municipality's to the District Council during the November 2021 sitting was conducted by the MEO in terms of schedule 2 (Electoral System for District Councils) – Part 2, and more specific section 14 to section 21.

**2.2** Further provisions of the Structures Act that are of importance are sections 11 and 13 of schedule 2, part 1, that deals with the filling of vacancies.

Section 11(1)(a) of annexure 2, part 1, determines that the Chief Electoral Officer (CEO) (and the Provincial Electoral Officer in terms of delegated authority) must declare the persons whose name is at the top of concerned party list to be elected in the vacancy.

**2.3** Section 11(1)(b) of annexure 2, part 1, determines that: "Whenever a councillor referred to in paragraph (a) ceases to hold offices, the Municipal Manager (West Coast District Municipality) must within seven days (7) inform the CEO – see Annexure C.

**2.4** At the time of writing the report the filling of the vacancy was not yet declared by the IEC.

**3. RECOMMENDATION**

- (a) That the resignation of Alderman B J Stanley as a representative to the West Coast District Council be noted and accepted;
- (b) That cognisance be taken that the West Coast District Municipality informed the CEO of the vacancy on 9 May 2022;
- (c) That, at the time of writing the report, the IEC has not yet declared the name of the councillor to be elected to the vacancy.

### **AANBEVELING**

- (a) Dat kennis geneem word van die bedanking van rdh B J Stanley as verteenwoordiger op die Weskus Distriksraad en dat die bedanking dienooreenkomstig aanvaar word;
- (b) Dat kennis geneem word van die skrywe deur die Weskus Distriksmunisipaliteit gedateer 9 Mei 2022 waarin die Hoof Verkiesingsbeampte in kennis gestel is van rdh Stanley se bedanking;
- (c) Dat, met die skryf van die verslag, die OVK nog nie die raadslid se naam verklaar het om in die vakature verkies te word nie.

(get) J J Scholtz

**MUNISIPALE BESTUURDER**



1188 Chamberlain Road

Chatsworth

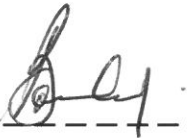
7353

6 Mei 2022

Geagte Mnr.Joubert

Graag wens ek ,Basil John Stanley hiermee my bedanking as Raadslid by die Weskus Distriks Munisipaliteit in te dien.

Vriendelike groete



-----

Basil Stanley



# Electoral Commission

## List of Candidates

### More than one Representative

Election of members of a local council to represent that council in the district council  
Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998)

Name of Local Council:

SWARTLAND MUNICIPALITY

Name of District council:

WEST COAST DISTRICT MUNICIPALITY

I, ALBERT WARNICK (Full names), duly authorized  
by DEMOCRATIC ALLIANCE (party name)/ or In my capacity  
as a councillor of the above mentioned council, submit the following candidates' list for the election of  
representatives to the district council.

Signature

Date

16 NOVEMBER 2021

Order of preference	Name of candidate	ID number	Signature: Acceptance of Nomination
1.	BASIL STANLEY	531227 516 080	
2.	COLIN DANIELS	530517 5704 087	
3.	DESMOND PYPERS	691223 5233 087	
4.	ILZA LE MINNIE	880519 0138 085	
5.			
6.			
7.			
8.			
9.			
10.			

Please note that:

- A party or councillor may not submit more than one list
- A candidate may not appear on more than one candidates' list
- Candidates' names must appear in order of preference

**WESKUS DISTRIKSMUNISIPALITEIT  
WEST COAST DISTRICT MUNICIPALITY**

Rig alle korrespondensie aan:  
Address all correspondence  
to:

**MUNISIPALE BESTUURDER/  
MUNICIPAL MANAGER**

Navrae/Enquiries : Mrs Z Jacobs  
Verw.Nr./Ref. No.: 3/3/1



Posbus / P O Box 242  
MOORREESBURG, 7310

Telefoon/Phone (022) 433 8400  
Faks/Fax Nr. 086 6926 113

E-Mail Adres/Address :  
westcoastdm@wcdm.co.za

09 May 2022

Email: [hendricksem@elections.org.za](mailto:hendricksem@elections.org.za)

