



NOTULE VAN 'N VERGADERING VAN DIE UITVOERENDE BURGEMEESTERSKOMITEE GEHOU IN DIE STADSAAL, 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)

Beampes:

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

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.

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 HANDELSPASIES 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 Riebeek, beplan om entrepreneursnodes in Riebeek Kasteel en Riebeek-Wes te vestig.

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

Die verslag het ten doel om die voorgestelde kriteria vir die toekenning en bedryf van die handelspasies 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 handelspasies soos volg;
 - erwe 1539, 1540 en 1541, Riebeek Kasteel;
 - erf 2183, Riebeek-Wes; en
 - vir die informele areas te erwe 161, 163 en 649, Riebeek-Wes
- (b) Dat die Direkteure van Korporatiewe Dienste en Ontwikkelingsdienste, tesame met amptenare van hul keuse, beopdrag 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.

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 June 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 behuisingspyplyn 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 behuisingspyplyn 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 behuisingontwikkeling 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 behuisingprojek.

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).

7.7 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 herallokering 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 herallokering van fondse tussen die geregistreerde MIG-projekte gedoen moet word, en dat die 2021/2022 MIG-projekimplementeringsplan dienooreenkomstig 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	<i>De Hoop Development: Upgrade Bulk Water Supply (WC1865/W/21/25)</i>	R 350 000.00
2	<i>Upgrade Moorreesburg WWTW (WC1710S/17/122)</i>	R 15 849 816.00
3	<i>Darling Upgrading of Waste Water Treatment Works & Dewatering Facility (WC1780/S/19/22)</i>	R 3 027 658.00
4	<i>Moorreesburg: Rehabilitation of Roads (WC1768/R.ST/19/23)</i>	R 1 043 515.10
5	<i>Riebeek Kasteel: Rehabilitation of Roads (WC1767/R.ST/19/23)</i>	R 704 000.00
6	<i>Koringberg: Rehabilitation of Roads (WC1766/R.ST/19/23)</i>	R 129 750.87
7	<i>Malmesbury: Rehabilitation of Roads (WC1765/R.ST/19/23)</i>	R 3 996 260.03
8	<i>Malmesbury: Ilingeletu Construction of Roads (WC1859/R.ST/22/25)</i>	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 BESIGHEIDKONTINUÏTEIT EN RAMPHERSTELPLAN (17/5/1/1)

Die doel van die Besigheidkontinuïteit- 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 Besigheidkontinuïteit- en Rampherstelplan;
- (b) Dat die hersiende 2022 Swartland Besigheidkontinuïteit- 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 Mei maand. 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.

7.11/...

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

BESLUIT

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

7.15/...

BESLUIT

Dat die gesteelede 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 seine 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 afleweringstydperk 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 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 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)/...

7.17/...

- (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 inisiatief 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 Voorsieningkanaalbestuurbeleid;
- (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;

7.18(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 kragtoevoer 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 kragtoevoer te voorsien gedurende lasbeheer aan die IKT Rampherstel Rekenaarstelsel om die kritiese IKT infrastruktuur te beskerm;
 - (ii) Indien daar nie kragtoevoer 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;

7.20/...

- (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-atraksie 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 Bedingingsraad (SALGBC) se Hoof Kollektiewe Ooreenkoms. SALGA het 'n mandaat voor die plaaslike regeringsverkiesings 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.

7.23 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 GEMEENSKAPVEILIGHEIDSFORUM

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**



**NOTULE VAN 'N SPESIALE VERGADERING VAN DIE UITVOERENDE BURGEMEESTERSKOMITEE
VIRTUEEL GEHOU 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)

Beampes:

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 huishoudings, 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.

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-watermeters 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, *CITI/Q*, 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 *CITI/Q* 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 sosioekonomiese ondersoeke wat nog nie kon plaasvind aan al die deernishuishoudings nie, ook deel van die afskrywings sal wees, onderhewig daaraan dat die Kredietbeheerafdeling oortuig is dat die nuwe skuld onder dieselfde omstandighede ook oninvorderbaar is;

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 gebruiklike 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



Verslag ♦ Ingxelo ♦ Report

Kantoor van die Direkteur: Siviele Ingenieursdienste
7 Julie 2022

7/1/2/2-4

**ITEM 6.1 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEES
VERGADERING WAT GEHOUSAL WORD OP 13 JULIE 2022**

ONDERWERP: MAANDVERSLAG – MAY 2022: SIVIELE INGENIEURSDIENSTE SUBJECT: MONTHLY REPORT – MAY 2022: CIVIL ENGINEERING SERVICES

Attached are the following reports relating to the functioning of the Civil Engineering Services directorate during **MAY 2022**, in terms of Council's Strategic Management System:

- a) Operational Graphs
- c) Incident Report
- d) Report on Swartland Waste Water Treatment Works
- e) EPWP Report

(get) L D Zikmann

MUNICIPAL MANAGER
LDZ/ma

Zikmann/verslae/maandverslae /MAY 2022

SWARTLAND WASTE WATER TREATMENT WORKS : FINAL EFFLUENT: MEI 2022

Treatment Works	Date	pH	E.Cond. mS/m (function of influent)	COD mg/ℓ	Ammonia mg/ℓ	Nitrate mg/ℓ	Total Sus. Solids mg/ℓ	Fosphate mg/ℓ	Faecal Coli org/100mℓ	Faecal Coli WDM Report org/100mℓ
	General Limits	5,5 - 9,55	150	75	(10) 6	(-) 15	25	(-) 10	1000	
Darling	2022/11/05	7,68	132	13,5	38,9	0,51	10	<0.20	516	2
Malmesbury	2022/11/05	7,33	100	46,7	<0.10	7,8	<4	0,24	<1	10
Moorreesburg	2022/11/05	7,58	169	181	93,2	0,21	160	18,9	>2419	-
Koringberg	2022/11/05	6,98	204	709	65,5	0,3	232	18,9	>2419	5000
Riebeek Kasteel	2022/11/05	7,05	80	47,9	<0.10	8,5	7	5,8	>2419	-
Chatsworth	2022/09/05	6,02	137	645	61	0,23	121	19	>2419	-
Kalbaskraal	2022/09/05	7,24	161	477	41,5	0,26	654	20,7	>2419	-
Determinant Passed	32	7	4	3	3	7	3	3	2	-
Determinant Failed	25	0	3	4	5	0	4	4	5	-
Total Tested	56	7	7	7	7	7	7	7	7	-
% Passed	57	100	57	43	43	100	43	43	29	-

**VERSLAG : SWARTLAND RIOOLWERKE
(MEI 2022)**

**REPORT: SWARTLAND WASTE WATER TREATMENT WORKS
(MAY 2022)**

OPERATION OF ACTIVATED SLUDGE TREATMENT WORKS

Below is comments from the consulting chemists with regards to operational matters of the various waste water treatment works.

MALMESBURY (52%)

1. An average daily flow of 4 988m³/d was recorded in April (49.9% capacity).
2. An organic load of 5 120 kg COD/d was imposed on the plant (51.2% capacity).
3. Plant performance was good at both aeration tanks.
4. Nitrification of ammonia nitrogen was virtually complete and removal of organics was satisfactory across both aeration tanks.
5. The mixed liquor pH's were low at 7.01/7.09 respective.
6. The final effluent complied with the chemical limits of the General Limit, relevant to parameters measured.
7. Disinfection was complete (<1 Faecal Coliforms per 100ml).

MOORREESBURG (80%)

1. Unable to carry out inspection as plant operation stopped due to construction. Plant extensions in progress.
2. Only the final effluent sampled.
3. The final effluent was of poor quality and exceeded the chemical limits of the General Limit relative to conductivity, ammonia nitrogen, total suspended solids, ortho phosphate and chemical oxygen demand. Conductivity is a function
4. Chlorine residual were low. Increase chlorination and maintain 0.25 mg/l free chlorine. Dosing HTH tablets daily by hand.
5. Disinfection was poor. This was due to low chlorine residuals as well as substantial solids in the effluent.

DARLING (124%)

1. A corrected average daily flow of 1 278m³/d was recorded in April (94.5% capacity).
2. An organic load of 1 943kg COD/d was imposed on the plant, exceeding the organic design capacity (124% capacity).
3. Plant performance remained poor in the aeration basin relative to the nitrification of ammonia nitrogen, due to under-aeration and the sludge mass being wholly excessive. Removal of organics was nonetheless satisfactory.
4. Maintain 800 - 9000 ml/l solids in the aeration basin, by increasing sludge wastage.
5. FE1 exceeded the chemical limits of the General Limit relative to ammonia nitrogen and free chlorine. FE2 (reed bed) complied with the chemical limits of the Irrigation Limit up to 500 m³, relevant to parameters measured.

6. The chlorine residuals were high at FE1. Reduce chlorination and maintain 0.25 mg/l free chlorine. The irrigation Limit up to 500 m³ does not specify compliance criteria for free chlorine.
7. Disinfection was adequate at FE1(516 Faecal Coliforms per 100ml). Disinfection was satisfactory at FE2 (770 Faecal Coliforms per 100 ml).

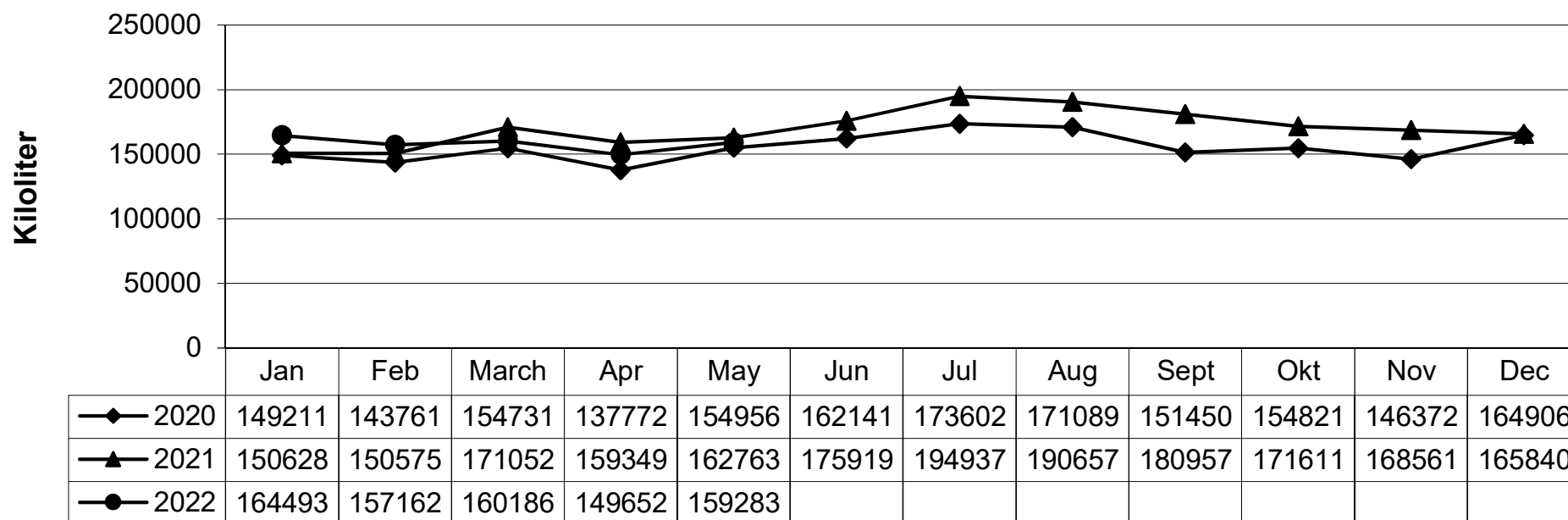
RIEBEEK VALLEI (47%)

1. An average daily flow of 705 m³/d was recorded in April (47.0% capacity).
2. An organic load of 594 kg COD/d was imposed on the plant (36.6% capacity).
3. The sludge mass was slightly high in absolute terms. Maintain 300-400 ml/l solids, by increasing sludge wastage.
4. Plant performance was excellent in the aeration basin relative to the nitrification of ammonia nitrogen and removal of organics.
5. Phase separation was complete across the clarifiers, the effluents being of good chemical quality.
6. The underflow sludge return rates were adequate.
7. No chlorine gas stock. Using HTH tablets. The chlorine residuals were very low. Disinfection was satisfactory(4 Faecal Coliforms per 100 ml). Maintain 0.25 mg/l free chlorine.
8. The final effluent complied with the chemical limits of the General Limit, relevant to parameters measured.

ooOOoo

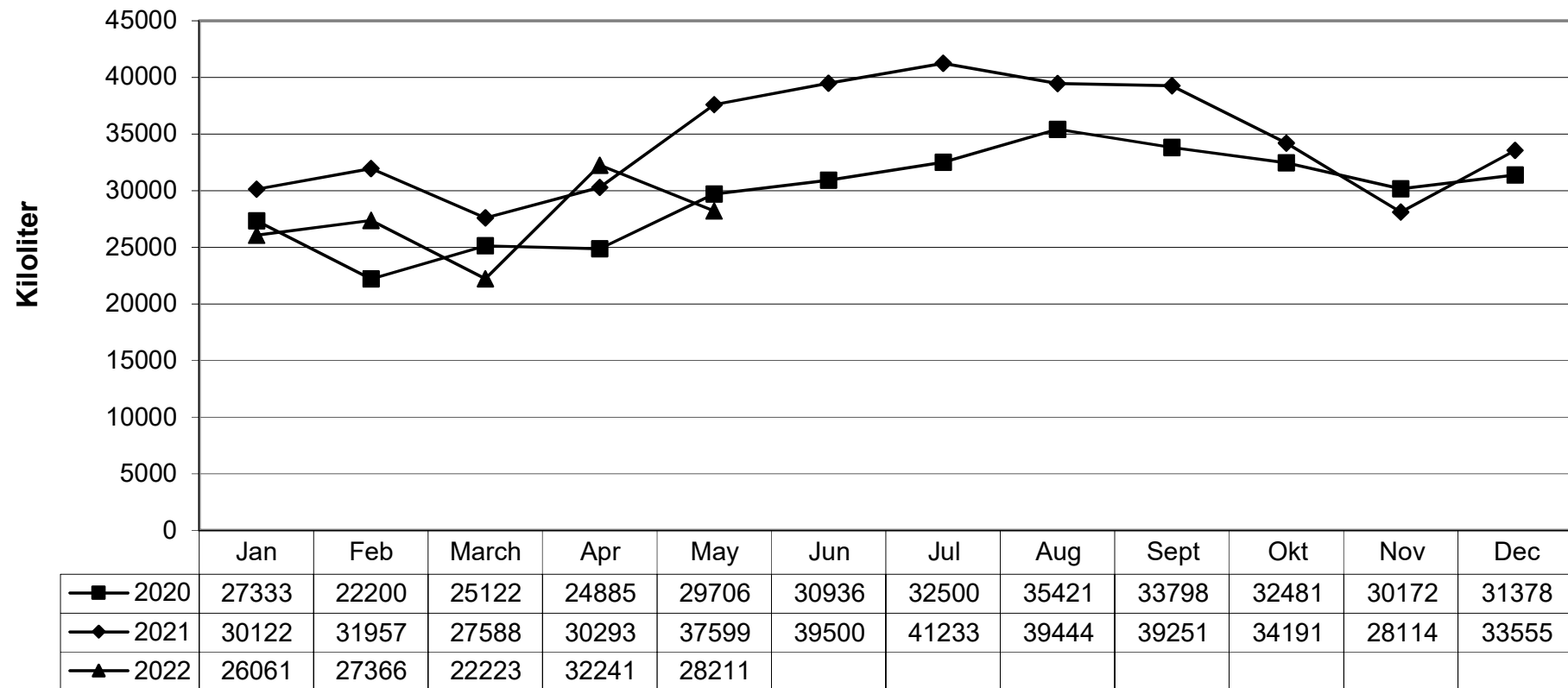
Malmesbury WWTW Effluent 2020 - 2022

Graph 1.1



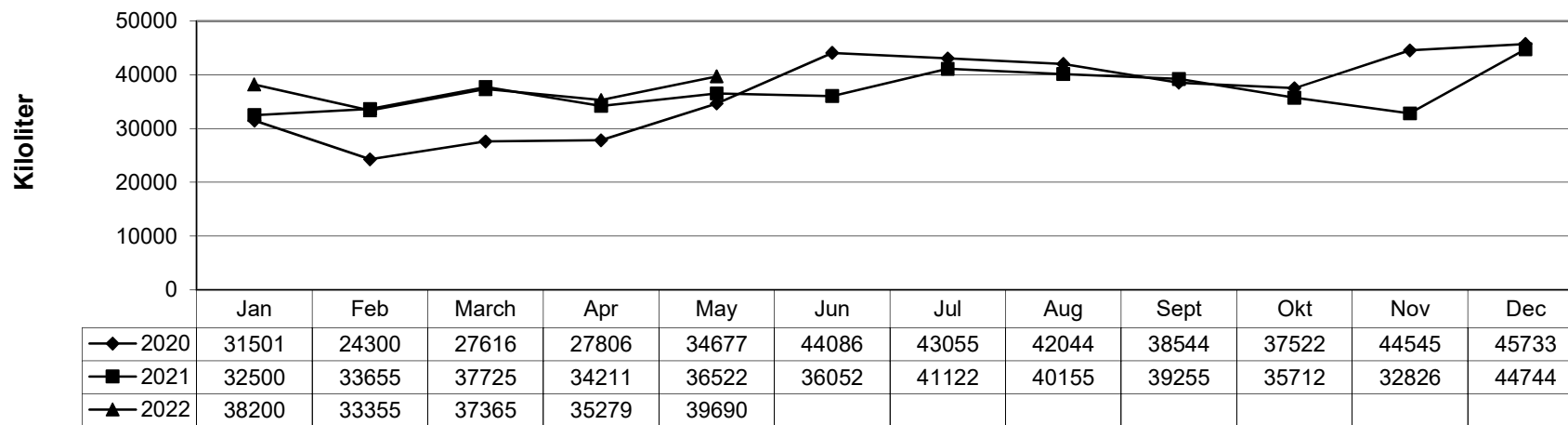
Moorreesburg WWTW Effluent 2020 - 2022

Graph 1.2



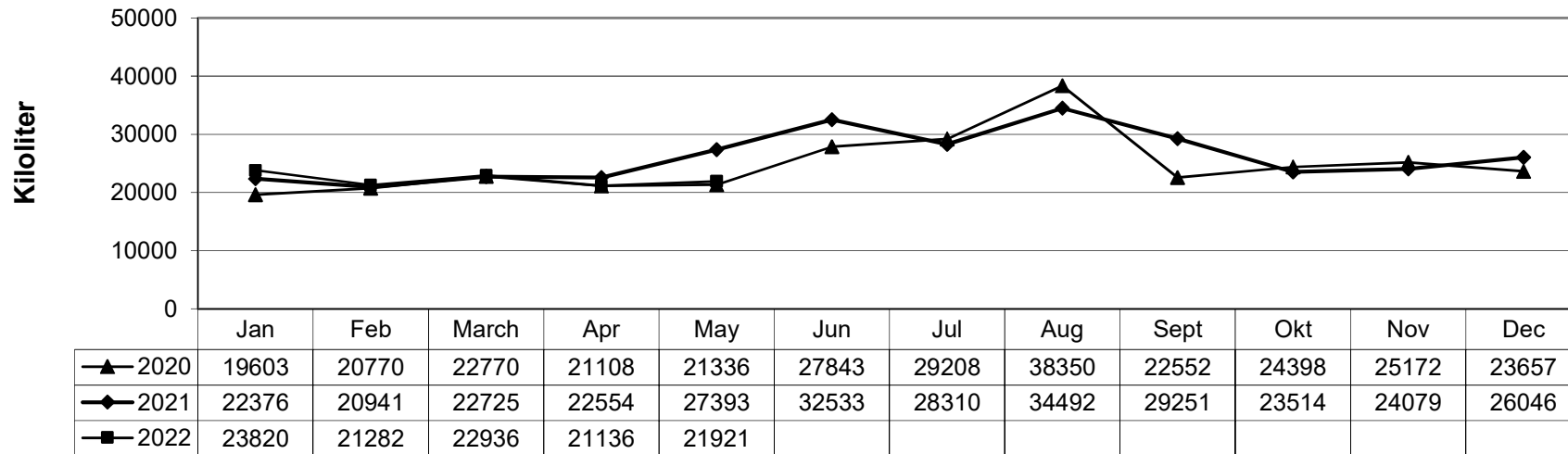
Darling WWTW Effluent 2020 - 2022

Graph 1.3



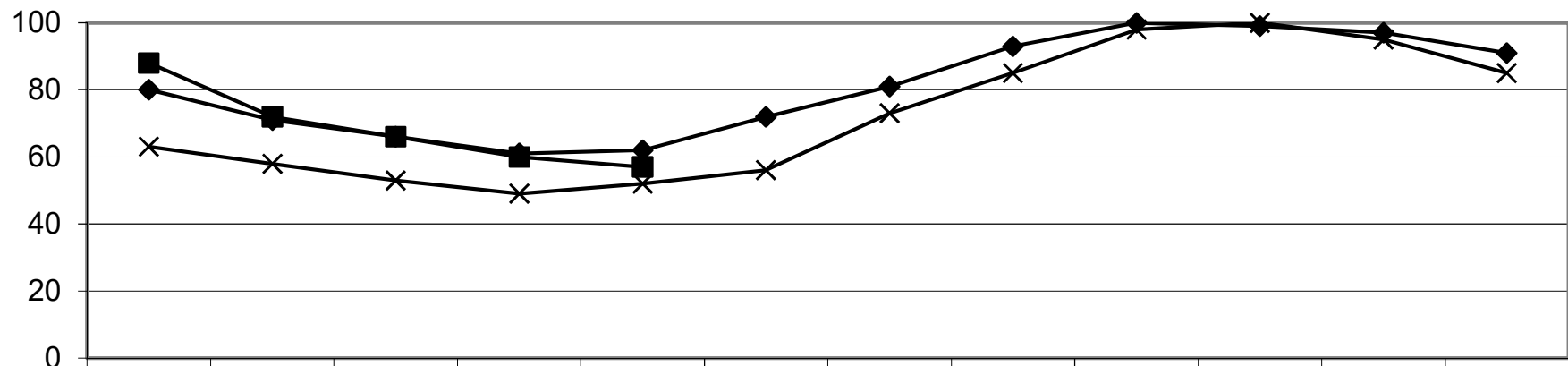
Riebeek Valley WWTW Effluent 2020 - 2022

Graph 1.4



Voëlvlei Dam Storage 2020 - 2022

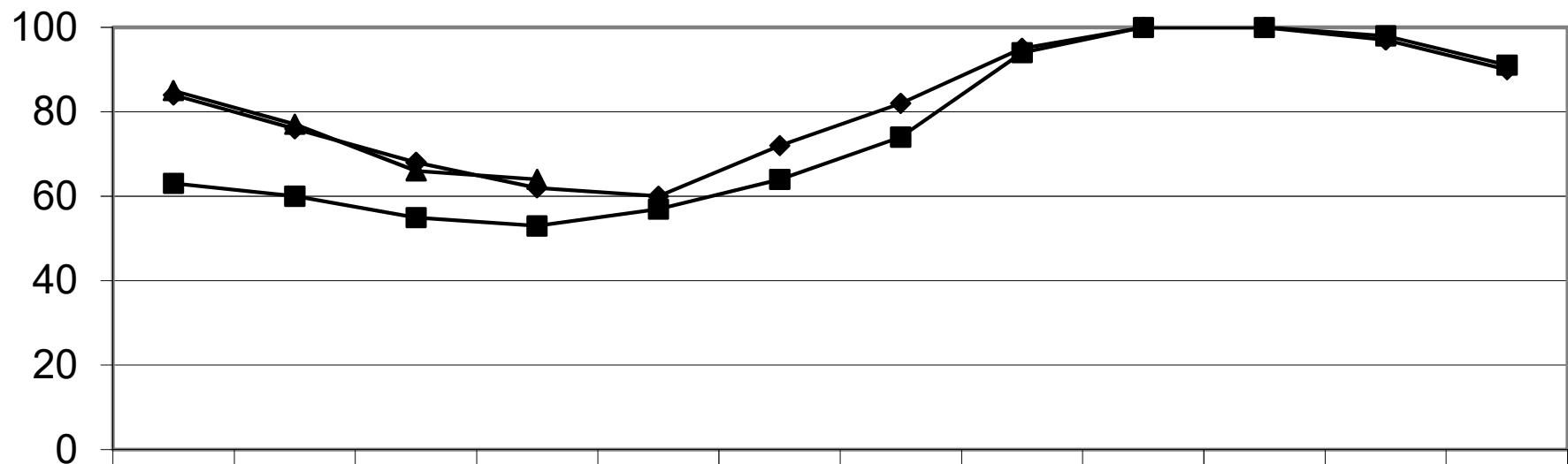
Graph 2



	Jan	Feb	March	Apr	May	Jun	Jul	Aug	Sept	Okt	Nov	Dec
—x— 2020	63	58	53	49	52	56	73	85	98	100	95	85
—◆— 2021	80	71	66	61	62	72	81	93	100	99	97	91
—■— 2022	88	72	66	60	57							

Paardenberg Dam Storage 2020 - 2022

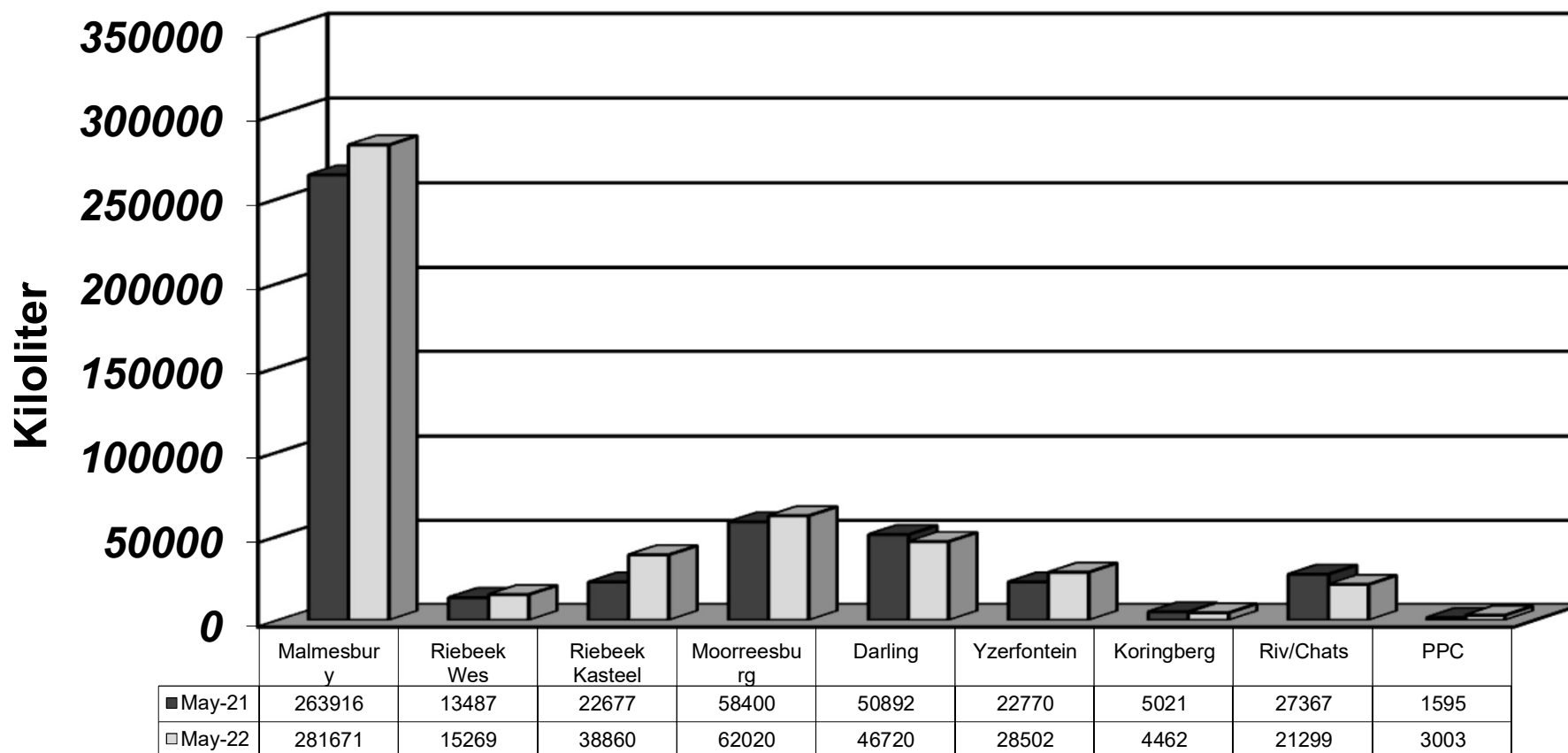
Graph 3



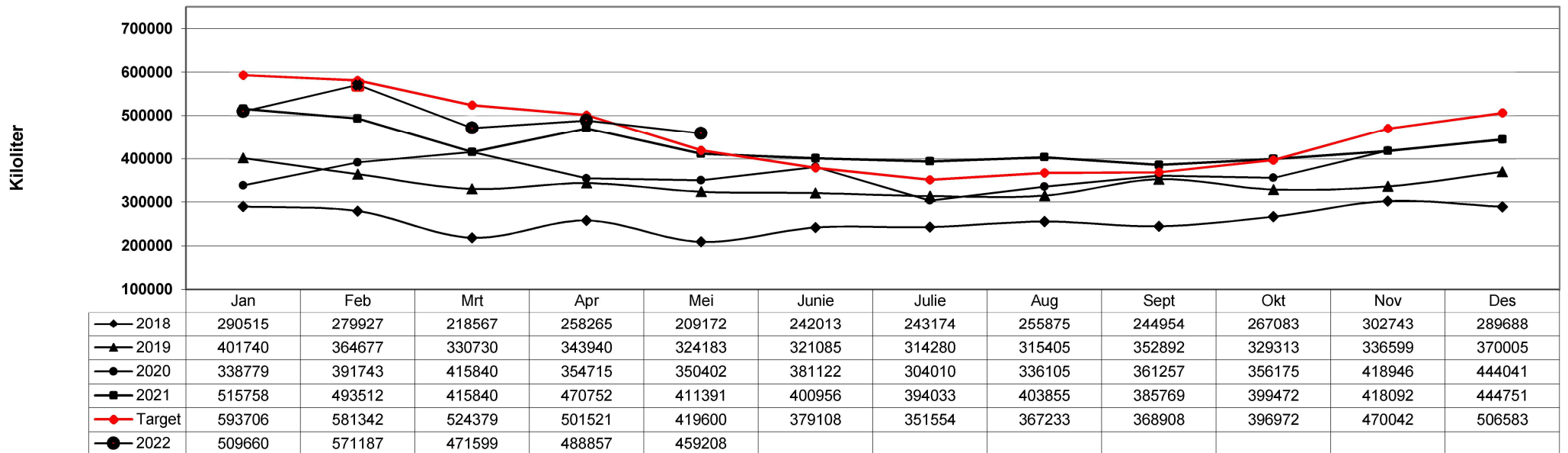
	Jan	Feb	March	Apr	May	Jun	Jul	Aug	Sept	Okt	Nov	Dec
■ 2020	63	60	55	53	57	64	74	94	100	100	98	91
◆ 2021	84	76	68	62	60	72	82	95	100	100	97	90
▲ 2022	85	77	66	64								

