



NOTULE VAN 'N VERGADERING VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU IN DIE STADSAAL, MALMESBURY OP DONDERDAG, 26 MEI 2022 OM 10:00

TEENWOORDIG:

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

RAADSLEDE:

Bess, D G (DA)	Penxa, B J (ANC)
Daniels, C (DA)	Pieters, C (ANC)
Duda, A A (EFF)	Pypers, D C (DA)
Fortuin, C (ANC)	Smit, N (DA)
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)	Warnick, A K (DA)
Papier, J R (GOOD)	

Beampes:

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

1. OPENING

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

Pastoor Piet Smit open die vergadering met skriflesing en gebed op versoek van die Speaker

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

2. VERLOF TOT AFWESIGHEID

BESLUIT dat verlof tot afwesigheid verleen word aan rdlle A M Booyesen, P E Soldaka en G Vermeulen.

3. AFVAARDIGINGS/VERKLARINGS EN MEDEDELINGS/VOORLEGGINGS

Geen.

4. NOTULES VIR BEKRAGTIGING

4.1 NOTULE VAN 'N GEWONE RAADSVERGADERING GEHOU OP 28 APRIL 2022

Besluit/...



MINUTES OF A MEETING OF THE SWARTLAND MUNICIPAL COUNCIL HELD IN THE TOWN HALL, MALMESBURY ON THURSDAY, 26 MAY 2022 AT 10:00

PRESENT:

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

COUNCILLORS:

Bess, D G (DA)	Penxa, B J (ANC)
Daniels, C (DA)	Pieters, C (ANC)
Duda, A A (EFF)	Pypers, D C (DA)
Fortuin, C (ANC)	Smit, N (DA)
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)	Warnick, A K (DA)
Papier, J R (GOOD)	

Officials:

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

1. OPENING

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

Pastor Piet Smit opened the meeting with a scripture reading and prayer at the request of the Speaker.

The Speaker congratulated those who had celebrated birthdays during May.

2. APOLOGIES

RESOLUTION that apologies are accepted from clrs A M Booysen, P E Soldaka and G Vermeulen.

3. DEPUTATIONS/DECLARATIONS AND COMMUNICATIONS/SUBMISSIONS

None

4. MINUTES FOR APPROVAL

4.1 MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 28 APRIL 2022

Resolution/...

4.1/...

BESLUIT

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

Dat die notule van Gewone Raadsvergadering gehou op 28 April 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 21 APRIL 2022

saamgelees met

NOTULE VAN 'N VERGADERING VAN PORTEFEULJEKOMITEES GEHOU OP 13 APRIL 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 28 APRIL 2022

7. SAKE VOORTSPRUITEND UIT DIE NOTULES

Geen.

8. SAKE VIR BESPREKING

8.1 GOEDKEURING VAN DIE VOORMALIGE RAAD SE GEÏNTEGREERDE ONTWIKKELINGSPLAN (MET WYSIGINGS) EN AREAPLANNE (2/1/4/4/1)

Die Speaker gee geleentheid om navrae te rig insake die Geïntegreerde Ontwikkelingsplan (GOP) en areaplanne, waarop die Munisipale Bestuurder die uitdeelstuk met vervangende bladsye verduidelik.

Rdl B J Penxa, met verwysing na die Areaplan vir Wyke 8, 9, 10 en 11, noem dat die kapitaalspandering in Wyk 9 verwelkom word, met spesifieke verwysing na die elektrifisering van areas, aangesien hierdie diens noodsaaklik is vir die komende winter. Rdl Penxa versoek dat daar 'n vergadering belê word met die wyksraadslid om duidelikheid te verkry oor die projek insake basiese dienste vir Phola Park (A, B en C).

Rdl B J Penxa bring die probleme wat met die kontrakteur van die De Hoop-behuisingsprojek ervaar is, onder die aandag van die Raad.

Die Uitvoerende Burgemeester, rdh J H Cleophas, lê die GOP (met wysigings) en areaplanne ingevolge die toepaslike wetgewende vereistes ter tafel en word die goedkeuring daarvan deur die Speaker tot stemming gebring en –

EENPARIG BESLUIT

(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.

4.1/...

RESOLUTION

(proposed by aldd M Van Zyl, seconded by clr E C O'Kennedy)

That the minutes of an Ordinary Council Meeting held on 28 April 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 21 APRIL 2022

read in conjunction with

MINUTES OF A MEETING OF THE PORTFOLIOS COMMITTEE MEETING HELD ON 13 APRIL 2022

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 28 APRIL 2022

7. MATTERS ARISING FROM THE MINUTES

None.

8. MATTERS FOR DISCUSSION

8.1 APPROVAL OF THE PREVIOUS COUNCIL'S INTEGRATED DEVELOPMENT PLAN (WITH AMENDMENTS) AND AREA PLANS (2/1/4/4/1)

The Speaker opened the floor for questions with respect to the Integrated Development Plan (IDP) and area plans, whereupon the Municipal Manager explained the distributed part with replaced pages.

With reference to the Area Plan for Wards 8, 9, 10 and 11, Clr B J Penxa stated, that the capital spending in Ward 9 was welcomed, with specific reference to the electrification of areas, because this service is necessary for the coming winter. Clr Penxa requested a meeting with the ward councillor in order to get clarity on the project in respect of basic services for Phola Park (A,B and C).

The problems being experienced with the contractor of the De Hoop housing project were brought to the Council's attention by clr B J Penxa.

The Executive Mayor, ald J H Cleophas, tabled the IDP (with amendments) and area plans according to the relevant legal requirements, and the approval thereof was brought to the vote by the Speaker and -

UNANIMOUS RESOLUTION

- (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.

8.2 TERTAFELLEGGING VAN DIE FINALE MEERJARIGE KAPITAAL- EN BEDRYFSBEGROTINGS, GEWYSIGDE BEGROTING- EN VERWANTE BELEIDE, EIENDOMSBELASTING, TARIWE EN ANDER HEFFINGS VIR 2022/2023, 2023/2024 EN 2024/2025 (5/1/1/1, 5/1/1/2 – 2022/23, 5/1/4)

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

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

Die Uitvoerende Burgemeester verwys na sy Manifes, soos voorgehou tydens die eerste raadsvergadering op 16 November 2021, en noem dat die volgende aangeleenthede daaruit reeds aangespreek word, naamlik:

- (1) Onwettige strooi van rommel en skoonmaakprojekte in dorpe;
- (2) Die *Siyamamela*-projek (ons luister) – deurstap van strate in alle dorpe om inwoners aan te hoor;
- (3) Veiligheid en werksure van Verkeer- en Wetstoepassingsdienste;

Die spandering van 96% van die kapitaalebegroting en 95% van die bedryfsbegroting in die 2021/2022 finansiële jaar word uitgelig. Die Uitvoerende Burgemeester bedank die belastingbetalers, met verwysing na die betalingskoers van 96,7%, wat getrou hulle munisipale rekening betaal.

Die Uitvoerende Burgemeester noem dat die Direkteur: Finansiële Dienste versoek is om 'n bedrag van R250 000,00 aan die Kantoor van die Burgemeester te allokeer waaruit die volgende projekte aangespreek sal word:

- (1) Geslaggebaseerde Geweld (*Gender Based Violence*) – een van die eerste projekte in Suid-Afrika waar GBV-ambassadeurs uit elke wyk opgelei sal word;
- (2) Toekenning aan matrikulante – prysuitdelingseremonie ter verering van die drie toppresteerders uit elke skool in die Swartland munisipale gebied;
- (3) *Golden Games*;
- (4) Sanitêre-doekies veldtog – onder leiding van die Uitvoerende Onderburgemeester;
- (5) Bevordering van Sport – ontwikkeling van ander sportkodes en hou van Sportberaad onder leiding van rdl A K Warnick.

Die Uitvoerende Burgemeester noem dat die meerjarige begroting opgestel is onder uiters moeilike ekonomiese omstandighede met 'n inflasiekoers van 5.9% en toenemende styging in brandstof- en voedselprijs. Die begrotingsdokumente word ter tafel gelê, ingesluit die verwysing na die eiendomsbelasting- en tariefverhogings en die gratis dienste aan deernishuishoudings (9 232 in totaal).

Rdh Cleophas beklemtoon die groei in die kapitaal- en bedryfsbegroting en die styging in kapitaalspandering uit eie raadsfondse vanaf R295,2 miljoen tot R368 miljoen oor die meerjarige periode. Die vestiging van 'n swembad in Wesbank word beklemtoon, aangesien dit een van sy drome was om die fasiliteit nader aan die betrokke gemeenskappe te bring.

Die versekering word gegee dat die fondse van die Raad optimaal beplan word om die grootste impak en uitkoms vir die gemeenskap te bewerkstellig, aangesien kapitaalspandering as katalisator dien vir werkskepping.

Die goedkeuring van die meerjarige kapitaal- en bedryfsbegrotings, gewysigde begrotingsverwante beleide, heffing van eiendomsbelasting, tariewe en ander heffings vir 2022/2023, 2023/2024 en 2024/2025 word tot stemming gebring en –

Eenparig besluit/...

8.2 TABLING OF THE FINAL MULTI-YEAR CAPITAL AND OPERATING BUDGETS-, AMENDED BUDGET AND RELATED POLICIES. PROPERTY RATES AND TAXES, TARIFFS AND OTHER LEVIES FOR 2022/2023, 2023/2024 AND 2024/2025 (5/1/1/1, 5/1/1/2 – 2022/23, 5/1/4)

[Note: for completeness and implementation of the resolution, the English version will be relied upon]

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

The Executive Mayor referred to his manifesto, as presented during the first Council Meeting on 16 November 2021, and stated that the following matters included therein are already being addressed, namely:

- (1) Illegal dumping of refuse and cleaning projects in towns;
- (2) The *Siyamamela* project (we listen) – walking the streets in all the towns in order to listen to all the residents;
- (3) Safety and working hours of Traffic and Law Enforcement Services;

The spending of 96% of the capital budget and 95% of the operating budget in the 2021/2022 financial year was explained. The Executive Mayor thanked the tax payers, with reference to the payment rate of 96,7%, who had faithfully paid their municipal accounts.

The Executive Mayor stated that the Director: Financial Services is requested to allocate R250 000,00 to the Mayor's Office with which the following projects will be addressed:

- (1) Gender Based Violence – one of the first projects in South Africa where GBV ambassadors from each ward will be trained;
- (2) Grants to matriculants – prize awarding ceremony to honour the top three performers in each school in the Swartland municipal area;
- (3) *Golden Games*;
- (4) Sanitary towel drive – under the leadership of the Deputy Executive Mayor;
- (5) Promotion of sport – development of other sport codes and holding of Sport Consultations under the leadership of clr A K Warnick.

The Executive Mayor stated that the multi-year budget was drawn up under difficult economic circumstances with an inflation rate of 5,9% and continuing rise in fuel and food prices. The budget documents were tabled including the reference to property rates and taxes and tariff increases and the free services to destitute households (9 232 in total).

Ald Cleophas emphasised the growth in capital and operating budgets and the rise in capital expenditure from own Council funds from R 295,2 million to R 368 million over the multi-year period. The establishment of a swimming pool in Wesbank was emphasized because it was one of his dreams to bring the facility closer to the relevant community.

Assurance was given that the funds from the Council are optimally planned in order to realize the greatest impact for the community, because capital expenditure serves as a catalyst for job creation.

The approval of the multi-year capital and operating budgets, amended budget, related policies, levying of property rates and taxes, tariffs and other levies for the 2022/2023, 2023/2024 and 2024/2025 was brought to the vote and -

Unanimous resolution/...

EENPARIG BESLUIT

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

- (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 word 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 geoormerk 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
GRAND TOTAL	R 191 095 805	R 195 834 903	R 165 690 722

- (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;

UNANIMOUS RESOLUTION

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

- (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
GRAND TOTAL	R 191 095 805	R 195 834 903	R 165 690 722

- (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;

8.2/...

- (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
Kapitaalebegroting	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
Begrote (Surplus)/ Tekort	(56 908 464)	(59 906 750)	(64 652 106)	(62 617 686)	(34 294 730)
Minus: Kapitaal Toekennings en Bydraes	47 912 409	52 027 246	77 109 000	73 351 000	35 935 000
(Surplus)/ Tekort	(8 996 055)	(7 879 504)	12 456 894	10 733 314	1 640 270

- (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;

- (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
Budgeted (Surplus)/ Deficit	(56 908 464)	(59 906 750)	(64 652 106)	(62 617 686)	(34 294 730)
Less: Capital Grants & Contributions	47 912 409	52 027 246	77 109 000	73 351 000	35 935 000
(Surplus)/ Deficit	(8 996 055)	(7 879 504)	12 456 894	10 733 314	1 640 270

- (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;

8.2/(k)...

- **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 elektrisiteitstariewe 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 inflasietekens soos bepaal deur die Suid-Afrikaanse Reserwebank (SARB).
- (r) Dat die Raad kennis neem van die begrote bedryfssurplusse en dat die begroting “kontant gefinansier” 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-aptyt 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.

8.2/(k)...

- **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.

8.3 VASSTELLING VAN ONTWIKKELINGSBYDRAES VIR 2022/2023 (15/1/B)

Die ontwikkelingsbydraes het oor die afgelope paar jaar onveranderd gebly en is nie aangepas in ooreenstemming met die inflasiekoers nie.

Dit is belangrik dat die Munisipaliteit 'n omgewing skep waarin ekonomiese groei en werkskepping bevorder word, daarom word daar verder voorgestel om 'n korting van 35% op die ontwikkelingsbydraes te oorweeg om beleggers/ontwikkelaars na die Swartland munisipale area te lok.

Die voorgestelde ontwikkelingsbydraes en korting daarop word deur die Speaker tot stemming gebring en beslis met 16 raadslede ten gunste daarvan, met die res van die raadslede wat buite stemming bly.

BESLUIT

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

- (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 100m² 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.

8.4 KONSEP PROSESPLAN VIR DIE OPSTELLING VAN DIE GEÏNTEGREERDE ONTWIKKELINGSPLAN EN RUIMTELIKE ONTWIKKELINGSRAAMWERK (2/1/4/4/1)

Artikels 28 en 29 van die Wet op Plaaslike Regering: Munisipale Stelsels (Wet 32 van 2000) skryf die proses voor ten opsigte van die beplanning, opstel, aanneem en hersiening van die Geïntegreerde Ontwikkelingsplan na die verkiesing van die nuwe Raad, ingesluit die publieke konsultasieproses.

Die konsep Prosesplan is apart tot die sakelys gesirkuleer.

BESLUIT

(op voorstel van rdl N Smit, gesekondeer deur rdd M van Zyl)

- (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 Junie 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.

8.3 DETERMINATION OF DEVELOPMENT CONTRIBUTIONS FOR 2022/2023 (15/1/B)

The development contributions have remained unchanged for the past few years and are not in line with the inflation rate.

It is important that the Municipality creates an environment in which economic growth and job creation are promoted, therefore it is also proposed to consider a rebate of 35% on development contributions in order to entice investors/developers to the Swartland municipal area.

The proposed development contributions and rebates thereon were brought to the vote by the Speaker and decided with 16 councillors in favour thereof, with the rest of the councillors abstaining.

RESOLUTION

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

- (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 100m² 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.

8.4 DRAFT PROCESS PLAN FOR DRAWING UP THE INTEGRATED DEVELOPMENT PLAN AND SPATIAL DEVELOPMENT FRAMEWORK (2/1/4/4/1)

Sections 28 and 29 of the Local Government Act: Municipal Systems (Act 32 of 2000) prescribes the process in respect of the planning, drawing up, adoption and revision of the Integrated Development Plan after the election of the new Council including the public participation process.

The draft Process Plan was circulated separately from the agenda.

RESOLUTION

(proposed by clr N Smit, seconded by aldd M van Zyl)

- (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 June 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.

8.5 OPSKORTING VAN DIE VOORKEURVERKRYGINGSREGULASIES, 2017: ONTTREKKING VAN DIE RAAD SE VOORKEURVERKRYGINGSBELEID (8/1/B/1)

Die voorkeurverkrygingsregulasies is ongeldig verklaar na aanleiding van die hofsak, *Minister of Finance v Afribusiness NPC [2022] ZACC 4*.

Gevolgtik het die Munisipaliteit om vrystelling by die Nasionale Tesourie aansoek gedoen ten opsigte van die toepassing van die Voorkeurverkrygingsregulasies, 2017. Die Raad se Voorkeurverkrygingsbeleid moet dus onttrek word en voorkeurverkryging moet in lyn met die Nasionale Tesourie se goedkeuringsvoorwaardes om vrystelling, toegepas word.

Die Speaker bring die aangeleentheid tot stemming en word –

EENPARIG BESLUIT

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

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

8.6 VOORLEGGING VAN KONSEP VERORDENING INSAKE DIE HOU VAN VERGADERINGS (1/1)

Die bestaande verordening is op 16 November 2021 aan die Raad voorgelê en is daar meegedeel dat dit hersien moet word om die bepalings van die Strukturewysigingswet, Wet 3 van 2021, wat op 1 November 2021 in werking getree in te sluit.

Die Provinsiale Departement van Plaaslike Regering het ‘n standaardverordening gesirkuleer wat ook in ag geneem is met die opstel van die konsep verordening, bv. die insluiting van bepalings vir die hou vir virtuele vergaderings.

Rdl B J Penxa versoek dat die Speaker oorweging daaraan verleen om nie te vereis dat raadslede moet staan wanneer die Raad toegesprek word nie.

Die Speaker bring die aangeleentheid tot stemming en word dit beslis met 15 raadslede ten gunste daarvan, met die res van die raadslede wat buite stemming bly.

BESLUIT

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

- (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 Stelselswet, 2000, in die plaaslike media sowel as op die munisipale webtuiste.

8.7 INSTELLING VAN SPESIALE BELASTINGAREAS IN TERME VAN DIE WET OP MUNISIPALE EIENDOMSBELASTING (1/1)

‘n Versoek is op 30 September 2021 vanaf die Riebeek-Vallei Belastingsbetalersvereniging ontvang om die instelling van spesiale belastingareas in terme van die Wet op Munisipale Eiendomsbelasting, Wet 6 van 2004 te oorweeg.

Die doel van ‘n spesiale belastingarea is om uit die addisionele tariewe wat gehef word ‘n hoër vlak van dienste te verskaf om, onder andere, ‘n veiliger en skoner omgewing te skep vir bevordering van sosio-ekonomiese omstandighede en toerisme.

Die aangeleentheid word tot stemming gebring en word –

8.5 SUSPENSION OF THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017: WITHDRAWAL OF THE COUNCIL'S PREFERENTIAL PROCUREMENT POLICY (8/1/B/1)

The Preferential Procurement Regulations were declared invalid with reference to the court case, *Minister of Finance v Afribusiness NPC [2022] ZACC 4*.

Accordingly, the Municipality applied for exemption from the National Treasurer in respect of the application of the Preferential Procurement Regulations, 2017. The Council's Preferential Procurement Policy must therefore be withdrawn and preferential procurement applied in line with the National Treasurer's approval conditions for exemption.

The Speaker brought the matter to the vote and –

UNANIMOUS RESOLUTION

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

- (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 R50 million, 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 National Treasury Exemption attached hereto).

8.6 SUBMISSION OF DRAFT REGULATION IN RESPECT OF THE HOLDING OF MEETINGS (1/1)

The existing regulation was submitted to the Council on 16 November 2021 and it was communicated that it must be revised in order to include the provisions of the Structure Amendment Act, Act 3 of 2021, which came into effect on 1 November 2021.

The Provincial Department of Local Government circulated a standard regulation which was also taken into account in the drawing up of the draft regulation, eg the inclusion of the stipulations for the holding of virtual meetings.

Clr B J Penxa requested that the Speaker considers dropping the requirement that councillors must stand up when addressing the Council

The Speaker brought the matter to the vote and it was decided with 15 councillors in favour thereof, and the rest of the councillors abstained.

RESOLUTION

(proposed by aldd M van Zyl, seconded by clr D C Pypers)

- (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.

8.7 INTRODUCTION OF SPECIAL TAX AREAS IN TERMS OF THE MUNICIPAL PROPERTY RATES AND TAXES ACT (1/1)

A request was received on 30 September 2021 from the Riebeek Valley Tax Payers Association to consider the introduction of special tax areas in terms of the Municipal Property Rates and Taxes Act, Act 6 of 2004.

The purpose of special tax areas is to provide a higher level of services from the additional tax levied, in order, inter alia, to create a safer and cleaner environment for the advancement of socio economic circumstances and tourism.

The matter was brought to the vote and -

8.7/...

EENPARIG BESLUIT

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

Dat die instelling van Spesiale Belastingareas in hierdie stadium nie goedgekeur word nie, met inagneming van die finansiële volhoubaarheidsoorweging 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 Riebeek-Wes en Riebeek Kasteel.

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

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

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

BESLUIT

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

- (a) Dat die wysiging tot die Stelsel van Delegasie (1^{ste} 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.

8.9 SWARTLAND TOERISME NPC (MAATSKAPPY SONDER WINSBEJAG): NUWE DIENSVLAKOOREENKOMS 2022-2025 (9/1/3/B)

Plaaslike owerhede het 'n grondwetlike mandaat om toerisme in hul munisipale gebied te bevorder, te ontwikkel en te administreer.

Die Uitvoerende Burgemeesterskomitee het op 20 Mei 2021 'n nuwe model vir toerisme goedgekeur na afloop van konsultasies oor 'n tydperk van drie jaar met verskeie rolspelers.

Die Kaapse Weskus/Swartland Toerisme-organisasie sal ontbind word en die nuwe Swartland Toerisme NPC sal vanaf 1 Julie 2022 in werking tree.

Die voorgestelde Diensvlakooreenkoms tussen die Munisipaliteit en Swartland Toerisme NPC is met die sakelys gesirkuleer vir oorweging en goedkeuring.

BESLUIT

(op voorstel van rdl N Smit, gesekondeer deur rdd M van Zyl)

- (a) Dat goedkeuring verleen word vir die ondertekening van 'n Diensvlakooreenkoms (soos per **Aanhangsel A** hiermee) met die Swartland Toerisme NPC met ingang van 1 Julie 2022 tot 30 Junie 2025, onderhewig daaraan dat die ooreenkoms toepaslik gewysig word om die volgende in te sluit, naamlik
 - (i) dat 'n finansieringsmodel ontwikkel word om die kort- en langtermyn bedryfs- en kapitaalvereistes te bevat, ingesluit 'n strategie om lidmaatskap en -bydraes te verhoog;
 - (ii) dat die kwartaalverslag die vordering in bereiking van die doelwitte ingevolge die finansieringsmodel sal insluit.

(b)/...

8.7/...

UNANIMOUS RESOLUTION

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

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 Riebeeek West and Riebeeek Kasteel.

8.8 REVISION OF THE SYSTEM OF DELEGATIONS (2/5/1, 2/5/2)

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

The attachment to the agenda contains the first revision of the System of Delegations which was approved by the Council on 16 November 2021.

RESOLUTION

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

- (a) That the amendments to the System of Delegation (1st 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.

8.9 SWARTLAND TOURISM NPO (NON PROFIT ORGANIZATION): NEW SERVICE LEVEL AGREEMENT 2022-2025 (9/1/3/B)

Local governments have a constitutionally binding mandate to promote, develop and administer tourism in their municipal area.

The Executive Mayor's Committee approved a new model for tourism on 20 May 2021 after consultations with various role players, over a period of three years.

The Cape West Coast/Swartland Tourism Organization will be dissolved and a new Swartland Tourism NPO will come into effect on 1 July 2022.

The proposed Service Level Agreement between the Municipality and Swartland Tourism NPO was circulated with the agenda for consideration and approval.

RESOLUTION

(proposed by clr N Smit, seconded by aldd M van Zyl)

- (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, subject to the agreement being amended to include the following, namely:
 - (i) that a financing model be developed to meet the short- and long-term operating and capital requirements, including a strategy to increase membership and contributions;
 - (ii) that the quarterly report will include the progress in achieving the objectives in terms of the funding model;

(b)/...

8.9/...

- (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.

8.10 VOORGESTELDE UIT-DIE-HAND-VERVREEMDING VAN ERF 56, MALMESBURY (12/2/5/5-3/1)

'n Aansoek is ontvang vanaf die eienaar van Erf 1764, Malmesbury om die oop stuk grond voor sy eiendom, Erf 56 (groot 474 m²), vanaf die Raad te bekom vir toekomstige ontwikkeling.

Die motivering en redes vir die uit-die-hand-vervreemding van Erf 56, Malmesbury word in die verslag tot die sakelys aangevoer.

BESLUIT

(op voorstel van rdl E C O'Kennedy, gesekondeer deur rdl J M de Beer)

- (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 m²) 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-bestaanbare 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.

8.11/...

8.9/...

- (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.

8.10 PROPOSED OUT-OF-HAND ALIENATION OF ERF 56, MALMESBURY (12/2/5-3/1)

An application has been received from the owner of Erf 1764, Malmesbury to obtain the open piece of land in front of his property, Erf 56 (474 m² in extent), from the Council for future development.

The motivation and reasons for the out-of-hand alienation of Erf 56, Malmesbury were provided in the report circulated with the agenda.

RESOLUTION

(proposed by clr E C O'Kennedy, seconded by clr J M de Beer)

- (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 m² 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.

8.11/...

8.11 BEDANKING VAN RDH B J STANLEY AS VERTEENWOORDIGER VAN SWARTLAND MUNISIPALITEIT NA DIE WESKUS DISTRIKMUNISIPALITEIT (3/3/1/1)

'n Skrywe gedateer 6 Mei 2022 is ontvang vanaf rdh B J Stanley ontvang waarin hy sy bedanking as verteenwoordiger van Swartland Munisipaliteit na die Weskus Distrikmunisipaliteit bevestig.

Die nodige prosesse is deur die Munisipale Bestuurder van die Weskus Distrikmunisipaliteit gevolg om die Hoof Verkiesingsbeampte dienooreenkomstig in kennis te stel.

BESLUIT

- (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 verder kennis geneem word van die verkiesing van rdl I S le Minnie na die Weskus Distriksmunisipaliteit as verteenwoordiger van Swartland Munisipaliteit, soos verklaar deur die Hoof Verkiesingsbeampte op 23 Mei 2022.

8.12 TERUGVOERING AANGAANDE DIE VULLING VAN ARTIKEL 56 BESTUURSPOS: DIREKTEUR: ELEKTRIESE INGENIEURSDIENSTE (4/3/B, 4/3/1)

Die Raad is op 31 Maart 2022 ingelig aangaande die vakature wat sal ontstaan in die pos van Direkteur: Elektriese Ingenieursdienste na die aftrede van mnr R du Toit op 30 Junie 2022. Die Raad het dienooreenkomstig goedkeuring verleen vir die advertering van die pos van Direkteur: Elektriese Ingenieursdienste.

Die Munisipale Bestuurder, mnr J J Scholtz, noem dat die vakature reeds by twee geleenthede geadverteer was, en dat daar onderskeidelik vyf en drie aansoeke ontvang is waarvan geeneen aan die minimum vereistes van die pos voldoen het nie.

Die verslag voor die Raad het ten doel om goedkeuring te verleen om die minimum vereistes van die pos te verslap, sonder om die Munisipaliteit op risiko te plaas.

Die Munisipale Bestuurder bevestig dat CogTA nie reageer op korrespondensie wat afgestuur word aangaande die verlenging van die dienskontrak van mnr Du Toit na aftree-ouderdom nie, nieteenstaande die feit dat daar vasgestel kan word dat die ontvanger wel die e-posse ontvang het (*read receipt*) en dat die rekords geberg word vir ouditdoeleindes.

BESLUIT

(op voorstel van rdh T van Essen, gesekondeer deur rdl R J Jooste)

- (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;
- (b) Dat die Munisipale Bestuurder met volmag bekleed 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;

8.11 RESIGNATION OF ALD B J STANLEY AS REPRESENTATIVE OF SWARTLAND MUNICIPALITY TO WEST COAST DISTRICT MUNICIPALITY (3/3/1/1)

A letter dated 6 May 2022 was received from ald B J Stanley in which he confirmed his resignation as representative of Swartland Municipality to the West Coast District Municipality.

The necessary processes were followed by the Municipal Manager of the West Coast District Municipality to notify the Head Election Officer accordingly.

RESOLUTION

- (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.

8.12 FEED BACK IN RESPECT OF FILLING SECTION 56 MANAGEMENT POST: DIRECTOR: ELECTRICAL ENGINEERING SERVICES (4/3/B, 4/3/1)

On 31 March 2022 the Council was notified of the vacancy which will exist in respect of the post of Director: Electrical Engineering Services after the retirement of mr R du Toit on 30 June 2022. The Council accordingly approved advertising the post of Director: Electrical Engineering Services.

The Municipal Manager, mr J J Scholtz, stated that the vacancy has already been advertised twice and that five and three applications respectively had been received of which none had complied with the minimum requirements,

The report before the Council aims to get approval to relax the minimum requirements for the post without placing the Municipality at risk.

The Municipal Manager confirmed that CogTA has not reacted to correspondence sent in respect of extending the service contract of mr R du Toit beyond retirement age, despite the fact that it can be established that the emails have been received (read receipt) and that the records are stored for audit purposes.

RESOLUTION

(proposed by ald T van Essen, seconded by clr R J Jooste)

- (a) 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) 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.

GETEKEN:
SPEAKER

- (c) That the amended process plan attached hereto be noted and approved.

**SIGNED
SPEAKER**



NOTULE VAN 'N SPESIALE VERGADERING VAN DIE SWARTLAND MUNISIPALE RAAD GEHOUD IN DIE STADSAAL, MALMESBURY OP WOENSDAG, 15 JUNIE 2022 OM 09:30

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)
Duda, A A (EFF) – sluit later aan	Pypers, D C (DA)
Fortuin, C (ANC)	Smit, N (DA)
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)

BEAMPTES:

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

1. OPENING

Die Speaker verwelkom die Uitvoerende Burgemeester, raadsdames, raadshere, raadslede, amptenare en versoek rdl A K Warnick om die vergadering met gebed te open.

Die Speaker rig 'n versoek aan raadslede om verlof tot afwesigheid skriftelik in te dien aan die Speaker en/of die sekretariaat.

2. VERLOF TOT AFWESIGHEID

Verlof tot afwesigheid word verleen aan rdle C Daniels en P E Soldaka.

3. SAKE VIR BESPREKING

3.1 RAADSLIDVERGOEDING: 2021/22 FINANSIËLE JAAR (5/10/1)

Die Munisipale Bestuurder gee agtergrond tot die bepaling van die vergoeding van raadslede, synde 'n bevoegdheid van die Nasionale Minister van Samewerkende Regering en Tradisionele Sake. Raadslede word daarop gewys dat die afkondiging van raadslidvergoeding van toepassing op die 2021/2022 finansiële jaar bykans teen die einde van die betrokke finansiële jaar geskied het (Goewermentskennisgewing R.2126 soos afgekondig in Staatskoerant 46470 gedateer 2 Junie 2022).

Alhoewel die Munisipaliteit/...



MINUTES OF A SPECIAL MEETING OF THE SWARTLAND MUNICIPAL COUNCIL HELD IN THE TOWN HALL, MALMESBURY ON WEDNESDAY, 15 JUNE 2022 OM 09:30

TEENWOORDIG:

Speaker, Ald M A Rangasamy
Executive Mayor, Ald J H Cleophas
Executive Deputy Mayor, Cllr J M de Beer

COUNCILLORS:

Bess, D G (DA)	Penxa, B J (ANC)
Booyesen, A M (VF)	Pieters, C (ANC)
Duda, A A (EFF) – joined later	Pypers, D C (DA)
Fortuin, C (ANC)	Smit, N (DA)
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: Corporate Services, Ms M S Terblanche
Director: Development Services, Ms J S Krieger
Director: Civil Engineering Services, Mr L D Zikmann
Director: Electrical Engineering Services, Mr R du Toit
Manager: Secretariat and Records, M N Brand

1. OPENING

The Speaker welcomed the Executive Mayor, Executive Deputy Mayor, Aldermen, councillors and the officials and requested Cllr A C Warnick to open with prayer.

The Speaker requested councillors to submit applications for leave of absence in writing via e-mail to himself and/or the secretariat.

2. APOLOGIES

Leave of absence is granted to Cllrs C Daniels and P E Soldaka.

3. NEW MATTERS

3.1 COUNCILLOR REMUNERATION: 2021/22 FINANCIAL YEAR (5/10/1)

The Municipal Manager provided background on the determination of councillors’ remuneration, being a mandate of the National Minister of Cooperative Governance and Traditional Affairs. Councillors are reminded that the announcement of councillors’ remuneration applicable to the 2021/2022 financial year only took place on 2 June 2022 (Government Notice R.2126 as promulgated in Government Gazette 46470 dated 2 June 2022).

Die Munisipale Bestuurder gee agtergrond tot die bepaling van die vergoeding van raadslede, synde ’n bevoegdheid van die Nasionale Minister van Samewerkende

Alhoewel die Munisipaliteit voldoende begroot het in die 2021/2022 finansiële jaar vir die vasgestelde verhoging in raadslidvergoeding, skeep die laat afkondiging bepaalde probleme vir munisipaliteite. Die Munisipale Bestuurder verduidelik, onder andere, dat die R300 toelaag t.o.v. data nou ingesluit is by die selfoontoelaag en dus terugwerkend vanaf raadslede verhaal moet word.

Op versoek van rdl B J Penxa, sal raadslede ingelig word aangaande die terugwerkende terugbetaling van die R300 datatoelaag.

Die Speaker bring die aangeleentheid tot stemming en word

EENPARIGE BESLUIT

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

- (a) Dat kennis geneem word van die inhoud van Goewermentskennisgewing R.2126 soos afgekondig in Staatskoerant 46470 gedateer 2 Junie 2022, asook die implikasies wat die verhoogde toelaes en byvoordele vir die Munisipaliteit as Graad 4 plaaslike owerheid inhou ten aansien van die 2021/22 finansiële jaar, soos toegelig in Aanhangsel B tot hierdie verslag;
- (b) Dat kennis geneem word dat daar genoegsame voorsiening in die 2021/22 bedryfsbegroting gemaak is om die verhoogde toelaes en voordele te dek, en dat die Raad goedkeuring gevolglik verleen vir die implementering daarvan, terugwerkend vanaf 1 Julie 2021 ten aansien van herverkose raadslede, en met ingang vanaf 9 November 2021 ten aansien van nuut verkose raadslede;
- (c) Dat die *Tools of Trade Policy* soos goedgekeur deur die Raad op 16 November 2021 gewysig word om weg te doen met die betaling van die datatoelaag, maar ten einde steeds die toekenning van elektroniese toerusting/tegnologie te reguleer;
- (d) Dat daar voldoen sal word aan die oorlegplegingsvereistes van die LUR vir plaaslike regering ten einde lg. se instemming te bekom vir die implementering van die gewysigde toelaes en voordele;
- (e) Dat die Munisipale Bestuurder hom vergewis dat die inligting wat in terme van Paragraaf 17 van die Goewermentskennisgewing vereis word aan die LUR vir plaaslike regering voorgelê word, teen nie later nie as 31 Augustus 2022;
- (f) Dat die Munisipaliteit sy misnoeë uitspreek teenoor die Nasionale Minister ten aansien van die volgende twee aspekte, synde:
 - (1) Die feit dat die laat afkondiging van die boperke verhoed dat munisipaliteite pro-aktief kan begroot, en die onbedoelde gevolg van sodanige laat afkondiging wat behels dat oorlegpleging met die LUR nie betyds/effektief mee gehandel kan word word nie, en dat terugbetalings aan raadslede eers in die daaropvolgende finansiële jaar geskied wat nie goeie praktyk is nie;
 - (2) Die eensydige terugtrekking van die R300 datatoelaag (met die gepaardgaande implikasie dat hierdie toelae terugwerkend vanaf 1 Julie 2021 verhaal moet word) nie 'n aanduider is van goeie regeringspraktyk nie en inteendeel onregmatige spandering bevorder.

**GETEKEN:
SPEAKER**

Regering en Tradisionele Sake. Raadslede word daarop gewys dat die afkondiging van raadslidvergoeding van toepassing op die 2021/2022 finansiële jaar eers op 2 Junie 2022 geskied het (Goewermentskennisgewing R.2126 soos afgekondig in Staatskoerant 46470 gedateer 2 Junie 2022).

3.1/...

Although the Municipality has budgeted adequately in the 2021/2022 financial year for the stipulated increase in councilor remuneration, the late announcement creates certain problems for municipalities. The Municipal Manager explained, among other things, that the R300 allowance in respect of data is now included in the cellphone allowance and must therefore be recovered retrospectively from councillors.

At the request of Cllr B J Penxa, councilors will be informed of the retroactive repayment of the R300 data allowance.

The Speaker brought the matter to a vote and it is –

UNANIMOUSLY RESOLEVED

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

- (a) That the contents of Government Notice R.2126 as published in Government Gazette 46470 dated 2 June 2022 be noted, as well as the implications of same in respect of the increased allowances and benefits payable in respect of the 2021/22 financial year by the Municipality as a Grade 4 local authority, as explained in Annexure B to this report;
- (b) That cognizance be taken that adequate provision has been made in the 2021/22 operating budget in order to cover the increased allowances and benefits, and that the implementation of same thereof be approved, with retrospective effect from 1 July 2021 in respect of re-elected councillors and with effect from 9 November 2021 in respect of newly elected councillors;
- (c) That the Tools of Trade Policy as approved by Council on 16 November 2021 be amended to do away with the payment of the data allowance, but to still regulate the allocation of electronic equipment/technology;
- (d) That the consultation prescripts of the MEC for local government be complied with in order to obtain the latter's approval for the implementation of the amended allowances and benefits;
- (e) That the Municipal Manager ensures that the information required in terms of Paragraph 17 of the Government Notice be submitted to the MEC for local government, by no later than 31 August 2021;
- (f) That the Municipality expresses its dissatisfaction with the National Minister regarding the following two aspects:
 - (1) The fact that late promulgation of the upper limits prevents pro-active budgeting by municipalities, and the unintended consequence of such late promulgation being that consultation with the MEC cannot be dealt with timeously/effectively, resulting in the back payment of councillors only taking place in the ensuing financial year, which does not constitute good practice;
 - (2) The unilateral withdrawal of the R300 data allowance (with the associated implication that allowances have to be recovered retrospectively from 1 July 2021) not being an indicator of good governance and, on the contrary, promotes irregular expenditure.

**GETEKEN:
SPEAKER**



NOTULE VAN 'N VERGADERING VAN DIE UITVOERENDE BURGEMEESTERSKOMITEE GEHOU IN DIE BANKETSAAL, MALMESBURY OP DONDERDAG, 19 MEI 2022 OM 09:00

TEENWOORDIG:

Uitvoerende Burgemeester, rdh J H Cleophas (voorsitter)

Lede van die Burgemeesterskomitee:

Rdl D G Bess (virtueel ingeskakel)
Rdl N Smit
Rdh T van Essen
Rdl A K Warnick (virtueel ingeskakel)

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: 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 rdl N Smit om die vergadering met gebed te open.

2. VERLOF TOT AFWESIGHEID

BESLUIT dat kennis geneem word van die verlof tot afwesigheid van die Onderburgemeester, rdl J M de Beer, wat die SALGA Wes-Kaap Lekgotla vanaf 18 tot 19 Mei 2022 op Prince Albert bywoon.

Die Munisipale Bestuurder noem dat die Direkteur: Beskermingsdienste betrokke is by ondersoek na die onlangse inbraak by die munisipale kantore (ou Standard Bank-gebou).

3. VOORLEGGINGS/AFVAARDIGINGS/SPREEKBEURTE

Geen.

4. NOTULES

4.1 NOTULE VAN 'N GEWONE UITVOERENDE BURGEMEESTERSKOMITEE-VERGADERING GEHOU OP 21 APRIL 2022

BESLUIT

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

Dat die notule van 'n Gewone Uitvoerende Burgemeesterskomiteevergadering gehou op 21 April 2022 goedgekeur en deur die Uitvoerende Burgemeester onderteken word.



MINUTES OF A MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE BANQUETING HALL, MALMESBURY ON THURSDAY, 19 MAY 2022 AT 09:00

PRESENT:

Executive Mayor, ald J H Cleophas (chairman)

Members of the Mayor's Committee

Clr D G Bess (attended virtually)
Clr N Smit
Ald T van Essen
Clr A K Warnick (attended virtually)

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, ms J S Krieger
Director: Corporate Services, ms M S Terblanche
Manager: Secretarial and Records, ms N Brand

1. OPENING

The chairman welcomed members and requested clr N Smit to open the meeting with a prayer.

2. APOLOGIES

RESOLUTION that note is taken of the leave of absence taken by the Deputy Mayor, clr J M de Beer, who is attending the SALGA Western Cape Lekgotla from 18 to 19 May 2022 in Prince Albert.

The Municipal Manager stated that the Director: Protection Services is involved in the investigation into the recent break-in at the municipal offices (old Standard Bank Building).

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None.

4. MINUTES

4.1 MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD ON 21 APRIL 2022

RESOLUTION

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

That the minutes of an Ordinary Meeting of the Executive Mayor's Committee held on 21 April 2022 are approved and signed by the Executive Mayor.

5. OORWEGING VAN AANBEVELINGS UIT DIE NOTULE

5.1 NOTULES VAN PORTEFEULJEKOMITEESVERGADERINGS GEHOU OP 11 MEI 2022

5.1.1 MUNISIPALE BESTUURDER, ADMINISTRASIE EN FINANSIES

BESLUIT

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

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.

5.1.3 ONTWIKKELINGSDIENSTE

BESLUIT

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

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

5.1.4 BESKERMINGSDIENSTE

BESLUIT

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

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

6. SAKE VOORTSPRUITEND UIT DIE NOTULES

Geen.

7. NUWE SAKE

7.1 WYSIGING AAN DIE 2021/2022 DIENSLEWERING- EN BEGROTING-IMPLEMENTERINGSPLAN (SDBIP) (2/4/2)

Die Munisipale Bestuurder, mnr J J Scholtz, bevestig dat die addisionele MIG-fondse ten bedrae van R4 miljoen wat ontvang is en onlangs deur die Raad by wyse van 'n Spesiale Aansuiweringsbegroting geboekstaaf is, 'n wysigings aan die SDBIP noodsaak.

BESLUIT

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

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.

7.2 GOEDKEURING VAN DIE VORIGE RAAD SE GEÏNTEGREERDE ONTWIKKELINGSPLAN (MET WYSIGINGS) ASOOK AREAPLANNE (2/1/4/4/1)

Die Munisipale Bestuurder, mnr J J Scholtz, bevestig dat daar aan alle wetgewende vereistes voldoen is ten einde die vorige Raad se Geïntegreerde Ontwikkelingsplan (GOP), met wysigings, te aanvaar.

5. CONSIDERATION OF RECOMMENDATIONS IN THE RELEVANT MINUTES

5.1 MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 11 MAY 2022

5.1.1 MUNICIPAL MANAGER, ADMINISTRATION AND FINANCES

RESOLUTION

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

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

5.1.2 CIVIL AND ELECTRICAL SERVICES

RESOLUTION

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

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

5.1.3 DEVELOPMENT SERVICES

RESOLUTION

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

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

5.1.4 PROTECTION SERVICES

RESOLUTION

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

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

6. MATTERS ARISING FROM THE MINUTES

None.

7. NEW MATTERS

7.1 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 additional MIG funds to the value of R4 million, which were received and recently accounted for by the Council by means of a Special Adjusted Budget, necessitated amendments to the SDBIP.

RESOLUTION

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

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).

7.2 APPROVAL OF THE PREVIOUS COUNCIL'S INTEGRATED DEVELOPMENT PLAN (WITH AMENDMENTS) AS WELL AS AREA PLANS (2/1/4/4/1)

The Municipal Manager, mr J J Scholtz, confirmed that all legal requirements have been completed in order to approve the previous Council's Integrated Development Plan, with amendments (IDP).

The draft IDP was advertised in the local press for public comment and input on 5 and 6 of April 2022. The report contains the input received, which did not make substantial amendments to the IDP necessary.

7.2/...

Die konsep GOP is op 5 en 6 April 2022 in die plaaslike pers geadverteer vir publieke insette en kommentaar. Die verslag maak melding van die insette wat ontvang is, maar noodsaak dit nie wesenlike wysigings aan die GOP nie.

BESLUIT (vir voorlegging aan die Raad op 26 Mei 2022)
(op voorstel van rdh T van Essen, gesekondeer deur rdl D G Bess)

- (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) vir goedkeuring deur die Raad aanbeveel word; en
- (b) Dat die hersiening van die areaplanne vir goedkeuring deur die Raad aanbeveel word.

7.3 BEGROTINGSBEHEERKOMITEE: TEGNIESE AANBEVELINGS VIR DIE MEERJARIGE KAPITAAL- EN BEDRYFSBEGROTINGS, GEWYSIGDE BEGROTING- EN VERWANTE BELEIDE, EIENDOMSBELASTING, TARIWE EN ANDER HEFFINGS VIR 2022/2023, 2023/2024 EN 2024/2025 (5/11/1, 5/11/2 – 2022/24, 5/11/4)

Die Direkteur: Finansiële Dienste, mnr M Bolton, behandel die verslag ten einde 'n geleentheid aan die Uitvoerende Burgemeesterskomitee te gee om die meerjarige kapitaal- en bedryfsbegrotings gewysigde begrotings- en verwante beleide, eiendomsbelasting, tariwe en ander heffings aan die Raad aan te beveel op 26 Mei 2022.

Die Direkteur: Finansiële Dienste noem dat die begroting opgestel is teen die agtergrond van die ekonomiese omstandighede en die verwagte inflasiekoers, maar is van die opinie dat lg. nog gaan styg as gevolg van die impak van stygende ru-olie- en voedselprijsse meegebring deur die oorlog in Europa.

Verder moet in ag geneem word dat die finale besluit ten opsigte van die goedkeuring van elektrisiteitstariwe nog nie vanaf NERSA ontvang is nie.

Die Direkteur: Finansiële Dienste behandel die kapitaalbegroting, met spesifieke verwysing na die kapitaalprojekte bo R50 miljoen en die bedryfsbegroting, met spesifieke verwysing na eiendomsbelasting- en tariefverhogings vir die 2022/2023 finansiële jaar.

Die Direkteur: Finansiële Dienste verwys na die vereiste ingevolge Artikel 23 van die MFMA om die insette ontvang op die begroting deeglik te oorweeg en bevestig dat die insette ontvang geen wysigings aan beleide en die begroting te weeg gebring het nie.

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

- (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 die oorwoë mening van die Raad 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 kapitaalprojekte bo R50 miljoen soos gelys in **(Annexure B: 2022/23 – 2024/25 Capital Projects ito Sec 19)**, eers die geprojekeerde 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 het;

(d)/...

7.2/...

RESOLUTION (for submission to the Council on 26 May 2022)
(proposed by ald T van Essen, seconded by clr D G Bess)

- (a) That the Integrated Development Plan (IDP) of the previous Council (with amendments) be recommended for approval by the Council 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 recommended for approval by the Council.

7.3 BUDGET MANAGEMENT COMMITTEE: TECHNICAL RECOMMENDATIONS FOR THE MULTI-YEAR CAPITAL AND OPERATING BUDGETS, AMENDED BUDGET AND RELATED POLICIES, PROPERTY RATES AND TAXES, TARIFFS AND OTHER LEVIES FOR 2022/2023, 2023/2024 AND 2024/2025 (5/11/1, 5/11/2 – 2022/24, 5/11/4)

The Director: Financial Services, mr M Bolton, dealt with the report in order to give the Executive Mayor's Committee the opportunity to recommend the multi-year capital and operating budgets, amended budgets and related policies, property rates and taxes, tariffs and other levies to the Council on 26 May 2022.

The Director: Financial Services stated that the budget was drawn up against the background of the economic circumstances and anticipated inflation rate, but is of the opinion that the latter can still rise as a result of the impact of rising crude oil and food prices caused by the war in Europe.

It must also be taken into account that the final decision in respect of the approval of electricity tariffs has not yet been received from NERSA.

The Director: Financial Services dealt with the capital budget, with specific reference to the capital projects over R 50 million and the operating budget, with specific reference to property rates and taxes and tariff increases for the 2022/2023 financial year.

The Director: Financial Services referred to the requirement in accordance with Section 23 of the MFMA to thoroughly consider the input received in respect of the budget and confirmed that the input received did not require any amendments to the policies and the budget.

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

- (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)/...

7.3/...

- (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 in die 2022/2023 jaar en die fondse weer geallokeer word aan die Moorreesburg Riolsuiweringswerke-projek;
- (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 Elektriesiteitsprojekte 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 geoormerk 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
GRAND TOTAL	R 191 095 805	R 195 834 903	R 165 690 722

- (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;

Tabel/...

7.3/...

- (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 approved however 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 be 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
GRAND TOTAL	R 191 095 805	R 195 834 903	R 165 690 722

- (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;

Table/...

7.3/...

	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	1 029 478 873	1 061 530 679	1 140 028 445
Bedryfsinkomste	968 875 613	1 013 254 106	1 093 983 965	1 123 993 180	1 174 158 797
Begrote (Surplus)/ Tekort	(56 908 464)	(59 906 750)	(64 505 092)	(62 462 501)	(34 130 352)
Minus: Kapitaal Toekennings en Bydraes	47 912 409	52 027 246	77 109 000	73 351 000	35 935 000
(Surplus)/ Tekort	(8 996 055)	(7 879 504)	12 603 908	10 888 499	1 804 648

- (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 2022/23 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;

7.3/...

	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	1 029 478 873	1 061 530 679	1 140 028 445
Operating Revenue	968 875 613	1 013 254 106	1 093 983 965	1 123 993 180	1 174 158 797
Budgeted (Surplus)/ Deficit	(56 908 464)	(59 906 750)	(64 505 092)	(62 462 501)	(34 130 352)
Less: Capital Grants & Contributions	47 912 409	52 027 246	77 109 000	73 351 000	35 935 000
(Surplus)/ Deficit	(8 996 055)	(7 879 504)	12 603 908	10 888 499	1 804 648

- (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;

7.3/(k)...

- **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 elektrisiteitstariese 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 kontraktoesluit 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% kerfverhoging waar van toepassing;
 - Daar is voldoende begroot vir alle salarisaanpassings;
 - Voorsiening is gemaak vir 'n **3%** verhoging vir politieke amptsbekleërs wat val binne die middelband van die inflasieiteikens soos bepaal deur die Suid-Afrikaanse Reserwebank (SARB);
- (r) Dat die Raad kennis neem van die begrote bedryfsurplusse 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 verwaag word vir 2022/23, 'n bedrag van **R 12 603 908**, vir 2023/24 'n bedrag van **R 10 888 499** en vir 2024/25 'n bedrag van **R 1 804 648 (kapitale toekennings uitgesluit)**, wat bestuurbaar is binne die risiko-aptit 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;

7.3/(k)...