The Chief Electoral Officer  
Independent Electoral Commission  
Provincial Office Western Cape  
P O Box 2515  
**BELLVILLE**  
7535

Dear Mr Hendrickse,

**RESIGNATION OF DA COUNCILLOR: BASIL JOHN STANLEY, ID NR 531227 5106 080  
REPRESENTATIVE OF THE WC015 – SWARTLAND LOCAL MUNICIPALITY AT THE  
WEST COAST DISTRICT MUNICIPALITY (DC1)**

Notice are hereby given that Alderman Basil John Stanley, ID Nr 531227 5106 080, as the Swartland Local Municipality (WC015) Councillor of the DA at the West Coast District Municipality (DC1), has resigned.

In terms of item 11 of Schedule 2 of the Local Government: Municipal Structures Act, Act 117 of 1998 a vacancy are herewith declared and a placement for the abovementioned councillor are requested.

Please find the resignation of Alderman Stanley attached.

For any further enquiries in this regard, please contact Mrs Z Jacobs at 022-433 8400 or by email, [prodgers@wcdm.co.za](mailto:prodgers@wcdm.co.za).

Kind regards,

pp 

**MR D JOUBERT  
MUNICIPAL MANAGER**

/zj





## Verslag ♦ Inxelo ♦ Report

Kantoor van die Munisipale Bestuurder  
20 Mei 2022

4/3/B; 4/3/1  
WYK: n/a

### ITEM 8.12 VAN DIE AGENDA VAN 'N GEWONERAADSVERGADERING WAT GEHOU SAL WORD OP 26 MEI 2022

<b>SUBJECT: FEEDBACK ON THE FILLING OF SECTION 56 MANAGER POST: DIRECTOR ELECTRICAL ENGINEERING SERVICES</b>
--

#### 1. PURPOSE OF THE REPORT

- 1.1 To give feedback to Council on the progress of filling the post of Director Electrical Engineering Services.

#### 2. COMMENTS: MUNICIPAL MANAGER

##### 2.1 Progress on the filling of a section 56 Manager post

- (a) On 31 May 2022 Council approved the filling of the post of the section 56 vacancy (Director: Electrical Engineering Services) and the appointment of a selection panel. For the sake of completeness, the previous resolution is stated below:

#### **BESLUIT / RESOLUTION**

- (a) *Dat daar kennis geneem word van die vakature wat sal ontstaan in die pos van Direkteur: Elektriese Ingenieursdienste met die aftrede van mnr Roelof du Toit einde Junie 2022.*

*That notice is taken of the vacancy that will arise in the post of Director: Electrical Engineering Services with the retirement of Mr Roelof du Toit at the end of June 2022.*

- (b) *Dat die Raad goedkeuring verleen en bevestig dat die makro personeelstruktuur, soos aangetoon op die goedgekeurde organisasiestruktuur, in ooreenstemming is met die GOP en dat die pos van Direkteur: Elektriese Ingenieursdienste relevant is en nodig word ten einde die strategiese doelwitte van die GOP te bereik.*

*That the Council approve and confirm that the macro personnel structure as shown on the approved organisational structure, is in line with the IDP and the post of Director: Electrical Engineering Services is relevant and needed to achieve the strategic objectives of the IDP.*

- (c) *Dat die Raad goedkeur dat die pos van Direkteur: Elektriese Ingenieursdienste gevul word en dat goedkeuring verleen word vir die vul daarvan en advertering, in ooreenstemming met die aangehegte advertensie en die regulasies;*

*That it be approved that the post of Director: Electrical Engineering Services be filled and that approval be granted for filling and advertising – in accordance with the attached advertisement and regulations.*

- (d) *Dat die pos gevul word op 'n allesinsluitende "koste-vir-maatskappy" pakket in ooreenstemming met die bepalings van die bo-perk ("upper limits") vir Senior Bestuurders, ingevolge die 20 Maart 2020 kennisgewing, of soos gewysig.*

(e)/...