Water Usage May

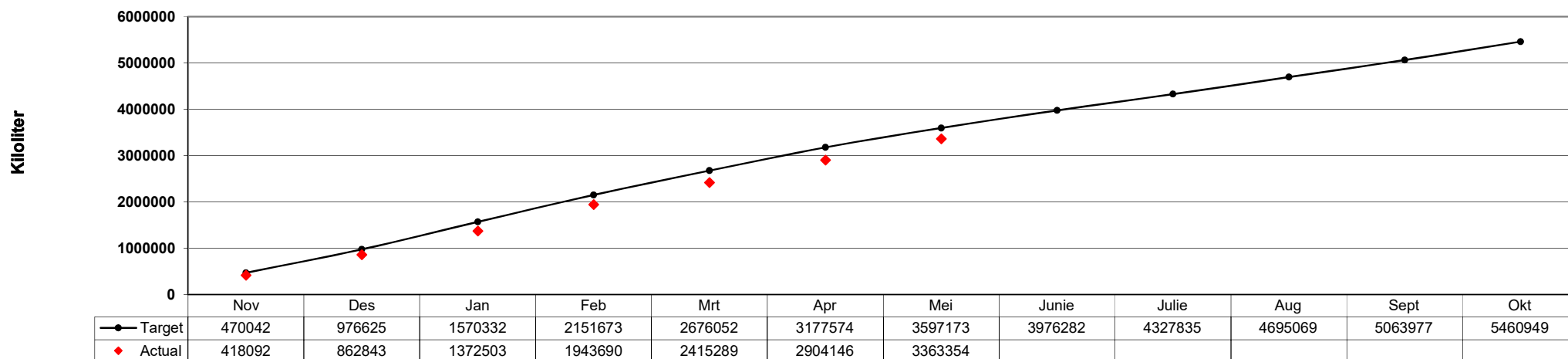
Graph 4



Water Usage: Swartland 2018 - 2022 Graph 5.1

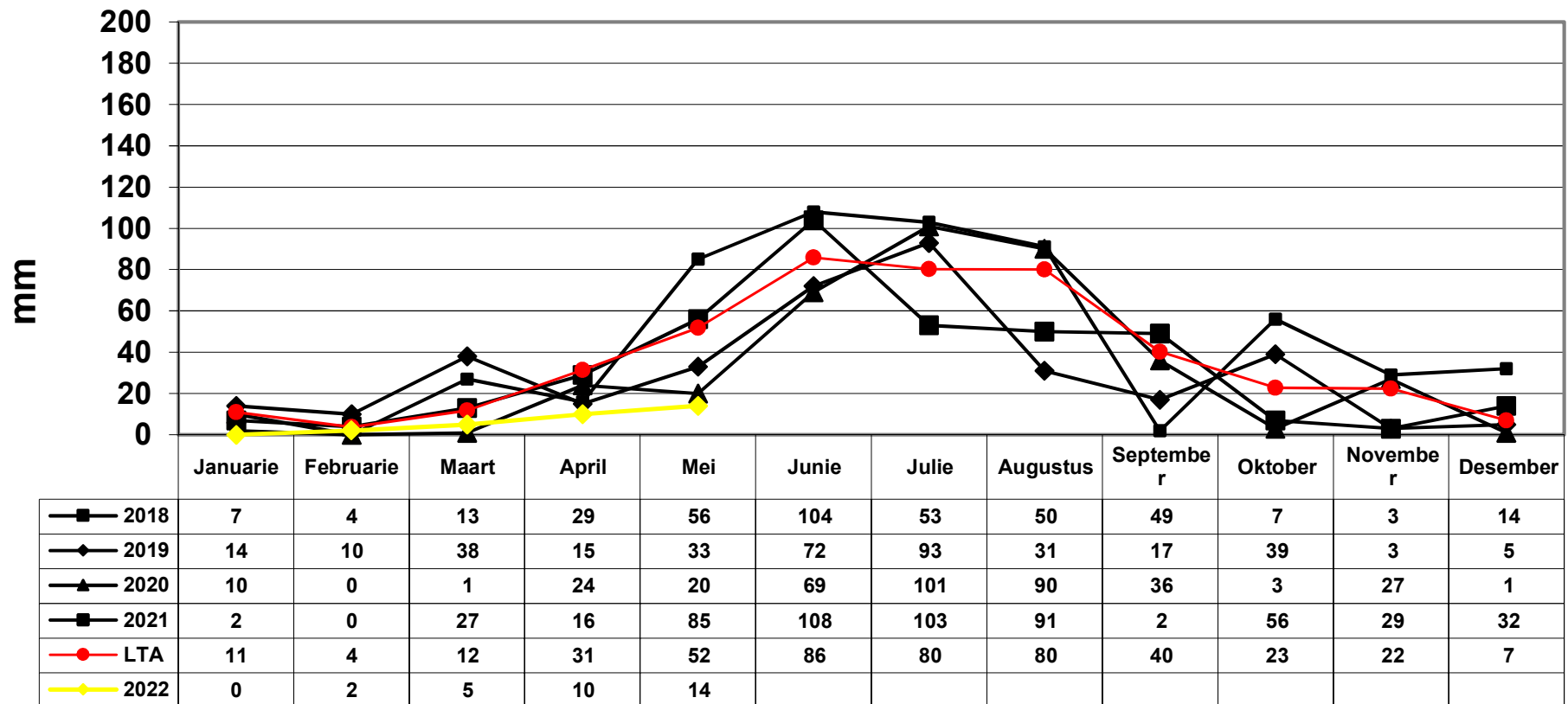


Water Usage: Target vs Actual Graph 5.2



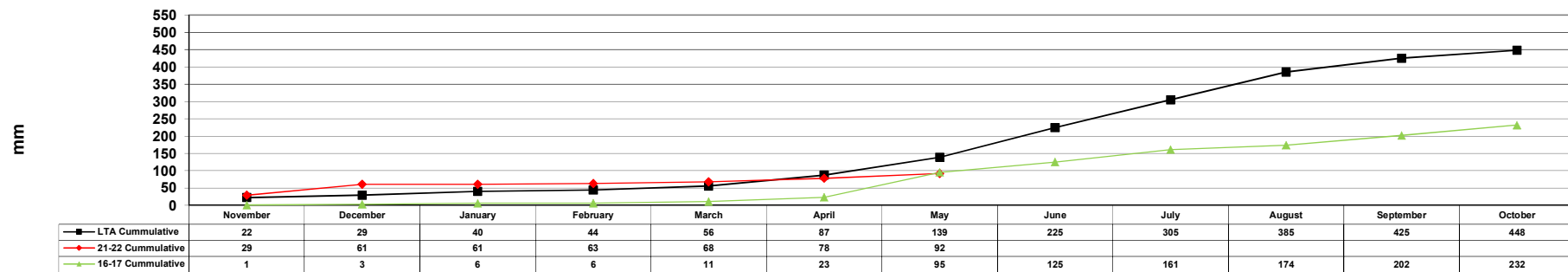
Rainfall 2018 - 2022

Graph 6.1

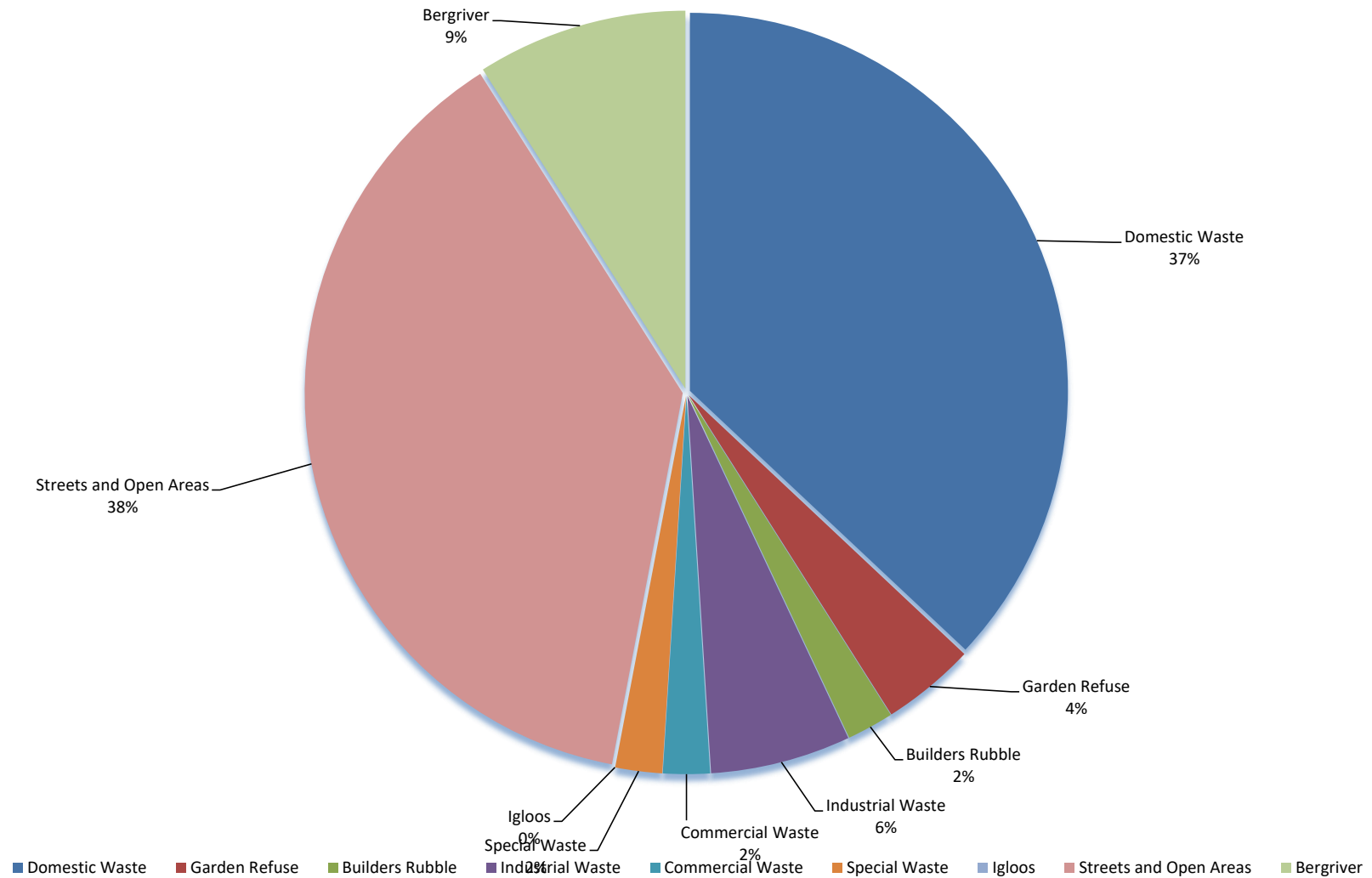


Cumulative Rainfall

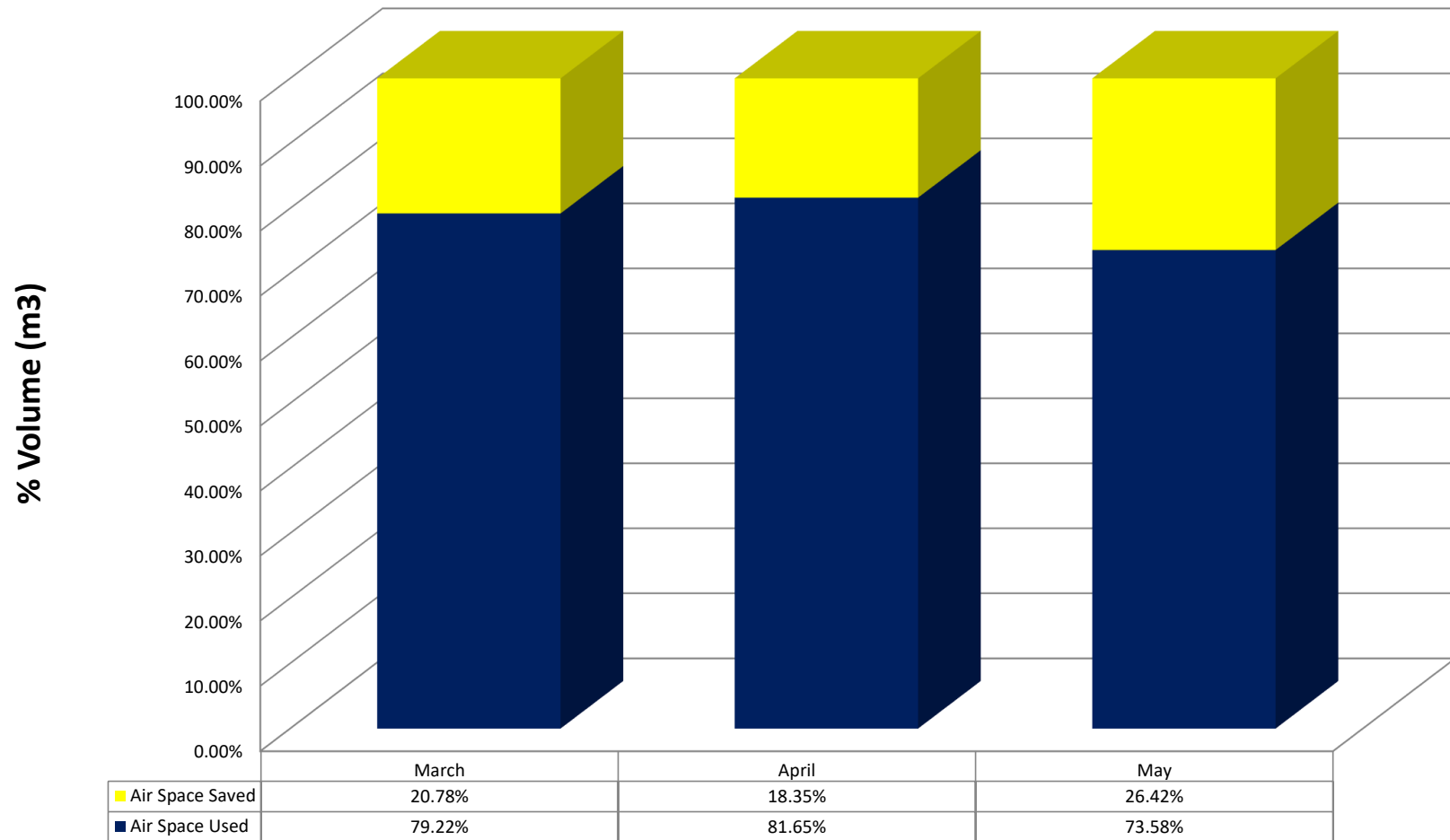
Graph 6.2



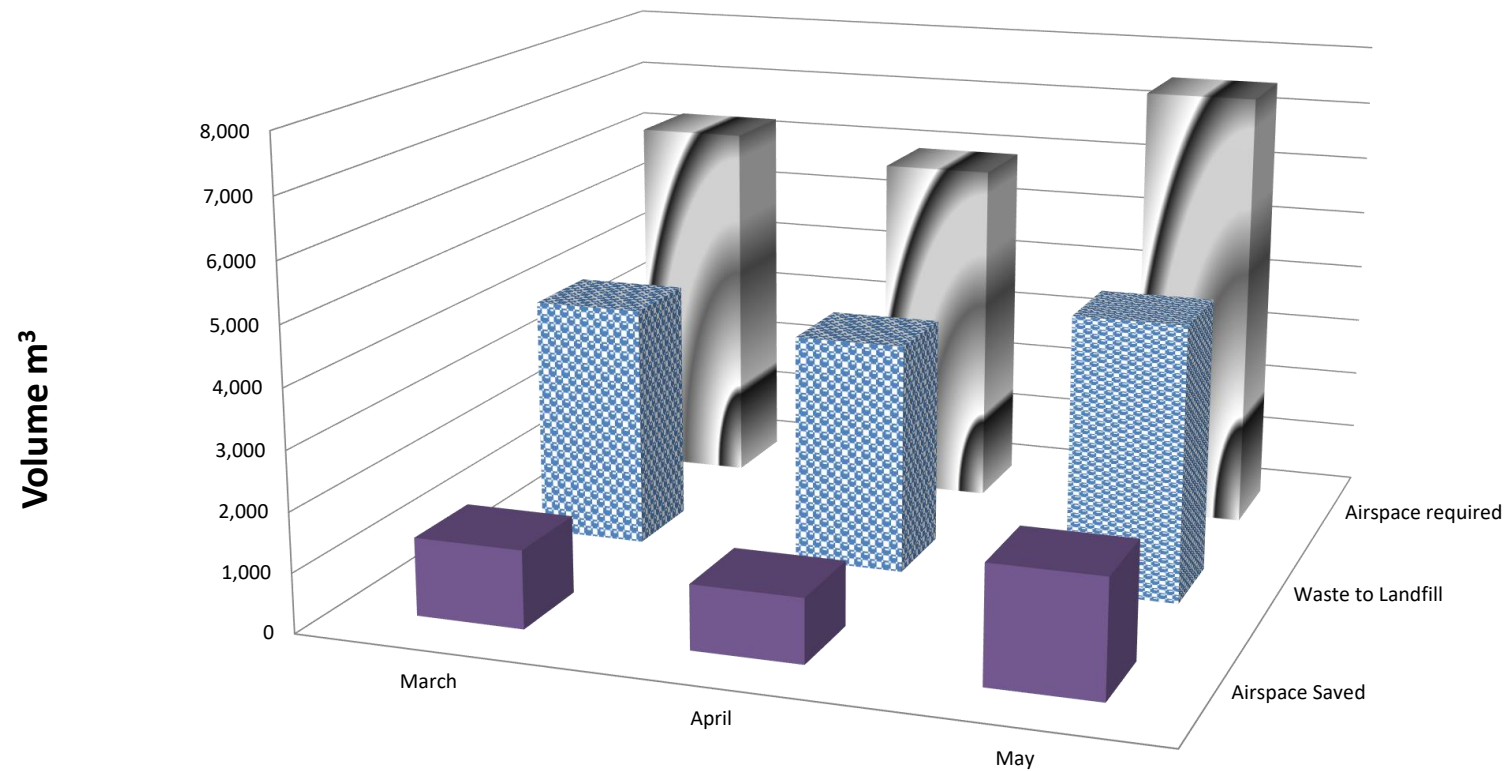
GRAPH 7
HIGHLANDS LANDFILL: COMPILATION OF REFUSE RECEIVED May 2022



GRAPH 8
HIGHLANDS LANDFILL: AIRSPACE STATISTICS
May 2022

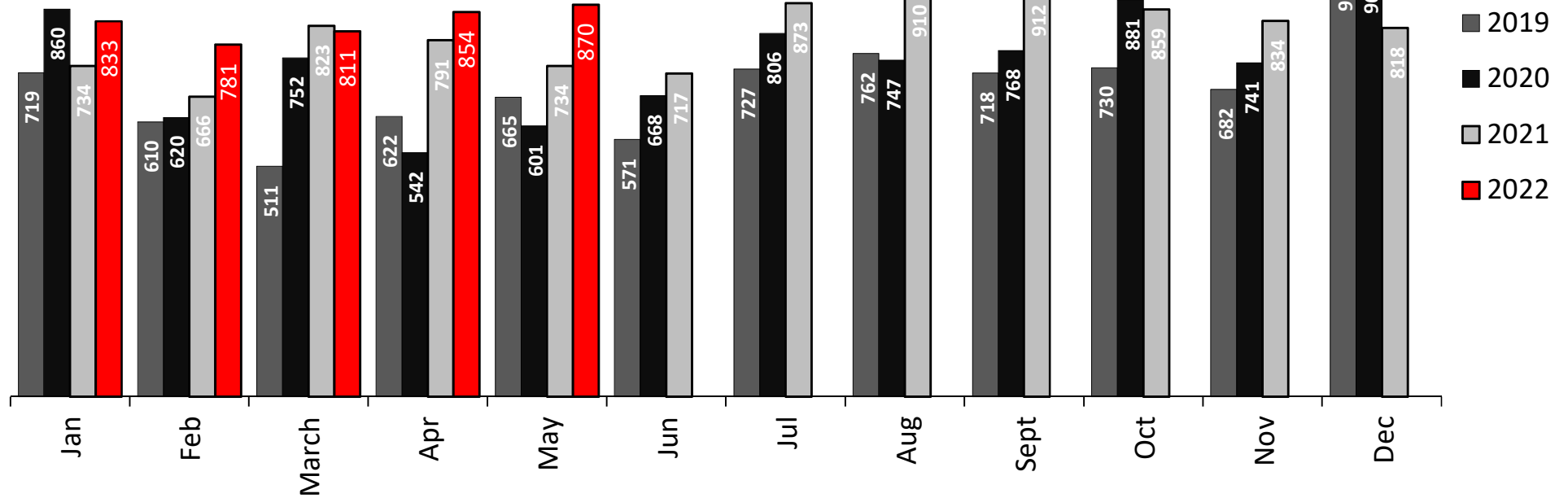


GRAPH 9
RECYCLING AND USED AIRSPACE VOLUMES
May 2022
 (INCLUDES COVER MATERIAL)



	March	April	May
■ Airspace Saved	1,309	1,088	1,981
■ Waste to Landfill	4,089	3,880	4,638
■ Airspace required	6,298	5,928	7,499

MONTHLY SEWER INCIDENTS 2019 - 2022

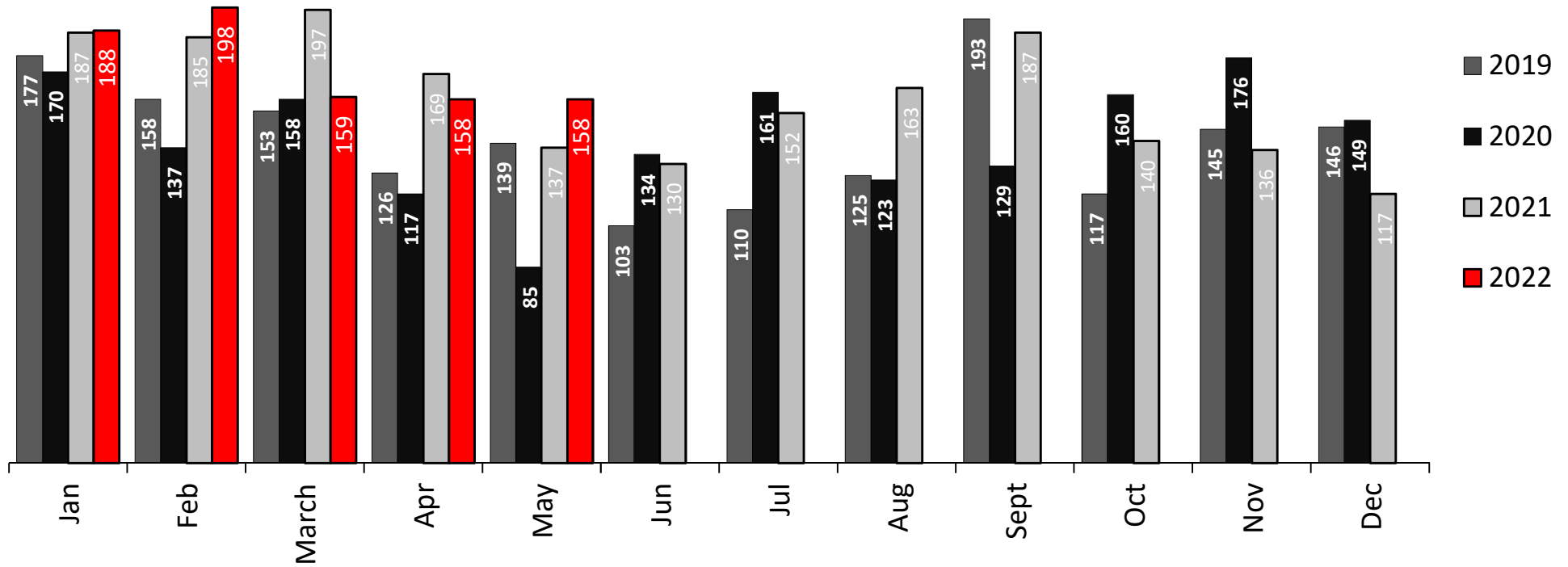


INCIDENT REPORT

SEWER - May 2022

TOWN	TOTAL	INCIDENTS NORMAL HOURS	INCIDENTS AFTER HOURS	% OVER TIME INCIDENTS	BLOCKAGE (mains)	BLOCKAGE (private)	PUMPING OF SEWER TANK
ABBOTSDALE	12	8	4	33%	6	4	2
CHATSWORTH	62	59	3	5%	3	3	56
DARLING	87	61	26	30%	51	16	20
KALBASKRAAL	37	37	0	0%	3	1	33
KORINGBERG	50	48	2	4%	4	1	45
MALMESBURY	96	67	29	30%	66	23	7
MOORREESBURG	94	66	28	30%	49	8	37
RIEBEEK - KASTEEL	36	35	1	3%	7	11	18
RIEBEEK - WES	82	79	3	4%	11	1	70
RIVERLANDS	7	5	2	29%	2	1	4
YZERFONTEIN	307	301	6	2%	0	1	306
	870	766	104	12%	202	70	598

MONTHLY WATER INCIDENTS 2019 - 2022



INCIDENT REPORT

WATER - May 2022

TOWN	TOTAL	INCIDENTS NORMAL HOURS	INCIDENTS AFTER HOURS	% OVER TIME INCIDENTS	PIPE BUSRTS	LEAKAGES	METER INCIDENTS
ABBOTSDALE	5	2	3	60%	0	4	1
CHATSWORTH	11	8	3	27%	0	8	3
DARLING	15	7	8	2%	2	6	7
KALBASKRAAL	7	6	1	0%	0	4	3
KORINGBERG	2	2	0	0%	0	1	1
MALMESBURY	70	54	16	23%	5	36	29
MOORREESBURG	18	8	10	56%	3	7	8
RIEBEEK - KASTEEL	11	8	3	27%	4	6	1
RIEBEEK - WES	6	2	4	67%	4	1	1
RIVERLANDS	11	7	4	36%	3	4	4
YZERFONTEIN	2	0	2	100%	1	1	0
	158	104	54	34%	22	78	58



Performance Report May 2022

Sector	Focus Area	Name of projects	Start and End Date	Department	Work opportunities	TOTAL WORK DAYS	TOTAL FTE's	Male	Female	Disabilities	Progress	Contact person
Infrastructure	Road and stormwater System Development and Maintenance	Annual Maintenance of Road Signs	01/07/2021 - 30/06/2022	Civil	3	552	2.40	0	0	No	In Progress	Clayton Jacobs
Infrastructure	Development and maintenance of buildings	Maintenance of Municipal Buildings	01/07/2021 - 30/06/2022	Civil	4	469	2.04	0	0	No	In Progress	Clayton Jacobs
Infrastructure	Basic Infrastructure services, including water sewer	Annual Deforesting of Oxidation Dams	01/11/2021 - 28/02/2022	Civil	7	451	1.96	0	0	No	In Progress	Francois Malan
Enviromental and Cultural Sector	Waste Management	Cleaning Rivers and Open Spaces	01/07/2021 - 30/06/2022	Civil	7	1,386	6.03	0	0	No	In Progress	Annaline Siebritz
Enviromental and Cultural Sector	Waste Management	Sweeping Streets	01/03/2022 - 31/03/2022	Civil	0	0	0.00	0	0	No	0	Annaline Siebritz
Enviromental and Cultural Sector	Waste Management	Maintenance of Public Refuse Bins	30/07/2021 - 29/10/2021	Civil	4	840	3.65	0	0	No	In Progress	Annaline Siebritz
Infrastructure	Road and stormwater System Development and Maintenance	Cleaning Side Walks and Stormwater Channels	01/09/2021 - 29/04/2022	Civil	21	2,990	13.00	0	0	No	In Progress	Jerome Smith
Infrastructure	Basic Infrastructure services, including water sewer	Cleaning around Fire Hydrants and Resrviors	01/08/2021 - 30/06/2022	Civil	12	2,292	9.97	0	0	No	In Progress	Edwin Howburg
Enviromental and Cultural Sector	Parks and Beautification	Cleaning Cemeteries and Open Spaces	01/07/2021 - 30/06/2022	Civil	37	6,385	27.76	0	0	No	In Progress	Renate Du Plessis
Enviromental and Cultural Sector	Parks and Beautification	Superviviom of Play Parks	01/07/2021 - 30/06/2022	Civil	5	1,114	4.84	0	0	No	In Progress	Renate Du Plessis
Enviromental and Cultural Sector	Parks and Beautification	Maintenance of Sports Grounds	01/07/2021 - 30/06/2022	Civil	5	1,423	6.19	0	0	No	In Progress	Renate Du Plessis
Social Sector	Social Services	Cleaning Services	01/07/2021 - 30/06/2022	Corporate	1	543	2.36	0	0	No	In Progress	Ilse Look
Social Sector	Social Services	Access Control Officers	01/07/2021 - 30/06/2022	Corporate	8	939	4.08	0	0	No	In Progress	Sunet de Jongh
Social Sector	Social Services	Fire Service Duties	01/07/2021 - 30/06/2022	Protection	8	443	1.93	0	0	No	In Progress	Royston Harris
Social Sector	Social Services	Control Room Operater	01/07/2021 - 30/06/2022	Protection	1	162	0.70	0	0	No	In Progress	Royston Harris
Social Sector	Social Services	Development Services	01/07/2021 - 30/06/2022	Development	3	244	1.06	0	0	No	In Progress	Hillary Balie
Social Sector	Social Services	Data Capturer	01/07/2021 - 30/06/2022	Civil	0	206	0.90	0	0	No	In Progress	Jonhill Spies
Social Sector	Social Services	Placement of Beneficiaries on Serviced Erfs	01/10/2021 - 30/06/2022	Development	2	350	1.52	0	0	No	In Progress	Melvin Harmse
Infrastructure	Development and maintenance of buildings	Housing Project	01/11/2021-30/06/2022	Development	178	2,844	12.37	0	0	No	In Progress	Sylvester Arendse
Social Sector	Social Services	Archive	01/09/2021 - 30/11/2021	Corporate	2	154	0.67	0	0	No	0	Nicolette Brandt
Infrastructure	Electrical Works	Electrical Bulk Supply	02/08/2021 - 31/05/2022	Electrical	10	1,868	8.12	0	0	No	In Progress	Johan Van der Zandt
Infrastructure	Electrical Works	Upgrading of Electrical Networks	02/08/2021 - 031/05/2022	Electrical	4	653	2.84	0	0	No	In Progress	Johan Van der Zandt
Infrastructure	Basic Infrastructure services, including water sewer	Darling & Moorreesburg WWTW	01/07/2021 - 30/11/2021	Civil	1	3,064	13.32	0	0	No	In Progress	Jonhill Spies
Infrastructure	Basic Infrastructure services, including water sewer	Construction of Roads	01/01/2022 - 30/04/2022	Civil	21	1,110	4.83	0	0	No	In Progress	Jonhill Spies
Infrastructure	Basic Infrastructure services, including water sewer	Construction of Side Walks	14/02/2022-25/03/2022	Civil	20	339	1.47	0	0	No	In Progress	Jonhill Spies
Infrastructure	Basic Infrastructure services, including water sewer	Construction of Water Reticulation Networks	31/01/2022-18/02/2022	Civil	4	143	0.62	0	0	No	In Progress	Clarise Fortuin
Enviromental and Cultural Sector	Waste Management	Cleaning of Coastal Area	01/07/2021-30/06/2022	Civil	3	420	1.83	0	0	No	In Progress	Annaline Siebritz
Enviromental and Cultural Sector	Waste Management	Cleaning Project	01/03/2022-31/10/2022	Civil	105	6,300	27.39	0	0	No	In Progress	Annaline Siebritz
Enviromental and Cultural Sector	Waste Management	Covid-19 Project	01/07/2021-30/06/2022	Civil	8	1,807	7.86	0	0	No	In Progress	Annaline Siebritz
Enviromental and Cultural Sector	Parks and Beautification	Removal of Invasive Plants on Municipal Property	16/05/2022-30/06/2022	Civil	9	189	0.82	0	0	No	In Progress	Renate Du Plessis
TOTAL					493	39,680	172.52					

	TARGETS FOR 2020/2021	TOTALS ACHIEVED FOR 2020/2021
Work opportunities	264	493.00
Full Time Equivalents	127	172.52

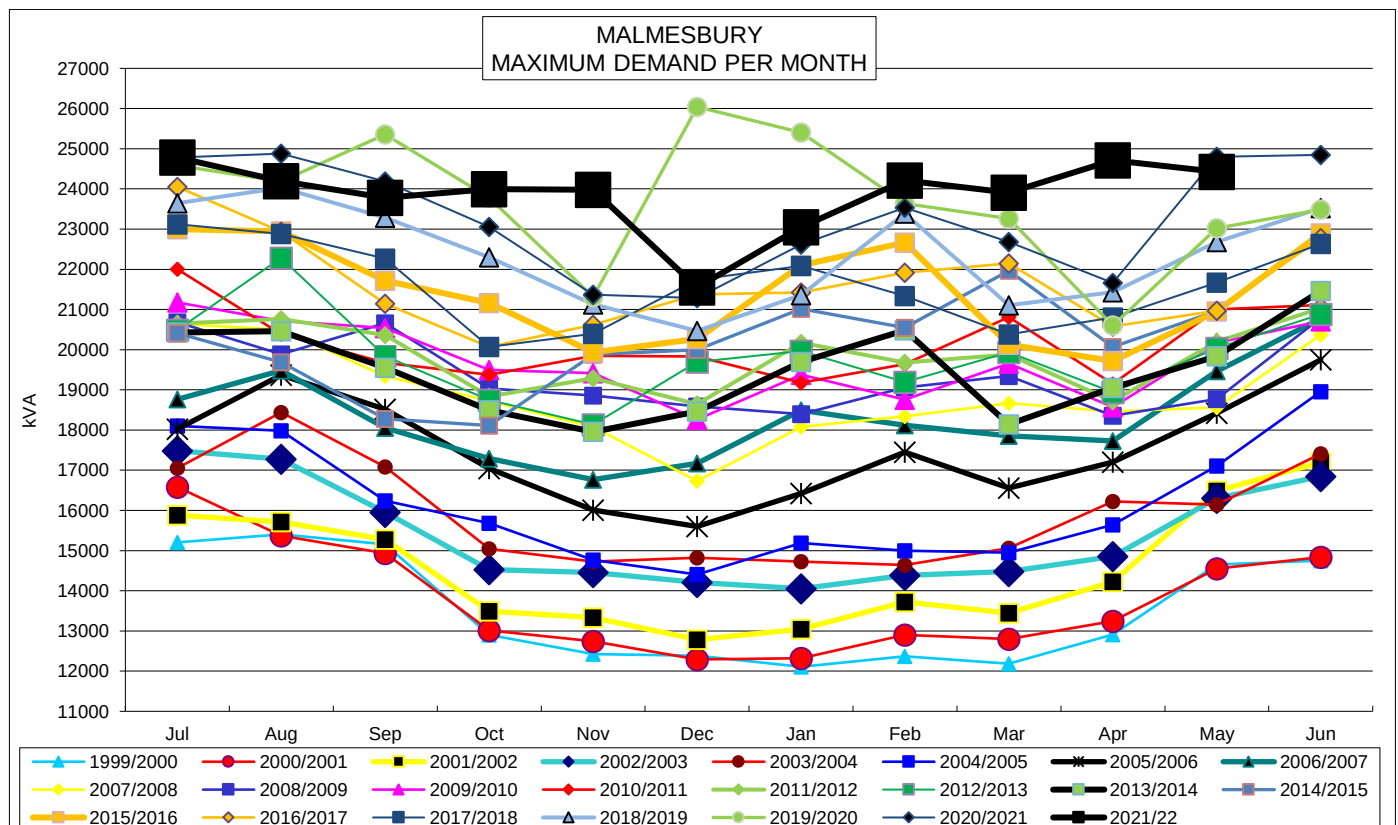
SWARTLAND MUNICIPALITY

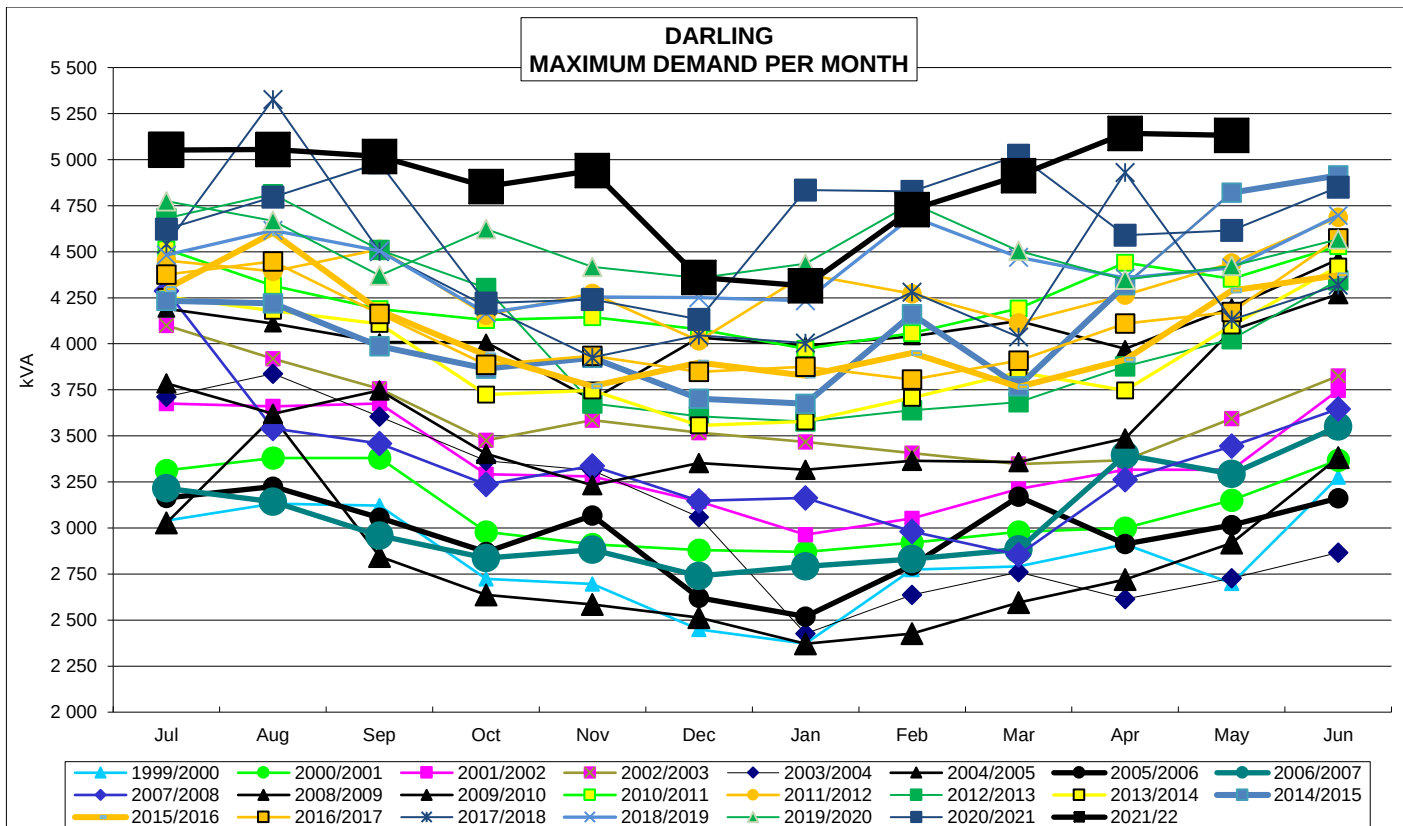
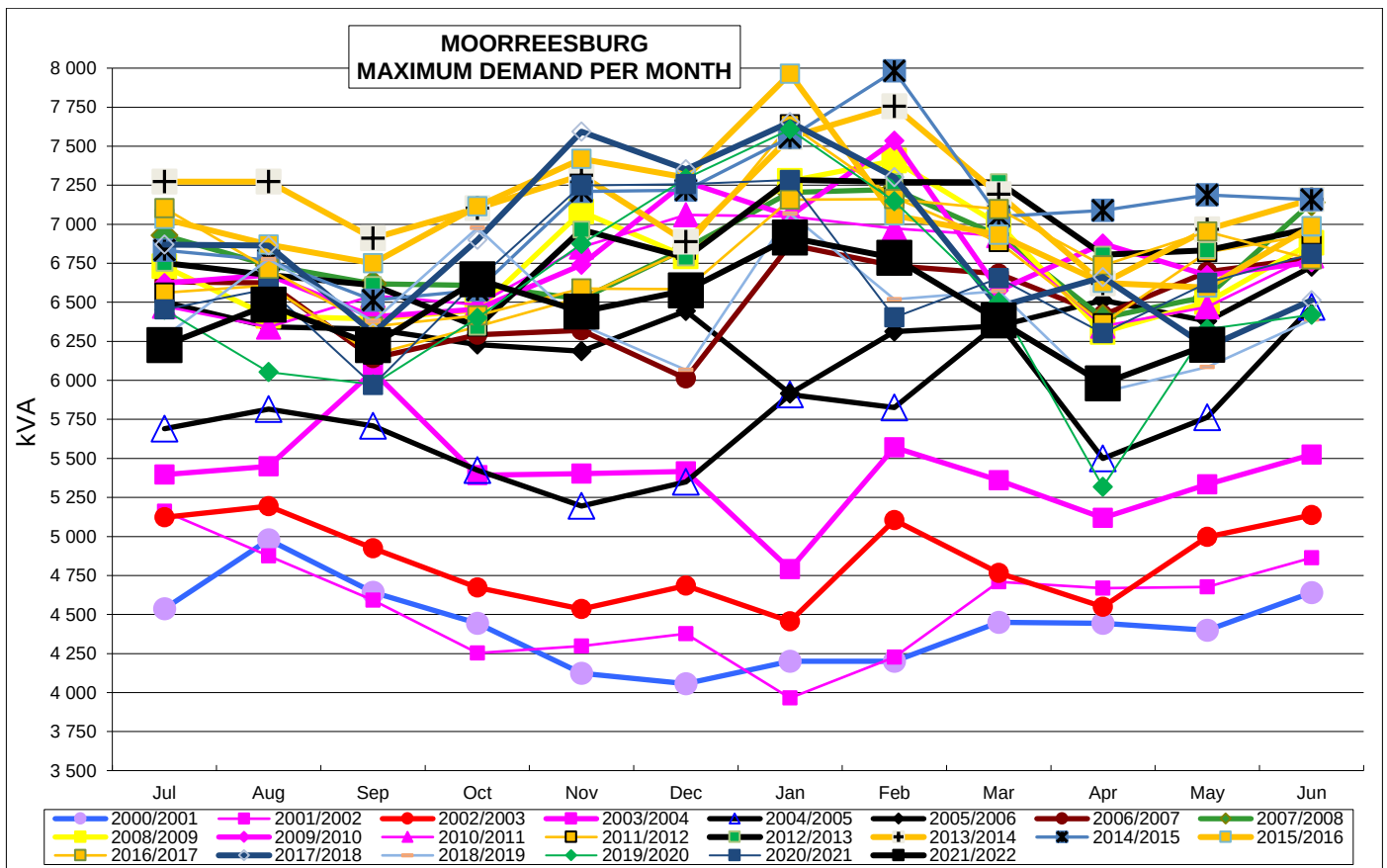
Office of the Director: Electrical Engineering Services
1 July 2022

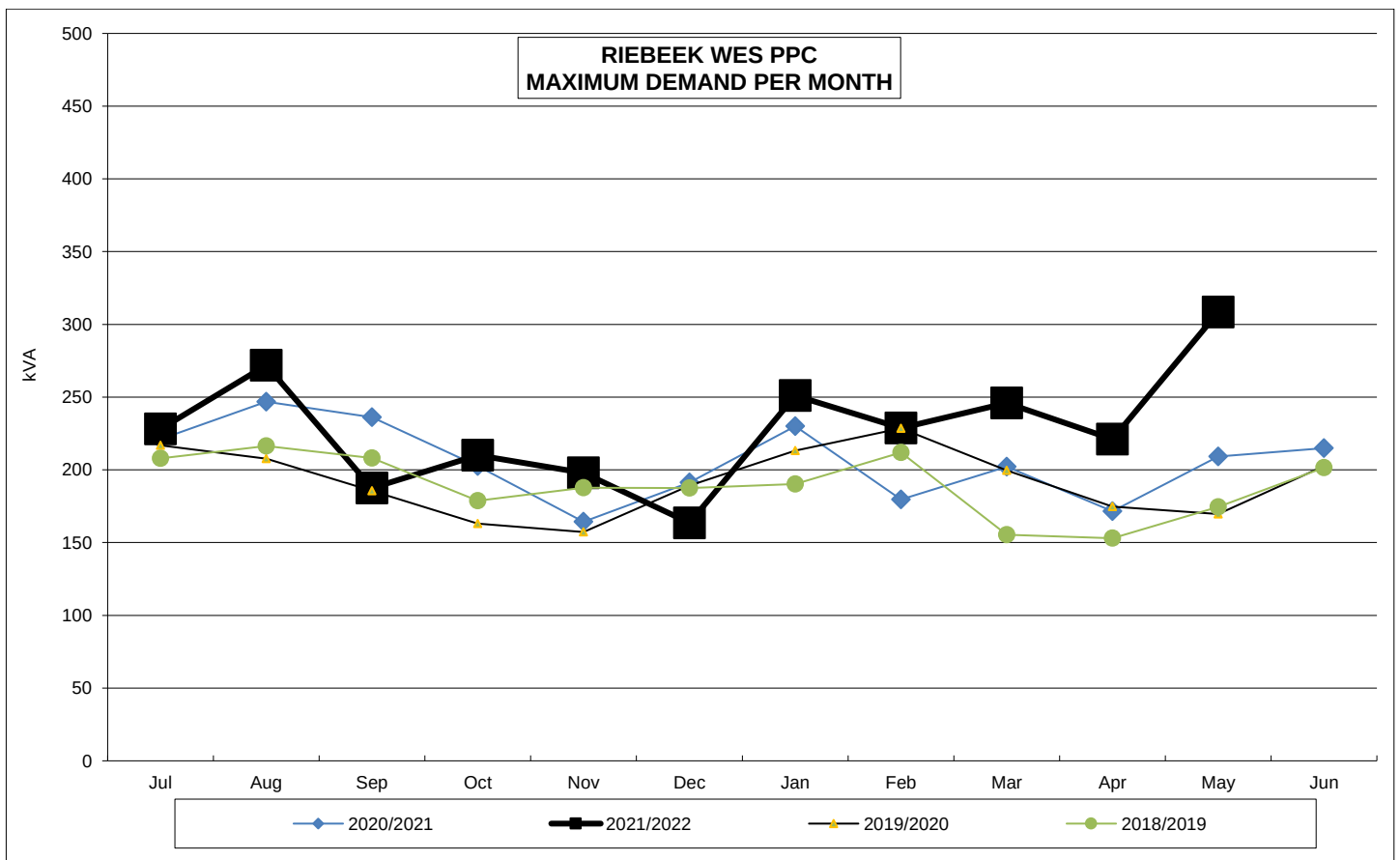
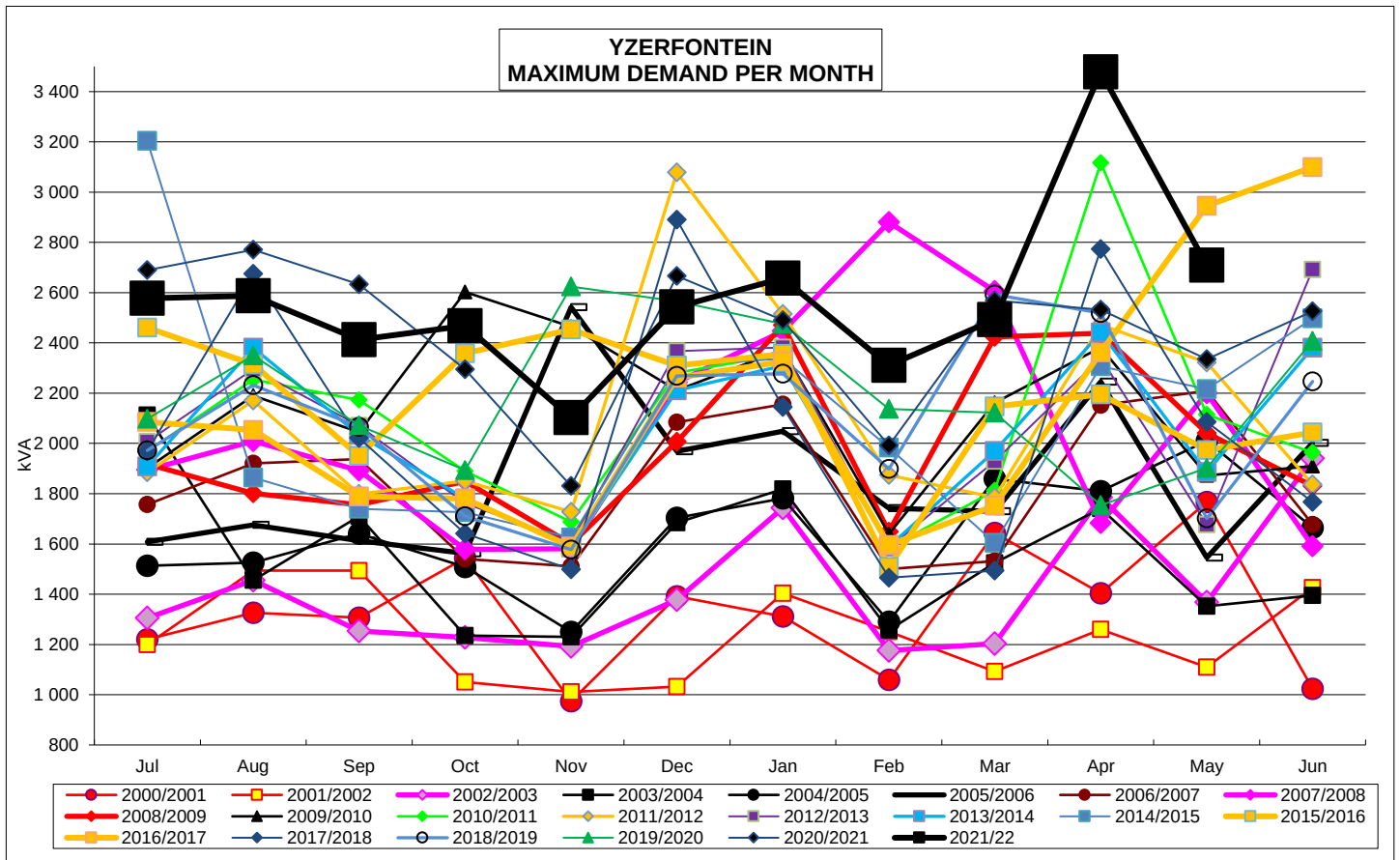
VERSLAG VAN DIE DEPARTEMENT ELEKTRIESE INGENIEURSDIENSTE VIR MEI 2022 REPORT OF THE DEPARTMENT ELECTRICAL ENGINEERING SERVICES FOR MAY 2022