- **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 12 603 908**, for 2023/24 an amount of **R 10 888 499** and for 2024/25 an amount of **R 1 804 648 (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)/...

7.3/...

- (t) Dat die Raad kennis neem dat die begroting opgestel is in die nuwe mSCOA Weergawe 6.6 soos vereis deur Nasionale Tesourie.

7.4 VASSTELLING VAN ONTWIKKELINGSBYDRAES VIR 2022/2023 (15/1/B)

Die Direkteur: Ontwikkelingsdienste, me J S Krieger, bevestig dat die doel van die voorlegging van die ontwikkelingsbydraes is om die korting daarop te oorweeg, aangesien daar geen aanpassings in die tariewe gemaak is nie.

Rdh T van Essen noem dat dit belangrik is om 'n korting toe te staan ten einde 'n omgewing te skep waarin die privaatsektor kan werk skep. Dit is verder belangrik om die ontwikkelingsbydraes billik te hou om nie ontwikkeling af te skrik nie, gegewe die stadige ekonomiese groei in Suid-Afrika, en om ontwikkelaars aan te moedig om die Swartland munisipale area teenoor ander moontlikhede te oorweeg.

Die voorsitter versoek dat die korting oor 'n tydperk uitfaseer word en ontwikkelingbydraes van so 'n aard moet wees om nie as "red tape" gesien te word nie.

Die Munisipale Bestuurder, mnr J J Scholtz, bevestig dat die ontwikkelingsbydraes vir die afgelope paar jaar nie ooreenkomstig die inflasiekoers aangepas is nie. Die Direkteur: Ingenieursdienste, mnr L D Zikmann, noem dat die ontwikkelingsbydraes baie laer is as die werklike kostes en as dié van omliggende munisipaliteite. Dit is belangrik om 'n balans te kry tussen ontwikkelingsbydraes en werklike ingenieurskostes en moet die tariewe derhalwe hersien word.

BESLUIT (vir voorlegging aan die Raad op 26 Mei 2022)
(op voorstel van rdh T van Essen, gesekondeer deur rdl D G Bess)

- (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 100m² 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.

7.5 INSTELLING VAN SPESIALE BELASTINGAREAS IN TERME VAN DIE WET OP MUNISIPALE EIENDOMSBELASTING (1/1)

'n Versoek is op 30 September 2021 vanaf die Riebeek-Vallei Belastingsbetalersvereniging ontvang om die instelling van spesiale belastingareas in terme van die Wet op Munisipale Eiendomsbelasting, Wet 6 van 2004 te oorweeg.

Die doel van 'n spesiale belastingarea is om uit die addisionele tariewe wat gehef word 'n hoër vlak van dienste te verskaf om, onder andere, 'n veiliger en skoner omgewing te skep vir bevordering van sosio-ekonomiese omstandighede en toerisme.

Besluit/...

7.3/...

- (t) That Council take note that the budget was prepared in the new mSCOA Version 6.6 as required by National Treasury;

7.4 DETERMINATION OF DEVELOPMENT CONTRIBUTIONS 2022/2023 (15/1/B)

The Director: Development Services, ms J S Krieger, confirmed that the purpose of the submission of the development contributions is to consider the rebate, because there are no adjustments in the tariffs.

Ald T van Essen stated that it is important to allow a rebate in order to create an environment in which the private sector can create work opportunities. It is also important to keep the development contributions affordable in order not to frighten off development, given the slow economic growth in South Africa, and in order to encourage developers to consider the Swartland municipal area against other possibilities.

The chairman requested that the rebate is phased out over a period and that development contributions must be such that they are not seen as "red tape".

The Municipal Manager, mr J J Scholtz, confirmed that the development contributions have not kept pace with the inflation rate over the last few years. The Director: Engineering Services, mr L D Zikman, stated that the development contributions are much lower than the real costs and as those of surrounding municipalities. It is important to keep a balance between development contributions and real engineering costs and therefore the tariffs must be revised.

RESOLUTION (for submission to the Council on 26 May 2022)
(proposed by ald T van Essen, seconded by cllr D G Bess)

- (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 100m² 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;

7.5 ESTABLISHMENT OF SPECIAL PROPERTY TAXATION AREAS IN TERMS OF THE MUNICIPAL PROPERTY RATES AND TAXES ACT (1/1)

A request was received on 30 September 2021 from the Riebeek Valley Tax Payers Association to consider the introduction of special property tax areas in terms of the Municipal Property Rates and Taxes Act, Act 6 of 2004.

The purpose of special tax areas is to provide a higher level of services, inter alia, a safer and cleaner environment for the promotion of socio-economic circumstances and tourism by means of the additional tariffs levied.

Resolution/...

7.5/...

BESLUIT (vir aanbeveling aan die Raad op 26 Mei 2022)
(op voorstel van rdl N Smit, gesekondeer deur rdl D G Bess)

Dat die instelling van Spesiale Belastingareas in hierdie stadium nie goedgekeur word nie, met in ag neming 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.

7.6 VOORLEGGING VAN KONSEP VERORDENING INSAKE DIE HOU VAN VERGADERINGS (1/1)

Die bestaande verordening van die Raad insake die Hou van Vergaderings is hersien aan die hand van –

- (1) die Strukturewysigingswet, Wet 3 van 2021 – in werking getree op 1 November 2021;
- (2) die standaardverordening soos verskaf deur die Provinsiale Departement van Plaaslike Regering.

BESLUIT

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

- (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 Stelselswet, 2000, in die plaaslike media sowel as op die munisipale webtuiste.

7.7 IMPLEMENTERING VAN DIE MUNISIPALE PERSONEEL REGULASIES (4/3/1)

Die verslag het ten doel om te rapporteer op die implementering van die Munisipale Personeel Regulasies soos afgekondig in Goewermentskennisgewing No. 45181 gedateer 20 September 2021.

Die Direkteur: Korporatiewe Dienste, me M S Terblanche, meld dat daar goeie vordering op verskeie van die aspekte is, maar dat die Regulasies nie in totaliteit geïmplementeer kan word alvorens die organigram, posbeskrywings, ens. nie gefinaliseer is nie. Die implementeringsdatum van 1 Julie 2022 wat deur die Regulasies gestel word, is dus nie haalbaar nie.

BESLUIT

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

- (a) Dat kennis geneem word van die verslag en die implementeringsplan van die Munisipale Personeel Regulasies. Dat, as gevolg van die bestaande kapasiteit in die Departement Menslike Hulpbronbestuur en die verhoogde werklading en uitgebreide prosesse wat in plek gestel moet word om voldoening aan die regulasies te verseker, die regulasies nie teen 1 Julie 2022 geïmplementeer sal kan word nie;
- (b) Dat, omrede daar omvattende interne prosesse gevolg moet word en dit nie bloot 'n hersiening en implementering van beleide is nie, die voorgestelde datum vir die implementering van al die aspekte van die Munisipale Personeel Regulasies 30 Junie 2023 is;
- (c) Dat goedkeuring verleen word daar 'n skrywe aan die Departement van Samewerkende Regering en Tradisionele Sake gerig word om Swartland Munisipaliteit se verbintenis tot die implementering van die Munisipale Personeel Regulasies te bevestig, maar dat die sperdatum van 1 Julie 2022, weens verskeie uitdagings, nie haalbaar is nie.

7.5/...

RESOLUTION (for submission to the Council on 26 May 2022)
(proposed by clr N Smit, seconded by clr D G Bess)

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.

7.6 SUBMISSION OF DRAFT REGULATION IN RESPECT OF THE HOLDING OF MEETINGS (1/1)

The existing Council's regulation in respect of the Holding of Meetings has been revised in terms of -

- (1) the Structures Amendment Act, Act 3 of 2021 – which came into effect on 1 November 2021;
- (2) The standard regulation supplied by the Provincial Department of Local Government.

RESOLUTION

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

- (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.

7.7 IMPLEMENTATION OF THE MUNICIPAL PERSONNEL REGULATIONS (4/3/1)

The report aims to detail the implementation of the Municipal Personnel Regulations as promulgated in Government Notice No. 45181 dated 20 September 2021.

The Director: Corporate Services, ms M S Teblanche, stated that there has been good progress with respect to certain aspects, but that the Regulations cannot be implemented in totality until the organigram, post descriptions, etc have been finalized. The date of implementation of 1 July 2022 stipulated by the regulations is therefore not attainable.

RESOLUTION

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

- (a) That the Executive Mayoral Committee take note of the report and the implementation plan for the Municipal Staff Regulations and that the regulations will not be implemented by 1 July 2022, due to the current capacity in the Department Human Resource Services and the increased workload and extended processes to be followed to ensure compliance with all the regulations;
- (b) That cognisance be taken that the proposed date for the full implementation of all aspects of the Municipal Staff Regulations, is 30 June 2023 due to the fact that there are internal processes to be followed and this is not simply a process of reviewing and implementing policies;
- (c) That approval is granted for a letter to be drafted to the Department of Cooperative Government and Traditional Affairs informing them that Swartland Municipality is committed to implement the Municipal Staff Regulations, but the deadline of 1 July 2022 is not achievable due to various challenges.

7.8/...

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

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

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

BESLUIT (vir voorlegging aan die Raad op 26 Mei 2022)
(op voorstel van rdh T van Essen, gesekondeer deur rdl N Smit)

- (a) Dat die wysiging tot die Stelsel van Delegasie (1^{ste} 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 Roluitlegging vir politieke strukture, politieke ampsbekleërs en die munisipale bestuurder nie, welke dokument deel uitmaak van die Stelsel van Delegasie.

7.9 NUWE PRESTASIEBESTUUR- EN ONTWIKKELINGSBELEID (2/4/B)

Die Munisipale Bestuurder bevestig dat die Prestasiebestuur- en Ontwikkelingsbeleid opgestel is na aanleiding van die afkondiging van die Munisipale Personeel Regulasies (Goewermentskennisgewing No 45181 gedateer 20 September 2021) en vervang die Raamwerk vir die Implementering van Prestasiebestuur.

Die nuwe beleid bestaan uit drie gedeeltes wat van toepassing is op prestasiebestuur van die Munisipaliteit in die algemeen, prestasiebestuur van die Munisipale Bestuurder en Direkteure en prestasiebestuur van alle werknemers.

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

Dat die aangehegte Beleid vir Prestasiebestuur en -ontwikkeling goedgekeur word.

7.10 KONSEP PROSESPLAN VIR DIE OPSTEL VAN DIE GEÏNTEGREERDE ONTWIKKELINGSPLAN EN DIE RUIMTELIKE ONTWIKKELINGSRAAMWERK (2/1/4/4/1)

Artikels 28 en 29 van die Plaaslike Regering: Munisipale Stelselswet, Wet 32 van 2000 bevat die vereistes vir die opstel van 'n Prosesplan waarvolgens die beplanning, opstel, aanneem en hersiening van die Geïntegreerde Ontwikkelingsplan (GOP) moet geskied.

Die konsep Prosesplan vir die opstel van die GOP is apart tot die sakelys gesirkuleer.

BESLUIT (vir voorlegging aan die Raad op 26 Mei 2022)
(op voorstel van rdh T van Essen, gesekondeer deur rdl A K Warnick)

- (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 Junie 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.

7.11/...

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

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

The attachment to the agenda contains the first revision of the System of Delegations which was approved by the Council on 16 November 2021.

RESOLUTION (for submission to the Council on 26 May 2022)
(proposed by ald T van Essen, seconded by clr N Smit)

- (a) That the amendments to the System of Delegation (1st 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.

7.9 NEW PERFORMANCE AND DEVELOPMENT POLICY (2/4/B)

The Municipal Manager confirmed that the Performance Management and Development Policy were drawn up with reference to the notification in respect of the Municipal Personnel Regulations (Government Notice No. 45181 dated 20 September 2021) and replaces the framework for the Implementation of Performance Management.

The new policy consists of three parts, which are applicable to the Municipality's performance management in general, performance management of the Municipal Manager and Directors, and performance management of all employees.

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

That the attached Performance Management and Development Policy be approved.

7.10 DRAFT PROCESS PLAN FOR THE DRAWING UP OF THE INTEGRATED DEVELOPMENT PLAN AND THE SPATIAL DEVELOPMENT FRAMEWORK (2/1/4/4/1)

Sections 28 and 29 of the Local Government: Municipal Systems Act, Act 32 of 2000 provide the requirements for drawing up the Process Plan according to which the planning, drawing up, adoption and revision of the Integrated Development Plan (IDP) must take place.

The draft Process Plan for the drawing up of the IDP was circulated separately to the agenda.

RESOLUTION (for submission to the Council on 26 May 2022)
(proposed by ald T van Essen, seconded by clr A K Warnick)

- (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 June 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.

7.11/...

7.11 MOBILE KIOSK TE YZERFONTEIN HAWE EN VISMARK (17/5/1/1)

Die Munisipale Bestuurder, mnr J J Scholtz, bevestig dat die bedoeling van die verslag is om die besluit van 2012 te herbevestig in terme van die delegasies aan die Wetstoepasser/Dorpsbestuurder in die hantering van aansoeke vir mobiele kiosks in die Yzerfontein Hawe en –Vismark, onderhewig aan voorwaardes.

BESLUIT

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

- (a) Dat die gedelegeerde bevoegdheid aan die Wetstoepassingsbeampte/Dorpsbestuurder bevestig word om versoeke vir die gebruik van die Yzerfontein hawe en vismark deur Mobile Kiosks te hanteer, welke bevoegdheid uitgeoefen moet word binne die voorwaardes soos gelys onder (b) en (c) hieronder;
- (b) Dat die voorgeskrewe toegangsfooie by die hawe en vismark deur goedgekeurde aansoekers betaalbaar sal wees;
- (c) Dat die volgende goedkeuringsvoorwaardes sal geld:
 - (i) Dat die mobiele kiosk slegs gedurende die normale ure wat die hawe bedryf word handel mag dryf, en dat die mobiele kiosk voordat die hawehek saans gesluit word, op 'n daaglikse basis vanaf die perseel verwyder moet word; Geen permanente strukture sal toegelaat word nie;
 - (ii) Dat die gebruik van gasterusting toegelaat sal word vir verhittings- en verkoelingsdoeleindes, maar dat 'n gemeterde elektriese kragpunt van maksimum 30-ampere op aanvraag oorweeg kan word. Kragopwekkers sal nie toegelaat word nie. Die mobiele kiosk moet geparkeer word op 'n bepaalde plek soos deur die Raad aangewys. Geen waterpunt word voorsien nie;
 - (iii) Dat voldoende brandblustoerusting, tot bevrediging van die Raad, te alle tye in die mobiele kiosk teenwoordig moet wees;
 - (iv) Dat die mobiele kiosk aan alle munisipale gesondheidsvereistes moet voldoen, sowel as oor 'n padwaardigheidsertifikaat beskik;
 - (v) Dat geen musiek of geraas toegelaat sal word nie;
 - (vi) Dat handeldrywing in enige vorm van alkoholiese drank en dwelmmiddels verbode is;
 - (vii) Dat die Raad die reg voorbehou om die mobiele kiosk te enige tyd, gedurende die ure wat handel gedryf word, deur 'n gemagtigde personeel te laat betree om hom/haarself daarvan te vergewis of die eienaar aan al die Raad se vereistes voldoen al dan nie;
 - (viii) Dat die tipe items waarin handel gedryf of verhuur mag word kan insluit, visgerei en aanverwante produkte, verversings, kajakke en geriefsp produkte;
 - (ix) Goedgekeurde gebruikers moet uitvoering gee aan die Verordening insake die beheer oor die Yzerfontein hawegebied (n Afskrif van die verordening sal aan die gebruikers verskaf word);
 - (x) Die hawegebied word gebruik op die uitsluitlike risiko van die gebruiker en die Munisipaliteit is nie aanspreeklik vir enige eis, skade of verlies wat spruit uit die dood of besering van enige persoon of skade aan of verlies van enige eiendom nie;
 - (xi) Goedgekeurde gebruikers is onderhewig aan die instruksies van die Hawemeester en mag toegang geweier word indien die vis "loop" of indien daar ander geleenthede/events in die hawe plaasvind;

7.11 MOBILE KIOSK IN YZERFONTEIN HARBOUR AND FISH MARKET (17/5/1/1)

The Municipal Manager, mr J J Scholtz, confirmed that the purpose of the report is to reaffirm the resolution of 2012 in terms of the delegation to the Law Enforcement/Town Manager in dealing with applications for mobile kiosks in the Yzerfontein Harbour and Fish Market, subject to conditions.

RESOLUTION

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

- (a) That the delegated power be confirmed to the Law Enforcement Officer / Town Manager to handle requests for the use of the Yzerfontein harbor and fish market by Mobile Kiosks, which power must be exercised within the conditions listed under (b) and (c) below;
- (b) That the prescribed entrance fees at the port and fish market will be payable by approved applicants;
- (c) That the following conditions of approval will apply:
 - (i) That the mobile kiosk may only trade during the normal hours of operation of the port, and that the mobile kiosk must be removed from the premises on a daily basis before the port gate closes at night; No permanent structures will be allowed;
 - (ii) That the use of gas equipment will be permitted for heating and cooling purposes, but that a metered electrical power point of a maximum of 30 amps may be considered on request. Generators will not be allowed. The mobile kiosk must be parked in a specific place as designated by the Council. No water point is provided;
 - (iii) That adequate fire extinguishing equipment, to the satisfaction of the Council, must be present in the mobile kiosk at all times;
 - (iv) That the mobile kiosk must comply with all municipal health requirements, as well as have a roadworthiness certificate;
 - (v) That no music or noise will be allowed;
 - (vi) That trafficking in any form of alcoholic beverages and drugs is prohibited;
 - (vii) That the Council reserves the right to have the mobile kiosk entered at any time, during the hours traded, by an authorized staff to ascertain whether the owner complies with all the Council's requirements or not;
 - (viii) That the type of items in which trade may be engaged or leased may include, fishing gear and related products, refreshments, kayaks and convenience products;
 - (ix) Approved users must give effect to the Ordinance regarding the control of the Yzerfontein port area (a copy of the ordinance will be provided to the users);
 - (x) The port area is used at the sole risk of the user and the Municipality is not liable for any claim, damage or loss resulting from the death or injury of any person or damage to or loss of any property;
 - (xi) Approved users are subject to the instructions of the Harbor Master and may be denied entry if the fish "walks" or if other events / events take place in the harbor;

7.11/...

- (xii) Dat goedkeuring vir hoogstens een jaar sal geld, en jaarliks heroorweeg sal word.

7.12 VOORRAADOPNAME: 2022 (6/1/1)

Die jaarlikse voorraadopnames by die masasyn in Malmesbury en Moorreesburg vind plaas op Woensdag, 29 Junie 2022 om 09:00.

BESLUIT

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

- (a) Dat rdh T van Essen (sekundi, rdl A K Warnick) en rdl N Smit (sekundi, rdl D G Bess) onderskeidelik vir Malmesbury en Moorreesburg aangewys word as waarnemers by die voorraadopname op 29 Junie 2022;
- (b) Dat kennis geneem word dat die Hoof Masasynmeester stiptelik om 09:00 'n aanvang sal neem met die voorraadopname by die hoof masasyn op Malmesbury.

7.13 UITSTAANDE DEBITEURE: APRIL 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, meld dat ten opsigte van die uitstaande skuld deur staatsdepartemente, die Provinsiale Tesourie versoek het om geleentheid te gee om met die Departement van Vervoer en Openbare Werke en die Departement van Landbou en Landelike Ontwikkeling in gesprek te tree alvorens verdere regsprosesse volvoer word om skulde te in.

Die Direkteur: Finansiële Dienste noem dat dit as onregverdig beskou word om residensiële eienaars te straf as munisipale rekening nie betaal word nie, maar daar word niks aan staatsdepartemente gedoen nie.

BESLUIT

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

Dat kennis geneem word van die verslag aangaande die stand van Swartland Munisipaliteit se uitstaande debiteure vir April 2022.

7.14 VORDERING MET UITSTAANDE VERSEKERINGSEISE: APRIL 2022 (5/14/3/5)

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

Die Direkteur: Finansiële Dienste, mnr M Bolton, noem dat die Munisipaliteit daarin kon slaag om die eis ten opsigte van die Standard Bank-gebou af te handel en is 'n bedrag van R173 913,04 einde April uitbetaal.

Rdh T van Essen versoek dat metodes oorweeg word om munisipale bates te merk ten einde dit uit te ken en as bewyslas gebruik kan word in hofsake, aangesien misdadigers vry rondloop en nie vasgevat kan word nie.

BESLUIT

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

Dat kennis geneem word van die stand van uitstaande versekeringseise tot en met 30 April 2022 soos met die sakelys gesirkuleer.

7.15/...

7.11/...

- (xii) That approval will be valid for a maximum of one year, and will be reconsidered annually.

7.12 STOCKTAKE: 2022 (6/1/1)

The annual stock take at the stores in Malmesbury and Moorreesburg will take place on Wednesday 29 June 2022 at 09:00.

RESOLUTION

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

- (a) That ald T van Essen (second, clr A K Warnick) and clr N Smit (second, clr D G Bess) be appointed for Malmesbury and Moorreesburg respectively as observers at the stocktaking on 29 June 2022;
- (b) That it be noted that the Chief Warehouse Master will commence punctuality at 09:00 at the main warehouse at Malmesbury.

7.13 OUTSTANDING DEBTORS: APRIL 2022 (5/7/1/1)

A complete list of outstanding debtors was circulated with the agenda.

The Director: Financial Services, mr M Bolton, reported that in respect of the outstanding debt by state departments, the Provincial Treasurer requested the opportunity to discuss the matter with the Department of Transport and Public Works and the Department of Agriculture and Rural Development before further legal processes are instituted in order to recover debt.

The Director: Financial Services stated that it is regarded as unfair to punish residential owners if the municipal account is not paid, but nothing is done in respect of state departments.

RESOLUTION

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

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

7.14 PROGRESS IN RESPECT OF OUTSTANDING INSURANCE CLAIMS: APRIL 2022 (5/14/3/5)

In accordance with the Asset Management Policy outstanding insurance claims must be reported monthly.

The Director: Financial Services, mr M Bolton, stated that the Municipality was able to complete the claim in respect of the Standard Bank Building and an amount of R173 913,04 was paid at the end of April.

Ald T van Essen requested that ways are considered to mark municipal assets in order for them to be identifiable and used as proof in court cases, because miscreants walk free and cannot be caught.

RESOLUTION

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

That cognizance be taken of the progress with outstanding insurance claims for the period ending 30 April 2022.

7.15/...

7.15 AFWYKING VAN VOORGESKREWE VERKRYGINGSPROSEDURES: AANSTEL VAN SEKURITEITSMAAKSKAPPY VIR GEBRUIK VAN SEKURITEITSWAGTE EN – HONDE BY WESBANK SPORTGRONDE (8/1/B/2)

Daar is 'n toename in diefstal en vandalisme by die Wesbank Sportgronde en munisipale bates word op 'n gereelde basis gesteel of beskadig. Gevolglik is besluit om 'n sekuriteitswag aan te stel met ingang van 1 Maart 2022 tot 30 Junie 2022 in 'n poging om die skade te beperk.

BESLUIT

- (a) Dat die Uitvoerende Burgemeesterskomitee kennis neem van die afwyking van die voorgeskrewe verkrygingsprosedures ingevolge klousule 36(2) van die Voorsieningkanaalbestuurbeleid;
- (b) Dat verder kennis geneem word van die aksie van die Munisipale Bestuurder om die kwotasie van *Dogs & All* te aanvaar vir die lewering van sekuriteitsdienste by die Wesbank Sportgronde ten bedrae van R146 107,50 (BTW ingesluit) vanaf 2 Maart 2022 tot 30 Junie 2022;
- (c) Dat die redes vir die afwyking van die voorgeskrewe verkrygingsproses soos volg aangeteken word:
 - (i) die risiko van diefstal en vandalisme van munisipale bates by die Wesbank Sportgronde is van so 'n aard dat dit nodig is om die Raad se bates daarteen te beskerm;
 - (ii) die aanstelling is as 'n noodgeval hanteer om die munisipale bates teen diefstal en vandalisme te beskerm;
- (d) Dat die uitgawe ten bedrae van R146 107,50 (BTW ingesluit) teen posnommer: 9/237-1017-1319 verreken word en dat daar voldoende fondse beskikbaar is;
- (e) Dat die Bestuurder: Finansiële State in terme van die Voorsiening-kanaalbestuursbeleid opdrag gegee word om bovermelde rede as nota by die finansiële state in te sluit, wanneer die betrokke state opgestel word.

7.16 AFWYKING VAN VOORGESKREWE VERKRYGINGSPROSEDURES: HERSTEL VAN HACH SUURSTOF-METINGSINSTRUMENT (HACH DISSOLVED OXYGEN MEASURING EQUIPMENT) (8/1/B/2)

Die toerusting (x6 metingsinstrumente) voer die meting na die sentrale verwerkingseenheid van die WWTW-werke wat die hoeveelheid suurstof wat na die biologiese reaktor ingevoer word beheer deur die spoed van die lugblaser-eenhede te reguleer.

Die Direkteur: Siviële Ingenieursdienste, mnr L D Zikmann, meld dat die HACH-agent bevestig het dat die toerusting gefaal het as gevolg van gereelde beurtkrag. Alhoewel daar kragopwekkers by die rioolwerke is, kan dit nie die volle kapasiteit van die rioolwerke hanteer nie en is daar sekere komponente in die proses wat sonder krag gelaat word.

Daar sal oorweeg moet word om voorsorgmaatreëls in te stel om toerusting teen beurtkrag te beskerm, bv. die Riversdal WWTW waar sonpanele as rugsteunkrag gebruik word.

BESLUIT

- (a) Dat die Uitvoerende Burgemeesterskomitee kennis neem van die afwyking van die voorgeskrewe verkrygingsprosedures ingevolge klousule 36(2) van die Voorsieningkanaalbestuurbeleid;
- (b) Dat verder kennis geneem word van die aksie van die Munisipale Bestuurder om die herstelwerk aan die opgeloste-suurstof-meetinstrumenteenhede by die Malmesbury WWTW deur *Agua Africa* ten bedrae van R337 960,00 (BTW uitgesluit) goed te keur;

7.15 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURE: APPOINTMENT OF SECURITY COMPANY FOR USE OF SECURITY GUARDS AND DOGS AT WESBANK SPORTS GROUNDS (8/1/B/2)

There has been an increase in theft and vandalism at the Wesbank Sports Grounds and municipal assets are regularly being stolen or damaged. Therefore it was decided to appoint a security guard from 1 March 2022 to 30 June 2022 in an effort to limit the damage,

Resolution/...

RESOLUTION

- (a) That the Executive Mayoral Committee take note of the deviation from the prescribed procurement procedures in terms of clause 36 (2) of the Supply Chain Management Policy;
- (b) That further notice be taken of the action of the Municipal Manager be condoned not to invite further tenders but to approve the acceptance of the quotation for the appointment of Dogs & All to render security services at the Westbank Sportground for the amount of R 146 107,50 (VAT Incl.);
- (c) That the reasons for the deviation from the prescribed procurement process be recorded as:
 - (i) The risk of burglaries and vandalism to the municipal assets will be of such a nature that Council needed to secure it against damage and vandalism;
 - (ii) The appointment is an emergency to safeguard municipal property against vandalism;
- (d) The expenditure amount of R146 107,50 (VAT included) be allocated against vote number 9/237-1017-1319 and that there is sufficient funding available;
- (e) That the Manager Financial Statements and Control be instructed to include the above mentioned reasons as a note to the financial statements.

7.16 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURE: REPAIR TO THE HACH DISSOLVED OXYGEN MEASURING EQUIPMENT (8/1/B/2)

The equipment (6x measuring instruments) feeds the measurements to the central processing unit of the WWTW works, which regulates the amount of oxygen which is imported to the biological reactor, via the speed of the aerator units.

The Director: Civil Engineering Services, mr L D Zikman, reported that the Hach agent confirmed that the equipment failed as a result of frequent power outages. Although there are generators at the sewerage works, they cannot handle the full capacity of the sewerage works and there are certain components in the process which are left without electricity.

Consideration must be given to introduce preventative measures to protect equipment from power outages, eg. at the Riversdal WWTW where solar panels are used for backup power..

RESOLUTION

- (a) That the Executive Mayoral Committee take note of the deviation from the prescribed procurement procedures in terms of clause 36 (2) of the Supply Chain Management Policy;
- (b) That further notice be taken of the action of the Municipal Manager to approve repairs of the probes of the dissolved oxygen measurements units at the Malmesbury wastewater treatment works by *Agua Africa*;
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) The dissolved oxygen measurements units would have been left out of service for an extended period of time following due process;
 - (ii) This would have resulted in treatment process failure with consequent poor quality effluent which is detrimental to the environment;

7.16/...

- (c) Dat die redes vir die afwyking van die voorgeskrewe verkrygingsproses soos volg aangeteken word:
- (i) indien die normale prosesse gevolg was, sou die meetinstrumente vir 'n geruime tyd buite werking gelaat word;
 - (ii) voormelde sou lei tot ondoeltreffendheid in behandelingsproses wat die gehalte van die uitvloeisel sou affekteer en risiko's vir openbare gesondheid en die omgewing inhou;
 - (iii) die herstelwerk by die Malmesbury WWTW was dus as 'n noodgeval gehanteer;
- (d) Dat kennis geneem word dat die uitgawe ten bedrae van R337 960,00 (BTW uitgesluit) teen posnommer: 9/239-851-689 verreken word en dat daar voldoende fondse beskikbaar is;
- (e) Dat die Bestuurder: Finansiële State in terme van die Voorsiening-kanaalbestuursbeleid opdrag gegee word om bovermelde rede as nota by die finansiële state in te sluit, wanneer die betrokke state opgestel word.

7.17 SLUITING VAN KANTORE OP 23 DESEMBER 2022 IN PLAAS VAN 17 JUNIE 2022 (2/6)

Die Uitvoerende Burgemeesterskomitee het op 21 Februarie 2022 goedkeuring verleen vir die sluiting van die munisipale kantore op 17 Junie 2022 as 'n vergunning aan werknemers weens die negende skoon oudit wat verkry is.

Daar is egter besin, in konsultasie met vakbonde, of dit nie meer aanvaarbaar vir die publiek sal wees om die kantore in Desember te sluit wanneer die publieke aanvraag na munisipale dienste, weens die feesseisoen, laer is nie.

BESLUIT

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

- (a) Dat goedkeuring verleen word dat die munisipale kantore op Vrydag, 23 Desember 2022 mag sluit vir die dag, in plaas van 17 Junie 2022 soos voorheen besluit;
- (b) Dat, ooreenkomstig die oorblywende gedeelte van die besluit soos geneem op 21 Februarie 2022,
- hierdie 'n eenmalige vergunning is en dat dit nie weer in die toekoms toegestaan sal word nie;
 - kennisgewings by al die betaalpunte in die munisipale gebied en op die webtuiste aangebly word om van die sluiting van kantore kennis te gee;
 - met hierdie vergunning, oortyd betaal word vir tye gewerk teen die Saterdagtarief.

(GET) J H CLEOPHAS
UITVOERENDE BURGEMEESTER

(iii) The repair work to the dissolved oxygen measurements units therefore had to be treated as an emergency;

- (d) That it be noted that the expenditure was allocated mSCOA Code: 9/239-851-689 and that there is sufficient funding available for the quoted amount of R 337,960.00 (excluding VAT);
- (e) That the Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when same are compiled.

7.17 CLOSING OF OFFICES ON 23 DECEMBER 2022 INSTEAD OF ON 17 JUNE 2022 (2/6)

On 21 February 2022 the Executive Mayor approved the closure of the municipal offices on 17 June 2022 as a concession to employees due to the ninth clean audit received.

It makes sense however, in consultation with unions, that it would be more acceptable to the public to close the offices in December when the latter's demand for municipal services is lower as a result of the festive season.

RESOLUTION

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

- (a) That approval be granted for the municipal offices to close for the day on Friday, 23 December 2022 instead of 17 June 2022 as decided previously;
- (b) That, in terms of the remaining part of the resolution as taken on 21 February 2022,
- this is a once-off reward that would not be granted again in the future;
 - notices be placed at all pay points in the municipal area and on the website to give notice of the closing of the offices;
 - with this reward, overtime for time worked on the day will be paid at the Saturday tariff.

(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, 11 MEI 2022 OM 10:00

TEENWOORDIG:

RAADSLEDE:

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

O'Kennedy, E C Van Essen, T (rdh)
Pypers, D C Vermeulen, G
Soldaka, P E Warnick, A K

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

BEAMPTES:

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

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom lede, waarna die Munisipale Bestuurder, mnr J J Scholtz die vergadering met 'n kort boodskap open.

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

Verlof tot afwesigheid word verleen aan rdh M A Rangasamy, rdd M van Zyl en rdl B J Penxa.

2. NOTULE

2.1 NOTULE VAN 'N PORTEFEULJEKOMITEEVERGADERING (MUNISIPALE BESTUUR-, ADMINISTRASIE- EN FINANSIESKOMITEE) GEHOU OP 13 APRIL 2022

BESLUIT

(voorgestel deur rdl N Smit, gesekondeer deur rdl A K Warnick.)

Dat die notule van die Portefeuljekomiteevergadering (Munisipale Bestuur-, Administrasie- en Finansieskomitee) gehou op 13 April 2022 goedgekeur word, onderhewig aan die regstellings:

- (a) dat aangedui word dat die Uitvoerende Burgemeester, rdh J H Cleophas (in ex-officio hoedanigheid) afwesig was met verskoning;
- (b) dat "virtual" verwyder word by paragraaf 1 op bl 2; en
- (c) dat rdl N Smit se naam vervang word met rdl I S le Minnie onderaan bl 4 as voorsitter geteken.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

Geen



MINUTES OF A MEETING OF THE MUNICIPAL MANAGEMENT, ADMINISTRATION AND FINANCES PORTFOLIO COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 11 MAY 2022 AT 10:00

PRESENT:

COUNCILLORS:

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

O'Kennedy, E C Van Essen, T (ald)
Pypers, D C Vermeulen, G
Soldaka, P E Warnick, A K

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

OFFICIALS:

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

1. OPENING/APOLOGIES

The chairperson welcomed members, where after the Municipal Manager, Mr J J Scholtz, opened the meeting with a short message.

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

Apologies received from ald M A Rangasamy, ald M van Zyl and cllr B J Penxa.

2. MINUTES

2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (MUNICIPAL MANAGEMENT, ADMINISTRATION AND FINANCES COMMITTEE) HELD ON 13 APRIL 2022

RESOLUTION

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

That the minutes of a Portfolio Committee Meeting (Municipal Management, Administration and Finance Committee) held on 13 April 2022 are approved, subject to the corrections:

- (a) that it be indicated that the Executive Mayor, ald J H Cleophas (in ex-officio capacity) was absent with apology;
- (b) that "virtual" be removed from paragraph 1 on page 2; and
- (c) that cllr N Smit's name be replaced with cllr I S le Minnie signed at the bottom of page 4 as chairman.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None

4. **SAKE VOORTSPRUITEND UIT NOTULES**
Geen
5. **GEDELEGEERDE SAKES M.B.T. MUNISIPALE BESTUURDER**
Geen
6. **SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER**
Geen
7. **GEDELEGEERDE SAKES M.B.T. ADMINISTRASIE**
Geen
8. **SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER**
Geen
9. **GEDELEGEERDE SAKES M.B.T. FINANSIES**
Geen
10. **SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER**
Geen

(GET) RDL I S LE MINNIE
VOORSITTER

4. **MATTERS ARISING FROM THE MINUTES**
None
5. **DELEGATED MATTERS IN RESPECT OF MUNICIPAL MANAGER**
None
6. **MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR**
None
7. **DELEGATED MATTERS IN RESPECT OF ADMINISTRATION**
None
8. **MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR**
None
9. **DELEGATED MATTERS IN RESPECT OF FINANCES**
None
10. **MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR**
None

(SGD) CLLR I S LE MINNIE
CHAIRPERSON



**NOTULE VAN 'N VERGADERING VAN DIE SIVIELE- EN ELEKTRIESE DIENSTE
PORTEFEULJEKOMITEE VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 11
MEI 2022 OM 10:17**

TEENWOORDIG:

RAADSLEDE:

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

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

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

BEAMPTES:

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

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom almal teenwoordig.

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

Verlof tot afwesigheid word verleen aan rdd M van Zyl.

2. NOTULE

2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (SIVIELE- EN ELEKTRIESE DIENSTEKOMITEE) GEHOU OP 13 APRIL 2022

BESLUIT

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

Dat die notule van die Portefeuljekomiteevergadering (Siviele- en Elektriese Dienste) gehou op 13 April 2022 goedgekeur word, onderhewig aan die regstellings:

- (a) dat aangedui word dat die Uitvoerende Burgemeester, rdh J H Cleophas (in ex-officio hoedanigheid) afwesig was met verskoning; en
- (b) dat "virtual" verwyder word by paragraaf 1 op bl 6.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

3.1 NASIONALE VOEDSEL- EN VOEDINGSSEKERHEIDSONPNAME (NFNS) IN WESKUS

Die Munisipale Bestuurder, mnr J J Scholtz bevestig dat die NFNS nie 'n bedrogspul is nie en dat daar wel so 'n opname is wat deur die Nasionale Departement gedoen word rakende voedselsekerheid.



**MINUTES OF A MEETING OF THE CIVIL AND ELECTRICAL ENGINEERING SERVICES PORTFOLIO
COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 11 MAY 2022
AT 10:17**

PRESENT:

COUNCILLORS:

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

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

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

OFFICIALS:

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

1. OPENING/APOLOGIES

The chairperson welcomed members.

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

Apologies received from ald M van Zyl.

2. MINUTES

2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (CIVIL AND ELECTRICAL SERVICES COMMITTEE) HELD ON 13 APRIL 2022

RESOLUTION

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

That the minutes of a Portfolio Committee Meeting (Civil and Electrical Services) held on 13 April 2022 are approved, subject to the corrections:

- (a) that it be indicated that the Executive Mayor, ald J H Cleophas (in ex-officio capacity) was absent with apology; and
- (b) that "virtual" be removed from paragraph 1 on page 6.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

3.1 NATIONAL FOOD AND NUTRITIONAL SECURITY SURVEY (NFNS) IN WEST COAST

The Municipal Manager, Mr J J Scholtz confirmed that the NFNS is not a scam and that there is such a survey being done by the National Department regarding food security.

Die Munisipale Bestuurder meld dat hy by 'n vergadering aan bogenoemde organisasie genoem het dat daar eers voortgegaan mag word met die opname, sodra die Wyksraadslede ingelig word by die Portefeuljekomitee vergadering van 11 Mei 2022.

Ten slotte noem die Munisipale Bestuurder dat die data-versamelaars in die Weskus-area sal werk en dat hulle maklik uitgeken kan word deur naamplaatjies en swart t-hemde gemerk, *Human Sciences Research Council (HSRC)*.

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

5. GEDELEGEERDE SAKE

5.1. MAANDVERSLAG: MAART 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 uitloei van die Swartland-afvalwatersuiweringswerke.

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

Rdh B J Stanley spreek sy kommer uit oor die onwettige gebruik van water in Silvertown en verneem ook oor die volume van die Voëlvele dam.

Rdl A A Duda spreek sy kommer uit oor inwoners van llinge Lethu wat nie in kennis gestel word wanneer water en elektrisiteit afgeskakel word deur die munisipaliteit nie.

Die Direkteur: Siviele Ingenieursdienste meld dat die volume van die Voëlvele dam staan tans op 59%.

Verder meld die Direkteur: Siviele Ingenieursdienste dat die munisipaliteit bewus is van die onwettige water konneksies in Silvertown en dat dit nie maklik is om die onwettige konneksies te verwyder nie.

Die Direkteur: Siviele Ingenieursdienste meld dat die munisipaliteit tans besig is met die opgradering van die water pompstasie in Riverlands. Die inwoners van Riverlands sal in kennis gestel word insake die sluit van die pompstasie.

Ten slotte meld die Direkteur: Siviele Ingenieursdienste dat die munisipaliteit binne 3 ure reageer wanneer 'n waterpomp herstel moet word.

Die Munisipale Bestuurder verduidelik die proses wat die munisipaliteit gebruik om met die gemeenskap te kommunikeer wanneer daar 'n noodgeval is.

BESLUIT

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

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

5.1.2 ELEKTRIESE INGENIEURSDIENSTE

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

The Municipal Manager stated that it was requested at a meeting to the above-mentioned organization, that the survey may only proceed as soon as the Ward Councillors are informed at the Portfolio Committee meeting of 11 May 2022.

In conclusion, the Municipal Manager mentioned that the data collectors will work in the West Coast area and that they can be easily identified by name tags and black t-shirts marked, Human Sciences Research Council (HSRC).

4. MATTERS ARISING FROM THE MINUTES

None

5. DELEGATED MATTERS

5.1. MONTHLY REPORT: MARCH 2022

5.1.1 CIVIL ENGINEERING SERVICES

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

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

The Director: Civil Engineering Services provided statistics on the state of dam levels and cumulative rainfall.

Ald B J Stanley expressed his concern about the illegal use of water in Silvertown and also inquires about the volume of the Voëlvele dam.

Cllr A A Duda expressed his concern about residents of llinge Lethu who are not notified when water and electricity are turned off by the municipality.

The Director: Civil Engineering Services stated that the volume of the Voëlvele dam currently stands at 59%.

Furthermore, the Director: Civil Engineering Services stated that the municipality is aware of the illegal water connections in Silvertown and that it is not easy to remove the illegal connections.

The Director: Civil Engineering Services stated that the municipality is currently upgrading the water pumping station in Riverlands. Riverlands residents will be notified regarding the closure of the pumping station.

In conclusion, the Director: Civil Engineering Services stated that the municipality responds within 3 hours when a water pump needs to be repaired.

The Municipal Manager explained the process that the municipality uses to communicate with the community when there is an emergency.

RESOLVED

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

That cognisance be taken of the monthly report of the Directorate Civil Engineering Services for March 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 R du Toit, to highlight the most important aspects.

The Director: Electrical Engineering Services explained the various statistics in the report regarding electricity consumption, major and planned power outages and public safety risks.

Die Direkteur: Elektriese Ingenieursdienste verduidelik die onderskeie statistieke in die verslag aangaande elektrisiteitsverbruik, groot en beplande kragvoorsieningsonderbrekings en openbare veiligheidsrisiko's.

Die Direkteur: Elektriese Ingenieursdienste meld dat Eskom 'n tegniese dokument ingedien het wat aandui hoe die munisipaliteit die instandhouding van straatligte kan oorneem. Hulle is besig om die konsep rondom netwerkdeling te oorweeg. Daar is 'n vergadering met Eskom op Vrydag, 13 Mei 2022 geskeduleer om voormelde tegniese kwessies te bespreek.

Ten slotte lewer die Munisipale Bestuurder kommentaar oor die instandhouding van straatligte en die voorsiening van elektrisiteit in die Eskom-gebiede.

BESLUIT

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

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

6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

(GET) RDL R J JOOSTE
VOORSITTER

The Director: Electrical Engineering Services stated that Eskom has submitted a technical document indicating how the municipality can take over the maintenance of street lights. They are considering the concept of network sharing. A meeting with Eskom is scheduled for Friday, 13 May 2022 to discuss the above-mentioned technical issues.

In conclusion, the Municipal Manager commented on the maintenance of street lights and the supply of electricity in the Eskom areas.

RESOLUTION

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

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

6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

(SGD) CLLR R J JOOSTE
CHAIRPERSON



NOTULE VAN 'N VERGADERING VAN DIE ONTWIKKELINGSDIENSTE PORTEFEULJEKOMITEE VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 11 MEI 2022 OM 11:18

TEENWOORDIG:

RAADSLEDE:

Voorsitter, rdl G Vermeulen
Ondervoorsitter, rdl D G Bess

Booyesen, A M	Pypers, D C
De Beer, J M	Smit, N
Le Minnie, I S	Soldaka, P E
Ngozi, M	

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

BEAMPTES:

Munisipale Bestuurder, mnr J J Scholtz
Direkteur: Beskermingsdienste, mnr P A C Humphreys
Direkteur: Elektriese Ingenieursdienste, mnr R du Toit
Direkteur: Finansiële Dienste, mnr M A C Bolton
Direkteur: Korporatiewe Dienste, me M S Terblanche
Direkteur: Ontwikkelingsdienste, me J S Krieger
Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann
Komiteebeampte, 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 rdh M A Rangasamy en rdl C Daniels.

2. NOTULE

2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (ONTWIKKELINGSDIENSTE) GEHOU OP 13 APRIL 2022

BESLUIT

(voorgestel deur rdl I S le Minnie, gesekondeer deur rdl D C Pypers)

Dat die notule van die Portefeuljekomiteevergadering (Ontwikkelingsdienste) gehou op 13 April 2022 goedgekeur word, onderhewig aan die regstellings:

- dat aangedui word dat die Uitvoerende Burgemeester, rdh J H Cleophas (in ex-officio hoedanigheid) afwesig was met verskoning;
- dat rdl M Ngozi as teenwoordig aangeteken word; en
- dat "virtual" verwyder word by paragraaf 1 op bl 42.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

Geen

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen



MINUTES OF A MEETING OF THE DEVELOPMENT SERVICES PORTFOLIO COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 11 MAY 2022 AT 11:18

PRESENT:

COUNCILLORS:

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

Booyesen, A M	Pypers, D C
De Beer, J M	Smit, N
Le Minnie, I S	Soldaka, P E
Ngozi, M	

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

OFFICIALS:

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

1. OPENING/APOLOGIES

The chairperson welcomed the members.

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

Apologies received from ald M A Rangasamy en cllr C Daniels.

2. MINUTES

2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (DEVELOPMENT SERVICES) HELD ON 13 APRIL 2022

RESOLUTION

(proposed by cllr I S le Minnie, seconded by cllr D C Pypers)

That the minutes of a Portfolio Committee Meeting (Development Services) held on 13 April 2022 are approved, subject to the corrections:

- that it be indicated that the Executive Mayor, ald J H Cleophas (in ex-officio capacity) was absent with apology;
- that it be indicated that cllr M Ngozi be present; and
- that "virtual" be removed from paragraph 1 on page 42.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None

4. MATTERS ARISING FROM THE MINUTES

None

5. GEDELEGEERDE SAKE

5.1 MAANDVERSLAG: MAART 2022

Die voorsitter lê die maandverslag ter tafel.

Die Direkteur: Ontwikkelingsdienste, me J S Krieger, gee inligting deur insake die vordering met die onderskeie behuisingsprojekte en die verskeie projekte wat in Swartland Munisipaliteit aangebied word deur Gemeenskapsontwikkeling.

Rdl P E Soldaka verneem na die terugvoering vanaf die gemeenskap na afloop van die eerste oorhandiging van huise in De Hoop, Malmesbury.

Die Direkteur: Ontwikkelingsdienste meld dat daar vensters uitgegooi is by bovermelde huise en dat die munisipaliteit 'n opname daarvan gemaak het en dat die vensters reeds herstel is.

Op navraag deur rdl P E Soldaka rakende die stappe wat in plek is met die tweede oorhandiging van die De Hoop huise, meld die Direkteur: Ontwikkelingsdienste dat daar 'n aksie-plan opgestel is vir die pad vorentoe, ook ten opsigte van die ondersteuning aan die kleinboere.

Op navraag deur rdl I S le Minnie oor die aanvullende waardasies in die verslag wat tweetalig (Afrikaans en Engels) adverteer moet word in die koerante, meld die Munisipale Bestuurder dat die waardasies in albei tale adverteer word in verskeie koerante, maar nie gewoonlik gelyktydig tweetalig adverteer word in een koerant nie.

Die Munisipale Bestuurder gee breedvoerig terugvoering oor planne wat in plek gestel is ten opsigte van skakeling met die Kleinboere.

Rdl A M Booysen bedank die Direkteur: Ontwikkelingsdienste vir haar ondersteuning aan die gemeenskap met betrekking tot die oorhandiging van huise.

Rdl I S le Minnie spreek haar kommer uit oor die ondersoekfooi met betrekking tot die bouplanne wat so hoog is in Maart 2022.

Die Munisipale Bestuurder gee terugvoer oor bovermelde kwessie en meld dat as gevolg van 1 groot projek in Riebeek-Kasteel wat die munisipaliteit ontvang het, het veroorsaak dat die aantal ondersoek fooi gestyg.

BESLUIT

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

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

7. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

(GET) RDL G VERMEULEN
VOORSITTER

5. DELEGATED MATTERS

5.1 MONTHLY REPORT: MARCH 2022

The chairperson tabled the monthly report.

The Director: Development Services, Ms J S Krieger, provided information on the progress of the various housing projects and the various projects presented in Swartland Municipality by Community Development.

Cllr P E Soldaka inquired about the feedback from the community, following the first handover of houses in De Hoop, Malmesbury.

The Director: Development Services stated that windows have been thrown out at the above-mentioned houses and that the municipality, after a survey regarding the damage, repaired all the windows.

On inquiry by cllr P E Soldaka regarding the steps that are in place with the second handover of the De Hoop houses, the Director: Development Services stated that an action plan has been drawn up for the way forward, also with regard to the support to the emerging farmers.

On inquiry by cllr I S le Minnie about the supplementary valuations in the report that must be advertised bilingually (Afrikaans and English) in the newspapers, the Municipal Manager stated that the valuations are advertised in both languages in several newspapers, but not usually advertise bilingually at the same time.

The Municipal Manager provided detailed feedback on plans that have been put in place regarding liaison with the Smallholder farmers.

Cllr A M Booysen thanked the Director: Development Services for her support to the community regarding the handover of homes.

Cllr I S le Minnie expressed her concern about the investigation fees regarding the building plans that are so high in March 2022.

The Municipal Manager gave feedback on the above-mentioned issue and stated that due to 1 large project in Riebeek-Kasteel that the municipality received, the number of investigation fees increased.

RESOLUTION

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

That cognisance be taken of the monthly report of the Directorate Development Services for March 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 March 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, 11 MEI 2022 OM 11:58

TEENWOORDIG:

RAADSLEDE:

Ondervoorzitter, rdl A K Warnick

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

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

BEAMPTES:

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

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom lede.

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

Verlof tot afwesigheid word verleen aan rdd M van Zyl en rdl C Daniels.

2. NOTULE

2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (BESKERMINGS-DIENSTE) GEHOU OP 13 APRIL 2022

BESLUIT

(voorgestel deur rdl I S le Minnie, gesekondeer deur rdl R J Jooste)

Dat die notule van die Portefeuljekomiteevergadering (Beskermingsdienste) gehou op 13 April 2022 goedgekeur word, onderhewig aan die regstellings:

- dat aangedui word dat die Uitvoerende Burgemeester, rdh J H Cleophas (in ex-officio hoedanigheid) afwesig was met verskoning; en
- dat "virtual" verwyder word by paragraaf 1 op bl 79; en
- dat "BESLUIT" vervang word met "RESOLUTION" op bl 79 by paragraaf 2.1.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

Geen

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

5. GEDELEGEERDE SAKE



MINUTES OF A MEETING OF THE PROTECTION SERVICES PORTFOLIO COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 11 MAY 2022 AT 11:58

PRESENT:

COUNCILLORS:

Deputy chairperson, cllr A K Warnick

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

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

OFFICIALS:

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

1. OPENING/APOLOGIES

The chairperson welcomed members.