*That the post is filled on an all-inclusive "cost to company" package in accordance with the provisions of the upper limits for senior managers, in terms of the 20 March 2020 notice, or as amended.*

- (e) *Dat die Raad die keuringspaneel bestaande uit die volgende persone goedkeur –*
- (i) Die Munisipale Bestuurder, mnr Joggie Scholtz (Voorsitter van paneel)*
  - (ii) Lid van die Burgemeesterskomitee verantwoordelik vir die Portefeulje Tegnieiese Dienste, rdh T van Essen*
  - (iii) Direkteur: Elektriese Ingenieursdienste van 'n buurmunisipaliteit, naamlik Drakenstein Munisipaliteit*

*That the selection panel consisting of the following persons, be approved –*

- (i) The Municipal Manager, Mr Joggie Scholtz (Chairperson of the panel);*
  - (ii) Member of the Mayoral Committee responsible for the Portfolio Technical Services, ald T van Essen*
  - (iii) Director: Electrical Engineering Services of a neighbouring municipality, namely Drakenstein Municipality*
- (f) *Dat daar kennis geneem word dat 'n diensverskaffer deur die Munisipale Bestuurder aangestel sal word om te help met die werwing- en keuringsproses vir die aanstel van 'n Direkteur: Elektriese Ingenieursdienste.*

*That it be noted that a service provider will be appointed by the Municipal Manager to assist in the recruitment and selection process for the appointment of a Director: Electrical Engineering Services.*

- (g) *Dat daar kennis geneem word van die prosesplan soos hierby aangeheg en dat dit as sulks goedgekeur word;*

*That the process plan attached hereto be noted and approved.*

- (h) *Dat goedkeuring verleen word dat mnr Roelof du Toit in 'n mentorskaprol aangewend word na die aanstelling van sy opvolger, vir die oorblywende tydperk van sy kontrakperiode, onderhewig daaraan dat hy ook vir ander take, funksies en verantwoordelikhede aangewend word, soos en wanneer benodig.*

*That approval be granted that Mr Roelof du Toit is used in a mentorship role after the appointment of his successor for the remaining period of his contract period, provided that he also be used for other tasks, functions and responsibilities, as and when required.*

- (b) In terms of the process plan, the post of Director: Electrical Engineering Services was advertised nationally on 3 April 2022 with 20 April 2022 as closing date. A total of five (5) applications were received for the position of which no candidates met the minimum requirements as advertised. On 3 May 2022 the Selection Panel resolved to make a special effort and to re-advertise the post in the national media in order to enlarge the pool of available candidates who meet the requirements especially with regards to candidates from the designated groups. The post was again advertised nationally on 8 May 2022 with 20 May 2022 as closing date.
- (c) On the closing date of 20 May 2022 an additional three (3) applications were received for the position, but these candidates did not meet the minimum requirements as advertised either. The Selection Panel further resolved on 3 May 2022 that should no candidates from the special effort meet the minimum requirements, that the requirements for the post be relaxed within the requirements of the Regulations on Appointment and Conditions of Employment of Senior Managers, GG 37245 dated 17 January 2014, in order to recruit suitably qualified candidates, and that the vacancy be re-advertised.

3. **KOPPELING AAN DIE GOP / ALIGNMENT TO THE IDP**

**Strategic Goal 5: Services**

Sufficient, affordable and well-run services.

Due to the fact that this is such a strategic post it will be maintained in its current format with the new 5 year IDP.

4. **FINANSIËLE IMPLIKASIE / FINANCIAL IMPLICATION**

There is sufficient provision made in the budget to fill the post and to accommodate Mr du Toit in a mentorship role.