1. ELECTRICITY CONSUMPTION

ITEM	MALMESBURY		MOORREESBURG		DARLING		YZERFONTEIN		PPC ONGEGUND		TOTALS	
Purchase:												
Tariff structure	Megaflex		Megaflex		Megaflex		Miniflex		NS Rural & Landrate			
Notified MD (MVA)	29		8		5.5		3.9		0.3		46.7	
	May-21	May-22	May-21	May-22	May-21	May-22	May-21	May-22	May-21	May-22	May-21	May-22
Max. demand (MVA)	24.80	24.42	6.62	6.23	4.62	5.13	2.33	2.71	0.209	0.308	38.58	38.80
% Increase	-1.50%		-5.99%		11.18%		16.06%		47.44%		0.57%	
Energy (GWh)	11.85	11.38	2.71	2.51	2.01	2.05	0.912	0.884	0.061	0.060	17.55	16.88
% Increase	-4.03%		-7.59%		2.01%		-3.02%		-1.58%		-3.82%	
Peak (GWh)	1.83	16.11%	0.5056	20.16%	0.3543	17.27%	0.1511	17.09%		N/a	2.3388	16.34%
Standard (GWh)	4.54	39.86%	1.1449	45.66%	0.8606	41.94%	0.3452	39.03%		N/a	5.7408	40.11%
Off-peak (GWh)	5.01	44.03%	0.8568	34.17%	0.8369	40.79%	0.3881	43.88%		N/a	6.2339	43.55%
Loadfactor	0.63		0.55		0.58		0.44		0.26		0.60	
Average Powerfactor	1.00		0.95		0.93		0.99		N/a		0.97	







2. ELECTRICITY INCOME AND EXPENDITURE

MNTH	MALMESBURY		MOORREESBURG		DARLING		YZERFONTEIN		RIEBEEK WES PPC		TOTAL	
	PURCHASE	INCOME	PURCHASE	INCOME	PURCHASE	INCOME	PURCHASE	INCOME	PURCHASE	INCOME	PURCHASE	INCOME
Jul/2021	R 24 065 619	R 22 247 130	R 5 317 303	R 5 426 383	R 4 150 190	R 3 375 274	R 2 008 492	R 2 383 175	R 209 202	R 146 179	R 35 750 806	R 33 578 141
Aug/2021	R 23 371 059	R 21 188 675	R 4 757 597	R 6 327 141	R 4 292 282	R 4 254 170	R 1 919 521	R 2 591 289	R 210 952	R 159 511	R 34 551 411	R 34 520 786
Sep/2021	R 13 995 414	R 19 318 897	R 3 225 181	R 5 535 138	R 2 949 749	R 3 597 939	R 1 373 533	R 2 058 237	R 148 743	R 123 270	R 21 692 620	R 30 633 481
Oct/2021	R 13 531 691	R 23 220 626	R 3 226 838	R 4 930 679	R 2 439 374	R 3 755 568	R 1 078 960	R 1 824 751	R 129 936	R 130 991	R 20 406 798	R 33 862 615
Nov/2021	R 13 265 470	R 19 357 929	R 3 416 394	R 4 016 674	R 2 433 762	R 3 644 320	R 1 040 565	R 1 819 051	R 124 245	R 101 718	R 20 280 436	R 28 939 692
Dec/2021	R 13 573 699	R 20 720 032	R 2 838 714	R 5 157 819	R 2 358 275	R 3 910 918	R 1 172 458	R 2 222 414	R 122 027	R 107 338	R 20 065 173	R 32 118 521
Jan/2022	R 14 178 538	R 20 361 185	R 3 553 307	R 5 149 475	R 2 450 822	R 3 826 359	R 1 246 997	R 2 168 483	R 144 717	R 117 589	R 21 574 380	R 31 623 090
Feb/2022	R 13 313 576	R 20 182 314	R 3 089 647	R 5 137 359	R 2 716 773	R 3 781 670	R 1 075 337	R 2 013 104	R 150 075	R 126 005	R 20 345 409	R 31 240 453
Mar/2022	R 14 088 492	R 20 205 440	R 3 318 295	R 5 003 791	R 2 509 709	R 3 887 032	R 984 369	R 2 309 994	R 132 303	R 117 448	R 21 033 169	R 31 523 706
Apr/2022	R 12 624 363	R 20 021 790	R 2 847 476	R 5 084 030	R 2 569 576	R 4 102 720	R 1 138 614	R 2 241 143	R 137 163	R 124 380	R 19 317 193	R 31 574 063
May/2022	R 13 807 411	R 20 338 198	R 4 187 305	R 4 782 662	R 2 543 741	R 3 776 390	R 1 090 562	R 2 090 945	R 147 941	R 99 001	R 21 776 958	R 31 087 197
Jun/2022		R 0		R 0		R 0		R 0		R 0	R 0	R 0
CUM TOT.	R 169 815 332	R 227 162 215	R 39 778 056	R 56 551 151	R 31 414 254	R 41 912 360	R 14 129 407	R 23 722 586	R 1 657 305	R 1 353 430	R 256 794 354	R 350 701 743
SURPLUS	R 57 346 883		R 16 773 095		R 10 498 106		R 9 593 179		-R 303 875		R 93 907 389	
% GROSS SURPLUS	25.2%		29.7%		25.0%		40.4%		-22.5%		26.8%	

3. PROJECTS

Refer to SDBIP.

4. Connections

DESCRIPTION	MALMESBURY	MOORREESBURG	DARLING	YZERFONTEIN
New credit meter connections	1	-	2	7
New pre-payment connections	5	2	-	7
Replacement of credit with pre-payment meters	7	3	7	4
Defective credit meters	1	-	-	1
Defective pre-payment meters	20	4	20	-

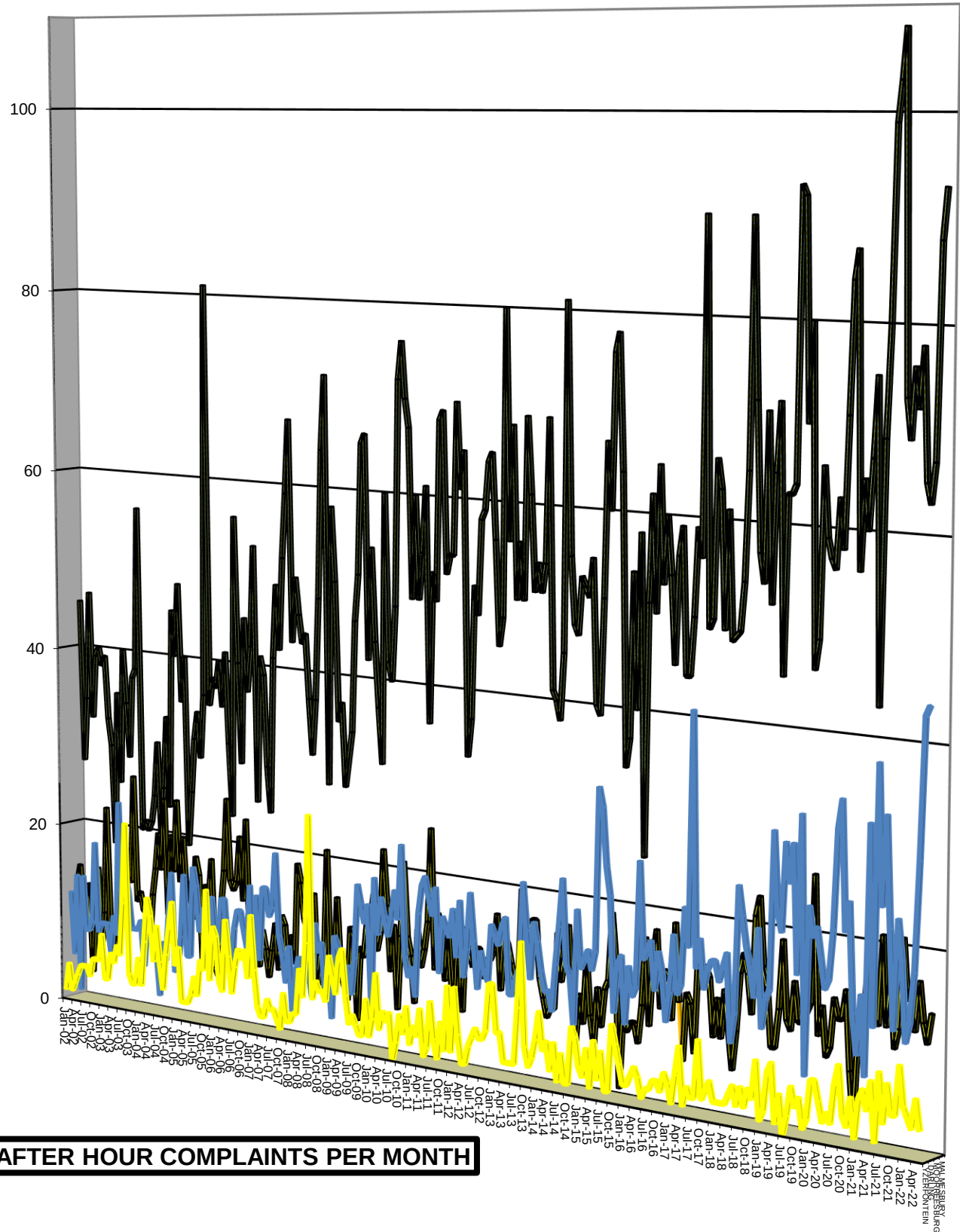
5. MAINTENANCE

5.1 Maintenance expenditure

VOTE	BUDGET	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22
NETWORK MAINTENANCE	R 797 756	R 18 115	R 61 823	R 171 122	R 287 899	R 451 684	R 524 150	R 616 978	R 713 393	R 752 005	R 763 552	R 765 691	
STREETLIGHTS	R 580 000	R 38 848	R 193 431	R 274 334	R 287 117	R 327 893	R 391 411	R 397 139	R 412 410	R 430 832	R 446 397	R 466 698	
METERS	R 76 729	R 0	R 0	R 1 696	R 1 696	R 1 696	R 1 696	R 2 228	R 2 228	R 2 228	R 5 652	R 13 582	
MACHINERY	R 83 319	R 151	R 10 216	R 20 857	R 49 578	R 52 443	R 54 914	R 57 587	R 62 940	R 67 302	R 76 805	R 86 425	
RADIOS	R 8 282	R 0	R 0		R 0	R 0	R 0	R 0	R 2 824	R 2 824	R 2 824	R 4 534	
RADIO NETWORK	R 39 437	R 0	R 14 230	R 14 230	R 14 230	R 14 230	R 14 230	R 14 230	R 14 230	R 14 230	R 34 253	R 34 253	
FESTIVE LIGHTING	R 30 000	R 0	R 0	R 0	R 26 050	R 26 050	R 26 050	R 26 050	R 26 050	R 26 078	R 26 078	R 28 067	
TOTAL	R 1 615 523	R 57 114	R 279 700	R 482 239	R 666 570	R 873 997	R 1 012 451	R 1 114 212	R 1 234 074	R 1 295 499	R 1 355 560	R 1 399 251	R 0
		3.54%	17.31%	29.85%	41.26%	54.10%	62.67%	68.97%	76.39%	80.19%	83.91%	86.61%	0.00%

5.2 CALLOUTS FOR REPAIRS AND MAINTENANCE

May-22	Total Complaints Logged	Complaints during office hours	Complaints during after hours	% After hour complaints
Darling	54	10	44	
Yzerfontein	28	25	3	
Moorreesburg	32	18	14	
Malmesbury	172	79	93	
Total Complaints	286	132	154	54%



AFTER HOUR COMPLAINTS PER MONTH

5.3 MAJOR AND PLANNED POWER SUPPLY DISRUPTIONS AND PUBLIC SAFETY RISKS

TOWN	DATE	~TIME	DESCRIPTION
MALMESBURY	04 05 22	06:00-08:00	Eskom loadshedding
	04 05 22	14:00-16:30	
	05 05 22	12:00-14:30	
	05 05 22	20:00-22:30	
	06 05 22	20:00-22:30	
	07 05 22	04:00-06:30	
	09 05 22	18:00-20:30	
	10 05 22	18:00-20:30	
	13 05 22	17:00-18:30	
	16 05 22	17:00-18:30	
	22 05 22	12:00-14:30	
	22 05 22	20:00-22:00	
	23 05 22	20:00-22:00	
	26 05 22	18:00-21:00	
	27 05 22	18:00-20:30	Eskom Klipfontein substation SCADA not working. Late reinstatement by Eskom operator.
	30 05 22	17:00-18:30	
	02 05 22	09:00-10:00	Open electrical distribution panel. Seder street. Made safe, repaired and secured.
	00 05 22	22:15-23:25	Fire in Koljander street. Electrical supply disconnected and made safe.
	07 05 22	15:25-19:50	Unplanned disruption. Horak, Immelman street areas. Fault located and repaired.
	08 05 22	14:58-20:21	Unplanned disruption. Kort street areas. Fault located and repaired.
	08 05 22	20:15-21:48	Electrical discharge on line Tinktinkie street. Made safe and repaired
	09 05 22	17:00-18:00	Electrical lines damaged Hugenote street. Made safe and repaired.
	11 05 22	22:32-23:35	Open electrical distribution panel. Varing street. Made safe, repaired and secured.
	15 05 22	17:28-18:35	Traffic signal malfunctioning Voortrekker street (Spar). Reset and reinstated.
	19 05 22	11:11-15:00	Unplanned disruption Kanarie street. Cable vandalised. Made safe and repaired.
	29 05 22	10:32-11:37	Electrical pole blown over. Abelia street. Made safe and reinstated.
MOORREES-BURG	03 05 22	20:00-22:30	Eskom loadshedding
	04 05 22	20:00-22:30	
	05 05 22	02:00-04:30	
	06 05 22	02:00-04:30	
	06 05 22	10:00-12:30	
	11 05 22	17:00-18:30	
	12 05 22	17:00-18:30	
	17 05 22	20:00-22:00	
	20 05 22	20:00-22:00	
	28 05 22	17:00-18:30	
	19 05 22	15:30-16:00	Fire in Sibanye Square. Electrical supply disconnected, made safe and damage repaired.
	29 05 22	18:38-20:05	Unplanned disruption Meul street. Cable burnt in electrical panel. Made safe and repaired.
	30 05 22	09:30-09:31	Eskom planned disruptions to transfer load to undertake maintenance of main distribution transformer
		15:30-15:33	

DARLING YZERFONTEIN	04	05	22	08:00-10:30	Eskom loadshedding
	04	05	22	16:00-18:30	
	05	05	22	14:00-16:30	
	05	05	22	22:00-00:30	
	06	05	22	22:00-00:30	
	09	05	22	20:00-22:30	
	10	05	22	20:00-22:30	
	13	05	22	18:00-20:30	
	16	05	22	18:00-20:30	
	17	05	22	17:00-18:30	
	26	05	22	20:00-22:00	
	27	05	22	20:00-22:30	
	30	05	22	18:00-20:30	
	09	05	22	20:00-21:33	Planned disruption. Upgrading of network during load shedding.
	16	05	22	17:00-21:50	Unplanned disruption. Industrial area high voltage fault. Repaired and reinstated.
	23	05	22	17:00-17:33	Fire in Cimbidium street. Electrical supplies and supply cable damaged, disconnected and made safe.
	28	05	22	18:14-19:34	Electrical pole damaged by vehicle. Cimbidium street. Made safe and repaired.
RIEBEEK WES PPC	03	05	22	18:00-20:30	
	04	05	22	18:00-20:30	
	05	05	22	00:00-02:30	
	06	05	22	00:00-02:30	
	06	05	22	08:00-10:30	
	13	05	22	20:00-22:30	
	16	05	22	20:00-22:30	
	17	05	22	18:00-20:30	
	29	05	22	20:00-22:00	
	30	05	22	20:00-22:00	

(SGN) R DU TOIT DIRECTOR: ELECTRICAL ENGINEERING SERVICES



Verslag ♦ Ingxelo ♦ Report

Kantoor van die Direkteur: Ontwikkelingsdienste
7 Julie 2022

7/1/2/2-2
WYK: n.v.t.

ITEM 6.3 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE VERGADERING (ONTWIKKELING EN BESKERMING) WAT GEHOU SAL WORD OP 13 JULIE 2022

ONDERWERP:	MAANDVERSLAG (MEI 2022): ONTWIKKELINGSDIENSTE
SUBJECT:	MONTHLY REPORT (MAY 2022): DEVELOPMENT SERVICES

Attached are the following reports relating the functioning of the Development Services directorate during May 2022, in terms of Council's Strategic Management System:

Annexure A: Additional Reports from Divisional Heads

(get) J S Krieger

MUNICIPAL MANAGER

Division: Human Settlements

MONTHLY REPORT – MAY 2022

ABBREVIATIONS

DEPARTMENT OF HUMAN SETTLEMENTS (DHS)

INTEGRATED RESIDENTIAL DEVELOPMENT PROGRAMME (IRDP)

UPGRADING INFORMAL SETTLEMENTS PROGRAMME (UISP)

PROJECT INITIATION DOCUMENT (PID)

PROJECT FEASIBILITY REPORT (PFR)

PROJECT IMPLEMENTATION READINESS REPORT (PIRR)

NO.	NAME OF PROJECT	STATUS
1	Riebeek Kasteel Service Site Project	The project makes provision for 435 serviced sites.
		Services 100 % completed
		434 subsidies has been approved
		433 erven has been handover
		431 title deeds has been registered.
		2 Outstanding tile deeds
		400 structures have been erected on erven.
		Eskom is busy with the installation of electricity to the structures.
		Gordian Fencing has been appointed for the erection of fencing between the project & neighbouring farmer.
		The project has been completed.
2	De Hoop Catalytic Project	The project will take place in a phased approach and will create ± 2000 opportunities
		The first phase of the project will comprise of 395 opportunities. The remaining ± 1 605 units will be constructed over a period of 2 -6 financial years subject to the availability of funding received from DHS.
		The contractor, EXEO have been appointed for the installation of services and the project is 100% completed
		Received PIRR approval for the construction of 200 top structures in the 2021/22 financial year and 195 top structures in the 2022/23 financial year.
		The contract between the relevant parties has been concluded.
		The tender for the construction of houses has been awarded to Simply Do Construction (PTY) Ltd.
		In terms of the National Housing Code On the 30 th September 2020 National Department of Human Settlements informed the municipalities about

		the budget cuts and the new directive whereby only the following people will qualify for Top structures (houses) The Aged, Persons with Disabilities and Military Veterans in line with the date of application on the waiting list.
		199 Foundations, 187 wall plates & 136 roofs has been completed.
		22 houses has been handover to beneficiaries in May 2022.
		The projects will be completed before end of January 2023
3	Chatsworth Service Site Project	The project makes provision for 130 serviced sites.
		Received PID approval from DHS
		Awaits POA from HDA
		Busy with negotiations between different stakeholders
4	Darling Project (FLISP)	The project makes provision for 36 units/erven.
		Received land-use approval.
		Asla is busy with the township layout planning.
		Received PFR approval from DHS.
		Awaits PIRR approval from DHS before we can commence with the installation of engineering services.
5.	Riebeek West & Kalbaskraal Fencing	The tender has been awarded and the project will be completed before end of June 2022.
6.	Riverlands I/S	The project makes provision for 8 erven.
		6 subsidies has been approved
		The Department of DHS however indicated that due to a shortage of funding the budget for all individual subsidies has been depleted and will only be replenished on 01 April 2022.

MANAGER: HUMAN SETTLEMENTS

DEVELOPMENT SERVICES: COMMUNITY DEVELOPMENT



Monthly Council Report MAY 2022

EXECUTIVE SUMMARY: COMMUNITY DEVELOPMENT

- **Introduction**

As part of the Development Service Department: Community Development division strategic Key Performance Indicators (KPI's) were established as part the performance management system. The Community Development Division is reporting monthly on the Key Performance Indicators.

There is a link between the KPI's, IDP and the Swartland Municipal Social Development Policy and Strategy, which has six strategic focus areas. For reporting to the Portfolio Committee, feedback will be given in terms of the Key Performance Indicators as follows:

Key Performance Area: Community Development:

FOCUS AREA – EARLY CHILDHOOD DEVELOPMENT:

Legislation applicable: Children's Act of 2005, Constitution Schedule 4B and 5B

Ph-09-0114: Promote the development of child facilities

Key Performance Indicators (KPI's):

1. Number of capacity building sessions with ECD organisation in the Swartland municipal area:

- We have a target of 10 capacity-building sessions with ECD organisation for the year. For the month of May 2022, no capacity-building sessions was held. .

Our target for the year is to have of 10 capacity building sessions with ECD organisations.

2. Number of Quarterly reports on the implementation of capacity building intervention sessions submitted to the director:

- Each quarter of the financial year reporting is done on the capacity building interventions in order to determine if the sessions had an impact on the ECD organisations.

The next quarterly report is due in June 2022.

3. Number of unregistered facilities assisted to register their facilities:

- It is essential to assist unregistered facilities on a continuous basis to ensure they become legal. For the month of May 2022, no ECD facilities were assisted to register their facilities.

Key Performance Area: Community Development:

FOCUS AREA – YOUTH DEVELOPMENT:

Legislation applicable: Constitution of RSA 1996 section 152 (1) c

Ph-09-0115: Promote the capacity of young adults

Key Performance Indicators (KPI's):

1. Number of people (including youths) assisted with career guidance and information about economic opportunities:

- Throughout the year Swartland Municipality's youth office assist people with career guidance and information. For the month of May2022, 174 people including youth were assisted with applications in the following way:

Job application forms: Swartland Municipality application form (44 people); Swartland Municipality Database EPWP forms (94 people); Z83 forms (24 people); Career Guidance and Support (12 people);

On a monthly basis the youth office, also circulate job opportunities to relevant stakeholders, community, NGO's, government departments electronically via e-mail. Career guidance is also done at the Thusong centre where the youth office is based.

2. Number of youths from the Swartland community who entered into job opportunities with assistance from the Youth office

- The youth office link with government departments, the private sector, businesses and NGO's to assist youth of the Swartland to enter into job opportunities. For the month of May 2022, no youth entered into job opportunities.

3. Number of training, internships and learnership opportunities in collaboration with other Departments with the assistance from the Youth Office:

For the month of May 2022, 7 youth was placed on internship opportunities at SM Libraries in the Year beyond ICT Cadet Programme from 9 May – 22 November 2022 with the assistance of the Youth Office.

Key Performance Area: Community Development:

Focus: Vulnerable people:

Legislation applicable: Constitution of RSA 1996 section 153 (a) Schedule 4B &5B

Ph-09-0116: Promote access to social development services for vulnerable people

Key Performance Indicators (KPI's):

1. Number of people reached through government services at the Ilingeletu Thusong Centre:

- The target for the Thusong Centre is to render services to people visiting the centre. The following services were rendered at the Thusong Centre for May 2022:

SASSA (672 people); CAPE ACCESS (9 new members for the month); Thusong office services (1074); DEPARTMENT OF LABOUR (253);

In total 2008 people were reached at the Ilingeletu Thusong Centre.

2. Number of Thusong Mobile Outreaches implemented in the Swartland Municipal area:

- The Thusong Mobile outreaches is a mechanism to take services to the people with anchor departments such as (SASSA, Home Affairs, DSD; DOL). In the Swartland Municipal area, Thusong Mobile Outreaches is not subject to the anchor department, but we include NGO's, other government departments, and businesses to collectively render services to communities.

For the month of May 2022 a Thusong Mobile was held in Moorreesburg on 17 May 2022.

Services rendered:

SEDA (16); DOL (142); LEGAL AID (14); DEPARTMENT OF JUSTICE (7); SINETHEMBA (151) DOA (176); TBCARE (4); DSD (3). ICASA (10)

The target for the year is to have 5 Thusong Mobile Outreaches.

3. Report to the Director Development Services on the number of referrals from the Community Development Division

- This KPI was developed in order to capture how many referrals are done to other departments where people need assistance. Follow-up is done to determine if people were helped. The following referrals was done for the month of May 2022: Thusong Centre to Civil Department (4); TSC to Electricity Department (2)

Total referrals was 3 for the month.

4. Number of life skills programmes

- This category includes any session where capacity of the individual or group were built which excludes business or vocational training or ECD capacity building training. It might include amongst others: health awareness raising, financial literacy, youth camps, arts and culture projects, food kitchens (only if it was accompanied with capacity building). For the month of May 2022 the following life skills sessions was held: Gender Based Induction Programme for Ward Based GBV Ambassadors on 21 May 2022; NYDA Job Preparedness at Broodkraal on 16 M; NYDA Job Preparedness at Withoogte on 20 May 2022; LDAC NPO Toolkit and funding procedures training on 25 May 2022.

We have a target of 30 life skill programmes for the year.

Key Performance Area: Community Development:

Focus: Local Economic Development:

Legislation applicable: Constitution of RSA 1996 section 152 (1) c

Ph-09-0118: Support local economic development through skills development

Key Performance Indicators (KPI's):

1. Number of entrepreneurship training workshops held by referring existing businesses to SEDA and NYDA (2 for the year):

- SEDA and SARS tax compliance workshops was held on 31 May 2022 where 29 entrepreneurs attended the workshop.

2. Report on the impact of training workshops, which caused an increase in income, and quality of life of participants submitted annually by August

- Monitoring and Evaluation are completed and submitted to the Executive Mayoral Council by August 2021 of the impact on the quality of life of participants. The impact report of the 2020/2021 financial year is available at the Manager: Community Development.

Key Performance Area: Community Development:

Focus: Strategic planning/ Community Participation and LED:

Legislation applicable: Systems Act 32 of 2000 Chapter 4 17 (1) c, (2) d; Constitution of the RSA 1996 section 41 (h)

Ph-13-0004: Number of meetings with Social Development Forum

Key Performance Indicators (KPI's):

1. Number of meetings with Social Development Forum

- The Department of Social Development has the mandate to drive social development needs, where the municipality has a co-ordination role in terms of social development. DSD is the chairperson of the Social development Forum and the municipality the secretariat. We need to meet on a quarterly basis to strategically discuss the focus areas: Child Protection, Victim Empowerment, Substance Abuse and School dropouts.

A SSDF meeting is planned for 28 June 2022.

Key Performance Area: Community Development:

Focus: Socio-Economic Assessments:

Ph-16-0001: Support the coordination of disaster management

Key Performance Indicators (KPI's):

-Socio-economic assessment are done when a disaster occur. All households receive humanitarian assistance (food parcels, blankets) irrespective the nature of the disaster. The incidents are captured on collaborator and submitted to the finance department to finalise their process.

The following socio-economic assessments were done in **May2022**:

- 15 Cimbidium Avenue Darling, 13 Cimbidium Avenue Darling 321 Stasie Weg Riebeek-West; 19 Ceder Singel Riebeek-West; 6422B Sibanye Square Moorreesburg; 6360-6366 Sibanye Square Moorreesburg; 21 Lelie Street Riebeek Kasteel; 9 Aandblom Street Riebeek Kasteel; 350 Dennehout Street Kalbaskraal; 351 Eikenhout Street Kalbaskraal; 352 Eikenhout Street Kalbaskraal; 23 Cimbidium Street Darling.

Key Performance Area: Community Development:

Focus: Educational Programmes (Holiday Programmes):

Ph-18-0002:

Key Performance Indicators (KPI's):

- Number of educational programmes implemented (2 per annum)
- No educational programmes for May; the next school holiday program will be in September/December 2022

Community Development

Planned Project: May- June2022

YOUTH DEVELOPMENT:

<u>DATE</u>	<u>ACTIVITY</u>	<u>VENUE AND TIME</u>
	May 2022	
June 2022	Ongoing Career Guidance to Youth of the Swartland Municipal Area	
6-7 June 2022	First Aid Training for Youth	Banquet Hall Malmesbury, 10h00
17 June 2022	Occupational Health and Safety Training for Youth	Banquet Hall Malmesbury 10h00
20-21 June 2022	Fire Marshall Training for Youth	Banquet Hall Malmesbury 10h00

<u>DATE</u>	<u>ACTIVITY</u>	<u>VENUE AND TIME</u>
	June 2022	
14-15 June 2022	ECD Training (Requirements in terms of Contracts with Department of Labour/ UIF)	Town Hall Malmesbury 10h00
	Ongoing assistance to ECD facilities to register their facilities Monitoring and Evaluation of ECD facilities	

Thusong Mobiles:

<u>DATE</u>	<u>ACTIVITIES</u>	<u>VENUE AND TIME</u>
17 May 2022	Thusong outreach Government services	Moorreesburg Rosenhof Community Hall 10h00

Conclusion

- The Community Development Division honour Swartland Municipality's Vision: Hope and a dignified life for all people

MANAGER: COMMUNITY DEVELOPMENT

Division: Environmental and Occupational Health Facilities

Monthly Report – May 2022

a) Occupational Health and Safety

Occupational Health and Safety – Regulated by the Occupational Health and Safety Act 85 of 1993

- ✚ Have established Health and Safety Committee – **Meetings held quarterly.**
- ✚ Workstations with Safety Reps.
- ✚ Report on the numbers and detail of injuries on duty to the Compensation Commissioner.
- ✚ Injured workers reports injury on duty to our offices for assistance to see medical practitioner – **Ongoing: x4 injuries.**
- ✚ Serious injury report to Department of Labour – regarding death or loss of limbs – unconsciousness – 14 day IOD leave or more. **None**
- ✚ Submit claims to Department of Labour – **Comp Easy, ongoing.**
- ✚ Health and Safety specifications on construction sites – drawn up and inspections take place by Health and Safety Agent – **AD Astra. Site inspections weekly on different sites.**
- ✚ Safety inspections carried out (Start Card) Safety System developed for Swartland Municipality – **Ongoing.**

b) Environmental Health

- Designated Air Quality Officer for Swartland Municipality as well as Noise Control Officer.
- Keeping a database of Fuel Burning process (boilers) in Swartland Municipal area.
- Measure in respect of dust, noise and offensive odours – control of dust – noise and offensive odours – **Ongoing, as needed.**
- Pest Control as requested on municipal property – **Ongoing: 3 requests.**
- 3 Months pest control program concentrating on Drains/Stormwater of the whole Swartland Municipal area – **Yearly during February, March and April.**
- Interaction with Western Cape Government Environmental Affairs and Development Planning regarding Air Quality and Noise Control. **Virtual meeting via Teams took place on 5 May 2022.**
- Licencing Authority for issuing Business Licence – under Business Act 1991 – **Business Licence issued – Ongoing: x3 Business Licence.**
- Inspection – Notices to overgrown erven in Swartland Municipal area – **Inspections ongoing.**

c) Yzerfontein Caravan Park

- Chalets fully operational.
- All stands at the caravan park is operational.

Reporting of Covid 19 for Swartland Municipality

- No reporting on Covid 19 at this stage.

MANAGER: Environmental and Occupational Health Facilities

Division: Built Environment (Planning)

Monthly Report – May 2022

Decisions taken by Authorised Employee: May 2022

- ✚ Proposed consent use on Erf 777, Riebeek Kasteel - Approved 31 May 2022
- ✚ Proposed subdivision of erf 3924, Moorreesburg - Approved 31 May 2022
- ✚ Building plan Erf 1507, Yzerfontein - 30 May 2022
- ✚ Building plan Erf 1937, Riebeek Kasteel - street building line - 30 May 2022
- ✚ Building plan Erf 5173, Moorreesburg - side building line - 27 May 2022
- ✚ Building plan Erf 1725, Riebeek Wes - ground level - 26 May 2022
- ✚ Building plan Erf 2173, Malmesbury - side boundary - 26 May 2022
- ✚ Amendment of conditions of approval: Subdivision of Erf 6951, Malmesbury : Approved 23 May 2022
- ✚ Extension of validity period : Proposed Erf 3019, Malmesbury, Approved 20 May 2022
- ✚ Exemption from subdivision : Erven 327 & 2654, Malmesbury : Approved 20 May 2022
- ✚ Building plan Erf 3439, Malmesbury - side building line - 18 May 2022
- ✚ Proposed subdivision, departure and exemption from approval for servitude registration on erf 276, Abbotsdale : Approve 19 May 2022
- ✚ Proposed rezoning and departure on erf 2863, Darling : Approve 18 May 2022
- ✚ Building plan Erf 346, Yzerfontein - stoep - 17 May 2022
- ✚ Proposed rezoning, subdivision, closure of public place, consolidation and phasing of erven 5105, 11280, 7456, 12492, 12493 and 13011, Malmesbury : Approved 16 May 2022
- ✚ Building plan Erf 4059, Darling - Side building line - 17 May 2022
- ✚ Proposed subdivision on erf 51, Darling : Approve 13 May 2022
- ✚ Proposed rezoning and amendment of general plan and diagram : erven 2137, 2138, 2139, 2140, 2141 & 2945, Yzerfontein : Approved 11 May 2022
- ✚ Building plan Erf 1754, Yzerfontein - Height - 10 May 2022
- ✚ Building plan Erf 7503, Malmesbury - side building line - 10 May 2022
- ✚ Building plan Erf 1563, Malmesbury - street and rear building lines - 9 May 2022
- ✚ Proposed determination of zoning, amendment of plans and amendment of conditions of approval on Erf 4401, Darling: Approved 5 May 2022
- ✚ Proposed departure on Erf 1281, Riebeek West : Approved 5 May 2022
- ✚ Proposed temporary departure: remainder farm Botmaskloof no 661, division Malmesbury : Approve 6 May 2022
- ✚ Building plan Erf 579, Riebeek Wes - Height - 06 May 2022

Decisions taken by The Municipal Planning Tribunal: May 2022

-  Proposed consent use on Erf 7278, Malmesbury : Approved 17 May 2022
-  Proposed consent use on Erf 1858, Yzerfontein : Approved 17 May 2022

Decisions taken by The Appeal Committee: May 2022

-  None

Division: Built Environment (Valuations)

Supplementary Valuations

- The Second Supplementary Roll has been advertised for public notice and comments with closing date, June 2022.

General Valuations

- Swartland Municipality has prepared and advertised tenders for General Valuation with closing date, 29 April 2022 and received four Tenderers for evaluation.

Division: Built Environment (Building Control)

April 2022

- o Building plans submitted : **72**
- o Building plans **approved** and **acted** on **within** 30 days **<500m² (Within benchmark)** : **72 (100%)**
(Article 7 of Act 103 of 1977)
- o Building plans approved and acted on within 60 days **>500m² (Within benchmark)** : **0**
- o **Action** on building applications (letters) **after** 30 days **(Out of benchmark)** : **0**
(Article 7 of Act 103 of 1977)
- o Building plans not approved and no reactions : **0**
- o Average time on reactions : **8**
- o Total building plans approved : **42**

Percentage: 58%

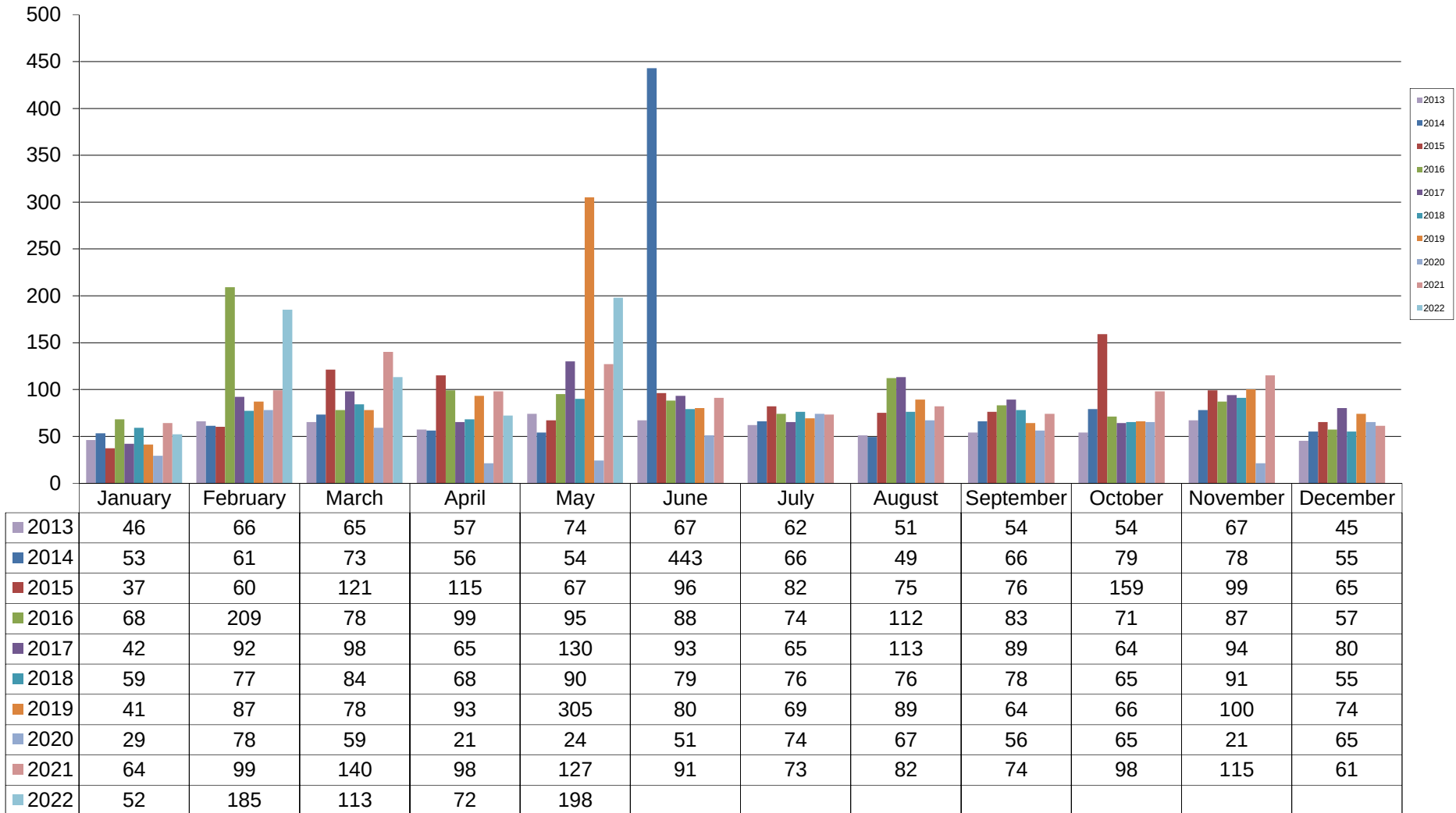
TOTAL PLANS	TOWN	NEW DWELLINGS	ADDITIONS	NEW COMMERCIAL	OTHER
5	Malmesbury wes van N7	0	3	0	2
17	Malmesbury	4	2	1	10
25	Yzerfontein	16	3	0	6
6	Moorreesburg	1	1	1	3
6	Darling	3	0	0	3
3	Riebeek-Kasteel	0	2	0	1
2	Riebeek-Wes	1	0	0	1
5	Grottobaai	2	0	0	3
0	Jakkalsfontein	0	0	0	0
1	Koringberg	1	0	0	0
0	Abbotsdale	0	0	0	0
0	Kalbaskraal	0	0	0	0
0	Riverlands	0	0	0	0
0	Chatsworth	0	0	0	0
2	Rural	0	0	0	2
72		28	11	2	31

Other building work includes:

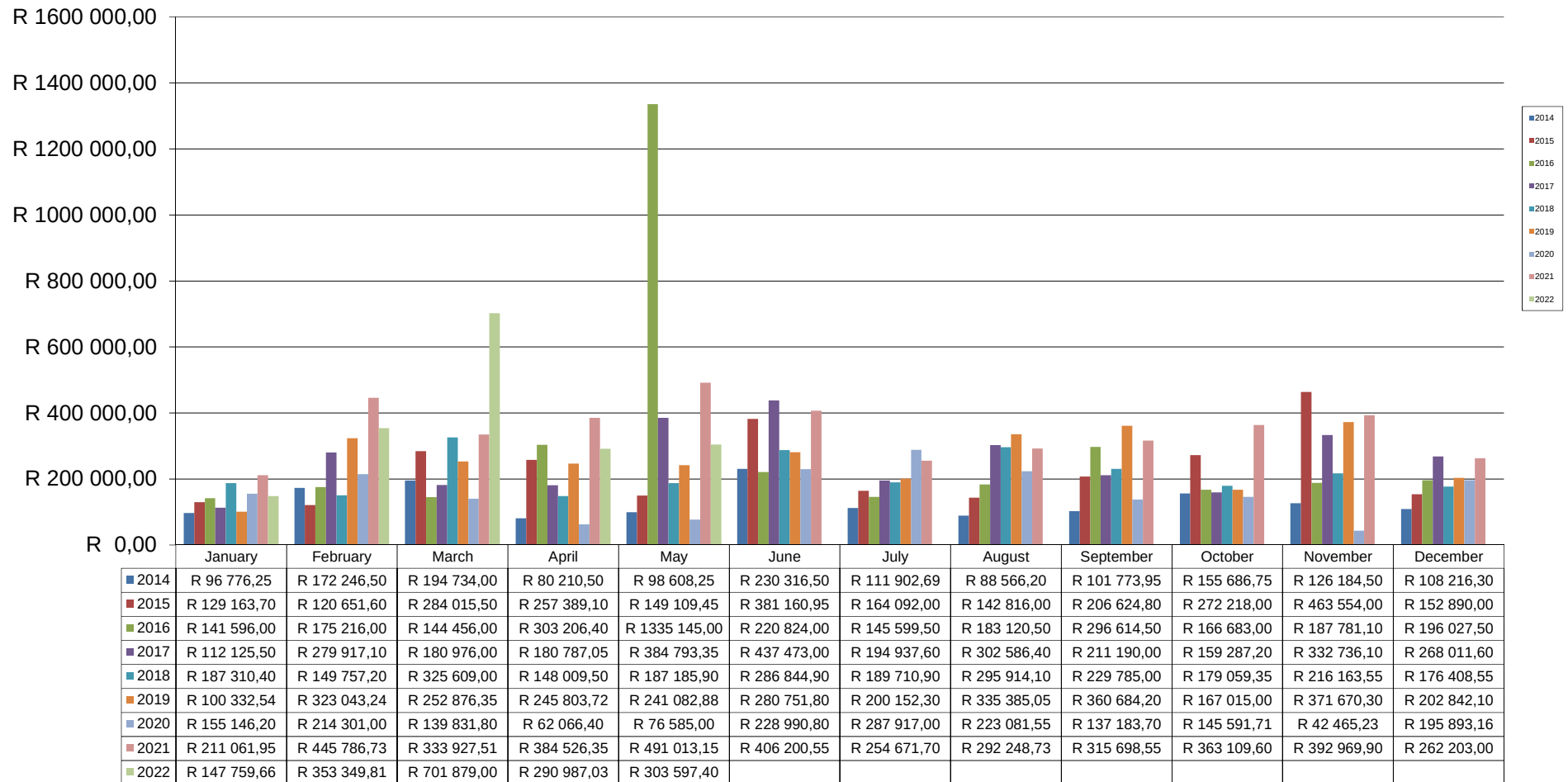
- Boundary walls/retaining walls
- Swimming pools
- Wendyhouse applications
- Caports/ Lean to
- Shadeports
- Internal/Renovations
- Rider Plans
- Renewal

PLEASE NOTE: CALCULATIONS WITHIN 30 CALENDER DAYS.