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

Apologies received from ald M van Zyl en cllr C Daniels.

2. MINUTES

2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (PROTECTION SERVICES) HELD ON 13 APRIL 2022

BESLUIT

(proposed by cllr I S le Minnie, seconded by cllr R J Jooste)

That the minutes of a Portfolio Committee Meeting (Protection Services) held on 13 April 2022 are approved, subject to the corrections:

- that it be indicated that the Executive Mayor, ald J H Cleophas (in ex-officio capacity) was absent with apology;
- that "virtual" be removed from paragraph 1 on page 79; and
- that "BESLUIT" be replaced with "RESOLUTION" on page 79, paragraph 2.1.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None

4. MATTERS ARISING FROM THE MINUTES

None

5. DELEGATED MATTERS

5.1. MAANDVERSLAG: MAART 2022

5.1.1 VERKEER- EN WETSTOEPASSINGSDIENSTE 5.1.2 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 verduidelik die Inkomste: Registrasie en Lisensie vir Maart 2022 se verslag, na afloop van rdl I S le Minnie se navraag.

Op navraag deur rdh B J Stanley oor die Expanded Public Works Programme (EPWP) vir Wetstoepassing, meld die Direkteur: Beskermingsdienste dat daar nie nou gebruik gemaak word van die EPWP program om Wetstoepassers aan te stel nie.

Op navraag deur rdh B J Stanley oor die nagskof-stelsel deur Wetstoepassing, meld die Direkteur: Beskermingsdienste dat daar gesprekvoering is om die nagskof-stelsel vir Wetstoepassing te oorweeg.

Ten slotte meld die Direkteur: Beskermingsdienste dat daar 'n uitdaging is met struktuur brande en dat die begroting vir die herstel van huise uitgeput is.

BESLUIT

(op voorstel van rdl I S le Minnie, gesekondeer deur rdl R J Jooste)

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

6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

(GET) RDL A K WARNICK
ONDERVOORSITTER

5.1. MONTHLY REPORT MARCH 2022

5.1.1 TRAFFIC AND LAW ENFORCEMENT SERVICES 5.1.2 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 explained the Revenue: Registration and License for March 2022's report, following cllr I S le Minnie's inquiry.

On inquiry by ald B J Stanley about the Expanded Public Works Program (EPWP) for Law Enforcement, the Director: Protection Services stated that the EPWP program to appoint Law enforcers is not currently being used.

On inquiry by ald B J Stanley about the night shift system for Law Enforcement, the Director: Protection Services stated that there is discussions to consider the night shift system for Law Enforcement.

In conclusion, the Director: Protection Services stated that there is a challenge with structural fires due to the fact that the budget for the repair of houses has been exhausted.

RESOLUTION

(proposed by cllr I S le Minnie, seconded by cllr R J Jooste)

That cognisance be taken of the monthly reports from the various divisions in the Directorate Protection Services, namely Traffic and Law Enforcement and Fire Fighting, for March 2022.

6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

(SGD) CLLR A K WARNICK
DEPUTY CHAIRPERSON



NOTULE VAN 'N VERGADERING VAN DIE UITVOERENDE BURGEMEESTERSKOMITEE GEHOU IN DIE STADSAL, MALMESBURY OP WOENSDAG, 15 JUNIE 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
Bestuurder: Sekretariaat en Rekords, me N Brand

1. OPENING

Die voorsitter verwelkom lede en open die vergadering.

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 19 MEI 2022

BESLUIT

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

Dat die notule van 'n Gewone Uitvoerende Burgemeesterskomiteevergadering gehou op 19 Mei 2022 goedgekeur en deur die Uitvoerende Burgemeester onderteken word.

5. OORWEGING VAN AANBEVELINGS UIT DIE NOTULE

5.1 NOTULES VAN PORTEFEULJEKOMITEESVERGADERINGS GEHOU OP 8 JUNIE 2022



MINUTES OF A MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE TOWN HALL, MALMESBURY ON WEDNESDAY, 15 JUNE 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
Manager: Secretarial and Records, ms N Brand

1. OPENING

The chairman welcomed members and opened the meeting.

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 19 MAY 2022

RESOLUTION

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

That the minutes of an Ordinary Executive Mayor's Committee Meeting held on 19 May 2022 are approved and signed by the Executive Mayor.

5. CONSIDERATION OF RECOMMENDATIONS IN THE MINUTES

5.1 MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 8 JUNE 2022

5.1.1 MUNISIPALE BESTUURDER, ADMINISTRASIE EN FINANSIES**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.

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.

5.1.3 ONTWIKKELINGSDIENSTE**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.

5.1.4 BESKERMINGSDIENSTE**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.

6. SAKE VOORTSPRUITEND UIT DIE NOTULES

Geen.

7. NUWE SAKE**7.1 VOORLEGGING VAN DIE 2022/2023 DIENSLEWERING- EN BEGROTINGIMPLEMENTERINGSPLAN (SDBIP) (2/1/4/4/1)**

Artikel 53 van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, Wet 56 van 2003 (MFMA), bepaal dat die Munisipaliteit se SDBIP deur die Uitvoerende Burgemeester goedgekeur moet word binne 28 dae na goedkeuring van die jaarlikse begroting in Mei (dit is voor of op 25 Junie 2022). Die konsep SDBIP is reeds op 9 Junie 2022 aan die Uitvoerende Burgemeester voorsien ter voldoening aan artikel 69 van die MFMA.

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

BESLUIT

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

Dat die aangehegte 2022/2023 Dienslewering- en Begrotingimplementeringsplan (SDBIP) goedgekeur word.

7.2 VOORLEGGING VAN 2022/2023 PRESTASIE-OOREENKOMSTE EN -PLANNE (2/4/2)

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

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

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

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.

5.1.3 DEVELOPMENT 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.

5.1.4 PROTECTION 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.

6. MATTERS ARISING FROM THE MINUTES

None.

7. NEW MATTERS**7.1 SUBMISSION OF THE 2022/2023 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) (2/1/4/4/1)**

Section 53 of the Local Government Act: Municipal Financial Management, Act 56 of 2003 (MFMA) stipulates that the Municipality's SDBIP must be approved by the Executive Mayor within 28 days of the approval of the annual budget in May (that is before the 25 June 2022). The draft SDBIP has already been submitted to the Executive Mayor on 9 June 2022 in compliance with section 69 of the MFMA.

The SDBIP acts as a resource for the management of the Municipality in order to attain service delivery goals and the spending of capital projects within the stipulated timeframes.

RESOLUTION

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

That the attached 2022/2023 Service Delivery and Budget Implementation Plan (SDBIP) be approved.

7.2 SUBMISSION OF 2022/2023 PERFORMANCE AGREEMENT AND PLANS (2/4/2)

Section 57 of the Local Government Act: Municipal Systems, Act 32 of 2000, stipulates that the performance agreement, in respect of the municipal manager and persons directly responsible to the municipal manager, must be concluded within one month of the beginning of the financial year.

The performance agreement from the Municipal Manager and the Director: Development Services (as example of that from the directors) was circulated with the agenda.

Resolution/...

7.2/...

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

BESLUIT

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

Dat kennis geneem word van die Munisipale Bestuurder en direkteure se prestasie-ooreenkomste en -planne vir die 2022/2023 finansiële jaar.

7.3 KWARTAALVERSLAG OOR DIE PRESTASIE VAN KONTRAKTEURS (8/1/B/1)

Daar word op 'n maandelikse basis tydens die prestasiemetingssessies met die Munisipale Bestuurder verslag gedoen aangaande die prestasie van diensverskaffers wat deur middel van die Voorsieningkanaalbestuursbeleid op tender aangestel is.

Die betrokke verslag is met die sakelys gesirkuleer ter voldoening aan artikel 116(2) van die MFMA en is daar geen probleme ondervind met kontrakteurs wat gerapporteer moet word nie.

BESLUIT

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

Dat kennis geneem word van die Kwartaalverslag insake die Prestasie van Kontrakteurs vir die periode 1 Januarie 2022 tot 30 April 2022.

7.4 VERHURING VAN HANDELSPLASIES TE RIEBEEK KASTEEL EN RIEBEEK-WES (12/1/3/1-1/1)

Die Direkteur: Ontwikkelingsdienste, me J S Krieger, behandel die verslag en noem dat die Munisipaliteit, in vennootskap met PPC Riebeeek, beplan om entrepreneursnodes in Riebeeek Kasteel en Riebeeek-Wes te vestig.

Daar sal voorsiening gemaak word vir die bedryf van klein besighede uit vier (4) doelgemaakte skeepvraghouers wat deur PPC Riebeeek voorsien sal word.

Die verslag het ten doel om die voorgestelde kriteria vir die toekenning en bedryf van die handelsplasies voor te lê vir oorweging en goedkeuring.

BESLUIT

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

- (a) Dat die aangehegte kriteria en aansoekproses goedgekeur word vir die identifisering van huurders vir die beskikbare handelsplasies soos volg;
 - erwe 1539, 1540 en 1541, Riebeeek Kasteel;
 - erf 2183, Riebeeek-Wes; en
 - vir die informele areas te erwe 161, 163 en 649, Riebeeek-Wes
- (b) Dat die Direkteur van Korporatiewe Dienste en Ontwikkelingsdienste, tesame met amptenare van hul keuse, beoordag word om voornemende huurders te evalueer en huurooreenkomste met die suksesvolle aansoekers aan te gaan, vir 'n periode van twee jaar en onderworpe aan 'n maandelikse huur van R100.00, BTW uitgesluit;
- (c) Dat die Direkteur: Korporatiewe Dienste gemagtig word om die terme en voorwaardes van die genoemde huurooreenkomste te bepaal, in samewerking met die Direkteur: Ontwikkelingsdienste;
- (d) Dat daar op bestuursvlak oorweging geskenk daaraan dat die dienste-aansluitings (water, elektrisiteit) uit die Munisipaliteit se bedryfsbegroting gesubsidieer sal word al dan nie.

RESOLUTION

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

That note is taken of the performance agreement of the Municipal Manager and Directors, and plans for the 2022/2023 financial year.

7.3 QUARTERLY REPORT IN RESPECT OF PERFORMANCE OF CONTRACTORS (8/1/B/1)

During the performance evaluation sessions with the Municipal Manager reporting is carried out on a monthly basis in respect of service providers who have been appointed through the Supply Chain Management Policy by means of tenders.

The relevant report was circulated with the agenda in compliance with section 116(2) of the MFMA and there were no problems experienced with contractors, which must be reported.

RESOLUTION

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

That note be taken of the Quarterly Report on the Performance of Contractors for the period 1 January 2022 to 30 April 2022.

7.4 LEASE OF TRADING AREAS IN RIEBEEK KASTEEL AND RIEBEEK WEST (12/1/3/1-1/1)

The Director: Development Services, ms J S Kriegler, dealt with the report and stated that the Municipality, in partnership with PPC Riebeeek, plans to establish entrepreneurial nodes in Riebeeek Kasteel and Riebeeek West.

There will be provision made for the operation of small businesses out of (4) four specially designed containers, which will be provided by PPC Riebeeek.

The aim of the report is to submit proposed criteria for the allocation and operation of the trading areas for consideration and approval.

RESOLUTION

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

- (a) That the attached criteria and application process be approved for identifying lessees for the available trading spaces on:
 - erven 1539, 1540 and 1541, Riebeeek Kasteel;
 - erf 2183, Riebeeek West; and
 - the informal areas on erven 161, 163 and 649, Riebeeek West
- (b) That the Directors of Corporate Services and Development Services, along with officials of their choice, be tasked with evaluating prospective lessees and awarding lease agreements to successful applicants, for a period of two years and subject to a monthly rental of R100.00, VAT excluded;
- (c) That the Director: Corporate Services be authorized to determine the terms and conditions of said lease agreements, in conjunction with the Director: Development Services;
- (d) That consideration be given at management level as to whether or not service connections (water, electricity) are to be subsidized or not from the Municipality's operating budget.

7.5 TENDER L06.21.22: VERHURING VAN ERF 11228, MALMESBURY (12/2/4-8/4)

Erf 11228 (voorheen bekend as kampe 5, 6 en 7) is in die verlede as landbougrond verhuur by wyse van 'n meerjarige (3-jaar) tender. Die huurooreenkoms het op 1 Maart 2019 'n aanvang geneem en op 28 Februarie 2022 verstryk.

Gegewe die moontlikheid dat die eiendom in die afsienbare toekoms vir ander doeleindes aangebied mag word, is daar besluit om die huurtermyn te verkort na slegs een (1) jaar.

'n Tenderproses is deurloop en geen aanbiedinge is ontvang nie. Daar is gevolglik weer op tender uitgegaan vir die verhuring van die betrokke grond vanaf 1 Julie 2022 tot 30 Junie 2023 en een huuraanbieding is ontvang.

BESLUIT

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

- (a) Dat Tender L06.21.22 vir die huur van erf 11228, gedeelte van erf 327, Malmesbury (groot 139,7603 hektaar) met ingang vanaf 1 Julie 2022 vir 'n periode van een jaar tot 30 Junie 2023 aan die Walters Broers Vennootskap toegeken word, ten bedrae van R80 000,00 per jaar, plus BTW;
- (b) Dat goedkeuring verleen word dat die Direkteur: Korporatiewe Dienste die huurooreenkoms, met betrekking waartoe die verhuurder reeds as deel van sy tendervoorlegging die terme en voorwaardes aanvaar het, mag onderteken namens die Munisipaliteit.

7.6 MUNISIPALE BEPLANNINGSDOKUMENT VIR VOORLOPIGE DIENSTE EN MENSLIKE NEDERSETTINGSKWESSIES INGEVOLGE DIE RAAD SE NEDERSETTINGSPLAN (17/4/2/B)

Die Direkteur: Ontwikkelingsdienste, me J S Krieger, behandel die voorgestelde behuisingspylpyn en beklemtoon dat dit dien as 'n beplanningsdokument om grootmaatsdienste in plek te kry vir behuisingsprojekte. Dit is dus nie 'n gegewe dat befondsing vanaf die Departement van Menslike Nedersettings ontvang sal word nie, maar ten minste sal die Munisipaliteit gereed wees in terme van grootmaatsdienste om projekte te implementeer.

Die Direkteur: Ontwikkelingsdienste beklemtoon dat projekte op die behuisingspylpyn aangepas sal word soos wat befondsing realiseer en om binne die begroting te bly. Me Krieger noem dat dit nie moontlik is om die aantal topstrukture te bepaal nie, aangesien laasgenoemde bepaal word deur die vasgestelde kriteria wat moontlik oor een/twee jaar mag verander.

Na 'n bespreking versoek die voorsitter dat die korrekte inligting aan die gemeenskap deurgegee moet word en dat inwoners aangemoedig moet word om die geheelbeeld van behuisingsontwikkeling in die Swartland munisipale gebied te sien, byvoorbeeld dat aangesien daar laas in 2004 huise op Moorreesburg gebou is, laasgenoemde geoormerk word vir die volgende behuisingsprojek.

BESLUIT

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

- (a) Dat die aangepaste munisipale beplanningsdokument soos voorgelê, deur die Uitvoerende Burgemeesterskomitee aanvaar word;
- (b) Dat die voorgestelde projekte 'n beplanningsdokument is en onderworpe is aan die beskikbaarheid van fondse, geskikte grond en grootmaatsdienste binne die onderskeie dorpe en indien voldoende fondse nie beskikbaar is nie, projekte moontlik aangeskuif kan word na die volgende finansiële jare;
- (c) Dat die Raad ook kennis neem dat die topstrukture (395) van fase 1 van die Malmesbury De Hoop Behuisingsprojek einde Februarie 2023 voltooi sal word, en dat daar aansoek gedoen is by die Departement van Menslike Nedersettings vir die installering van siviele dienste ten opsigte van Fase 2 (230 erwe).

7.5 TENDER L06.21.22: LEASE OF ERF 11228, MALMESBURY (12/2/4-8/4)

Erf 11228 (formerly known as camps 5, 6 and 7) has been leased in the past as agricultural land by means of a multi-year (3 year) tender. The lease agreement commenced on 1 March 2019 and expired on 28 February 2022.

Given the possibility that the property may be offered for other purposes in the foreseeable future, it was decided to shorten the lease term to (1) one year.

A tender process was undertaken and no offers were received. Then it was again offered for tender for the lease of the relevant land from 1 July 2022 to 30 June 2023 and one offer was received.

RESOLUTION

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

- (a) That Tender L06.21.22 for the leasing of erf 1128, portion of erf 327, Malmesbury (139,7603 hectares in extent) be awarded to the Walters Broers Partnership in the amount of R80 000,00 per annum, plus VAT, effective from 1 July 2022 for a period of one year until 30 June 2023;
- (b) That approval be granted to the Director: Corporate Services to sign the lease agreement, in respect of which the lessor has already accepted the terms and conditions as part of its tender proposal, on behalf of the Municipality.

7.6 MUNICIPAL PLANNING DOCUMENT FOR PROVISIONAL SERVICES AND HUMAN SETTLEMENT MATTERS IN ACCORDANCE WITH THE COUNCIL'S HUMAN SETTLEMENT PLAN (17/4/2/B)

The Director: Development Services, ms J S Krieger, dealt with the proposed housing pipeline and emphasised that it serves as a planning document in order to establish bulk services for housing projects. It is, however, no guarantee that funding will be received from the Department of Human Settlement, but at least the Municipality will be ready, in terms of bulk services, to implement projects.

The Director: Development Services emphasised that projects on the housing pipeline will be adapted as funding is realized and to remain within the budget. Ms Krieger stated that it is not possible to determine the number of top structures because the latter are determined by the entrenched criteria which may change over one/two years.

After a discussion the chairman requested that the correct information must be given to the community and that residents must be encouraged to see the housing development in the Swartland municipal area as a whole, for example as houses were last built in Moorreesburg in 2004 the latter is earmarked for the next housing project.

RESOLUTION

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

- (a) That the municipal planning document as tabled be adopted by the Executive Mayoral Committee;
- (b) That the proposed projects, only be a preliminary planning document and are subjected to the availability of funding, suitable land and bulk services within the relevant towns and should sufficient funding not be available the projects be moved to the following financial years;
- (c) That it be noted that the top structures(395) for phase1 of the Malmesbury De Hoop Housing Project will be completed end of February 2023 and that a funding application was submitted to the Department of Human Settlements for the installation of civil services with regards to phase 2(230 erven).

7.7 INLIGTING- EN KOMMUNIKASIE TEGNOLOGIE: GOEDKEURING VAN HERSIENDE EN OPGEDATEERDE BELEIDE (6/2/3/1/B)

Die Direkteur: Elektriese Ingenieursdienste, mnr R du Toit, gee agtergrond tot die ontwikkeling van die beleide, onder andere, op versoek van die eksterne ouditeure en die pro-forma Korporatiewe Bestuursbeleid insake Inligting- en Kommunikasie Tegnologie soos voorsien deur Provinsie.

Die betrokke beleide is hersien en opdateer op grond van sekuriteitsmaatreëls soos aanbeveel deur die konsultant, nuutste ontwikkelinge op die gebied en POPIA-vereistes.

BESLUIT

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

- (a) Dat die volgende hersiende en opgedateerde beleide insake Inligting- en Kommunikasie Tegnologie goedgekeur word vir implementering:
 - Inligtingstegnologie Strategie;
 - Inligtingsekuriteitsbeleid: Eindgebruikers
 - Inligtingsekuriteitsbeleid: Tegnies
 - FireWall-stelselsbeleid
 - Korporatiewe Bestuursbeleid insake Inligting- en Kommunikasie Tegnologie;
- (b) Dat die goedgekeurde Inligtingsekuriteitsbeleid: Eindgebruikers aan alle munisipale rekenaargebruikers voorsien word met die versoek dat elkeen die aanvaarding en nakoming van die beleid skriftelik bevestig.

7.8 DERDE WYSIGING VAN DIE 2021/2022 MIG-PROJEKIMPLEMENTERINGSPLAN (5/9/2/6/1)

Die Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann, noem dat enige wysigings aan die MIG-projekimplementeringsplan deur die Raad goedgekeur moet word.

Die wysigings behels 'n heralokering van fondse tussen die MIG-geregisteerde projekte vir die suksesvolle uitvoering daarvan.

BESLUIT

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

- (a) Dat kennis geneem word van die derde wysiging van die 2021/2022 MIG-Projekimplementeringsplan (DPIP);
- (b) Dat, ten einde die MIG-projekte suksesvol te implementeer 'n heralokering van fondse tussen die geregistreerde MIG-projekte gedoen moet word, en dat die 2021/2022 MIG-projekimplementeringsplan dienoreenkomstig gewysig word;
- (c) Dat die volgende projekte en begrotings vir die derde gewysigde MIG-projekimplementeringsplan vir die 2021/2022 finansiële jaar goedgekeur word:

Nr	Projek	Begroting
1	De Hoop Development: Upgrade Bulk Water Supply (WC1865/W/21/25)	R 350 000.00
2	Upgrade Moorsburg WWTW (WC1710S/17/122)	R 15 849 816.00
3	Darling Upgrading of Waste Water Treatment Works & Dewatering Facility (WC1780/S/19/22)	R 3 027 658.00
4	Moorsburg: Rehabilitation of Roads (WC1768/R.ST/19/23)	R 1 043 515.10
5	Riebeek Kasteel: Rehabilitation of Roads (WC1767/R.ST/19/23)	R 704 000.00
6	Koringberg: Rehabilitation of Roads (WC1766/R.ST/19/23)	R 129 750.87
7	Malmesbury: Rehabilitation of Roads (WC1765/R.ST/19/23)	R 3 996 260.03
8	Malmesbury: Ilinglethu Construction of Roads (WC1859/R.ST/22/25)	R 1 200 000.00
Total		R 26 301 000.00

7.7 INFORMATION AND COMMUNICATION TECHNOLOGY: APPROVAL OF THE REVISED AND UPDATED POLICIES (6/2/3/1/B)

The Director: Electrical Engineering Services, mr R du Toit, provided the background to the development of the policies, inter alia, at the request of the external auditor and the pro-forma Corporate Management Policy in respect of the Information and Communication Technology provided by the Province.

The relevant policies were revised and updated on the grounds of the security arrangements as recommended by the consultant, latest developments in the area and POPIA requirements.

RESOLUTION

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

- (a) That the following reviewed and updated ICT policies be approved and adopted for implementation:
 - Information Technology Strategy
 - Information Security Policy End Users
 - Information Security Policy Technical
 - FireWall System Policy
 - Corporate Governance of ICT Policy
- (b) That the approved updated Information Security Policy End Users be provided to all municipal computer users who will be required to acknowledge acceptance thereof as well as adherence thereto in writing.

7.8 THIRD REVISION OF THE 2021/2022 MIG-PROJECT IMPLEMENTATION PLAN (5/9/2/6/1)

The Director: Civil Engineering Services, mr L D Zikmann, stated that any amendments to the MIG project implementation plan must be ratified by the Council.

The amendments contain a reallocation of funds between the MIG registered projects for the successful execution thereof.

RESOLUTION

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

- (a) That the Executive Mayoral Committee notes that the third amendment to the 2021/2022 DPIP;
- (b) That the Executive Mayoral Committee notes that in order to achieve successful project implementation a re-allocation of funds between registered MIG projects is required and that the 2021/2022 DPIP must be amended accordingly;
- (c) That the Executive Mayoral Committee approves the following projects and budgets for the third amended of the DPIP for the 2021/2022 financial year:

Nr	Project	Budget
1	De Hoop Development: Upgrade Bulk Water Supply (WC1865/W/21/25)	R 350 000.00
2	Upgrade Moorsburg WWTW (WC1710S/17/122)	R 15 849 816.00
3	Darling Upgrading of Waste Water Treatment Works & Dewatering Facility (WC1780/S/19/22)	R 3 027 658.00
4	Moorsburg: Rehabilitation of Roads (WC1768/R.ST/19/23)	R 1 043 515.10
5	Riebeek Kasteel: Rehabilitation of Roads (WC1767/R.ST/19/23)	R 704 000.00
6	Koringberg: Rehabilitation of Roads (WC1766/R.ST/19/23)	R 129 750.87
7	Malmesbury: Rehabilitation of Roads (WC1765/R.ST/19/23)	R 3 996 260.03
8	Malmesbury: Ilinglethu Construction of Roads (WC1859/R.ST/22/25)	R 1 200 000.00
Total		R 26 301 000.00

7.8/...

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

7.9 AANSOEK VIR DIE OPRIGTING VAN 'N MONUMENT: DARLING BEGRAAFPLAAS (16/6/B)

[Rdl A K Warnick verlaat die lokaal vir die bespreking van die item weens 'n familieband met die aansoeker.]

Die Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann, lê die aansoek voor vir die oprigting van 'n monument by die Darling Begraafplaas.

Die aansoeker, me I Johnson, beskryf in kort die geskiedenis van die gebruik van "Ons Lykshuisie" by die Darling Begraafplaas en noem die belangrikheid om hierdie geskiedenis as erfenis vir die nageslag te bewaar deur die oprigting van 'n monument.

Die aansoek word deur die Departement: Siviele Ingenieursdienste ondersteun, onderhewig aan die voorwaardes soos hieronder genoem.

BESLUIT

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

- (a) Dat kennis geneem word van die versoek ontvang vanaf Mev Ivy Johnson, 'n seniorburger van Darling om toestemming om 'n monument by die Darling Begraafplaas op te rig om historiese begrafnispraktyke te herdenk;
- (b) Dat verder kennis geneem word dat die inisiatief nie enige bydrae vanaf die Munisipaliteit vereis nie;
- (c) Dat die inisiatief ondersteun word en goedkeuring verleen word om 'n monument op te rig, op voorwaarde dat –
 - Die Munisipaliteit die ontwerp ontwikkel;
 - Bouplanne voorgelê word vir oorweging en goedkeuring alvorens konstruksie 'n aanvang neem;
 - Die Munisipaliteit toesig oor die projek hou.

7.10 SWARTLAND MUNISIPALITEIT: 2022 HERSIENDE BELEID INSAKE BESIGHEIDKONTINUITEIT EN RAMPHERSTELPLAN (17/5/1/1)

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

Die Direkteur: Beskermingsdienste, mnr P A C Humphreys, noem dat die beleid bygewerk is met die nuutste kontakbesonderhede van betrokke personeel en die nuwe munisipale geboue wat onlangs bygekom het.

BESLUIT

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

- (a) Dat kennis geneem word van die wysigings soos aangebring aan die Beleid insake Besigheidkontinuiteit- en Rampherstelplan;
- (b) Dat die hersiende 2022 Swartland Besigheidkontinuiteit- en Rampherstelplan goedgekeur word.

7.11 UITSTAANDE DEBITEURE: MEI 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, bevestig die betaalsyfer van 104,99% vir Meimaand. Mnr Bolton noem dat die uitstaande skulde as 'n daaglikse prioriteit in terme van die bestuur van die Munisipaliteit se risiko's beskou word, maar nie onbestuurbaar is nie.

7.8/...

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

7.9 APPLICATION FOR THE ERECTION OF A MONUMENT: DARLING CEMETERY (16/6/B)

[Clr A K Warnick left the meeting for the duration of the item due to a family connection with the applicant]

The Director: Civil Engineering Services, mr L D Zikmann, presented the application for the erection of a monument at the Darling Cemetery.

The applicant, ms I Johnson, presented a short history of the use of "Ons Lykshuisie" at the Darling cemetery, and explained the importance of this history as heritage, to be preserved for future generations, by erecting a monument.

The application is supported by the Department of Civil Engineering Services, subject to the conditions stated below.

RESOLUTION

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

- (a) That cognizance be taken of the application by Mrs. Ivy Johnson, a senior citizen of Darling, for permission to erect a Monument at the old Darling Cemetery to commemorate historic funeral practices;
- (b) That cognizance further be taken that the initiative does not require any contribution from the Municipality;
- (c) That the initiative be supported and the permission be granted to erect the Monument provided that:
 - The Municipality develops the design drawings;
 - Building plans be submitted and approved prior to construction;
 - The Municipality provides construction supervision.

7.10 SWARTLAND MUNICIPALITY: 2022 REVISED POLICY IN RESPECT OF BUSINESS CONTINUITY AND DISASTER RECOVERY PLAN (17/5/1/1)

The aim of the Business Continuity and Disaster Recovery Plan is to prepare the Municipality for extensive service breakdowns and to regain service delivery as quickly as possible.

The Director: Protection Services, mr P A C Humphreys, stated that the policy includes the latest contact numbers of the personnel involved and the new municipal buildings which have recently been added.

RESOLUTION

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

- (a) That cognizance is taken of the changes that was made to the Business Continuity and Recovery Plan;
- (b) That the reviewed 2022 Swartland Business Continuity and Recovery Plan be approved.

7.11 OUTSTANDING DEBTORS: MAY 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, confirmed the payment figure of 104,99% for the month of May. Mr Bolton stated that the outstanding debtors must be seen as a daily priority in terms of the Municipality's risk, but that this is not unmanageable.

7.11/...

BESLUIT

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

Dat kennis geneem word van die verslag aangaande die stand van Swartland Munisipaliteit se uitstaande debiteure vir Mei 2022.

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

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

'n Bespreking volg aangaande die beskerming van die Raad se bates en noem die Direkteur: Finansiële Dienste, mnr M Bolton dat, weens die hoë bedryfskoste, dit nie moontlik is om sekuriteitswagte oral aan te stel nie. Daar moet dus 'n balans gevind word tussen die bedryfskoste en die impak op tariewe, met ander woorde in hoe 'n mate moet die belastingbetaler belas word om bates te beskerm.

BESLUIT

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

Dat kennis geneem word van die stand van uitstaande versekeringseise tot en met 31 Mei 2022 soos met die sakelys gesirkuleer.

7.13 AFSKRYF VAN BATES TEN DOEL OM DIT VAN DIE BATEREGISTER TE VERWYDER MET BETREKKING TOT VERSEKERINGSEISE TOT 31 MEI 2022 (6/1/4)

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

BESLUIT

Dat goedkeuring verleen word vir die afskryf van bates ter waarde van R20 982.05 (soos aangeheg) en dat die betrokke bates dienoreenkomstig vanaf die bataregister verwyder word.

7.14 STAND VAN AFSKRYF VAN VERLORE EN VERNIETIGENDE BATES SOOS OP 30 JUNIE 2022 TEN DOEL OM DIT VAN DIE BATEREGISTER TE VERWYDER (6/1/4)

Die jaarlikse bateopname van alle onroerende bates het plaasgevind tussen Februarie en Mei 2022. 'n Totaal van 8170 bates is nagegaan en slegs 15 items (0.018%) kon nie teen 1 Junie 2022 opgespoor word nie.

Hierdie klein persentasie van verlore en vernietigde bates is 'n belangrike aanduiding dat die nodige prosesse en kontroles in plek is om die bates van die Raad voldoende te beskerm.

BESLUIT

Dat goedkeuring verleen word vir die afskryf van bates wat verlore geraak en/of vernietig is ter waarde van R8 370.18 (soos aangeheg) en dat die betrokke bates dienoreenkomstig vanaf die bataregister verwyder word ten einde lg. op datum te bring teen 30 Junie 2022.

7.15 AFSKRYF VAN GESTEELDE ELEKTRIESE KABELS BY DIE MUNISIPALE STORE: 2021/2022 PAKHUIS 1 (6/1/4)

Die diefstal van elektriese kables het op twee geleenthede by die Munisipale store plaasgevind, onderskeidelik op 23 Augustus 2021 en 4 Oktober 2021. Die diefstal is aan die SAPD en Bate- en Vlootafdelings gerapporteer. Die eise ten bedrae van R25 096.54 en R33 373.06 onderskeidelik is nie aanvaar nie, aangesien die eisbedrae minder is as die bybetaling.

7.11/...

RESOLUTION

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

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

7.12 PROGRESS IN RESPECT OF OUTSTANDING INSURANCE CLAIMS (5/14/3/5)

In accordance with the Asset Management Policy outstanding insurance claims must be reported monthly.

A discussion followed in respect of protection of the Council's assets and the Director: Financial Services, mr M Bolton, stated that, due to the high operating costs, it is not possible to appoint security guards everywhere. A balance must therefore be found between the operating costs and the impact on tariffs, in other words, a higher degree of taxation must be levied on the tax payer in order to protect assets.

RESOLUTION

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

That cognizance be taken of the progress with outstanding insurance claims for the period ending 31 May 2022.

7.13 WRITE-OFF OF ASSETS FOR REMOVAL FROM THE ASSET REGISTER IN RESPECT OF INSURANCE CLAIMS TO 31 MAY 2022 (6/1/4)

Maintaining the Asset Register is required in accordance with Section 63 of the Local Government: Municipal Financial Act (Act 56 of 2003). A list of assets which can be written off and must therefore be removed from the Asset Register, was circulated with the agenda.

RESOLUTION

That council grants approval for the assets as per the attached list (R 20 982.05) be written off and that same be removed from the asset register for purposes of completeness of same.

7.14 POSITION OF WRITE-OFF OF LOST AND DESTROYED ASSETS AS OF 30 JUNE 2022 IN ORDER FOR REMOVAL FROM THE ASSET REGISTER

The annual stock take of all immovable assets took place between February and May 2022. A total of 8170 assets were examined and only 15 items (0.018%) could not be traced by 1 June 2022.

This small percentage of lost and destroyed items, is an important indication that the necessary processes and controls are in place in order to adequately protect the Council's assets.

RESOLUTION

That council grants approval for the assets as per the attached list (R 8 370.18) be written off and that same be removed from the asset register for purposes of completeness of the municipality's records as at 30 June 2022.

7.15 WRITE-OFF OF STOLEN ELECTRICAL CABLES AT THE MUNICIPAL STORE: 2021/2022 PAKHUIS 1 (6/1/4)

The theft of electrical cables took place on two occasions at the Municipal store, on 23 August 2021 and 4 October 2021 respectively. The theft was reported to the SAPS and Asset and Fleet Divisions. The claims to the amount of R25 096.54 and R33 373.06 respectively were not approved, because the amount of the claims was less than the excess.

7.15/...

BESLUIT

Dat die gesteele elektriese kables ten bedrae van R58 469.60 (BTW uitgesluit) in die 2021/2022 finansiële jaar afgeskryf word.

7.16 AFWYKING VAN VOORGESKREWE VERKRYGINGSPROSEDURES: VERVANG VERKEERSLIGBEHEERDER, MALMESBURY: H/V VOORTREKKER- EN LANGSTRAATKRUISSING (8/1/B/2)

Die beheerder van die verkeersein by die Voortrekker- en Langstraatkruising in Malmesbury is foutief en aktiveer die rooi sein in alle rigtings wat verkeersvloei nadelig beïnvloed en opeenhopings tot gevolg het.

Die beheerder kan nie herstel word nie, aangesien sommige komponente weens die ouderdom van die apparaat, nie meer beskikbaar is nie.

BESLUIT

- (a) Dat die Uitvoerende Burgemeesterskomitee kennis neem van die afwyking van die voorgeskrewe verkrygingsprosedures ingevolge klousule 36(2) van die Voorsieningkanaalbestuurbeleid;
- (b) Dat verder kennis geneem word van die aksie van die Munisipale Bestuurder om nie tenders uit te nooi nie, maar wel die kwotasie van *EJL Works (Pty) Ltd* te aanvaar ten bedrae van R115 579.03 (BTW ingesluit) vir die vervanging, installering, opkoppeling en programmering van die beheerder om die foutiewe verkeersein te herstel;
- (c) Dat die redes vir die afwyking van die voorgeskrewe verkrygingsproses soos volg aangeteken word:
 - (i) Dit was onprakties om die amptelike verkrygingsprosesse te volg aangesien die oorsaak van die periodieke onderbreking van die verkeersein deur die spesialisdiensverskaffer vasgestel moes word vir spoedige herstel daarvan in die lig van die verkeersopeenhoping.
 - (ii) Die spoedige aanstelling van die spesialisdiensverskaffer was die enigste praktiese opsie om die vervanging van die beheerder en die herstel van die foutiewe verkeersein in die kortste moontlike tydperk te fasiliteer, met in ag neming van die aflewingstydperk van 'n nuwe beheerder;
 - (iii) Die koste vir die vervanging, installering, opkoppeling en programmering van die beheerder word as billik en redelik beskou;
- (d) Dat die uitgawe ten bedrae van R115 579.03 (BTW ingesluit) teen posnommer: 9/117-453-53 verreken word en dat daar voldoende fondse beskikbaar is;
- (e) Dat die Bestuurder: Finansiële State in terme van die Voorsieningkanaalbestuursbeleid opdrag gegee word om bovermelde rede as nota by die finansiële state in te sluit, wanneer die betrokke state opgestel word.

7.17 AFWYKING VAN VOORGESKREWE VERKRYGINGSPROSEDURES: AANKOOP VAN DATAPROJEKTOR (8/1/B/2)

Die dataprojektor in die Stadsaal is verouderd en buite werking en kan nie herstel word nie. Die lokaal word op 'n gereelde basis vir raadsvergadering, openbare vergaderings en funksies gebruik wat gereeld van die toerusting gebruik maak.

BESLUIT

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

- (a) Dat die Uitvoerende Burgemeesterskomitee kennis neem van die afwyking van die voorgeskrewe verkrygingsprosedures ingevolge klousule 36(2) van die Voorsieningkanaalbestuurbeleid;
- (b)/...

7.15/...

RESOLUTION

That the stolen electrical cable for the 2021/2022 financial year to the amount of R58 469.60 (VAT excluded), be written off.

7.16 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURE: REPLACEMENT OF TRAFFIC LIGHT CONTROL, MALMESBURY: C/R VOORTREKKER AND LANG STREETS INTERSECTION (8/1/B/2)

The control of the traffic light at the intersection of Voortrekker and Lang Streets, Malmesbury is faulty and activates the red signal in all directions which is detrimental to the traffic flow and causes the traffic to back up.

The control cannot be repaired because some of the components are no longer available due to the age of the apparatus.

RESOLUTION

- (a) That the Executive Mayoral Committee take note of the deviation from the prescribed procurement procedures in terms of clause 36 (2) of the Supply Chain Management Policy;
- (b) That further notice be taken of the action of the Municipal Manager not to invite tenders but to approve the acceptance of the quotation of EJL Works (Pty) Ltd in the amount of R115 579.03 including VAT for the replacement, installation, connection and programming of the controller of the malfunctioning traffic signal to alleviate the regular intermittent failures;
- (c) That the reasons for the deviation from the prescribed procurement process be recorded as follows:
 - (i) It was impractical to follow the official procurement processes since the cause of the intermittent failure of the traffic signal had to be determined by the specialist service provider and the necessity to alleviate the problem in view of the resultant traffic congestion;
 - (ii) The prompt appointment of the specialist service provider was the only practical option to facilitate replacement of the controller and reinstatement of the malfunctioning traffic signal in the shortest time period possible, considering the delivery period of a new controller;
 - (iii) The cost for the replacement, installation, connection and programming of the controller is considered fair and reasonable;
- (d) That it be noted that sufficient funding was available in vote 9/117-453-53 for the order in the amount of R115 579.03 including VAT;
- (e) That the Manager: Financial Statements and Control be requested to include the above reasons as a note to the financial statements, when they are compiled.

7.17 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURE: PURCHASE OF A DATA PROJECTOR (8/1/B/2)

The data projector in the Town Hall is old and has stopped working, and cannot be repaired. The venue is used regularly for council meetings, public meetings and functions which make use regularly of the equipment.

RESOLUTION

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

- (a) That the Executive Mayoral Committee take note of the deviation from the prescribed procurement procedures in terms of clause 36 (2) of the Supply Chain Management Policy;
- (b)/...

7.17/...

- (b) Dat verder kennis geneem word van die aksie van die Munisipale Bestuurder om nie tenders uit te nooi nie, maar wel die kwotasie van *Presentation Solutions (Pty) Ltd* te aanvaar ten bedrae van R28 957.00 (BTW uitgesluit) vir die vervanging, installering, opkoppeling en programmering van die beheerder om die foutiewe verkeersein te herstel;
- (c) Dat die redes vir die afwyking van die voorgeskrewe verkrygingsproses soos volg aangeteken word:
 - (i) As gevolg van gereelde Raads-, Komitee- en openbare vergaderings asook funksies wat in die saal gehou word wat 'n dataprojekter benodig vir dokumentasie en aanbiedings wat in elektroniese formaat beskikbaar is, was dit onprakties om die amptelike verkrygingsprosesse te volg om vinnige verkryging van 'n nuwe projektor te fasiliteer;
- (d) Dat die uitgawe ten bedrae van R28 957.00 (BTW uitgesluit) teen posnommer: 9/118-39-731 verreken word en dat daar voldoende fondse beskikbaar is;
- (e) Dat die Bestuurder: Finansiële State in terme van die Voorsiening-kanaalbestuursbeleid opdrag gegee word om bovermelde rede as nota by die finansiële state in te sluit, wanneer die betrokke state opgestel word.

7.18 AFWYKING VAN VOORGESKREWE VERKRYGINGSPROSEDURES: BORGSKAP: SARPA NASIONALE KONFERENSIE, 26 EN 27 MEI 2022 2 (8/1/B/2)

Die Direkteur: Elektriese Ingenieursdienste, mnr R du Toit, bedank die Raad wat die initiatief ondersteun het dat Swartland Munisipaliteit as gasheer kon optree tydens die SARPA Nasionale Konferensie op 26 en 27 Mei 2022.

Daar het tussen 80 en 90 verteenwoordigers die konferensie bygewoon wat vir die Munisipaliteit groot waarde gebied het ten opsigte van blootstelling regoor Suid-Afrika en ook internasionaal.

Die voorsitter bevestig dat die Munisipaliteit baie pluimpies ontvang het, onder andere, ten opsigte van die skoonheid van die dorpe.

BESLUIT

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

- (a) Dat die Uitvoerende Burgemeesterskomitee kennis neem van die afwyking van die voorgeskrewe verkrygingsprosedures ingevolge klousule 36(2) van die Voorsieningkanaalbestuursbeleid;
- (b) Dat verder kennis geneem word van die aksie van die Munisipale Bestuurder om nie tenders uit te nooi nie, maar om die betaling aan SARPA ten bedrae van R150 000.00 (BTW uitgesluit) goed te keur;
- (c) Dat die redes vir die afwyking van die voorgeskrewe verkrygingsproses soos volg aangeteken word:
 - (i) Die huidige President van SARPA is in diens van Swartland Munisipaliteit en daarom is die munisipaliteit verplig om die jaarlikse konferensie van SARPA aan te bied;
 - (ii) Ingevolge 'n besluit van die Uitvoerende Burgemeesterskomitee, item 7.11 van 23 Januarie 2019, is 'n redelike bedrag begroot vir die aanbieding van die konferensie;
 - (iii) SARPA is die enigste verskaffer en dit was nie prakties om tenders uit te nooi nie;
 - (iv) In die lig van die bywoning van nasionale en internasionale afgevaardigdes en die toegevoegde waarde ter ondersteuning van toerisme, publisiteit en bevordering van die Munisipaliteit, verteenwoordig die munisipale bydrae 'n redelike en waardevolle belegging;

7.17/...

- (b) That further notice be taken of the action of the Municipal Manager not to invite tenders but to approve the acceptance of the quotation of Presentation Solutions (Pty) Ltd for a projector to the amount of R28 957.20.00 excluding VAT;
- (c) That the reason for the deviation from the prescribed procurement processes be recorded as follows:
 - (i) Due to regular Council, Committee and public meetings as well as functions being held in the hall requiring projection of documentation and presentations available in electronic format, it was impractical to follow the official procurement processes to facilitate prompt procurement a new projector;
- (d) That it be noted that the expenditure was allocated to mSCOA vote 9/118-39-731 and that there was sufficient funding available for the order in the amount of R28 957.20 excluding VAT;
- (e) That the Manager: Financial Statements and Control be requested to include the above reasons as a note to the financial statements, when same are compiled.

7.18 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURE: SPONSORSHIP: SARPA NATIONAL CONFERENCE, 26 AND 27 MAY 2022 2 (8/1/B/2)

The Director: Electrical Engineering Services, mr R du Toit, thanked the Council for supporting the initiative for Swartland Municipality to host the SARPA National Conference on 26 and 27 May 2022.

Between 80 and 90 representatives attended the conference which was of great value to the Municipality in respect of exposure throughout South Africa and also internationally.

The chairman confirmed that the Municipality received many compliments, inter alia, in respect of the cleanliness of the towns.

RESOLUTION

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

- (a) That the Executive Mayoral Committee take note of the deviation from the prescribed procurement procedures in terms of clause 36 (2) of the Supply Chain Management Policy;
- (b) That further notice be taken of the action of the Municipal Manager not to invite formal tenders but to approve the payment of the budget allocated for the SARPA Convention in the amount of R150 000.00 excluding VAT;
- (c) That the reasons for the deviation from the prescribed procurement process be recorded as follows:
 - (i) Since the current President of SARPA is in the employ of Swartland Municipality, the municipality is obliged to host the annual convention of SARPA;
 - (ii) In terms of a resolution of the Executive Mayoral Committee, Item 7.11 of 23 January 2019 a reasonable amount was budgeted towards the hosting of the national convention of SARPA;
 - (iii) SARPA is the sole provider and it was not practical to invite tenders;
 - (iv) In view of the attendance of national and international delegates and the added value in support of tourism, publicity and promotion of the municipality, the municipal contribution represents a reasonable and valuable investment;

7.18(c)/...

- (v) Die Munisipaliteit het verder baat gevind deurdat finansiële- en wetstoepassingsamptenare die geleentheid gebied is om die konferensie by te woon en om kennis en insigte te verkry soos aangebied deur kundige aanbieders (o.a. deur die Hoofondersoekers van die NVG, Regsafdeling van die SAPD, die Direkteur van die Koperdiefstafdeling van Stad Kaapstad en die Verenigde Koninkryk se *Revenue Protection Association*);
- (d) Dat die uitgawe ten bedrae van R150 000.00 (BTW uitgesluit) teen posnommer: 9/253-1022-2408 verreken word en dat daar voldoende fondse beskikbaar is;
- (e) Dat die Bestuurder: Finansiële State in terme van die Voorsiening-kanaalbestuursbeleid opdrag gegee word om bovermelde rede as nota by die finansiële state in te sluit, wanneer die betrokke state opgestel word.

7.19 AFWYKING VAN VOORGESKREWE VERKRYGINGSPROSEDURES: AANKOOP VAN UPS MET LITHIUM BATTERYE (8/1/B/2)

Die motor van die aansitter van die kragopwekker wat as rugsteunkrag vir die IKT Rampherstel Rekenaarstelsel tydens lasbeheer dien, het onklaar geraak en kan nie herstel word nie.

Dit is noodsaaklik om onderbroke krag beskikbaar te hê om die sensitiewe rekenaarstelsel te bedien en lithium batterye blyk die beste opsie te wees.

BESLUIT

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

- (a) Dat die Uitvoerende Burgemeesterskomitee kennis neem van die afwyking van die voorgeskrewe verkrygingsprosedures ingevolge klousule 36(2) van die Voorsieningkanaalbestuursbeleid;
- (b) Dat verder kennis geneem word van die aksie van die Munisipale Bestuurder om nie tenders uit te nooi nie, maar wel die kwotasie van *Technology Strategy Corp* te aanvaar ten bedrae van R70 949.00 (BTW uitgesluit) om 'n ononderbroke kragtvoevoer te voorsien;
- (c) Dat die redes vir die afwyking van die voorgeskrewe verkrygingsproses soos volg aangeteken word:
 - (i) Die toerusting is op 'n dringende basis benodig ten einde ononderbroke kragtvoevoer te voorsien gedurende lasbeheer aan die IKT Rampherstel Rekenaarstelsel om die kritiese IKT infrastruktuur te beskerm;
 - (ii) Indien daar nie kragtvoevoer na die IKT Rampherstel Rekenaarstelsel beskikbaar is nie word die integriteit van die IKT stelsels bedreig wat as 'n noodsituasie beskou word;
- (d) Dat die uitgawe ten bedrae van R70 949.00 (BTW uitgesluit) teen posnommer: 9/118-503-346 verreken word en dat daar voldoende fondse beskikbaar is;
- (e) Dat die Bestuurder: Finansiële State in terme van die Voorsiening-kanaalbestuursbeleid opdrag gegee word om bovermelde rede as nota by die finansiële state in te sluit, wanneer die betrokke state opgestel word.

7.20 AFWYKING VAN DIE VOORGESKREWE VERKRYGINGSPROSEDURES: DRINGENDE HERSTEL VAN VULLISVERWYDERINGSVRAGMOTOR, CK 32551 (8/1/B/2)

Die kompakteerder van die vullisverwyderingsvragmotor, CK 32551, wat in Moorreesburg gebruik word vir vaste afvaldienste het onklaar geraak.

BESLUIT

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

- (a) Dat die Uitvoerende Burgemeesterskomitee kennis neem van die afwyking van die voorgeskrewe verkrygingsprosedures ingevolge klousule 36(2) van die Voorsieningkanaalbestuursbeleid;

7.18(c)/...

- (v) The municipality benefitted since financial and law enforcement officials were afforded the opportunity to attend and to gain knowledge and insights as presented by knowledgeable presenters (i.e. by the Head Investigation of the NPA, SAPS Legal Department, City of Cape Town Director of Copper Theft Division and United Kingdom Revenue Protection Association);
- (d) That it be noted that the expenditure was allocated to mSCOA vote 9/253-1022-2408 and that there was sufficient funding available for the order in the amount of R150 000.00 excluding VAT;
- (e) That the Manager: Financial Statements and Control be requested to include the above reasons as a note to the financial statements, when same are compiled.

7.19 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURE: PURCHASE OF UPS WITH LITHIUM BATTERIES (8/1/B/2)

The motor from the starter of the generator which serves as a backup for the IKT Disaster Repair Computer System during load shedding has stopped working and cannot be repaired.

It is necessary to have uninterrupted power in order to serve the sensitive computer system and lithium batteries seem to be the best option.