5. **AANBEVELING / RECOMMENDATION**

- (a) Dat die Raad kennis neem van die spesiale poging wat aangewend is om kandidate te werf wat aan die minimum geadverteerde vereistes voldoen en ook ten einde Swartland Munisipaliteit se gelykheidsprofiel op senior bestuursvlak aan te spreek en dat daar steeds geen kandidate is wat aan die minimum vereistes voldoen nie;  
*That Council takes note of the special effort made to recruit candidates who meet the minimum advertised requirements and to address Swartland Municipality's equity profile on senior management level and that there still are no candidates who meet the minimum requirements;*
- (b) Dat die Munisipale Bestuurder met volmag beklee word om, in oorleg met die Direkteur: Korporatiewe Dienste, die huidige Direkteur: Elektriese Ingenieursdienste en die Snr Bestuurder: Menslike Hulpbrondienste, die werwingsadvertensie te wysig ten einde die geadverteerde vereistes te verslap binne die raamwerk van die Regulasies vir Aanstelling en Diensvoorwaardes van Senior Bestuurders, GG 37245 gedateer 17 Januarie 2014, ten einde paslik gekwalifiseerde kandidate te werf en dat die pos heradverteer word;  
*That the Municipal Manager in conjunction with the Director Corporate Services, the current Director: Electrical Engineering Services and the Snr Manager: Human Resource Services, be mandated to amend the recruitment advertisement in order to relax the advertised requirements within the requirements of the Regulations on Appointment and Conditions of Employment of Senior Managers, GG 37245 dated 17 January 2014, in order to recruit suitably qualified candidates, and that the vacancy be re-advertised;*
- (c) Dat daar kennis geneem word van die gewysigde prosesplan soos hierby aangeheg en dat dit as sulks goedgekeur word.  
*That the amended process plan attached hereto be noted and approved.*

(get) M S Terblanche

**MUNISIPALE BESTUURDER**

Sdj

## Annexure A

# PROSESPLAN VIR DIE AANSTEL VAN DIREKTEUR: ELEKTRIESE INGENIEURSDIENSTE PROCESS PLAN FOR THE APPOINTMENT OF DIRECTOR: ELECTRICAL ENGINEERING SERVICES

	<b>Handeling / aksie Action</b>	<b>Datum / Date</b>	<b>Verantwoordelike persoon / Responsible person</b>
1	Rapportering van vakature aan Raad en verkryging van Raadsgoedkeuring om die vakature te vul <i>Reporting vacancy to Council and obtaining Council approval to fill the vacancy</i>	31 Maart 2022 31 March 2022	MB MM
2	Goedkeuring van inhoud van advertensie ingevolge die goeie praktykkode van Provinsiale Departement van Plaaslike Regering <i>Approval of content of advertisement in terms of the code of good practice of Department of Local Government</i>	31 Maart 2022 31 March 2022	MB en HR MM and HR
3	Advertering van die vakature – binne 14 dae na Raadsgoedkeuring <i>Advertising the vacancy - within 14 days after Council approval</i>	Advertensie moet verskyn op 3 April 2022 <i>Advertisements will appear on 3 April 2022</i>	DK DC (Director Corporate Services)
4	Sluitingsdatum van 'n minimum van 14 dae na datum van advertensie en 'n maksimum van 30 dae <i>Closing date for a minimum of 14 days from the date of advertisement and a maximum of 30 days</i>	Woensdag, 20 April 2022 <i>Wednesday, 20 April 2022</i>	DK DC
5	Aanstel van diensverskaffer om te help met die werwing, keuring en evaluasieproses <i>Appointment of service provider to assist in the recruitment, selection and evaluation process</i>	Na 31 Maart 2022 <i>After 31 March 2022</i>	DK en HR DC and HR
6	Aanwys van aanstellingspaneel <i>Appointment of appointment panel</i>	31 Maart 2022 31 March 2022	MB MM
7	Samestelling van die langlys van aansoeke ontvang <i>Composition of the longlist of applications received</i>	Vanaf 21 April 2022 (finaliseer op 26 April 2022) <i>From 21 April 2022, to be finalised by 26 April 2022</i>	HR en diensverskaffer HR and service provider
8	Kortlysting van kandidate, welke proses binne 30 dae moet geskied na sluitingsdatum van die advertensie <i>Shortlisting of candidates, which process must be made within 30 days after the closing date of the advertisement</i>	Week van 3 Mei 2022 <i>Week of 3 May 2022</i>	HR, diensverskaffer en paneel HR, Service Provider and panel
9	Heradvertering van die vakature – binne 14 dae na Raadsgoedkeuring <i>Re-advertising the vacancy - within 14 days after Council approval</i>	Advertensie verskyn op 8 Mei 2022 <i>Advertisement will appear on 8 May 2022</i>	DK DC (Director Corporate Services)