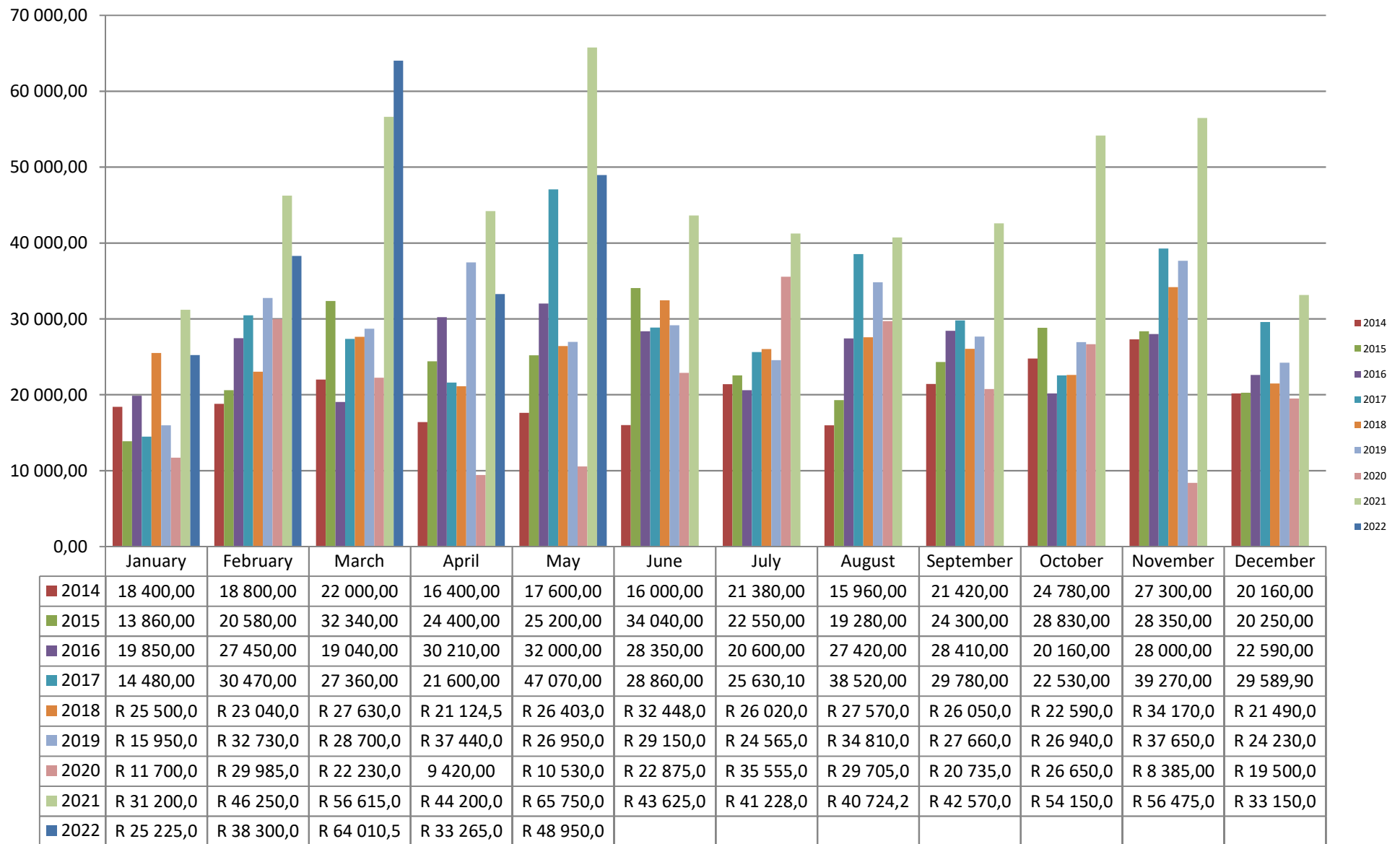
BUILDING PLANS SUBMITTED



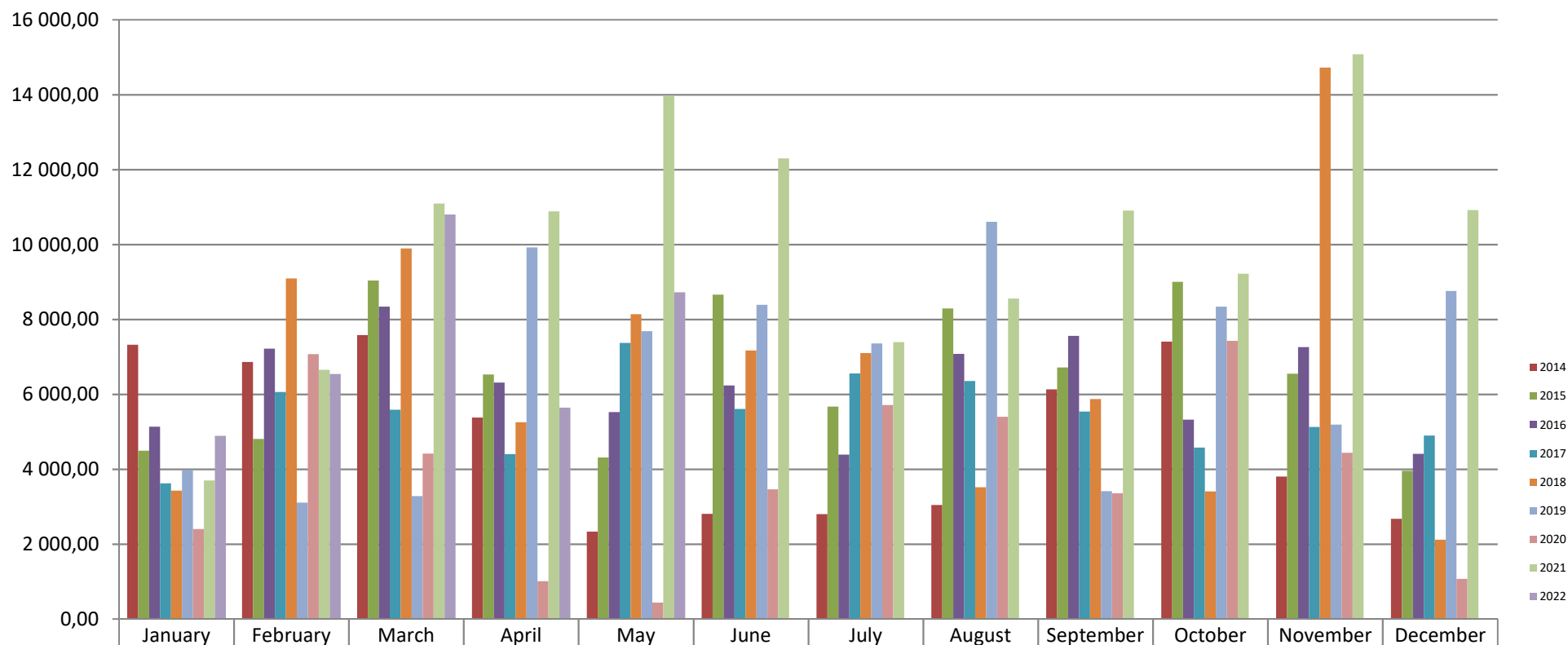
SCRUTINY FEES



OCCUPATION FEES

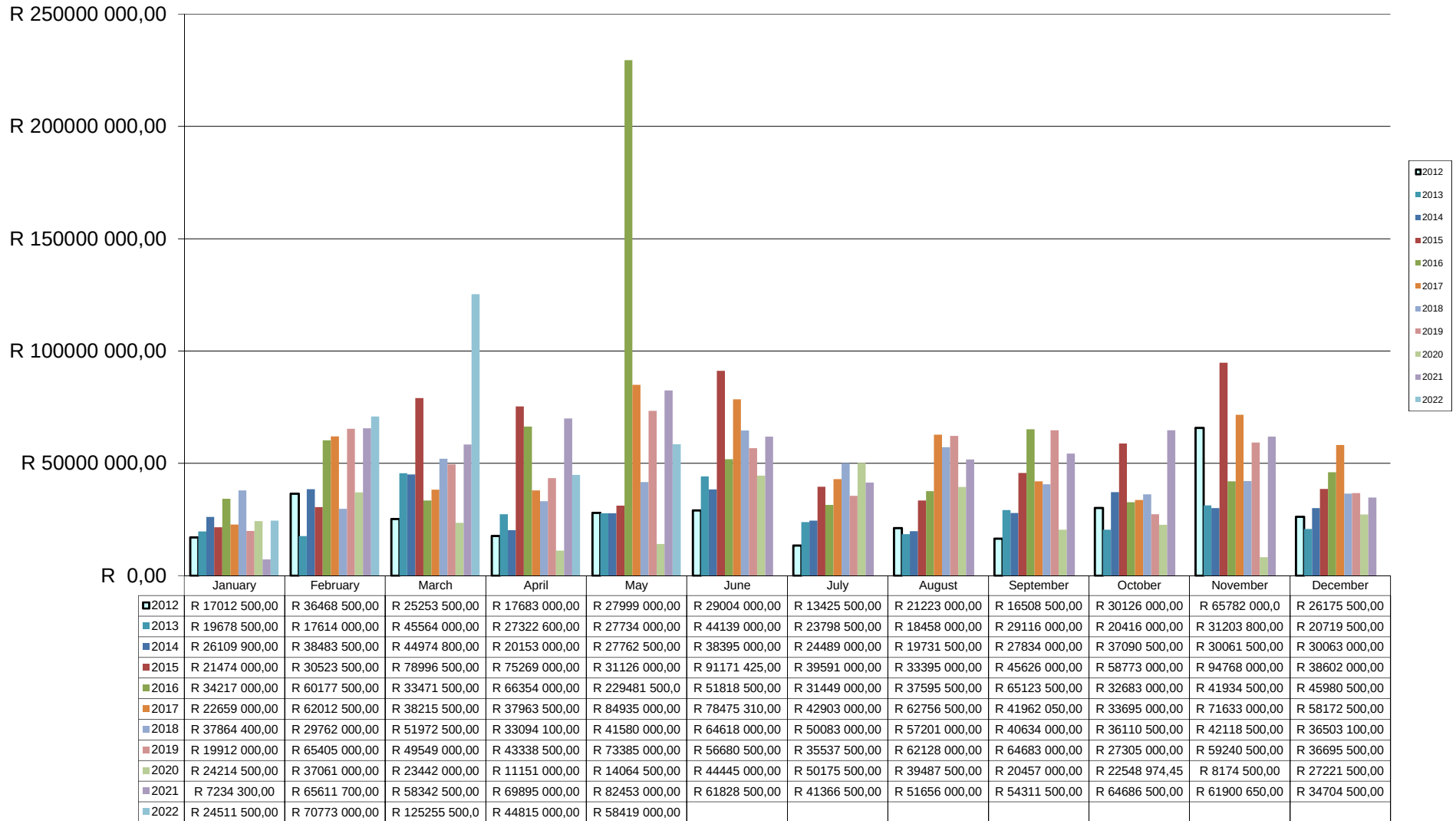


DEPARTURE FEES

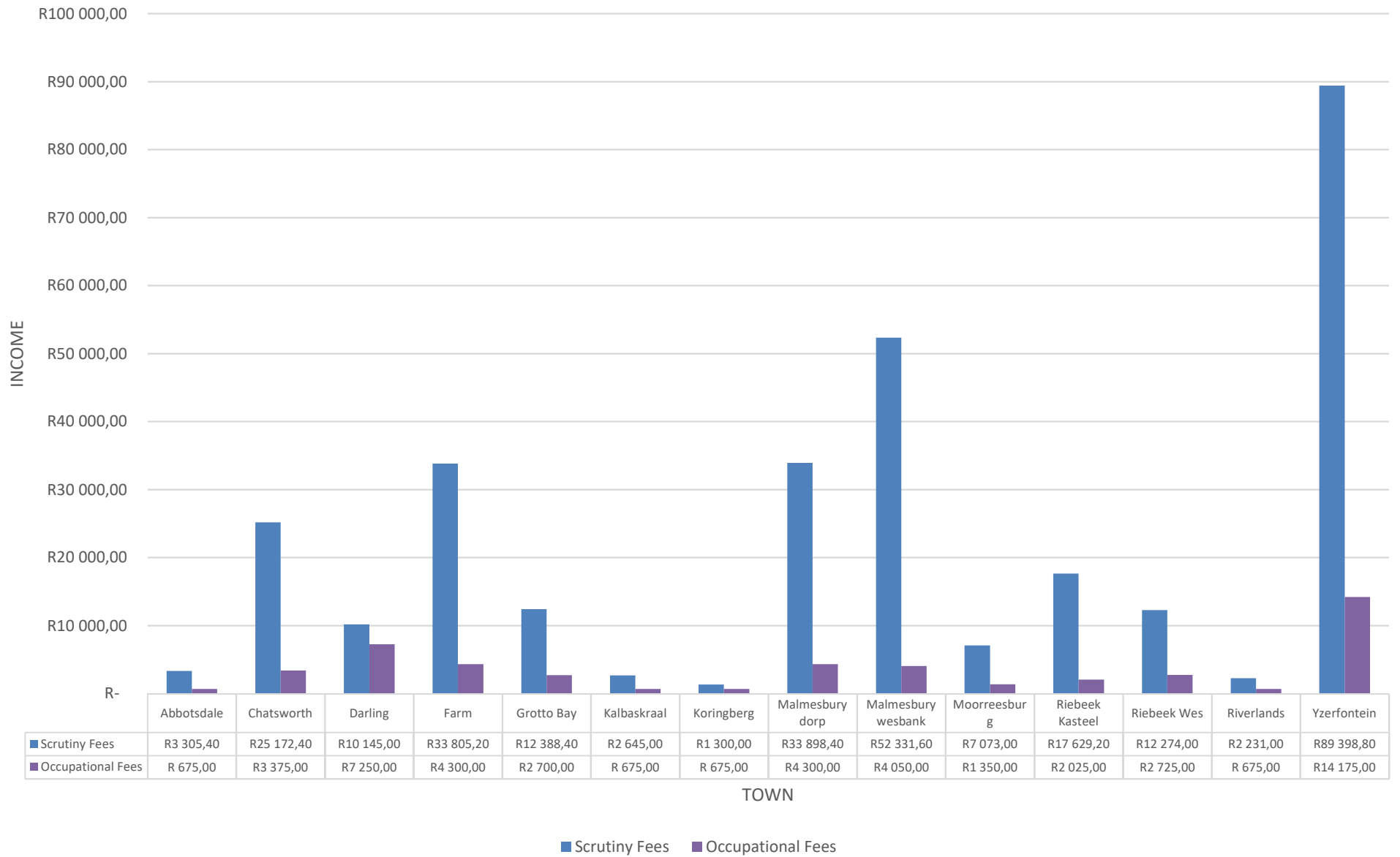


	January	February	March	April	May	June	July	August	September	October	November	December
2014	7 320,00	6 860,00	7 580,00	5 380,00	2 330,00	2 810,00	2 800,00	3 045,00	6 130,00	7 405,00	3 805,00	2 675,00
2015	4 495,00	4 805,00	9 035,00	6 525,00	4 310,00	8 660,00	5 670,00	8 290,00	6 715,00	9 005,00	6 550,00	3 960,00
2016	5 135,00	7 220,00	8 340,00	6 310,00	5 525,00	6 235,00	4 390,00	7 080,00	7 560,00	5 320,00	7 260,00	4 410,00
2017	3 620,00	6 060,00	5 590,00	4 400,00	7 370,00	5 610,00	6 555,00	6 357,00	5 535,00	4 580,00	5 130,00	4 900,00
2018	3 430,00	9 090,00	9 895,00	5 251,50	8 141,00	7 167,50	7 100,00	3 515,00	5 870,00	3 405,00	14 725,00	2 115,00
2019	3 985,00	3 105,00	3 280,00	9 920,00	7 685,00	8 390,00	7 355,00	10 606,70	3 410,00	8 340,00	5 190,00	8 755,00
2020	2 400,00	7 070,00	4 420,00	1 010,00	440,00	3 465,00	5 715,00	5 400,00	3 360,00	7 425,00	4 435,00	1 075,00
2021	3 700,00	6 655,00	11 090,00	10 885,00	13 970,00	12 300,00	7 390,00	8 555,00	10 904,35	9 220,00	15 075,00	10 915,00
2022	4 890,00	6 545,00	10 800,00	5 640,00	8 720,00							

ESTIMATED BUILDING VALUES



BUILDING CONTROL INCOME PER TOWN FOR MAY 2022





Verslag Φ Ingxelo Φ Report

Kantoor van die Direkteur: Beskermingsdienste
Afdeling: Verkeer & Wetstoepassingsdiens

8 Julie 2022

7/1/2/2-3

ITEM 6.4.1 VAN DIE AGENDA VAN 'N UBK VERGADERING WAT GEHOUSAL WORD OP 13
JULIE 2022.

ONDERWERP:	VERSLAG: VERKEER & WETSTOEPASSINGSDIENS: MEI 2022
SUBJECT:	REPORT: TRAFFIC & LAW ENFORCEMENT SERVICES: MAY 2022

1. **BACKGROUND / AGTERGROND**

Attached find the report of the Traffic & Law Enforcement Services for May 2022.

2. **AANBEVELING**

Vir bespreking deur die Raad.
For discussion by Council.

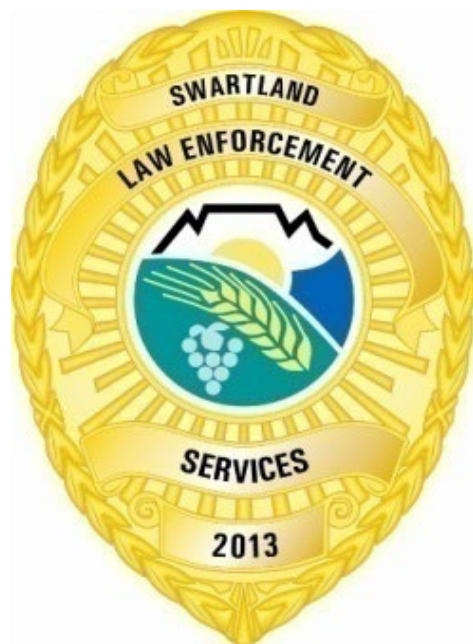
(get) P A C Humphreys

(get) **MUNISIPALE BESTUURDER**
(sgnd) **MUNICIPAL MANAGER**

TRAFFIC AND LAW ENFORCEMENT

May 2022

Monthly report to
Portfolio Committee



EXECUTIVE SUMMARY

1. INTRODUCTION

The Traffic and Law Enforcement Service of Swartland Municipality executed their normal mandate and assisted SAPS with various crime prevention activities across the Swartland Municipal area during the month of **May 2022** to enhance service delivery.

2. LAW ENFORCEMENT

This division ensure bylaw compliance and education to all communities within the Swartland municipal area. The Law Enforcement Division attended to all by-law related issues as well as the Lockdown Regulations.

2.1. MONITORING OF INFORMAL SETTLEMENTS

The Traffic and Law Enforcement Division is mandated through the IDP to monitor all informal settlements within the Swartland municipal area and to prevent and manage land invasion. The key performance indicator is to report on any developments thereof to the Portfolio committee. Monitoring of Silvertown informal settlement, Chatsworth, Riverlands and Sibanye (Moorreesburg) is ongoing.

2.2. DOG UNIT (K9-UNIT)

The Dog-Unit work 8-hour shifts. Their shifts are adaptable to cover enforcement over weekends and when assisting SAPS with various crime prevention operations.

The Unit can report the following for the month:

- Total searches done vehicles and houses = **403**
- 4 X Crime Prevention operations
- 1 X K78 Roadblock assistance
- 4 X Cross Border operations
- 1 X Liquor Control Operation
- 2 X Awareness Campaigns

(13) Thirteen searches conducted in the form of VCPs, K78-Roadblocks and search and seizure in collaboration with SAPS executed for the month of **May 2022**. Details are available in the report.

(4) Four cross boundary assistance to SAPS or municipalities within West Coast for the **month**.

The K9 unit had **15 arrests** for the month of **May 2022**.

3. REGISTRATION AND LICENSING

3.1. DRIVING AND LEARNERS LICENSES

Driving and learners' licenses create job opportunities and allow people to better their standard of living. The following can be report for Malmesbury and Moorreesburg Driving License Testing Centres (DLTC's):

Malmesbury:

Driving licence Pass rate for the month = **36%**

Learners Licence Pass rate for the month = **60%**

Applicants absent for the month **65** = (Driving licenses **1**= Learners = **64**)

Moorreesburg:

Driving licence Pass rate for the month = **48%**

Learners Licence Pass rate for the month = **70%**

Applicants absent **19**= (Driving licenses **14** = Learners =**5**)

Darling

Learners Licence Pass rate for the month = **55%**

Applicants absent = **4**

3.2 VEHICLE TESTING STATIONS (VTS)

Malmesbury VTS had a total of **228** roadworthy tests and Moorreesburg VTS done **131** roadworthy tests for the month of **May 2022**.

4. TRAFFIC DIVISION

The traffic operational division can report the following for the month of **May 2022**.

- Road blocks (K78) = **1**
- Vehicle Check Points (VCP's) = **38**
- Foot Patrols = **29**

651 offences were recorded (This includes the cases recorded by Law Enforcement and Traffic).

4.1 WARRANT SECTION

The warrant and speed section execute warrants on a daily basis. Special efforts to enhance the executing of warrants and to increase the payment rate are of the essence. Eighty- Nine (**89**) warrants finalized to the value of **R116 200.00**

4.2. SPEEDING ENFORCEMENT

The **four** mobile cameras recorded **1668** cases and the fixed sites recorded **51** speeding cases. **1034** cases were recorded by the ASOD on the R27.

The total **speeding offences** for the month of **May 2022** were **2753**. We enhanced our speeding enforcement efforts to reduce accidents.

4.3. AUTOMATED NUMBER PLATE RECOGNITION OPERATIONS (ANPR OPERATIONS)

Five (5) ANPR operations were executed for the month of **May 2022** and **R150 800.00** of outstanding traffic fines collected via this effort.

4.4 SAFETY AWARENESS

No educational programmes executed for the month of **May 2022**.

5. HIGHLIGHTS

- Working with SAPS and other stakeholders brought successes and good integrated collaboration with crime prevention initiatives.
- The Law Enforcement Reaction Unit is established and all staff is appointed. Training will commence on 20 June 2022.
- We are part of the Executive Mayors Siyamamela campaign /visits to our towns.
- Our K9 unit through hard work find successes in various operations and the confiscation of drugs and illegal alcohol is still ongoing. Removing these drugs from our streets and communities are paramount.
- Monitoring council's land at De Hoop and Illinge Lethu for possible invasion.
- Strengthen efforts to address the illegal dumping in the Swartland Area.
- Monitoring erecting of illegal structures in Riverlands, Saamstaan and Illinge Lethu and effect the breakdown of these illegal structures.
- Successful operations with SAPS and the Western Cape Liquor Authority (WCLA) over the Swartland Municipal Area is ongoing.
- We are actively involved in awareness campaigns within the Swartland Area.

6. CHALLENGES

- Speeding and dicing of motor vehicles on the Swartland roads.
- The monitoring of possible land grabs and protest action within the Swartland Area.
- The illicit use of drugs and transporting thereof on our main routes (R27 and N7)
- Complaints regarding stray animals.
- Illegal dumping in all areas of the Swartland Municipal area.

7. CONCLUSION

The department are committed to serve the Swartland community, reduce fatal crashes and be pro- active in our approach to road safety and by-law compliance.

MANAGER: TRAFFIC & LAW ENFORCEMENT SERVICES

LAW ENFORCEMENT



LAW ENFORCEMENT STATISTICS – MAY 2022

Law Enforcement Officers per area											
Town/Area											
	Abbotsdale	Chatsworth Riverlands	Darling	Kalbaskraal	Koringberg	Malmesbury	Moorreesburg	Riebeek Kasteel	Riebeek West	Yzerfontein	TOTAL
Head Law Enforcement	0	0	0	0	0	1	0	0	0	0	1
Regional Inspectors	0	0	1	0	0	1	1	0	0	0	3
Permanent Officers	0	0	2	0	0	5	3	0	0	1	11
Reservists	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	3	0	0	7	4	0	0	1	15

Complaints received		
Area	Type of complaint	Total
Abbotsdale	Cows/Horses/ Dogs on public road- Keeping dogs	2
	Nuisance-Swearing, Drinking & Urinating in public	1
	Bylaw relating to land use	1
Chatsworth/ Riverlands	Cows/Horses/ Dogs on public road- Keeping dogs	2
	Nuisance-Swearing, Drinking & Urinating in public	1
	Bylaw relating to council property/ land use	2
Darling / Yzerfontein	Cows/Chicken/Goats on public road-Keeping Dogs	9
	Nuisance-Swearing, Drinking & Urinating in public	7
	Illegal Trading	2
	Bylaw relating to private/ council property	6
	Illegal Dumping	2
	Illegal Structures	1
	Control over boundary walls and fences	1
	Occupational Health & Safety	2
	Building Regulations	2
	Traffic Bylaws	2
Kalbaskraal	Nuisance-Swearing, Drinking & Urinating in public	3
	Fire Safety	1
Malmesbury	Cows/Horses/ Dogs on public road- Keeping dogs	21
	Illegal Dumping	5
	Vagrants - Been a nuisance	5

	Nuisance-Swearing, Drinking & Urinating in public	3
	Illegal Structures	14
	Bylaw relating to council/ private property/ streets	5
	Bylaw relating to electricity	1
Moorreesburg/Koringberg	Dogs on public road/ place-Keeping Dogs/Cattle	1
	Building Regulations	1
	Bylaw relating to land use	1
	Illegal Structures	1
	Occupational Health & Safety	2
	Nuisance-Swearing, Drinking & Urinating in public	2
	Illegal Dumping	4
Riebeek Kasteel	Building Regulations	1
	Illegal Structures	1
	Illegal Gatherings	1
	Nuisance-Swearing, Drinking & Urinating in public	1
	Bylaw relating to land use	1
Riebeek West	Occupational Health & Safety	1
	Total complaints attended	119

Law Enforcement : Foot patrols			
Date	Area	Description	Successes
04 May 2022	Riebeeek West CBD	Foot patrols targeting all by-laws and parking offences	1x Drinking in public place/ street
05 May 2022	Darling CBD	Foot patrols targeting all by-laws and parking offences	1x Drinking in public place/ street
05 May 2022	Malmesbury Piet Retief/ Hill Street	Foot patrols targeting all by-laws and parking offences	No Successes
05 May 2022	Koringberg Main Road	Foot patrols targeting all by-laws and parking offences	No Successes
06 May 2022	Moorreesburg CBD	Foot patrols targeting all by-laws and parking offences	No Successes
07 May 2022	Moorreesburg Rosenhof	Foot patrols targeting all by-laws and parking offences	1x Drinking in public place/ street
07 May 2022	Riebeeek Kasteel CBD	Foot patrols targeting all by-laws and parking offences	1x Drinking in public place/ street 2x Parking Offences
10 May 2022	Malmesbury Job Street	Foot patrols targeting all by-laws and parking offences	1x Drinking in public place/ street
12 May 2022	Darling CBD	Foot patrols targeting all by-laws and parking offences	2x Drinking in public place/ street
13 May 2022	Moorreesburg CBD	Foot patrols targeting all by-laws and parking offences	1x Unlicensed Motor Vehicle
16 May 2022	Darling East	Foot patrols targeting all by-laws and parking offences	2x Disposal of waste water 1x Premises Unsightly
17 May 2022	Riebeeek Kasteel CBD	Foot patrols targeting all by-laws and parking offences	No Successes
18 May 2022	Darling CBD	Foot patrols targeting all by-laws and parking offences	3x Drinking in public place/ street 1x Urinate in public place/ street
20 May 2022	Moorreesburg CBD	Foot patrols targeting all by-laws and parking offences	1x Unlicensed Motor Vehicle
21 May 2022	Malmesbury CBD	Foot patrols targeting all by-laws and parking offences	4x Drinking in public place/ street 1x Unlicensed Motor Vehicle 1x Parking Offence
23 May 2022	Darling CBD	Foot patrols targeting all by-laws and parking offences	4x Drinking in public place/ street
26 May 2022	Koringberg Main Road	Foot patrols targeting all by-laws and parking offences	No Successes
30 May 2022	Moorreesburg CBD	Foot patrols targeting all by-laws and parking offences	1x Parking Offence
30 May 2022	Malmesbury CBD	Foot patrols targeting all by-laws and parking offences	No Successes

31 May 2022	Riebeek Kasteel CBD	Foot patrols targeting all by-laws and parking offences	1x Unlicensed Motor Vehicle

Impounding of animals		
Type of animal	Area Impounded	Total
Dogs	Malmesbury	4 (Stray)
Cattle	Malmesbury	1 (Stray)
Dogs	Darling	23
Dogs	Darling	9
TOTAL		37

Educational programs /Projects			
Date	Area	Description	Detail of educational program
05 May 2022 11:00-12:00	Darling North	Awareness Campaign- Illegal Dumping	31 Illegal Dumping Awareness pamphlets were distributed in Darling North and whom they can contact if they see any illegal dumping activities. 1 Stray dog was also impounded in Clarendon Street, Darling. R/Insp. M. Humphreys.
12 May 2022 10:00-11:00	Darling East	Awareness Campaign- Illegal Dumping	Law Enforcement Officers urged the community to take ownership of their animals and dogs must be at all times on a leash when walking on a public road. R/Insp. M. Humphreys

16 May 2022 11:00-12:00	Darling North	Awareness Campaign- Illegal Dumping	Law Enforcement Officers urged the community to take ownership of their area they live in and make the residents aware of illegal dumping and whom they can contact if they see any illegal dumping activities. R/Insp. M. Humphreys
18 May 2022 10:30-11:30	Moorreesburg Rosenhof	Awareness Campaign- Illegal Dumping	Illegal dumping at open spaces close to above-mentioned streets is a huge challenge. Residents dump rubbish at these open spaces regularly especially during night time and residents do not report illegal dumping. Awareness in streets close to the dumping area. 50 pamphlets were distributed to the residents in this area. Residents motivated to report illegal dumping. The awareness was positively accepted and believed that they can make a difference in stopping the illegal dumping activities. Contact details was provided in the pamphlets where illegal dumping can be reported at Law Enforcement. Cleansing services was informed and rubbish was removed. R/Insp. M. Cloete
18 May 2022 09:00-13:00	Darling East	Awareness Campaign- Stray Animals	Darling East Community was urged to take responsibility and ownership of their animals by keeping the animals on their property. If animals are stray on a public road it will be impounded by Law Enforcement. R/Insp. M. Humphreys
20 May 2022 10:00-11:30	Yzerfontein Area	Awareness Campaign- Illegal Dumping	10 Illegal Dumping Awareness pamphlets were distributed at building construction sites in Yzerfontein to make contractors aware of illegal dumping and the Municipal Regulations. R/Insp. N. Africa

Operations			
Date	Area	Operation detail	Successes
03 May 2022 12:30 – 13:00	Yzerfontein Versveld Street	Operation- By law enforcement Enforcing- Illegal Dumping Members- 1x STLE	By law enforcement was done regarding illegal dumping No successes
05 May 2022 11:00 – 12:00	Darling North	Operation- By law enforcement Enforcing- Stray Animals Members- 2x STLE	1x Stray Dog 1x Stray dog was impounded at SPCA
06 May 2022 10:00 – 11:00	Malmesbury CBD	Operation- By laws Enforcing- By laws & Parking Offences Members- 3x STLE	1x Gambling in public place/ street 1x Case
06 May 2022 10:45 – 11:15	Riebeek West CBD	Operation- By laws Enforcing- By laws & Parking Offences Members- 2x STLE	1x Warning Notice- Recycling on plot. 1x Drinking in public place/ street 1x Stop order served- No building plan 3x Cases
07 - 08 May 2022 18:00 – 03:00	Darling Area	Operation- Special Joint Operation Enforcing- Drag Racing, Bylaws & Crime Prevention Members- 6x STLE 3x SAPS	<u>VCP- Evita Bezuidenhout Blvd- 18:30 – 20:00</u> 1x Unlicensed Motor Vehicle 6x Unlicensed Motor Vehicle 1x Discontinue/ Suspension Notice- Un-roadworthy Motor Vehicle 1x Defective Park brake 1x Arrest- Drunken Driving- Darling SAPS Cas-50/04/2022 – 9x Cases – 28x Vehicles stopped <u>Moving Violations- 20:00 – 00:00</u> 3x Unlicensed Drivers 1x Operate an un-roadworthy motor vehicle

			1x Disregard 3 Way- Stop Sign 1x Overload (passengers) – 6x Cases – 13x Vehicles stopped
07 May 2022 11:15 – 11:45	Riebeek- West CBD	Operation- By laws Enforcing- By laws & Parking Offences Members- 2x STLE	1x Unlicensed Motor Vehicle 4x Drinking in public place/ street 5x Cases
07 May 2022 10:00 – 11:00	Darling CBD	Operation- By law enforcement Enforcing- By-laws Members- 1x STLE	By law enforcement was done with the focus on compliance. No successes
07 May 2022 11:00 – 12:00	Malmesbury CBD	Operation- By laws Enforcing- By laws & Parking Offences Members- 3x STLE	2x Unlicensed Motor Vehicles 1x Unlicensed Driver 5x Drinking in public place/ street 1x Trading without a permit 2x Parking Offences X11 Cases
10 May 2022 12:00 – 13:00	Darling East	Operation- By law enforcement Enforcing- Stray Animals Members- 2x STLE	1x Stray Dog 1x Stray dog was impounded at SPCA
10 May 2022 10:00 – 11:00	Malmesbury Traffic Dept. Caravan Park Piketberg Road Old Nursery	Operation- By law Enforcement Enforcing- Removal of Vagrants & Illegal Structures	1x Vagrant removed. 5x Illegal structures removed.