RESOLUTION

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

- (a) That the Executive Mayoral Committee take note of the deviation from the prescribed procurement procedures in terms of clause 36 (2) of the Supply Chain Management Policy;
- (b) That further notice be taken of the action of the Municipal Manager not to invite tenders but to approve the acceptance of the quotation of *Technology Strategy Corp* to supply an uninterruptable power supply to the amount of R70 949.00 excluding VAT;
- (c) That the reasons for the deviation from the prescribed procurement process to alleviate the emergency situation be recorded as follows:
 - (i) The equipment was urgently required to provide an uninterruptable power supply to the ICT Disaster Recovery Computer System during load shedding to protect critical ICT infrastructure;
 - (ii) The unavailability of a power supply to the ICT Disaster Recovery Computer System compromised the integrity of the ICT Systems and constituted an emergency;
- (d) That it be noted that the expenditure was allocated to mSCOA vote 9/118-503-346 and that there was sufficient funding available for the order in the amount of R70 949.00 excluding VAT;
- (e) That the Manager: Financial Statements and Control be requested to include the above reasons as a note to the financial statements, when same are compiled.

7.20 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURE: URGENT REPAIR TO REFUSE REMOVAL TRUCK, CK 32552 (8/1/B/2)

The compactor on the refuse removal truck, CK 32552, which is used in Moorreesburg for solid waste removal, has stopped working.

RESOLUTION

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

- (a) That the Executive Mayoral Committee take note of the deviation from the prescribed procurement procedures in terms of clause 36 (2) of the Supply Chain Management Policy;

7.20/...

- (b) Dat verder kennis geneem word van die aksie van die Munisipale Bestuurder om die kwotasie van *Transtec* te aanvaar ten bedrae van R75 377.08 (BTW uitgesluit) vir die herstel van die vullisverwyderingsvragmotor, CK 32551;
- (c) Dat die redes vir die afwyking van die voorgeskrewe verkrygingsproses soos volg aangeteken word:
 - (i) Die vragmotor sal vir 'n lang tydperk buite werking gelaat word;
 - (ii) Dit sal lei tot 'n mislukking in die kapasiteit van die vaste afval-verwyderingsdienste en risiko's vir openbare gesondheid;
 - (iii) Die herstelwerk aan die vragmotor word dus as 'n noodgeval hanteer;
- (d) Dat die uitgawe ten bedrae van R75 377.08 (BTW uitgesluit) teen posnommer: 9/241-1253-709 verreken word en dat daar voldoende fondse beskikbaar is;
- (e) Dat die Bestuurder: Finansiële State in terme van die Voorsiening-kanaalbestuursbeleid opdrag gegee word om bovermelde rede as nota by die finansiële state in te sluit, wanneer die betrokke state opgestel word.

7.21 DARLING VELDBLOMVERENIGING: GEBRUIK VAN MUNISIPALE GROND VIR JAARLIKSE VELDBLOMSKOU (12/2/R)

'n Aansoek is ontvang vanaf die Darling Veldblomvereniging vir die gebruik van die munisipale eiendom geleë langs die Darling Museum vir die aanbieding van hul jaarlikse veldblomskou wat vanjaar vanaf 16-18 September 2022 gehou sal word.

Die veldblomskou was tot voor die pandemie 'n bekende toerisme-attrakisie wat baie voete en koopkrag na Darling gebring het.

BESLUIT

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

- (a) Dat goedkeuring verleen word vir die gebruik van Erf 171, Darling vir die jaarlikse veldblomskou vanaf 16 tot 18 September 2022, met dien verstande dat 'n publieke deelnameproses deurloop word om die eienaars van eiendomme in die omgewing van die geleentheid en die detail daarvan in kennis te stel;
- (b) Dat toestemming insgelyks verleen word vir die gebruik van Erf 175 vir gemelde doel, met die instemming van die Darling Museum;
- (c) Dat kennis geneem word dat alle aspekte rakende verkeersbestuur, veiligheid, oprigting van die tent, ensovoorts in terme van die Swartland Munisipaliteit: Verordening insake Geleenthede soos afgekondig in Buitengewone Provinsiale Koerant 7611 van 26 April 2016, hanteer sal word.

7.22 MANDAATVERGADERING: HOOF KOLLEKTIEWE OOREENKOMS EN LOONKURWE ONDERHANDELINGE (4/2/3)

Die doel van die vergadering was om 'n mandaat van munisipaliteite te verkry oor moontlike wysigings aan die Plaaslike Regering Bedingsraad (SALGBC) se Hoof Kollektiewe Ooreenkoms. SALGA het 'n mandaat voor die plaaslike regeringsverkiezings verkry, maar wil graag hê dat die nuwe leierskap die voorgestelde wysigings moet oorweeg soos goedgekeur deur die vorige leierskap en enige bykomende wysigings wat aan die Hoof Kollektiewe Ooreenkoms aangebring moet word.

Die aangehegte Bylae A verduidelik die detail van die voorgestelde wysigings asook kommentaar van Swartland Munisipaliteit op die voorstelle.

BESLUIT

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

Dat kennis geneem word van die mandaat wat aan SALGA verskaf is rakende die wysigings aan die Hoof Kollektiewe Ooreenkoms asook vir die Loonkurwe-onderhandelinge.

7.20/...

- (b) That further notice be taken of the action of the Municipal Manager to approve repairs of waste removal truck CK32552 for the amount of R 75 377.08 excluding VAT by Transtec;
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) The truck would be left out of service for an extended period of time;
 - (ii) This will result in a failure in the waste removal services capacity and public health risks;
 - (iii) The repair works to the truck therefore is handled as an emergency;
- (d) That it be noted that the expenditure will be allocated mSCOA Code: 9/241-1253-709 and that there is sufficient funding available for the quoted amount of R 75 377.08 excluding VAT;
- (e) That the Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements when compiled.

7.21 DARLING VELD FLOWER ASSOCIATION: USE OF MUNICIPAL LAND FOR THE ANNUAL VELD FLOWER SHOW (12/2/R)

An application has been received from the Darling Veld Flower Association for use of the municipal property situated next to the Museum for the presentation of their annual veld flower show, which will be held this year from 16 – 18 September 2022.

Before the pandemic the veld flower show was a well known tourist attraction which brought many feet and income to Darling.

RESOLUTION

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

- (a) That approval be granted for the use of Erf 171, Darling for the annual wildflower show from 16 to 18 September 2022, provided that a public participation process be undertaken to notify the owners of properties in the area of the event and the detail pertaining to same;
- (b) That approval also be granted for the use of Erf 175 for said purpose, with the consent of the Darling Museum;
- (c) That cognizance be taken that all aspects regarding traffic management, safety, erection of the tent, etcetera shall be dealt with in terms of the Swartland Municipality: By-law relating to Events, as promulgated in Provincial Gazette Extraordinary 7611 of 26 April 2016.

7.22 MANDATE MEETING: PRINCIPLE COLLECTIVE AGREEMENTS AND WAGE CURVES NEGOTIATIONS (4/2/3)

The aim of the meeting was to obtain a mandate from the municipalities in respect of possible amendments to the Local Government Bargaining Council's (SALGBC) Principle Collective Agreements. SALGA obtained a mandate before the local government elections, but wishes the new leadership to consider the proposed amendments as approved by the previous leadership and to add any additional amendments which must be included in the Principle Collective Agreements.

The Attachment A explains the details of the previous amendments as well as comment from the Swartland Municipality in respect of the proposals.

RESOLUTION

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

That the Executive Mayoral Committee take note of the mandate provided to SALGA regarding the amendments to the Main Collective Agreement as well as the Wage Curve negotiations.

7.23 NOTULES VAN DIE MUNISIPALE PRESTASIE EN RISIKO OUDITKOMITEE-VERGADERING GEHOU OP 22 FEBRUARIE 2022 (5/15/1/3)

Die Prestasie en Risiko Ouditkomitee dien as 'n onafhanklike adviserende liggaam wat deur die Raad aangewys word om sy funksies in terme van Artikel 166 van die Plaaslike Regering: Munisipale Finansiële Bestuur (Wet 56 van 2003) te vervul.

Die notule 'n vergadering van die Munisipale Prestasie en Risiko Ouditkomitee gehou op 22 Februarie 2022 is met die sakelys gesirkuleer en bevat geen aanbevelings aan die Raad vir verdere oorweging nie.

BESLUIT

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

Dat kennis geneem word van die notule van die Munisipale Prestasie en Risiko Ouditkomitee se vergadering van 22 Februarie 2022.

7.24 AFSKRYWING VAN ONINBARE EN ANDER SKULD: JUNIE 2022 (5/7/3)

Staan oor – 'n Spesiale Uitvoerende Burgemeesterskomiteevergadering sal gehou word op Woensdag, 22 Junie 2022 om die item te bespreek.

7.25 TERUGVOERING OOR DIE WERKSAAMHEDE VAN DIE SWARTLAND GEMEENSAPVEILIGHEIDSFORUM

Daar word 'n geïntegreerde benadering in die Swartland munisipale area gevolg om veiligheid in die area te bevorder. Vir hierdie doel is die Swartland Gemeenskapveiligheidsforum gestig om skakeling en samewerking van alle rolspelers te verkry.

Die verslag het ten doel om die Uitvoerende Burgemeesterskomitee in te lig aangaande die werksaamhede van die Swartland Gemeenskapveiligheidsforum om misdaad te verminder, veiligheid te bevorder en sosiale euwels teen te werk deur 'n geïntegreerde benadering en samevoeging van alle hulpbronne.

BESLUIT

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

- (a) Dat kennis geneem word van die inhoud van die verslag en die pogings deur die Swartland Gemeenskapveiligheidsforum om verhoudinge te bou met alle rolspelers bemoeid met veiligheid om misdaad in die Swartland munisipale gebied teen te werk;
- (b) Dat verder kennis geneem word dat die Swartland Gemeenskapveiligheidsforum op 'n kwartaallikse basis byeen sal kom.

(GET) J H CLEOPHAS
UITVOERENDE BURGEMEESTER

7.23 MINUTES OF A MUNICIPAL PERFORMANCE AND RISK AUDIT COMMITTEE MEETING HELD ON 22 FEBRUARY 2022 (5/15/1/3)

The Performance and Risk Audit Committee serves as an independent advisory body appointed by the Council in order to fulfil its functions in terms of Section 166 of the Local Government: Municipal Financial Management Act (Act 56 of 2003).

The minutes of the meeting of the Municipal Performance and Risk Audit Committee Meeting held on 22 February 2022 were circulated with the agenda and do not contain any recommendations to the Council for further consideration.

RESOLUTION

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

That cognisance be taken of the minutes of the meeting of the Municipality's Performance and Risk Audit Committee of 22 February 2022.

7.24 WRITE-OFF OF NON RECOVERABLE DEBT AND OTHER DEBT: JUNE 2022 (5/7/3)

Item held over – a Special Executive Mayor's Committee Meeting will be held on Wednesday 22 June 2022 in order to discuss the item.

7.25 FEEDBACK IN RESPECT OF ACTIVITIES OF THE SWARTLAND COMMUNITY SECURITY FORUM

An integrated approach has been followed in the Swartland municipal area in order to advance security in the area. The Swartland community Security Forum was established to further liaison and co-operation between all role players.

The report aims to inform the Executive Mayor's Committee of the activities of the Swartland Community Security Forum in respect of crime prevention, the advancement of security and prevention of social evils through an integrated approach and connections with all resources.

RESOLUTION

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

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

(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, 8 JUNIE 2022 OM 11:03

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

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

BEAMPTES:

Munisipale Bestuurder, mnr J J Scholtz
Direkteur: Beskermingsdienste, mnr P A C Humphreys
Direkteur: Elektriese Ingenieursdienste, mnr R du Toit
Direkteur: Finansiële Dienste, mnr M A C Bolton
Direkteur: Korporatiewe Dienste, me M S Terblanche
Direkteur: Ontwikkelingsdienste, me J S Krieger
Direkteur: Siviële Ingenieursdienste, mnr L D Zikmann
Komiteebeampte, me S Willems

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom lede.

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

Geen verskonings is ontvang nie.

2. NOTULE

2.1 NOTULE VAN 'N PORTEFEULJEKOMITEEVERGADERING (MUNISIPALE BESTUUR-, ADMINISTRASIE- EN FINANSIESKOMITEE) GEHOU OP 11 MEI 2022

BESLUIT

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

Dat die notule van die Portefeuljekomiteevergadering (Munisipale Bestuur-, Administrasie- en Finansieskomitee) gehou op 11 Mei 2022 goedgekeur word.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

3.1 SKRYWES VAN DANK EN WAARDERING AAN SWARTLAND MUNISIPALITEIT

BESLUIT

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



MINUTES OF A MEETING OF THE MUNICIPAL MANAGEMENT, ADMINISTRATION AND FINANCES PORTFOLIO COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 8 JUNE 2022 AT 11:03

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

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

OFFICIALS:

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

1. OPENING/APOLOGIES

The chairperson welcomed members.

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

No apologies were received.

2. MINUTES

2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (MUNICIPAL MANAGEMENT, ADMINISTRATION AND FINANCES COMMITTEE) HELD ON 11 MAY 2022

RESOLUTION

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

That the minutes of a Portfolio Committee Meeting (Municipal Management, Administration and Finance Committee) held on 11 May 2022 are approved.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

3.1 LETTERS OF THANKS AND APPRECIATION TO SWARTLAND MUNICIPALITY

RESOLUTION

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

3.2 UITVOERENDE BURGEMEESTER: MUNISIPALE FINANSIËLE VOLHOUBAARHEID GRADERING

Die Uitvoerende Burgemeester, rdh J H Cleophas, wens Swartland Munisipaliteit geluk met die aanwysing deur *Ratings Africa* as een van die vier beste munisipaliteite in die land. Die Munisipaliteit het 'n punt van 71% bepaal in vergelyke met 2017 se punt van 65% en dui dit op 'n goeie verbetering.

Die Uitvoerende Burgemeester wens al die personeellede van die Munisipaliteit geluk met die uitstaande prestasie, asook die voormalige Raad wat toegelaat het dat die amptenare hulle werk doen om so 'n goeie toekenning te kon behaal.

Ten slotte versoek die Uitvoerende Burgemeester dat die Munisipale Bestuurder en Direkteure die Raad se dank aan die werknemers van Swartland Munisipaliteit oordra.

VIR KENNISNAME

3.3 MUNISIPALE BESTUURDER: "UPPER LIMITS" VIR RAADSLEDE

Die Munisipale Bestuurder, mnr J J Scholtz, noem dat die bo-perke t.o.v. raadslidvergoeding op 2 Junie 2022 afgekondig is vir die 2021/2022 finansiële jaar.

'n Spesiale Raadsvergadering word geskeduleer vir Woensdag, 15 Junie 2022 om 09:30 ten einde die raadslidvergoeding vir die 2021/2022 finansiële jaar goed te keur en dit aan die Minister van Plaaslike Regering se kantoor te voorsien teen die einde van die betrokke dag. Indien die bo-perk implementering van raadslidvergoeding nie teen die einde van die finansiële jaar geïmplementeer word nie, sal dit finansiële beplanning ontwrig.

VIR KENNISNAME

3.4 MUNISIPALE BESTUURDER: WES-KAAPSE REGERING: PAD VORENTOE IN REAKSIE OP DIE VERKLARING WAT DEUR DIE KONSTITusionele HOF OP 16 FEBRUARIE 2022 VERSKAF IS, SOOS DIT VERBAND HOU OP DIE OPSKORTING VAN ONGELDIGHEID VAN DIE VOORKEURVERKRYGINGSREGULASIES, 2017

Die Munisipale Bestuurder, mnr J J Scholtz, meld dat op Woensdag, 6 Februarie 2022 het die Konstitusionele Hof 'n uitspraak gelewer rakende die ongeldigheid van die Voorkeurverkrigingsregulasies, 2017 wat op 20 Januarie 2017 deur die Minister afgekondig is.

Die Hoogste Hof van Appèl het die Voorkeurverkrigingsregulasies ongeldig verklaar op grond daarvan dat die Minister met die afkondiging van sekere bepalinge in die Regulasies sy bevoegdheid oorskry het. Die Wes-Kaapse Regering het 'n Tesourie-omsendbrief 06/2022 uitgereik om leiding te verskaf oor die tussentydse reëlings, en in reaksie hierop het munisipaliteite verskillende benaderings gevolg.

Die 2017-Voorkeurverkrigingsregulasies sal tot 15 Februarie 2023 van krag bly, tensy nuwe regulasies voor daardie datum afgekondig word.

Ten slotte meld die Munisipale Bestuurder dat munisipaliteite en munisipale entiteite moet verseker dat alle beleidsbesluite wat gedurende die tussentydse tydperk geneem is, teruggetrek word en verseker dat alle relevante beleide in lyn gebring word met die 2017-Voorkeurverkrigingsregulasies en deur die Raad goedgekeur word om te verseker dat voldoen word aan die Konstitusionele Hof-uitspraak wat op 30 Mei 2022 gelewer is.

VIR KENNISNAME

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

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

5.1/...

3.2 EXECUTIVE MAYOR: MUNICIPAL FINANCIAL SUSTAINABILITY RATING

The Executive Mayor, ald J H Cleophas, congratulated Swartland Municipality on the nomination by Ratings Africa as one of the four best municipalities in the country. The Municipality has determined a mark of 71% compared to the 2017 mark of 65% and this indicates a good improvement.

The Executive Mayor congratulated all the staff members of the Municipality on the outstanding achievement, as well as the former Council who allowed the officials to do their job to be able to achieve such a good award.

In conclusion, the Executive Mayor requested that the Municipal Manager and Directors convey the Council's thanks to the employees of Swartland Municipality.

FOR COGNISANCE

3.3 MUNICIPAL MANAGER: UPPER LIMITS FOR COUNCILORS

The Municipal Manager, Mr J J Scholtz, mentioned that the upper limits with regard to councillor's remuneration was announced on 2 June 2022 for the 2021/2022 financial year.

A special Council meeting is scheduled for Wednesday, 15 June 2022 at 09:30 in order to approve the councillor's remuneration for the 2021/2022 financial year and to provide it to the Minister of Local Government's office by the end of the relevant day. If the upper limit implementation of councillor's remuneration is not implemented by the end of the financial year, it will disrupt financial planning.

FOR COGNISANCE

3.4 MUNICIPAL MANAGER: GOVERNMENT OF THE WESTERN CAPE: WAY FORWARD IN RESPONSE TO THE DECLARATION PROVIDED BY THE CONSTITUTIONAL COURT ON 16 FEBRUARY 2022, AS IT IS RELATED TO THE SUSPENSION OF INVALIDITY OF THE EXCLUSION

The Municipal Manager, Mr J J Scholtz, stated that on Wednesday, 6 February 2022, the Constitutional Court delivered a ruling regarding the invalidity of the Preferential Procurement Regulations, 2017, which was announced by the Minister on 20 January 2017.

The Supreme Court of Appeal declared the Preferential Procurement Regulations invalid on the grounds that the Minister had exceeded his power by promulgating certain provisions in the Regulations. The Western Cape Government issued a Treasury Circular 06/2022 to provide guidance on the interim arrangements, and in response, municipalities have taken different approaches.

The 2017 Preferential Procurement Regulations will remain in effect until February 15, 2023, unless new regulations are promulgated before that date.

In conclusion, the Municipal Manager stated that municipalities and municipal entities must ensure that all policy decisions taken during the interim period are reversed and ensure that all relevant policies are aligned with the 2017 Preferential Procurement Regulations and approved by Council to ensure that the Constitutional Court ruling delivered on 30 May 2022 be complied with.

FOR COGNISANCE

4. MATTERS ARISING FROM THE MINUTES

None

5. DELEGATED MATTERS IN RESPECT OF MUNICIPAL MANAGER

5.1/...

5.1 MAANDVERSLAG: APRIL 2022

Die voorsitter lê die maandverslag ter tafel soos met die sakelys gesirkuleer en versoek die Munisipale Bestuurder, om belangrike aspekte uit te wys.

Die Munisipale Bestuurder bevestig, op navraag van rdl B J Penxa, dat die skootrekenaars van raadslede reeds deur die diensverkaffer ontvang is, en binnekort aan die Munisipaliteit afgelewer sal word.

Op navraag deur, rdl P E Soldaka, oor die vestiging/formalisering van die Moorreesburg Sakekamer, versoek die Voorsitter dat daar met die Sakekamer geskakel moet word om die nodige inligting te bekom.

BESLUIT

(voorgestel deur rdl D C Pypers, gesekondeer deur rdl E C O'Kennedy)

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

6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

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

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

BESLUIT

(op voorstel van rdd M van Zyl, gesekondeer deur rdh M A Rangasamy)

Dat kennis geneem word van die maandverslag van die Direkoraat Korporatiewe Dienste vir April 2022.

8. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

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

Die Direkteur: Finansiële Dienste gee 'n oorsig van die finansiële posisie vir die Raad, met verwysing na inkomste en uitgawes.

BESLUIT

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

Dat kennis geneem word van die maandverslag van die Direkoraat Finansiële Dienste vir April 2022.

10. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

(GET) RDL I S LE MINNIE
VOORSITTER

5.1 MONTHLY REPORT: APRIL 2022

The chairperson tabled the monthly report as circulated with the agenda and requested the Municipal Manager to point out important aspects.

The Municipal Manager confirmed, at the request of cllr B J Penxa, that the laptops of councillors have already been received by the service provider, and will soon be delivered to the Municipality.

On inquiry by, cllr P E Soldaka, about the establishment / formalization of the Moorreesburg Business Chamber, the Chairperson requested that contact be made with the Business Chamber to obtain the necessary information.

RESOLUTION

(proposed by cllr D C Pypers, seconded by cllr E C O'Kennedy)

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

6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

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

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

RESOLUTION

(proposed by M van Zyl, seconded by ald M A Rangasamy)

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

8. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

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

The Director: Financial Services gave an overview of the financial position to the Council, with reference to income and expenses.

RESOLUTION

(proposed by ald T Van Essen, seconded by cllr N Smit)

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

10. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

(SGD) CLLR I S LE MINNIE
CHAIRPERSON



**NOTULE VAN 'N VERGADERING VAN DIE SIVIELE- EN ELEKTRIESE DIENSTE
PORTEFEULJEKOMITEE VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 8
JUNIE 2022 OM 11:48**

TEENWOORDIG:

RAADSLEDE:

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

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

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

BEAMPTES:

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

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom almal teenwoordig.

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

Verlof tot afwesigheid word verleen aan rdl C Fortuin.

2. NOTULE

**2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (SIVIELE- EN
ELEKTRIESE DIENSTEKOMITEE) GEHOU OP 11 MEI 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 11 Mei 2022 goedgekeur word.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

3.1 VERFRAAIING VAN DIE OOP RUIMTES IN SWARTLAND MUNISIPALITEIT

Rdh T van Essen doen 'n voorlegging insake die verfraaiing van die oop ruimtes in die Swartland munisipale gebied om tot voordeel van die omliggende gemeenskappe te wees en as 'n oplossing kan dien vir onwettige rommelstorting op oop ruimtes.

Rdh T van Essen meld dat rommelstrooi en onwettige storting van afval deur plaaslike gemeenskappe in Suid-Afrika en ook die Swartland 'n baie groot krisis geword het.

VIR KENNISNAME



**MINUTES OF A MEETING OF THE CIVIL AND ELECTRICAL ENGINEERING SERVICES PORTFOLIO
COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 8 JUNE 2022 AT
11:48**

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)
O'Kennedy, E C	Van Zyl, M (ald)
Pieters, C	Warnick, A K

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

OFFICIALS:

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

1. OPENING/APOLOGIES

The chairperson welcomed members.

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

Apologies received from cllr C Fortuin.

2. MINUTES

**2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (CIVIL AND ELECTRICAL
SERVICES COMMITTEE) HELD ON 11 MAY 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 11 May 2022 are approved.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

3.1 BEAUTIFICATION OF THE OPEN SPACES IN SWARTLAND MUNICIPALITY

Ald T van Essen delivered a presentation regarding the beautification of the open spaces in the Swartland municipal area to be to the benefit of the surrounding communities and can serve as a solution for illegal dumping of rubbish on open spaces.

Ald T van Essen reported that littering and illegal dumping of waste by local communities in South Africa and also the Swartland has become a very big crisis.

FOR COGNISANCE

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

5. GEDELEGEERDE SAKE

5.1. MAANDVERSLAG: APRIL 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 gee statistieke deur insake die stand van die damvlakke en kumulatiewe reënval.

Rdh B J Stanley bevestig dat hy, in samewerking met die Direkteur: Siviele Ingenieursdienste en hulp vanaf die gemeenskap, 'n publieke oopruimte waarop rommel gestooi is in Kalbaskraal toegemaak het.

BESLUIT

(op voorstel van rdd M van Zyl, gesekondeer deur rdl A K Warnick)

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

5.1.2 ELEKTRIESE INGENIEURSDIENSTE

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

Die Direkteur: Elektriese Ingenieursdienste verduidelik die onderskeie statistieke in die verslag aangaande elektrisiteitsverbruik, groot en beplande kragvoorsieningsonderbrekings en openbare veiligheidsrisiko's.

Die Direkteur: Elektriese Ingenieursdienste gee inligting deur insake die instandhouding van straatligte in die Eskom voorsieningsgebiede en bevestig dat Eskom toestemming aan die Munisipaliteit verleen het om, onder voorwaardes, op hul netwerke te werk.

BESLUIT

(op voorstel van rdd M van Zyl, gesekondeer deur rdl A K Warnick)

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

6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

(GET) RDL R J JOOSTE
VOORSITTER

4. MATTERS ARISING FROM THE MINUTES

None

5. DELEGATED MATTERS

5.1. MONTHLY REPORT: APRIL 2022

5.1.1 CIVIL ENGINEERING SERVICES

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

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

The Director: Civil Engineering Services provided statistics on the state of dam levels and cumulative rainfall.

Ald B J Stanley confirmed that he, in collaboration with the Director: Civil Engineering Services and assistance from the community, closed a public open space where rubbish was thrown in Kalbaskraal.

RESOLVED

(proposed by ald M van Zyl, seconded by cllr A K Warnick)

That cognisance be taken of the monthly report of the Directorate Civil Engineering Services for April 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 R du Toit, to highlight the most important aspects.

The Director: Electrical Engineering Services explained the various statistics in the report regarding electricity consumption, major and planned power outages and public safety risks.

The Director: Electrical Engineering Services provided information regarding the maintenance of street lights in the Eskom supply areas and confirmed that Eskom has given permission to the Municipality to operate, under conditions, on their networks.

RESOLUTION

(proposed ald M van Zyl, seconded by cllr A K Warnick)

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

6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

(SGD) CLLR R J JOOSTE
CHAIRPERSON



NOTULE VAN 'N VERGADERING VAN DIE ONTWIKKELINGSDIENSTE PORTEFEULJEKOMITEE VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 8 JUNIE 2022 OM 10:00

TEENWOORDIG:

RAADSLEDE:

Voorsitter, rdl G Vermeulen
Ondervoorsitter, rdl D G Bess

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

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

BEAMPTES:

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

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom lede en open die vergadering met skriflesing en gebed.

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

Die Munisipale Bestuurder reël dat die Portefeuljekomitee: Ontwikkelingsdienste eerste plaasvind en daarna die ander komitees in normale volgorde.

Geen verskonings is ontvang nie.

2. NOTULE

2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (ONTWIKKELINGSDIENSTE) GEHOU OP 11 MEI 2022

BESLUIT

(voorgestel deur rdl I S le Minnie, gesekondeer deur rdl D C Pypers)

Dat die notule van die Portefeuljekomiteevergadering (Ontwikkelingsdienste) gehou op 11 Mei 2022 goedgekeur word.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

3.1 VOORLEGGING DEUR DIE SNR BESTUURDER: BOU-OMGEWING INSAKE DIE VOORGESTELDE ONTWIKKELINGS IN EN RONDOM MALMESBURY

Die Senior Bestuurder: Bou-Omgewing, mnr A M Zaayman, doen 'n voorlegging insake die voorgestelde ontwikkelings in en rondom Malmesbury, Darling en Riebeeck-Vallei.



MINUTES OF A MEETING OF THE DEVELOPMENT SERVICES PORTFOLIO COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 8 JUNE 2022 AT 10:00

PRESENT:

COUNCILLORS:

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

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

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

OFFICIALS:

Municipal Manager, mr J J Scholtz
Director: Protection Services, mr P A C Humphreys
Director: Electrical Engineering Services, mr R du Toit
Director: Financial Services, mr M A C Bolton
Director: Corporate Services, ms M S Terblanche
Director: Development Services, ms J S Krieger
Director: Civil Engineering Services, mr L D Zikmann
Senior Manager: Built Environment, Mr A M Zaayman
Committee Officer, ms S Willems

1. OPENING/APOLOGIES

The chairperson welcomed members and opened the meeting with scripture reading and prayer.

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

The Municipal Manager arranged for the Portfolio Committee: Development Services to take place first and then the other committees in the normal order.

No apologies were received.

2. MINUTES

2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (DEVELOPMENT SERVICES) HELD ON 11 MAY 2022

RESOLUTION

(proposed by cllr I S le Minnie, seconded by cllr D C Pypers)

That the minutes of a Portfolio Committee Meeting (Development Services) held on 11 May 2022 are approved.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

3.1 PRESENTATION BY THE SNR MANAGER: BUILT ENVIRONMENT REGARDING DEVELOPMENTS IN AND AROUND MALMESBURY

The Senior Manager: Built Environment, Mr A M Zaayman, delivered a presentation on the proposed developments in and around Malmesbury, Darling and Riebeeck Valley.

Die Munisipale Bestuurder, mnr J J Scholtz, lewer aanvullende kommentaar tot die projekte, onder andere, die impak van die opgradering van die N7.

Die Munisipale Bestuurder noem, na aanleiding van rdl P E Soldaka se kommer dat Moorreesburg uitgesluit word van ontwikkelings, dat daar gesprekke aan die gang is met 'n ontwikkelaar wat 'n Olieproduksie-aanleg uit Kanola in Moorreesburg wil vestig. Die Munisipale Bestuurder verwys verder na die opgradering van die Afvalwatersuiweringswerke in Moorreesburg wat in volgende jaar voltooi sal wees.

Rdl D C Pypers ondersteun die kommer dat daar geen ontwikkeling in Moorreesburg plaasvind nie.

Die Speaker versoek dat daar gedurende gesprekke met ontwikkelaars versoek word om, waar moontlik, inwoners van die Swartland area vir werksgeleenthede aan te stel.

Die Uitvoerende Burgemeester bevestig dat hy reeds gedurende gesprekke met ontwikkelaars aangedring het om inwoners van die Swartland aan te stel. Tydens 'n vergadering met die Sakekamer, was daar ook gesprekke om openbare vervoer in plek te stel vir die inwoners/werkers buite Malmesbury wat hier werk kry.

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

5. GEDELEGEERDE SAKE

5.1 MAANDVERSLAG: APRIL 2022

Die voorsitter lê die maandverslag ter tafel.

Die Direkteur: Ontwikkelingsdienste, me J S Krieger, gee inligting deur insake die vordering met die onderskeie behuisingsprojekte en die verskeie projekte wat in Swartland Munisipaliteit aangebied word deur Gemeenskapsontwikkeling.

Op navraag deur, rdl M Ngozi, rakende die verskeie behuisingsprojekte in Malmesbury, word dit deur die Direkteur: Ontwikkelingsdienste bevestig dat daar ±2800 behuisingsgeleentheid in Malmesbury, De Hoop ontwikkel gaan word.

Rdl M Ngozi verneem verder oor die vereistes om vir behuising te kwalifiseer, en meld die Munisipale Bestuurder dat die Munisipaliteit uitvoering moet gee aan die kriteria wat deur die Nasionale Regering daargestel is en dat daar nie afgewyk mag word nie.

Rdl C Daniels spreek sy kommer uit oor die kapitaalspandering van 59.3% en die spandering van toelaes wat staan op 41%.

Die Direkteur: Ontwikkelingsdienste meld dat, met betrekking tot die Menslike Nedersettingsprojekte, die meeste van die projekte afgehandel is. Weens die vertraging deur die Provinsiale Regering om die Darling Gap-behuisingsprojekte goed te keur, sal al die fondse nie in die 2021/2022 finansiële jaar bestee kan word nie. Die Departement Menslike Nedersetting het bevestig dat die befondsing in die volgende finansiële jaar aan die Munisipaliteit teruggegee sal word.

BESLUIT

(op voorstel van rdl I S le Minnie, gesekondeer deur rdl D G Bess)

Dat kennis geneem word van die maandverslag van die Direktoraat Ontwikkelingsdienste vir April 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 13 April 2022.

The Municipal Manager, Mr J J Scholtz, commented on the projects, including the impact of upgrading the N7.

The Municipal Manager mentioned, following cllr P E Soldaka's concern that Moorreesburg is excluded from developments, that talks are underway with a developer who wants to establish an oil production plant from Kanola in Moorreesburg. The Municipal Manager further referred to the upgrade of the Wastewater Treatment Works in Moorreesburg which will be completed next year.

Cllr D C Pypers supported the concern that no development is taking place in Moorreesburg.

The Speaker requested that during discussions with developers, where possible, residents of the Swartland area be appointed for employment opportunities.

The Executive Mayor confirmed that he has already insisted during discussions with developers to appoint residents of the Swartland. During a meeting with the Chamber of Commerce, there were also talks to put public transport in place for the residents / workers outside Malmesbury who get jobs here.

FOR COGNISANCE

4. MATTERS ARISING FROM THE MINUTES

None

5. DELEGATED MATTERS

5.1 MONTHLY REPORT: APRIL 2022

The chairperson tabled the monthly report.

The Director: Development Services, Ms J S Krieger, provided information on the progress of the various housing projects and the various projects presented in Swartland Municipality by Community Development.

On inquiry by, cllr M Ngozi, regarding the various housing projects in Malmesbury, it is confirmed by the Director: Development Services that ± 2800 housing opportunity will be developed in Malmesbury, De Hoop.

Cllr M Ngozi further inquired about the requirements to qualify for housing, and informed the Municipal Manager that the Municipality must give effect to the criteria established by the National Government and that no deviations may be made.

Cllr C Daniels expressed his concern about the capital expenditure of 59.3% and the expenditure which stands at 41%.

The Director: Development Services reported that, with regard to the Human Settlement Projects, most of the projects have been completed. Due to the delay by the Provincial Government in approving the Darling Gap housing projects, all the funds will not be able to be spent in the 2021/2022 financial year. The Department of Human Settlement has confirmed that the funding will be returned to the Municipality in the next financial year.

RESOLUTION

(proposed by cllr I S le Minnie, seconded by cllr D G Bess)

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

6. REPORTING REGARDING DELEGATED DECISION MAKING BY

7. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

(GET) RDL G VERMEULEN
VOORSITTER

6.1 THE MUNICIPAL PLANNING TRIBUNAL

Cognisance be taken of the minutes of the Municipal Planning Tribunal held on 13 April 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, 8 JUNIE 2022 OM 12:33

TEENWOORDIG:

RAADSLEDE:

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

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

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

BEAMPTES:

Munisipale Bestuurder, mnr J J Scholtz
Direkteur: Beskermingsdienste, mnr P A C Humphreys
Direkteur: Elektriese Ingenieursdienste, mnr R du Toit
Direkteur: Finansiële Dienste, mnr M A C Bolton
Direkteur: Korporatiewe Dienste, me M S Terblanche
Direkteur: Ontwikkelingsdienste, me J S Krieger
Direkteur: Siviële Ingenieursdienste, mnr L D Zikmann
Komiteebeampte, me S Willemse

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom lede.

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

Verlof tot afwesigheid word verleen aan rdl C Fortuin.

2. NOTULE

2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (BESKERMINGS-DIENSTE) GEHOU OP 11 MEI 2022

BESLUIT

(voorgestel deur rdl A K Warnick, gesekondeer deur rdl D G Bess)

Dat die notule van die Portefeuljekomiteevergadering (Beskermingsdienste) gehou op 11 Mei 2022 goedgekeur word.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

Geen

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

5. GEDELEGEERDE SAKE

5.1. MAANDVERSLAG: APRIL 2022

5.1.1/...



MINUTES OF A MEETING OF THE PROTECTION SERVICES PORTFOLIO COMMITTEE OF THE SWARTLAND MUNICIPAL COUNCIL HELD ON WEDNESDAY, 8 JUNE 2022 AT 12:33

PRESENT:

COUNCILLORS:

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

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

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

OFFICIALS:

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

1. OPENING/APOLOGIES

The chairperson welcomed members.

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

Apologies received from cllr C Fortuin.

2. MINUTES

2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (PROTECTION SERVICES) HELD ON 11 MAY 2022

BESLUIT

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

That the minutes of a Portfolio Committee Meeting (Protection Services) held on 11 May 2022 are approved.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None

4. MATTERS ARISING FROM THE MINUTES

None

5. DELEGATED MATTERS

5.1. MONTHLY REPORT APRIL 2022

5.1.1 PERFORMANCE REPORT

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.

Op navraag deur, rdl D G Bess, oor die funksionering van die SAPD se K9-eenheid, meld die Direkteur: Beskermingsdienste dit in die Paarl geleë is. Die K9-eenheid kan slegs suksesvol funksioneer in samewerking met die SAPD.

Rdl C Daniels spreek sy kommer uit oor die hoë spoed en onwettige jaagtogte op die Darling-pad en 'n bespreking volg om moontlik oplossings te ondersoek.

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 Direktooraat Beskermingsdienste, nl. Verkeer- en Wetstoepassing en Brandbestryding vir April 2022.

6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

(GET) RDD M VAN ZYL
 VOORSITTER

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.

When asked by, cllr D G Bess, about the functioning of the SAPS's K9 unit, the Director: Protection Services stated that it is located in Paarl. The K9 unit can only function successfully in collaboration with the SAPS.

Cllr C Daniels expressed his concern about the high speed and illegal chases on Darling Road and a discussion follows to investigate possible solutions.

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 April 2022.

6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

(SGD) ALD M VAN ZYL
 CHAIRPERSON



NOTULE VAN 'N SPESIALE VERGADERING VAN DIE UITVOERENDE BURGEMEESTERSKOMITEE
VIRTUEEL GEHOUD OP WOENSDAG, 22 JUNIE 2022 OM 09:00

TEENWOORDIG:

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

Lede van die Burgemeesterskomitee:

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

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: 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.

2. VERLOF TOT AFWESIGHEID

Geen verskonings is ontvang nie en noem die Munisipale Bestuurder, mnr J J Scholtz, dat die Direkteur: Siviele Ingenieursdienste betrokke is by 'n vergadering met die Departement van Waterwese.

3. NUWE SAKE

3.1 AFSKRYWING VAN ONINBARE EN ANDER SKULD, JUNIE 2022 TEN OPSIGTE VAN DEERNISHUISHOUDINGS TEN BEDRAE VAN R3 576 713.38 EN ANDER ONINVORDERBARE SKULDE TEN BEDRAE VAN R77 203.16 (5/7/3)

Die item word deur die voorsitter ter tafel gelê vir bespreking.
Rdh T van Essen noem dat die grootste gedeelte van oninbare skuld bestaan uit waterverbruik wat nie betaal kan word nie en versoek dat die Munisipaliteit sy eie Sensus doen in gebiede waar baie agterplaasbewoners is om te kan vasstel hoeveel huishoudings op 'n perseel is. Die 6kl gratis water wat die Munisipaliteit subsidieer is slegs vir een huishouding, maar daar bly tot vier gesinne op 'n erf wat tot gevolg het dat waterverbruik baie meer is.

Die voorsitter noem dat die voorstel van rdh Van Essen ondersteun word, maar dat daar ook na individuele gevalle gekyk moet word om te verseker dat deernissubsidie nie toegeken word aan 'n huishouding wat nie daarvoor kwalifiseer nie.



MINUTES OF A VIRTUAL SPECIAL MEETING OF THE EXECUTIVE MAYORAL COMMITTEE HELD ON
WEDNESDAY, 22 JUNE 2022 AT 09:00

PRESENT:

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

Members of the Mayor's Committee:

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

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: 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 members.

2. APOLOGIES

No apologies were received and the Municipal Manager, Mr J J Scholtz, mentioned that the Director: Civil Engineering Services are involved in a meeting with the Department of Water Affairs.

3. NEW MATTERS

3.1 WRITE-OFF OF IRRECOVERABLE DEBT AND OTHER DEBT JUNE 2022 INDIGENT HOUSEHOLDS IN THE AMOUNT OF R3 576 713.38 AND OTHER IRRECOVERABLE DEBT IN THE AMOUNT OF R 77 203.16 (5/7/3)

The item is tabled by the chairperson for discussion.
Ald T van Essen stated that the largest part of bad debts consists of water consumption that cannot be paid and requested that the Municipality conduct its own Census in areas where there are many backyard residents to be able to determine how many households are on a site. The 6kl of free water that the Municipality subsidizes is only for one household, but there are up to four families living on a plot which results in much more water consumption.

The chairman stated that the proposal of ald Van Essen is supported, but that individual cases must also be looked at to ensure that equitable share is not granted to a household that does not qualify for it.

3.1/...

Die Direkteur: Finansiële Dienste, mnr M Bolton, verduidelik die rasionaal vir die afskrywing van skulde en noem dat die Raad se risiko beperk word in terme van die aanbeveling dat, indien die eiendom verkoop sou word die skuld teruggeskryf kan word.

Die Direkteur: Finansiële Dienste bevestig dat die Munisipaliteit reeds in proses is om sosio-ekonomiese oudits te doen in Phola Park en Moorreesburg, wat insluit die bepaling van die aantal strukture en inwoners.

Op navraag vanaf, rdl J M de Beer, bevestig die Munisipale Bestuurder en Direkteur: Elektriese Ingenieursdienste, mnr R du Toit, dat die voorafbetaaltipe-watmeters op die mark van substandaard is, grootliks omdat die meganisme nie die oop- en toesluit van die waterklep doeltreffend kan hanteer nie.

Die Direkteur: Elektriese Ingenieursdienste bied verder agtergrond tot die probleem met elektriese submetering aan agterplaasbewoners deur die maatskappy, CITIQ, wat op die oomblik in llinge Lethu ervaar word. Alhoewel submetering nie onwettig is nie, bepaal Swartland Munisipaliteit se verordening dat daar toestemming verkry moet word.

Aangesien die netwerk oorbelaas word, kan die praktyk nie onbeheersd voortgaan nie en sal daar gesprekke met CITIQ plaasvind insake die nodige toestemming.

BESLUIT

- (a) Dat die Uitvoerende Burgermeesterskomitee goedkeuring verleen dat die bedrag van **R3 576 713.38** en opsigte van deernishuishoudings, afgeskryf word as oninvorderbaar;
- (b) Dat die Uitvoerende Burgermeesterskomitee goedkeuring verleen dat die bedrag van **R 77 203.16** ten opsigte van ander uitstaande debiteure, afgeskryf word as oninvorderbaar soos per die individuele redes;
- (c) Dat, indien dit vanaf datum van hierdie goedkeuring aan die lig kom dat 'n gedeelte van die skuld of die totale skuld van 'n debiteur nie korrek sou wees nie, of dat enige inligting wat op datum van afskrywing nie aan die Uitvoerende Burgermeesterskomitee bekend was wat daartoe sou lei dat die komitee die voorgelegde skuld nie vir afskrywing sou oorweeg nie, die Uitvoerende Burgermeesterskomitee die reg voorbehou om die skuld weer terug te skryf na die betrokke debiteur en dat die nodige stappe geneem sal word om die skuld in te vorder;
- (d) Dat, indien 'n eiendom op welke wyse ookal vervreem sou word, die Raad die reg voorbehou om uitklaring op die betrokke eiendom te weerhou en die bedrae afgeskryf eers in te vorder, alvorens uitklaring op die betrokke eiendom gegee sal word. Ten einde uitvoering aan hierdie besluit te gee, is 'n register by die eiendomsbelastingafdeling ingestel waarin gekontroleer word of daar ten opsigte van die betrokke uitklaring vir die voorafgaande twee jaar voor uitklaring, enige afskrywing was, en dat indien wel, die afgeskryfde bedrag met die uitklaring verhaal word;
- (e) Dat verder goedkeuring verleen word dat lopende heffings wat nie by die bestaande lys bygewerk is nie, vanweë die tydsverloop van wanneer die administratiewe proses van genoemde afskrywingslys begin is en die tydperk daarna, ook deel van die afskrywings sal wees, onderhewig daaraan dat die Kredietbeheerafdeling oortuig is dat die nuwe skuld onder dieselfde omstandighede ook oninvorderbaar is;
- (f) Dat verder goedkeuring verleen word dat die bedrae wat aan die Raad verskuldig is, wat op datum van hierdie Item nie by die bestaande lys bygewerk is nie, as gevolg van sosio-ekonomiese ondersoeke wat nog nie kon plaasvind aan al die deernishuishoudings nie, ook deel van die afskrywings sal wees, onderhewig daaraan dat die Kredietbeheerafdeling oortuig is dat die nuwe skuld onder dieselfde omstandighede ook oninvorderbaar is;

3.1/...

The Director: Financial Services, Mr M Bolton, explained the rationale for writing off debts and mentioned that the Council's risk is limited in terms of the recommendation that, should the property be sold, the debt can be written back.

The Director: Financial Services confirmed that the Municipality is already in the process of conducting socio-economic audits in Phola Park and Moorreesburg, which includes determining the number of structures and residents.

On inquiry from, Mr J M de Beer, the Municipal Manager and Director: Electrical Engineering Services, Mr R du Toit, confirmed that the prepaid water meters on the market are substandard, largely because the mechanism does not effectively open and close the water valve electronically.

The Director: Electrical Engineering Services further provided background to the problem of electrical submetering to backyard dwellers by the company, CITIQ, which are currently being experienced in llinge Lethu. Although submetering is not illegal, Swartland Municipality's ordinance stipulates that permission must be obtained.

As the network is overloaded, the practice cannot continue unchecked and discussions will take place with CITIQ regarding the necessary permission.

RESOLUTION

- (a) That the Executive Mayoral Committee approves that the amount of **R3 576 713.38** be written off as irrecoverable, in respect of indigent households;
- (b) That the Executive Mayoral Committee approves that the amount of **R 77 203.16** be written off as irrecoverable, in respect of other debtors linked to and as a direct result of the individual reasons per case;
- (c) That, if after the date of this approval, it comes to light that a portion of the debt owed by a debtor is not correct, or that any information was not made known to the Executive Mayoral Committee at the time of write-off, which would have led to the committee not considering the amount for write-off, the Executive Mayoral Committee retains the right to write back the debt to the relevant debtor and that the necessary steps will be taken to recover the debt;
- (d) That, if a property is in any way alienated, the Council retains the right to refuse clearance on the relevant property in order to recover the amounts written-off, before clearance is given. In order to enforce this decision a register is kept by the Rates and Taxes Division which enables the department to see if any debts were written-off within the previous two years, and if so to recover the amounts before clearance is considered;
- (e) That approval is also given that the current levies, which is not yet incorporated in the current list due to the period from the starting of the administrative process of compiling the write-off list and the period thereafter, form part of the write-off, providing that the Credit Control Division is convinced that the new debt is also irrecoverable under the same circumstances;
- (f) That approval is also given that the amounts owed to the Council, which to date, do not appear on the schedule as a result of the non-completion of socio-economic investigations at all indigent households, will also form part of the write-off, providing that the Credit Control Division is convinced that the new debt is also irrecoverable under the same circumstances;
- (g) That the actual amount for write-off be submitted to the Executive Mayoral Committee at the next meeting;
- (h) That any VAT levied on the services is claimed back from the Receiver of Revenue in the prescribed manner;

3.1/...

- (g) Dat die werklike bedrag afgeskryf, nadat hierdie voorlegging aan die Uitvoerende Burgermeesterskomitee gemaak was, weer tydens die volgende UBK Vergadering voorgelê sal word;
- (h) Dat enige BTW op dienste gehef op die gebruikelike manier vanaf die Ontvanger van Inkomste teruggeëis word;
- (i) Dat die Kredietbeheerafdeling poog om besoeke aan die deernishuishoudings te bring, ten einde die afskrywing te verduidelik en die implikasie van toekomstige verpligtinge van 'verantwoordelike verbruikers' aan hulle duidelik te maak, asook om die installeering van 'n waterbeheermeganismestelsel en die werking daarvan aan die deernishuishoudings te verduidelik, ten einde voorkomende Kredietbeheer toe te pas;
- (j) Dat verdere goedkeuring verleen word dat die kostes met betrekking tot die vervanging van die konvensionele elektrisiteitsmeter deur 'n voorafbetaalde elektrisiteitsmeter, deur die munisipaliteit gedra word en dat die Hoof Finansiële Beampte die kostes van die Deernistoekenning sal verhaal;
- (k) Dat die Uitvoerende Burgermeesterskomitee kennis neem van toekomstige pogings om aansluitings te beperk in 'n poging om verbruikers te dwing om die nodige dienste aansluitings te kom teken;

BESLUIT VERDER

- (l) Dat oorweging daaraan verleen word om 'n Sensus-opname te doen in strategiese areas in die munisipale gebied om (1) die aantal deernishuishoudings en (2) die aantal gesinne op 'n perseel (agterplaasbewoners) te bevestig en dat opdrag aan die Munisipale Bestuurder gegee word om verdere gesprekke in hierdie verband te reël om die nodige strategie te ontwikkel.

(GET) J H CLEOPHAS
UITVOERENDE BURGEMEESTER

3.1/...

- (i) That the Credit Control Division attempt to pay a personal visit to each indigent household in order to explain the write-off and the future obligations of 'responsible users', as well as to explain the installation and workings of water demand management systems, as a proactive credit control measure;
- (j) That approval be given that the costs relating to the replacement of the credit meter with a prepaid electricity meter are for the municipality to bear and that the Chief Financial Officer will recover the costs from the Equitable Share allocation;
- (k) That the Mayoral Committee takes cognizance of the fact that the administration will attempt to put measures in place in a bid to force those users of services not on our financial system to agree and complete the necessary services connection form/s.

RESOLUTION FURTHER

- (l) That consideration be given to conducting a Census survey in strategic areas in the municipal area to confirm (1) the number of indigent households and (2) the number of families on a site (backyard residents) and that instruction to the Municipal Manager is given to arrange further discussions in this regard in order to develop the necessary strategy.

(SGD) J H CLEOPHAS
EXECUTIVE MAYOR



MINUTES OF A MEETING OF THE BID ADJUDICATION COMMITTEE VIRTUALLY HELD ON TUESDAY, 7 JUNE 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
 Director: Civil Engineering Services, Mr L D Zikmann
 Manager: Supply Chain Management, Mr P Swart
 Manager: Secretariat and Records Services, Ms N Brand

1. OPENING/APOLOGIES

The chairperson opened the meeting.

2. DECLARATION OF INTEREST

RESOLVED that cognisance is taken that no declaration of interests were made.

3. MINUTES

3.1 MINUTES OF A BID ADJUDICATION COMMITTEE MEETING HELD ON 17 MAY 2022

RESOLVED that the minutes of the Bid Adjudication Committee held on 17 May 2022 be approved.