	<b>Handeling / Action</b>	<b>Datum / Date</b>	<b>Verantwoordelike persoon / Responsible person</b>
10	Sluitingsdatum van 'n minimum van 14 dae na datum van advertensie en 'n maksimum van 30 dae <i>Closing date for a minimum of 14 days from the date of advertisement and a maximum of 30 days</i>	Vrydag, 20 Mei 2022 <i>Friday, 20 May 2022</i>	DK DC
11	Samestelling van die langlys van aansoeke ontvang <i>Composition of the longlist of applications received</i>	Vanaf 23 Mei 2022 (finaliseer op 25 Mei 2022) <i>From 23 May 2022, to be finalised by 25 May 2022</i>	HR en diensverskaffer <i>HR and service provider</i>
12	Rapportering van vordering met die vulling van die vakature aan Raad <i>Reporting progress with the filling of the vacancy to Council</i>	26 Mei 2022 <i>26 May 2022</i>	MB MM
13	Kortlysting van kandidate, welke proses binne 30 dae moet geskied na sluitingsdatum van die advertensie <i>Shortlisting of candidates, which process must be made within 30 days after the closing date of the advertisement</i>	Week van 30 Mei 2022 <i>Week of 30 May 2022</i>	HR, diensverskaffer en paneel <i>HR, Service Provider and panel</i>
14	Heradvertering van die vakature met verslapte vereistes – binne 14 dae na Raadsgoedkeuring <i>Re-advertising the vacancy with relaxed requirements - within 14 days after Council approval</i>	Advertensie verskyn op 5 Junie 2022 <i>Advertisement will appear on 5 June 2022</i>	DK DC (Director Corporate Services)
15	Sluitingsdatum van 'n minimum van 14 dae na datum van advertensie en 'n maksimum van 30 dae <i>Closing date for a minimum of 14 days from the date of advertisement and a maximum of 30 days</i>	Vrydag, 17 Junie 2022 <i>Friday, 17 June 2022</i>	DK DC
16	Samestelling van die langlys van aansoeke ontvang <i>Composition of the longlist of applications received</i>	Vanaf 20 Junie 2022 (finaliseer op 24 Junie 2022) <i>From 20 June 2022, to be finalised by 24 June 2022</i>	HR en diensverskaffer <i>HR and service provider</i>
17	Kortlysting van kandidate, welke proses binne 30 dae moet geskied na sluitingsdatum van die advertensie <i>Shortlisting of candidates, which process must be made within 30 days after the closing date of the advertisement</i>	Week van 27 Junie 2022 <i>Week of 27 June 2022</i>	HR, diensverskaffer en paneel <i>HR, Service Provider and panel</i>
18	"Screening" van kortlys kandidate binne 21 dae na voltooiing van die kortlystingsproses <i>Screening of shortlisted candidates within 21 days after fulfillment of the shortlisting process</i>	Week van 27 Junie 2022 <i>Week of 27 June 2022</i>	HR en diensverskaffer <i>HR and service provider</i>
19	Aanstellingspaneel moet onderhoude voer binne 21 dae na voltooiing van die "screening" <i>After fulfillment of the screening the appointment panel should conduct interviews within 21 days</i>	Week van 4 Julie 2022 <i>Week of 4 July 2022</i>	Paneel en diensverskaffer <i>Panel and service provider</i>
20	Verslag en aanbeveling aan die RAAD, Raad neem besluit <i>Report and recommendation to the Council, the Council decides</i>	Raadsvergadering op 28 Julie 2022 <i>Council meeting on 28 July 2022</i>	DK, HR, Speaker en diensverskaffer <i>DC, HR, Speaker and service provider</i>

	<b>Handeling / Action</b>	<b>Datum / Date</b>	<b>Verantwoordelike persoon / Responsible person</b>
21	Binne 14 dae na Raadsbesluit moet die Provinsiale Minister in kennis gestel word <i>The Provincial Minister shall be notified within 14 days of Council Decision</i>	11 Augustus 2022 <i>11 August 2022</i>	DK DC