		Members- 3x STLE	1x Vagrant removed 5x Illegal structures removed
11 May 2022 10:20 – 10:50	Koringberg Rautenville	Operation- By laws Enforcing- By laws & Parking Offences Members- 2x STLE	2x Warning Notices Issued- Vehicles causing obstruction on sidewalk 2x Warning Notices
12 May 2022 13:30 – 14:30	Malmesbury Wesbank	Operation- By law Enforcement Enforcing- Stray Animals Members- 2x STLE	1x Stray Dog 1x Stray dog was impounded at SPCA
16 May 2022 10:00 – 11:00	Darling CBD	Operation- By laws Enforcing- All Bylaws Members- 2x STLE	2x Drinking in public place/ street 2x Cases
16 May 2022 12:00 – 12:30	Darling East	Operation- By laws Enforcing- Illegal Dumping Members- 2x STLE	1x Illegal Dumping 1x Case
16 May 2022 09:00 – 11:00	Darling East	Operation- By law Enforcement Enforcing- Stray Animals/ Surrender Members- 2x STLE	7x Dogs Surrendered 2x Warnings Issued- More than 2 dogs on premises 7x Dogs impounded at SPCA
17 May 2022 15:00 – 16:00	Yzerfontein Area	Operation- By law enforcement Enforcing- Illegal Dumping Members- 1x STLE	By law enforcement was done regarding illegal dumping No successes

18 May 2022 09:00 – 12:00	Darling East	Operation- By law Enforcement Enforcing- Stray Animals/ Surrender Members- 2x STLE	9x Dogs Surrendered 5x Cats Surrendered 14x Animals impounded at SPCA
19 May 2022 10:00 – 14:00	Chatsworth Groenrivier	Operation- By law enforcement Enforcing- Stray Animals Members- 2x STLE	1x Stray Cow 1x Stray cow impounded at COCT Pound
20 May 2022 14:00 – 15:00	Malmesbury Dieprivier Sports Field (Bloues)	Operation- By law Enforcement Enforcing- Removal of Illegal Structures Members- 3x STLE	4x Illegal structures were removed 4x Illegal structures removed
23 May 2022 11:00 – 11:30	Darling North	Operation- By law enforcement Enforcing- Stray Animals/ Surrender Members- 2x STLE	4x Cats Surrendered 4x Cats impounded at SPCA
24 May 2022 13:00 – 14:00	Yzerfontein Area	Operation- By law enforcement Enforcing- Illegal Dumping Members- 1x STLE	By law enforcement was done regarding illegal dumping No successes
25 May 2022 12:00 – 13:00	Malmesbury CBD	Operation- By laws Enforcing- All Bylaws Members- 6x STLE	4x Drinking in public place/ street 1x Unlicensed Motor Vehicle 1x Loading Zone 6x Cases

27 May 2022 10:30 – 11:45	Moorreesburg CBD	Operation- By laws Enforcing- By laws- Advertisement Signs Members- 2x STLE	15 Advertisement signs was removed from the sidewalk 15 Advertisements signs removed
27 May 2022 10:00 – 14:00	Malmesbury Wesbank	Operation- By law Enforcement Enforcing- Stray Animals/ Surrender Members- 2x STLE	2 Stray dogs impounded 2 Stray dogs impounded at SPCA
28 May 2022 10:00 – 11:00	Malmesbury CBD	Operation- By laws Enforcing- All Bylaws Members- 2x STLE	3 Unlicensed Motor Vehicles 6x Cases
30 May 2022 10:00 – 11:30	Darling CBD	Operation- By laws Enforcing- By laws- Advertisement Signs Members- 2x STLE	21 Advertisement signs was removed from the sidewalk 21 Advertisements signs removed
30 May 2022 04:00 – 08:00	Riebeek Kasteel Esterhof	Operation- Protest Actions Enforcing- Illegal Gatherings/ Protest Actions Members- 7x STLE	No Protest Actions or illegal gatherings took place. High Visibility- Members patrolled the area No Incidents took place
31 May 2022 16:00 – 17:00	Malmesbury Dalsig	Operation- By law Enforcement Enforcing- Stray Animals/ Surrender Members- 2 x STLE	1 Stray dog impounded 1 Stray dog impounded at SPCA

Offence description	Cases	Warnings	Total	Comments
Advertisement signs	0	0	0	
Building regulations	1	2	3	
By-laws relating to council property	0	0	0	
By-law relating to fire brigade	0	0	0	
By-laws relating to libraries	0	0	0	
By-laws relating to streets	2	2	4	
By-laws relating to the supply of electricity	0	0	0	
Camping sites	0	0	0	
Control over boundary walls and fences	0	0	0	
Control over Yzerfontein harbor	0	0	0	
Damage to road surface	0	0	0	
Distribution of flyers	0	0	0	
Drinking in public	54	0	54	
Drunk in public - Arrests	0	0	0	
Dumping sites	1	1	2	
Fireworks	0	0	0	
Graveyards	0	0	0	
Illegal Dumping	1	0	1	
Keeping of animals (goats; cows, donkeys, horses, etc.)	4	0	4	
Keeping of bees	0	0	0	
Keeping of dogs	1	3	4	
Keeping of poultry	0	0	0	
Littering	0	0	0	
Nuisance	1	2	3	
Occupational health and safety	3	3	6	
Other by-laws not mentioned elsewhere	0	0	0	
Prevention of fires	0	0	0	
Public Amenities	0	0	0	
Repair/maintenance of vehicles on public/public place	0	0	0	
Sanitation	0	0	0	
Street and door to door collections	1	0	1	
Street vendors and hawkers	1	0	1	
Swimming pool by-laws	0	0	0	
Taxi by-laws	0	0	0	
Traffic by-laws	0	0	0	
Unused vehicles, boats and machines	0	0	0	
Urinate in public	5	0	5	
Washing of vehicles on public road/public place	0	0	0	
Water by-law	1	0	1	
TOTAL	76	13	89	



K9 Unit Monthly Report

May 2022

Staff	Malmesbury	Moorreesburg	Darling	Total
Principal Inspectors	1	1	1	3
Dog handlers	2	2	2	6
TOTAL	3	3	3	9

Activities in Areas		
Area	Type of activity	Total
Abbotsdale	Houses searched	4
	Vehicles searched	9
	Open area searched	0
Chatsworth/ Riverlands	Houses searched	7
	Vehicles searched	13
	Open area searched	0
Darling / Yzerfontein	Houses searched	12
	Vehicles searched	39
	Open area searched	0
Kalbaskraal	Houses searched	3
	Vehicles searched	11
	Open area searched	0
Malmesbury	Houses searched	19
	Vehicles searched	48
	Open area searched	0
Moorreesburg/Koringberg	Houses searched	27
	Vehicles searched	19
	Open area searched	0
Riebeek Kasteel	Houses searched	5
	Vehicles searched	22
	Open area searched	0

Riebeek West	Houses searched	7
	Vehicles searched	16
	Open area searched	0
West Coast Road (R27)	Vehicles searched	64
N7 Road	Vehicles searched	78
	Total Searches	403

Cross-Boundary Operations		
Date	Area	SUCSESSES
02 May 2022	REDELINGHUYS (Bergrivier Mun)	STLE K9 Unit assisted Redelinghuys SAPS with a K78 Roadblock. One(1) Arrest Made : Possession of Drugs (Tik-Tik) <u>Exhibits:</u> - One (1) Bankie containing Tik-Tik - One (1) Glass Pipe containing Tik-Tik burned on surface.
10 May 2022	PIKETBERG (Bergrivier Mun)	STLE K9 Unit assisted Piketberg SAPS Crime Prevention Unit in a Narcotic Enforcement Operation. Members executed an authorised search warrant at residential premises and executed two (2) arrests. <u>Exhibits:</u> - Nine Hundred and Six (906) Full Mandrax Tablets. - Fifty (50) Bankies containing Tik-Tik - One (1) Medium Plastic Bag containing Tik-Tik(Total Weight of Tik-Tik : 48.53 gram) - One (1) Small Plastic Bag containing crushed mandrax powder. - Five (5) Live 38 Special Rounds. - Estimated Street Value of Drugs = R40 000.
17 May 2022	OVERSTRAND MUN – Pringle Bay	STLE K9 Unit assisted in an Anti-Poaching Operation in Pringle Bay. Three (3) Bags of Abalone with a total of Thirty-Five (35) units were confiscated during this operation with an estimated value of Twenty Five Thousand Rand (R25 000)
27 May 2022	OVERSTRAND MUN – Pringle Bay & Palmiet	STLE K9 Unit assisted in an Anti-Poaching Operation in Pringle Bay. - No success - No arrest

Operations Conducted			
Date	Area	Operation detail	Successes
02 May 2022	Darling	Crime Prevention – Search Warrants	Six (6) authorised search warrants executed on residential premises. - No Arrest - No Success
04 May 2022	Moorreesburg - Koringberg	Drug Abuse Awareness	STLE K9 Unit assisted Moorreesburg SAPS Social Crime Unit in a drug awareness campaign at Koringberg Primary School.
06 May 2022	Moorreesburg	Special Operation – Public Transport	STLE K9 Unit assisted STLE Moorreesburg in a Public & Scholar Road based Transport Operation.
07 May 2022	Yzerfontein/Grotto Bay	Rural Safety/Anti-Poaching	STLE K9 Unit held high visibility in the Grotto Bay area following up on information of poaching activity in the area.
12 May 2022	Malmesbury	Drug Abuse Awareness	STLE K9 Unit Assisted Malmesbury SAPS in a Drug Awareness Campaign at two (2) High Schools in Malmesbury area. Swartland High School and Schoonspruit Secondary School.
21 May 2022	Moorreesburg/ Koringberg	Crime Prevention – Narcotic Operation	Two (2) Search Warrants executed in the Moorreesburg/Koringberg area during a crime prevention operation. Seven (7) arrests were made during this exercise: - Three (3) Dealing in Drugs - Two (2) Possession of Drugs <u>Exhibits:</u> - Thirty- (30) Full Mandrax Tablets. - Five (5) Large Plastic Bags containing dagga with weight of 670g. - Eight (8) Bankies containing Tik-Tik. - Two Thousand Seven Hundred and Sixty Rand (R2760) confiscated during arrests. - Estimated Street value of Drugs – R 25 000.
26 May 2022	Riebeek Valley	Liquor Compliance Inspections - WCLA	A Joint Integrated Operation conducted in the Riebeek Valley area

			focusing on Liquor License compliance/conditions. - Forty-Two (42) Licensed Premises inspected. - Two (2) Non-compliance notices issued.
26 May 2022	Koringberg	Crime Prevention – Narcotic Operation	One (1) Search Warrant executed at residential premises in Koringberg. One (1) Adult Male was arrested for dealing in drugs when members seized drugs with an estimated street value of two thousand seven hundred rand (R2700) <u>Exhibits:</u> - Seven (7) Bankies containing Tik-Tik - One (1) Straw containing Tik-Tik - Seven (7) Full Mandrax Tablets - One (1) Quarter of a Mandrax Tablet - Five (5) Bankies containing Dagga - Seven (7) Stoppe Dagga - Five Hundred and Ninety Rand (R590) in cash confiscated during arrest.
27 May 2022	Moorreesburg	Crime Prevention – Narcotic Operation Sec. 252A OPS	Two (2) Residential Premises searched by means of authorised searched warrants when members executed a successful 252. - Four (4) Suspects has been arrested on charges of Dealing in Drugs when members found and seized drugs with an estimated street value of Eleven Thousand Rand (R11 000) <u>Exhibits:</u> - Seven (7) Full Mandrax Tablets - Fifty Two (52) Half Mandrax Tablets - Sixty-Four (64) Quarter Mandrax Tablets - Seventy Six (76) Straws containing Tik-Tik - Seventy Two (72) Bankies containing Tik-Tik - Eighty Seven (87) Stoppe Dagga - Eight (8) Cannabis Trees Laboratory Equipment and Chemicals were confiscated together with Seventy-Three Thousand Eight Hundred Twenty Rand and Sixty Cents (R7382.60)

OPERATIONAL IMAGES







REGISTRATION & LICENCING



REPORT MAY 2022

INCOME: REGISTRATION AND LICENCING MAY 2022

		MALMESBURY		MOORREESBURG		DARLING	
		TOTAL	AMOUNT	TOTAL	AMOUNT	TOTAL	AMOUNT
Driving license applications							
Motor cycles	@ R 135.00	9	R1,215.00	2	R270.00		
Light motor vehicles	@ R 135.00	57	R7,695.00	20	R2,700.00		
Heavy motor vehicles	@ R 200.00	157	R31,400.00	89	R17,800.00		
Total: driving license applications		223	R40,310.00	111	R20,770.00		
Temporary driving licence appl.	@ R 45.00	225	R10,125.00	62	R2,790.00	28	R1,260.00
Driving licenses issued							
Income for Municipality	@ R 61.00	529	R32,269.00	174	R10,614.00	89	R5,429.00
Driving licenses issued							
Amount due to Prodiba	@ R 79.00	529	R41,791.00	174	R13,746.00	89	R7,031.00
Leaners licenses:							
Applications	@ R 68.00	228	R19,584.00	73	R4,964.00	37	R2,516.00
Issued	@ R 33.00	253	R8,349.00	52	R1,716.00	18	R594.00
Duplicate	@ R 33.00	12	R396.00				
Instructors certificates:							
Applications	@ R 165.00						
Issued	@ R 33.00						
Motor vehicles:							
Duplicate Registrations	@ R 165.00	78	R12,870.00				
Duplicate Traffic Register certificates	@ R 33.00	6	R198.00				
Temporaal Permits	@ R 66.00	180	R11,880.00				
Special Permits	@ R 48.00	56	R2,688.00				
Applications for roadworthy certificates							
Light motor vehicles	@ R135.00	54	R7,290.00	17	R2,295.00		
Heavy motor vehicles	@ R 165.00	16	R2,640.00	3	R495.00		
Motor cycles	@ R55.00	5	R275.00	3	R165.00		
Total		75	R10,205.00	23	R2,955.00		
Roadworthy certificates	@ R 33.00	55	R1,815.00	17	R561.00		
Professional Driving permits	@ R 80.00	88	R7,040.00	32	R2,560.00	10	R800.00
Issue of information	@ R 22.00						
Registration of motor vehicles	@ R 240.00	863	207,120.00				
Motor trade numbers	@ R 72.00						
Licence fees			2,117,689.20				
Total							2,117,689.20
Commission: Licence fees			254,122.72				
Total							254,122.72

DRIVING LICENSE & ROAD WORTHY SECTION: MAY 2022

WAITING PERIOD FOR DRIVING- AND LEARNERS LICENSE TESTS IN WEEKS

KEY INDICATORS	Malmesbury	Moorreesburg	Darling	Average
Waiting period: Driving Licenses Light motor vehicles	3.5	7.0	0	5.25
Waiting period: Driving Licenses Heavy motor vehicles	5.0	7.5	0	6.25
Waiting period: Learners Licenses	3.0	0.5	2.5	2.0

LEARNERS LICENSE STATISTICS

MALMESBURY

CODES	01	02	03	TOTAL
Absent	0	6	58	64
Postponed	0	1	0	1
Passed	12	59	178	249
Failed	6	42	115	163
Oral Test	0	1	0	1
TOTAL	18	109	351	478
	60 %			

Codes: 01 – Motorcycle
 02 – Light motor vehicles
 03 – Heavy motor vehicles

MOORREESBURG

CODES	01	02	03	TOTAL
Absent	0	0	5	5
Postponed	0	1	1	2
Passed	4	7	41	52
Failed	1	4	17	22
Oral Test	0	0	0	0
TOTAL	5	12	64	81
	70 %			

Codes: 01 – Motorcycle
 02 – Light motor vehicles
 03 – Heavy motor vehicles

LEARNERS LICENSE STATISTICS

DARLING

CODES	01	02	03	TOTAL
Absent	1	2	1	4
Postponed	0	1	0	1
Passed	1	9	12	22
Failed	0	6	12	18
Oral Test	0	0	0	0
TOTAL	2	18	25	45
	55%			

Codes: 01 – Motorcycle
 02 – Light motor vehicles
 03 – Heavy motor vehicles

DRIVING LICENSE STATISTICS

MALMESBURY DRIVING LICENSE TEST CENTRE

CATEGORIES	Motorcycle		Light motor vehicle		Heavy motor vehicle				TOTALS
Codes	A	A1	B	EB	C	C1	EC1	EC	
Absent	0	0	6	0	0	40	0	5	51
Postponed	0	0	0	0	0	1	0	0	1
Passed	5	0	16	1	0	40	0	2	64
Failed	1	0	28	0	0	66	0	17	112
TOTAL	6	0	50	1	0	147	0	24	228
	36 %								

MOORREESBURG DRIVING LICENSE TEST CENTRE

CATEGORIES	Motorcycle		Light motor vehicle		Heavy motor vehicle				TOTALS
Codes	A	A1	B	EB	C	C1	EC1	EC	
Absent	0	0	2	0	0	5	0	7	14
Postponed	0	0	1	0	0	1	0	0	2
Passed	5	0	9	0	0	37	0	5	56
Failed	0	0	13	0	0	38	0	8	59
TOTAL	5	0	25	0	0	81	0	16	131
	48 %								

ROADWORTHY STATISTICS

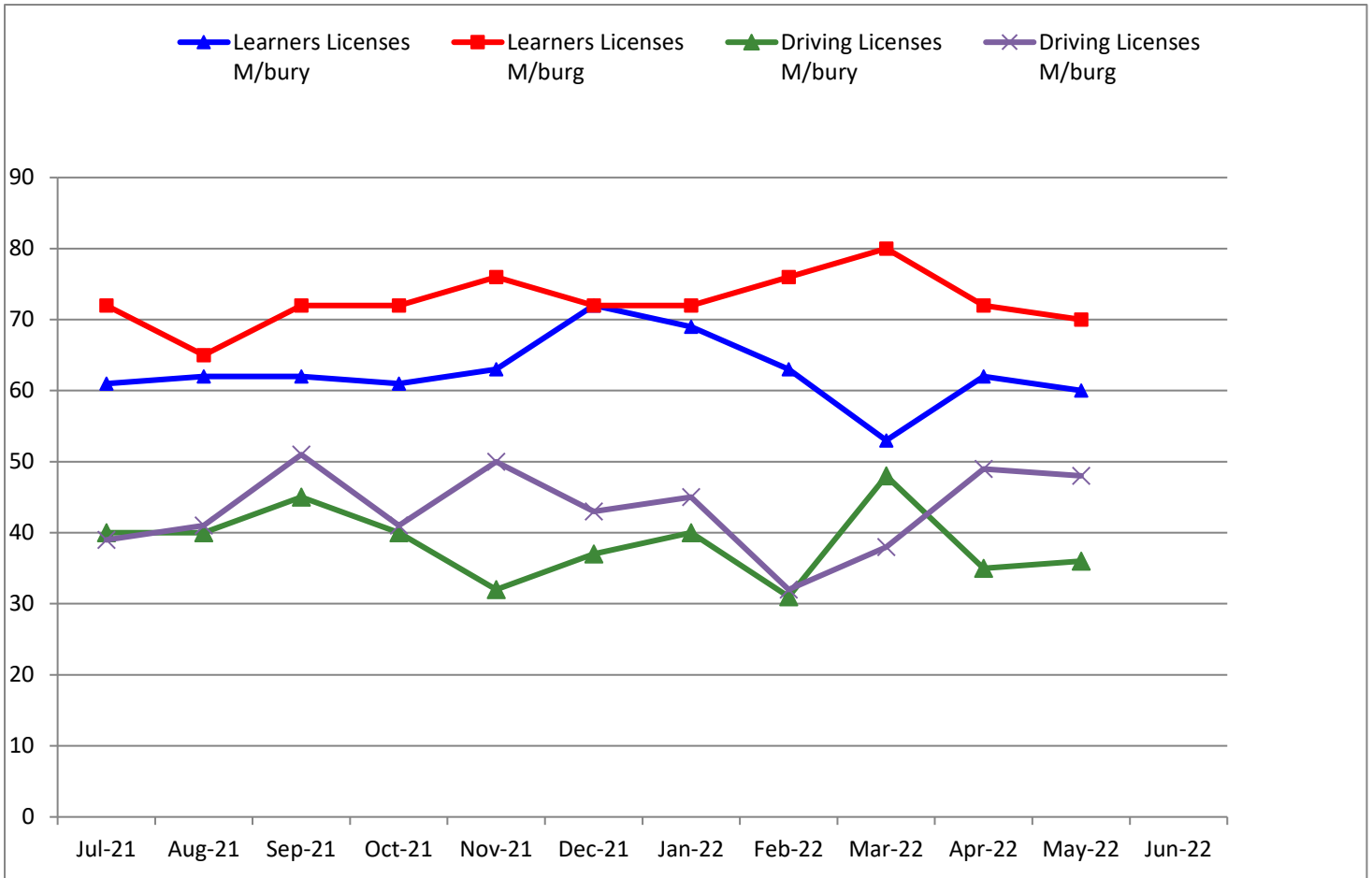
MALMESBURY VEHICLE TESTING STATION

TYPE OF TEST AND RESULT	Motor cycle	Bus	Heavy motor vehicle	Trailer	Other	TOTAL
First test: Passed	4	2	5	3	26	40
Failed	0	0	0	0	0	0
Retest	1	2	7	1	16	27
Retest: Passed	0	2	6	1	9	18
Failed	0	0	0	0	0	0
TOTAL	5	6	18	5	51	85

MOORREESBURG VEHICLE TESTING STATION

TYPE OF TEST AND RESULT	Motor cycle	Bus	Heavy motor vehicle	Trailer	Other	TOTAL
First test: Passed	3	0	0	1	9	13
Failed	0	0	0	0	0	0
Retest	0	0	2	0	4	6
Retest: Passed	0	0	2	0	3	5
Failed	0	0	0	0	0	0
TOTAL	3	0	4	1	16	24

PASS RATE SWARTLAND



TRAFFIC OPERATIONS



TRAFFIC STATISTICS – MAY 2022

Total Traffic Officers	
Designation	Swartland Area
Head: Traffic Services	1 officer
Shift A	5 officers
Shift B	5 officers
Speed enforcement	2 officers
Warrant section	4 officers
Educational programs	1 officer
Admin & Logistics	2 officers
Traffic Wardens	2 officers
Control Room officers	12 officers
TOTAL	20 Operational Officers

DETAIL OF TRAFFIC CASES – MAY 2022

Offence description	Total	Comments
Licensing of drivers		
Unlicensed Driver	118	Include drivers not having their driving licences with them.
Unlicensed Driver- Permit Vehicles	0	
Learner Driver offences	3	
Other offences regarding driving licenses	2	
Operator Offences	1	
PRDP Offences	6	
Roadworthy Certificate Offences	0	
Other Offences Regarding RTQS	3	
Discontinue Notice	10	
Unlicensed/Unregistered Motor Vehicles	126	
Failure to notify change	0	
Number Plate Offences	5	
Other offences regarding registration / licensing	0	
Moving violations		
Inconsiderate driving	2	

Traffic Signal Disobey	3	
Disobey Stop Sign	21	
Disobey No U-Turn	8	
Disobey No U-Hitch hiking	0	
Disobey Other Road Signs	30	
Offences Regarding The Duties of Drivers	1	
Seat Belt Or Crash Helmet	16	
Turning in the Face of Oncoming Traffic	32	
Turning Without Signalling	0	
Illegal Overtaking	0	
Changing Lanes	0	
Enter When Unsafe	1	
Cell Phone	8	
Excessive Noise by wilful act	0	
Other Offences Regarding Rules Of The Road	1	
Stopping and parking		
Stopping where Prohibited	8	
Stopping Causing Danger or Obstruction	12	
Parking Where Prohibited	84	
Loads and projections		
Overload - Goods	0	
Exceeding projection limits	0	
Insecure Load – Spillage	0	
Dangerous Goods	0	
Vehicle defects		
Defective Brakes	9	
Defective Steering	0	
Defective Tyres	4	
Defective Silencer	0	
Deposit Oil or Fuel	0	
Defective Lamps	7	Focus area especially during night times and winter.
Other Defects	2	
Public Motor Vehicle/Taxi Offences		
Overload – Passengers	2	
No operating license	4	
Operating contrary to operating license	9	
Speeding offences		
Refer camera feedback page.		
Sundry		
Caution Notice / Confiscation	2	

Arrests - Driving whilst under the influence	2	
Arrests – Reckless and Negligent driving	0	
Arrests - False or Forged documents	1	
Arrests – Other	9	
Arrests – Warrants	10	
Other offences not mentioned elsewhere	0	
TOTAL	562	

TRAFFIC FINES: PAID CASES – MAY 2022

Summonses, 341 Notices & Speeding Offences		
Service Provider	Total cases paid	Monetary value of paid cases
TMT	1363	R690 650.00

Total Warrants Served	Total Warrants withdrawn by Court	Monetary value of paid Warrants
129	0	R 116 950.00
Expired warrants for May'22		Monetary value
	-	R 0.00

Warrants of arrests													
	Total warrants finalized (Paid; withdrawn; older than 2 years)												
	July 2021	August 2021	September 2021	October 2021	November 2021	December 2021	January 2022	February 2022	March 2022	April 2022	May 2022		
TMT	45	45	71	107	117	59	83	62	130	89	129		

MONTHLY CAMERA SUMMARY – MAY 2022

MOBILES

1. 2117	HOURS: 49.37	CASES LOGGED: 310
2. 2020-	HOURS: 76.33	CASES LOGGED: 404
3. 2018-	HOURS: 19.69	CASES LOGGED: 183
4. 2094-	HOURS: 209.51	CASES LOGGED: 771

TOTAL CAPTURE : 1668

TOTAL HOURS : 354.9

TOTAL PAID TICKETS: 1363

MONETARY VALUE : R 690 650.00

FIXED SITE:

1. MB061- VOORTREKKER RD : 15
2. MB075- MOORREESBURG : 25
3. MB062- RIEBEEK WES : 11

TOTAL CAPTURED: 51

AVERAGE SPEED OVER DISTANCE (ASOD'S)

LOCATION CODE	CAM SERIAL NUMBER	DESCRIPTION	TOTAL LOGGED
400	YF01	R27 NORTHBOUND BETWEEN GANZEKRAAL KM 51 AND YZERFONTEIN KM 73	0
401	GK02	R27 SOUTHBOUND BETWEEN YZERFONTEIN KM 73 AND GANZEKRAAL KM 51	0
402	BF01	R27 NORTHBOUND BETWEEN YZERFONTEIN KM 73 AND BUFFELSFONTEIN KM 88	480
403	YF02	R27 SOUTHBOUND BETWEEN BUFFELSFONTEIN KM 88 AND YZERFONTEIN KM 73	554
TOTALS			1034

WARRANTS PAID = * 129 (R116 950.00)

MB080- MOORREESBURG WEIGHBRIDGE =* 692 INFRINGEMENTS.

- R27 ASOD location 400 & 401 no cases due to technical error.

	July 2021	August 2021	Sept 2021	October 2021	Nov 2021	Dec 2021	Jan 2022	Feb 2022	March 2022	April 2022	May 2022
Vehicles stopped	3519	3594	3292	2861	3287	2712	3652	3623	3538	3634	3717
Vehicles Overload/ Charged	40	44	42	31	40	20	43	49	42	34	28
Monetary Value	R 71 120	R 80 525	R 70 800	R47 500	R55 350	R36 500	R65950	R64100	R 69 040	R 40 865	R 37 900

VEHICLE CHECK POINTS (VCP's)				
Date	Area	Description	Vehicles Stopped/ Count	Traffic Cases issued
02 May 2022	Groenrivier,Chatsworth	VCP	23	8 x Cases
03 May 2022	Yzerfontein – Lutie Katz Rd	Stop street Enforcement	0	0 x Cases
03 May 2022	Darling Road,R315	VCP	7	3 x Cases
03 May 2022	C/o Cinsaut & Barocca Street Malmesbury	Stop street Enforcement	2	2 x Cases
04 May 2022	Kloof Street Riebeek-Kasteel	VCP	26	8 x Cases
04 May 2022	Riverlands-Chatsworth road,Chatsworth	VCP	13	2 x Cases
04 May 2022	C/o DarlingRd & Church street,Abbotsdale	Stop street Enforcement	6	8 x Cases
05 May 2022	R315 Darling/Malmesbury Road	Moving Violations	1	1 x Case
05 May 2022	Yzerfontein R315 Rd	VCP	15	0 x Cases
05 May 2022	Hoof street, Koringberg	VCP	7	1 x Case
05 May 2022	Voortrekker road,Malmesbury	VCP	16	6 x Cases
06 May 2022	Moorreesburg Rosenhof	VCP	17	6 x Cases
06 May 2022	Riverlands-Chatsworth road,Chatsworth	VCP	17	3 x Cases
07 May 2022	Piet Retief street Riebeek-Kasteel	VCP	23	8 x Cases
07 May 2022	Yzerfontein R315 Rd	VCP	20	0 x Cases
08 May 2022	Groenrivier,Chatsworth	VCP	31	14 x Cases
08 May 2022	Yzerfontein:Dassen Island drive	VCP	13	0 x Cases
08 May 2022	Darling Main Road Area	VCP	9	6 x Cases

09 May 2022	N7 On Ramp,Malmesbury	VCP	30	5 x Cases
09 May 2022	Piet Retief street,Malmesbury	VCP	20	3 x Cases
10 May 2022	Schoonspruit Rd,Malmesbury	VCP	15	2 x Cases
10 May 2022	Darling North	Moving Violations	1	1 x Case
10 May 2022	Piet Retief street,Malmesbury	VCP	19	5 x Cases
10 May 2022	C/o Loedolf & Church street,Malmesbury	VCP	1	1 x Case
11 May 2022	Yzerfontein- Buitekant Street	VCP	10	1 x Case
11 May 2022	Church Street,Riebeek-Kasteel	VCP	38	5 x Cases
12 May 2022	C/o Jacaranda & Denne Avenue,Malmesbury	Stop Sign Enforcement	3	3 x Cases
12 May 2022	C/o Cinsaut & Barocca street Malmesbury	Stop Sign Enforcement	2	2 x Cases
12 May 2022	Darling CBD	Moving Violations	6	1 x Case
12 May 2022	Voortrekker Road,Malmesbury	VCP	37	9 x Cases
14 May 2022	N7 On ramp,Malmesbury	VCP	23	4 x Cases
15 May 2022	Klein Dassenberg road,Kalbaskraal	VCP	38	15 x Cases
16 May 2022	Main Road, Koringberg	Speed Measurement Manual	13	5 x Cases
16 May 2022	N7 On ramp,Malmesbury	VCP	23	2 x Cases
16 May 2022	Voortrekker road,Malmesbury	U -Turn Enforcement	2	5 x Cases
17 May 2022	Main Road, Darling	VCP	14	2 x Cases
17 May 2022	Yzerfontein area-R315	Speed Measurement Manual	299	9 x Cases
17 May 2022	Darling Road (Schoonspruit Secondary)	VCP Scholar Patrol enforcement	7	9 x Cases

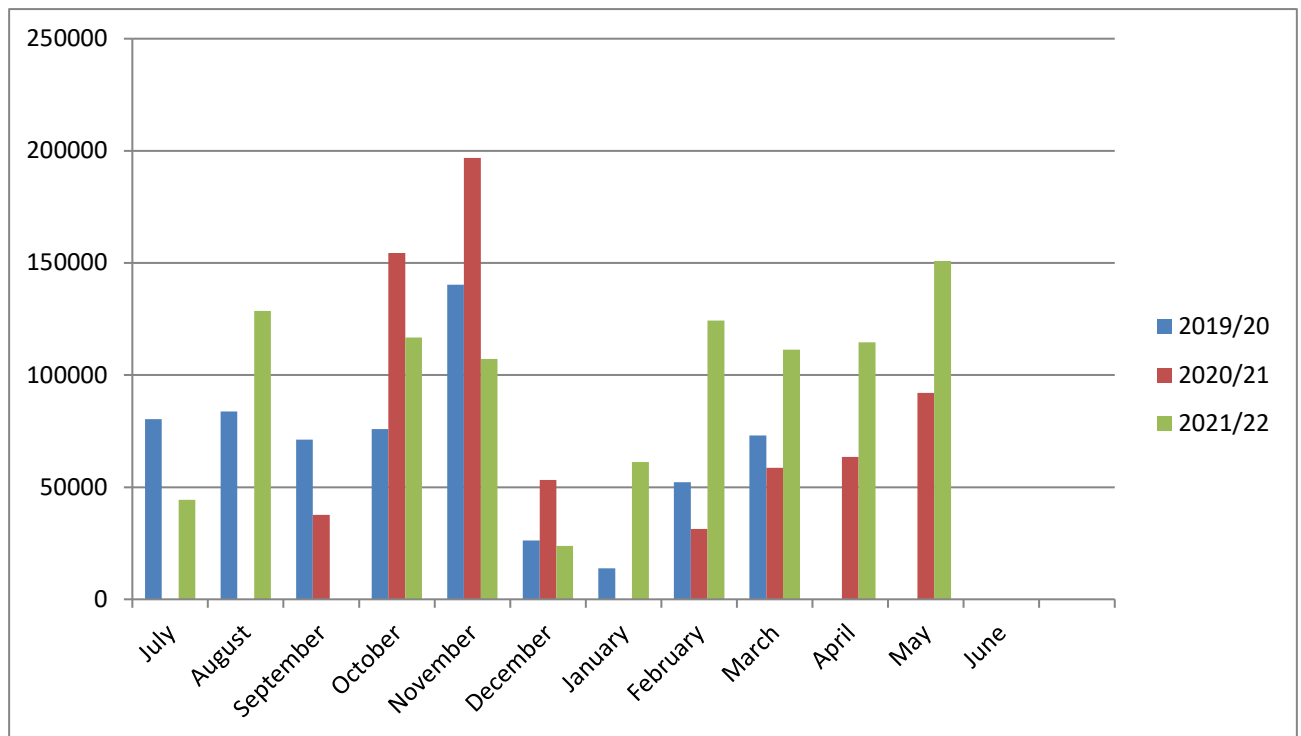
17 May 2022	Old Kalbaskraal road & Darling Road,Abbotsdale	VCP	21	5 x Cases
17 May 2022	Groen Rivier,Chatsworth	VCP	20	4 x Cases
18 May 2022	R315 Rail,Malmesbury	Stop Sign Enforcement	2	2 x Cases
19 May 2022	Hoof Street, Moorreesburg	VCP	14	5 x Cases
19 May 2022	Darling CBD	Moving Violations	14	3 x Cases
20 May 2022	Piet Retief Street,Malmesbury	VCP	14	2 x Cases
20 May 2022	Voortrekker Road,(CPM),Malmesbury	VCP	20	3 x Cases
21 May 2022	Kloof Street,Riebeek-Kasteel	VCP	29	3 x Cases
21 May 2022	Chatsworth N7 On Ramp	VCP	11	8 x Cases
23 May 2022	Yzerfontein:R315	VCP	12	8 x Cases
24 May 2022	Yzerfontein:R315	VCP	23	0 x Cases
26 May 2022	Voortrekker Road,(CPM),Malmesbury	VCP	36	4 x Cases
30 May 2022	Voortrekker & Vrede Street,Malmesbury	No U-Turn Sign Enforcement	1	1 x Case
30 May 2022	Voortrekker Road,(Spar),Malmesbury	No U-Turn Sign Enforcement	2	3 x Case
31 May 2022	Lelie Street,Riebeek-Kasteel	VCP	10	3 x Case
31 May 2022	Bokomo Road,Malmesbury	VCP	12	1 x Case
				219 x Cases

Foot Patrols			
Date	Area	Description	Successes
03 May 2022	Upper -CBD Malmesbury	Check for all Traffic related offences and Bylaws	4 x Cases
09 May 2022	Malmesbury Lower-CBD	Check for all Traffic related offences and Bylaws	1 x Case
09 May 2022	Upper -CBD Malmesbury	Check for all Traffic related offences and Bylaws	1 x Case
09 May 2022	Malmesbury CBD	Check for all Traffic related offences and Bylaws	4 x Cases
10 May 2022	Upper -CBD Malmesbury	Check for all Traffic related offences and Bylaws	0 x Case
10 May 2022	Malmesbury Job Tuin Street	Check for all Traffic related offences and Bylaws	1x Case
10 May 2022	Malmesbury CBD	Check for all Traffic related offences and Bylaws	22 x Cases
10 May 2022	Upper -CBD Malmesbury	Check for all Traffic related offences and Bylaws	10 x Cases
10 May 2022	Malmesbury CBD	Check for all Traffic related offences and Bylaws	4 x Cases
10 May 2022	Malmesbury Job Tuin Street	Check for all Traffic related offences and Bylaws	2 x Cases
11 May 2022	Upper -CBD Malmesbury	Check for all Traffic related offences and Bylaws	8 x Cases
12 May 2022	Lower-CBD Malmesbury	Check for all Traffic related offences and Bylaws	2 x Cases
14 May 2022	CBD Moorreesburg	Check for all Traffic related offences and Bylaws	1 x Case
14 May 2022	Malmesbury CBD	Check for all Traffic related offences and Bylaws	5 x Cases
16 May 2022	Malmesbury Upper-CBD	Check for all Traffic related offences and Bylaws	2 x Cases
16 May 2022	Malmesbury Lower-CBD	Check for all Traffic related offences and Bylaws	0 x Cases
17 May 2022	CBD Malmesbury	Check for all Traffic related offences and Bylaws	6 x Cases
17 May 2022	CBD Malmesbury	Check for all Traffic related offences and Bylaws	3 x Cases
18 May 2022	Malmesbury Lower-CBD	Check for all Traffic related offences and Bylaws	4 x Cases

20 May 2022	CBD Malmesbury	Check for all Traffic related offences and Bylaws	12 x Cases
20 May 2022	Malmesbury Lower-CBD	Check for all Traffic related offences and Bylaws	1 x Case
20 May 2022	Malmesbury Upper-CBD	Check for all Traffic related offences and Bylaws	5 x Cases
26 May 2022	CBD Malmesbury	Check for all Traffic related offences and Bylaws	7 x Cases
27 May 2022	CBD Malmesbury	Check for all Traffic related offences and Bylaws	4 x Cases
28 May 2022	CBD Malmesbury	Check for all Traffic related offences and Bylaws	6 x Cases
28 May 2022	CBD Moorreesburg	Check for all Traffic related offences and Bylaws	4 x Cases
28 May 2022	CBD Riebeek -West	Check for all Traffic related offences and Bylaws	3 x Cases
30 May 2022	Malmesbury Upper-CBD	Check for all Traffic related offences and Bylaws	4 x Cases
31 May 2022	Malmesbury Upper-CBD	Check for all Traffic related offences and Bylaws	4 x Cases
			130 X Cases

K78 ROADBLOCKS

Date	Area	Description	Vehicles Stopped/ Counted	Traffic Cases issued/Other
19 May 2022	Church Street, Riebeek-Kasteel	K78	106	7 x Cases



ANPR - BUS OPERATIONS

Date	Location	Total Payments	Amount
05 May 2022	Piketberg Road, Malmesbury	48	R 25 800.00
14 May 2022	Bokomo Road, Malmesbury	60	R 38 550.00
15 May 2022	Voortrekker Road(CPM), Malmesbury	75	R 37 350.00
19 May 2022	Church Street, Riebeeck-Kasteel	74	R 35 400.00
25 May 2022	Piketberg Road, Malmesbury (Traffic Department)	28	R 13 700.00
Total Payment Value		285	R 150 800.00

VEHICLE IMPOUNDMENTS: APRIL 2022

Date	Vehicle description	Reason for impoundment
	NONE	



Verslag Φ Ingxelo Φ Report

Kantoor van die Direkteur: Beskermingsdienste
Afdeling: Brandweerdienste

8 Julie 2022

7/1/2/2-3

ITEM 6.4.2
13 JULIE 2022.

VAN DIE AGENDA VAN 'N UBK VERGADERING WAT GEHOU SAL WORD OP

ONDERWERP:	VERSLAG: BRANDWEER DIENSTE: MEI 2022
SUBJECT:	<i>REPORT: FIRE BRIGADE SERVICES: MAY 2022</i>

1. **BACKGROUND / AGTERGROND**

Attached find the report of the Fire Brigade Services for May 2022.

2. **AANBEVELING**

Vir bespreking deur die Raad.
For discussion by Council.

(get) P A C Humphreys

(get) **MUNISIPALE BESTUURDER**
(sgnd) **MUNICIPAL MANAGER**



- MEMORANDUM -

Kantoor van die Direkteur Beskermingsdienste
Afdeling: Brandweer
20 Junie 2022

7/1/2/2-3

BRANDWEER – MAANDVERSLAG: MEI 2022
FIRE BRIGADE – MONTHLY REPORT: MAY 2022

FIRE DEPARTMENT: PERSONNEL PER AREA										
Town/Area										
	Abbotsdale	Chatsworth/ Riverlands	Darling	Kalbaskraal	Koringberg	Malmesbury	Moorreesburg	Riebeeck Vallei	Yzerfontein	TOTAL
Chief Fire Officer	0	0	0	0	0	1	0	0	0	1
Platoon Commander	0	0	0	0	0	1	0	0	0	1
Fire Fighter	0	0	2	0	0	0	2	0	0	4
*Temporary Fire Reservists	0	0	3 per standby week	0	0	5 per standby week	2 per standby week	2	1	13 per week
Minimum Required Trained personnel per shift			8	4		8	8	4	4	36

*13 Temporary Fire Reservists on standby weekly.

*Temporary Fire Reservists on standby from 17:00 – 08:00 daily and from 08:00 – 08:00 on weekends.

*Please note that the temporary Fire Reservists have limited capacity due to no formal firefighting training.