3.2 MINUTES OF A BID EVALUATION COMMITTEE MEETING HELD ON 31 MAY 2022

FOR COGNISANCE

3.3 MINUTES OF A SPECIAL BID EVALUATION COMMITTEE MEETING HELD ON 6 JUNE 2022

FOR COGNISANCE

4. MATTERS FOR DISCUSSION

4.1 TENDER T32/21/22: UPGRADE OF BULK WATER SUPPLY, MALMESBURY & RIEBEEK KASTEEL (16/11/14/1)

Tenders were invited for the upgrading of bulk water supply pipelines in Malmesbury and Riebeeck Kasteel.

A total of 15 tenders were received of which seven tenders adhered to the tender requirements and specifications. The responsive tenders were evaluated in accordance with the 80/20 preferential point system:

NO.	TENDERER	TENDER SUM	PREFERENTIAL POINTS			
			PRICE	CONTRI-BUTION LEVEL	B-BBEE	TOTAL
1	Exeo Khokela Civil Engineering Construction (Pty) Ltd	R 22 479 560.89	80,00	1	20	100,00
2	JVZ Construction (Pty) Ltd	R 22 656 033.82	79,37	1	20	99,37
3	Asla Construction (Pty) Ltd	R 24 078 917.59	74,31	1	20	94,31

4	Shar Civils CC	R 24 304 235.63	73,51	1	20	93,51
5	Ruwacon (Pty) Ltd	R 26 160 000.00	66,90	1	20	86,90
6	Civils 2000 (Pty) Ltd	R 27 671 875.00	61,52	1	20	81,52
7	Leafy Space (Pty) Ltd	R 28 959 967.10	56,94	1	20	76,94

RECOMMENDATION¹

- That tender, T32/21/22: Upgrading of Bulk Water Supply for Malmesbury and Riebeeck Kasteel, be awarded to *Exeo Khokela Civil Engineering Construction (Pty) Ltd* for the amount of R22,479,560.89 Including 15% VAT (R19,547,444.25 Excl. 15% VAT) and a contract period of 35 weeks;
- That the expense be allocated against the following votes for the 2022/2023 financial year:
 - Swartland System S3.3 & S3.4 Panorama to Wesbank I1/4 – CRR (9/105-391-184)
 - Swartland System S3.3 & S3.4 Panorama to Wesbank I1/4 – MIG (9/105-400-199)
 - Wesbank I1/4 to Wesbank Reservoir supply SMW.B6 – CRR (9/105-415-204)
 - Wesbank I1/4 to Wesbank Reservoir supply SMW.B6 – MIG (9/105-427-213)
 - Riebeeck Kasteel supply S2.4 (9/105-431-226)
 - De Hoop Supply SMW1.1 - CRR (9/105-449-222)
 - De Hoop Supply SMW1.2 - MIG (9/105-456-243)
- That matters relating to health and safety be handled by *Ad Astra Health and Safety Services*.
- That clause 5.13 of the General Conditions of Contract (2015) be enforced for late completion.
- That the Consulting Engineers, *Bigen Africa Services*, be notified of the decision.

4.2 TENDER T44/21/22: SUPPLY ASPHALTING SERVICES IN THE SWARTLAND MUNICIPAL AREA FOR THE PERIOD UP TO 30 JUNE 2025 (16/5/5/1)

Tenders were invited from suitably experienced civil engineering contractors, specialising in asphalt works, for the maintenance and rehabilitation of municipal roads and other surfaced areas for the period 1 July 2022 to 30 June 2025.

The tender is compiled as a panel type, rates based and allows for works to be executed in various towns within the Swartland municipal area as works packages.

Responsive tenderers will be listed on a panel and the tender will be awarded for a works project based on the outcome of the evaluation of the financial offer and the procurement preference points.

A total of 11 tenders were received at the closing of the tender of which nine tenders is regarded as responsive and adhered to all the tender requirements and tender specifications.

RECOMMENDATION²

- That the following tenderers be appointed for Tender T44/21/22: Supply Asphaltting Services in the Swartland municipal area for the period up to 30 June 2025 against the rates tendered by each:
 - Makali Plant and Construction (PTY) Ltd
 - Rorisang Holdings (PTY) Ltd
 - Ditshimega Projects and Training
 - H & I Construction (PTY) Ltd
 - Roadmac Surfacing Cape (PTY) Ltd
 - Martin and East (PTY) Ltd

¹ Confirmed by the Municipal Manager on 9 June 2022

² Confirmed by the Municipal Manager on 9 June 2022

4.2(a)/...

- (vii) Invula Roads & Civils (PTY) Ltd
- (viii) Actophambili Roads (PTY) Ltd
- (ix) Amandla Construction cc

- (b) That the rates as supplied in the tender documents of Makali Plant and Construction (PTY) Ltd, Rorisang Holdings (PTY) Ltd, Ditshimega Projects and Training, H & I Construction (PTY) Ltd, Roadmac Surfacing Cape (PTY) Ltd, Martin and East (PTY) Ltd, Invula Roads and Civils (PTY) Ltd, Actophambili Roads (PTY) Ltd and Amandla Construction cc, for the term up to 30 June 2025 be approved accordingly (**Annexure "B" attached**);
- (c) That the project be financed from funds made available under the 2022/2023, 2023/2024 and 2024/2025 Capital and Operational Budget;
- (d) That the respective tenderers be evaluated for SCM-compliance before accepting a Works Package;
- (e) That matters relating to health and safety be handled by the appointed Health and Safety Representative.

4.3 TENDER T53/21/22: POTABLE WATER MONITORING AND ANALYSIS FOR PERIOD ENDING JUNE 2023 (8/2/21)

Swartland Municipality requires the services of a suitably accredited laboratory for the complete implementation of the drinking water monitoring programme in accordance with the South African National Standards 241.

The monitoring program prescribes the sample sites, number of samples to be taken, frequency of sampling and determinants to be analysed with every sample.

The tender is compiled as a tariff tender to allow for both scheduled and ad-hoc monitoring.

Two tenders were received at the closing date and adhere to the tender requirements and tender specifications – see table below for preferential procurement evaluation in accordance with the 80/20 point system.

No.	Tenderer	Tender Amount	Points Allocated			
			Points For Price	Contribution Level	Procurement Point	Total
1	A.L. Abbott (Pty) Ltd	R 198 254.25	80.00	2	18	98.00
2	Vinlab H ₂ O (Pty) Ltd	R 338 483.88	23.41	4	12	35.41

RECOMMENDATION³

- (a) That the tariffs as supplied in the tender document for tender, T53/21/22: Potable Water Monitoring, Sampling and Analysis, of *A.L. Abbott (Pty) Ltd* for laboratory and water quality monitoring services for the period ending 30 June 2023, be approved accordingly (**Annexure B**);
- (b) That the expense be allocated against vote number 9/249-1277-1053 for the 2022/2023 financial year.

4.4 TENDER T54/21/22: WASTEWATER TREATMENT WORKS MONITORING, SAMPLING AND ANALYSIS AND INDUSTRIAL EFFLUENT ANALYSIS FOR PERIOD ENDING JUNE 2023 (8/2/21)

The Municipality has the responsibility to monitor and ensure the proper functioning of the wastewater treatment works under its management. Part of the monitoring of the treatment works is the monitoring of effluent received from various industries operating in Swartland Municipality's jurisdiction.

³ Confirmed by the Municipal Manager on 9 June 2022

4.4/...

The monitoring program prescribes the sample sites, number of samples to be taken, frequency of Monitoring is done at predetermined sampling sites with specific determinants to be analysed for each sample. Swartland Municipality needs the services of a suitably accredited laboratory for the sampling and analysis of the samples.

Only one tender was received at the closing date.

RECOMMENDATION⁴

- (a) That the tariffs as supplied in the tender document for, Tender T54/21/22: Wastewater Treatment Works Monitoring, Sampling and Analysis and Industrial Effluent Analysis, of *A.L. Abbott (Pty) Ltd* for laboratory and wastewater quality monitoring services for the monitoring period ending 30 June 2023, be approved accordingly (**Annexure B**);
- (b) That the expense be allocated against vote number 9/239-1163-909 for the 2022/23 financial year.

4.5 TENDER T59/21/22: SUPPLY AND DELIVER OF 2 X VACUUM TANKER TRUCKS (8/2/22)

Tenders were invited for the replacement of 1 x Vacuum Tanker Truck (CK 14612) and the purchase of an additional Vacuum Tanker Truck within the Civil Engineering Department.

A total of nine tenders were received of which three met all the criteria set out in the tender document – see table below for the preferential procurement evaluation in accordance with the 80/20 point system.

Tenderer	Tender Amount (Incl. VAT)	Preferential Points			
		Points for Price	Contribution Level	Procurement Points	Total
JB'S Commercial Option 1	R 3,766,792.00	80.00	2	18	98.00
Global 7 Trading Option 2	R 4,087,100.00	73.36	1	20	92.40
BFECT (Pty) Ltd	R 4,531,000.00	63.96	1	20	83.77

RECOMMENDATION⁵

- (a) That the tender, T59/21/21: Supply and Delivery of 2 x Vacuum Tanker Trucks (Quester CWE370 6x4 FC AMT) be awarded to *JB'S Commercial (Pty) Ltd* for an amount of R 3,766,792.00 (R 3,281,812.00 excluding VAT) and a delivery period of 12 to 18 weeks;
- (b) That the expense be allocated against vote numbers 9/111-223-763 and 9/111-369-54 for the replacement of CK 14612 and a new truck respectively.

4.6 TENDER T60/21/22: SUPPLY AND DELIVER OF 1 X BACKHOE LOADER (8/2/22)

Tenders were invited for the replacement of 1x Backhoe Loader (CK 29892) within the Civil Engineering Department.

A total of six tenders were received of which two met all the criteria set out in the tender document – see table below for the preferential procurement evaluation in accordance with the 80/20 point system.

Tenderer	Tender Amount (Incl. VAT)	Preferential Points			
		Points for Price	Contribution Level	Procurement Points	Total
Bell Equipment	R 2,159,200.67	80.00	1	20	100.00
Barloworld Equipment	R 2,207,550.38	78.21	1	20	98.21

⁴ Confirmed by the Municipal Manager on 9 June 2022

⁵ Confirmed by the Municipal Manager on 9 June 2022

4.6/...

RECOMMENDATION⁶

- (a) That the tender, T60/21/22: Supply and Delivery of 1x Backhoe Loader (JCB 4CX Backhoe Loader) be awarded to *Bell Equipment Sales SA* for an amount of R2,159,200.67 / (R1,877,565.80 excluding VAT) with a delivery period of 6 months;
- (b) That the expense be allocated against vote numbers 9/110-237-749 for the replacement of CK 29892.

4.7 TENDER T61/21/22: SUPPLY AND DELIVER OF 1 X TRACTOR (8/2/2)

Tenders were invited for the replacement of 1 x Tractor (CK 41465) within the Civil Engineering Department.

A total of five tenders were received of which four met all the criteria set out in the tender document – see table below for the preferential procurement evaluation in accordance with the 80/20 point system.

Tenderer	Tender Amount (Incl. VAT)	Preferential Points			
		Points for Price	Contribution Level	Procurement Points	Total
Agri Hive (Pty) Ltd	R 532,550.00	80.00	1	20	100.00
BFECT (PTY) LTD	R 598,000.00	70.17	1	20	90.17
Simunye Fleet Management	R 681,929.13	57.56	1	20	77.56
Phemumba Enterprise	R 907,225.00	23.72	0	0	23.72

RECOMMENDATION⁷

- (a) That the tender, T61/21/22: Supply and Delivery of 1x Tractor (Landini Solis 90-Tractor) be awarded to *Agri Hive (Pty) Ltd* for an amount of R532,550.00 (Bidder not VAT registered) and a delivery period of 4 to 6 weeks;
- (b) That the expense be allocated against vote numbers 9/112-233-749 for the replacement of CK 41465.

4.8 TENDER T49/21/22: SUPPLY AND DELIVERY OF MATERIALS, SUPPLIES AND SERVICES FOR THE PERIOD OF 1 JULY 2022 TO 30 JUNE 2023 (8/2/1)

Tenders were requested for the supply and delivery of materials, supplies and services for the Civil Engineering Department (annual tender).

A total of 43 tenders were received of which tender priced will be re-evaluated when a purchase is made against the required item, with cognisance of escalations, exchange rate variations, preferential procurement and delivery times.

RECOMMENDATION⁸

- (a) That the tenders of the following tenderers for the supply and delivery of materials, supplies and services for the Civil Engineering Department for the 2022/2023 financial year be accepted.

1	PPD Engineering and Hardware Suppliers	23	VW Civil Engineering Supplies
2	Atlantic Plant and transport (Pty) Ltd	24	Tambuti Agricultural Supplies (Pty) Ltd
3	Siyphambili Electrical & Industrial Supplies cc	25	West Coast Skies Services
4	Henning & Henning (Pty) Ltd t/a Henchem	26	Western Province Supplies (Pty) Ltd

5	AJ Van Huffel Planthire CC	27	JM Digital Trading Enterprise
6	Take Note Trading 245 CC t/a Universal Trading	28	Africa Utility Solutions
7	DD Supplies and Services	29	JOAT Consulting (Pty) Ltd
8	BFECT (PTY) Ltd	30	2ACS Services (PTY) Ltd
9	Emmerencia Construction (Pty) Ltd	31	LEAFIX (Pty) Ltd
10	Top Fiks Suppliers	32	Tip Trans Logistix (PTY) Ltd
11	Nu Way Enterprises	33	RAMP GOODS and SERVICES (PTY) Ltd
12	Babena Holding (PTY) Ltd	34	Shine The Way 496 CC
13	Lazar Civil Engineering	35	AWV Project Management
14	K2C Construction (Pty) Ltd	36	Obhejane Trading (Pty) Ltd
15	Central Drum Suppliers and Waste Disposal CC	37	Conchem-Saligna BEE cc
16	Ithuba Industries	38	Patco Manufacturing CC
17	P and M Edgar SA Suppliers	39	Diphoro Consulting (PTY) Ltd
18	Virigo Resources (PTY) Ltd	40	Juno Corp (Pty) Ltd
19	Lategans Sementwerke (EDMS) BPK	41	Sizwe Paints (Pty) Ltd
20	Batsumi Investment Holdings	42	Sakikhaya Supplies
21	Barnes Transport and Demolition (Pty) Ltd	43	Olympia International Paints & Coatings
22	Memotek Trading		

- (b) That the tender prices be re-evaluated when a purchase is made against an included item, with cognisance of respective escalation indices, exchange rate variations, preferential procurement and delivery times.

4.9 TENDER T40/21/22: SUPPLY OF FUEL (PETROL, DIESEL AND OIL) FOR THE PERIOD 1 JULY 2022 TO 30 JUNE 2025 (8/2/1)

Tenders were invited to appoint a suitable service provider for the supply of Fuel in the Swartland Area for the period 1 July 2022 to 30 June 2025.

Tenders were received from three filling stations of which one does not have a filling station in the Swartland municipal area and did not tender for a %rebate as requested in the tender document.

The remaining two tenders were evaluated in accordance with the 80/20 preferential procurement point system – see table below.

TENDERER	% DISCOUNT	POINTS FOR PRICE	CONTRIBUTION LEVEL	PROCUREMENT POINTS	TOTAL POINTS
TFC Operations (Pty) Ltd	4.70%	80.00	4	12	92.00
JB's Nissan	3.70%	65.96	0	0	65.96

JB's Nissan - Did not claim preferential points, no BEE certificate submitted (Level 0)

RECOMMENDATION⁹

- (a) That the tender for the supply of Fuel (Diesel, Petrol & Oil) be awarded to TFC Operations (Pty) Ltd (Kaa Agri) for the tendered rebates, as follows:

⁶ Confirmed by the Municipal Manager on 9 June 2022

⁷ Confirmed by the Municipal Manager on 9 June 2022

⁸ Confirmed by the Municipal Manager on 9 June 2022

⁹ Confirmed by the Municipal Manager on 9 June 2022

4.9(a)/...

- (i) Malmesbury (4.7% on Diesel and 10% on Oil)
- (ii) Moorreesburg (2.3% on Diesel and 10% on Oil)
- (iii) Darling (4.7% on Diesel and 10% on Oil)
- (iv) Riebeek Kasteel and Riebeek Wes (4.7% on Diesel and 10% on Oil) for the period 1 July 2012 to 30 June 2025.

- (b) That, as far as the other towns in the municipal area are concerned, use is made of filling station owners who are registered on the Centralised Supplier Database (CSD) in accordance with the Council's Supply Chain Management Policy and who comply with the requirements of the tender (ie with respect to processing of transactions using Standard Bank Fuel Cards).

4.10 TENDER NO T56/21/22: PROVISION OF ACCOUNTING SERVICES TO SWARTLAND MUNICIPALITY, TO ENSURE GRAP/ MSCOA COMPLIANT ANNUAL FINANCIAL STATEMENTS (AFS) FOR THE PERIOD 1 JULY 2022 TO 30 JUNE 2025 (8/2/21)

Tenders were invited for the Provision of Accounting Services to Swartland Municipality, to Ensure GRAP/MSCOA Compliant Annual Financial Statements (AFS)", for the period 1 July 2022 to 30 June 2025.

A total of five tenders were received of which three tenders met all the tender criteria as set out in the tender document.

Preferential Procurement points were calculated in accordance with the 80/20 preference point system – see table below.

Tenderer	Tender Amount (Vat Included)	Preferential Points			
		Points for Price	Contribution Level	Preference Points	Points for Price
Tsholo Mubeko Moore Consortium	R 1 147 700.00	80.00	2	18	98.00
Ducharme Asset Management and Accounting (Pty) Ltd	R 1 259 250.00	72.22	2	18	90.22
West Rand Consulting (Pty) Ltd	R 1 899 225.36	27.63	1	20	47.63

RECOMMENDATION¹⁰

- (a) That the tender for the Provision of Accounting Services to Swartland Municipality, to ensure GRAP/MSCOA Compliant Annual Financial Statements (AFS) be awarded to *Tsholo Mubeko Moore Consortium* at the tendered hourly tariffs for the period 1 July 2022 to 30 June 2025;
- (b) That the expenses be financed from the operating budget vote 9/209-496-888, 9/209-497-885 and 9/212-111-885.

4.11 TENDER T48/21/22: APPOINTMENT OF A SERVICE PROVIDER TO DESIGN AND PLACE PERSONNEL RECRUITMENT AND TENDER ADVERTISEMENTS IN THE LOCAL, PROVINCIAL AND NATIONAL MEDIA FOR THE PERIOD 1 JULY 2022 TO 30 JUNE 2025 (8/2/21)

Tenders were invited for the appointment of a service provider to design and place personnel recruitment and tender advertisements in the local, provincial and national media for the period 1 July 2022 to 30 June 2025.

A total of three tenders were received of which only one tender adhered to the tender requirements and tender specifications.

Recommendation/...

¹⁰ Confirmed by the Municipal Manager on 9 June 2022

4.11/...

RECOMMENDATION¹¹

- (a) That the tendered tariffs of *Ayanda Mbanga Communications (Pty) Ltd* be accepted for Tender, T48/21/22: Appointment of a Service Provider to Design and Place Personnel Recruitment and Tender Advertisements in the Local, Provincial And National Media, for the period 1 July 2022 to 30 June 2025;
- (b) That the expenditure be managed and limited to the available funds in the different vote numbers (9/213-45-1515 {Staff Recruitment} and 9/219-45-1519 (Tenders)) for the 3 financial years.

4.12 TENDER T55/21/22: TRANSPORTATION OF EMPLOYEES BETWEEN DARLING AND YZERFONTEIN FOR THE PERIOD 1 JULY 2022 TO 30 JUNE 2023 (8/2/21)

Tenders for the Transportation of employees between Darling and Yzerfontein for the period 1 July 2022 to 30 June 2023 were invited.

It is necessary to provide transport for Yzerfontein employees who reside in Darling, due to the fact that employee housing is not readily available in Yzerfontein.

A total of five tenders were received of which three tenders were regarded as responsive and evaluated in accordance with the 80/20 preferential procurement point system – see table below.

BIDDER	TENDER PRICE	POINTS FOR PRICE	CONTRIBUTOR LEVEL	PREFERENCE POINTS	TOTAL POINTS
JM de Lillie	R750.00 per day	80.00	1	20	100.00
Jacen Peter Filander	R840.00 per day	70.40	1	20	90.40
Papier Taxis	R900.00 per day	64.00	1	20	84.00
Top 'n Nos	R1 400.00 per day	10.67	1	20	30.67

RECOMMENDATION¹²

That the tender, T55/21/22: Transportation of employees between Darling and Yzerfontein for the period 1 July 2022 to 30 June 2023, be awarded to *JM de Lillie* for the tendered "Price per Day" rate of R750.00 per day (bidder not registered for VAT) limited to the available budget.

4.13 TENDER T45/21/22- THE LEASING OF NINE (9) TRAINED NARCOTIC DOGS FOR THE K9 UNIT OF SWARTLAND TRAFFIC AND LAW ENFORCEMENT SERVICES FOR THE PERIOD 1 JULY 2022 TO 30 JUNE 2025 (8/2/21)

Swartland Traffic and Law Enforcement Service received a grant from the Department of Community Safety (DOCS) to fund the K9-Unit.

Tenders were invited for the leasing of nine trained narcotic dogs for the K9 Unit.

Two tenders were received and both tenders adhered to the tender requirements and tender specifications – see table below for the preferential procurement evaluations in accordance with the 80/20 point system.

Tenderer	Tender Price (Including VAT)	PREFERENTIAL POINTS			
		Points for Price	Contribution level	Procurement Point	Total
1. Dogs and All CC	R 1 676 700, 00	80.00	0	0	80.00
2. Jabulani Security	R 2 259 133, 80	52.21	1	20	72.21

Recommendation/...

¹¹ Confirmed by the Municipal Manager on 9 June 2022

¹² Confirmed by the Municipal Manager on 9 June 2022

4.13/...

RECOMMENDATION¹³

- (a) That the tender, **T45/21/22**: The leasing of nine (9) trained narcotic dogs for the K9 Unit of Swartland Traffic and Law Enforcement Services be awarded to Dogs and All CC for the amount of R 1 676 700.00 (R 1 458 000.00 VAT excluded) for the period 1 July 2022 to 30 June 2025:

Year 1: R 558 900.00 (R 486 000.00 VAT excl.)
 Year 2: R 558 900.00 (R 486 000.00 VAT excl.)
 Year 3: R 558 900.00 (R 486 000.00 VAT excl.)
TOTAL: R1 676 700.00

- (b) Payments to Dogs and All CC will be accounted to **vote number 9/233-564-554 (Leasing of dogs)** for the 36 months period (1 July 2022 to 30 June 2025).

4.14 TENDER T46/21/22: SUPPLY AND DELIVERY OF MATERIALS AND REQUIREMENTS FOR THE ELECTRICITY DEPARTMENT FOR THE PERIOD 1 JULY 2022 TO 30 JUNE 2023 (8/2/1)

Tenders for the supply and delivery of materials and services for the Department Electrical Engineering Services were invited (annual tender).

A total of 26 tenders were received of which tender priced will be re-evaluated when a purchase is made against the required item, with cognisance of escalations, exchange rate variations, preferential procurement and delivery times.

RECOMMENDATION¹⁴

- (a) That the tenders for the supply and delivery of materials and requirements for the electricity department for the financial year 2022/23 of the tenderers listed below be accepted.

1. Aberdare Cables
2. Actom Electrical Products
3. Kader Technologies (Pty) Ltd
4. M-Tec
5. Zamori Engineering Services
6. Main Electrical Wholesalers
7. HCC Energy (Pty) Ltd
8. Memotek Trading
9. Powercomm Solutions
10. JPA Business & Energy Solutions
11. Resource Electrical
12. Top Fiks Suppliers
13. Impulse Electrical Solutions
14. Universal Trading
15. Maboneng Electrical Distributors
16. Randela Africa Industries
17. Supreme Electrical Supplies
18. Zonart Labour Distributions
19. Obhejane Trading (Pty) Ltd
20. SGB-Smit Power Matia
21. Jocastro Western Cape (Pty) Ltd
22. Onlab Specialist Electro-Technology CC
23. Mattha Trading
24. Ontec Systems
25. Conlog (Pty) Ltd
26. Landis & Gyr

(b)/...

¹³ Confirmed by the Municipal Manager on 9 June 2022

¹⁴ Confirmed by the Municipal Manager on 9 June 2022

4.14/...

- (b) That the tender prices be re-evaluated when each specific item is required, taking into account the escalation indexes, rate of exchange variance, preferential procurement and delivery time.

4.15 TENDER T47/21/22: UNDERWRITING OF THE MUNICIPALITY'S GROUP LIFE INSURANCE PORTFOLIO FOR THE PERIOD 1 JULY 2022 TO 30 JUNE 2025 (8/2/1)

Tenders were invited for the underwriting of the Municipality's group life insurance portfolio for the period 1 July 2022 to 30 June 2025.

A total of four tenders were received and two tenders were disqualified. See table below for the evaluation of the remaining two tenders in accordance with the 80/20 preferential procurement point system.

BIDDER	TENDER PRICE	POINTS FOR PRICE	CONTRIBUTOR LEVEL	PREFERENCE POINTS	TOTAL POINTS
Verso Financial Services (Pty) Ltd	R11 417 736.00	80.00	2	18	98.00
Kunene Makopo Risk Solutions (Pty) Ltd	R13 879 286.00	62.75	1	20	82.75

RECOMMENDATION¹⁵

- (a) That the tender of *Verso Financial Services (Pty) Ltd* be accepted for the underwriting of the Municipality's Group Life Insurance Portfolio for the period 1 July 2022 to 30 June 2025 for the tendered unit rate of R0.7338 per R1 000;

- (b) That the estimated expenditure be noted as follow:

Year	Expenditure
2022/2023	R3 560 641.00
2023/2024	R3 809 176.00
2024/2025	R4 047 919.00
Estimated Total	R 11 417 736.00

- (c) That the expenditure be allocated per cost centre as part of employee related costs;
- (d) That, should the claims over the net premiums period be greater than 11.5% after 12 months, *VERSO Financial Services (Pty) Ltd* reserves the right to increase rates, due to unfavourable claims experience, subject thereto that –
- (i) all increases above the average CPI first be negotiated and agreed with the Municipality before the implementation of new tariffs; or
 - (ii) the Municipality reserving the right to review the tender should the premiums be increased as per the above qualification.

4.16 TENDER T58/21/22: RENDERING OF CLEANSING SERVICES AT THE MALMESBURY HEAD OFFICE AND OTHER MUNICIPAL BUILDINGS (8/2/1)

Tenders were invited for the rendering of cleansing services at the Malmesbury Head Office and other municipal buildings for the period 1 July 2022 to 30 June 2025.

A total of eight tenders were received and all tenders met the criteria as determined in the tender document – see table below for 80/20 preferential procurement evaluation.

Tenderer	Tender Amount	Points for Price	Contribution Level	Procurement Points	Total
Isimiso Construction (Pty) Ltd	R 348 679.60	80,00	0	0	80,00
M&E Roofing	R 1 404 000.00	-162,13	1	20	-142,13
Bidvest Prestige Cleaners	R 1 871 493.54	-269,39	1	20	-249,39

¹⁵ Confirmed by the Municipal Manager on 13 June 2022

Sinac Group	R 1 999 344,73	-298,72	1	20	-278,72
Diagh Transport and General Services (Pty) Ltd	R 2 556 000,00	-426,44	1	20	-406,44
Yonwabeli Mzantsi Cleaning (Pty) Ltd	R 2 957 620,14	-518,59	1	20	-498,59
M&T Maintenance & Asbestos Removal	R 3 663 258,52	-680,49	0	0	-680,49
Think Smart Cleaning (Pty) Ltd	R 10 939 573,92	-2349,94	1	20	-2329,94

RECOMMENDATION¹⁶

- (a) That the tender for the rendering of cleansing services at the Malmesbury Head Office and other municipal buildings for the period 1 July 2022 to 30 June 2025 be awarded to *Isimiselo Construction (Pty) Ltd* to the amount of R348 679,60 (Bidder not VAT registered).
- (b) That the expenditure be allocated to vote number 9/228-243-1111.
- (c) The expenditure will be as follow:

	Expenditure
2022/2023	R105 341,28
2023/2024	R115 875,12
2024/2025	R127 463,20

(sgd) M S TERBLANCHE
CHAIRPERSON

¹⁶ Confirmed by the Municipal Manager on 9 June 2022



MINUTES OF A MEETING OF THE BID ADJUDICATION COMMITTEE VIRTUALLY HELD ON TUESDAY, 17 MAY 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
 Director: Electrical Engineering Services, Mr R du Toit
 Manager: Supply Chain Management, Mr P Swart
 Manager: Secretariat and Records Services, Ms N Brand

1. OPENING/APOLOGIES

The chairperson opened the meeting.

2. DECLARATION OF INTEREST

RESOLVED that cognisance is taken that no declaration of interests were made.

3. MINUTES

3.1 MINUTES OF A BID ADJUDICATION COMMITTEE MEETING HELD ON 28 APRIL 2022

RESOLVED that the minutes of the Bid Adjudication Committee held on 28 April 2022 be approved.

3.2 MINUTES OF A BID EVALUATION COMMITTEE MEETING HELD ON 10 MAY 2022

FOR COGNISANCE

4. MATTERS FOR DISCUSSION

4.1 TENDER T51/21/22: COMPACT 11KV SWITCHGEAR PANELS (8/2/21)

Tenders were invited for the supply and delivery of x5 compact 11kV switchgear panels. All seven tenders received adhered to the tender requirements and specifications and were evaluated in accordance with the 80/20 preferential procurement point system – see table below:

No	Tenderer	Tender Price Including VAT	Points for Price	Contribution Level	Preferential Points	Total Points
1	Lucy Electric South Africa Pty Ltd	R1 091 091.25	80.00	1	20	100.00
2	JoCastro Western Cape (Pty) Ltd	R1 167 250.00	74.42	1	20	94.42
3	Actom Electrical Products	R1 426 000.00	55.44	1	20	75.44
4	AMF International Pty Ltd	R1 476 966.35	51.71	2	18	69.71
5	Memotek Trading	R1 697 698.21	35.52	1	20	55.52
6	ABB South Africa (Pty) Ltd	R1 756 222.50	31.23	2	18	49.23
7	Maboneng Electrical Distributors (Pty) Ltd	R2 262 634.78	-5.90	1	20	14.10

4.1/...

RECOMMENDATION¹

- (a) That the tender for supply and delivery of 5x Compact 11kV Switchgear Panels be awarded to Lucy Electric South Africa Pty Ltd for the amount of R1 091 091.25 including VAT (R948 775.00 VAT excluded) with completion period of 6-8 weeks.
- (b) That the contract be financed by means of the 2022/23 capital budget, vote 9/117-605-324.
- (c) That it be noted that the remaining amount in the capital budget vote 9/117-605-324 is earmarked for the departmental replacement of minisubstations.

**(sgd) M S TERBLANCHE
CHAIRPERSON**

¹ Confirmed by the Municipal Manager on 18 May 2022



Verslag ♦ Ingxelo ♦ Report

Office of the Municipal Manager
2022-07-28

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

ITEM _8.1_ OF THE AGENDA OF A COUNCIL MEETING TO BE HELD ON 28 JULY 2022

SUBJECT: RE-ADOPTION OF THE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (MSDF) AS PART OF THE IDP

1. BACKGROUND AND DISCUSSION

The Integrated Development Plan (IDP) of Swartland Municipality was submitted to the Minister of Local Government (Minister Bredell) in terms of Section 32(1)(a) of the Municipal Systems Act No 32 of 2000 (MSA). In his comments in a letter dated 4 July 2022 the Minister states the following:

"It is further noted that the Municipality did not re-adopt the Municipal Spatial Development Framework (MSDF), which is a core component of the IDP, in terms of Section 26(e) of the MSA. Given this, I hereby, in terms of section 32(2) of the MSA, request the Municipality to re-adopt the MSDF as a core component of the IDP."

The current MSDF was adopted by Council on 30 May 2019 and a summary was included in the IDP (Chapter 6, paragraph 6.4) in terms of Section 26(e) of the MSA.

The current IDP was approved by Council on 26 May 2022:

"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);"

Because the MSDF was not amended in any way the same summary is included in the current approved IDP (Chapter 6, paragraph 6.4).

The Western Cape Government does however not regard this as a re-adoption of the MSDF.

2. AANBEVELING / RECOMMENDATION

Dat die Munisipale Ruimtelike Ontwikkelingsraamwerk wat op 30 Mei 2019 deur die Raad aanvaar is en waarvan 'n opsomming by die huidige GOP (Hoofstuk 6, paragraaf 6.4) ingesluit is, weer deur die Raad aangeneem word.

That the Municipal Spatial Development Framework that was adopted by Council on 30 May 2019 and of which a summary is included in the current approved IDP (Chapter 6, paragraph 6.4), be re-adopted by Council.

(sgd) J J Scholtz

MUNICIPAL MANAGER

DATE: 28 July 2022

ITEM 8.2 OF THE AGENDA OF A COUNCIL MEETING TO BE HELD ON 28 JULY 2022

SUBJECT: SUBMISSION OF 2022/2023 PERFORMANCE AGREEMENTS AND PLANS

1. BACKGROUND

The concluded and signed performance agreements of the Municipal Manager and directors are for the 2022/2023 financial year and are substituted addendums to their employment contracts. Because the performance agreements of the directors share the same generic contents, only the agreements of the Municipal Manager and the Director Development Services are attached as **ANNEXURE 1**.

2. LEGISLATION

Performance agreements are compiled in terms of section 57 of the Municipal Systems Act (Act 32 of 2000).

In terms of Section 57(2) of the Municipal Systems Act the performance agreements must be concluded annually within one month after the beginning of each financial year. The performance agreements were concluded and signed during the last week of June 2022.

In terms of Section 53(3)(b) of the Municipal Finance Management Act (Act 56 of 2003) the performance agreements must be submitted to the Council.

3. LINK TO THE IDP

The IDP and the performance agreements are linked by the KPI's and targets in Chapter 7 of the IDP that are included in the performance agreements.

4. FINANCIAL IMPLICATIONS

None

5. RECOMMENDATION

That the performance agreements and plans of the Municipal Manager and directors for the 2022/2023 financial year be noted.

(sgd) J J Scholtz

MUNICIPAL MANAGER

PERFORMANCE AGREEMENT

MADE AND ENTERED INTO BY AND BETWEEN:

**THE SWARTLAND MUNICIPALITY
AS REPRESENTED BY THE EXECUTIVE MAYOR**

Harold Cleophas

AND

JJ Scholtz

THE EMPLOYEE OF THE MUNICIPALITY

FOR THE

FINANCIAL YEAR: 1 JULY 2022 - 30 JUNE 2023

The block contains three handwritten signatures in black ink. The top signature is a large, stylized cursive signature. Below it, there are two smaller, more compact signatures, one to the left and one to the right.

PERFORMANCE AGREEMENT

ENTERED INTO BY AND BETWEEN:

The **Swartland Municipality** herein represented by **Harold Cleophas** in his capacity as Executive Mayor (hereinafter referred to as the **Employer**)

and

Joachim Jacobus Scholtz (ID 620902 51 18 085) (hereinafter referred to as the **Employee**).

WHEREBY IT IS AGREED AS FOLLOWS:

1. INTRODUCTION

- 1.1 The **Employer** has entered into a contract of employment with the **Employee** in terms of section 57(1)(a) of the Local Government: Municipal Systems Act 32 of 2000 ("the Systems Act"). The **Employer** and the **Employee** are hereinafter referred to as "the Parties".
- 1.2 Section 57(1)(b) of the Systems Act, read with the Contract of Employment concluded between the parties, requires the parties to conclude an annual performance agreement.
- 1.3 The parties wish to ensure that they are clear about the goals to be achieved, and secure the commitment of the **Employee** to a set of outcomes that will secure local government policy goals.
- 1.4 The parties wish to ensure that there is compliance with Sections 57(4A), 57(4B) and 57(5) of the Systems Act.

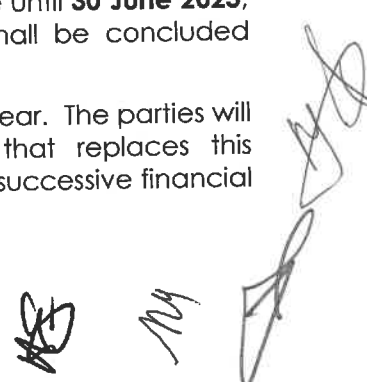
2. PURPOSE OF THIS AGREEMENT

The purpose of this Agreement is to -

- 2.1 comply with the provisions of Section 57(1)(b), (4A), (4B) and (5) of the Systems Act as well as the employment contract entered into between the parties;
- 2.2 specify objectives and targets defined and agreed with the **Employee** and to communicate to the **Employee** the **Employer's** expectations of the **Employee's** performance and accountabilities in alignment with the Integrated Development Plan, Service Delivery and Budget Implementation Plan (SDBIP) and the Budget of the **Employer**;
- 2.3 specify accountabilities as set out in a performance plan, which forms an annexure to the performance agreement;
- 2.4 monitor and measure performance against set targeted outputs;
- 2.5 use the performance agreement as the basis for assessing whether the **Employee** has met the performance expectations applicable to his or her job;
- 2.6 in the event of outstanding performance, to appropriately reward the **Employee**; and
- 2.7 give effect to the **Employer's** commitment to a performance-orientated relationship with its **Employee** in attaining equitable and improved service delivery.

3. COMMENCEMENT AND DURATION

- 3.1 This Agreement will commence on the **1 July 2022** and will remain in force until **30 June 2023**, after which a new Performance Agreement and Performance Plan shall be concluded between the parties for the next financial year or any portion thereof.
- 3.2 The parties will review the provisions of this Agreement during June each year. The parties will conclude a new Performance Agreement and Performance Plan that replaces this Agreement at least once a year by not later than the beginning of each successive financial year.



- 3.3 This Agreement will terminate on the termination of the **Employee's** contract of employment for any reason.
- 3.4 The content of this Agreement may be revised at any time during the above-mentioned period to determine the applicability of the matters agreed upon.
- 3.5 If at any time during the validity of this Agreement the work environment alters (whether as a result of government or council decisions or otherwise) to the extent that the contents of this Agreement are no longer appropriate, the contents shall immediately be revised.

4 PERFORMANCE OBJECTIVES

- 4.1 The Performance Plan (Annexure B) sets out-
- 4.1.1 the performance objectives and targets that must be met by the **Employee**; and
- 4.1.2 the time frames within which those performance objectives and targets must be met.
- 4.2 The performance objectives and targets reflected in Annexure B are set by the **Employer** in consultation with the **Employee** and based on the Integrated Development Plan, Service Delivery and Budget Implementation Plan (SDBIP) and the Budget of the **Employer**, and shall include key objectives; key performance indicators; target dates and weightings.
- 4.2.1 The key objectives describe the main tasks that need to be done.
- 4.2.2 The key performance indicators provide the details of the evidence that must be provided to show that a key objective has been achieved.
- 4.2.3 The target dates describe the timeframe in which the work must be achieved.
- 4.2.4 The weightings show the relative importance of the key objectives to each other.
- 4.3 The **Employee's** performance will, in addition, be measured in terms of contributions to the goals and strategies set out in the **Employer's** Integrated Development Plan.

5 PERFORMANCE MANAGEMENT SYSTEM

- 5.1 The **Employee** agrees to participate in the performance management system that the **Employer** adopts or introduces for the **Employer**, management and municipal staff of the **Employer**.
- 5.2 The **Employee** accepts that the purpose of the performance management system will be to provide a comprehensive system with specific performance standards to assist the **Employer**, management and municipal staff to perform to the standards required.
- 5.3 The **Employer** will consult the **Employee** about the specific performance standards that will be included in the performance management system as applicable to the **Employee**.
- 5.4 The **Employee** undertakes to actively focus towards the promotion and implementation of the KPA's (including special projects relevant to the **Employee's** responsibilities) within the local government framework.
- 5.5 The criteria upon which the performance of the **Employee** shall be assessed shall consist of two components, both of which shall be contained in the Performance Agreement.
- 5.5.1 The **Employee** must be assessed against both components, with a weighting of 80:20 allocated to the Key Performance Areas (KPA's) and Competencies respectively.
- 5.5.2 Each area of assessment will be weighted and will contribute a specific part to the total score.
- 5.5.3 KPA's covering the main areas of work will account for 80% and Competencies will account for 20% of the final assessment.
- 5.6 The **Employee's** assessment will be based on his/her performance in terms of the outputs/outcomes (performance indicators and targets) identified as per attached Performance Plan (**Annexure B**), which are linked to the KPA's, and will constitute 80% of the overall assessment result as per the following weightings agreed to between the **Employer** and **Employee**:



Key Performance Areas (KPA's)	Weight
IDP Implementation	40%
Good Governance and Public Participation and LED	15%
Basic Service Delivery	15%
Municipal Institutional Development and Transformation	15%
Municipal Financial Viability and Management	15%
Total	100%

- 5.7 The Competencies will make up the other 20% of the **Employee's** assessment score. The following Competencies will be assessed in terms of the Regulations on Appointment and Conditions of Employment of Senior Managers (17 January 2014):

LEADING COMPETENCIES	
Strategic Direction and Leadership	• Impact and Influence • Institutional Performance Management • Strategic Planning and Management • Organisational Awareness
People Management	• Human Capital Planning and Development • Diversity Management • Employee Relations Management • Negotiation and Dispute Management
Program and Project Management	• Program and Project Planning and Implementation • Service Delivery Management • Program and Project Monitoring and Evaluation
Financial Management	• Budget Planning and Execution • Financial Strategy and Delivery • Financial Reporting and Monitoring
Change Leadership	• Change Vision and Strategy • Process Design and Improvement • Change Impact Monitoring and Evaluation
Governance Leadership	• Policy Formulation • Risk and Compliance Management • Cooperative Governance
CORE COMPETENCIES	
Moral Competence	
Planning and Organising	
Analysis and Innovation	
Knowledge and Information Management	
Communication	
Results and Quality Focus	

6. EVALUATING PERFORMANCE

- 6.1 Paragraph 7 of this Agreement sets out -
- 6.1.1 the procedures for evaluating the **Employee's** performance; and
- 6.1.2 the intervals for the evaluation of the **Employee's** performance.
- 6.2 Despite the establishment of agreed intervals for evaluation, the **Employer** may in addition review the **Employee's** performance at any stage while the contract of employment remains in force.
- 6.3 Personal growth and development needs identified during any performance review discussion must be documented in a Personal Development Plan as well as the actions agreed to and implementation must take place within set time frames.
- 6.4 The **Employee's** performance will be measured in terms of contributions to the goals and strategies set out in the **Employer's** IDP.

6.5 The annual performance appraisal will involve:

6.5.1 Assessment of the achievement of results as outlined in the performance plan:

- (a) Each KPA will be assessed according to the extent to which the specified standards or performance indicators have been met and with due regard to ad hoc tasks that had to be performed under the KPA.
- (b) The rating scale in paragraph 6.6 below will be used.
- (c) The applicable assessment rating calculator (refer to paragraph 6.5.3 below) must then be used to add the scores and calculate a final KPA score.

6.5.2 Assessment of the Competencies

- (a) Each Competency will be assessed according to the extent to which the specified standards have been met.
- (b) The rating scale in paragraph 6.7 below will be used.
- (c) The applicable assessment rating calculator (refer to paragraph 6.5.3) must then be used to add the scores and calculate a final Competency score.

6.5.3 Overall rating

An overall rating is calculated by using the applicable assessment-rating calculator. Such overall rating represents the outcome of the performance appraisal.

6.6 The assessment of the performance of the **Employee** will be based on the following rating scale for KPA's:

Rating	Terminology	Description
5	Outstanding performance	Performance far exceeds the standard expected of an employee at this level. The appraisal indicates that the Employee has achieved above fully effective results against all performance criteria and indicators as specified in the Performance Plan and maintained this in all areas of responsibility throughout the year.
4	Performance significantly above expectations	Performance is significantly higher than the standard expected in the job. The appraisal indicates that the Employee has achieved above fully effective results against more than half of the performance criteria and indicators and fully achieved all others throughout the year.
3	Fully effective	Performance fully meets the standards expected in all areas of the job. The appraisal indicates that the Employee has fully achieved effective results against all significant performance criteria and indicators as specified in the Performance Plan.
2	Not fully effective	Performance is below the standard required for the job in key areas. Performance meets some of the standards expected for the job. The appraisal indicates that the Employee has achieved below fully effective results against more than half the key performance criteria and indicators as specified in the Performance Plan.
1	Unacceptable performance	Performance does not meet the standard expected for the job. The appraisal indicates that the Employee has achieved below fully effective results against almost all of the performance criteria and indicators as specified in the Performance Plan. The Employee has failed to demonstrate the commitment or ability to bring performance up to the level expected in the job despite management efforts to encourage improvement.



- 6.7 The assessment of the performance of the **Employee** will be based on the following rating scale for Competencies:

Rating	Achievement level	Description
2	Basic	Applies basic concepts, methods, and understanding of local government operations, but requires supervision and development intervention
3	Competent	Develops and applies more progressive concepts, methods and understanding. Plans and guides the work of others and executes progressive analyses
4	Advanced	Develops and applies complex concepts, methods and understanding. Effectively directs and leads a group and executes in- depth analyses
5	Superior	Has a comprehensive understanding of local government operations, critical in shaping strategic direction and change, develops and applies comprehensive concepts and methods

A full description of achievement levels per competency is attached as **ANNEXURE C**.

- 6.8 For purposes of evaluating the annual performance, an evaluation panel constituted of the following persons must be established -
- 6.8.1 Executive Mayor;
 - 6.8.2 Chairperson of the audit committee;
 - 6.8.3 Member of the mayoral committee;
 - 6.8.4 Executive Mayor and/or municipal manager from another municipality; and
 - 6.8.5 Member of a ward committee as nominated by the Executive Mayor.
- 6.9 The **Employer's** manager responsible for human resources must provide secretariat services to the evaluation panels referred to in sub-regulations (d) and (e).

7. SCHEDULE FOR PERFORMANCE ASSESSMENT

- 7.1 The performance assessment of each **Employee** in relation to his/her Performance Plan shall be done as follows:
- 7.1.1 KPI's and targets shall be monitored on a monthly basis.
 - 7.1.2 KPI's and targets shall be assessed on a quarterly basis on the following dates:

First quarter (July-September 2022):	October 2022
Second quarter (October-December 2022):	January 2023
Third quarter (January-March 2023):	April 2023
Fourth quarter (April-June 2023):	July 2023
 - 7.1.3 Competencies shall be assessed in June/July 2023.
 - 7.1.4 KPI's and targets as well as Competencies shall be formally assessed by the evaluation panel on an annual basis in August/September 2023.
- 7.2 The **Employer** shall keep a record of the mid-year review and annual assessment meetings.
- 7.3 Performance feedback shall be based on the **Employer's** assessment of the **Employee's** performance.
- 7.4 The **Employer** will be entitled to review and make reasonable changes to the provisions of Annexure B from time to time for operational reasons. The **Employee** will be fully consulted before any such change is made.
- 7.5 The **Employer** may amend the provisions of Annexure B whenever the performance management system is adopted, implemented and/or amended as the case may be. In that case the **Employee** will be fully consulted before any such change is made.

8. OBLIGATIONS OF THE EMPLOYER

8.1 The **Employer** shall –

- 8.1.1 create an enabling environment to facilitate effective performance by the **Employee**;
- 8.1.2 provide access to skills development and capacity building opportunities;
- 8.1.3 work collaboratively with the **Employee** to solve problems and generate solutions to common problems that may impact on the performance of the **Employee**;
- 8.1.4 on the request of the **Employee** delegate such powers reasonably required by the **Employee** to enable him/her to meet the performance objectives and targets established in terms of this Agreement; and
- 8.1.5 make available to the **Employee** such resources as the **Employee** may reasonably require from time to time to assist him/her to meet the performance objectives and targets established in terms of this Agreement.

9. CONSULTATION

9.1 The **Employer** agrees to consult the **Employee** timely where the exercising of the powers will have amongst others –

- 9.1.1 a direct effect on the performance of any of the **Employee**'s functions;
- 9.1.2 commit the **Employee** to implement or to give effect to a decision made by the **Employer**; and
- 9.1.3 a substantial financial effect on the **Employer**.

9.2 The **Employer** agrees to inform the **Employee** of the outcome of any decisions taken pursuant to the exercise of powers contemplated in 9.1 as soon as is practicable to enable the **Employee** to take any necessary action without delay.

10 MANAGEMENT OF ASSESSMENT OUTCOMES

10.1 The annual assessment of the **Employee**'s performance will form the basis for rewarding outstanding performance or correcting unacceptable performance.

10.2 The **Employee** will be eligible for a performance bonus according to the calculation table in **ANNEXURE D** up to a maximum of 14%.

10.3 The **Employer** may make provision for non-monetary incentives in recognition of outstanding performance.

10.4 In the case of unacceptable performance, the **Employer** shall –

- 10.4.1 provide systematic remedial or developmental support to assist the **Employee** to improve his or her performance; and
- 10.4.2 after appropriate performance counselling and having provided the necessary guidance and/ or support as well as reasonable time for improvement in performance, the **Employer** may consider steps to terminate the contract of employment of the **Employee** on grounds of unfitness or incapacity to carry out his or her duties.

11. DISPUTE RESOLUTION

11.1 Any disputes about the nature of the **Employee**'s performance agreement, whether it relates to key responsibilities, priorities, methods of assessment and/ or any other matter provided for, shall be mediated by the MEC for local government in the province or any other person designated by the MEC within thirty (30) days of receipt of a formal dispute from the **Employee**. The decision of the MEC or person designated by the MEC shall be final and binding on both parties.

11.2 In the event that the mediation process contemplated above fails, the dispute resolution stipulations in the Contract of Employment shall apply.



12. GENERAL

- 12.1 The contents of this agreement must be made available to the public by the **Employer** in accordance with the Municipal Finance Management Act, 2003 and Section 46 of the Systems Act.
- 12.2 Nothing in this agreement diminishes the obligations, duties or accountabilities of the **Employee** in terms of his/her contract of employment, or the effects of existing or new regulations, circulars, policies, directives or other instruments.
- 12.3 The performance assessment results of **Employee** must be submitted to the MEC responsible for local government in the province as well as the national minister responsible for local government, within fourteen (14) days after the conclusion of the assessment.

Thus **done** and **signed** at Malmedbury on this the 20th day of June 2022

AS WITNESSES:

1. 

2. 


EMPLOYEE

AS WITNESSES:

1. 

2. 


EXECUTIVE MAYOR



PERSONAL TRAINING AND DEVELOPMENT PLAN

ANNEXURE A

Report period from: 1/7/2022 to: 30/6/2023

Particulars of employee

Name:	<i>J. Schally</i>
Position held:	<i>Mun Manager</i>
Department and Division:	<i>Mun Manager</i>

Training and development to improve current work performance

Date	Need	Recommended solution and time frame	Impact on work performance (Employee)	Impact on work performance (Manager)
		<i>N.V.T.</i>		

Long term training and development needs

Need	Recommended solution and time frame	Action taken / Progress made	Revision date

Signature of employee	<i>[Signature]</i>	Date	<i>20/6/2022</i>
Signature of Manager	<i>[Signature]</i>	Date	<i>20/6/2022</i>

A copy must be sent to the Human Resource Management Division when a new need develops and at the identification of a training intervention.