DATE	TIME	MAY MONTHLY REPORT MALMESBURY	WCDM Assisted SM	Swartland Assisted WCDM
01.05.2022	19:20	House on fire – 351 Eikenhout Street, Kalbaskraal		
03.05.2022	07:20 16:15	Veld fire – behind Piet Retief Street, Malmesbury Refuse bin on fire – Phase 2, Phola Park		
05.05.2022	11:18 20:50 21:53	Cleaning of road (oil spillage) – Darling Road Motor Vehicle Accident – Voortrekker Road House on fire – 20 Koljander Street, Malmesbury		
06.05.2022	18:20	Garden waste on fire in yard – Boltney Street, Abbotsdale		
08.05.2022	00:47 02:00 14:10 19:57	Motor Vehicle Accident – N7, at the Saamstaan bridge in Westbank Motor Vehicle Accident – cnr of Rainier & Church Street, Malmesbury Veld fire – Piketberg Road, behind SAPS, Malmesbury Light pole (electric cables) alight – 72 Tinkie Straat, Malmesbury		
09.05.2022	16:06	Veld fire – cemetery, Schoonspruit Road, Malmesbury		

10.05.2022	09:27 09:57	Refuse bin on fire – Holomisa Street, Illinge Lethu Veld fire – Klipkoppie, behind new prison		
11.05.2022	12:15	Veld fire – next to Mount Royal Golf Estate		
12.05.2022	07:43	Informal structure on fire – 9786 Rolihlahla Street, Illinge Lethu		
15.05.2022	04:36 12:00 18:12 22:17	Motor Vehicle alight – N7 bridge, Koljander Street, Malmesbury Motor Vehicle Accident – 10km outside Malmesbury, Paarl Road House on fire – 870 Hopefield Road, Chatsworth Veld fire – Piet Retief Street, opposite Malmesbury nursery		
17.05.2022	11:49 17:00 18:20	Motor Vehicle Accident – Voortrekker Road, Malmesbury Rubbish on fire – ditch at Illinge Lethu Veld/Bush fire – near N7, Abbotsdale		
20.05.2022	08:46	Garden waste on fire – 4 Church Street, Malmesbury		
21.05.2022	12:00 14:10	Motor Vehicle alight – near Swartland Wine cellar, R45 Checkers elevator got stuck – Checkers Malmesbury		
22.05.2022	05:02	Motor Vehicle Accident – R45, direction Hopefield		
24.05.2022	11:41 15:26 17:10	Motor Vehicle Accident – Groenrivier, intersection at Chatsworth & Kalbaskraal House on fire – 5720 Chris Hani Street, Illinge Lethu Veld fire – Klipkoppie, new prison		
27.02.2022	19:18 19:57	Motor Vehicle Accident – Main Road, Kalbaskraal Rubbish on fire – Janfiskaal Street, Malmesbury		
28.05.2022	14:32	Motor Vehicle Accident – 10km outside Malmesbury, direction Darling		
29.05.2022	17:10	Motor Vehicle Accident – cemetery, Schoonspruit Road, Malmesbury		
31.05.2022	18:48	Veld fire – near Mount Royal Golf Estate		

DATE	TIME	MAY MONTHLY REPORT MOORREESBURG	WCDM Assisted SM	Swartland Assisted WCDM
01.05.2022	12:43	Veld fire – 1 st Avenue, Hooikraal		
02.05.2022	19:31	Rubbish on fire – Sonneblom Street, Moorreesburg		
07.05.2022	08:28	Veld fire – behind Golf Club, Moorreesburg		
08.05.2022	08:15 09:16	Rubbish on fire – dumping site, Moorreesburg Motor Vehicle Accident – Hopefield Road, Moorreesburg		
09.05.2022	08:10	Rubbish on fire – dumping site, Moorreesburg		
12.05.2022	05:18	House on fire – Verland Farm, Moorreesburg		
15.05.2022	10:30	Informal Structure on fire – 6422 B Sibanye, Moorreesburg		
17.05.2022	08:24 22:32	Rubbish on fire – dumping site, Moorreesburg Informal Structure on fire – 6360 Sibanye, Moorreesburg		
21.05.2022	07:49	Motor Vehicle alight – 20A Heuwel Street, Moorreesburg		
22.05.2022	12:22	Veld fire – swimming pool, Moorreesburg		

DATE	TIME	MAY MONTHLY REPORT RIEBEEK KASTEEL	WCDM Assisted SM	Swartland Assisted WCDM
03.05.2022	23:00	Structure on fire – 21 Lelie Straat		

05.05.2022	09:30 14:08	Refuse bin on fire – Tulp Street Veld fire - Brandwag Farm		
06.05.2022	00:05 01:56	Rubbish dump on fire – Jasmyn Street Bush fire – between prison & Brandwag Farm (WCDM have been activated)		
08.05.2022	05:39 16:10	Veld fire – Lelie Street Refuse bin on fire – Lelie Street		
09.05.2022	20:04	Veld fire – Koelenberg Street		
15.05.2022	18:10	Veld fire – Station Way		
16.05.2022	16:20	Structure on fire – 19 Cederberg Road		
17.05.2022	15:56	Motor Vehicle alight – Hermon Road		
18.05.2022	16:55	Dumping site on fire – Lelie Street		
20.05.2022	02:46 17:24	House on fire – 321 Station Way Veld fire – Lelie Street		
21.05.2022	09:23	Refuse bin on fire – Lelie Street		
28.05.2022	05:39	Structure on fire – 29 Jasmyn Street		

DATE	TIME	MAY MONTHLY REPORT RIEBEEK WEST	WCDM Assisted SM	Swartland Assisted WCDM
17.05.2022	18:40	Veld fire – Conniffee January Street		

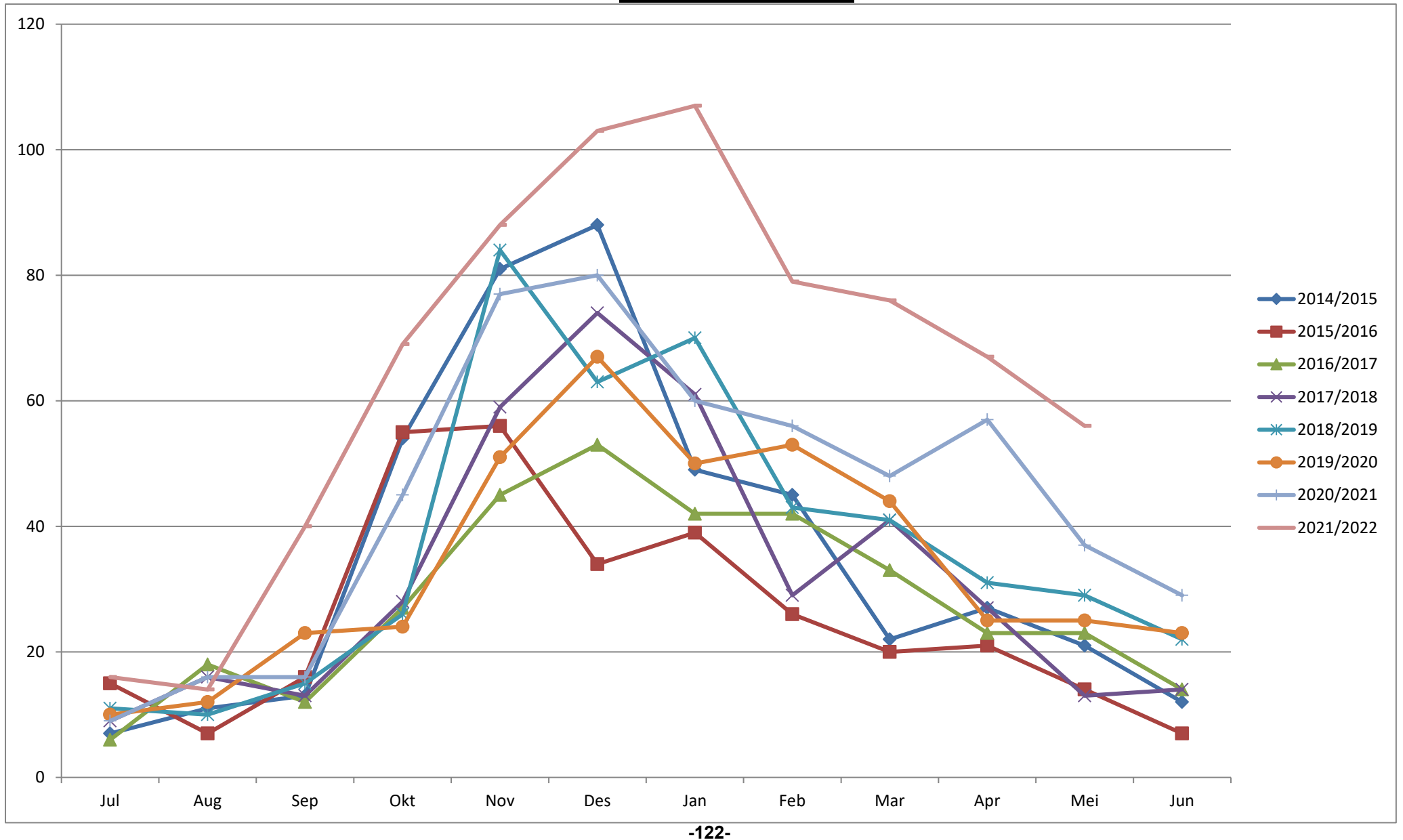
DATE	TIME	MAY MONTHLY REPORT DARLING / YZERFONTEIN	WCDM Assisted SM	Swartland Assisted WCDM
04.05.2022	09:42	Motor Vehicle Accident – Yzerfontein crossing		
06.05.2022	08:10	Motor Vehicle Accident – R27, Ganzekraal		
08.05.2022	01:03	Veld fire - Moravian Church, Darling		
16.05.2022	14:15	Veld fire – Wilschutsvlei Farm, Darling		
22.05.2022	13:06	Motor Vehicle Accident – R315, between Darling & Malmesbury crossing		
23.05.2022	13:00	House on fire 23 Cimbidium Sreet, Darling		
24.05.2022	16:58	Gas cylinder fire – 14 Tulbach Street, Darling		
27.05.2022	08:56	Motor Vehicle Accident – Jacobskraal Farm, Yzerfontein		
30.05.2022	08:50	Tree on fire – Evita Bezuidenhout Avenue, Darling		

GENERAL

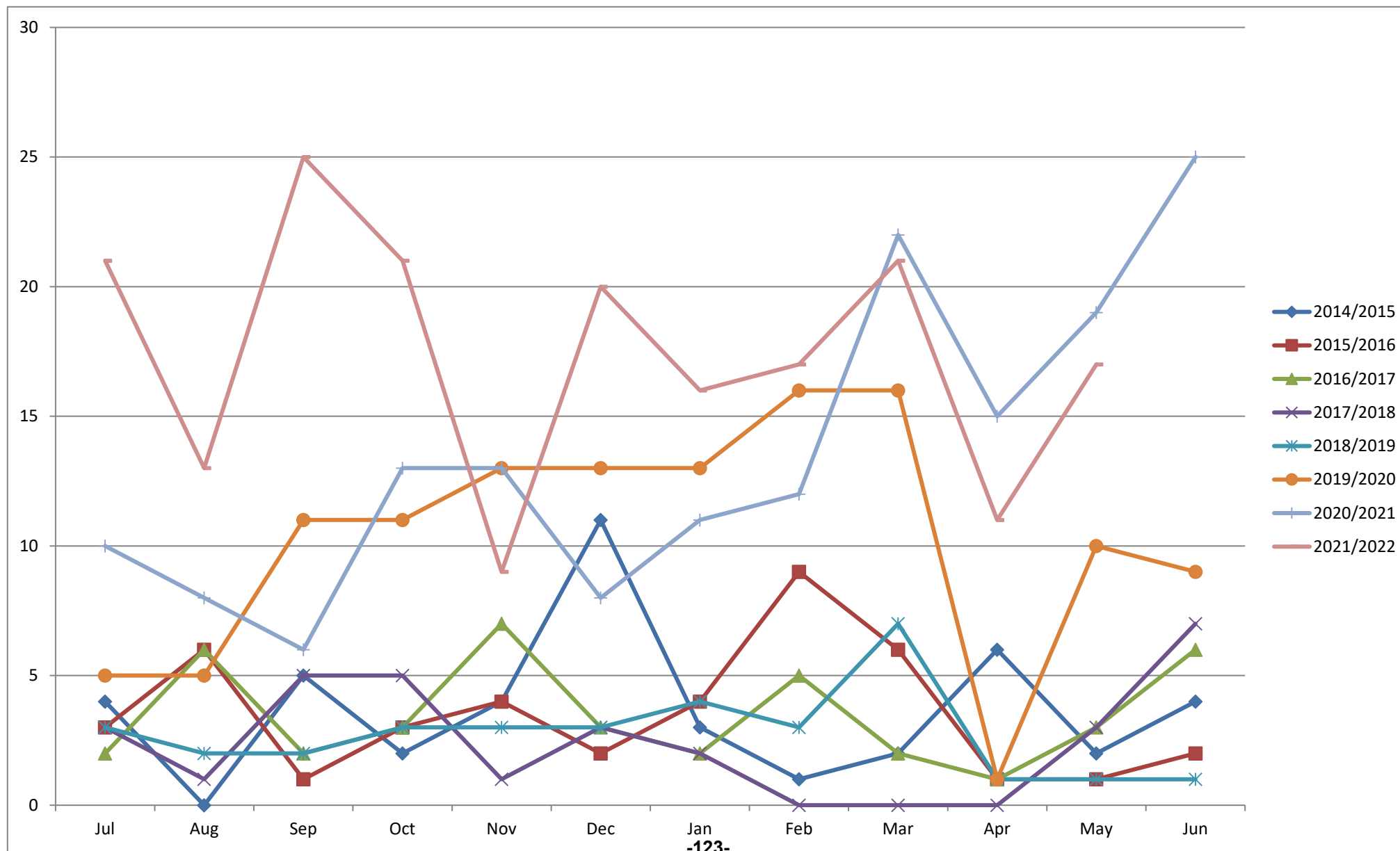
1. Fire inspection and life safety done at:
 - Swartland Pre- Primer
2. Awareness Campaigns
 - Darling Outreach Centre on the 02 & 29 June 2022
3. Hydrants cleaned /maintained in Moorreesburg & Darling = 88
4. Building Plan Evaluated: Farm 599 Malmesbury
5. All operational firefighting vehicles and equipment inspected on a weekly basis.

CHIEF FIRE OFFICER: R HARRIS

AMOUNT OF FIRES



AMOUNT OF OTHER INCIDENTS



	Fire Brigade Service: SWARTLAND MUNICIPAL Fire & Rescue Services									Contact Person: ROYSTEN HARRIS			
	(Municipality/Location) MALMESBURY									Contact Details: 022 487 9400			
	May 2022												
OCCUPANCY OR PROPERTY		Probable causes / moontlike oorsake											Number of fires
		1 smoking	2 elec. faults	3 open flames	4 cooking	5 heating	6 welding & cutting	7 lightning	8 arson	9 undetermined	10 other (specify)		
											False Alarm good intent	False Alarm malicious	
RESIDENTIAL	FORMAL									7			7
	INFORMAL									6			6
	FLATS												
	HOTELS AND BOARDING HOUSES												
INSTITUTIONAL	HOSPITALS & NURSING HOMES												
	EDUCATIONAL ESTABLISHMENTS												
PUBLIC ASSEMBLY	CHURCHES AND HALLS												
	CINEMAS AND THEATRES												
	MUSEUMS, LIBRARIES, ART GALLERIES												
	NIGHT CLUBS AND DANCE HALLS												
COMMERCIAL	RESTAURANTS AND CAFES												
	OFFICES												
	SHOPS												
	DEPARTMENT STORES												
	GARAGES AND WORKSHOPS												
STORAGE	WAREHOUSES												
	OUTSIDE STORAGE												

INDUSTRY	FURNITURE												
	PLASTIC AND RUBBER												
	TEXTILE												
	PRINTING												
	MILLING												
	PETROLEUM												
	FOOD AND DRINK												
	PAPER AND PACKAGING												
	CHEMICAL									1			1
	METAL												
	ELECTRONICS									1			1
	MINES (SURFACE)												
	UTILITIES												
TRANSPORT	CARS, MOTORCYCLES									4			4
	BUSES												
	HEAVY VEHICLES												
	SHIPS												
	TRAINS												
	AIRCRAFT												
OTHER	RUBBISH, GRASS AND BUSH									37			37
	PLANTATIONS AND FOREST												
	AGRICULTURAL												
	MISCELANEOUS FIRES												
	RIOTS												
	TOTALS									56			56

AMOUNT OF OTHER INCIDENTS (SPECIAL SERVICES RENDERED FOR THE MONTH)	
(This exclude where fires are involved)	
TYPE INCIDENT	Number of incidents
Aircraft Accidents	
Trench Rescue	
High Angle Rescue	
Motor vehicle accidents	15
Diving	
Boats and Sailing craft	
Water Supplies	
Fast Water Flow Rescue	
Mountain Search and Rescue	
Humanitarian Services	2
Hazardous Materials:- Radiation; Nuclear; Chlorine; Acid	
TOTALS	17



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Office of the Municipal Manager
2022-07-13

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

ITEM 7.1 OF THE AGENDA OF AN EXECUTIVE MAYORAL COMMITTEE MEETING TO BE HELD ON 13 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, by die Raad aanbeveel word vir her-aanneming.

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 recommended for re-adoption by Council.

(get) J S Krieger

MUNICIPAL MANAGER

DATE: 13 July 2022



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Kantoor van die Direkteur: Korporatiewe Dienste
1 Julie 2022

1/1
WYK: Alle wyke

ITEM 7.2 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE-VERGADERING WAT GEHOU SAL WORD OP 13 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/...

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

3. **RECOMMENDATION** (for consideration by Council on 28 July 2022)

- (a) That the following by-law be recommended for approval 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.

AANBEVELING (vir oorweging deur die Raad op 28 Julie 2022)

- (a) Dat die volgende verordening aanbeveel word vir goedkeuring deur die Raad, om in werking te tree op datum van afkondiging in die Provinsiale Koerant:
- Swartland Munisipaliteit: Verordening insake die Hou van Vergaderings

- (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

SWARTLAND MUNICIPALITY:
DRAFT BY-LAW RELATING TO THE CONDUCT OF MEETINGS

CHAPTER 1
INTRODUCTION

1. Definitions
2. Application and interpretation
3. Duty of Speaker, councillors, municipal employees and members of public

CHAPTER 2
MEETINGS

4. Transaction and order of business
5. Agenda
6. Meetings
7. Special Council meetings
8. Functions of Speaker regarding meetings
9. Attendance by councillor
10. Order for councillor to withdraw from meeting
11. Procedure for leave of absence
12. Sanctions for non-attendance
13. Recording of virtual meetings and hybrid meetings
14. Minutes
15. Quorum
16. Adjournment of proceedings
17. Continuation of meeting if Speaker unlawfully adjourns meeting

CHAPTER 3
DECISIONS

18. Unopposed matters
19. Opposed matters
20. Decisions by voting

- 21. Method of voting
- 22. Casting of votes

CHAPTER 4

ATTENDANCE AT AND PARTICIPATION IN MEETINGS

- 23. Attendance of and address by municipal employee or member of public
- 24. Arrangements relating to attendance
- 25. Exclusion of members of public from meeting
- 26. Re-admission of members of public

CHAPTER 5

CONDUCT IN MEETINGS

- 27. Conduct of councillors, municipal employees and members of public

CHAPTER 6

DEBATE AND MOTIONS

- 28. Address to Speaker
- 29. Right to speak and limitation
- 30. Duration of speeches
- 31. Participation by Speaker in debate
- 32. Questions
- 33. Content of debate
- 34. Point of order
- 35. Explanation
- 36. Motion
- 37. Notice of motion
- 38. Question for debate
- 39. Motion of exigency
- 40. Motion of course
- 41. Precedence of debate
- 42. Amendment motion

43. Motion for postponement of matter
44. Motion for adjournment of meeting to another date
45. Motion for adjournment of meeting for specified time
46. Motion for adjournment of debate on matter for specified time
47. Motion that matter be put to vote
48. Motion to remove matter from agenda
49. Motion to refer matter to committee
50. Withdrawal of motion or question
51. Absence of councillor who gave notice of motion or question
52. Re-introduction of motion or question
53. Motion or question on matter referred to committee
54. Report on delegated powers

CHAPTER 7

REMOVAL OF OFFICE-BEARER FROM OFFICE

55. Removal of Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor from office

CHAPTER 8

LEGISLATIVE PROCESS

56. Introduction of draft by-law
57. Introduction of draft by-law by councillor
58. Introduction of draft by-law by committee
59. Publication of draft by-law
60. Consideration of draft by-law

CHAPTER 9

MISCELLANEOUS MATTERS

61. Official languages
62. Municipal employees
63. Breaches and offences

- 64. Repeal of by-laws
- 65. Short title and commencement

CHAPTER 1 INTRODUCTION

Definitions

1. In this by-law, the English text prevails in the event of any conflict with the Afrikaans text, and unless inconsistent with the context—

“Code” means the Code of Conduct for Councillors set out in Schedule 7 to the Structures Act;

“committee” means a committee established by the Council in terms of section 79 of the Structures Act, and includes a committee appointed in terms of section 80 of the Structures Act;

“Constitution” means the Constitution of the Republic of South Africa, 1996;

“Council” means the municipal council of the municipality;

“councillor” means a member of the Council, and includes a political office bearer as defined in section 1 of the Systems Act;

“hybrid meeting” means a meeting where some councillors are physically present in the meeting venue and some councillors attend the meeting virtually;

“meeting” means any meeting of the Council or a committee, as the case may be;

“member of the public” means a person who is not a councillor or a municipal employee and who attends a meeting, and includes—

- (a) the media;
- (b) a dignitary; and
- (c) a representative of a sphere of government;

“municipal employee” means an employee of the municipality;

“Municipal Manager” means the municipal manager of the municipality as defined in the Systems Act;

“municipality” means the municipality of Swartland;

“ordinary Council meeting” means an ordinary meeting of the Council convened in accordance with section 6;

“party whip” means a councillor appointed by the councillor’s party to perform the duties attached to the position of a party whip as contemplated in this by-law;

“physical meeting” means a meeting where councillors are physically present in the same venue;

“platform” means the virtual platform where a virtual meeting is held;

“Provincial Minister” means the member of the Provincial Cabinet responsible for local government matters in the Province of the Western Cape;

“quorum” in relation to—

(a) the Council, means a majority of the incumbent councillors; and

(b) a committee, means a majority of the incumbent members appointed to that committee by the Council;

“Speaker” means the Speaker of the Council elected in terms of section 36 of the Structures Act or the Acting Speaker elected in terms of section 41 of the Structures Act;

“special Council meeting” means a special meeting of the Council convened in accordance with section 7;

“Structures Act” means the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

“Systems Act” means the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

“venue” means the Council chamber or committee room where a physical meeting is held, unless otherwise determined by the Speaker or chairperson, as the case may be;

“virtual” means streamed live to the internet, using any or all of the following:

- (a) Video;
- (b) Text;
- (c) Audio;

“virtual meeting” means a meeting where councillors are not physically present in the same venue and the meeting is conducted utilising virtual technology;

“Whip” means the councillor elected in terms of section 41A of the Structures Act; and

“working day” means any day of the week except—

- (a) a Saturday, Sunday and public holiday; and
- (b) when the Council is in recess.

Application and interpretation

2.(1)(a) Subject to paragraph (b), this by-law applies to all meetings of the Council and its committees.

(b) This by-law does not apply to the following committees:

- (i) a committee established in terms of item 16(1)(b) of the Code;
- (ii) a committee contemplated in section 62(4)(c)(ii) of the Systems Act; and
- (iii) a mayoral committee contemplated in section 60 of the Structures Act.

(2) Unless it is inconsistent with the context or clearly inappropriate, a reference in this by-law to—

- (a) the Council must be construed as a reference to a committee;
- (b) the Speaker must be construed as a reference to the chairperson of a committee;
- and
- (c) a councillor must be construed as a member of a committee.

(3) Except where it is clearly inappropriate, a section applying to a councillor in any proceedings also applies to a municipal employee and a member of the public who takes part in those proceedings.

(4) If, in terms of this by-law, a notice, motion, question, or request is required or permitted to be given in writing to any councillor or person, it is sufficient if it is transmitted electronically directly to that councillor or person.

(5) If, in terms of this by-law, a document is required to be published, provided or delivered, it is sufficient if an electronic original or reproduction thereof is published, provided or delivered by electronic communication: Provided that this sub-section does not apply to any publication to inform the public.

(6) If, in terms of this by-law, a document is required to be signed by—

- (a) a single councillor or person, signing may be effected in any manner provided for in the Electronic Communications and Transactions Act, 2002 (Act 25 of 2002);
or
- (b) two or more councillors or persons, it is sufficient if—
 - (i) all of those councillors or persons sign a single original of the document, in person or as contemplated in paragraph (a); or
 - (ii) each of those councillors or persons signs a separate duplicate original of the document, in person or as contemplated in paragraph (a), and in such a case, the signed duplicate originals, when combined, constitute the entire document.

(7)(a) In instances of urgency, during an emergency or where the Council considers that adherence to a section would be unreasonable and would prejudice the operation of a meeting, the Council may, with the approval of the majority of the incumbent councillors and for the duration of that meeting, temporarily suspend or relax the provisions of that section: Provided that the suspension or relaxation of a section—

(i) may not be in contravention of any national or provincial legislation or any by-law of the municipality; and

(ii) must relate to an item on the agenda for the meeting.

(b) The reasons for the suspension of the section must be recorded in the minutes.

(c) This sub-section does not apply to a motion to remove the Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor from office contemplated in section 55.

Duty of Speaker, councillors, municipal employees and members of public

3. The Speaker, councillors, municipal employees and members of the public must familiarise themselves with this by-law.

CHAPTER 2

MEETINGS

Transaction and order of business

4.(1) The Council transacts its business at ordinary Council meetings and special Council meetings, convened for that purpose in terms of this by-law.

(2) The order of business in ordinary Council meetings is as follows, unless the order has been changed in terms of sub-section (4):

(a) election of Acting Speaker, if necessary;

(b) application for leave of absence;

(c) confirmation of minutes;

(d) statements and communications by Speaker;

(e) statements and communications by Whip, where applicable;

- (f) statements and communications by Executive Mayor or Executive Mayoral Committee, if applicable;
- (g) urgent matters submitted by the Municipal Manager;
- (h) consideration of reports on delegated powers;
- (i) consideration of reports;
- (j) motions;
- (k) questions;
- (l) motions of exigency; and
- (m) adjournment.

(3) The order of business of a special Council meeting is as follows, unless the order has been changed in terms of sub-section (4):

- (a) election of Acting Speaker, if necessary;
- (b) application for leave of absence;
- (c) consideration of matters contained in the notice convening a special Council meeting or set out in the request contemplated in section 7; and
- (d) adjournment.

(4) The Speaker may change the order of business appearing on the agenda or the Council may resolve accordingly.

(5) A councillor who wishes to have the order of business on the agenda changed, must approach the Speaker in this regard prior to the meeting.

Agenda

5.(1)(a) The Speaker or a person designated by the Speaker must prepare the agenda for a meeting in liaison with the Whip, where applicable, and the Municipal Manager.

(b) The Municipal Manager must assist the Speaker in preparing the agenda.

(2) The Speaker may at any time during a meeting introduce an urgent matter which does not appear on the agenda, unless—

- (a) a councillor indicates the councillor's opposition to the introduction of the matter;
- (b) the procedure contemplated in section 19 is followed; and
- (c) the Council resolves otherwise with a supporting vote of a majority of the votes cast.

(3) Except as otherwise provided in this by-law or in terms of sub-section (2), a matter not appearing on the agenda may not be transacted at a meeting.

(4) The Speaker may refuse an item, motion or question to the agenda if such item, motion or question—

- (a) falls outside the jurisdiction of the municipality;
- (b) is racist in nature or advocates hate speech;
- (c) is *sub judice*;
- (d) does not comply with procedural requirements for submission of agenda items as provided for in this by-law;
- (e) lacks sufficient information;
- (f) violates legislation or is contrary to the law; or
- (g) is of defamatory nature,

in which event the procedure in sections 37(3) and (4) must be followed.

Meetings

6.(1) The Speaker must—

- (a) at least quarterly convene ordinary Council meetings; and
- (b) ensure that the Council meets at least quarterly in accordance with section 18(2) of the Structures Act.

(2) The Speaker must decide whether a meeting should be a—

- (a) physical meeting;
- (b) virtual meeting; or
- (c) hybrid meeting.

(3) All physical and hybrid meetings must be open to members of the public, unless members of the public are excluded as contemplated in section 25.

(4) Subject to sub-section (1) and section 7(3), the Speaker must decide when and where the Council must meet.

(5) At least 48 hours before an ordinary Council meeting, the Municipal Manager must give written notice to each councillor of the date, time and venue or platform of that meeting.

(6)(a) At least 48 hours before an ordinary Council meeting, the Municipal Manager must give written notice to the public, in accordance with section 29A of the Structures Act, of the date, time and venue or platform of that meeting.

(b) The notice contemplated in paragraph (a)—

(i) must be posted on—

(aa) the landing page of the municipality's website; and

(bb) a notice board at the municipality's head office;

(ii) may be published in a local newspaper determined by the Municipal Manager; and

(iii) must provide the details of a contact person, to whom any queries may be addressed.

(7)(a) The Speaker may, during an emergency or in exceptional circumstances, change the date, time, venue or platform of an ordinary Council meeting which has been convened.

(b) The Municipal Manager must give reasonable notice in line with this section of any change to the date, time, venue or platform of a meeting.

(8) Councillors must carefully check the agenda with which they have been provided in accordance with section 6(5) and prepare themselves thoroughly for the scheduled meeting.

(9) On acceptance of his or her office as councillor, a councillor must provide the Municipal Manager with a physical address within the municipal area of jurisdiction to which the agendas for meetings can be delivered, and must submit in writing, where possible, an electronic mail address and a mobile telephone number for instant messaging where he or she can receive notification of meetings and other official correspondence.

(10) A councillor must inform the Municipal Manager without delay of any changes in the information provided in terms of sub-section (9).

Special Council meetings

7.(1)(a) The Speaker may call a special Council meeting on a date, time and venue or platform determined by the Speaker.

(b) When the Speaker has determined the date, time and venue or platform of a special Council meeting, the Speaker must inform the Municipal Manager thereof.

(2) If the position of Speaker is vacant or the Speaker is absent, unavailable, unwilling or unable to perform the Speaker's functions—

(a) the Municipal Manager; or

(b) a person designated by the Provincial Minister if the Municipal Manager is absent, unavailable, unwilling or unable,

must convene a special Council meeting to elect a Speaker or an Acting Speaker, as the case may be, and preside over such election.

(3) The Speaker must, if a majority of councillors requests the Speaker in writing to convene a special Council meeting for the consideration of a specified matter or matters and if the request complies with the requirements set out in this section and the Structures Act—

(a) convene a special Council meeting on the date and at the time set out in the request and at a venue or using a platform determined by the Speaker; and

(b) inform the Municipal Manager of the date, time and venue or platform and supply the Municipal Manager with a copy of the request.

(4) A request to call a special Council meeting must indicate the matter or matters, as the case may be, to be dealt with at that special Council meeting, and indicate the date and the time of the special Council meeting, which date may not be less than six working days from the date the request is submitted to the Speaker.

(5) For the purposes of sub-section (3), a majority of councillors must be construed as reflected in the municipality's establishment notice, notwithstanding any declared vacancies.

(6) If the Speaker, for whatever reason, fails to convene a special Council meeting in terms of sub-section (3) within three working days of receipt of the request, the Municipal Manager, or in the absence or refusal by the Municipal Manager, a person designated by the Provincial Minister, may convene and chair the special Council meeting on the date and at the time set out in the request and at a venue or using a platform determined by the Municipal Manager or person designated by the Provincial Minister, as the case may be.

(7)(a) If the Speaker is absent, unavailable, unwilling or unable to chair the special Council meeting, the Municipal Manager or a person designated by the Provincial Minister if the Municipal Manager is absent, unavailable, unwilling or unable, must preside at the election of an Acting Speaker in accordance with section 36(3) of the Structures Act.

(b) The Acting Speaker may only preside over the special Council meeting concerned.

(8) Only the matter or matters specified in the notice convening a special Council meeting or set out in the request contemplated to in sub-section (3), may be dealt with at a special Council meeting.

(9) Section 55 applies to a special Council meeting to vote on a motion to remove the Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor from office.

(10) The Municipal Manager must give notice of a special Council meeting at least 24 hours prior to the meeting, in the manner contemplated in sections 6(5) and (6).

(11)(a) The Speaker may, on reasonable grounds, determine that a special Council meeting is an emergency meeting, in which event the time periods specified in this section do not need to be complied with.

(b) The Municipal Manager must take all reasonable steps to notify each councillor and the public of a special Council meeting that is an emergency meeting.

Functions of Speaker regarding meetings

8.(1) Subject to section 15(2), the Speaker must take the chair at the time the meeting has been scheduled for.

(2) In addition to the functions contemplated in section 37 of the Structures Act and any other law, the Speaker—

(a) must give a ruling in respect of—

(i) a point of order raised by a councillor; and

(ii) a question in relation to the priority of business; and

(b) may, with due regard to the common law, give a ruling in respect of any procedural eventuality for which this by-law does not provide.

(3) The rulings contemplated in sub-section (2) must be recorded in the minutes and may not be debated.

Attendance by councillor

9.(1) Subject to item 4 of the Code and section 11, a councillor must—

(a) attend each meeting;

- (b) sign the councillor's name in the attendance register if the councillor is physically attending the meeting, or verbally identify the councillor when directed to do so by the Speaker if the councillor is virtually attending the meeting; and
- (c) remain in attendance, unless the councillor is required in terms of the Code, sub-section (4), section 10, 27(4) or 34(7), or any other law to withdraw from the meeting.

(2) A councillor who attends—

- (a) a virtual meeting; or
- (b) a hybrid meeting virtually,

is deemed present for establishing a quorum, taking a decision, voting on a matter, and for any other purposes.

(3) For purposes of this by-law, a councillor is—

- (a) present at, and attending, a virtual meeting; or
- (b) virtually present at, and attending, a hybrid meeting,

if the councillor is able to hear the proceedings, and the Speaker can hear the councillor.

(4)(a) A councillor must disclose an interest in any matter before Council as contemplated in item 6 of the Code and withdraw from proceedings when that matter is considered, unless the Council decides that the councillor's interest is trivial or irrelevant.

(b) If a councillor withdraws from proceedings as contemplated in paragraph (a), the Speaker must ensure that virtual access by the councillor to the meeting must be denied for the duration of the consideration of that matter.

Order for councillor to withdraw from meeting

10. If the Speaker is of the opinion that a—

- (a) councillor is deliberately contravening a provision of this by-law or the Code;
- (b) councillor is in contempt of or is disregarding the authority of the Speaker; or
- (c) councillor's conduct is grossly disorderly,

the Speaker may—

- (i) order the councillor to withdraw immediately from the chamber or committee room for the remainder of the day's meeting if the councillor is physically attending the meeting; or
- (ii) deny the councillor virtual access for the remainder of the meeting if the councillor is attending the meeting virtually.

Procedure for leave of absence

11.(1) A councillor who cannot attend a meeting must submit his or her apology at the office of the Municipal Manager or his or her delegate at least one hour before the meeting commences.

(2) The Speaker, on good cause shown, may grant leave of absence to a councillor who has been prevented by special circumstances from applying for leave of absence in accordance with sub-section (1), which may include, amongst others, illness of the councillor, or illness or death of a member of the councillor's family.

(3) The names of all councillors—

- (a) present at a meeting;
- (b) absent from a meeting or a part of a meeting; and
- (c) to whom leave of absence from the meeting has been granted,

must be recorded in the minutes.

(4) Leave is deemed to have been granted if a councillor—

- (a) has been delegated to attend a meeting or engagement on behalf of the Council;
- or
- (b) withdraws from proceedings as contemplated in section 9(4).

(5) A councillor who fails to remain in attendance at a meeting shall be regarded as being absent without leave.

(6) Sub-sections (1) to (5) also apply with the necessary changes to leave of absence of the Speaker: Provided that a reference in this section to the Speaker is regarded to be a reference to the Council.

Sanctions for non-attendance

12.(1) A councillor who is absent without leave from a meeting or who is deemed absent in terms of section 11(5), is in breach of this by-law: Provided that, if a councillor is temporarily suspended from meetings or committees in terms of section 27, he or she is deemed absent with leave for the purposes of this section.

(2) A councillor who violates the provisions of sub-section (1) may be fined by an amount as determined by the Council, which fine shall be recovered directly from such councillor's remuneration.

(3) An investigation into any repeated violation of sub-section (1) must be conducted in accordance with the uniform standing procedure relating to councillor discipline adopted by the Council.

(4) If the Council finds that a councillor has breached this by-law as contemplated in sub-section (1), the Council may –

(a) issue a formal warning to the member;

(b) reprimand the member; or

(c) fine the member, in addition to the fine determined in sub-section (2), a maximum of –

(aa) 10 per cent of the councillor's gross monthly salary for the first breach; and

(bb) 25 per cent of the councillor's gross monthly salary for every subsequent breach.

(4) If a councillor is absent from three or more meetings without permission, as contemplated in the Code, the Council must request the Provincial Minister to remove the councillor from office.

Recording of virtual meetings and hybrid meetings

13. The Municipal Manager must ensure that every virtual meeting and every hybrid meeting is digitally recorded and that the recording is stored for a period of not less than three years from the date of the meeting.

Minutes

14.(1) The Municipal Manager must—

- (a) compile the minutes of the proceedings of a meeting in writing within two weeks of the meeting; and
- (b) provide each councillor with a copy of the minutes within a reasonable period.

(2) The minutes of a meeting must be considered by the Council at its next meeting and, if confirmed, must be signed by the Speaker.

(3) The minutes are taken as read, for the purpose of sub-section (2), if they were provided to each councillor within a reasonable period before the meeting considering them.

(4) No motion or discussion is allowed on the confirmation of the minutes, except in connection with the correctness thereof.

(5) If a councillor is dissatisfied with the correctness of the minutes, the councillor must—

- (a) state the item with which the councillor is dissatisfied; and
- (b) propose a motion clearly outlining the alternative wording to amend the minutes.

(6) The minutes of a meeting must set out the date, time and venue or platform of the meeting and the decisions or other action taken at the meeting.

(7) The Municipal Manager must keep and store a record of the signed minutes.

Quorum

15.(1) A meeting may not commence until a quorum is present.

(2) If there is no quorum at the time for which the meeting is scheduled, the Speaker must take the chair as soon as a quorum is present.

(3) If there is no quorum, the start of the meeting must be delayed for not longer than 30 minutes and if at the end of that period, there is still no quorum, the Speaker must—

(a) adjourn the meeting to another time, date and venue or platform at the Speaker's discretion; and

(b) record the time of such adjournment and the names of those councillors present.

(4) If the Speaker is not present and there is no quorum, the start of the meeting must be delayed for not more than 30 minutes and if there is still no quorum at the end of that period, the meeting may not take place and the Municipal Manager must record the time of such adjournment and the names of the councillors present.

(5) If during a meeting there is no quorum, the Speaker must suspend the proceedings until a quorum is again present: Provided that if after 10 minutes or such longer time as the Speaker may allow, there is still no quorum, the Speaker must—

(a) adjourn the meeting to another time, date and venue or platform at the Speaker's discretion; and

(b) record the time of such adjournment and the names of those councillors present.

(6) No technical failure on the part of a councillor or group of councillors during a virtual meeting or a hybrid meeting that leads to a break in the virtual connection for a total period of not more than five minutes invalidates any action taken by a majority of the councillors attending the meeting.

Adjournment of proceedings

16.(1) The Speaker may only adjourn a meeting—

- (a) after the Council has transacted all of its business on the agenda;
- (b) in the absence of a quorum as contemplated in section 15;
- (c) upon a successful motion to adjourn as contemplated in section 45 or 46;
- (d) when a meeting has fallen into disarray and has become unruly;
- (e) in the event of a resignation as contemplated in section 55(11); or
- (f) in the event of *vis major*.

(2) When the Speaker adjourns a meeting, the members may leave the venue or platform.

Continuation of meeting if Speaker unlawfully adjourns meeting

17.(1) If the Speaker has adjourned a meeting in circumstances other than those contemplated in section 16, such adjournment is improper and the remaining councillors may proceed with the remainder of the agenda: Provided that a quorum is still present.

(2) The remaining councillors must elect an Acting Speaker to preside over the proceedings to conclude the agenda.

(3) The Municipal Manager or, if the Municipal Manager is absent, unavailable, unwilling or unable, a person designated by the Provincial Minister, presides at the election of an Acting Speaker in accordance with section 36(3) of the Structures Act.

(4) The Acting Speaker may only preside over the remainder of the meeting that was improperly adjourned by the Speaker.

CHAPTER 3

DECISIONS

Unopposed matters

18. If the Council is called upon to consider a matter before it, the Speaker must ask the Council if there is any opposition to the matter from any councillor, and if there is none, a unanimous vote must be recorded in the minutes of the meeting.

Opposed matters

19. If the Council is called upon to consider a matter before it, the Speaker must ask the Council if there is any opposition to the matter from any councillor, and if there is opposition—

- (a) the Speaker must put the matter to the vote as contemplated in this by-law;
- (b) the Speaker must announce the result of the vote; and
- (c) upon the announcement of the result of the vote, a councillor may demand that the councillor's dissenting vote, abstention or supporting vote be recorded in the minutes of the meeting.

Decisions by voting

20.(1) As contemplated in section 160(3)(a) of the Constitution and section 30(1) of the Structures Act, a quorum must be present before a vote may be taken on any matter.

(2) A supporting vote of a majority of incumbent councillors is necessary to decide on any matter prescribed by legislation, or, in accordance with section 160(3)(b) of the Constitution and section 30(2) of the Structures Act, on the—

- (a) passing of a by-law;
- (b) approval of the budget;
- (c) imposition of rates and other taxes, levies and duties; and
- (d) raising of loans.

(3) A supporting vote of at least two-thirds of incumbent councillors is necessary to adopt a decision to dissolve the Council, in accordance with section 34 of the Structures Act.

(4) All other questions before the Council are decided by a majority of the votes cast, as contemplated in section 160(3)(c) of the Constitution.