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PERFORMANCE PLAN (ANNEXURE B)

1. KPIs and targets from the IDP

Strategic Goal 2: Inclusive economic growth

Strategic Objectives	Strategic Initiatives	Key Performance Indicators	Targets
2.1 Relevant stakeholders systematically improve local competitive advantages	Gain commitment from key stakeholders to collaborate systematically to strengthen local competitive advantages.	Number of key stakeholder groups actively contributing to improved competitive advantage	15 by end of Dec 2022
2.2 Well located, serviced sites and premises available for commercial and industrial investors	Ensure adequate supply of land and services for commercial and industrial premises.	Number of well located, serviced industrial sites available.	20 by end of Dec 2022
2.4 Local markets work better to increase opportunity for local small businesses	Establish a local business opportunity network incl. a local business directory	Number of opportunities advertised / shared with Swartland businesses.	100 by end of Dec 2022
2.5 Easier for farmers to add and grow new / promising business models	New (more enabling) Spatial Development Framework	Number of key constraints to growth removed.	3 by end of Dec 2022
2.6 Easier for local citizens to access economic opportunity	Establish an information portal pointing to best information sources including local support services	Number of unique visitors (local, with more than 1 page view)	400 by end of Dec 2022

Strategic Goal 4: Caring, competent and responsive institutions, organisations and business

Strategic Objectives	Strategic Initiatives	Key Performance Indicators	Targets
4.6 Identify risks and implement preventative and corrective controls	Risk Management responsibilities assigned to Internal Audit as part of their consulting service to management	Updated Internal Audit Charter which include risk management facilitation role	By June 2023
	Assign Disciplinary Committee responsibilities to four newly appointed members	Appointment of new members for the Disciplinary Committee over a period of six months for continuity	By December 2022
	Maintain an effective independent Performance and Risk Audit Committee as per legislation (Appoint for three years, but can extend for six years)	Appointment of new members for the PRA Committee over a period of three years for continuity	Annually by June

2. Other KPIs and targets

Perf Objectives	Key Performance Indicators	Targets
09-0001: Liaison with business role-players	Annual event with local business held	Yes (before end of June)
09-0003: Sound management	Number of monthly management meetings held	At least 10 p.a.
09-0004: Legally compliant procurement	Number of appeals against the municipality regarding the awarding of tenders that were upheld	0 maximum

Perf Objectives	Key Performance Indicators	Targets
09-0005: Performance and financial monitoring	Number of monthly performance and financial assessments done	Qtr 1: 3 per quarter Qtr 2: 2 per quarter Qtr 3: 3 per quarter Qtr 4: 3 per quarter
09-0006: Annual report compilation and approval	Annual Report as required by MFMA (121) tabled Annual Report as required by MFMA (121) approved	Yes (annually by end of January) Yes (annually by end of March)
09-0007: Council decision implementation	% of due council decisions initiated	100%
09-0008: Monitoring the IDP / Budget process	Number of months that the IDP / Budget process schedule were checked	At least 10 p.a.
09-0009: Functional macro-structure maintained	Annual review of the macro-structure completed	Yes (before end of June)
09-0012: LED fund management	% of the LED funds actually spent	90% for the year
10-0040: MFMA Section 131(1): Ensure that any issues raised by the Auditor-General in an audit report are addressed	% of issues raised by the Auditor-General in an audit report addressed	100%
19-0015: Training needs of staff	Training needs of staff identified and provided to HR at meetings held with all departments during November annually	Yes (annually by Nov)
21-0001: Hand-over report for new council	A hand-over report that can be tabled at the first meeting of the newly elected council completed	By end of September 2021

GENERAL INDICATORS IN TERMS OF THE MUNICIPAL PLANNING AND PERFORMANCE MANAGEMENT REGULATIONS, 2001

Perf Objectives	Key Performance Indicators	Targets
14-0029: General KPI: % of capital budget spent on capital projects identified for a particular financial year in terms of the municipality's IDP	% of capital budget spent	Between 90% and 105%
14-0026: General KPI: Jobs created through municipality's LED initiatives including capital projects	Number of jobs created through Municipality's capital projects (contracts > R200 000)	100 for the year

COMPETENCY DESCRIPTIONS (ANNEXURE C)

1. Leading Competencies Cluster

Competency Name	Strategic Direction and Leadership		
Competency Definition	Provide and direct a vision for the institution, and inspire and deploy others to deliver on the strategic institutional mandate		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
- Understand institutional and departmental strategic objectives, but lacks the ability to inspire others to achieve set mandate - Describe how specific tasks link to institutional strategies but has limited influence in directing strategy - Has a basic understanding of institutional performance management, but lacks the ability to integrate systems into a collective whole - Demonstrate a basic understanding of key decision- makers	- Give direction to a team in realising the institution's strategic mandate and set objectives - Has a positive impact and influence on the morale, engagement and participation of team members - Develop actions plans to execute and guide strategy implementation - Assist in defining performance measures to monitor the progress and effectiveness of the institution - Displays an awareness of institutional structures and political factors - Effectively communicate barriers to execution to relevant parties - Provide guidance to all stakeholders in the achievement of the strategic mandate - Understand the aim and objectives of the institution and relate it to own work	- Evaluate all activities to determine value and alignment to strategic intent - Display in-depth knowledge and understanding of strategic planning - Align strategy and goals across all functional areas - Actively define performance measures to monitor the progress and effectiveness of the institution - Consistently challenge strategic plans to ensure relevance - Understand institutional structures and political factors, and the consequences of actions - Empower others to follow strategic direction and deal with complex situations - Guide the institution through complex and ambiguous concern - Use understanding of power relationships and dynamic tensions among key players to frame communications and develop strategies, positions and alliances	- Structure and position the institution to local government priorities - Actively use in-depth knowledge and understanding to develop and implement a comprehensive institutional framework - Hold self-accountable for strategy execution and results - Provide impact and influence through building and maintaining strategic relationships - Create an environment that facilitates loyalty and innovation Display a superior level of self-discipline and integrity in actions - Integrate various systems into a collective whole to optimise institutional performance management - Uses understanding of competing interests to manoeuvre successfully to a win/win outcome

Competency Name	People Management		
Competency Definition	Effectively manage, inspire and encourage people, respect diversity, optimise talent and build and nurture relationships in order to achieve institutional objectives		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Participate in team goal-setting and problem solving • Interact and collaborate with people of diverse backgrounds • Aware of guidelines for employee development, but requires support in implementing development initiatives	• Seek opportunities to increase team contribution and responsibility • Respect and support the diverse nature of others and be aware of the benefits of a diverse approach • Effectively delegate tasks and empower others to increase contribution and execute functions optimally • Apply relevant employee legislation fairly and consistently • Facilitate team goal-setting and problem-solving • Effectively identify capacity requirements to fulfil the strategic mandate	• Identify ineffective team and work processes and recommend remedial interventions • Recognise and reward effective and desired behaviour • Provide mentoring and guidance to others in order to increase personal effectiveness • Identify development and learning needs within the team • Build a work environment conducive to sharing, innovation, ethical behaviour and professionalism • Inspire a culture of performance excellence by giving positive and constructive feedback to the team • Achieve agreement or consensus in adversarial environments • Lead and unite diverse teams across divisions to achieve institutional objectives	• Develop and incorporate best practice people management processes, approaches and tools across the institution • Foster a culture of discipline, responsibility and accountability • Understand the impact of diversity in performance and actively incorporate a diversity strategy in the institution • Develop comprehensive integrated strategies and approaches to human capital development and management • Actively identify trends and predict capacity requirements to facilitate unified transition and performance management

Competency Name	Program and Project Management		
Competency Definition	Able to understand program and project management methodology; plan, manage, monitor and evaluate specific activities in order to deliver on set objectives		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Initiate projects after approval from higher authorities • Understand procedures of program and project management methodology, implications and stakeholder involvement • Understand the rational of projects in relation to the institution's strategic objectives • Document and communicate factors and risk associated with own work • Use results and approaches of successful project implementation as guide	• Establish broad stakeholder involvement and communicate the project status and key milestones • Define the roles and responsibilities of the project team and create clarity around expectations • Find a balance between project deadline and the quality of deliverables • Identify appropriate project resources to facilitate the effective completion of the deliverables • Comply with statutory requirements and apply policies in a consistent manner • Monitor progress and use of resources and make needed adjustments to timelines, steps, and resource allocation	• Manage multiple programs and balance priorities and conflicts according to institutional goals • Apply effective risk management strategies through impact assessment and resource requirements • Modify project scope and budget when required without compromising the quality and objectives of the project • Involve top-level authorities and relevant stakeholders in seeking project buy-in • Identify and apply contemporary project management methodology • Influence and motivate project team to deliver exceptional results • Monitor policy implementation and apply procedures to manage risks	• Understand and conceptualise the long-term implications of desired project outcomes • Direct a comprehensive strategic macro and micro analysis and scope projects accordingly to realise institutional objectives • Consider and initiate projects that focus on achievement of the long-term objectives • Influence people in positions of authority to implement outcomes of projects • Lead and direct translation of policy into workable actions plans • Ensures that programs are monitored to track progress and optimal resource utilisation, and that adjustments are made as needed

Competency Name	Financial Management		
Competency Definition	Able to compile, plan and manage budgets, control cash flow, institute financial risk management and administer procurement processes in accordance with recognised financial practices. Further to ensure that all financial transactions are managed in an ethical manner		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Understand basic financial concepts and methods as they relate to institutional processes and activities • Display awareness into the various sources of financial data, reporting mechanisms, financial governance, processes and systems • Understand the importance of financial accountability • Understand the importance of asset control	• Exhibit knowledge of general financial concepts, planning, budgeting, and forecasting and how they interrelate • Assess, identify and manage financial risks • Assume a cost- saving approach to financial management • Prepare financial reports based on specified formats • Consider and understand the financial implications of decisions and suggestions • Ensure that delegation and instructions as required by National Treasury guidelines are reviewed and updated • Identify and implement proper monitoring and evaluation practices to ensure appropriate spending against budget	• Take active ownership of planning, budgeting, and forecast processes and provides credible answers to queries within own responsibility • Prepare budgets that are aligned to the strategic objectives of the institution • Address complex budgeting and financial management concerns • Put systems and processes in place to enhance the quality and integrity of financial management practices • Advise on policies and procedures regarding asset control • Promote National Treasury's regulatory framework for Financial Management	• Develop planning tools to assist in evaluating and monitoring future expenditure trends • Set budget frameworks for the institution • Set strategic direction for the institution on expenditure and other financial processes • Build and nurture partnerships to improve financial management and achieve financial savings • Actively identify and implement new methods to improve asset control • Display professionalism in dealing with financial data and processes

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Competency Name	Change Leadership		
Competency Definition	Able to direct and initiate institutional transformation on all levels in order to successfully drive and implement new initiatives and deliver professional and quality services to the community		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Display an awareness of change interventions, and the benefits of transformation initiatives • Able to identify basic needs for change • Identify gaps between the current and desired state • Identify potential risk and challenges to transformation, including resistance to change factors • Participate in change programs and piloting change interventions • Understand the impact of change interventions on the institution within the broader scope of Local government	• Perform an analysis of the change impact on the social, political and economic environment • Maintain calm and focus during change • Able to assist team members during change and keep them focused on the deliverables • Volunteer to lead change efforts outside of own work team • Able to gain buy-in and approval for change from relevant stakeholders • Identify change readiness levels and assist in resolving resistance to change factors • Design change interventions that are aligned with the institution's strategic objectives and goals	• Actively monitor change impact and results and convey progress to relevant stakeholders • Secure buy-in and sponsorship for change initiatives • Continuously evaluate change strategy and design and introduce new approaches to enhance the institution's effectiveness • Build and nurture relationships with various stakeholders to establish strategic alliance in facilitating change • Take the lead in impactful change programs • Benchmark change interventions against best change practices • Understand the impact and psychology of change, and put remedial interventions in place to facilitate effective transformation • Take calculated risk and seek new ideas from best practice scenarios, and identify the potential for implementation	• Sponsor change agents and create a network of change leaders who support the interventions • Actively adapt current structures and processes to incorporate the change interventions • Mentor and guide team members on the effects of change, resistance factors and how to integrate change • Motivate and inspire others around change initiatives

Competency Name	Governance Leadership		
Competency Definition	Able to promote, direct and apply professionalism in managing risk and compliance requirements and apply a thorough understanding of governance practices and obligations. Further, able to direct the conceptualisation of relevant policies and enhance cooperative governance relationships		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Display a basic awareness of risk, compliance and governance factors but require guidance and development in implementing such requirements • Understand the structure of cooperative government but requires guidance on fostering workable relationships between stakeholders • Provide input into policy formulation	• Display a thorough understanding of governance and risk and compliance factors and implement plans to address these • Demonstrate understanding of the techniques and processes for optimising risk taking decisions within the institution • Actively drive policy formulation within the institution to ensure the achievement of objectives	• Able to link risk initiatives into key institutional objectives and drivers • Identify, analyse and measure risk, create valid risk forecasts, and map risk profiles • Apply risk control methodology and approaches to prevent and reduce risk that impede on the achievement of institutional objectives • Demonstrate a thorough understanding of risk retention plans • Identify and implement comprehensive risk management systems and processes • Implement and monitor the formulation of policies, identify and analyse constraints and challenges with implementation and provide recommendations for improvement	• Demonstrate a high level of commitment in complying with governance requirements • Implement governance and compliance strategy to ensure achievement of institutional objectives within the legislative framework • Able to advise Local Government on risk management strategies, best practice interventions and compliance management • Able to forge positive relationships on cooperative governance level to enhance the effectiveness of local government • Able to shape, direct and drive the formulation of policies on a macro level

2. Core Competencies Cluster

Competency Name	Moral Competence		
Competency Definition	Able to identify moral triggers, apply reasoning that promotes honesty and integrity and consistently display behaviour that reflects moral competence		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Realise the impact of acting with integrity, but requires guidance and development in implementing principles • Follow the basic rules and regulations of the institution • Able to identify basic moral situations, but requires guidance and development in understanding and reasoning with moral intent	• Conduct self in alignment with the values of Local Government and the institution • Able to openly admit own mistakes and weaknesses and seek assistance from others when unable to deliver • Actively report fraudulent activity and corruption within local government • Understand and honour the confidential nature of matters without seeking personal gain • Able to deal with situations of conflict of interest promptly and in the best interest of local government	• Identify, develop, and apply measures of self- correction • Able to gain trust and respect through aligning actions with commitments • Make proposals and recommendations that are transparent and gain the approval of relevant stakeholders • Present values, beliefs and ideas that are congruent with the institution's rules and regulations • Takes an active stance against corruption and dishonesty when noted • Actively promote the value of the institution to internal and external stakeholders • Able to work in unity with a team and not seek personal gain • Apply universal moral principles consistently to achieve moral decisions	• Create an environment conducive of moral practices • Actively develop and implement measures to combat fraud and corruption • Set integrity standards and shared accountability measures across the institution to support the objectives of local government • Take responsibility for own actions and decisions, even if the consequences are unfavourable

Competency Name	Planning and Organising		
Competency Definition	Able to plan, prioritise and organise information and resources effectively to ensure the quality of service delivery and build efficient contingency plans to manage risk		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Able to follow basic plans and organise tasks around set objectives • Understand the process of planning and organising but requires guidance and development in providing detailed and comprehensive plans • Able to follow existing plans and ensure that objectives are met • Focus on short- term objectives in developing plans and actions • Arrange information and resources required for a task, but require further structure and organisation	• Actively and appropriately organise information and resources required for a task • Recognise the urgency and importance of tasks • Balance short and long-term plans and goals and incorporate into the team's performance objectives • Schedule tasks to ensure they are performed within budget and with efficient use of time and resources • Measures progress and monitor performance results	• Able to define institutional objectives, develop comprehensive plans, integrate and coordinate activities, and assign appropriate resources for successful implementation • Identify in advance required stages and actions to complete tasks and projects • Schedule realistic timelines, objectives and milestones for tasks and projects • Produce clear, detailed and comprehensive plans to achieve institutional objectives • Identify possible risk factors and design and implement appropriate contingency plans • Adapt plans in light of changing circumstances • Prioritise tasks and projects according to their relevant urgency and importance	• Focus on broad strategies and initiatives when developing plans and actions • Able to project and forecast short, medium and long term requirements of the institution and local government • Translate policy into relevant projects to facilitate the achievement of institutional objectives

Competency Name	Analysis and Innovation		
Competency Definition	Able to critically analyse information, challenges and trends to establish and implement fact-based solutions that are innovative to improve institutional processes in order to achieve key strategic objectives		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Understand the basic operation problem solving of analysis, but lack detail and thoroughness • Able to balance independent analysis with requesting assistance from others • Recommend new ways to perform tasks within own function • Propose simple remedial interventions that marginally challenges the status quo • Listen to the ideas and perspectives of others and explore opportunities to enhance such innovative thinking	• Demonstrate Logical techniques and approaches and provide rationale for recommendations • Demonstrate objectivity, insight, and thoroughness when analysing problems • Able to break down complex problems into manageable parts and identify solutions • Consult internal and external stakeholders on opportunities to improve processes and service delivery • Clearly communicate the benefits of new opportunities and innovative solutions to stakeholders • Continuously identify opportunities to enhance internal processes • Identify and analyse opportunities conducive to innovative approaches and propose remedial intervention	• Coaches team members on analytical and innovative approaches and techniques • Engage with appropriate individuals in analysing and resolving complex problems • Identify solutions on various areas in the institution • Formulate and implement new ideas throughout the institution • Able to gain approval and buy- in for proposed interventions from relevant stakeholders • Identify trends and best practices in process and service delivery and propose institutional application • Continuously engage in research to identify client needs	• Demonstrate complex analytical and problem solving approaches and techniques • Create an environment conducive to analytical and fact-based problem-solving • Analyse, recommend solutions and monitor trends in key challenges to prevent and manage occurrence • Create an environment that fosters innovative thinking and follows a learning organisation approach • Be a thought leader on innovative customer service delivery, and process optimisation • Play an active role in sharing best practice solutions and engage in national and international local government seminars and conferences

Competency Name	Knowledge and Information Management		
Competency Definition	Able to promote the generation and sharing of knowledge and information through various processes and media, in order to enhance the collective knowledge base of local government		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Collect, categorise and track relevant information required for specific tasks and projects • Analyse and interpret information to draw conclusions • Seek new sources of information to increase the knowledge base • Regularly share information and knowledge with internal stakeholders and team members	• Use appropriate information systems and technology to manage institutional knowledge and information sharing • Evaluate data from various sources and use information effectively to influence decisions and provide solutions • Actively create mechanisms and structures for sharing of information • Use external and internal resources to research and provide relevant and cutting-edge knowledge to enhance institutional effectiveness and efficiency	• Effectively predict future information and knowledge management requirements and systems • Develop standards and processes to meet future knowledge management needs • Share and promote best- practice knowledge management across various institutions • Establish accurate measures and monitoring systems for knowledge and information management • Create a culture conducive of learning and knowledge sharing • Hold regular knowledge and information sharing sessions to elicit new ideas and share best practice approaches	• Create and support a vision and culture where team members are empowered to seek, gain and share knowledge and information • Establish partnerships across local government to facilitate knowledge management • Demonstrate a mature approach to knowledge and information sharing with an abundance and assistance approach • Recognise and exploit knowledge points in interactions with internal and external stakeholders







Competency Name	Communication		
Competency Definition	Able to share information, knowledge and ideas in a clear, focused and concise manner appropriate for the audience in order to effectively convey, persuade and influence stakeholders to achieve the desired outcome		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Demonstrate an understanding for communication levers and tools appropriate for the audience, but requires guidance in utilising such tools • Express ideas in a clear and focused manner, but does not always take the needs of the audience into consideration • Disseminate and convey information and knowledge adequately	• Express ideas to individuals and groups in formal and informal settings in a manner that is interesting and motivating • Able to understand, tolerate and appreciate diverse perspectives, attitudes and beliefs • Adapt communication content and style to suit the audience and facilitate optimal information transfer • Deliver content in a manner that gains support, commitment and agreement from relevant stakeholders • Compile clear, focused, concise and well-structured written documents	• Effectively communicate high-risk and sensitive matters to relevant stakeholders • Develop a well-defined communication strategy • Balance political perspectives with institutional needs when communicating viewpoints on complex issues • Able to effectively direct negotiations around complex matters and arrive at a win-win situation that promotes Batho Pele principles • Market and promote the institution to external stakeholders and seek to enhance a positive image of the institution • Able to communicate with the media with high levels of moral competence and discipline	• Regarded as a specialist in negotiations and representing the institution • Able to inspire and motivate others through positive communication that is impactful and relevant • Creates an environment conducive to transparent and productive communication and critical and appreciative conversations • Able to coordinate negotiations at different levels within local government and externally

Competency Name	Results and Quality Focus		
Competency Definition	Able to maintain high quality standards, focus on achieving results and objectives while consistently striving to exceed expectations and encourage others to meet quality standards. Further, to actively monitor and measure results and quality against identified objectives		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Understand quality of work but requires guidance in attending to important matters • Show a basic commitment to achieving the correct results • Produce the minimum level of results required in the role • Produce outcomes that is of a good standard • Focus on the quantity of output but requires development in incorporating the quality of work • Produce quality work in general circumstances, but fails to meet expectation when under pressure	• Focus on high- priority actions and does not become distracted by lower-priority activities • Display firm commitment and pride in achieving the correct results • Set quality standards and design processes and tasks around achieving set standards • Produce output of high quality • Able to balance the quantity and quality of results in order to achieve objectives • Monitors progress, quality of work, and use of resources; provide status updates, and make adjustments as needed	• Consistently verify own standards and outcomes to ensure quality output • Focus on the end result and avoids being distracted • Demonstrate a determined and committed approach to achieving results and quality standards • Follow task and projects through to completion • Set challenging goals and objectives to self and team and display commitment to achieving expectations • Maintain a focus on quality outputs when placed under pressure • Establishing institutional systems for managing and assigning work, defining responsibilities, tracking, monitoring and measuring success, evaluating and valuing the work of the institution	• Coach and guide others to exceed quality standards and results • Develop challenging, client-focused goals and sets high standards for personal performance • Commit to exceed the results and quality standards, monitor own performance and implement remedial interventions when required • Work with team to set ambitious and challenging team goals, communicating long-and short-term expectations • Take appropriate risks to accomplish goals • Overcome setbacks and adjust action plans to realise goals • Focus people on critical activities that yield a high impact

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Annexure D: Performance calculation

POINTS AWARDED	% BONUS
2.5	5.0%
2.51-2.55	5.2%
2.56-2.60	5.6%
2.61-2.65	6.0%
2.66-2.70	6.4%
2.71-2.75	6.8%
2.76-2.80	7.2%
2.81-2.85	7.6%
2.86-2.90	8.0%
2.91-2.95	8.4%
2.96-2.99	8.8%
3.0	9.0%

3.01	10.0%
3.02-3.05	10.2%
3.06-3.10	10.6%
3.11-3.15	11.0%
3.16-3.20	11.4%
3.21-3.25	11.8%
3.26-3.30	12.2%
3.31-3.35	12.6%
3.36-3.40	13.0%
3.41-3.45	13.4%
3.46-3.49	13.8%
3.50	14.0%

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PERFORMANCE AGREEMENT

MADE AND ENTERED INTO BY AND BETWEEN:

**THE SWARTLAND MUNICIPALITY
AS REPRESENTED BY THE MUNICIPAL MANAGER**

JJ Scholtz

AND

JS Krieger

THE EMPLOYEE OF THE MUNICIPALITY

FOR THE

FINANCIAL YEAR: 1 JULY 2022 - 30 JUNE 2023

Handwritten signatures of JJ Scholtz and JS Krieger.

PERFORMANCE AGREEMENT

ENTERED INTO BY AND BETWEEN:

The Swartland Municipality herein represented by **Joachim Jacobus Scholtz** (ID 620902 5118 085) in his capacity as Municipal Manager (hereinafter referred to as the **Employer**)

and

Jo-Ann Sybil Krieger (ID 650529 0211 087) (hereinafter referred to as the **Employee**).

WHEREBY IT IS AGREED AS FOLLOWS:

1. INTRODUCTION

- 1.1 The **Employer** has entered into a contract of employment with the **Employee** in terms of section 57(1)(a) of the Local Government: Municipal Systems Act 32 of 2000 ("the Systems Act"). The **Employer** and the **Employee** are hereinafter referred to as "the Parties".
- 1.2 Section 57(1)(b) of the Systems Act, read with the Contract of Employment concluded between the parties, requires the parties to conclude an annual performance agreement.
- 1.3 The parties wish to ensure that they are clear about the goals to be achieved, and secure the commitment of the **Employee** to a set of outcomes that will secure local government policy goals.
- 1.4 The parties wish to ensure that there is compliance with Sections 57(4A), 57(4B) and 57(5) of the Systems Act.

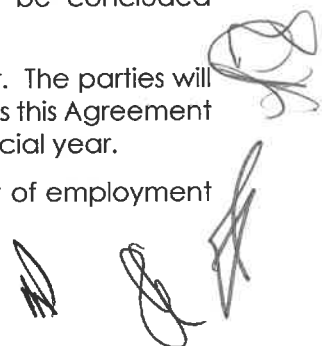
2. PURPOSE OF THIS AGREEMENT

The purpose of this Agreement is to -

- 2.1 comply with the provisions of Section 57(1)(b), (4A), (4B) and (5) of the Systems Act as well as the employment contract entered into between the parties;
- 2.2 specify objectives and targets defined and agreed with the **Employee** and to communicate to the **Employee** the **Employer's** expectations of the **Employee's** performance and accountabilities in alignment with the Integrated Development Plan, Service Delivery and Budget Implementation Plan (SDBIP) and the Budget of the **Employer**;
- 2.3 specify accountabilities as set out in a performance plan, which forms **ANNEXURE B** to the performance agreement;
- 2.4 monitor and measure performance against set targeted outputs;
- 2.5 use the performance agreement as the basis for assessing whether the **Employee** has met the performance expectations applicable to his or her job;
- 2.6 in the event of outstanding performance, to appropriately reward the **Employee**; and
- 2.7 give effect to the **Employer's** commitment to a performance-orientated relationship with its **Employee** in attaining equitable and improved service delivery.

3. COMMENCEMENT AND DURATION

- 3.1 This Agreement will commence on the **1 July 2022** and will remain in force until **30 June 2023**, after which a new Performance Agreement and Performance Plan shall be concluded between the parties for the next financial year or any portion thereof.
- 3.2 The parties will review the provisions of this Agreement during June each year. The parties will conclude a new Performance Agreement and Performance Plan that replaces this Agreement at least once a year by not later than the beginning of each successive financial year.
- 3.3 This Agreement will terminate on the termination of the **Employee's** contract of employment for any reason.



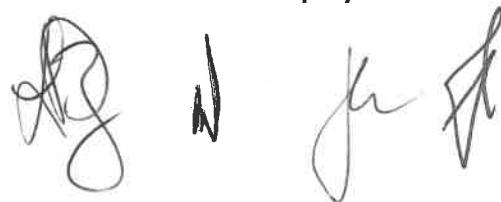
- 3.4 The content of this Agreement may be revised at any time during the above-mentioned period to determine the applicability of the matters agreed upon.
- 3.5 If at any time during the validity of this Agreement the work environment alters (whether as a result of government or council decisions or otherwise) to the extent that the contents of this Agreement are no longer appropriate, the contents shall immediately be revised.

4 PERFORMANCE OBJECTIVES

- 4.1 The Performance Plan (**ANNEXURE B**) sets out-
- 4.1.1 the performance objectives and targets that must be met by the **Employee**; and
- 4.1.2 the time frames within which those performance objectives and targets must be met.
- 4.2 The performance objectives and targets reflected in **ANNEXURE B** are set by the **Employer** in consultation with the **Employee** and based on the Integrated Development Plan, Service Delivery and Budget Implementation Plan (SDBIP) and the Budget of the **Employer**, and shall include key objectives; key performance indicators; target dates and weightings.
- 4.2.1 The key objectives describe the main tasks that need to be done.
- 4.2.2 The key performance indicators provide the details of the evidence that must be provided to show that a key objective has been achieved.
- 4.2.3 The target dates describe the timeframe in which the work must be achieved.
- 4.2.4 The weightings show the relative importance of the key objectives to each other.
- 4.3 The **Employee's** performance will, in addition, be measured in terms of contributions to the goals and strategies set out in the **Employer's** Integrated Development Plan.

5 PERFORMANCE MANAGEMENT SYSTEM

- 5.1 The **Employee** agrees to participate in the performance management system that the **Employer** adopts or introduces for the **Employer**, management and municipal staff of the **Employer**.
- 5.2 The **Employee** accepts that the purpose of the performance management system will be to provide a comprehensive system with specific performance standards to assist the **Employer**, management and municipal staff to perform to the standards required.
- 5.3 The **Employer** will consult the **Employee** about the specific performance standards that will be included in the performance management system as applicable to the **Employee**.
- 5.4 The **Employee** undertakes to actively focus towards the promotion and implementation of the KPA's (including special projects relevant to the **Employee's** responsibilities) within the local government framework.
- 5.5 The criteria upon which the performance of the **Employee** shall be assessed shall consist of two components, both of which shall be contained in the Performance Agreement.
- 5.5.1 The **Employee** must be assessed against both components, with a weighting of 80:20 allocated to the Key Performance Areas (KPA's) and Competencies respectively.
- 5.5.2 Each area of assessment will be weighted and will contribute a specific part to the total score.
- 5.5.3 KPA's covering the main areas of work will account for 80% and Competencies will account for 20% of the final assessment.
- 5.6 The **Employee's** assessment will be based on his/her performance in terms of the outputs/outcomes (performance indicators and targets) identified as per attached Performance Plan (**ANNEXURE B**), which are linked to the KPA's, and will constitute 80% of the overall assessment result as per the following weightings agreed to between the **Employer** and **Employee**:



Key Performance Areas (KPA's)	Weight
General Management	30%
IDP Implementation	20%
Community Development	10%
Human Settlements	10%
Built Environment	20%
Occupational Health and Facilities	10%
Total	100%

- 5.7 The Competencies will make up the other 20% of the **Employee's** assessment score. The following Competencies will be assessed in terms of the Regulations on Appointment and Conditions of Employment of Senior Managers (17 January 2014):

LEADING COMPETENCIES	
Strategic Direction and Leadership	• Impact and Influence • Institutional Performance Management • Strategic Planning and Management • Organisational Awareness
People Management	• Human Capital Planning and Development • Diversity Management • Employee Relations Management • Negotiation and Dispute Management
Program and Project Management	• Program and Project Planning and Implementation • Service Delivery Management • Program and Project Monitoring and Evaluation
Financial Management	• Budget Planning and Execution • Financial Strategy and Delivery • Financial Reporting and Monitoring
Change Leadership	• Change Vision and Strategy • Process Design and Improvement • Change Impact Monitoring and Evaluation
Governance Leadership	• Policy Formulation • Risk and Compliance Management • Cooperative Governance
CORE COMPETENCIES	
Moral Competence	
Planning and Organising	
Analysis and Innovation	
Knowledge and Information Management	
Communication	
Results and Quality Focus	

6. EVALUATING PERFORMANCE

- 6.1 Paragraph 7 of this Agreement sets out -

- 6.1.1 the procedures for evaluating the **Employee's** performance; and
- 6.1.2 the intervals for the evaluation of the **Employee's** performance.

- 6.2 Despite the establishment of agreed intervals for evaluation, the **Employer** may in addition review the **Employee's** performance at any stage while the contract of employment remains in force.

- 6.3 Personal growth and development needs identified during any performance review discussion must be documented in the personal training and development plan (**ANNEXURE A**) as well as the actions agreed to and implementation must take place within set time frames.

- 6.4 The **Employee's** performance will be measured in terms of contributions to the goals and strategies set out in the **Employer's** IDP.

6.5 The annual performance appraisal will involve:

6.5.1 Assessment of the achievement of results as outlined in the performance plan:

- (a) Each KPA will be assessed according to the extent to which the specified standards or performance indicators have been met and with due regard to ad hoc tasks that had to be performed under the KPA.
- (b) The rating scale in paragraph 6.6 below will be used.
- (c) The applicable assessment rating calculator (refer to paragraph 6.5.3 below) must then be used to add the scores and calculate a final KPA score.

6.5.2 Assessment of the Competencies

- (a) Each Competency will be assessed according to the extent to which the specified standards have been met.
- (b) The rating scale in paragraph 6.7 below will be used.
- (c) The applicable assessment rating calculator (refer to paragraph 6.5.3) must then be used to add the scores and calculate a final Competency score.

6.5.3 Overall rating

An overall rating is calculated by using the applicable assessment-rating calculator. Such overall rating represents the outcome of the performance appraisal.

6.6 The assessment of the performance of the **Employee** will be based on the following rating scale for KPA's:

Rating	Terminology	Description
5	Outstanding performance	Performance far exceeds the standard expected of an employee at this level. The appraisal indicates that the Employee has achieved above fully effective results against all performance criteria and indicators as specified in the Performance Plan and maintained this in all areas of responsibility throughout the year.
4	Performance significantly above expectations	Performance is significantly higher than the standard expected in the job. The appraisal indicates that the Employee has achieved above fully effective results against more than half of the performance criteria and indicators and fully achieved all others throughout the year.
3	Fully effective	Performance fully meets the standards expected in all areas of the job. The appraisal indicates that the Employee has fully achieved effective results against all significant performance criteria and indicators as specified in the Performance Plan.
2	Not fully effective	Performance is below the standard required for the job in key areas. Performance meets some of the standards expected for the job. The appraisal indicates that the Employee has achieved below fully effective results against more than half the key performance criteria and indicators as specified in the Performance Plan.
1	Unacceptable performance	Performance does not meet the standard expected for the job. The appraisal indicates that the Employee has achieved below fully effective results against almost all of the performance criteria and indicators as specified in the Performance Plan. The Employee has failed to demonstrate the commitment or ability to bring performance up to the level expected in the job despite management efforts to encourage improvement.



- 6.7 The assessment of the performance of the **Employee** will be based on the following rating scale for Competencies:

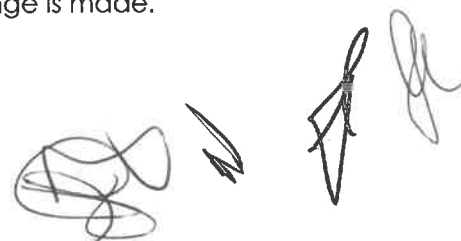
Rating	Achievement level	Description
2	Basic	Applies basic concepts, methods, and understanding of local government operations, but requires supervision and development intervention
3	Competent	Develops and applies more progressive concepts, methods and understanding. Plans and guides the work of others and executes progressive analyses
4	Advanced	Develops and applies complex concepts, methods and understanding. Effectively directs and leads a group and executes in-depth analyses
5	Superior	Has a comprehensive understanding of local government operations, critical in shaping strategic direction and change, develops and applies comprehensive concepts and methods

A full description of achievement levels per competency is attached as **ANNEXURE C**.

- 6.8 For purposes of evaluating the annual performance, an evaluation panel constituted of the following persons must be established -
- 6.8.1 Municipal Manager;
 - 6.8.2 Chairperson of the audit committee;
 - 6.8.3 Member of the mayoral committee
 - 6.8.4 Municipal manager from another municipality.
- 6.9 The **Employer's** manager responsible for human resources must provide secretariat services to the evaluation panels referred to in sub-regulations (d) and (e).

7. SCHEDULE FOR PERFORMANCE ASSESSMENT

- 7.1 The performance assessment of each **Employee** in relation to his/her Performance Plan shall be done as follows:
- 7.1.1 KPI's and targets shall be monitored on a monthly basis
 - 7.1.2 KPI's and targets shall be assessed on a quarterly basis on the following dates:
 - First quarter (July-September 2022): October 2022
 - Second quarter (October-December 2022): January 2023
 - Third quarter (January-March 2023): April 2023
 - Fourth quarter (April-June 2023): July 2023
 - 7.1.3 Competencies shall be assessed in June/July 2023.
 - 7.1.4 KPI's and targets as well as Competencies shall be formally assessed by the evaluation panel on an annual basis in August/September 2023.
- 7.2 The **Employer** shall keep a record of the mid-year review and annual assessment meetings.
- 7.3 Performance feedback shall be based on the **Employer's** assessment of the **Employee's** performance.
- 7.4 The **Employer** will be entitled to review and make reasonable changes to the provisions of **ANNEXURE B** from time to time for operational reasons. The **Employee** will be fully consulted before any such change is made.
- 7.5 The **Employer** may amend the provisions of **ANNEXURE B** whenever the performance management system is adopted, implemented and/or amended as the case may be. In that case the **Employee** will be fully consulted before any such change is made.



8. OBLIGATIONS OF THE EMPLOYER

8.1 The **Employer** shall –

- 8.1.1 create an enabling environment to facilitate effective performance by the **Employee**;
- 8.1.2 provide access to skills development and capacity building opportunities;
- 8.1.3 work collaboratively with the **Employee** to solve problems and generate solutions to common problems that may impact on the performance of the **Employee**;
- 8.1.4 on the request of the **Employee** delegate such powers reasonably required by the **Employee** to enable him/her to meet the performance objectives and targets established in terms of this Agreement; and
- 8.1.5 make available to the **Employee** such resources as the **Employee** may reasonably require from time to time to assist him/her to meet the performance objectives and targets established in terms of this Agreement.

9. CONSULTATION

9.1 The **Employer** agrees to consult the **Employee** timely where the exercising of the powers will have amongst others –

- 9.1.1 a direct effect on the performance of any of the **Employee**'s functions;
- 9.1.2 commit the **Employee** to implement or to give effect to a decision made by the **Employer**; and
- 9.1.3 a substantial financial effect on the **Employer**.

9.2 The **Employer** agrees to inform the **Employee** of the outcome of any decisions taken pursuant to the exercise of powers contemplated in 9.1 as soon as is practicable to enable the **Employee** to take any necessary action without delay.

10 MANAGEMENT OF ASSESSMENT OUTCOMES

10.1 The annual assessment of the **Employee**'s performance will form the basis for rewarding outstanding performance or correcting unacceptable performance.

10.2 The **Employee** will not be eligible for a performance bonus or any other monetary incentive.

10.3 The **Employer** may make provision for non-monetary incentives in recognition of outstanding performance.

10.4 In the case of unacceptable performance, the **Employer** shall –

- 10.4.1 provide systematic remedial or developmental support to assist the **Employee** to improve his or her performance; and
- 10.4.2 after appropriate performance counselling and having provided the necessary guidance and/ or support as well as reasonable time for improvement in performance, the **Employer** may consider steps to terminate the contract of employment of the **Employee** on grounds of unfitness or incapacity to carry out his or her duties.

11. DISPUTE RESOLUTION

11.1 Any disputes about the nature of the **Employee**'s performance agreement, whether it relates to key responsibilities, priorities, methods of assessment and/ or any other matter provided for, shall be mediated by a member of the municipal council within thirty (30) days of receipt of a formal dispute from the **Employee**, provided that such member was not part of the evaluation panel provided for in Paragraph 6.7 of this Agreement. The decision of this member shall be final and binding on both parties.

11.2 In the event that the mediation process contemplated above fails, the dispute resolution stipulations in the Contract of Employment shall apply.



12. GENERAL

- 12.1 The contents of this agreement and the outcome of any review conducted in terms of Annexure B may be made available to the public by the **Employer**.
- 12.2 Nothing in this agreement diminishes the obligations, duties or accountabilities of the **Employee** in terms of his/her contract of employment, or the effects of existing or new regulations, circulars, policies, directives or other instruments.

Thus **done** and **signed** at Malmesbury on this the 20 day of June 2022

AS WITNESSES:

1. [Signature]

2. [Signature]

[Signature]
EMPLOYEE

AS WITNESSES:

1. [Signature]

2. [Signature]

[Signature]
MUNICIPAL MANAGER

PERSONAL TRAINING AND DEVELOPMENT PLAN

ANNEXURE A

Report period from: _____ to: _____

Particulars of employee

Name:	J. Kruger
Position held:	D/O
Department and Division:	Development Services

Training and development to improve current work performance

Date	Need	Recommended solution and time frame	Impact on work performance (Employee)	Impact on work performance (Manager)
			N.V.T.	

Long term training and development needs

Need	Recommended solution and time frame	Action taken / Progress made	Revision date

Signature of employee		Date	20/6/22
Signature of Manager		Date	20/2/22

A copy must be sent to the Human Resource Management Division when a new need develops and at the identification of a training intervention.



PERFORMANCE PLAN (ANNEXURE B)

1. KPIs and targets from the IDP

Strategic Goal 1: Improved quality of life for citizens

Strategic Objectives	Strategic Initiatives	Key Performance Indicators	Targets
1.1 Facilitate access to the economy	Support local economic development through skills and enterprise development	Number of SMME training sessions	1 per quarter
	Engagement with formal business on SMME support	Annual engagement held	Yes (annually by June)
1.6 Coordinate social development internally and externally with partners.	Promote the coordination of social development through partnerships:		
	Internally: Internal Social Development Committee to identify additional action plans in each department that contributes to social development	Agreement reached on additional action plans in each department	Yes (annually by June)

Strategic Goal 3: Quality and sustainable living environment

Strategic Objectives	Strategic Initiatives	Key Performance Indicators	Targets
3.9 Maintain a balance between non-paying and paying households through the increased provision of affordable housing, Finance Linked Individual Subsidy Programme (FLISP) housing, Gap housing and social housing.	Obtain land use rights and secure funding for FLISP housing, affordable housing and social housing	Funding application to DHS submitted	By June 2023

2. Other KPIs and targets

Perf Objective	KPI	Target
Capital expenditure in line with budget and time frames	% of capital budget spent	Between 95% and 105%
Capital project implementation	Average % completion of capital projects	90% for the year
Operating expenditure in line with budget and time frames	% of operating budget spent	Between 90% and 100%
Workforce training roll-out	% of planned training sessions according to the Workplace Skills Plan realised	100%
Council decision implementation	% of due council decisions initiated	100%
Performance and financial monitoring	Number of monthly performance assessments and reconciliation of departmental records of expenditure with finance records done	Qtr 1: 3 per quarter Qtr 2: 2 per quarter Qtr 3: 3 per quarter Qtr 4: 3 per quarter
Annual report inputs provided by departments	Departmental input to the annual report submitted by due date	Yes
Budget inputs provided by departments	Budget requests provided to financial department in accordance with the budget time schedule	Yes
Assignments from the municipal manager completed	Number of written warnings received from municipal manager	0 maximum
Correspondence addressed in a timely manner	% of all correspondence recorded by Collaborator less than 60 days old	100.0%
Equal employment opportunity management	% of employment opportunities applied for appropriate equity appointments	100% cumulative by end of June annually
Procurement in line with legal process	% compliance with SCM policy with the exception of approved deviations	100%
Audit issues resolved	% internal audit queries for which an action plan was submitted within 10 working days	100%
	% internal actions implemented within agreed time frame	100%
	% of Auditor General's queries (comafs) for which an action plan was submitted within 5 working days	100%
	% of Auditor General's findings implemented within agreed time frame	100%
Risk identification and control implementation	Confirmations of risk assessment done	Yes (bi-annually by Nov and May)
	% of Risk Action Plans implemented in accordance with the agreed time frame	100% (bi-annually by Nov and May)
	Chief Risk Officer / Internal Audit informed of any newly identified risks	Yes

Perf Objective	KPI	Target
	Chief Risk Officer / Internal Audit informed of any changes in work procedures	Yes
	Chief Risk Officer / Internal Audit informed of any incidents where controls have failed (loss control register update)	Yes
Invocoms held	Number of invocoms held	Qtr 1: 3 per quarter Qtr 2: 2 per quarter Qtr 3: 3 per quarter Qtr 4: 3 per quarter
Average duration of vacancies reduced	Average duration of vacancies after decision was taken by management to fill the post	3 months maximum
Productive workforce	% of person days lost per month due to sick leave	4% pm maximum
EPWP monitoring (not applicable to Financial Services)	Number of Full Time Equivalents (FTE's) for the financial year	103 for the whole organisation
	Number of work opportunities created during the financial year	296 for the whole organisation
Assets safeguarding	A condition assessment and a review of the remaining useful life of all assets in the department done and a certification in this regard provided to the Head Asset Management.	Yes (by June annually)
	All moveable assets that became unusable or that were lost or stolen reported immediately in the prescribed manner to the Head: Asset Management	Yes
Communication Strategy implementation	All planned communication activities for the next financial year in terms of the Communication Strategy submitted to the Director Corporate Services	Yes (annually by end of June)
	Number of reports on all communication activities undertaken by the department submitted to the Director Corporate Services	1 per quarter
Issuing of safety clothing	All safety clothing issued	Yes (by end of March)
Spending of grants	% spending of grants	100% by end of June
Ensure that accurate revenue estimates are prepared in relation to operating requirements	Projected tariff increases determined for the budget of the new financial year	Yes (annually by February)
Ensure timeous submission of capital payment invoices and payment certificates to the Finance Department	Due date for last capital payment invoices and payment certificates to be submitted to the Finance Department	Annually by 9 July
Training needs of staff	Training needs for staff identified and provided to HR at meetings held with all departments during November annually	Yes (annually by November)

COMPETENCY DESCRIPTIONS (ANNEXURE C)

1. Leading Competencies Cluster

Competency Name	Strategic Direction and Leadership		
Competency Definition	Provide and direct a vision for the institution, and inspire and deploy others to deliver on the strategic institutional mandate		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
- Understand institutional and departmental strategic objectives, but lacks the ability to inspire others to achieve set mandate - Describe how specific tasks link to institutional strategies but has limited influence in directing strategy - Has a basic understanding of institutional performance management, but lacks the ability to integrate systems into a collective whole - Demonstrate a basic understanding of key decision- makers	- Give direction to a team in realising the institution's strategic mandate and set objectives - Has a positive impact and influence on the morale, engagement and participation of team members - Develop actions plans to execute and guide strategy implementation - Assist in defining performance measures to monitor the progress and effectiveness of the institution - Displays an awareness of institutional structures and political factors - Effectively communicate barriers to execution to relevant parties - Provide guidance to all stakeholders in the achievement of the strategic mandate - Understand the aim and objectives of the institution and relate it to own work	- Evaluate all activities to determine value and alignment to strategic intent - Display in-depth knowledge and understanding of strategic planning - Align strategy and goals across all functional areas - Actively define performance measures to monitor the progress and effectiveness of the institution - Consistently challenge strategic plans to ensure relevance - Understand institutional structures and political factors, and the consequences of actions - Empower others to follow strategic direction and deal with complex situations - Guide the institution through complex and ambiguous concern - Use understanding of power relationships and dynamic tensions among key players to frame communications and develop strategies, positions and alliances	- Structure and position the institution to local government priorities - Actively use in-depth knowledge and understanding to develop and implement a comprehensive institutional framework - Hold self-accountable for strategy execution and results - Provide impact and influence through building and maintaining strategic relationships - Create an environment that facilitates loyalty and innovation Display a superior level of self-discipline and integrity in actions - Integrate various systems into a collective whole to optimise institutional performance management - Uses understanding of competing interests to manoeuvre successfully to a win/win outcome

Competency Name	People Management		
Competency Definition	Effectively manage, inspire and encourage people, respect diversity, optimise talent and build and nurture relationships in order to achieve institutional objectives		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Participate in team goal-setting and problem solving • Interact and collaborate with people of diverse backgrounds • Aware of guidelines for employee development, but requires support in implementing development initiatives	• Seek opportunities to increase team contribution and responsibility • Respect and support the diverse nature of others and be aware of the benefits of a diverse approach • Effectively delegate tasks and empower others to increase contribution and execute functions optimally • Apply relevant employee legislation fairly and consistently • Facilitate team goal-setting and problem-solving • Effectively identify capacity requirements to fulfil the strategic mandate	• Identify ineffective team and work processes and recommend remedial interventions • Recognise and reward effective and desired behaviour • Provide mentoring and guidance to others in order to increase personal effectiveness • Identify development and learning needs within the team • Build a work environment conducive to sharing, innovation, ethical behaviour and professionalism • Inspire a culture of performance excellence by giving positive and constructive feedback to the team • Achieve agreement or consensus in adversarial environments • Lead and unite diverse teams across divisions to achieve institutional objectives	• Develop and incorporate best practice people management processes, approaches and tools across the institution • Foster a culture of discipline, responsibility and accountability • Understand the impact of diversity in performance and actively incorporate a diversity strategy in the institution • Develop comprehensive integrated strategies and approaches to human capital development and management • Actively identify trends and predict capacity requirements to facilitate unified transition and performance management

Competency Name	Program and Project Management		
Competency Definition	Able to understand program and project management methodology; plan, manage, monitor and evaluate specific activities in order to deliver on set objectives		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Initiate projects after approval from higher authorities • Understand procedures of program and project management methodology, implications and stakeholder involvement • Understand the rational of projects in relation to the institution's strategic objectives • Document and communicate factors and risk associated with own work • Use results and approaches of successful project implementation as guide	• Establish broad stakeholder involvement and communicate the project status and key milestones • Define the roles and responsibilities of the project team and create clarity around expectations • Find a balance between project deadline and the quality of deliverables • Identify appropriate project resources to facilitate the effective completion of the deliverables • Comply with statutory requirements and apply policies in a consistent manner • Monitor progress and use of resources and make needed adjustments to timelines, steps, and resource allocation	• Manage multiple programs and balance priorities and conflicts according to institutional goals • Apply effective risk management strategies through impact assessment and resource requirements • Modify project scope and budget when required without compromising the quality and objectives of the project • Involve top-level authorities and relevant stakeholders in seeking project buy-in • Identify and apply contemporary project management methodology • Influence and motivate project team to deliver exceptional results • Monitor policy implementation and apply procedures to manage risks	• Understand and conceptualise the long-term implications of desired project outcomes • Direct a comprehensive strategic macro and micro analysis and scope projects accordingly to realise institutional objectives • Consider and initiate projects that focus on achievement of the long-term objectives • Influence people in positions of authority to implement outcomes of projects • Lead and direct translation of policy into workable actions plans • Ensures that programs are monitored to track progress and optimal resource utilisation, and that adjustments are made as needed