(5) If on any question other than a matter contemplated in section 160(2) of the Constitution, there is an equality of votes, the Speaker must exercise a casting vote in

addition to the Speaker's vote as a councillor as contemplated in section 30(4) of the Structures Act.

(6) Where applicable, the Executive Mayor must submit a report and recommendations before the Council takes a decision on the following matters:

- (a) Any matter contemplated in sub-section (2);
- (b) the approval of an integrated development plan or any amendment thereof; and
- (c) the appointment and conditions of service of a Municipal Manager and a Senior Manager directly reporting to a Municipal Manager.

(7) As contemplated in item 3 of the Code, a councillor may not vote in favour of, or agree to, a resolution which is before the Council and conflicts with any legislation applicable to local government.

Method of voting

21.(1) Voting must take place in the manner contemplated in section 22(2) or (3), unless—

- (a)(i) the law prescribes otherwise; or
- (ii) the Speaker determines that voting must take place by a secret ballot, in which case voting must take place in the manner contemplated in section 22(4); or
- (b) the Speaker determines that—
 - (i) a virtual meeting must take place, in which case voting must take place in the manner contemplated in section 22(5); or
 - (ii) a hybrid meeting must take place, in which case voting must take place in the manner contemplated in section 22(6).

(2) When the Speaker exercises the power to determine the appropriate voting procedure or method, the following factors must be taken into account:

- (a) the subject and content of the matter to be voted on;
- (b) the prevailing circumstances relating to the matter to be voted on;

- (c) the weight to be afforded to the advancement of the principles of transparency, accountability, and good governance, and enabling councillors to vote according to their conscience and in the furtherance of the best interest of the people;
- (d) which voting procedure or method would ensure that councillors exercise their powers, perform their functions, and carry out their duties most effectively;
- (e) the imperative of the Speaker's impartiality;
- (f) the possible consequences of the resolution on the municipality, members of the public, and councillors;
- (g) the possibility of corruption if voting takes place by way of a secret ballot; and
- (h) any other relevant factors.

(3) A councillor may not leave the venue or platform during the taking of a vote.

Casting of votes

22.(1) Unless any law provides otherwise, voting takes place in accordance with an electronic, manual or virtual voting system.

(2) At a meeting held in a chamber or committee room where an electronic voting system is in operation, questions are decided by the utilisation of such system, unless the Speaker directs otherwise and—

- (a) councillors may vote only from the seats allocated to them individually in the chamber or committee room;
- (b) councillors must vote by pressing the “Yes”, “No” or “Abstain” button on the electronic consoles at their seats when directed by the Speaker to cast their votes;
- (c) a councillor who is unable to cast a vote, must draw this to the attention of the Speaker and may in person or through the relevant party whip inform the Speaker of the councillor's vote;
- (d) after all councillors have cast their votes, the Speaker must immediately announce the result of the division; and
- (e) the result of the vote shall be recorded in the minutes.

(3) Where no electronic voting system is in operation, and unless it is a virtual meeting, a manual voting system must be used whereby voting shall take place by a show of hands, unless otherwise prescribed, and –

- (a) only councillors who are in attendance when the vote is called are permitted to vote;
- (b) councillors must vote in the order indicated by the Speaker; and
- (c) councillors must record their vote by stating “Yes”, “No” or “Abstain” when directed by the Speaker to cast their votes; and
- (d) the result of the vote must be recorded in the minutes of the meeting.

(4) A secret ballot may be held in a physical meeting, in which case—

- (a) the Municipal Manager must hand to each councillor a ballot paper having the alternates to be voted for clearly depicted thereon;
- (b) the Municipal Manager must collect all the ballot papers and count them in the presence of a representative of each party represented on the Council, or the committee, as the case may be, and present at such meeting; and
- (c) the Speaker must immediately announce the result of the division.

(5) Where a virtual meeting is held—

- (a) only councillors who are in attendance when the vote is called are permitted to vote;
- (b) the Speaker must give a councillor who is in attendance but experiences a technical failure that leads to a break in the virtual connection, one other opportunity to vote after a period of five minutes have lapsed since first calling such councillor to vote;
- (c) councillors may vote in the order indicated by the Speaker;
- (d) councillors must switch on their video function, clearly identify themselves and record their votes by stating “Yes”, “No” or “Abstain” when directed by the Speaker to cast their votes;

- (e) a councillor who is unable to cast the councillor's vote, must draw this to the attention of the Speaker and may in person or through the relevant party whip inform the Speaker of the councillor's vote;
- (f) after all councillors have cast their votes, the Speaker must immediately announce the result of the division;
- (g) the result of the voting must be recorded in the minutes of the meeting;
- (h) councillors must ensure that their votes are correctly recorded.

(6) Where a hybrid meeting is held—

- (a) the Speaker must direct which voting system must be utilised by the councillors who are physically attending the meeting; and
- (b) the councillors who are virtually attending the meeting must vote in the manner contemplated in sub-section (5).

CHAPTER 4

ATTENDANCE AT AND PARTICIPATION IN MEETINGS

Attendance of and address by municipal employee or member of public

23.(1) The Speaker must—

- (a) take reasonable steps to regulate public access to, and public conduct at, meetings as contemplated in section 20(4)(b) of the Systems Act; and
- (b) ensure that meetings are accessible to persons with disabilities.

(2) The Council must conduct its business in an open manner and may close its meetings as contemplated in section 25 only when it is reasonable to do so, having regard to the nature of the business being transacted as contemplated in section 160(7) of the Constitution.

(3) The Speaker may invite a municipal employee or member of the public to address the Council or to attend a meeting to state his or her views on a matter before the Council.

(4)(a) A municipal employee or member of the public who was not invited by the Speaker to address the Council, but wishes to do so, must give the Speaker six working days written notice of his or her request and must provide details of the presentation that will be made and the source of the deputation;

(b) The Speaker may decide to grant or refuse the request, and if granted, upon which conditions, provided that

(i) in the case of a deputation, such deputation shall consist of no more than ten members, and

(ii) only two members of a deputation may address the Council, except with the consent of the Speaker, or in reply to questions from councillors.

(5) The Speaker may allocate reasonable time to any municipal employee or member of the public to address the Council upon granting an application contemplated in sub-section (4).

Arrangements relating to attendance

24. A councillor, municipal employee or member of the public who virtually attends a meeting, must—

(a) switch on the video function, unless otherwise directed by the Speaker;

(b) mute the microphone when not speaking; and

(c) wait for the Speaker to be called upon to speak or unmute the microphone.

Exclusion of members of public from meeting

25.(1) Subject to section 20(1) of the Systems Act and sub-sections (2) and (3), members of the public may be excluded from a meeting—

(a) if so directed by the Speaker;

(b) if so decided by Council upon a motion from any councillor to that effect; or

(c) where matters are marked confidential.

(2) Members of the public may not be excluded when considering or voting on a matter contemplated in section 20(2) of the Systems Act.

(3) Members of the public may be excluded when the Council, due to the nature of the business being transacted or when the disclosure of any matter may be prejudicial to the interests of the municipality, deems it reasonable and justifiable to do so, having regard to the principles of an open and democratic society.

(4) If a motion to exclude members of the public from the meeting as contemplated in sub-section (1)(b) is seconded, the motion must be put to the vote, after a discussion of the reasons, but without discussion of the matter.

(5) If members of the public are excluded from—

(a) a physical meeting, the venue must be cleared of all members of the public;

(b) a virtual meeting, virtual access by the public must be denied; or

(c) a hybrid meeting, the venue must be cleared of all members of the public and virtual access by the public must be denied.

Re-admission of members of public

26.(1) A councillor may during the course of a meeting from which members of the public were excluded, move a motion “that the meeting again be opened” and state the reasons for the motion.

(2) If the motion is seconded, it must be put to the vote forthwith without debate.

(3) If the motion is carried, the Speaker must ensure that members of the public are permitted—

(a) physical access to a physical meeting;

(b) virtual access to a virtual meeting; or

(c) physical and virtual access to a hybrid meeting.

CHAPTER 5

CONDUCT IN MEETINGS

Conduct of councillors, municipal employees and members of public

27.(1) Councillors, municipal employees and members of the public must preserve order at meetings, and may not—

- (a) behave in an unseemly manner;
- (b) obstruct the business of a meeting;
- (c) commit any breach of the by-law;
- (d) indulge in an irrelevant argument or the tedious repetition of arguments; or
- (e) use offensive or unbecoming language or remarks which are of a defamatory nature.

(2) Councillors may not challenge a ruling of the Speaker as contemplated in section 8(2).

(3) If a councillor, municipal employee or member of the public breaches sub-section (1), the Speaker must direct such councillor, municipal employee or member of the public to refrain from the breach.

(4) If a councillor, municipal employee or member of the public disregards the direction of the Speaker contemplated in sub-section (3), the Speaker may—

- (a) direct the councillor, municipal employee or member of the public if speaking, to discontinue the councillor, municipal employee or member of the public's speech;
- (b) direct the councillor, municipal employee or member of the public to withdraw from the chamber or committee room for the remainder of the meeting if the councillor, municipal employee or member of the public is physically attending the meeting; or
- (c) mute the microphone of the councillor, municipal employee or member of the public for the remainder of the meeting if the councillor, municipal employee or member of the public is virtually attending the meeting.

(5) If the Speaker fails to act under sub-section (3) or (4), any councillor may move a motion to require the Speaker to do so.

(6) The motion contemplated in sub-section (5) must be moved without notice, and if the motion is seconded, it must be put to the vote forthwith without debate.

(7) The use of cellular phones during meetings is prohibited. Cellular phones should be switched off during the meeting unless prior arrangements were made with the Speaker. Fines can be imposed should this section be ignored and fines should also be minuted.

(8) A councillor may not leave the venue where the meeting is held without the consent of the Speaker.

CHAPTER 6

DEBATE AND MOTIONS

Address to Speaker

28.(1) A councillor, or a municipal employee or member of the public contemplated in section 23(4)(a), who is recognised to speak at a meeting, must address the Speaker.

(2) A member of the public who is recognised by the Speaker must state the member of the public's name, and if the member of the public is representing an organisation or group, identify such organisation or group.

Right to speak and limitation

29.(1) As contemplated in section 160(8)(a) and (b) of the Constitution, a councillor is entitled to participate in Council proceedings in a manner that—

(a) allows the parties and interests reflected within the Council to be fairly represented; and

(b) is consistent with democracy.

(2) A councillor has freedom of speech in any meeting of the Council and in any committee of which the councillor is a member in accordance with section 28 of the Structures Act and section 2 of the Western Cape Privileges and Immunities of Councillors Act, 2011 (Act 7 of 2011): Provided that the councillor must—

- (a) confine the councillor's speech to matters on the agenda;
- (b) avoid personal attacks on other councillors; and
- (c) refrain from defaming another councillor, a person or an institution.

(3) The right to freedom of speech of a councillor contemplated in sub-section (2)—

- (a) includes participation in the deliberations and voting on any resolution, decision, report, paper or minutes adopted or approved by the Council or any of its committees; and
- (b) is subject to this by-law.

(4) A councillor who is not a member of a committee has the right to speak at a meeting of that committee: Provided that such councillor has been permitted by the chairperson to speak to a specific item on the agenda.

(5) A councillor may speak or proceed to speak at a meeting after being recognised by the Speaker.

(6) A councillor may speak only once to—

- (a) a matter before the Council;
- (b) any motion before the Council;
- (c) any amendments to a motion before the Council; or
- (d) a point of order or a question,

unless authorised by the Speaker or as provided for in this by-law.

(7) A councillor may not be interrupted while speaking, unless called to order by the Speaker or a point of order is raised by any other councillor.

(8) The Speaker may not recognise a councillor to speak on a matter once that matter has been voted on.

(9) The Speaker may not allow a debate on a matter—

(a) which may anticipate any matter on the agenda; or

(b) in respect of which a decision by a judicial or administrative body or a commission of inquiry is pending.

Duration of speeches

30.(1) Except with the consent of the Speaker, no councillor may speak for more than five minutes on any subject or matter.

(2) The mover of an original motion or of any amendment may, however, speak for five minutes on such motion or amendment.

Participation by Speaker in debate

31.(1) If the Speaker wishes to take part in a debate, the Speaker may do so from the floor and must—

(a) request the meeting to elect an Acting Speaker in the manner contemplated in section 17(3) for the duration of the debate in which the Speaker wishes to take part; and

(b) in the event of a physical meeting, or a hybrid meeting where the Speaker is physically attending the meeting, vacate the chair and take up a seat amongst the other councillors.

(2) The Speaker does not have to vacate the chair if the Speaker is reporting on matters relating to the Council and its administration.

Questions

32.(1) Subject to section 39, the Speaker may not accept any question unless notice thereof has been given in terms of sub-section (2).

(2) Every notice of intention by a member to introduce a question shall be in writing, signed and dated and delivered to the Municipal Manager at least six working days before the date of the meeting on which it is intended to be introduced.

(3) The councillor to whom such question is posed, may answer the question at the meeting referred to in sub-section (2) or, if the councillor elects to answer the question in writing, he or she may do so within six work days after the meeting.

(4) If a question served before the Council, a similar question may not be put before the Council until a period of three months has lapsed, unless the Council directs otherwise.

(5) A debate will not be allowed on a question, except a question of clarity from the councillor who posed the question.

Content of debate

33. A councillor who speaks, must direct the councillor's speech to the matter before the Council.

Point of order

34.(1) A councillor may interject during a meeting to raise a point of order to call the attention of the Speaker to a breach of this by-law, the Code or a statutory provision.

(2) A point of order may be raised in relation to—

- (a) a procedural matter; or
- (b) the conduct of a councillor, municipal employee, or member of the public.

(3) A councillor raising a point of order must immediately be heard, and the councillor must state —

- (a) the point of order; and

(b) the section, item in the Code or statutory provision that is allegedly being breached.

(4)(a) A councillor who is speaking when a point of order is raised must immediately stop speaking until the point of order is ruled on by the Speaker.

(b) All other matters before the Council must be suspended until the point of order is ruled on.

(5) If ruled to be—

(a) in order, the councillor must be allowed to proceed with the councillor's speech;
or

(b) out of order, the councillor must remain silent or must retract or change any remarks so as to comply with the ruling.

(6) The Speaker's ruling on a point of order—

(a) is final and not open to debate; and

(b) must be recorded in the minutes.

(7)(a) If a councillor persists in irrelevant, frivolous or unsubstantiated points of order, the Speaker may—

(i) rule that the councillor must withdraw immediately from the chamber or committee room for the remainder of the day's meeting if the councillor is physically attending the meeting; or

(ii) mute the microphone of the councillor if the councillor is virtually attending the meeting.

(b) If the Speaker fails to act under paragraph (a), any councillor may move a motion to require the Speaker to do so.

Explanation

35.(1) The Speaker may allow a councillor to explain a previous speech, but only when and to the extent that a material part of the speech may have been misunderstood.

(2) The councillor giving the explanation may not introduce any new matter, and no debate on the explanation may be allowed.

Motion

36. A councillor may move a motion only when the councillor is recognised by the Speaker and if seconded by another councillor, unless provided otherwise in this by-law.

Notice of motion

37.(1) The Speaker may not accept any motion, except a motion of exigency or a motion of course, unless notice thereof has been given in terms of sub-section (2).

(2) Every notice of intention by a member to introduce a motion shall be in writing, signed and dated and delivered to the Municipal Manager at least six working days before the date of the meeting at which it is intended to be introduced.

(3) Subject to rule 5(4), the Speaker may refuse an item, motion or question, in which event the Speaker must refer the item, motion or question—

- (a) back to the councillor concerned, with the reason why it cannot be placed on the agenda;
- (b) to the committee that is mandated by the Council to deal with the matter; or
- (c) to the Executive Mayor, if by law such motion or question must first be considered by the Executive Mayor.

(4) If an item, motion or question was put before, and refused by, the Council, a similar item, motion or question may not be put before the Council until a period of three months has lapsed, unless the Council directs otherwise.

Question for debate

38.(1) During a debate and—

- (a) after a motion has been moved and seconded; or

(b) at the conclusion of any speech on a motion,
any councillor may ask any question relevant to the motion to another councillor.

(2) Only the councillor who asked the question may ask a supplementary question, and then only in respect of matters arising out of the reply to that question.

(3) The councillor to whom the question is directed may—

(a) reply thereto forthwith; or

(b) require that notice be given of the question, in which event the Speaker must ensure that the reply is placed on the agenda of the next meeting.

Motion of exigency

39.(1) A councillor may direct the attention of the Council to any matter which does not appear on the agenda and of which no notice has been given, by stating briefly the subject of the matter and, without comment thereon, moving a motion “that the motion to which attention has been directed be considered forthwith as a matter of exigency”.

(2) If the motion in sub-section (1) is seconded and carried, the councillor who moved the motion may be permitted without notice to have the matter considered.

(3) This section does not apply to a motion to remove the Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor from office as contemplated in section 55.

Motion of course

40.(1) The following are regarded as motions of course:

(a) That precedence be given to the consideration of any particular matter appearing on the agenda;

(b) that any report referred to in the agenda be noted, adopted, acted upon or referred back;

- (c) that any document before the Council be acted upon in the manner specified in the motion;
- (d) that action be taken with regard to any matter submitted for consideration in the manner specified in the motion;
- (e) that the Speaker must direct that a councillor, municipal employee or a member of the public withdraw from the meeting; and
- (f) any motion contemplated in section 41.

(2) If a motion of course is seconded, it must be put to the vote forthwith without debate.

Precedence of debate

41. When a motion is under debate, no further motion may be received, except that—

- (a) the motion be amended as contemplated in section 42;
- (b) the consideration of the matter be postponed to a fixed or undetermined date as contemplated in section 43;
- (c) members of the public be excluded as contemplated in section 25;
- (d) members of the public be re-admitted as contemplated in section 26;
- (e) the meeting be adjourned to another date as contemplated in section 44;
- (f) the meeting be adjourned for a specified time as contemplated in section 45;
- (g) the debate on the matter be adjourned for a specified time as contemplated in section 46;
- (h) the motion be put to the vote as contemplated in section 47;
- (i) the motion be removed from the agenda as contemplated in section 48;
- (j) the motion be referred to a committee as contemplated in section 49; or
- (k) the motion be withdrawn as contemplated in section 50.

Amendment motion

42.(1) A councillor may move an amendment motion by stating—

- (a) “that the motion be amended”; and
- (b) how the original motion should be amended.

(2) Subject to sub-section (6), the motion contemplated in sub-section (1)—

(a) need not be in writing; and

(b) must be seconded.

(3) The amendment must be relevant to the original motion on which it is moved, and must be moved while the original motion is under consideration.

(4)(a) The amendment may not amend, in a material way, the principle embodied in the original motion, but may vary its terms in one or more particulars.

(b) The Speaker must decide whether or not the amendment complies with paragraph (a), and must rule accordingly.

(5) The amendment must be considered before considering the original motion.

(6) If the Speaker so requires, a proposed amendment must be in writing, signed by the councillor who moved it, and—

(a) handed to the Speaker; or

(b) delivered to the Speaker by electronic communication.

(7)(a) If there is more than one amendment to the original motion, the last proposed amendment must be put to the vote first, and if carried, the matter must be resolved accordingly.

(b) If the last proposed amendment is rejected, the amendment proposed immediately before the last amendment must be put to the vote.

(c) When all amendments have been disposed of, the original motion must be put to the vote.

(8) No further amendment to the original motion may be moved after the Speaker has commenced to take the vote on the original motion.

Motion for postponement of matter

43.(1) A councillor may at the conclusion of a speech move “that the consideration of the matter be postponed to a fixed or undetermined date”.

(2) The motion—

- (a) need not be in writing; and
- (b) must be seconded.

(3) The councillor who moved the motion may speak to the motion.

(4) The councillor who moved the original motion in respect of the matter under debate may reply, after which the motion contemplated in sub-section (1) must be put to the vote without further debate.

(5) If the motion contemplated in sub-section (1) is carried, the matter must be placed first on the agenda of matters to be considered at the meeting to which it has been postponed.

(6) If the motion contemplated in sub-section (1) is not carried, the meeting must proceed as though no interruption occurred.

Motion for adjournment of meeting to another date

44.(1) A councillor may, at any time during the meeting, except during the course of a speech by another councillor or when a vote is being taken, move “that the meeting adjourn to another date”.

(2) The motion—

- (a) need not be in writing; and
- (b) must be seconded.

(3) The councillor who moved the motion may speak to the motion.

(4) A debate on the motion may not be permitted: Provided that the first councillor to indicate the councillor's opposition to the motion, may speak in opposition thereof.

(5) An amendment to the motion may not be moved, except in relation to the period of adjournment.

(6) If the motion is carried, the meeting must forthwith adjourn and be reconvened on the date specified in the motion or amended motion, unless the Speaker directs that the meeting proceed first to dispose of business other than the opposed business.

(7) If the motion is not carried, the meeting must proceed as if no interruption occurred, and the Speaker may not accept a similar motion until 30 minutes has lapsed.

(8) Before the conclusion of a motion that is carried during a debate, the councillor who moved the adjournment is entitled to speak first when the matter is reopened for discussion at the adjourned meeting.

(9) No business may be transacted at an adjourned meeting other than the business that was on the agenda for the meeting of which it is an adjournment.

Motion for adjournment of meeting for specified time

45.(1) A councillor may at any time, except during the course of a speech by another councillor or when a vote is being taken, move "that the meeting adjourn for a specified time", which may not exceed 60 minutes.

(2) The motion—

- (a) need not be in writing; and
- (b) must be seconded.

(3) If the motion is carried, the meeting must forthwith adjourn for the specified time and reconvene on the time specified in the motion.

(4) If the motion is not carried, the meeting proceeds as though no interruption occurred, and the Speaker may not accept a similar motion until 30 minutes has lapsed.

(5) The Speaker may at any time adjourn a meeting for a specified time, on good cause shown.

Motion for adjournment of debate on matter for specified time

46.(1) A councillor may, at the conclusion of any speech on a matter, move “that the debate on the matter be adjourned for a specified time”.

(2) The motion—

(a) need not be in writing; and

(b) must be seconded.

(3) The councillor who moved the motion may speak to the motion.

(4) No debate is permitted on the motion, except that the first councillor to indicate the councillor’s opposition to the motion, may speak in opposition thereto.

(5) No amendment to the motion may be moved, except in relation to the period of adjournment.

(6)(a) If the motion is carried, the meeting proceeds to the next item on the agenda, and the adjourned debate is resumed at the time specified in the motion.

(b) On the resumption of the adjourned debate, the councillor who moved the adjournment is entitled to speak first.

(7) If the motion is not carried, the debate on the matter proceeds as though no interruption occurred, and the Speaker may not accept a similar motion until 30 minutes has lapsed.

(8) A councillor may not move or second more than one motion for the adjournment of the debate on the matter during the course of that debate.

(9) The Speaker may at any time adjourn a debate for a specified time, on good cause shown.

Motion that matter be put to vote

47.(1) A councillor may, at the conclusion of any speech on a matter, move “that the matter be put to the vote”.

(2) If a motion contemplated in sub-section (1) has been adopted, the motion must be put to the vote without any further debate.

Motion to remove matter from agenda

48.(1) A councillor may, at the conclusion of any speech during a debate, move that the matter be removed from the agenda.

(2) Subject to the provisions of sub-section (3), no motion put in terms of sub-section (1) shall be open for discussion.

(3) The mover of a matter under discussion may, when a motion has been put in terms of sub-section (1), speak on such motion for not more than five minutes, whereupon the said motion shall be put to the vote without any further discussion.

(4) If such a motion is carried, the matter under discussion shall not be discussed further.

Motion to refer matter to committee

49.(1) A councillor may, at the conclusion of any speech on a matter, move “that the matter be referred to a committee”.

(2) The motion—

(a) need not be in writing; and

(b) must be seconded.

(3) Subject to sub-section (4), a motion contemplated in sub-section (1) is not open to debate.

(4) The councillor who moved the original motion under debate may, when a motion contemplated in sub-section (1) has been moved, speak on that original motion, whereupon the motion contemplated in sub-section (1) must be put to the vote without any further debate.

(5) If the motion contemplated in sub-section (1) is carried, the matter under debate may not be further pursued at the meeting.

(6) If the motion contemplated in sub-section (1) is not carried, the meeting proceeds as though no interruption occurred, and the Speaker may not accept a similar motion on that item.

Withdrawal of motion or question

50.(1)(a) A councillor who has moved a motion may at any time withdraw it.

(b) A councillor may not speak on a motion after the Council has permitted the withdrawal of the motion.

(c) If a motion is withdrawn, a similar motion may not be put before the Council until a period of three months has lapsed, unless the Council directs otherwise.

(2)(a) A councillor who has asked a question may withdraw it at any time before the question is answered.

(b) If a question is withdrawn, a similar question may not be put before the Council until a period of three months has lapsed, unless the Council directs otherwise.

Absence of councillor who gave notice of motion or question

51.(1) If the councillor who gave notice of a motion or a question is not present when called upon by the Speaker, the motion may be moved or the question may be asked by any other councillor.

(2) If the motion contemplated in sub-section (1) is not moved, the meeting proceeds as though no interruption occurred, and the Speaker may not accept a similar motion on that item.

Re-introduction of motion or question

52. A motion which has been rejected by the Council or a question which has been answered, may not again be moved or asked within a period of three months of the meeting at which it was rejected or answered, unless the Council directs otherwise.

Motion or question on matter referred to committee

53.(1) A councillor may not give notice of a motion or question with regard to any matter that is before a committee for consideration, unless notice thereof has also been—

(a) submitted to that committee; or

(b) referred to that committee for consideration and report.

(2) The chairperson of a committee may, if the member of the committee is of the opinion that the matter is one of urgency, give notice of a motion or question on a matter referred to the committee, despite the fact that the motion or question has not been submitted to or considered by that committee.

Report on delegated powers

54. An Executive Mayor, Speaker, committee or Municipal Manager must report to the Council on decisions taken with respect to a delegated or sub-delegated power or duty at such intervals as the Council may require.

CHAPTER 7

REMOVAL OF OFFICE-BEARER FROM OFFICE

Removal of Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor from office

55.(1)(a) A councillor may, by written motion addressed to the Speaker, move that the Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor be removed from office.

(b) A motion to remove the Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor from office contemplated in paragraph *(a)* must be seconded by at least three other councillors.

(2) A motion to remove the Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor from office must contain a brief summary of the reasons for the removal, and indicate the date and the time of the special Council meeting, which date may not be less than—

(a) six working days from the date that the motion is submitted to the Speaker; or

(b) four working days from the date the request is submitted to the Speaker if the matter is regarded as an urgent matter, in which event the reasons for urgency must be stated in the request.

(3) The Speaker must, upon receipt of a motion to remove the Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor from office—

(a) forthwith send a copy to the Whip, Municipal Manager and the Executive Mayor, if applicable; and

(b) if the motion complies with the requirements set out in this section and the Structures Act—

(i) convene a special Council meeting on the date and at the time set out in the motion and at a venue or using a platform determined by the Speaker; and

(ii) inform the Municipal Manager of the date, time and venue or platform.

(4) If the Speaker, for whatever reason, fails to convene the special Council meeting in terms of sub-section (3) within three working days of receipt of the motion, the Municipal Manager, or in the absence or refusal by the Municipal Manager, a person designated by the Provincial Minister, may convene and chair the special Council meeting on the date and at the time set out in the motion and at a venue or using a platform determined by the Municipal Manager or person designated by the Provincial Minister, as the case may be.

(5)(a) If the Speaker is absent, unavailable, unwilling or unable to chair the special Council meeting, the Municipal Manager or a person designated by the Provincial Minister if the Municipal Manager is absent, unavailable, unwilling or unable, must preside at the election of an Acting Speaker in accordance with section 36(3) of the Structures Act.

(b) The Acting Speaker may only preside over the special Council meeting concerned.

(6) Only the motion to remove the Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor from office contemplated in sub-section (1) may be dealt with at the special Council meeting.

(7)(a) The Municipal Manager must give notice of the special Council meeting at least two working days prior to the meeting, in the manner contemplated in section 6(5) and (6).

(b) If the Speaker determines that the special Council meeting is an urgent meeting, the Municipal Manager must, at least one working day before the meeting, give written notice as contemplated in section 6(5) and (6), except if time constraints make this impossible.

(c) If the Municipal Manager accidentally omits to give notice to any councillor, such omission does not invalidate a meeting.

(8) If the Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor to whom the motion relates, resigns from office at any time before the special Council meeting takes place, the motion to remove the Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor from office lapses and the meeting does not go ahead.

(9) The Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor to whom the motion relates, has the right and must be allowed the opportunity during the special Council meeting to respond to every allegation made—

(a) in the motion to remove the Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor from office; and

(b) during the meeting.

(10) If the Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor to whom the motion relates, is not present during the special Council meeting, the Council may continue with the proceedings in the absence of such office-bearer.

(11) If the Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor to whom the motion relates, at any time during the special Council meeting, but before the motion to remove the Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor from office is put to the vote, resigns from office, the—

(a) special Council meeting is adjourned immediately; and

(b) motion lapses;

despite any provisions to the contrary in this by-law: Provided that if the motion to remove the Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor from office concerns the Speaker, the Council must proceed to elect a new Speaker.

(12) If the motion to remove the Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor from office is carried, the Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor to whom the motion relates, is removed from office with immediate effect and the Council proceeds to elect a new Speaker, Whip (where applicable), Deputy Executive Mayor or Deputy Executive Mayor, as the case may be, despite any provisions to the contrary in this by-law.

(13) A councillor elected as Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor in terms of sub-section (11) or (12), as the case may be, serves for the unexpired term of the predecessor.

(14) If the motion to remove the Speaker, Whip (where applicable), Executive Mayor or Deputy Executive Mayor from office is not carried, no motion forwarding the same allegations may be put before the Council until a period of three months has lapsed, unless the Council directs otherwise.

CHAPTER 8

LEGISLATIVE PROCESS

Introduction of draft by-law

56. A draft by-law may be introduced only by a councillor or a committee, as contemplated in section 12 of the Systems Act.

Introduction of draft by-law by councillor

57.(1) A councillor may introduce a draft by-law by submitting it, together with a memorandum on its objects, to the Municipal Manager.

(2) If one or more committees deal with the subject of the draft by-law, the Municipal Manager must submit a report with the Municipal Manager's comments on the draft by-law to such committee or committees, as the case may be, for comment.

(3)(a) The Municipal Manager must submit a report on the draft by-law, together with any comments received from the committee or committees, as the case may be, as contemplated in sub-section (2), if applicable, to the Executive Mayor for a report and recommendation to the Council as contemplated in section 30(5) of the Structures Act.

(b) The Executive Mayor must within three months of receipt of a draft by-law from the Municipal Manager, consider the draft by-law and decide to either support it with or without amendments, or not support it.

(4) After the Executive Mayor has made a decision as contemplated in sub-section (3)(b), the Executive Mayor must submit a report to the Council which sets out the following:

- (a) an executive summary of the draft by-law;
- (b) a memorandum on the objects of the draft by-law;
- (c) the contents of the draft by-law;
- (d) other by-laws that will have to be repealed or amended if the draft by-law is adopted;
- (e) the reasons why the draft by-law is supported with or without amendments or not supported, as the case may be;
- (f) any relevant comments or proposals, which may include proposals for amendments; and
- (g) a recommendation or recommendations.

(5)(a) After considering the report contemplated in sub-section (4), the Council must decide to either reject the draft by-law or to approve it with or without amendments.

(b) If the Council rejects the draft by-law, a by-law of the same substance may not be introduced until a period of six months from the date of rejection has lapsed, unless the Council directs otherwise.

(c) If the Council approves the draft by-law, the draft by-law must be published for public comment in accordance with section 59.

Introduction of draft by-law by committee

58.(1) A committee may introduce a draft by-law by submitting it, together with a memorandum on its objects, to the Municipal Manager for comment.

(2) The committee must consider the comments received from the Municipal Manager as contemplated in sub-section (1), and submit it again to the Municipal Manager.

(3)(a) If any other committee deals with the subject of the draft by-law, the Municipal Manager must submit a report on the need for the by-law for consideration to such committee.

(b) If the committee contemplated in paragraph (a) agrees that the by-law is necessary, the Municipal Manager must submit the draft by-law to that committee for comment.

(4) The Municipal Manager must submit the draft by-law with the comments contemplated in sub-section (3)(b), if applicable, to the Executive Mayor.

(5) The process contemplated in section 57(3)(b) to (5) applies to the introduction of a draft by-law by a committee.

Publication of draft by-law

59.(1)(a) The Municipal Manager must, as soon as possible after the Council has granted approval for a by-law contemplated in section 57 or 58, in terms of section 57(5)(c) publish the draft by-law for public comment.

(b) The comment period must be at least 30 working days from the date of publication, unless the Council has approved a shorter period.

(2) Publication for public comment must be in a manner that allows the public the opportunity to make representations with regard to the proposed by-law as contemplated in section 12(3)(b) of the Systems Act.

Consideration of draft by-law

60.(1) The Municipal Manager must as soon as possible after the closing date for public comment contemplated in section 59, submit a report to the Executive Mayor together with—

- (a) a copy of the draft by-law;
- (b) a copy of the publication contemplated in section 59;
- (c) comments received from the public; and
- (d) comments or recommendations from the Municipal Manager.

(2) The Executive Mayor must consider the report by the Municipal Manager and must—

- (a) submit a report to the Council which sets out the following:

- (i) An executive summary of the draft by-law; and
 - (ii) any relevant comments or proposals; and
 - (b) recommend to the Council to pass the by-law with or without amendments, to postpone the passing of the by-law, or to reject the by-law.
- (3) If the Council rejects the draft by-law, a by-law of the same substance may not be introduced until a period of six months from the date of rejection has lapsed, unless the Council directs otherwise.
- (4) As contemplated in section 20(2)(a), a supporting vote of a majority of incumbent councillors is necessary to decide on the passing of a by-law.
- (5) The Council may not pass a by-law unless all the councillors were given reasonable notice as contemplated in section 160(4)(c) of the Constitution and section 12(3)(a) of the Systems Act.
- (6) When a by-law has been passed, it must be published in accordance with section 13 of the Systems Act.
- (7) This by-law also apply to the adoption of standard draft by-laws as contemplated in section 14(4) of the Systems Act.

CHAPTER 9

MISCELLANEOUS MATTERS

Official languages

61. Any person who speaks at a meeting may use any of the three official languages recognised by the Constitution of the Western Cape, 1997 (Act 1 of 1998), namely English, Afrikaans and isiXhosa.

Municipal employees

62. A municipal employee must attend a meeting if requested to do so by the Municipal Manager or the Speaker.

Breaches and offences

63.(1) A councillor, municipal employee or member of the public who physically attends a meeting and who—

(a) refuses to withdraw from the chamber or committee room in the circumstances contemplated in section 9(4) or when directed to do so by the Speaker in terms of section 10, 27(4), or 34(7); or

(b) returns to a meeting from which the councillor, municipal employee or member of the public has withdrawn or was removed for the duration of the meeting in terms of this by-law;

may be removed by a person designated by the Speaker.

(2) A councillor, municipal employee or member of the public may not—

(a) interfere or impede the Council when the Council is exercising its powers, performing its functions, or carrying out its duties;

(b) interfere with or impede the exercise, performance or carrying out by a councillor of the councillor's powers, functions and duties as a councillor;

(c) threaten or obstruct a councillor proceeding to or going from a meeting;

(d) assault or threaten a councillor;

(e) fail or refuse to comply with an instruction by the Speaker; or

(f) fail or refuse to comply with an instruction by a duly authorised municipal employee regarding—

(i) the presence of persons at a particular meeting; or

(ii) the possession of any article, including a firearm, on the premises where a meeting takes place or on municipal land.

(3) A person, excluding a councillor, who contravenes sub-section (2) is guilty of an offence and is liable on conviction to—

- (a) a fine;
- (b) imprisonment as determined by the presiding officer; or
- (c) both such fine and such imprisonment.

(4) Sub-sections (1) and (3) do not derogate from any other criminal or civil sanctions, or, in the case of councillors, sanctions regarding a transgression of the Code.

(5) A councillor who contravenes any section of this by-law during a meeting compromises the integrity of the municipality and must also be dealt with in accordance with the Code.

Repeal of by-laws

64. The Swartland Municipality: By-Law Relating to the Rules for the Conduct of Meetings as published in Provincial Gazette Extraordinary 7501 of 2 October 2015 is hereby repealed as a whole.

Short title and commencement

65. This by-law shall be known as the Swartland Municipality: By-law relating to the Conduct of Meetings and shall come into operation on the date of publication thereof in the Provincial Gazette.

SWARTLAND MUNISIPALITEIT:
KONSEPVERORDENING INSAKE DIE HOU VAN VERGADERINGS

HOOFSTUK 1

INLEIDING

1. Woordomskrywing
2. Toepassing en uitleg
3. Plig van Speaker, raadslede, munisipale werknemers en lede van die publiek

HOOFSTUK 2

VERGADERINGS

4. Hantering en volgorde van verrigtinge
5. Agenda
6. Vergaderings
7. Spesiale Raadsvergaderings
8. Funksies van Speaker met betrekking tot vergaderings
9. Bywoning deur raadslid
10. Bevel vir raadslid om van vergaderings te onttrek
11. Prosedure vir afwesigheidsverlof
12. Sanksies vir nie-bywoning
13. Opname van virtuele vergaderings en hibriede vergaderings
14. Notule
15. Kworum
16. Verdaging van verrigtinge
17. Voortsetting van vergadering na onwettige verdaging deur Speaker

HOOFSTUK 3

BESLUIE

18. Onbestrede sake
19. Bestrede sake
20. Besluite deur stemming

- 21. Wyse van stemming
- 22. Uitbring van stemme

HOOFSTUK 4

BYWONING VAN LEDE VAN PUBLIEK

- 23. Bywoning van en toespraak van munisipale werknemer of lid van publiek
- 24. Reëlins betreffende bywoning
- 25. Uitsluiting van lede van publiek van vergaderings
- 26. Hertoelating van lede van publiek

HOOFSTUK 5

GEDRAG BY VERGADERINGS

- 27. Gedrag van raadslede, munisipale werknemers en lede van publiek

HOOFSTUK 6

DEBAT EN MOSIES

- 28. Aanspreek van Speaker
- 29. Reg van spraak en beperking
- 30. Tydsduur van toesprake
- 31. Deelname van Speaker aan debat
- 32. Vrae
- 33. Inhoud van debat
- 34. Punt van orde
- 35. Verduideliking
- 36. Mosie
- 37. Kennisgewing van mosie
- 38. Vraag vir debat
- 39. Dringende mosie
- 40. Proseduremosies
- 41. Voorrang van debat
- 42. Mosie van wysiging

43. Mosie vir uitstel van saak
44. Mosie vir verdaging van vergadering na ander datum
45. Mosie vir verdaging van vergadering vir vasgestelde tyd
46. Mosie vir verdaging van debat oor saak vir bepaalde tyd
47. Mosie dat saak tot stemming gebring word
48. Mosie om saak van agenda te verwyder
49. Mosie om saak na komitee te verwys
50. Terugtrekking van mosie of vraag
51. Afwesigheid van raadslid wat kennis gegee het van mosie of vraag
52. Herindiening van mosie of vraag
53. Mosie of vraag oor saak wat na komitee verwys is
54. Verslag oor gedelegeerde magte

HOOFSTUK 7

VERWYDERING VAN AMPSDRAER UIT AMP

55. Verwydering van Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester uit amp

HOOFSTUK 8

WETGEWENDE PROSES

56. Indiening van konsepverordening
57. Indiening van konsepverordening deur raadslid
58. Indiening van konsepverordening deur komitee
59. Publikasie van konsepverordening
60. Oorweging van konsepverordening

HOOFSTUK 9

DIVERSE AANGELEENTHEDE

61. Amptelike tale
62. Munisipale werknemers
63. Oortredings en misdrywe

- 64. Herroeping van verordenings
- 65. Kort titel en inwerkingtreding

HOOFSTUK 1

INLEIDING

Woordomskrywing

1. In hierdie verordening geld die Engelse teks in geval van konflik met die Afrikaanse teks en, tensy dit nie met die konteks strook nie, beteken—

“fisieke vergadering” ’n vergadering waar raadslede fisiek teenwoordig is in dieselfde lokaal;

“gewone Raadsvergadering” ’n gewone vergadering van die Raad wat ooreenkomstig artikel 6 belê is;

“Grondwet” die Grondwet van die Republiek van Suid-Afrika, 1996;

“hibriede vergadering” ’n vergadering waar sommige raadslede fisiek teenwoordig is in die vergaderlokaal en sommige raadslede die vergadering op virtuele wyse bywoon;

“Kode” die Gedragskode vir Raadslede soos uiteengesit in Bylae 7 tot die Strukture Wet;

“komitee” ’n komitee geskep deur die Raad ingevolge artikel 79 van die Strukture Wet, en sluit in ’n komitee aangestel uit hoofde van artikel 80 van die Strukture Wet;

“kworum” met verwysing na —

(a) die Raad, ’n meerderheid van die sittende raadslede; en

(b) ’n komitee, ’n meerderheid van die sittende lede wat deur die Raad in daardie Komitee aangestel is;

“lid van die publiek” ’n persoon wat nie ’n raadslid of ’n munisipale werknemer is nie en wat ’n vergadering bywoon, en sluit in —

- (a) die media;
- (b) ’n hoogwaardigheidsbekleër; en
- (c) ’n verteenwoordiger van ’n regeringsfeer;

“lokaal” die Raadsaal of komiteekamer waar ’n fisieke vergadering gehou word, tensy andersins bepaal deur die Speaker of voorsitter, na gelang van die geval;

“munisipale werknemer” ’n werknemer van die munisipaliteit;

“Munisipale Bestuurder” die munisipale bestuurder van die Munisipaliteit soos in die Stelsels Wet gedefinieer;

“munisipaliteit” die munisipaliteit van Swartland;

“partysweep” ’n raadslid aangestel deur sy of haar party om die pligte uit te voer wat aan die posisie van partysweep verbonde is soos beoog deur hierdie verordening;

“platform” die virtuele platform waar ’n virtuele vergadering gehou word;

“Provinsiale Minister” die lid van die Provinsiale Kabinet verantwoordelik vir plaaslike regeringsaangeleenthede in die Provinsie;

“Raad” die munisipale raad van die munisipaliteit;

“raadslid” ’n lid van die Raad, en sluit in ’n politieke ampsdraer soos omskryf in artikel 1 van die Stelsels Wet;

“Speaker” die Speaker van die Raad verkies ingevolge artikel 36 van die Strukture Wet of die Waarnemende Speaker verkies ingevolge artikel 41 van die Strukture Wet;

“spesiale Raadsvergadering” ’n spesiale vergadering van die Raad belê ingevolge artikel 7;

“Stelsels Wet” die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000);

“Strukture Wet” die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998);

“sweep” die raadslid verkies ingevolge artikel 41A van die Strukture Wet;

“vergadering” enige vergadering van die raad of ’n komitee, na gelang van die geval;

“virtueel” lewendig gestroom na die internet deur middel van enige een of al drie van die volgende:

- (a) Video;
- (b) Teks;
- (c) Audio;

“virtuele vergadering” ’n vergadering waar raadslede nie fisiek teenwoordig is in dieselfde lokaal nie en die vergadering by wyse van virtuele tegnologie gehou word;

“werksdag” enige dag van die week behalwe—

- (a) ’n Saterdag, Sondag en openbare vakansiedag; en
- (b) wanneer die Raad in reses is.