Competency Name	Financial Management		
Competency Definition	Able to compile, plan and manage budgets, control cash flow, institute financial risk management and administer procurement processes in accordance with recognised financial practices. Further to ensure that all financial transactions are managed in an ethical manner		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Understand basic financial concepts and methods as they relate to institutional processes and activities • Display awareness into the various sources of financial data, reporting mechanisms, financial governance, processes and systems • Understand the importance of financial accountability • Understand the importance of asset control	• Exhibit knowledge of general financial concepts, planning, budgeting, and forecasting and how they interrelate • Assess, identify and manage financial risks • Assume a cost- saving approach to financial management • Prepare financial reports based on specified formats • Consider and understand the financial implications of decisions and suggestions • Ensure that delegation and instructions as required by National Treasury guidelines are reviewed and updated • Identify and implement proper monitoring and evaluation practices to ensure appropriate spending against budget	• Take active ownership of planning, budgeting, and forecast processes and provides credible answers to queries within own responsibility • Prepare budgets that are aligned to the strategic objectives of the institution • Address complex budgeting and financial management concerns • Put systems and processes in place to enhance the quality and integrity of financial management practices • Advise on policies and procedures regarding asset control • Promote National Treasury's regulatory framework for Financial Management	• Develop planning tools to assist in evaluating and monitoring future expenditure trends • Set budget frameworks for the institution • Set strategic direction for the institution on expenditure and other financial processes • Build and nurture partnerships to improve financial management and achieve financial savings • Actively identify and implement new methods to improve asset control • Display professionalism in dealing with financial data and processes

Competency Name	Change Leadership		
Competency Definition	Able to direct and initiate institutional transformation on all levels in order to successfully drive and implement new initiatives and deliver professional and quality services to the community		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Display an awareness of change interventions, and the benefits of transformation initiatives • Able to identify basic needs for change • Identify gaps between the current and desired state • Identify potential risk and challenges to transformation, including resistance to change factors • Participate in change programs and piloting change interventions • Understand the impact of change interventions on the institution within the broader scope of Local government	• Perform an analysis of the change impact on the social, political and economic environment • Maintain calm and focus during change • Able to assist team members during change and keep them focused on the deliverables • Volunteer to lead change efforts outside of own work team • Able to gain buy-in and approval for change from relevant stakeholders • Identify change readiness levels and assist in resolving resistance to change factors • Design change interventions that are aligned with the institution's strategic objectives and goals	• Actively monitor change impact and results and convey progress to relevant stakeholders • Secure buy-in and sponsorship for change initiatives • Continuously evaluate change strategy and design and introduce new approaches to enhance the institution's effectiveness • Build and nurture relationships with various stakeholders to establish strategic alliance in facilitating change • Take the lead in impactful change programs • Benchmark change interventions against best change practices • Understand the impact and psychology of change, and put remedial interventions in place to facilitate effective transformation • Take calculated risk and seek new ideas from best practice scenarios, and identify the potential for implementation	• Sponsor change agents and create a network of change leaders who support the interventions • Actively adapt current structures and processes to incorporate the change interventions • Mentor and guide team members on the effects of change, resistance factors and how to integrate change • Motivate and inspire others around change initiatives

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Competency Name	Governance Leadership		
Competency Definition	Able to promote, direct and apply professionalism in managing risk and compliance requirements and apply a thorough understanding of governance practices and obligations. Further, able to direct the conceptualisation of relevant policies and enhance cooperative governance relationships		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Display a basic awareness of risk, compliance and governance factors but require guidance and development in implementing such requirements • Understand the structure of cooperative government but requires guidance on fostering workable relationships between stakeholders • Provide input into policy formulation	• Display a thorough understanding of governance and risk and compliance factors and implement plans to address these • Demonstrate understanding of the techniques and processes for optimising risk taking decisions within the institution • Actively drive policy formulation within the institution to ensure the achievement of objectives	• Able to link risk initiatives into key institutional objectives and drivers • Identify, analyse and measure risk, create valid risk forecasts, and map risk profiles • Apply risk control methodology and approaches to prevent and reduce risk that impede on the achievement of institutional objectives • Demonstrate a thorough understanding of risk retention plans • Identify and implement comprehensive risk management systems and processes • Implement and monitor the formulation of policies, identify and analyse constraints and challenges with implementation and provide recommendations for improvement	• Demonstrate a high level of commitment in complying with governance requirements • Implement governance and compliance strategy to ensure achievement of institutional objectives within the legislative framework • Able to advise Local Government on risk management strategies, best practice interventions and compliance management • Able to forge positive relationships on cooperative governance level to enhance the effectiveness of local government • Able to shape, direct and drive the formulation of policies on a macro level

2. Core Competencies Cluster

Competency Name	Moral Competence		
Competency Definition	Able to identify moral triggers, apply reasoning that promotes honesty and integrity and consistently display behaviour that reflects moral competence		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Realise the impact of acting with integrity, but requires guidance and development in implementing principles • Follow the basic rules and regulations of the institution • Able to identify basic moral situations, but requires guidance and development in understanding and reasoning with moral intent	• Conduct self in alignment with the values of Local Government and the institution • Able to openly admit own mistakes and weaknesses and seek assistance from others when unable to deliver • Actively report fraudulent activity and corruption within local government • Understand and honour the confidential nature of matters without seeking personal gain • Able to deal with situations of conflict of interest promptly and in the best interest of local government	• Identify, develop, and apply measures of self- correction • Able to gain trust and respect through aligning actions with commitments • Make proposals and recommendations that are transparent and gain the approval of relevant stakeholders • Present values, beliefs and ideas that are congruent with the institution's rules and regulations • Takes an active stance against corruption and dishonesty when noted • Actively promote the value of the institution to internal and external stakeholders • Able to work in unity with a team and not seek personal gain • Apply universal moral principles consistently to achieve moral decisions	• Create an environment conducive of moral practices • Actively develop and implement measures to combat fraud and corruption • Set integrity standards and shared accountability measures across the institution to support the objectives of local government • Take responsibility for own actions and decisions, even if the consequences are unfavourable

Competency Name	Planning and Organising		
Competency Definition	Able to plan, prioritise and organise information and resources effectively to ensure the quality of service delivery and build efficient contingency plans to manage risk		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Able to follow basic plans and organise tasks around set objectives • Understand the process of planning and organising but requires guidance and development in providing detailed and comprehensive plans • Able to follow existing plans and ensure that objectives are met • Focus on short- term objectives in developing plans and actions • Arrange information and resources required for a task, but require further structure and organisation	• Actively and appropriately organise information and resources required for a task • Recognise the urgency and importance of tasks • Balance short and long-term plans and goals and incorporate into the team's performance objectives • Schedule tasks to ensure they are performed within budget and with efficient use of time and resources • Measures progress and monitor performance results	• Able to define institutional objectives, develop comprehensive plans, integrate and coordinate activities, and assign appropriate resources for successful implementation • Identify in advance required stages and actions to complete tasks and projects • Schedule realistic timelines, objectives and milestones for tasks and projects • Produce clear, detailed and comprehensive plans to achieve institutional objectives • Identify possible risk factors and design and implement appropriate contingency plans • Adapt plans in light of changing circumstances • Prioritise tasks and projects according to their relevant urgency and importance	• Focus on broad strategies and initiatives when developing plans and actions • Able to project and forecast short, medium and long term requirements of the institution and local government • Translate policy into relevant projects to facilitate the achievement of institutional objectives

Competency Name	Analysis and Innovation		
Competency Definition	Able to critically analyse information, challenges and trends to establish and implement fact-based solutions that are innovative to improve institutional processes in order to achieve key strategic objectives		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Understand the basic operation problem solving of analysis, but lack detail and thoroughness • Able to balance independent analysis with requesting assistance from others • Recommend new ways to perform tasks within own function • Propose simple remedial interventions that marginally challenges the status quo • Listen to the ideas and perspectives of others and explore opportunities to enhance such innovative thinking	• Demonstrate Logical techniques and approaches and provide rationale for recommendations • Demonstrate objectivity, insight, and thoroughness when analysing problems • Able to break down complex problems into manageable parts and identify solutions • Consult internal and external stakeholders on opportunities to improve processes and service delivery • Clearly communicate the benefits of new opportunities and innovative solutions to stakeholders • Continuously identify opportunities to enhance internal processes • Identify and analyse opportunities conducive to innovative approaches and propose remedial intervention	• Coaches team members on analytical and innovative approaches and techniques • Engage with appropriate individuals in analysing and resolving complex problems • Identify solutions on various areas in the institution • Formulate and implement new ideas throughout the institution • Able to gain approval and buy- in for proposed interventions from relevant stakeholders • Identify trends and best practices in process and service delivery and propose institutional application • Continuously engage in research to identify client needs	• Demonstrate complex analytical and problem solving approaches and techniques • Create an environment conducive to analytical and fact-based problem-solving • Analyse, recommend solutions and monitor trends in key challenges to prevent and manage occurrence • Create an environment that fosters innovative thinking and follows a learning organisation approach • Be a thought leader on innovative customer service delivery, and process optimisation • Play an active role in sharing best practice solutions and engage in national and international local government seminars and conferences

Competency Name	Knowledge and Information Management		
Competency Definition	Able to promote the generation and sharing of knowledge and information through various processes and media, in order to enhance the collective knowledge base of local government		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Collect, categorise and track relevant information required for specific tasks and projects • Analyse and interpret information to draw conclusions • Seek new sources of information to increase the knowledge base • Regularly share information and knowledge with internal stakeholders and team members	• Use appropriate information systems and technology to manage institutional knowledge and information sharing • Evaluate data from various sources and use information effectively to influence decisions and provide solutions • Actively create mechanisms and structures for sharing of information • Use external and internal resources to research and provide relevant and cutting-edge knowledge to enhance institutional effectiveness and efficiency	• Effectively predict future information and knowledge management requirements and systems • Develop standards and processes to meet future knowledge management needs • Share and promote best- practice knowledge management across various institutions • Establish accurate measures and monitoring systems for knowledge and information management • Create a culture conducive of learning and knowledge sharing • Hold regular knowledge and information sharing sessions to elicit new ideas and share best practice approaches	• Create and support a vision and culture where team members are empowered to seek, gain and share knowledge and information • Establish partnerships across local government to facilitate knowledge management • Demonstrate a mature approach to knowledge and information sharing with an abundance and assistance approach • Recognise and exploit knowledge points in interactions with internal and external stakeholders

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Competency Name	Communication		
Competency Definition	Able to share information, knowledge and ideas in a clear, focused and concise manner appropriate for the audience in order to effectively convey, persuade and influence stakeholders to achieve the desired outcome		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Demonstrate an understanding for communication levers and tools appropriate for the audience, but requires guidance in utilising such tools • Express ideas in a clear and focused manner, but does not always take the needs of the audience into consideration • Disseminate and convey information and knowledge adequately	• Express ideas to individuals and groups in formal and informal settings in a manner that is interesting and motivating • Able to understand, tolerate and appreciate diverse perspectives, attitudes and beliefs • Adapt communication content and style to suit the audience and facilitate optimal information transfer • Deliver content in a manner that gains support, commitment and agreement from relevant stakeholders • Compile clear, focused, concise and well-structured written documents	• Effectively communicate high-risk and sensitive matters to relevant stakeholders • Develop a well-defined communication strategy • Balance political perspectives with institutional needs when communicating viewpoints on complex issues • Able to effectively direct negotiations around complex matters and arrive at a win-win situation that promotes Batho Pele principles • Market and promote the institution to external stakeholders and seek to enhance a positive image of the institution • Able to communicate with the media with high levels of moral competence and discipline	• Regarded as a specialist in negotiations and representing the institution • Able to inspire and motivate others through positive communication that is impactful and relevant • Creates an environment conducive to transparent and productive communication and critical and appreciative conversations • Able to coordinate negotiations at different levels within local government and externally

Competency Name	Results and Quality Focus		
Competency Definition	Able to maintain high quality standards, focus on achieving results and objectives while consistently striving to exceed expectations and encourage others to meet quality standards. Further, to actively monitor and measure results and quality against identified objectives		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
• Understand quality of work but requires guidance in attending to important matters • Show a basic commitment to achieving the correct results • Produce the minimum level of results required in the role • Produce outcomes that is of a good standard • Focus on the quantity of output but requires development in incorporating the quality of work • Produce quality work in general circumstances, but fails to meet expectation when under pressure	• Focus on high- priority actions and does not become distracted by lower-priority activities • Display firm commitment and pride in achieving the correct results • Set quality standards and design processes and tasks around achieving set standards • Produce output of high quality • Able to balance the quantity and quality of results in order to achieve objectives • Monitors progress, quality of work, and use of resources; provide status updates, and make adjustments as needed	• Consistently verify own standards and outcomes to ensure quality output • Focus on the end result and avoids being distracted • Demonstrate a determined and committed approach to achieving results and quality standards • Follow task and projects through to completion • Set challenging goals and objectives to self and team and display commitment to achieving expectations • Maintain a focus on quality outputs when placed under pressure • Establishing institutional systems for managing and assigning work, defining responsibilities, tracking, monitoring and measuring success, evaluating and valuing the work of the institution	• Coach and guide others to exceed quality standards and results • Develop challenging, client-focused goals and sets high standards for personal performance • Commit to exceed the results and quality standards, monitor own performance and implement remedial interventions when required • Work with team to set ambitious and challenging team goals, communicating long-and short-term expectations • Take appropriate risks to accomplish goals • Overcome setbacks and adjust action plans to realise goals • Focus people on critical activities that yield a high impact

ITEM 8.3 VAN DIE AGENDA VAN 'N GEWONE RAADSVERGADERING WAT GEHOU SAL WORD OP 28 JULIE 2022

ONDERWERP: AANVAARDING VAN VERORDENING INSAKE DIE HOU VAN VERGADERINGS
SUBJECT: ADOPTION OF BY-LAW RELATING TO THE CONDUCT OF MEETINGS

1. BACKGROUND

1.1 The following draft by-law (attached hereto) was introduced in Council on 26 May 2022, whereafter a public participation process was followed:

- Swarthland Municipality: Draft By-law relating the the Conduct of Meetings

1.2 No comments and/or objections were received by the closing date of 1 July 2022.

2. LEGISLATION

2.1 National legislation

2.1.1 The Constitution, Municipal Structures Act and Municipal Systems Act set the framework in terms of which a municipal council must pass by-laws.

2.1.2 The Constitution sets two basic requirements for municipal law-making:

- First, a by-law must have the support of the majority of all the councillors;
- Second, the community must have enjoyed the opportunity to have its say with regard to that by-law.

2.1.3 The following steps were taken in considering the draft by-law:

		Timeframes
Step 1	A draft by-law is prepared by a councillor or a Committee of the council and must be introduced in the council.	Executive Mayoral Committee Meeting of 19 May 2022, introduced in Council on 26 May 2022
Step 2	The council must consult with the community with regard to the draft by-law. It must at least publish the by-law for comment by the public. Note: the municipality may use the ward committees to discuss the merits of a draft by-law.	Placement of media advertisement on 31 May 2022. Period of comment until 1 July 2022.
Step 3	The by-law is introduced in and debated by the council. Before passing a by-law, a council that has an executive committee or executive mayor, must first require that committee or mayor to give a report and recommendation on the by-law.	To be tabled in Council on 28 July 2022, via Executive Mayoral Committee (meeting on 13 July 2022).
Step 4	The Municipal council votes on the by-law, which – in terms of the Constitution – is to be carried by the majority of all councillors.	Council meeting 28 July 2022
Step 5	If passed by council, the by-law is published in the Provincial Gazette and becomes law on that date or a later date set in the by-law.	By

2.2 **Compliance with the By-law relating to the Rules for the Conduct of Meetings**

The by-law is tabled for adoption by Council in accordance with paragraphs 59 and 60 of the Swartland Municipality: By-law relating to the Rules for the Conduct of Meetings (PG 7501 dated 2 October 2015).

2.2.1 **Paragraph 59: Publication of draft by-laws**

Paragraph 59 requires that the draft by-law must be advertised for at least 30 days so that the public will have the opportunity to submit comments in connection therewith.

The draft by-laws were advertised on the municipal website and in the local newspapers on 31 May 2022 in both Afrikaans and English.

No comments were received from the public by the closing date of 1 July 2022.

2.2.2 **Paragraph 60: Consideration of draft by-laws**

Paragraph 60(1) determines that the following must be submitted by the Municipal Manager to the Executive Mayor –

Paragraph 60(1)(a) – (d)		Comments
(a)	A copy of the draft by-law	See attached – Annexure A
(b)	Copies of the advertisements in which the public was invited to make representations	See attached – Annexure B
(c)	Any comment received from the public	None
(d)	Any other comments or recommendations by the municipal manager	None

In accordance with paragraph 60(2)(a) the executive mayor must consider the report by the municipal manager and must submit a report to the council which sets out the following:

Paragraaf 60(2)(a)		Kommentaar
(i)	An executive summary of the draft by-law	These aspects have already been discussed in the report to the Council on 26 May 2022 – see attached as Annexure C
(ii)	The view of the mayor on the need of the draft by-law	
(iii)	Other by-laws that will have to be repealed or amended if the draft by-law is adopted	
(iv)	Any relevant comments or proposals	
(v)	A recommendation	See below

The Executive Mayoral Committee, at its meeting held on 13 July 2022,

3. **RECOMMENDED** (for consideration by Council)

- (a) That the following by-law be adopted by Council, to take effect on date of promulgation in the Provincial Gazette:
 - Swartland Municipality: By-law relating the the Conduct of Meetings
- (b) That fines for offences of the by-law be determined by the Department of Justice;
- (c) That the Rules for Virtual Meetings that were adopted to supplement the existing by-law, be repealed with effect from date of publication of the new by-law.

Die Uitvoerende Burgemeesterskomitee, by 'n vergadering gehou op 13 Julie 2022, het

AANBEVEEL (vir oorweging deur die Raad)

- (a) Dat die volgende verordening aangeneem word deur die Raad, om in werking te tree op datum van afkondiging in die Provinsiale Koerant:
 - Swartland Munisipaliteit: Verordening insake die Hou van Vergaderings

3./...

- (b) Dat boetes vir oortredings van die verordening vasgestel word deur die Departement van Justisie;
- (c) Dat die Reëls vir Virtuele Vergaderings wat as aanvullend tot die bestaande verordening aangeneem was, herroep word vanaf datum van afkondiging van die nuwe verordening.

(get) M S Terblanche

MUNISIPALE BESTUURDER

Mst/raadsitems, SM5/July 2022/Aanvaarding van verordening insake die hou van vergaderings_Raad

Swartland Gazette



KENNISGEWING 101/2021/2022

GELEENTHEID OM KOMMENTAAR TE LEWER: KONSEP VERORDENING INSAKE DIE HOU VAN VERGADERINGS

Kennis geskied hiermee in terme van artikel 12(3)(b) van die Wet op Plaaslike Regering: Munisipale Stelsels, Wet 32 van 2000 dat die Munisipaliteit Swartland van voorneme is om die volgende konsep verordening te aanvaar en te implementeer:

- Swartland Munisipaliteit: Verordening insake die Hou van Vergaderings.

Gemelde verordening het ten doel om vergaderings van die Raad en sy komitees te reguleer.

Die konsep verordening is in terme van die voormelde wetgewing gedurende kantoorure ter insae beskikbaar vir die publiek by die munisipale kantore en/of biblioteke in Malmesbury, Moorreesburg, Darling, Abbotsdale, Chatsworth, Riebeek-Wes, Riebeek Kasteel en Yzerfontein. Die konsep verordening is ook ter insae beskikbaar op die munisipale webtuiste by www.swartland.org.za.

Belangstellendes word genooi om skriftelike kommentaar met betrekking tot die konsep verordening aan die ondergetekende te rig teen nie later nie as **Vrydag, 1 Julie 2022**.

Persone wat nie kan lees of skryf nie, kan me Nicolette Brand gedurende gewone kantoorure by die munisipale hoofkantoor in Malmesbury nader vir bystand om hulle vertoë op skrif te stel.

J J SCHOLTZ
MUNISIPALE BESTUURDER
31 Mei 2022

MUNISIPALE KANTORE
PRIVAATSAK X52, MALMESBURY
E-POS: swartlandmun@swartland.org.za

Swartland Joernaal



NOTICE 101/2021/2022

OPPORTUNITY TO SUBMIT REPRESENTATIONS: DRAFT BY-LAW RELATING TO THE CONDUCT OF MEETINGS

Notice is hereby given in terms of section 12(3)(b) of the Local Government: Municipal Systems Act, Act 32 of 2000 that the Swartland Municipality intends to adopt and implement the following draft by-law:

- Swartland Municipality: By-law relating to the Conduct of Meetings

Said by-law aims to regulate meetings of the Council and its committees.

The draft by-law is available in terms of the aforesaid legislation for public inspection during normal office hours at the municipal offices and/or libraries in Malmesbury, Moorreesburg, Abbotsdale, Darling, Chatsworth, Riebeek West, Riebeek Kasteel and Yzerfontein. The draft by-law is also available on the municipal website at www.swartland.org.za.

Interested parties are invited to lodge written comment with reference to the draft by-law with the undersigned by no later than Friday, 1 July 2022.

Persons who cannot read or write can visit Ms Nicolette Brand during normal office hours at the municipal offices in Malmesbury for assistance to put their representations in writing.

MUNICIPAL OFFICES
PRIVATE BAG X52
MALMESBURY
E-MAIL: swartlandmun@swartland.org.za

J J SCHOLTZ
Municipal Manager

31 May 2022

Verslag ♦ Ingxelo ♦ Report

Kantoor van die Direkteur: Korporatiewe Dienste
19 Mei 2022

1/1
WYK: Alle wyke

~~ITEM 8.6 VAN DIE AGENDA VAN 'N GEWONE RAADSVERGADERING WAT GEHOUSAL
WORD OP 26 MEI 2022~~

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

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 5th 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
Step 1	A draft by-law is prepared by a councillor or a Committee of the council and must be introduced in the council.	Executive Mayoral Committee Meeting of 19 May 2022, introduced in Council on 26 May 2022
Step 2	The council must consult with the community with regard to the draft by-law. It must at least publish the by-law for comment by the public. Note: the municipality may use the ward committees to discuss the merits of a draft by-law.	Placement of media advertisement on 31 May 2022. Period of comment until 1 July 2022.
Step 3	The by-law is introduced in and debated by the council. Before passing a by-law, a council that has an executive committee or executive mayor, must first require that committee or mayor to give a report and recommendation on the by-law.	To be tabled in Council on 28 July 2022, via Executive Mayoral Committee (meeting on 13 July 2022).
Step 4	The Municipal council votes on the by-law, which – in terms of the Constitution – is to be carried by the majority of all councillors.	Council meeting 28 July 2022
Step 5	If passed by council, the by-law is published in the Provincial Gazette and becomes law on that date or a later date set in the by-law.	By

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.

BESLUIT

- (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.

AFSKRIFTE:

BSR – vir advertering

DK – vir kennisname



Verslag Ω Ingxelo Ω Report

Department of the Director: Corporate Services
19 July 2022

2/6

ITEM 8.4 OF THE AGENDA OF AN ORDINARY COUNCIL MEETING TO BE HELD ON 28 JULY 2022

SUBJECT: NOTICE OF APPROVAL OF THE ORGANISATIONAL STRUCTURE WITH EFFECT FROM 1 JULY 2022 TAKING INTO ACCOUNT AMENDMENTS TO THE DEPARTMENT PROTECTION SERVICES

1. BACKGROUND

- 1.1 Section 66 of the Municipal Systems Amendment Act, 2011 determines that the organisational structure must be approved by the municipal manager.
- 1.2 The organisational structure is hereby submitted to the Council for noting the approval by the Municipal Manager with effect from 1 July 2022 taking into account amendments to the organisational structure regarding Protection Services which are motivated below.
- 1.3 Protection Services
Access Control Officer (2 posts): The addition of 2 posts of Access Control Officer is necessary to address risks and other aspects at the new office buildings in Malmesbury. A need was identified for security and access control at the new office buildings. Access control must be performed by employees of Swartland Municipality as they will also function as client service officers at the Head Office.

See the attached excerpt of the Organisational Structure for the proposed amendments.

On 23 June 2022 the Local Labour Forum resolved to recommend the amendments for approval.

2. LEGISLATION

Section 66 of the Local Government: Municipal Systems Act (Act 32 of 2000).

3. ALIGNMENT TO THE IDP

In terms of Chapter 7 of the IDP this amendment to the organisational structure is aligned to Strategic Goal 5, namely Sufficient, Affordable and Well-Run Services.

4. FINANCIAL IMPLICATION

The financial implication of the amendments are summarised below:

Summary	Financial Implication
Protection Services	R 605 666.00
Total	R 605 666.00

The amount was provided for in the 2022/23 operating budget for this amendment.

5./...

5. **RECOMMENDATION**

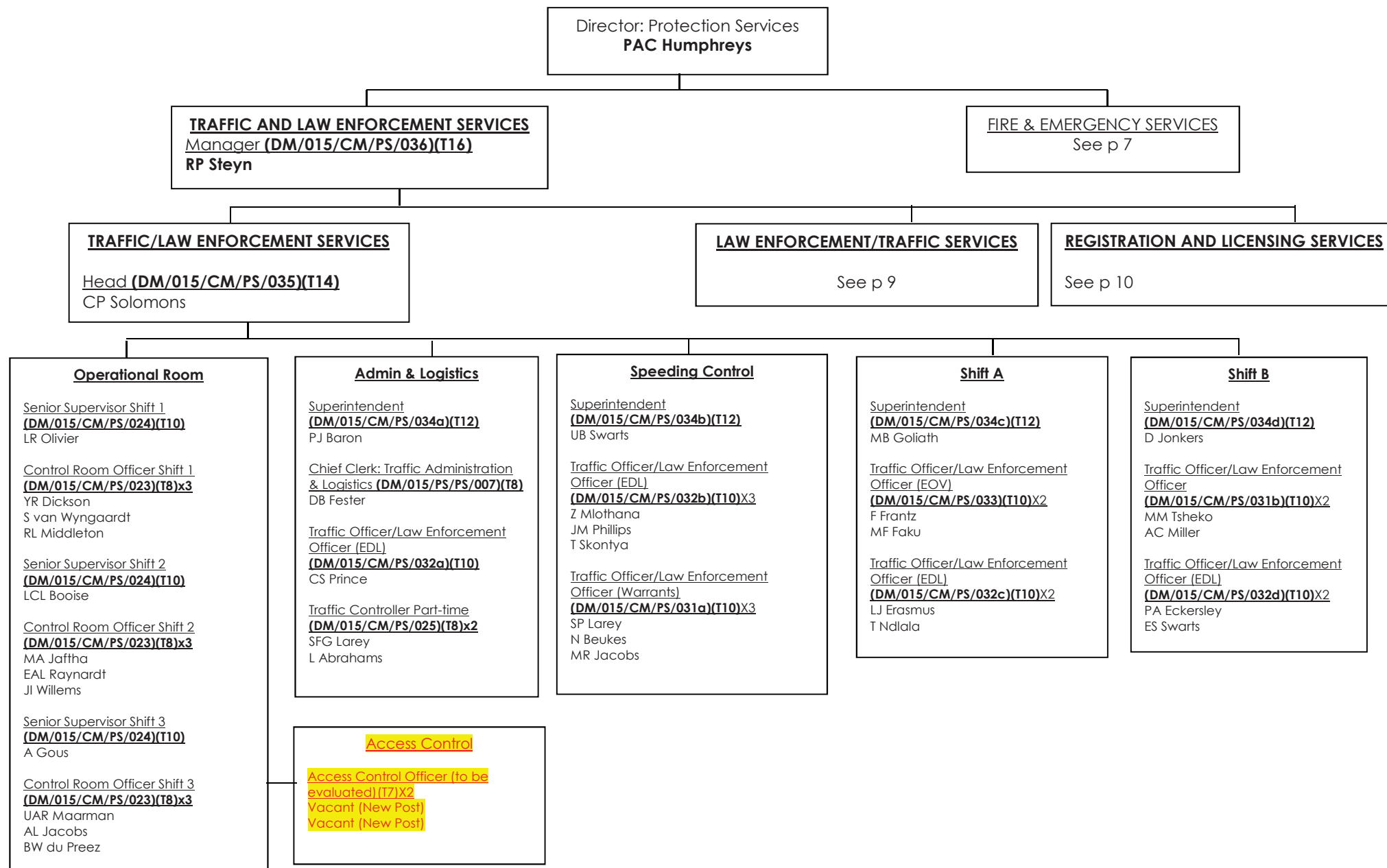
That Council takes note of the organisational structure as approved by the Municipal Manager taking into account the amendments with regard to Protection Services for implementation with effect from 1 July 2022.

(sgd) M S Terblanche

MUNICIPAL MANAGER

Sdj

PROTECTION SERVICES





Verslag Φ Ingxelo Φ Report

Office of the Municipal Manager
Internal Audit Division
27 June 2022

5/15/1/5

ITEM 8.5 ON THE AGENDA OF THE COUNCIL MEETING WHICH WILL BE HELD ON 28 JULY 2022

SUBJECT: APPOINTMENT OF DISCIPLINARY BOARD MEMBERS TO BE RECOMMENDED TO COUNCIL

1. BACKGROUND/ DELIBERATION

- 1.1 The Municipality is obliged to maintain a Disciplinary Board as an independent advisory body according to the Financial Misconduct Regulations (FMR) to assist Council with the investigation of allegations of financial misconduct and provide recommendations on further steps to be taken regarding disciplinary proceedings.

A disciplinary board must consist of a maximum five members appointed on a part-time basis by Council for a period not exceeding three years, in accordance with a process as determined by Council. Section 4(6) of the FMR determines that the board may consist of the following persons:

- Head of the internal audit unit within the municipality;
- A member of the Audit Committee of the municipality;
- A Senior Manager from the legal division;
- A representative of the National Treasury or the Provincial Treasury; and
- Any other person as may be determined by Council

- 1.2 The following members currently serve on the Disciplinary Board and have been appointed as follows:

Member	Position	Term of office
Mr CB de Jager	Member of the Audit Committee	1 January 2020 to 31 December 2022
Ms M Terblanche	Director Corporate Services	
Ms S de Jongh	Manager Human Resources	
Mr P le Roux	Manager Internal Audit	1 January 2020 to 31 May 2022

2. LEGISLATION

The Minister of Finance has, in terms of sections 168 and 175, of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003), published in Government Gazette No 37699 dated 30 May 2014 the Financial Misconduct Regulations (FMR) for implementation by municipalities and effective from 1 July 2014. These regulations were

promulgated by the Minister of Finance after extensive public consultation and engagements with relevant stakeholders. It is important to note that these regulations must be read in conjunction with the Local Government: Disciplinary Regulations for Senior Managers and the collective bargaining agreements entered into between South African Local Government Association and the relevant Municipal Unions.

3. COMMENTS – INTERNAL AUDIT / MUNICIPAL MANAGER

- 3.1 The skills and expertise required of officials within the municipality to serve on the committee are within the Directorate, Corporate Services, which requires a thorough understanding and knowledge in respect of labour law, law and regulations applicable to municipalities and disciplinary procedures.
- 3.2 The Disciplinary Board has been established and several training sessions to clarify various uncertainties have been provided by National and Provincial Treasury. It is not a requirement that the members of the Disciplinary Board may not serve longer than six years (second term), however membership must be extended and approved every three years.
- 3.3 The Manager, Internal Audit term of office as member of the Disciplinary Board ended on 31 May 2022. Ms J Erasmus has been appointed as Manager, Internal Audit as from 1 June 2022.

4. RECOMMENDATION (as considered by the Executive Mayoral Committee on 13 July 2022)

According to Section 4(3) of the Financial Misconduct Regulations, the term of office for members of the Disciplinary Board must not exceed a period of three years. Therefore, the Executive Mayoral Committee is requested to consider the comments in 2 above and the following proposals to ensure continuity and further existence of the Disciplinary Board:

- a) Appoint Ms J Erasmus, Manager: Internal Audit from 1 June 2022 to 31 May 2025 as she served on the Disciplinary Board of Bergrivier Municipality and has the necessary skills and expertise required.

AANBEVELING (soos oorweeg tydens die Uitvoerende Burgemeesterskomiteevergadering op 13 Julie 2022)

Dat paragraaf 4(3) van die *Financial Misconduct Regulations* bepaal dat die ampstermyn van lede van die Dissiplinêre Raad nie 'n termyn van drie jaar mag oorskry nie en dat die Uitvoerende Burgemeesterskomitee, met in ag neming van die kommetaar in paragraaf 3 van die verslag, die volgende goedkeuring verleen ten einde kontinuïteit in die bestaan van die Dissiplinêre Raad te verseker:

- a) Die aanstelling van Me J Erasmus, Bestuurder Interne Oudit vanaf 1 Junie 2022 tot 31 Mei 2025.

(sgd) J J Scholtz

Municipal Manager
JE/ Disciplinary Board

ITEM 8.6 VAN DIE AGENDA VAN 'N GEWONE RAADSVERGADERING WAT GEHOU SAL WORD OP 28 JULIE 2022

ONDERWERP:	KONSTRUKSIE VAN PAAIE IN CHATSWORTH: VOORGESTELDE ONTEIENING VAN GEDEELTES PRIVAATGROND VIR HOEKAFSTOMPINGS
SUBJECT:	CONSTRUCTION OF ROADS IN CHATSWORTH: PROPOSED EXPROPRIATION OF PORTIONS PRIVATE LAND FOR SPLAYS

1. BACKGROUND

- 1.1 The Municipality, in its multi-year budget, has made provision for the construction of the following roads in Chatsworth during the 2023/24 financial year, with provision made for the planning phase during the 2022/23 financial year:

<u>Swarthland Construction of Roads Program 2023/2024</u>				<u>Available Budget (Excluding VAT)</u>	<u>R 15 611 459,00</u>
Town	Street	Begin	End	Length (m)	Estimate (R)
Chatsworth	Third Avenue	Cemetery	Hutchison	520	R3 198 000,00
	Kerk	Herton	Cul de Sac	184	R1 131 600,00
	Herton	Cemetery	Hutchison	249	R1 531 350,00
	Hutchison	Eerste	Queen	524	R3 222 600,00
	Tweede Laan	Cemetery	Chamberlain	350	R2 152 500,00
	Queen	Hutchison	Radnor	230	R1 430 600,00
	Eerste Laan	Cemetery	Chamberlain	236	R1 467 920,00
	Vierde Laan	Hutchison	Radnor	239	R1 488 970,00
2023/2024				2532	R 15 623 540,00

- 1.2 Planning of the project has already been commenced with, designs and surveys were finalized and provisional diagrams have been issued in respect of the 114 properties that are affected by the creation of splays. Of these 114 affected properties:

- 8 properties already have splays
- 8 properties belong to Swarthland Municipality
- 1 property (erf 806) belongs to the Department of Public Works, but is in the process of being re-transferred to the Municipality
- 26 properties are owned by Korjon Properties
- 72 properties are owned by other private individuals or institutions.

- 1.3 The Municipality, in order to create the splays, must obtain ownership of the portions of land that are affected, averaging 13 m² per property.

- 1.4 To obtain ownership, two options are available, i.e.

1.4.1 To effect transfer by means of a deed of transport

- (1) This process is lengthy, expensive and complex in that
- a separate deed of sale has to be entered into with each individual landowner;
 - to effect transfer, the title deeds are required, and – if lost – an extensive process is required to obtain a copy of same;
 - where properties are mortgaged, the bank institution's permission is to be obtained;
 - when a seller passes away, especially intestate, the process is halted, and rarely brought to a close;

1.4.1/...

- for the purpose of transfer, various documents must be signed by the seller, which requires a lot of effort to distribute and obtain such documents, often resulting in huge delays;
- transfer fees are higher than for the alternative option explained below, due to all the steps involved and documents required;
- in the event that a transfer is not finalized at the time that construction is commenced with, powers of attorneys must be obtained to enter onto the land concerned.

- (2) During 2010/11 the Municipality followed the above route with the construction of roads in Abbotsdale. Several of these transactions have to date not been finalized, as a result of some or all of the above factors.

1.4.2 Expropriation: (requires only one step)

- (1) As explained under paragraph 2 below, the Municipality may in terms of section 25 of the Constitution, the Expropriation Act (EA) and its own by-law expropriate property for municipal purposes such as roads.
- (2) In terms of section 8 of the EA, ownership passes to the Municipality immediately when a Notice of Expropriation is served on the owner. Transfer by means of a deed of transport is therefore not a requirement to obtain ownership. From date of expropriation the Municipality may take possession of the land concerned, subject to the rights of third parties but not subject to existing mortgages.
- (3) Section 31(6) of the Registration of Deeds Act determines that the Municipality, immediately after land is expropriated, must submit a certified copy of the Notice of Expropriation with two copies of the Expropriation Plan (which need only be a sketch and does not require approval by the Surveyor-General) with a certificate describing the land, the full names of the owners and the title deed number, to the Registrar of Deeds. In this instance, however, all land portions have already been surveyed, and final diagrams – once approved by the Surveyor-General, would be attached to the Notice of Expropriation.
- (4) The Registrar then enters a note of the expropriation on the office copy of the transport deed and attach a copy of the expropriation map or diagram. The owner of the land may then deal with his land subject to the Expropriation Notice. If the title deed cannot be found, the Municipality must declare this under oath. Only if the Municipality wants to further deal with the land, such as to sell or consolidate it, a deed of transport is to be issued.
- (5) The costs of this option are estimated at R3 300,00/transaction, excluding VAT.
- (6) This process was followed during 2018/19 to obtain ownership of private land in Kalbaskraal for housing purposes.

Further additional steps/costs:

- (7) Should the Municipality in future be required to deal with specific expropriated areas, a new title deed is to be registered for the applicable portion. This would require an additional transaction with additional costs pertaining to same. However, in this case it is highly unlikely that the Municipality will in future deal with any of the expropriated areas, since they are specifically earmarked for road purposes and will be developed to this extent.
- (8) In the event that an owner cannot be traced, a Notice of Expropriation must be published in the Government Gazette, and once per week (for two weeks) in an English and Afrikaans newspaper, must publish an advertisement of expropriation, which will entail further costs.
- (9) The Municipality shall bear responsibility for the relocation of fences, where so required, in order to provide for the required splays.

2. WETGEWING / LEGISLATION

- 2.1 Section 25(2)(a) of the Constitution determines that property may be expropriated only in terms of law of general application for – *inter alia* – a public purpose or in the public interest, and subject to the payment of compensation. The applicable law in this instance is the Expropriation Act (Act 53 of 1975).

- 2.2 In terms of Section 156 of the Constitution and Section 8 of the Systems Act, a Municipality has the derivative power to perform any action reasonably necessary to effectively perform its functions. In terms of Section 11 of the Systems Act, a Municipality exercises its powers by making and administering by-laws regarding the matters it has the right to administer. To this end, the Swartland Municipality: By-law relating to the Transfer of Municipal Capital Assets, as promulgated in Provincial Gazette Extraordinary No 7394 dated 22 May 2015, empowers the Municipality, in achieving its operational needs and strategic objectives "to acquire immovable property and rights in property by way of private treaty, cessions, donation or expropriation" [Section 4(b)]. Read with section 25 of the Constitution, this power shall be executed in terms of the general applicable law, i.e. the Expropriation Act, as referred to above.

3. ALIGNMENT TO THE IDP

The proposed project can be linked to Strategic Goal 5 (Sufficient, affordable and well-run services), more specifically Strategic Object 5.4 (Maintenance and upgrading that sustain and improve the current condition of civil infrastructure) as per Council's Integrated Development Plan 2017-2022.

4. FINANCIAL IMPLICATION

- 4.1 The costs pertaining to this project are dealt with under paragraphs 1.4.1(5), (7), (8) and (9) above.
- 4.2 Based on the input of the municipal valuer, it is recommended that the compensation for the land to be paid to the landowners, be calculated at R160,00/m², VAT excluded, it being considered fair market value in this instance.
- 4.3 All costs linked to this project are to be funded from the vote pertaining to this project, i.e. 9/110-175-154 (Roads Swartland: Construction of new roads - CRR).
- 4.4 The properties will, after expropriation, be re-assessed as part of the supplementary valuation, and the landowners' obligations in terms of rates will be adapted accordingly.

5. AANBEVELING

- (a) Dat goedkeuring verleen word vir die onteiening vir publieke doeleindes (paaie) van daardie gedeeltes privaatgrond wat as hoekafstompings benodig word vir die konstruksie van paaie in Chatsworth, ten einde die projek tydens die 2023/24 finansiële jaar te kan begin en te finaliseer, ook in ag genome die kompleksiteit, verhoogde kostes en ander implikasies verbonde aan die normale oordragproses soos toegelig in hierdie verslag;
- (b) Dat alle kostes verbonde aan die transaksies teen die siviele projek verreken sal word;
- (c) Dat die geaffekteerde partye vooraf op skrif in kennis gestel sal word van die stappe wat gedoen en die proses wat gevolg sal word;
- (d) Dat die Direkteur: Korporatiewe Dienste gemagtig word om alle dokumente wat met hierdie transaksies verband hou, te mag onderteken.

RECOMMENDATION

- (a) *That approval be granted for the expropriation for public purposes (roads) of those portions of private land required as splays for the construction of roads in Chatsworth, in order to ensure that the project can be commenced with and finalized during the 2023/24 financial year, also taking into account the complexity, increased costs and other implications of the normal transfer process, as explained in this report;*
- (b) *That all costs related to the transactions be reckoned against the civil project;*

5./...

- (c) *That the affected parties be informed in writing of the steps to be taken and the process to follow;*
- (d) *That the Director: Corporate Services be authorized to sign all documents related to these transactions.*

(get) M S Terblanche

MUNISIPALE BESTUURDER

Mst/raadsitems, SM5/Onteiening van hoekafstompings Chatsworth



Verslag ♦ Ingxelo ♦ Report

Office of the Director: Corporate Services

Ward 5

12/2/5/2-3/2

ITEM 8.7 VAN DIE AGENDA VAN 'N GEWONE RAADSVERGADERING WAT GEHOU SAL WORD OP 28 JULIE 2022

ONDERWERP:	VOORGESTELDE UIT-DIE-HAND-VERVREEMDING VAN MUNISIPALE MEENTGROND (GEDEELTE RESTANT ERF 551) EN ERF 1119 TE DARLING
SUBJECT:	PROPOSED OUT OF HAND ALIENATION OF MUNICIPAL COMMONAGE (PORTION REMAINDER ERF 551) AND ERF 1119 IN DARLING

1. BACKGROUND

1.1 CLB Eiendomme (Pty) Ltd, owner of Erf 4373, as well as Erf 3744, 4379 and 3746 in Darling as indicated on **Annexure A** hereto, has applied to the Municipality to obtain ownership of the following land belonging to the Municipality:

- A portion of the Remainder of Erf 551, Darling, i.e. municipal commonage, ± 0.7148 ha in extent; and
- Erf 1119, Darling, being ± .075 ha in extent (hereinafter the 'subject properties')

for consolidation with its existing Erf 4373, presently 5,929 ha in extent, to form a new property of ± 6.7188 ha in extent. Erf 4373 accommodates the manufacturing plant of Darling Romery.

1.2 The owner provided the following motivation for Council to favourably consider its application to purchase the land concerned:

- The business experienced exceptional growth over the past few years, resulting in a need to expand its factory;
- Although it may appear that sufficient land is available to accommodate expansion, Erf 4373 presently offers limited capacity, it being encumbered to a large extent by an existing pipeline crossing the property, as well as power lines;
- Darling Romery is presently growing at between 5 and 10% per annum with accompanying spatial needs and additional workforce requirements. The staff corps is envisaged to be extended from 470 to 520 members in the near future;
- Due to its location, the business requires a large logistical component and it is envisaged that the existing fleet of 65 delivery vehicles will expand to 100, as markets open up;
- Extensions to the factory are intended to take place on the existing land, resulting in a need for additional space for the maneuvering/turning as well as parking of trucks on the site.

1.3 The owner is aware that the subject properties, which are located between the industrial area and the station, are largely encumbered by, inter alia, a power line, a water pipeline, as well as a portion proclaimed road. The latter is obsolete and can be closed without any impact. The pipeline is already protected by a servitude. Despite these factors, the owner is still eager to purchase the land, to be used – as indicated – for the parking and maneuvering of vehicles.

1.4 The subject properties, should it be sold, must be rezoned for industrial purposes.

1.5 The municipal valuer proposes that the land be sold at R20/m², i.e. at R157 460,00 in total (7898 m² x R20,00), it being road reserves and considering that it is largely encumbered as explained, and cannot be developed or sold as a separate industrial property.

1.6/...

- 1.6 Hierdie verslag word voorgelê om goedkeuring van die Raad te bekom om 'n gedeelte van Restant Erf 551, Darling (± 0.7148 ha groot) asook Erf 1119, Darling (0.075 ha groot) uit-die-hand-uit aan CLB Eiendomme (Pty) Ltd, die eienaar van Erf 4373 te vervreem en oor te dra vir konsolidasie met gemelde eiendom, onderhewig aan die voorwaardes hierin vervat. / This report is submitted to obtain Council's approval for the alienation and out-of-hand transfer of a portion of Remainder Erf 551, Darling (± 0.7148 ha in extent) as well as Erf 1119, Darling (0.075 ha in extent) to CLB Eiendomme (Pty) Ltd, the owner of Erf 4373 for consolidation with said property, subject to the conditions herein contained.

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.

COMPLIANCE WITH MUNICIPAL FINANCE MANAGEMENT ACT, 2003	
Issues to be considered in terms of Section 14 of the MFMA	Comment
a) Whether the asset is needed to provide the minimum level of basic municipal services	The subject properties to be alienated have at no stage been required by the Municipality for the provision of a minimum of any other level of basic municipal services, neither has it been earmarked for industrial purposes, in view of its location, shape and limitations thereon. If consolidated with Erf 4373 as proposed, it could be utilized for the purpose applied for.
b) Consideration to be given to the fair market value of the asset	It is proposed that the properties be alienated at R20/m ² , VAT excluded, considering the development limitations on same.
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 properties and a further monthly income in respect of rates and taxes. The properties are regarded 'non-viable assets' in that they cannot be developed on their own or function as separate entities as explained elsewhere in this report.

COMPLIANCE WITH MUNICIPAL ASSET TRANSFER REGULATIONS (GG 31346 DATED 22 AUGUST 2008)	
Issues to be considered in terms of Regulation 7 of the MATR	Comment
a) Whether the capital asset may be required for the municipality's own use at a later stage.	The properties are 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 properties and a further monthly income in respect of 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

2.2/...

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 properties is still to be advertised for public comment.
j) Any written views and recommendations on the proposed transfer or disposal by the National Treasurer and relevant provincial treasury	Not applicable (applicable i.r.o. high value assets only)
k) The interest of any affected organ of state, the municipality's own strategic, legal and economic interests and the interests of the local community	The properties are not required for municipal purposes, nor does the Municipality enjoy any economic benefit from same in its present shape and usage. 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
Conditions that may be imposed, in terms of Regulation 11, pertaining to the following:	Comment
1) The way in which the capital asset is to be sold or disposed of	Direct alienation by means of out-of-hand sale.
2) A floor price or minimum compensation for the capital asset	The properties 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./...

3. ALIGNMENT TO THE IDP

The proposed project can be linked to Strategic Goal 3 (Quality and sustainable living environment), more specifically Strategic Object 3.1 (Maximise economic opportunities and comparative advantage) as per Council's Integrated Development Plan 2017-2022.

4. FINANCIAL IMPLICATION

- 4.1 Council will gain the selling price of the subject property and a further monthly income in respect of the rates and taxes.
- 4.2 Based on the input of the municipal valuer, it is recommended that the compensation for same be calculated at R20,00/m², i.e. R157 460,00 in total, VAT excluded.

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 'n gedeelte (± 0.7148 ha groot) van Restant Erf 551, Darling asook Erf 1119, Darling (0.075 ha groot) uit-die-hand-uit vervreem en oorgedra word aan CLB Eiendomme (Pty) Ltd vir konsolidasie met Erf 4373, en wel ten bedrae van R157 460,00, BTW uitgesluit, onderhewig aan die voorwaardes hierin vermeld;
- (b) Dat kennis geneem word dat die tersaaklike eiendomme tans (as deel van die munisipale meentgrond) in geen stadium vir die verskaffing van 'n minimum of enige ander vlak van basiese munisipale dienste benodig was of 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 tersaaklike eiendomme as 'nie-bestaansbare bates' kwalifiseer deurdat dit as gevolg van fisiese beperkings nie op hul eie as afsonderlike entiteite ontwikkel kan word nie en slegs funksioneel raak indien dit vervreem word aan 'n aangrensende eienaar vir gebruik tesame met sy of haar eiendom, soos voorgestel;
 - (ii) Die voorgestelde samesmelting van die tersaaklike eiendomme met Erf 4373 en die aanwending daarvan vir kommersiële doeleindes, aansluit by Strategiese Doelwit 3 van die 2017-2022 Geïntegreerde Ontwikkelingsplan, naamlik om ekonomiese geleenthede te ontsluit, mobiliteit en ekonomiese skakels te verstewig en om die ekonomiese potensiaal van Swartland-wyke (in hierdie geval wyk 5) te fasiliteer;
 - (iii) Die eiendomme in hul huidige formaat nie enige ekonomiese of ander voordeel vir die Munisipaliteit inhou nie, en slegs by konsolidasie met Erf 4373 bydraend sal wees tot die ekonomiese voordeel wat die huidige aanwending van Erf 4373 vir die betrokke gemeenskap inhou, wat baat uit werksgeleenthede op die eiendom;
- (d) Dat die transaksie onderhewig sal wees aan die volgende voorwaardes:
- (i) Aangesien die eienaar van Erf 3743 ook potensieel in 'n gedeelte van die tersaaklike eiendomme belang mag stel vir konsolidasie met Erf 3743, daar eers skriftelike bevestiging onder hand van die eienaar van Erf 3743 bekom word dat lg. nie belangstel om eienaarskap te bekom nie, alvorens die transaksie geadverteer word vir potensiele beswaar en/of kommentaar; Verder, indien gemelde eienaar wel belang sou stel om 'n gedeelte te bekom, die transaksie heroorweeg sal word;
 - (ii) Die koper sal, benewens die koopprys, verantwoordelik wees vir alle aanvullende en toevallige kostes wat uit die transaksie mag voortspruit, ingesluit advertensiekostes, oordragkoste en die kostes wat verband hou die relevante grondgebruiksaanse (waaronder hersonering) asook kostes van konsolidasie en padsluiting;
 - (iii) Enige verbeterings op die tersaaklike eiendomme slegs mag geskied met toestemming van die Munisipaliteit en met inagneming van bestaande serwitute en dienste-installasies;
 - (iv) Eienaarskap van die grond nie die koper vrystel van enige verpligtinge teenoor ander owerhede, en dus nie enige regte van lg. of enige ander owerhede ontnem ten opsigte van die betrokke grondgedeeltes nie;

5./...

- (e) Dat die voorgename transaksie in die media geadverteer word vir kommentaar en/of potensiele besware, en dat die uitvoerende burgemeester met volmag beklee word om in oorlegpleging met sy komitee te handel met enige besware wat ontvang sou word;
- (f) Dat alvorens die voorneme geadverteer word en onderhewig aan paragraaf (d)(i) hierbo, daarskriftelike bevestiging van die kopers bekom word dat hulle tot die voorwaardes soos vervat in hierdie verslag, instem;
- (g) Dat volmag verleen word aan die Direkteur: Korporatiewe Dienste om die verkoop-ooreenkoms te mag finaliseer en onderteken.

RECOMMENDATION

- (a) *That approval be granted by Council in terms of the applicable By-law as well as Section 14 of the Municipal Finance Management Act, 2003 for a portion ($\pm$ 0.7148 ha in extent) of Remainder Erf 551, Darling as well as Erf 1119, Darling (0.075 ha in extent) to be alienated and transferred out of hand to CLB Eiendomme (Pty) Ltd for consolidation with Erf 4373, at the amount of R157 460,00, excluding VAT, subject to the conditions herein contained;*
- (b) *That cognizance be taken that the subject properties have at no stage been 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 as above and for not undergoing a competitive process:*
 - (i) *The subject properties qualify as 'non-viable land' in that due to physical constraints they cannot be developed on their own and only becomes functional if alienated to an adjoining owner for usage in conjunction with his or her property, as proposed;*
 - (ii) *The proposed merging of the subject properties with Erf 4373 and the use of same for commercial purposes, links up with Strategic Goal 3 of the 2017-2022 Integrated Development Plan, namely to unlock economic opportunities, to strengthen mobility and economic links and to facilitate the economic potential of Swartland wards (in this instance ward 5);*
 - (iii) *The properties in their existing shape do not have any economic or other benefit for the Municipality, and only by consolidation with Erf 4373 will contribute to the economic benefit derived from the present use of the Erf 4373 by means of job opportunities created for the community;*
- (d) *That the transaction shall be subject to the following conditions:*
 - (i) *Considering that the owner of Erf 3743 may potentially also be interested in obtaining ownership of a portion of the subject properties for consolidation with Erf 3743, written confirmation by the owner of Erf 3743 first be obtained that the latter is not interested in obtaining ownership, before the transaction is advertised for potential objections and/or comments; Further, should said owner indeed be interested in obtaining a portion, the transaction be reconsidered;*
 - (ii) *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 costs related to the relevant land use applications (including rezoning) as well as the costs of consolidation and road closure;*
 - (iii) *Any improvements to the subject properties may only take place with the permission of the Municipality and by taking into account existing servitudes and services installations;*
 - (iv) *Ownership of the land does not exempt the purchaser from any obligations towards other authorities, and it therefore does not deprive the latter or any other authorities from any rights pertaining to the specific portions of land;*
- (e) *That the proposed transaction be advertised in the media for public comments and/or potential objections, and the executive mayor (in consultation with his committee) be authorized to deal with any objections that may be forthcoming;*

5./...

- (f) *That before the intention is advertised and subject to paragraph (d)(i) above, written confirmation first be obtained from the purchasers that they agree 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,SM4/Vervreemding uit die hand_meentgrond Darling Romery

Area Plan for Proposed Sale: Portion of Erf 551/RE and Erf 1119, Darling



KEY:

Erf 4373	
Portion of Erf 551/RE	
Erf 1119	
Proclaimed Road	
9.45m pipeline servitude	
Approximate position of powerline over a portion of Erf RE/551	

PROPOSED DEVELOPMENT

Erf 4373	5.929ha
Erf 1119	0.075ha
Portion of Erf 551/RE	±0.7148ha
New Erf 4373	±6.7188ha

TITLE:
AREA PLAN_ PROPOSED SALE
ERVEN 4373 & 551/RE, DARLING

PHYSICAL ADDRESS:
DARLING ROMERY

NOTE:
ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING

COMPILED BY:

 C.K. RUMBOLL & PARTNERS
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AUTHORITY:
SWARTLAND MUNICIPALITY

REF:
DAR/12329/MV



ITEM 8.8 ON THE AGENDA OF THE COUNCIL MEETING WHICH WILL BE HELD ON 28 JULY 2022

SUBJECT: ANNUAL REPORT REGARDING THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE FINANCIAL YEAR ENDING 30 JUNE 2022

1. BACKGROUND

In terms of Regulation 6(2)(a)(i) of the Municipal Supply Chain Management Regulations a report regarding the implementation of the Swarthland Municipality's Supply Chain Management Policy must be submitted to Council within 30 days of the end of each financial year. Regulation 6(3) of the SCM Regulations requires the Accounting Officer to report quarterly on the implementation of the Supply Chain Management Policy to the Mayor, in order to give effect to Council's oversight role.

2. DOCUMENTATION

Attached hereto please find a copy of the report on the implementation of the Supply Chain Management Policy for the period 1 July 2021 to 30 June 2022 and also the Formal Tenders (Annexure A), Informal Tenders (Annexure B), Deviation Report (Annexure C) and Deviations with reference to the Supply Chain Management Policy (Annexure D) for the last quarter of the financial year.

3. SCM CHALLENGES

The SCM unit experienced challenges when the Preferential Procurement Regulations, 2017 were declared invalid with effect from 16 February 2022. Exemption in terms of the Preferential Procurement Policy Framework Act, 2000 (PPPFA) has been granted by National Treasury on 12 March 2022. On 30 May 2022, the NT advised that the Preferential Procurement Regulations, 2017 remain valid until 26 January 2023. Notwithstanding all the challenges, SCM could advertise all tenders in time due to proactively having managed the associated risks in respect of the aforementioned resulting in service delivery not being affected adversely.

4. RECOMMENDATION (as considered by the Executive Mayoral Committee on 13 July 2022)

- (a) That cognisance is taken of the Annual Report regarding the implementation of the Supply Chain Management Policy in accordance with section 6(2)(a)(i) of the Regulations, as well as reports on the Formal Tenders (Annexure A), Informal Tenders (Annexure B), and the Deviation Report (Annexure C).
- (b) That cognisance is taken of the services rendered for the period 1 April 2022 to 30 June 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). It must be noted that payments must still be finalised for the 2021/2022 financial year. To comply with legislation in terms of quarter 4, any differences will be highlighted in the following SCM quarterly report, subject to figures/transaction that would have an impact on the completeness of the financial statements.

(sgd) J J Scholtz

MUNICIPAL MANAGER



Supply Chain Management Implementation Report

2021/2022 ANNUAL REPORT

To The Council

Regulation 6(3) of the SCM Regulations requires the Accounting Officer to report quarterly on the implementation of the Supply Chain Management Policy to the Mayor, in order to strengthen Council's oversight role. In accordance with Regulation 6(2)(a)(i) of the Municipal Supply Chain Management Regulations, I submit the required report on the implementation of Swartland Municipality's Supply Chain Management Policy for the period: 1 July 2021 to 30 June 2022.



Municipal Manager
21 July 2022

Executive Summary

Introduction

This report is a summary of the implementation of the Supply Chain Management Policy. It highlights the implementation of Supply Chain Management in the Swartland Municipality. Regulation 6(3) of the SCM Regulations requires the Accounting Officer to report quarterly on the implementation of the Supply Chain Management Policy to the Mayor, in order to strengthen Council's oversight role. In accordance with Regulation 6(2)(a)(i) of the SCM Regulations the Accounting Officer must "within 30 days of the end of each financial year, submit a report on the implementation of the Supply Chain Management Policy of the municipality to the council of the municipality".

Implementation of Supply Chain Management Policy

The Supply Chain Management Policy was adopted by Council on 1 January 2006 to fully comply with the SCM Regulations communicated under National Treasury general notice 868, Gazette no. 27636. The Supply Chain Management Policy has been reviewed and amendments approved by the Council on 31 March 2022.

Committees

The below mentioned committees are established and are functioning fully according to Council's Supply Chain Management Policy and the Supply Chain Management Regulations. The committees are as listed below:

- Bid Specification Committee (BSC)
- Bid Evaluation Committee (BEC)
- Bid Adjudication Committee (BAC)

Tenders Awarded

During the 2021/2022 financial year the BAC met **13 times**, and **59** tenders were awarded.

Attached as Annexure A (Formal Tenders) and Annexure B (Informal Tenders) is a list of all tenders awarded during the last quarter of the 2021/2022 financial year by the Bid Adjudication Committee and Manager: Supply Chain Management respectively.

Herewith a summary of tenders awarded for the 2021/2022 financial year.

	Formal Tenders Awarded			Informal Tenders Awarded	
	Number of Tenders	Bid Committee Meetings	Tender Amount	Number of Tenders	Tender Amount
1 July 2021-30 September 2021	13	3	R 88 183 236.66	29	R 2 747 168.17
1 October 2021-31 December 2021	17	3	R 8 731 066.77	25	R 3 015 780.19
1 January 2022-31 March 2022	7	3	R 2 502 609.53	17	R 1 508 167.81
1 April 2022-30 June 2022	22	4	R 32 664 902.11	27	R 2 439 319.51
	59	13	R 132 081 815.07	98	R 9 710 435.68

Deviations Approved by Manager: Supply Chain Management

In accordance with Paragraph 36 of the Supply Chain Management Policy, all deviations from the official procurement processes must be approved and recorded by the Accounting Officer, and reported to Council. The approval of deviations with a transaction value of up to R30,000 (VAT included), has been delegated to the Manager: Supply Chain Management. The total value of deviations approved by the Manager: Supply Chain Management for the period 1 April 2022 to 30 June 2022 amounted to **R 1 077 330.08**. The total deviations approved by the Manager: Supply Chain Management for the 2021/2022 financial year amounted to **R 4 910 327.88**. The list of approved deviations for the last quarter is attached as Annexure C.

Deviations Approved by Municipal Manager: 2021/2022

The total deviations approved by the Municipal Manager for the 2021/2022 financial year amounted to **R 4 385 981.33**, VAT included compared to **R 2 590 427.94** for the 2020/2021 financial year .

Deviations with Reference to Exceptions from the Supply Chain Processes in terms of the Supply Chain Management Policy

In paragraph 2(6) of the Supply Chain Management Policy provision is made for exceptions from the supply chain processes regarding the procurement of certain services. These services include the services and repairs of vehicles at the vehicle agents, as well as repairs to equipment at the agents. In these instances only 1 quote needs to be obtained. In accordance with paragraph 36(2) of the Supply Chain Management Policy, these deviations must be reported to Council. Attached as "Annexure D", please find a summary of deviations with reference to exceptions from the supply chain processes for the period 1 April 2022 to 30 June 2022.

COVID-19: Emergency Purchases

Due to the Covid-19 pandemic, emergency purchases had to be done to provide staff with masks, hand sanitisers/emergency sanitising of office space and related products. No Covid-19 related deviations were approved below the threshold value of R 30 000.00 during the quarter.

Staffing Issues

The staff complement of the Supply Chain Management unit is as follows:

- Manager: Supply Chain Management,
- Head: Logistics,
- Head: Demand & Acquisition,
- Principal Clerk: Orders,
- Secretary: SCM,
- Senior Storeman,
- Storeman,
- Senior Clerk: Stationery and
- Three Senior Clerks (Buyers).

Systems

- **Supplier Database**

- The municipality is utilising National Treasury's Central Supplier Database with effect from 1 July 2016.

External Relations

- The SCM Unit works very closely with the Provincial Treasury on all the legislative requirements. No Supply Chain Forum meetings were held during this quarter.

SCM Challenges

In a recent court case, the Preferential Procurement Regulations, 2017 were declared invalid with effect from 16 February 2022. 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). Exemption has been granted by National Treasury on 12 March 2022.

As all of the municipality's tenders for capital projects for the 2021/2022 financial year had already been advertised and awarded before 16 February 2022, it did not have any impact on capital spent.

After National Treasury granted the municipality exemption from the Preferential Procurement Policy Framework Act, 2000 (PPPFA), tenders for the 2022/2023 financial year could be advertised in time to be awarded before 30 June 2022.

On 30 May 2022 the Constitutional Court ruled that the Preferential Procurement Regulations, 2017 remain valid until 26 January 2023. From 31 May 2022, all new quotations must be requested, and tenders must be advertised, and dealt with, in accordance with the 2017 Regulations.

Notwithstanding all the challenges, SCM could advertise all tenders in time, and service delivery was not affected.

Conclusion

The Supply Chain Management Unit is continuously improving its processes and procedures in order to ensure that Council receives value for money in terms of demand and acquisitions management.

ANNEXURE A

FORMAL TENDERS (>R200,000) AWARDED: 1 APRIL 2022 - 30 JUNE 2022

DATE	CONTRACT NO	CONTRACT NAME	AMOUNT	COMPLETION/DELIVERY PERIOD	CONTRACTOR	CONTRIBUTION LEVEL
2022-04-28	T35/21/22	Rendering of Banking Serv (incl Cash-in Transit)	R0.00	30 June 2027	The Standard Bank of South Africa Limited	1
2022-04-28	T36/21/22	Provision of Adult Education and Training	R0.00	30 June 2024	Siphakame Skills Development	4
2022-05-18	T51/21/22	Compact 11kV Switchgear Panels	R1 091 091.25	6-8 weeks	Lucy Electric South Africa Pty Ltd	1
2022-06-07	T32/21/22	Upgrading of Bulk Water Supply, Mbury & RK	R22 479 560.89	35 weeks	Exeo Khokela Civil Engineering Construction (Pty)	1
2022-06-07	T44/21/22	Asphalting Services for Swartland municipal area	R0.00	30 June 2025	Panel	Various
2022-06-07	T47/21/22	Underwriting of SM Group Life Insurance	R0.00	30 June 2025	VERSO Financial Services (Pty) Ltd	2
2022-06-07	T58/21/22	Rendering of Cleansing Services	R348 679.60	30 June 2025	Isimiselo Construction (Pty) Ltd	0
2022-06-07	T46/21/22	Materials & Requirements for Elec Dept	R0.00	30 June 2023	All tender accepted	Various
2022-06-07	T45/21/22	Leasing of 9 trained Narcotic Dogs	R1 676 700.00	30 June 2025	Dogs and All CC	0
2022-06-07	T55/21/22	Transportation of Employees, Darling&Yzerf	R0.00	30 June 2023	JM de Lillie	1
2022-06-07	T48/21/22	Design and Place of Advertisement,Personnel&Tender	R0.00	30 June 2025	Ayanda Mbanga Communications (Pty) Ltd	1
2022-06-07	T56/21/22	Provision of Accounting Services for AFS	R0.00	30 June 2025	Tsholo Mubeko Moore Consortium	2
2022-06-07	T40/21/22	Supply of Fuel (Petrol, Diesel and Oil)	R0.00	30 June 2025	TFC Operations (Pty) Ltd (Kaap Agri)	4
2022-06-07	T54/21/22	WWTW & Industrial Effluent-monitoring, sampling	R0.00	30 June 2023	A.L. Abbott (Pty) Ltd	2
2022-06-07	T53/21/22	Potable water monitoring, sampling & analysis	R0.00	30 June 2023	A.L. Abbott (Pty) Ltd	2
2022-06-07	T61/21/22	Supply and deliver 1x Tractor	R532 550.00	4 - 6 weeks	Agri Hive (Pty) Ltd	1
2022-06-07	T60/21/22	Supply and deliver 1x Backhoe Loader	R2 159 200.67	6 months	Bell Equipment Sales SA	1

DATE	CONTRACT NO	CONTRACT NAME	AMOUNT	COMPLETION/DELIVERY PERIOD	CONTRACTOR	CONTRIBUTION LEVEL
2022-06-07	T59/21/22	Supply and deliver 2x vacuum tankers	R3 766 792.00	12-18 weeks	JB's Commercial (Pty) Ltd	2
2022-06-09	T49/21/22	Material, Supplies and Services, civil dept	R0.00	30 June 2023	All tender accepted	Various
2022-06-28	T52/21/22	Supply, Erecting of Fencing, Malmesbury WWTW	R610 327.70	6 weeks	JVZ Construction (Pty) Ltd	1
2022-06-28	T50/21/22	Panel for Land Surveyors and Town/Regional Planner	R0.00	30 June 2025	Panel	Various
2022-06-28	T43/21/22	General and Supplementary Valuations	R0.00	30 June 2025	HCB Valuation and Services (Pty) Ltd	2
			R32 664 902.11			

INFORMAL TENDERS (>R30,000<R200,000) AWARDED: 1 APRIL 2022 - 30 JUNE 2022

Contract Description	Tender Number	Date Awarded	Approved Amount	Successful Bidder	Contribution Level
Supply and Delivery of Kiosks with Caravan Socket Outlets	SCM94.21.22	07.04.2022	R 111 340.70	Universal Trading	1
Install and Commission Fibre Optical Cable for Previous Nedbank and Standard Bank Building	SCM97.21.22	14.04.2022	R 17 949.45	Bilionetworks (Pty) Ltd	3
Supply, Installation and Commissioning of a 6kva UPS with Lithium Batteries	SCM98.21.22	14.04.2022	R 135 609.15	Technostrat	1
Appointment of a Service Provider to Facilitate the Recruitment and Selection Process of a Senior Manager Reporting Directly to a Municipal Manager	SCM99.21.22	19.04.2022	R 40 250.00	Roy Steele & Associates	4
Manufacture and Install Container with I-Beam And Crawler at Riverlands Pump Station	SCM102.21.22	26.04.2022	R 71 799.28	Johan Bester Ingenieurswerke BK	4
Supply and Delivery of 2x Laptops and Backpacks	SCM100.21.22	28.04.2022	R 43 249.98	Datategra (Pty) Ltd	1
Installation of Diamond Razor Mesh Fence at Old Golf Course Reservoir In Malmesbury	SCM96.21.22	03.05.2022	R 86 917.00	Sharon Rose Trading cc	1
Provision of Electrician ARPL (Artisan Recognition of Prior Learning) Training	SCM109.21.22	13.05.2022	R 196 132.50	Industries Education and Training Institute (Pty) Ltd	8
Repair and Resurfacing of Gabriel Pharaoh Combination Courts- Darling	SCM106.21.22	13.05.2022	R 199 365.73	Perfect Bounce Consultants	2
Cleaning of Gutters of Buildings in Swartland Municipal Area	SCM90.21.22	17.05.2022	R 44 200.00	WOT Projects (Pty) Ltd	1
Supply, Mount and Commission CCTV in Old Nedbank and Standard Bank Buildings	SCM110.21.22	19.05.2022	R 75 651.60	Redhills Electronics	1
Electrical Repairs (Replace and Install Main DB) at Darling Stores	SCM104.21.22	19.05.2022	R 21 390.00	SAN Building Maintenance cc	1
Supply and Fitting of 4x Tyres for Front End Loader	SCM105.21.22	19.05.2022	R 174 368.75	K2C Construction (Pty) Ltd	1
Provision of Operating Regulations for High-Voltage Systems (ORHVS) Refresher Training	SCM116.21.22	20.05.2022	R 131 684.20	Effective Human Intervention (Pty) Ltd	2
Supply, Delivery, Installation, Configuration and Commissioning of Telephone Handsets in Old Nedbank and Standard Bank Buildings	SCM113.21.22	20.05.2022	R 49 700.49	Plus1X Communications (Pty) Ltd	2
Service of UPS Equipment	SCM114.21.22	20.05.2022	R 48 563.55	Emerald Infrastructure Solutions cc	2

Contract Description	Tender Number	Date Awarded	Approved Amount	Successful Bidder	Contribution Level
Supply and Delivery of External Backup Tape Drive	SCM111.21.22	20.05.2022	R 60 139.25	Technology Strategy Corp (Pty) Ltd	1
Relocate Access and Time and Attendance Units with all Peripherals to the Old Nedbank and Standard Bank Buildings	SCM117.21.22	20.05.2022	R 50 763.88	Fourier IT Innovation (Pty) Ltd	2
Supply and Delivery of Tables and Plastic Chairs	SCM115.21.22	20.05.2022	R 76 187.50	BFECT (Pty) Ltd	1
Supply and Fitting of 4x Tyres for Grader	SCM107.21.22	27.05.2022	R 61 134.00	K2C Contruction (PTY) LTD	1
Supply and Deliver Mobile Fencing Panels to Gabriel Pharoah Sportsground – Darling	SCM93.21.22	02.06.2022	R 175 536.00	Nolada 8 (Pty) Ltd	1
Supply and Delivery of Various Printers	SCM112.21.22	07.06.2022	R 44 669.40	Technology Strategy Corp (Pty) Ltd	1
Renewal of EMC Unity 300 Support	SCM119.21.22	09.06.2022	R 53 434.13	Storage Technology Services (Pty) Ltd t/a Nexio	1
Security and Vulnerability Assessment	SCM120.21.22	09.06.2022	R 195 270.00	First Technology Western Cape (Pty) Ltd	1
Installation and Configuration of a Citrix Environment	SCM121.21.22	09.06.2022	R 93 344.93	EUC Africa (Pty) Ltd	0
Supply and Mount Projectors, with all Relevant Cabling, in Old Nedbank and Standard Bank Buildings	SCM108.21.22	13.06.2022	R 149 168.04	Presentation Solutions (Pty) Ltd	2
Gardening Services Ongegund Village	SCM118.21.22	29.06.2022	R 31 500.00	Melloda Project Management	1
			R 2 439 319.51		

ANNEXURE C

DEVIATIONS APPROVED BY MANAGER: SUPPLY CHAIN MANAGEMENT FOR THE QUARTER 1 APRIL 2022 TO 30 JUNE 2022

Supplier Name	Approval Date	Deviation Type	Department	Total
Swartland Joernaal	01/04/2022	Impractical	Development Services	R 3 670.80
Swartland Gazette	04/04/2022	Impractical	Development Services	R 3 164.80
Wm Spilhaus Malmesbury Bk	05/04/2022	Impractical	Civil Engineering Services	R 2 672.25
Trentyre Malmesbury	05/04/2022	Impractical	Civil Engineering Services	R 9 168.95
RA Nell Hardware (Pty) Ltd	06/04/2022	Emergency	Civil Engineering Services	R 3 000.83
South African Council for the Property Valuers Profession	07/04/2022	Impractical	Development Services	R 3 420.00
WJ Cotter Electrical cc	07/04/2022	Emergency	Civil Engineering Services	R 8 783.70
Hydromatic	08/04/2022	Impractical	Civil Engineering Services	R 24 840.00
Swartland Gazette	12/04/2022	Impractical	Development Services	R 2 769.20
Swartland Joernaal	12/04/2022	Impractical	Development Services	R 3 284.40
Fulcrum Technologies	13/04/2022	Impractical	Protection Services	R 15 870.00
Darling Skoonmaak Dienste (Pty) Ltd t/a DSMD Civils & Supply	19/04/2022	Emergency	Civil Engineering Services	R 4 500.00
Kobus du Plessis	19/04/2022	Emergency	Civil Engineering Services	R 2 600.00
Conradie Besproeiing	19/04/2022	Impractical	Civil Engineering Services	R 29 394.00
MA Powercable Solutions	20/04/2022	Emergency	Electrical Engineering Services	R 5 400.00
Cape Armature Winders	20/04/2022	Impractical	Civil Engineering Services	R 23 046.00
Cape Armature Winders	22/04/2022	Impractical	Civil Engineering Services	R 27 733.69
WJ Cotter Electrical cc	22/04/2022	Emergency	Civil Engineering Services	R 7 597.76
Johan Bester Ingenieurswerke Bk	22/04/2022	Impractical	Civil Engineering Services	R 5 244.20
WJ Cotter Electrical cc	22/04/2022	Emergency	Civil Engineering Services	R 4 924.16
TP Dapula	22/04/2022	Impractical	Corporate Services	R 4 462.50
Maboneng Electrical Distributors	25/04/2022	Impractical	Electrical Engineering Services	R 12 075.00
Malmesbury Paneelkloppers	26/04/2022	Impractical	Protection Services	R 2 300.00
MA Powercable Solutions	26/04/2022	Emergency	Electrical Engineering Services	R 5 400.00
Independent Newspapers (Pty) Ltd	28/04/2022	Impractical	Development Services	R 10 074.00
Media 24	28/04/2022	Impractical	Development Services	R 8 445.60
Swartland Joernaal	29/04/2022	Impractical	Development Services	R 24 922.80
Swartland Gazette	29/04/2022	Impractical	Development Services	R 20 769.00
Swartland Gazette	29/04/2022	Impractical	Corporate Services	R 4 153.80
Engineering Council of South Africa (ECSA)	03/05/2022	Impractical	Civil Engineering Services	R 17 150.00
GW Trautmann cc	03/05/2022	Impractical	Civil Engineering Services	R 29 590.08
WJ Cotter Electrical cc	03/05/2022	Emergency	Civil Engineering Services	R 6 104.93
Tricom Africa	03/05/2022	Emergency	Civil Engineering Services	R 16 581.82
Bilionetworks	03/05/2022	Emergency	Electrical Engineering Services	R 5 336.01
TP Dapula	03/05/2022	Impractical	Corporate Services	R 4 462.50
TP Dapula	03/05/2022	Impractical	Corporate Services	R 3 959.00
F.E.S. Manufacturing (Pty) Ltd	04/05/2022	Emergency	Protection Services	R 2 855.70
Swartland Gazette	05/05/2022	Impractical	Development Services	R 7 120.80
Swartland Joernaal	05/05/2022	Impractical	Corporate Services	R 5 409.60
Konica Minolta	05/05/2022	Impractical	Corporate Services	R 2 574.46

Supplier Name	Approval Date	Deviation Type	Department	Total
Industries Education and Training Institute (Pty) Ltd	06/05/2022	Impractical	Corporate Services	R 11 310.00
Swartland Joernaal	06/05/2022	Impractical	Development Services	R 7 534.80
Swartland Gazette	06/05/2022	Impractical	Development Services	R 6 923.00
Swartland Joernaal	06/05/2022	Impractical	Development Services	R 8 114.40
NJBWEW Construction Services	09/05/2022	Emergency	Civil Engineering Services	R 15 650.00
WJ Cotter Electrical cc	09/05/2022	Emergency	Civil Engineering Services	R 2 279.79
Conradie Besproeiing	09/05/2022	Impractical	Civil Engineering Services	R 11 067.60
GW Trautmann cc	09/05/2022	Impractical	Civil Engineering Services	R 4 378.51
VWE Installasies Bk	09/05/2022	Impractical	Civil Engineering Services	R 4 861.26
Johan Bester Ingenieurswerke Bk	09/05/2022	Emergency	Civil Engineering Services	R 5 918.59
Engineering Council of South Africa (ECSA)	09/05/2022	Impractical	Electrical Engineering Services	R 3 965.00
Agrimark	10/05/2022	Emergency	Electrical Engineering Services	R 3 799.95
Dogs and All	10/05/2022	Impractical	Protection Services	R 10 634.59
Dogs and All	11/05/2022	Impractical	Protection Services	R 2 742.75
WJ Cotter Electrical cc	11/05/2022	Emergency	Civil Engineering Services	R 9 022.65
Tricom Africa	11/05/2022	Emergency	Civil Engineering Services	R 10 627.43
GW Trautmann cc	11/05/2022	Impractical	Civil Engineering Services	R 24 415.18
Engineering Council of South Africa (ECSA)	11/05/2022	Impractical	Civil Engineering Services	R 3 965.00
F.E.S. Manufacturing (Pty) Ltd	12/05/2022	Emergency	Protection Services	R 16 946.40
WJ Cotter Electrical cc	12/05/2022	Impractical	Civil Engineering Services	R 29 900.00
WJ Cotter Electrical cc	12/05/2022	Emergency	Civil Engineering Services	R 15 237.50
Tricom Africa	12/05/2022	Impractical	Civil Engineering Services	R 5 512.41
F.E.S. Manufacturing (Pty) Ltd	12/05/2022	Impractical	Protection Services	R 17 010.80
Malmesbury Superspar	12/05/2022	Impractical	Protection Services	R 2 119.80
RTsystems	12/05/2022	Impractical	Electrical Engineering Services	R 4 835.00
Swartland Gazette	12/05/2022	Impractical	Development Services	R 3 560.40
Swartland Joernaal	12/05/2022	Impractical	Development Services	R 3 670.80
Spectrum Communications (Pty) Ltd	17/05/2022	Emergency	Civil Engineering Services	R 16 364.50
Tricom Africa	17/05/2022	Impractical	Civil Engineering Services	R 29 877.52
Dogs and All	17/05/2022	Impractical	Protection Services	R 4 975.68
Swartland Travel Services	19/05/2022	Impractical	Civil Engineering Services	R 2 072.50
Supa Quick	19/05/2022	Impractical	Civil Engineering Services	R 4 059.50
Swartland Gazette	19/05/2022	Impractical	Development Services	R 3 560.40
RTsystems	19/05/2022	Impractical	Electrical Engineering Services	R 6 024.47
Channel Mobile (Pty) Ltd	19/05/2022	Impractical	Electrical Engineering Services	R 22 540.00
Dogs and All	19/05/2022	Emergency	Protection Services	R 27 830.00
Swartland Joernaal	20/05/2022	Impractical	Development Services	R 4 057.20
Truck & Marine Centre cc	23/05/2022	Emergency	Protection Services	R 3 240.19
Hydromatic	26/05/2022	Emergency	Civil Engineering Services	R 4 589.65
Swartland Gazette	30/05/2022	Impractical	Development Services	R 5 538.40
Swartland Joernaal	30/05/2022	Impractical	Development Services	R 8 114.40
Swartland Joernaal	30/05/2022	Impractical	Corporate Services	R 2 511.60
DG Incentives (Pty) Ltd	01/06/2022	Impractical	Corporate Services	R 3 377.42
WJ Cotter Electrical cc	01/06/2022	Emergency	Civil Engineering Services	R 4 805.75

Supplier Name	Approval Date	Deviation Type	Department	Total
WJ Cotter Electrical cc	01/06/2022	Emergency	Civil Engineering Services	R 3 308.42
Trentyre Malmesbury	01/06/2022	Impractical	Civil Engineering Services	R 2 564.50
Communication Network cc	01/06/2022	Impractical	Electrical Engineering Services	R 29 394.00
Dogs and All	01/06/2022	Emergency	Protection Services	R 27 830.00
F.E.S. Manufacturing (Pty) Ltd	02/06/2022	Emergency	Protection Services	R 6 359.50
Electrobeat	02/06/2022	Emergency	Civil Engineering Services	R 6 395.29
AJ Venter Elektries Bk	02/06/2022	Emergency	Civil Engineering Services	R 13 231.90
Swartland Gazette	03/06/2022	Impractical	Development Services	R 3 362.60
Swartland Gazette	06/06/2022	Impractical	Corporate Services	R 3 362.60
Swartland Joernaal	06/06/2022	Impractical	Development Services	R 4 057.20
Swartland Joernaal	06/06/2022	Impractical	Corporate Services	R 4 057.20
MB Truck City	06/06/2022	Impractical	Protection Services	R 7 726.57
Conradie Besproeiing	06/06/2022	Impractical	Civil Engineering Services	R 7 700.40
Johan Bester Ingenieurswerke Bk	06/06/2022	Emergency	Civil Engineering Services	R 8 276.52
WJ Cotter Electrical cc	06/06/2022	Emergency	Civil Engineering Services	R 13 388.30
WJ Cotter Electrical cc	06/06/2022	Emergency	Civil Engineering Services	R 4 818.50
Tricom Africa	07/06/2022	Impractical	Civil Engineering Services	R 15 383.02
Swartland Joernaal	10/06/2022	Impractical	Corporate Services	R 2 125.20
F.E.S. Manufacturing (Pty) Ltd	13/06/2022	Emergency	Protection Services	R 4 695.75
Trentyre Malmesbury	13/06/2022	Impractical	Electrical Engineering Services	R 14 308.30
D2SL Steel Products	14/06/2022	Impractical	Civil Engineering Services	R 3 800.00
WJ Cotter Electrical cc	15/06/2022	Emergency	Civil Engineering Services	R 2 334.29
Swartland Gazette	20/06/2022	Impractical	Development Services	R 3 362.60
Swartland Joernaal	20/06/2022	Impractical	Development Services	R 4 057.20
Swartland Gazette	20/06/2022	Impractical	Corporate Services	R 2 769.20
Swartland Joernaal	20/06/2022	Impractical	Corporate Services	R 3 284.40
Darling Skoonmaak Dienste	20/06/2022	Emergency	Civil Engineering Services	R 4 400.00
CIGFARO	27/06/2022	Impractical	Financial Services	R 2 422.00
Table Mountain Guesthouse	20/06/2022	Emergency	Municipal Manager	R 4 838.00
WJ Cotter Electrical cc	27/06/2022	Emergency	Civil Engineering Services	R 11 391.50
SABS Commercial	27/06/2022	Impractical	Protection Services	R 4 233.19
Swartland Gazette	27/06/2022	Impractical	Development Services	R 3 362.60
Swartland Joernaal	27/06/2022	Impractical	Development Services	R 4 057.20
Swartland Gazette	27/06/2022	Impractical	Development Services	R 2 175.80
Swartland Joernaal	27/06/2022	Impractical	Development Services	R 3 091.20
Swartland Gazette	27/06/2022	Impractical	Corporate Services	R 2 967.00
Swartland Joernaal	27/06/2022	Impractical	Corporate Services	R 3 284.00
WOT Projects	27/06/2022	Emergency	Civil Engineering Services	R 8 500.00
GW Trautmann cc	28/06/2022	Emergency	Civil Engineering Services	R 23 517.50
Swartland Travel Serices	28/06/2022	Impractical	Financial Services	R 7 517.51
EJL Works (Pty) Ltd	30/06/2022	Impractical	Electrical Engineering Services	R 5 244.00
				R 1 077 330.08

ANNEXURE D

DEVIATIONS WITH REFERENCE TO PARAGRAPH 2(6) OF THE SUPPLY CHAIN MANAGEMENT POLICY (WHERE IT IS IMPRACTICAL TO TEST THE MARKET) FOR THE PERIOD 1 APRIL 2022 TO 30 JUNE 2022		
SERVICE PROVIDER	AMOUNT	TOTAL TRANSACTIONS
<u>Vehicles: Services & Repairs</u>		
600CT Manufacturing (Pty)Ltd	R 57 365.00	4
AFGRI	R 95 692.49	11
Babcock Equipment	R 92 509.68	11
Barloworld Equipment (Pty)Ltd	R 92 985.38	9
Hennies Trekkers	R 15 318.96	3
JB's Nissan (Diens En Herstel)	R 33 493.02	7
JB's Trucks - UD Trucks Malmesbury	R 338 596.05	28
Kemach JCB Equipment Pty Ltd	R 36 481.68	6
Malmesbury Toyota	R 50 620.96	6
Perdeberg Motors	R 98 234.31	18
Rola VW Malmesbury	R 15 892.12	3
TFM Transtech	R 91 953.23	6
<u>Equipment: Repairs</u>		
AFGRI	R 11 798.24	1
BM Power Centre cc	R 2 512.69	1
Compaction + Industrial Equipment	R 5 083.94	1
Darling Hersteldienste	R 6 905.91	3
Demolition Technologies	R 15 353.58	2
Euraf Agencies	R 25 330.43	9
JHL Ingenieurs Verskaffers	R 5 206.35	2
LA Rosenberg	R 2 528.58	1
Spiltech Besproeiing	R 9 996.30	1
Turner Morris cc	R 8 902.50	1
<u>IT Software (Para 2(6)c)</u>		
Adapt IT	R 72 234.95	1
Business Engineering	R 35 190.00	1
Communications Network cc	R 24 035.00	1
R-Data (Pty) Ltd	R 337 450.37	1
	R 1 581 671.72	138



Verslag ♦ Ingxelo ♦ Report

Kantoor van die Munisipale Bestuurder
20 Julie 2022

7/1/2/2-2
WYK: ALLE

ITEM 8.9 VAN DIE AGENDA VAN 'N RAADSVERGADERING WAT GEHOU SAL WORD
OP 28 JULIE 2022.

ONDERWERP: KWARTAALVERSLAG (ARTIKEL 52 van MFMA) – APRIL - JUNIE 2022

SUBJECT: QUARTERLY REPORT (SECTION 52 of MFMA) – APRIL - JUNE 2022

1. AGTERGROND / BACKGROUND

Die doel van hierdie verslag is om te voldoen aan die vereistes van Artikel 52 (d) van die Wet op Munisipale Finansiële Bestuur, No. 56 van 2003, wat die algemene verantwoordelikhede van die Burgermeester voorskryf om aan die raad die finansiële posisie asook die finansiële vordering van die munisipaliteit voor te lê, gemeet teenoor die goedgekeurde begroting vir die 4de kwartaal soos op 30 Junie 2022.

Hierdie verslag bevat ook die nie-finansiële inligting in die vorm van die munisipaliteit se prestasie gemeet teen die teikens soos uiteengesit in die Topvlak Dienslewering en Begroting Implementeringsplan van 2021/2022.

The purpose of this report is to comply with the requirements of Section 52 (d) of the Municipal Finance Management Act, No. 56 of 2003, which prescribes the general responsibilities of the Mayor to table to council the financial position as well as the financial progress of the municipality, measured against the approved budget for the 4th quarter as at 30 June 2022.

This report also includes the non-financial information in the form of the municipality's performance measured against the targets set out in the Top Level Service Delivery and Budget Implementation Plan 2021/2022.

2. WETGEWING / LEGISLATION

- 2.1 Local Government: Municipal Systems Act 32 of 2000
- 2.2 Local Government: Municipal Finance Management Act 56 of 2003

3. KOPPELING AAN DIE GOP / LINK TO THE IDP

The quarterly report links with Chapter 7 of the IDP - Strategic Goal 4 (Caring, Competent and Responsive Institutions, Organisations and Business) and more specifically with the following Strategic Objectives:

- 4.7 (Sound long-term financial planning including making the right investment decisions)
- 4.8 (Sound financial management, budgeting and expenditure control)
- 4.9 (Broaden the tax/ revenue base)

4. FINANSIËLE IMPLIKASIE / FINANCIAL IMPLICATION

Not applicable.

Grants and Subsidies received and still to be recognised as revenue for the period April - June 2022:

- Human Settlements : R 18 089 441
- Municipal Accreditation and Capacity Building (DHS) : R 256 000

5. AANBEVELING / RECOMMENDATION

Dat die raad kennis neem van die aangehegte kwartaalverslag, soos voorgeskryf deur Artikel 52 van die Wet op Munisipale Finansiële Bestuur, Wet 56 van 2003 ten opsigte van die implementering van die begroting sowel as die prestasie teenoor die Topvlak Dienslewering en Begroting Implementeringsplan van die munisipaliteit vir die periode 1 April tot 30 Junie 2022 met inagneming dat sommige prestasie-aanwysers geaffekteer sal word as gevolg van die finalisering van jaareindprosesse.

That Council takes cognisance of the attached quarterly report, as required by Section 52 of the Municipal Finance Management Act, Act 56 of 2003 in respect of the implementation of the budget as well as the performance against the Top Layer Service Delivery and Budget Implementation Plan of the municipality for the period 1 April to 30 June 2022, bearing in mind that some performance indicators will be affected due to the finalisation of year-end processes.

(get) J Scholtz

MUNICIPAL MANAGER



Verslag ♦ Inngxelo ♦ Report

Office of Director: Financial Services
July 2022

5/3/1/3

ITEM: 8.10 ON THE AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE MEETING
WHICH WILL BE HELD ON 28 JULY 2022

SUBJECT: REPORTING IN TERMS OF SECTION 15 (3) OF THE MUNICIPAL PROPERTY TAX
LEGISLATION ON PROPERTY TAX EXEMPTIONS, REBATES AND REDUCTIONS & "REVENUE
FORGONE" FOR THE FINANCIAL YEAR 2021/2022

1. BACKGROUND/DISCUSSION:

Section 15(3) *"The municipal manager must annually table in the council of the municipality a –*

- (a) list of all exemptions, rebates and reductions granted by the municipality in terms of subsection (1) during the previous financial year; and*
- (b) statement reflecting the income of the municipality forgone during the previous financial year by way of –*
 - (i) such exemptions, rebate and reductions".*

The above-mentioned legislation obliges the municipal manager to report annually to the council regarding all tax exemptions, rebates and reductions granted in the previous financial year.

For purposes of giving effect to council's oversight role and compliance with legal reporting as mentioned above, feedback is provided to council in respect of the details and categories of properties that have qualified in terms of paragraph 7 (2) and 8 of the Swarthland Municipality Property Rates Policy.

2. DISCUSSION:

During the 2021/2022 financial year Property Rates Exemptions and Rebates to specific categories of rateable properties were granted to properties as envisaged by our Property Rates Policy, quoted for ease of reference *"the following properties which have been assigned to the category contemplated in paragraph 7(2) and section 8 of the Property Rates Policy of Swarthland Municipality will be exempt from property tax on submission of a valid certificate issued by the SA Revenue Services as proof that the organization which owns such a property, is registered for tax exemption in terms of the Income Tax Act and provided that the organization concerned, on a yearly basis on or before 30 September of each year apply on a prescribed form to be exempt from payment of property tax".*

- Applications were received in terms of section 7 and section 8 to the tune of **R 614 149.78** with a **valuation value of R 79 739 000.00**;
- An amount of **R 2 150 635** was allocated to Pensioners to a maximum value of **R 300 000** of the rateable property as a rebate and an amount of **R 2 842 947.25** was allocated to **Indigent Households** in line with the Municipality's Indigent Policy;
- Farm properties used for bona fide agricultural purposes received no additional discount for the 2021/2022 financial year in respect of rateable property;

3. **LINKAGE TO THE IDP:**

The monthly report links with Chapter 7 of the IDP Strategic Outcome 1 (A Finally Sustainable Municipality with Assets well-maintained) and especially with –

- Output 1.2 (Affordable and well-managed budget)
- Output 1.3 (Restriction of expenses)
- Compliance with Legal Reporting Requirements

4. **FINANCIAL IMPLICATION:**

That council takes note of the property rates and discounts already awarded for the 2021-2022 financial year as summarized below. *Attachments A-C included.*

Attachment:	Description:	Amount:	
A	Exemptions: Paragraph 7 & 8	R 614 149.78	
	Zero Rebate – Agricultural Property	R 0.00	
	TOTAL:	R 614 149.78	Exemptions
B	Revenue Forgone: Pensioners R 300 000	R 2 150 635.00	
	TOTAL:	R 2 150 635.00	Revenue Forgone
C	Discount: E/Share R 105 000	R 2 842 947.25	
	TOTAL:	R 2 842 947.25	Discount

5. **RECOMMENDATION (tabled for cognisance):**

That cognisance be taken of the municipal property tax rates exemptions to public benefit organisations/non-governmental organisations, discounts, rebates granted and revenue forgone as per the information substantiated above and in Attachments A – C for the financial year ended 30 June 2022.

AANBEVELING

Dat kennis geneem word van die vrystellings van munisipale eiendomsbelasting aan openbare weldaadsorganisasies/nie-regeringsorganisasies, afslag, kortings toegestaan en inkomste afgestaan (*revenue forgone*) soos gestaaf in die verslag tot die sakelys en in Aanghangsels A tot C vir die finansiële jaar geëindig 30 Junie 2022.

(get) M Bolton

DIREKTEUR: FINANSIËLE DIENSTE

**SWARTLAND MUNISIPALITEIT
HULPTOEKENNING**

**VRYSTELLINGS: SPESIFIEKE
KATEGORIEë VAN BELASBARE
EIENDOMME**

Die volgende eiendomme wat in die kategorie soos beoog by Artikel 8(2)(h) ingedeel is, sal vrygestel wees van eiendomsbelasting by voorlegging van 'n geldige sertifikaat, uitgereik deur die Suid-Afrikaanse Inkomstediens, as bewys dat die organisasie wat die eienaar van sodanige eiendom is, vir belastingvrystelling in terme van die Inkomstebelastingwet geregistreer is, met dien verstande dat die betrokke organisasie op 'n jaarlikse grondslag, voor of op 30 September van elke jaar, op 'n voorgeskrewe vorm, aansoek vir vrystelling van die betaling van eiendomsbelasting vir die daaropvolgende finansiële jaar doen.

2021 / 2022

MALMESBURY

BELASTING (LYN - 2)

INSTANSIE	ERF	EIENAAR	REKENING NOMMER	WAARDASIE	BEDRAG
KULTUURRAAD SWARTLAND	169	MUNISIPALITEIT	101001690031	1 316 500	R 10 139.68
ACVV PLEINSTRAAT	3504	ACVV MALM	101035040015	10 757 000	R 82 850.41
ACVV AANDSKEMERING	1040	ACVV MALM	101010400034	1 465 000	R 11 283.43
ACVV LOWRY COLESTRAAT- Kons 3756 & 12420 & kons na 12968	12968	ACVV MALM	101129680011	2 855 000	R 21 989.21
ACVV ALBANIESTRAAT-Kon 7548 & 10414	10415	ACVV MALM	101104150012	3 774 000	R 29 067.35
GOUE AAR (OUTEHUIS)	1943		102019430015	-	R 0.00
DIE VOORTREKKERS KAAP	3024	VOORTREK. KAAPPROV	101030240014	1 676 500	R 12 912.40
BADISA (GOUE AAR TEHUIS)	7806	MUNISIPALITEIT	102078060017	613 500	R 4 725.18
TOTAAL				22 457 500	R 172 967.67

ACVV PIET RETIEFSTRAAT	6484	ACVV MALM	101064840028	5 489 000	R 42 276.28
TOTAAL				5 489 000	R 42 276.28

MOORREESBURG

BELASTING (LYN - 2)

INSTANSIE	ERF	EIENAAR	REKENING NOMMER	WAARDASIE	BEDRAG
ACV V: ARTIKEL 81 (1) (G)					
KLEUTERLAND (DIE WIEG)	465	AC V V MRB	330004650029	1 153 000	R 8 880.41
ONS HUIS	103	AC V V MRB	330001030013	1 155 000	R 8 895.81
ACV V	110	AC V V MRB	330001100149	2 520 500	R 19 412.89
AC V V	111	AC V V MRB	330001110043	1 846 500	R 14 221.74
AC V V	127	AC V V MRB	330001270013	567 500	R 4 370.89
AC V V (Woonstelle, Klein Moorrees)	130	AC V V MRB	330001300024	2 091 000	R 16 104.88
AC V V(Huis Immanuel)	511	AC V V MRB	330005110038	3 190 500	R 24 573.23
AC V V (Oue Tehuis)	1399	AC V V MRB	330013990017	2 884 500	R 22 216.42
MOORREESBURG GOLFKLUB	615	MRB GOLFKLUB	330006150013	3 933 500	R 30 295.82
KORINGBEDRYF MUSEUM	1479	KORINGBEDRYFMUSEU	330014790016	4 141 000	R 31 893.98
MOORREESBURG ROLBALKLUB	3974	ROLBALKLUB MRB	330039740018	1 035 500	R 7 975.42
HUIS VAN HEERDE (Kinderhuis)	1266	HUIS VAN HEERDE	330012660016	5 004 500	R 38 544.66
TOTAAL				29 523 000	R 227 386.15

HUWELSIG (W/S)	1867	AC VV MRB KANTOOR(H	330018670118	4 767 500	R 36 719.29
TOTAAL				4 767 500	R 36 719.29

DARLING

BELASTING (LYN - 2)

INSTANSIE	ERF	EIENAAR	REKENING NOMMER	WAARDASIE	BEDRAG
DARLING KOLLEGE	3416	DARLING KOLLEGE	220034160017	5 941 500	R 45 761.43
GROENEWEIDE TEHUIS	2058	GOEIE HOOP BEHUISIN	220020580058	9 053 500	R 69 730.06
TOTAAL				14 995 000	R 115 491.49

YZERFONTEIN

BELASTING (LYN - 2)

INSTANSIE	ERF	EIENAAR	REKENING NOMMER	WAARDASIE	BEDRAG
Recreation & Sports Klub	2017	SWARTLAND MUN.	440020170017	1 922 500	R 14 807.10
TOTAAL				1 922 500	R 14 807.10

RIEBEEK KASTEEL

BELASTING (LYN - 2)

INSTANSIE	ERF	EIENAAR	REKENING NOMMER	WAARDASIE	BEDRAG
ACVV (OUTEHUIS)	1278	ACVV R/KASTEEL	105012780044	701 000	R 5 399.10
TOTAAL				701 000	R 5 399.10

RIEBEEK WES**BELASTING (LYN - 2)**

INSTANSIE	ERF	EIENAAR	REKENING NOMMER	WAARDASIE	BEDRAG
ACVV - RIEBEEK WES	851	ACVV R/WES	106008510014	5 221 000	R 40 212.14
ACVV - (AFREE-OORD)	1276	ACVV R/WES	106012760023	4 919 000	R 37 886.14
TOTAAL				10 140 000	R 78 098.28

TOTAAL HULPTOEKENNING**R 79 739 000.00 R 614 149.78****TOTAAL BELASBAAR****R 10 256 500.00 R 78 995.56**

LANDBOUGENOOTSKAP	2654	LANDBOUGENOOTSKAP	101026540012	2 682 000	R 20 656.76
VROLIKE VINKIES	3485	VROLIKE VINKIES	102034850018	1 387 000	R 10 682.67
SWARTLAND SKOU	3979	SWARLAND SKOU MRB	330039790013	5 678 500	R 43 735.81
				9 747 500	R 75 075.25

TOTALE VAN ELKE DORP :

MALMESBURY
MOORREESBURG
DARLING
YZERFONTEIN
RIEBEEK KASTEEL
RIEBEEK WES

BEDRAG

R 172 967.67
R 227 386.15
R 115 491.49
R 14 807.10
R 5 399.10
R 78 098.28

WAARDASIE:

R 22 457 500
R 29 523 000
R 14 995 000
R 1 922 500
R 701 000
R 10 140 000

GROOT TOTAAL :**R 614 149.78****R 79 739 000**

Annexure B

R300 000 afslag:		mun582		
117260004060	9/218-29-9296	Abbotsdale	R -	R 69 612.60
117260004065	9/218-225-9296	Chatsworth	R -	R 62 729.09
117260004070	9/218-321-9296	Darling	R 1 608.30	R 218 833.35
117260004095	9/218-601-9296	Kalbaskraal	R -	R 12 509.88
117260004100	9/218-611-9296	Koringberg	R -	R 21 961.34
117260004105	9/218-695-9296	Malmesbury	R 3 216.60	R 419 766.30
117260004105	9/218-695-9296	Wesbank	R -	R 353 212.18
117260004105	9/218-695-9296	Illinge Lethu	R -	R -
117260004110	9/218-713-9296	Moorreesburg	R -	R 297 364.02
117260004115	9/218-817-9296	PPC	R -	R 25 732.80
117260004120	9/218-951-9296	Riebeek Kasteel	R -	R 96 216.56
117260004125	9/218-957-9296	Riebeek Wes	R -	R 89 370.57
117260004130	9/218-971-9296	Riverlands	R 1 426.03	R 8 877.81
117260004140	9/218-1325-9296	Yzerfontein	R -	R 419 766.30
	9/218-595-9296	Jakkalsfontein	R -	R 8 041.50
	9/218-529-9296	Grottobaai	R -	R 36 990.90
		Landelik	R -	R 9 649.80
			R 6 250.93	R 2 150 635.00