Toepassing en vertolking

2.(1)(a) Onderworpe aan paragraaf (b), is hierdie verordening van toepassing op alle vergaderings van die Raad en sy komitees.

(b) Hierdie verordening is nie van toepassing op die volgende komitees nie:

- (i) 'n komitee ingestel kragtens item 16(1)(b) van die Kode;
 - (ii) 'n komitee soos omskryf in artikel 62(4)(c)(ii) van die Stelsels Wet; en
 - (iii) 'n burgemeesterskomitee soos omskryf in artikel 60 van die Strukture Wet.
- (2) Tensy dit nie met die konteks strook nie of klaarblyklik ontoepaslik is, moet 'n verwysing in hierdie verordening na —
- (a) die Raad as 'n verwysing na 'n komitee beskou word;
 - (b) die Speaker as 'n verwysing na die voorsitter van 'n komitee beskou word;
- en
- (c) 'n raadslid as 'n lid van 'n komitee beskou word.
- (3) Behalwe waar dit klaarblyklik ontoepaslik is, is 'n artikel wat op 'n raadslid in enige verrigtinge van toepassing is ook van toepassing op 'n munisipale werknemer en 'n lid van die publiek wat deelneem aan daardie verrigtinge.
- (4) Waar hierdie verordening vereis of toelaat dat 'n kennisgewing, mosie, vraag of versoek skriftelik aan enige raadslid of persoon gegee word, is dit voldoende indien dit elektronies direk aan daardie raadslid or persoon versend word.
- (5) Waar hierdie verordening vereis dat 'n dokument gepubliseer, verskaf of afgelewer word, is dit voldoende dat 'n elektroniese oorspronklike of afskrif daarvan gepubliseer, verskaf of afgelewer word deur elektroniese kommunikasie: Met dien verstande dat hierdie subartikel nie van toepassing is op enige publikasie daarop gemik om die publiek in te lig nie.
- (6) Waar hierdie verordening vereis dat 'n dokument onderteken moet word deur —
- (a) 'n enkele raadslid of persoon, mag ondertekening geskied op enige van die wyses waarvoor daar voorsiening gemaak word in die Wet op Elektroniese Kommunikasies en Transaksies, 2002 (Wet 25 van 2002); of
 - (b) twee of meer raadslede of persone, is dit voldoende indien—
 - (i) al daardie raadslede of persone 'n enkele oorspronklike van die dokument onderteken, in persoon of soos bepaal in paragraaf (a); of

(ii) elkeen van daardie raadslede of persone 'n afsonderlike duplikaat oorspronklike van die dokument onderteken, in persoon of soos bepaal in paragraaf (a), en in sodanige geval sal die getekende duplikaat oorspronklikes gesamentlik die geheel van die dokument uitmaak.

(7)(a) In dringende gevalle, tydens 'n noodgeval of waar die Raad van mening is dat nakoming van 'n artikel onredelik sou wees en die werking van die Raad belemmer, mag die Raad met die goedkeuring van die meerderheid van die sittende raadslede en vir die duur van daardie vergadering, die bepalings van daardie artikel tydelik verslap of opskort: Met dien verstande dat die verslapping of opskorting van 'n artikel—

(i) nie in oortreding van enige nasionale of provinsiale wetgewing of enige verordening van die munisipaliteit mag geskied nie; en

(ii) verband moet hou met 'n item op die agenda vir die vergadering.

(b) Die redes vir die opskorting van die artikel moet in die notule vermeld word.

(c) Hierdie subartikel is nie van toepassing op 'n mosie om die Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester uit sy/haar amp te verwyder ingevolge artikel 55 nie.

Plig van Speaker, raadslede, munisipale werknemers en lede van die publiek

3. Die Speaker, raadslede, munisipale werknemers en lede van die publiek moet verseker dat hulle vertrouwd is met hierdie verordening.

HOOFSTUK 2

VERGADERINGS

Hantering en volgorde van verrigtinge

4.(1) Die Raad hanteer sy sake op gewone Raadsvergaderings en spesiale Raadsvergaderings, wat vir daardie doel ingevolge hierdie verordening belê word.

(2) Die volgorde van verrigtinge in gewone Raadsvergaderings is as volg, tensy die verloop daarvan verander word kragtens subartikel (4):

- (a) verkiesing van Waarnemende Speaker, indien nodig;
- (b) aansoeke vir afwesigheidsverlof;
- (c) bevestiging van notule;
- (d) verklarings en mededelings deur Speaker;
- (e) verklarings en mededelings deur Sweep, waar van toepassing;
- (f) verklarings en mededelings deur Uitvoerende Burgemeester of Uitvoerende Burgemeesterskomitee, waar van toepassing;
- (g) dringende sake ingedien deur die Munisipale Bestuurder;
- (h) oorweging van verslag oor gedelegeerde magte;
- (i) oorweging van verslae;
- (j) mosies;
- (k) vrae;
- (l) mosies van dringendheid; en
- (m) verdaging.

(3) Die volgorde van verrigtinge in 'n spesiale Raadsvergadering is as volg, tensy die volgorde verander word kragtens subartikel (4):

- (a) verkiesing van Waarnemende Speaker, indien nodig;
- (b) aansoeke om afwesigheidsverlof;
- (c) oorweging van sake vervat in kennisgewing wat spesiale Raadsvergadering belê of uiteengesit in die versoek soos beoog in artikel 7 en
- (d) verdaging.

(4) Die Speaker kan die volgorde van verrigtinge op die agenda wysig of die Raad mag aldus besluit.

(5) 'n Raadslid wat die volgorde van sake op die agenda wil wysig moet die Speaker in hierdie verband voor die vergadering nader.

Agenda

5.(1)(a) Die Speaker of 'n persoon aangewys deur die Speaker moet die agenda vir 'n vergadering voorberei in oorleg met die Sweep, waar van toepassing, en die Munisipale Bestuurder.

(b) Die Munisipale Bestuurder moet die Speaker bystaan met die voorbereiding van die agenda.

(2) Die Speaker kan te enige tyd gedurende 'n vergadering 'n dringende saak wat nie op die agenda verskyn nie op die agenda plaas, tensy —

- (a) 'n raadslid sy teenkanting teen die indiening van die saak aandui;
- (b) die prosedure soos beoog in artikel 19 gevolg word; en
- (c) die Raad anders besluit met 'n meerderheid van die uitgebragte stemme.

(3) Behalwe waar hierdie verordening of subartikel (2) anders bepaal, mag 'n saak wat nie op die agenda verskyn nie, nie by 'n vergadering gehanteer word nie.

(4) Die Speaker mag weier om 'n item, mosie of vraag op die agenda te plaas, waar sodanige item, mosie of vraag —

- (a) buite die jurisdiksie van die munisipaliteit val;
- (b) rassisties van aard is of haatspraak bevorder;
- (c) *sub judice* is;
- (d) nie die prosedurevereistes vir voorlegging van agenda items soos deur hierdie verordening bepaal nakom nie;
- (e) 'n gebrek aan voldoende inligting het;
- (f) wetgewing oortree of in stryd is met die reg; of
- (g) lasterlik van aard is,

in welke geval die prosedure in artikels 37(3) en (4) gevolg moet word.

Vergaderings

6.(1) Die Speaker moet —

- (a) gewone Raadsvergaderings ten minste kwartaalliks belê; en

(b) verseker dat die Raad ten minste kwartaalliks vergader ooreenkomstig artikel 18(2) van die Strukture Wet.

(2) Die Speaker moet besluit of 'n vergadering 'n

- (a) fisieke vergadering;
- (b) virtuele vergadering; of
- (c) hibriede vergadering moet wees.

(3) Alle fisieke en hibriede vergaderings moet oop wees vir lede van die publiek, tensy hulle uitgesluit word ingevolge artikel 25.

(4) Onderworpe aan subartikel (1) en subartikel 7(3), moet die Speaker bepaal wanneer en waar die Raad moet byeenkom.

(5) Die Munisipale Bestuurder moet ten minste 48 uur voor 'n gewone Raadsvergadering skriftelike kennis van die datum, tyd en lokaal of platform van daardie vergadering aan elke raadslid gee.

(6)(a) Die Munisipale Bestuurder moet ten minste 48 uur voor 'n gewone raadsvergadering skriftelike kennis gee aan die publiek van die datum, tyd en plek of platform van sodanige Raadsvergadering, ooreenkomstig artikel 29A van die Strukture Wet.

(b) Die kennisgewing beoog in paragraaf (a) —

(i) moet verskyn op —

(aa) die landingsblad van die munisipaliteit se webtuiste; en

(bb) 'n kennisgewingbord van die munisipaliteit se hoofkantoor;

(ii) kan gepubliseer word in 'n plaaslike koerant soos bepaal deur die Munisipale Bestuurder; en

(iii) moet die besonderhede verskaf van 'n kontakpersoon aan wie enige navrae gerig kan word.

(7)(a) Die Speaker kan, tydens 'n noodsituasie of in buitengewone omstandighede, die datum, tyd, plek of platform van 'n gewone Raadsvergadering wat belê is verander.

(b) Die Munisipale Bestuurder moet redelike kennis gee ooreenkomstig hierdie artikel van enige verandering van die datum, tyd, plek of platform van 'n vergadering.

(8) Raadslede moet die sakelyste wat ooreenkomstig artikel 6(5) aan hulle besorg is, behoorlik nagaan en hulself deeglik vir die geskeduleerde vergadering voorberei.

(9) By die aanvaarding van sy of haar amp as raadslid, moet 'n raadslid aan die Munisipale Bestuurder 'n fisiese adres binne die munisipale regsgebied verskaf waar sakelyste van vergaderings aan sodanige raadslid bestel moet word en moet, waar moontlik, 'n elektroniese posadres en 'n selffoonnommer verstrek vir kitsboodskappe om kennis te ontvang van vergaderings of ander amptelike korrespondensie.

(10) 'n Raadslid moet die Munisipale Bestuurder sonder versuim in kennis stel van enige verandering van die inligting ingevolge subartikel (9) voorsien.

Spesiale Raadsvergaderings

7.(1)(a) Die Speaker kan 'n spesiale Raadsvergadering belê op 'n datum, tyd, plek of platform deur hom of haar bepaal.

(b) Wanneer die Speaker die datum, tyd, plek of platform bepaal het, moet hy of sy die Munisipale Bestuurder dienooreenkomstig inlig.

(2) Indien die posisie van Speaker vakant is of die Speaker is afwesig, nie beskikbaar nie, onwillig of nie in staat om sy of haar werksaamhede uit te voer nie—

(a) moet die Munisipale Bestuurder; of

(b) 'n persoon aangewys deur die Provinsiale Minister, indien die Munisipale Bestuurder afwesig, nie beskikbaar nie, onwillig of nie in staat is nie,

'n spesiale Raadsvergadering belê om 'n Speaker of 'n Waarnemende Speaker, na gelang van die geval, te verkies, en moet as voorsittende beampte optree by sodanige vergadering.

(3) Die Speaker moet, indien 'n meerderheid van die raadslede hom of haar skriftelik versoek om 'n spesiale Raadsvergadering te belê vir oorweging van 'n spesifieke saak of sake en indien die versoek die vereistes van hierdie artikel en die Strukture Wet nakom—

(a) 'n spesiale Raadsvergadering belê op die datum en tyd uiteengesit in die versoek en op 'n plek of platform deur hom of haar bepaal; en

(b) die Munisipale Bestuurder inlig van die datum, tyd, plek of platform en hom of haar voorsien van 'n afskrif van die versoek.

(4) 'n Versoek om 'n spesiale Raadsvergadering te belê moet aandui watter saak of sake, na gelang van die geval, by die spesiale Raadsvergadering bespreek gaan word en moet die datum en die tyd van die spesiale Raadsvergadering aandui, welke datum nie minder mag wees nie as ses werksdae vanaf die datum waarop die versoek by die Speaker ingedien is.

(5) Vir die doeleindes van subartikel (3), moet 'n meerderheid van raadslede vertolk word soos weerspieël in die munisipaliteit se stigtingskennisgewing, nieteenstaande enige verklaarde vakatures.

(6) Indien die Speaker, vir watter rede ookal, versuim om 'n spesiale Raadsvergadering te belê ingevolge subartikel (3) binne drie werksdae van ontvangs van die versoek, kan die Munisipale Bestuurder, of, in die afwesigheid van of weiering deur die Munisipale Bestuurder, 'n persoon aangewys deur die Provinsiale Minister, die spesiale Raadsvergadering belê en optree as voorsittende beampte by sodanige vergadering, op die datum en tyd uiteengesit in die versoek en op 'n plek of met gebruikmaking van 'n platform soos deur die Munisipale Bestuurder of die persoon aangewys deur die Provinsiale Minister, na gelang van die geval, bepaal.

(7)(a) Indien die Speaker afwesig, nie beskikbaar, onwillig of nie in staat is om as voorsittende beampte op te tree by die spesiale Raadsvergadering nie, moet die Munisipale Bestuurder, of 'n persoon aangewys deur die Provinsiale Minister indien die Munisipale Bestuurder afwesig, nie beskikbaar, onwillig of nie in staat is nie, as voorsittende beampte optree by die verkiesing van 'n Waarnemende Speaker ooreenkomstig artikel 36(3) van die Strukture Wet.

(b) Die Waarnemende Speaker mag slegs optree as voorsittende beampte by daardie betrokke spesiale Raadsvergadering.

(8) Slegs sodanige saak of sake wat in die kennisgewing wat 'n spesiale Raadsvergadering belê of wat uiteengesit is in die versoek beoog in subartikel (3), mag hanteer word by 'n spesiale Raadsvergadering.

(9) Artikel 55 is van toepassing op 'n spesiale Raadsvergadering om te stem oor 'n mosie om die Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester uit sy of haar amp te verwyder.

(10) Die Munisipale Bestuurder moet kennis gee van 'n spesiale Raadsvergadering ten minste 24 uur voor die vergadering ooreenkomstig artikels 6(5) en (6).

(11)(a) Die Speaker kan, as daar redelike gronde daarvoor bestaan, bepaal dat 'n spesiale Raadsvergadering 'n noodvergadering is, in welke geval die tydsbepalings wat in hierdie artikel uiteengesit word nie nagekom hoef te word nie.

(b) Die Munisipale Bestuurder moet alle redelike stappe neem om aan elke raadslid en die publiek kennis te gee van 'n spesiale Raadsvergadering wat 'n noodvergadering is.

Funksies van Speaker met betrekking tot vergaderings

8.(1) Onderworpe aan artikel 15(2), moet die Speaker die stoel inneem op die tyd geskeduleer vir die vergadering.

(2) Benewens die funksies beoog in artikel 37 van die Strukture Wet en enige ander wetsbepaling—

(a) moet die Speaker 'n beslissing gee ten opsigte van

(i) 'n punt van orde geopper deur 'n raadslid; en

(ii) 'n vraag in verband met die prioriteit van sake; en

(b) kan die Speaker, met behoorlike inagneming van die gemenereg, 'n beslissing gee in verband met enige prosedurele gebeurlikheid waarvoor hierdie verordening nie voorsiening maak nie.

(3) Die beslissings beoog in subartikel (2) moet aangeteken word in die notule en mag nie gedebatteer word nie.

Bywoning deur raadslid

9.(1) Onderworpe aan die bepalings van item 4 van die Kode en artikel 11, moet 'n raadslid —

(a) elke vergadering bywoon;

(b) in die geval van fisieke bywoning van die vergadering, sy of haar naam in die bywoningsregister aanteken of, in die geval van virtuele bywoning van 'n vergadering, hom of haarself mondelings identifiseer wanneer die Speaker so versoek; en

(c) teenwoordig bly, tensy dit van hom of haar vereis word, ingevolge die Kode, subartikel (4), artikel 10 of 27(4) of 34(7), of enige ander wetsbepaling, dat hy of sy onttrek van die vergadering.

(2) 'n Raadslid wat —

(a) 'n virtuele vergadering bywoon; of

(b) 'n hibriede vergadering virtueel bywoon,

word geag teenwoordig te wees vir doeleindes van bepaling van 'n kworum, neem van 'n besluit, stemming oor 'n aangeleentheid en vir enige ander doeleindes.

(3) Vir doeleindes van hierdie verordening, is 'n raadslid —

(a) teenwoordig by en woon 'n virtuele vergadering by; of

(b) virtueel teenwoordig en woon 'n hibriede vergadering by,

indien die raadslid die verrigtinge kan hoor, en die Speaker die raadslid kan hoor.

(4)(a) 'n Raadslid moet 'n belang in enige saak wat voor die Raad dien verklaar soos beoog in item 6 van die Kode en onttrek van verrigtinge wanneer daardie saak oorweeg word, tensy die Raad besluit dat die raadslid se belang gering of nie ter sake is nie.

(b) Indien 'n raadslid onttrek van verrigtinge soos beoog in paragraaf (a), moet die Speaker verseker dat daardie raadslid virtuele toegang tot die vergadering belet word vir die duur van oorweging van daardie saak.

Bevel vir raadslid om van vergadering te onttrek

10.(1) Indien die Speaker van mening is dat 'n raadslid—

(a) doelbewus 'n bepaling van hierdie verordening of die Kode oortree;

(b) die Speaker se gesag minag of misken; of

(c) se gedrag ernstig wanordelik is,

kan die Speaker

(i) die raadslid beveel om onmiddellik die raadsaal of komiteekamer te verlaat vir die res van die dag se vergadering, as die raadslid die vergadering fisiek bywoon; of

(ii) daardie raadslid virtuele toegang belet vir die res van die vergadering, as die raadslid die vergadering virtueel bywoon.

Prosedure vir afwesigheidsverlof

11.(1) 'n Raadslid wat nie 'n vergadering kan bywoon nie, moet ten minste een uur voor die aanvang van die vergadering by die kantoor van die Munisipale Bestuurder of sy of haar gedelegeerde verskonng aanbied.

(2) Die Speaker kan egter, om goeie redes, verlof vir afwesigheid verleen aan 'n raadslid wat deur spesiale omstandighede verhinder is om verlof vir afwesigheid te verkry ooreenkomstig subartikel (1), wat onder andere mag insluit siekte van die raadslid, of siekte of dood in die familie van die raadslid.

(3) Die name van alle raadslede —

(a) teenwoordig by 'n vergadering;

(b) afwesig van 'n vergadering of gedeelte van 'n vergadering; en

(c) aan wie afwesigheidsverlof toegestaan is,

moet in die notule aangeteken word.

(4) Verlof word as toegestaan beskou indien 'n raadslid—

(a) gedelegeer is om 'n vergadering of afspraak namens die raad by te woon; of

(b) onttrek van die verrigtinge soos beoog in artikel 9(4).

(5) 'n Lid wat sonder verlof versuim om teenwoordig te bly by 'n vergadering, word geag sonder verlof afwesig te wees.

(6) Subartikels (1) tot (5) is ook van toepassing, met die nodige veranderinge, op afwesigheidsverlof van die Speaker: Met dien verstande dat 'n verwysing in hierdie artikel na die Speaker beskou sal word as 'n verwysing na die Raad.

Sanksies vir nie-bywoning

12.(1) 'n Raadslid wat sonder verlof van 'n vergadering afwesig is of ooreenkomstig artikel 11(5) geag word afwesig te wees, oortree hierdie verordening: Met dien verstande dat indien 'n raadslid ooreenkomstig artikel 27 tydelik van vergaderings of komitees geskors is, hy of sy vir doeleindes van hierdie artikel geag word met verlof afwesig te wees.

(2) 'n Raadslid wat die bepalings van subartikel (1) oortree, mag beboet word met 'n bedrag soos deur die Raad bepaal, welke boete regstreeks van sodanige raadslid se vergoeding verhaal sal word.

(3) 'n Onderzoek na enige herhaalde oortreding van subartikel (1) moet gedoen word ooreenkomstig die eenvormige staande prosedure met betrekking tot dissipline van raadslede soos aanvaar deur die Raad.

(4) Indien die Raad bevind dat 'n raadslid hierdie verordening of die Kode soos beoog in subartikel (1) oortree het, mag die Raad –

(a) 'n formele waarskuwing aan die raadslid uitreik;

(b) die raadslid vermaan; or

(c) benewens die boete soos bepaal in subartikel (2), 'n maksimum boete oplê van –

(aa) 10 persent van sy of haar bruto maandelikse salaris vir die eerste oortreding; en

(bb) 25 persent van sy of haar bruto maandelikse salaris vir elke daaropvolgende oortreding.

(4) Indien 'n raadslid vir drie of meer vergaderings afwesig is sonder verlof, soos beoog in die Kode, moet die Raad die Provinsiale Minister versoek om die raadslid uit die amp te verwyder.

Opname van virtuele vergaderings en hibriede vergaderings

13. Die Munisipale Bestuurder moet verseker dat elke virtuele vergadering en elke hibriede vergadering digitaal opgeneem word en dat die opname gestoor word vir 'n tydperk van nie minder as drie jaar van die datum van die vergadering nie.

Notule

14.(1) Die Munisipale Bestuurder moet—

(a) die notule van die verrigtinge van die vergadering skriftelik saamstel binne twee weke na die vergadering; en

(b) 'n afskrif van sodanige notule aan elke raadslid verskaf binne 'n redelike tyd.

(2) Die notule van 'n vergadering moet deur die raad oorweeg word by die volgende raadsvergadering en, indien bevestig, moet dit deur die Speaker onderteken word.

(3) Die notule sal as gelees beskou word, vir die doeleindes van subartikel (2), indien dit binne 'n redelike tyd voor die vergadering waarop dit oorweeg word aan elke raadslid verskaf is.

(4) Geen mosie of bespreking word toegelaat oor die bevestiging van die notule nie, behalwe in verband met die korrektheid daarvan.

(5) Indien 'n raadslid ontevrede is met die korrektheid van die notule, moet hy of sy—

(a) meld watter item dit is waarmee hy of sy ontevrede is, en

(b) 'n mosie voorstel waarin die alternatiewe bewoording om die notule te wysig duidelik uiteengesit word.

(6) Die notule van 'n vergadering moet die datum, tyd en plek of platform van die vergadering en die besluite of ander stappe wat daar geneem is uiteensit.

(7) Die Munisipale Bestuurder moet 'n rekord hou van alle ondertekende notules.

Kworum

15.(1) 'n Vergadering mag nie begin totdat 'n kworum aanwesig is nie.

(2) Indien daar geen kworum is op die tydstip waarvoor die vergadering geskeduleer is nie, moet die Speaker die stoel inneem sodra 'n kworum teenwoordig is.

(3) As daar nie 'n kworum is nie moet die aanvang van die vergadering vertraag word vir nie langer as 30 minute nie en as daar steeds geen kworum is aan die einde van daardie tyd nie moet die Speaker—

- (a) die vergadering verdaag na 'n ander tyd, datum en plek of platform volgens sy of haar diskresie; en
- (b) die tyd van sodanige verdaging notuleer sowel as die name van alle raadslede teenwoordig.

(4) Indien die Speaker nie teenwoordig is nie en daar geen kworum is nie, moet die vergadering uitgestel word vir nie langer as 30 minute nie en indien daar geen kworum is aan die einde van daardie tyd nie, kan die vergadering nie plaasvind nie en die Munisipale Bestuurder moet die tyd van sodanige verdaging en die name van alle raadslede wat teenwoordig is notuleer.

(5) As daar tydens 'n vergadering geen kworum is nie, moet die Speaker die verrigtinge opskort totdat 'n kworum teenwoordig is: Met dien verstande dat indien daar na 10 minute of sodanige langer tyd as wat die Speaker mag bepaal, steeds geen kworum is nie, die Speaker—

- (a) die vergadering moet verdaag na 'n ander tyd, datum en plek of platform volgens sy of haar diskresie; en
- (b) die tyd van sodanige verdaging moet notuleer asook die name van die raadslede wat teenwoordig is.

(6) Geen tegniese fout aan die kant van 'n raadslid of groep raadslede tydens 'n virtuele vergadering of hibriede vergadering, wat 'n onderbreking in die virtuele konneksie vir 'n totale periode van nie meer as vyf minute nie veroorsaak, sal enige aksie geneem deur 'n meerderheid van die raadslede wat die vergadering bywoon ongeldig maak nie.

Verdaging van verrigtinge

16. (1) Die Speaker kan slegs 'n vergadering verdaag—

- (a) na die Raad al sy werksaamhede op die agenda afgehandel het;
- (b) wanneer daar nie 'n kworum is nie soos beoog in artikel 15;
- (c) na 'n suksesvolle mosie om te verdaag soos beoog in artikels 45 of 46;

- (d) wanneer 'n vergadering ontwrig is en in wanorde verval het;
- (e) in geval van 'n bedanking soos beoog in artikel 55(11); of
- (f) in geval van *vis major*.

(2) Wanneer die Speaker die vergadering verdaag mag die lede die lokaal of platform verlaat.

Voortsetting van vergadering na onwettige verdaging deur Speaker

17.(1) Indien die Speaker 'n vergadering verdaag het in omstandighede buiten dié beoog in artikel 16, is sodanige verdaging onbehoorlik en die oorblywende raadslede mag voortgaan met die res van die agenda: Met dien verstande dat daar steeds 'n kworum aanwesig is.

(2) Die oorblywende raadslede moet 'n Waarnemende Speaker kies om as voorsitter op te tree vir die res van die verrigtinge om die agenda af te handel.

(3) Die Munisipale Bestuurder of, indien die Munisipale Bestuurder afwesig, nie beskikbaar, onwillig of nie by magte is nie, 'n persoon aangewys deur die Provinsiale Minister, moet as voorsitter optree by die verkiesing van die Waarnemende Speaker ooreenkomstig artikel 36(3) van die Strukture Wet.

(4) Die Waarnemende Speaker mag slegs as voorsitter optree vir die res van die vergadering wat op onbehoorlike wyse deur die Speaker verdaag is.

HOOFSTUK 3

BESLUIE

Onbestrede sake

18. Indien die Raad gevra word om 'n saak te oorweeg, moet die Speaker die Raad vra of daar enige raadslede is wat besware het teen die saak, en indien nie, moet 'n eenparige stem in die notule van die vergadering aangeteken word.

Bestrede sake

19. As die Raad versoek word om 'n saak te oorweeg, moet die Speaker die Raad vra of enige raadslid besware het teen die saak, en indien daar teenkanting is—

- (a) moet die Speaker die saak tot stemming bring soos beoog in hierdie verordening;
- (b) die Speaker moet die uitslag van die stemming aankondig; en
- (c) by bekendmaking van die uitslag van die stemming, mag 'n raadslid vereis dat sy of haar afwykende stem, onthouding van stemming, of ondersteunende stem in die notule van die vergadering aangeteken word.

Besluite deur stemming

20.(1) 'n Kworum moet teenwoordig wees, ooreenkomstig artikel 160(3)(a) van die Grondwet en artikel 30(1) van die Strukture Wet, voordat daar oor enige aangeleentheid gestem kan word.

(2) 'n Ondersteunende stem van 'n meerderheid van sittende raadslede is nodig vir die beslissing van enige saak voorgeskryf deur wetgewing of ooreenkomstig artikel 160(3)(b) van die Grondwet en artikel 30(2) van die Strukture Wet, vir die—

- (a) aanvaarding van 'n verordening;
- (b) goedkeuring van die begroting;
- (c) heffing van eiendomsbelasting en ander diensgeld, heffings en belastings;
- (d) aangaan van lenings.

(3) 'n Ondersteunende stem van ten minste twee-derdes van sittende raadslede is nodig vir die aanvaarding van 'n besluit om die Raad te ontbind, ooreenkomstig artikel 34 van die Strukture Wet.

(4) Alle ander vrae voor die Raad word beslis deur 'n meerderheid van stemme uitgebring, ooreenkomstig artikel 160(3)(c) van die Grondwet.

(5) In geval daar by enige kwessie, behalwe 'n saak soos beoog deur artikel 160(2) van die Grondwet, 'n staking van stemme is, moet die Speaker 'n beslissende stem uitoefen benewens sy of haar stem as 'n raadslid soos beoog in artikel 30(4) van die Strukture Wet.

(6) Die Uitvoerende Burgemeester moet, waar van toepassing, 'n verslag en aanbevelings voor die Raad plaas voordat die Raad 'n besluit neem oor een van die volgende sake:

- (a) Enige saak beoog in subartikel (2)(c);
- (b) die goedkeuring van 'n geïntegreerde ontwikkelingsplan of enige wysiging daarvan; en
- (c) die aanstelling en diensvoorwaardes van 'n Munisipale Bestuurder en 'n Senior Bestuurder wat direk aan die Munisipale Bestuurder verslag doen.

(7) Soos beoog in item 3 van die Kode, mag 'n raadslid nie ten gunste stem van of toestem tot 'n resoluëie wat voor die Raad dien en wat teenstrydig is met enige wetgewing van toepassing op plaaslike regering nie.

Wyse van stemming

21.(1) Stemming moet plaasvind op die wyse beoog in artikel 22(2) of (3), tensy—

- (a)(i) die reg anders bepaal; of
- (ii) die Speaker bepaal dat 'n geheime stemming moet plaasvind,

in welke geval die stemming moet plaasvind op die wyse beoog in artikel 22(4); of

(b) die Speaker bepaal dat—

- (i) 'n virtuele vergadering moet plaasvind, in welke geval stemming moet plaasvind op die wyse beoog in artikel 22(5); of
- (ii) 'n hibriede vergadering moet plaasvind, in welke geval stemming moet plaasvind op die wyse beoog in artikel 22(6).

(2) Wanneer die Speaker sy mag uitoefen om die toepaslike stemprosedure of metode te bepaal, moet die volgende faktore in ag geneem word:

- (a) die onderwerp en inhoud van die saak waaroor gestem moet word; en
- (b) die heersende omstandighede wat betrekking het op die saak waaroor gestem moet word;
- (c) die gewig wat geheg moet word aan die bevordering van die beginsels van deursigtigheid, verantwoordbaarheid en goeie bestuur en om raadslede te bemagtig om volgens hulle gewete te stem en ter bevordering van die beste belange van die mense;
- (d) watter stemprosedure of -metode sal verseker dat raadslede hulle magte en funksies kan uitvoer en hulle pligte kan nakom op die mees doeltreffende wyse;
- (e) die Speaker se onpartydigheid as gebiedende noodsaaklikheid;
- (f) die moontlike gevolge van die resoluëie vir die munisipaliteit, lede van die publiek en raadslede;
- (g) die moontlikheid van korrupsie indien stemming plaasvind by wyse van geheime stemming; en
- (h) enige ander tersaaklike faktore.

(3) 'n Raadslid mag nie die lokaal of platform verlaat tydens stemming nie.

Uitbring van stemme

22.(1) Behoudens die voorskrifte van enige ander wetsbepaling, vind stemming plaas in ooreenstemming met 'n elektroniese, handmatige of virtuele stemstelsel.

(2) Wanneer 'n vergadering van die Raad in 'n raadsaal of komiteekamer gehou word waar 'n elektroniese stemstelsel in gebruik is, word besluite geneem deur gebruikmaking van so 'n stelsel, tensy die Speaker anders beveel en —

- (a) raadslede mag slegs stem van die sitplekke wat individueel aan hulle toegewys is in die raadsaal of komiteekamer;
- (b) raadslede moet stem deur die “Ja”, “Nee”, of “Bly buite stemming” knoppie te druk op die elektroniese paneel by hulle sitplekke wanneer hulle deur die Speaker beveel word om te stem;

- (c) 'n raadslid wat nie in staat is om sy of haar stem uit te bring nie moet dit onder die aandag van die Speaker bring en kan in persoon of deur 'n sweep van sy of haar party die Speaker inlig oor sy of haar stem;
- (d) nadat alle raadslede hulle stemme uitgebring het moet die Speaker die uitslag van die verdeling onmiddellik aankondig; en
- (e) word die uitslag van die stemming in die notule aangeteken.

(3) Waar daar geen elektroniese stemstelsel in werking is nie, en tensy dit 'n virtuele vergadering is, sal 'n handmatige stemstelsel gebruik waarvolgens stemming sal geskied by wyse van die opsteek van hande, tensy anders voorgeskryf, en –

- (a) mag slegs raadslede wat aanwesig is wanneer die stemmery aangekondig word, stem;
- (b) moet raadslede stem in die volgorde wat deur die Speaker aangedui word;
- (c) moet raadslede hul stemme uitbring deur “Ja” of “Nee” of “Bly buite stemming” te verklaar wanneer die Speaker hulle aansê om te stem; en
- (d) moet die uitslag van die stemming aangeteken word in die notule van die vergadering.

(4) 'n Geheime stemming mag gehou word by 'n fisieke vergadering, in welke geval—

- (a) die Munisipale Bestuurder 'n stembrief aan elke raadslid moet oorhandig waarop die keuses waarvoor gestem kan word duidelik aangedui is;
- (b) die Munisipale Bestuurder al die stembriewe moet insamel en tel in die teenwoordigheid van 'n verteenwoordiger van elke party in die Raad of die komitee, na gelang van die geval, en teenwoordig by sodanige vergadering; en
- (c) die Speaker moet die uitslag van die verdeling onmiddellik aankondig.

(5) Waar 'n virtuele vergadering gehou word—

- (a) mag slegs raadslede wat aanwesig is wanneer die stemmery aangekondig word, stem;
- (b) die Speaker moet 'n raadslid, wat aanwesig is maar tegniese probleme ondervind wat 'n onderbreking in virtuele konneksie veroorsaak, een verdere geleentheid gee

om te stem na 'n tydperk van vyf minute verloop het vandat die raadslid die eerste keer aangesê is om te stem;

(c) raadslede moet stem in die volgorde wat deur die Speaker aangedui word;

(d) raadslede moet hulle video funksie aanskakel, hulself duidelik identifiseer en hulle stemme uitbring deur “Ja” of “Nee” of “Bly buite stemming” te verklaar wanneer die Speaker hulle aansê om te stem;

(e) 'n raadslid wat nie in staat is om te stem nie, moet dit onder die aandag van die Speaker bring en kan sy of haar stem persoonlik of deur die relevante partysweep aan die Speaker kommunikeer;

(f) nadat al die raadslede gestem het, moet die Speaker onmiddellik die uitslag van die verdeling aankondig;

(g) die uitslag van die stemming moet aangeteken word in die notule van die vergadering;

(h) raadslede moet verseker dat hulle stemme korrek aangeteken word.

(6) Waar 'n hibriede vergadering gehou word—

(a) moet die Speaker aandui watter stemstelsel gebruik moet word deur die raadslede wat die vergadering fisiek bywoon; en

(b) die raadslede wat die vergadering virtueel bywoon moet stem op die wyse beoog in subartikel (5).

HOOFSTUK 4

BYWONING VAN EN DEELNAME AAN VERGADERINGS

Bywoning van en toespraak deur munisipale werknemer of lid van publiek

23.(1) Die Speaker moet—

(a) redelike stappe neem om openbare toegang tot, en openbare gedrag by, vergaderings te reguleer soos beoog in artikel 20(4)(b) van die Stelsels Wet; en

(b) verseker dat vergaderings toeganklik is vir gestremde persone.

(2) Die Raad moet sy sake op 'n openlike wyse doen en mag slegs sy vergaderings sluit soos beoog in artikel 25 wanneer daar redelike gronde bestaan om dit te doen, met inagneming van die aard van die aangeleentheid wat hanteer moet word soos beoog in artikel 160(7) van die Grondwet.

(3) Die Speaker kan 'n munisipale werknemer of lid van die publiek nooi om die Raad toe te spreek of om 'n vergadering by te woon ten einde sy of haar mening oor 'n aangeleentheid voor die Raad te stel.

(4) (a) 'n Munisipale werknemer of lid van die publiek wat nie deur die Speaker genooi is om die Raad toe te spreek nie, maar wat verlang om dit te doen, moet aan die Speaker ses werksdae skriftelike kennis gee van sy of haar versoek en moet besonderhede verskaf van die voorlegging wat gedoen sal word en die bron van die afvaardiging;

(b) Die Speaker mag besluit om die versoek toe te staan of te weier, en indien toegestaan, op watter voorwaardes, met dien verstande dat

(i) in die geval van 'n afvaardiging, sodanige afvaardiging uit hoogstens tien lede mag bestaan;

(ii) slegs twee lede van 'n afvaardiging die Raad mag toespreek, uitgesonderd met die toestemming van die Speaker of in antwoord op vrae van raadslede.

5. Die Speaker kan redelike tyd toeken aan enige munisipale werknemer of lid van die publiek om die Raad toe te spreek na toestaan van 'n aansoek soos beoog in subartikel (4).

Reëlins betreffende bywoning

24. 'n Raadslid, munisipale werknemer of lid van die publiek wat 'n vergadering virtueel bywoon, moet —

(a) die videofunksie aanskakel, tensy die Speaker andersins beveel;

(b) die mikrofoon demp wanneer hy of sy nie praat nie; en

(c) wag vir die Speaker om hom of haar toestemming te gee om te praat of die mikrofoon se dempfunksie te kanselleer.

Uitsluiting van lede van publiek van vergadering

25.(1) Onderworpe aan die bepalings van artikel 20(1) van die Stelsels Wet en subartikels (2) en (3), kan lede van die publiek uitgesluit word van 'n vergadering—

- (a) indien so gelas deur die Speaker;
- (b) indien so besluit deur die Raad na 'n mosie van enige raadslid tot dien effek; of
- (c) waar sake as vertroulik gemerk is.

(2) Lede van die publiek mag nie uitgesluit word wanneer 'n saak soos beoog in artikel 20(2) van die Stelsels Wet oorweeg word of daaroor gestem word nie.

(3) Lede van die publiek mag uitgesluit word wanneer die Raad, as gevolg van die aard van die sake wat oorweeg word of wanneer die bekendmaking van enige van die sake nadelig sal wees vir die belange van die munisipaliteit, dit op redelike gronde regverdigbaar ag om dit te doen, met behoorlike inagneming van die beginsels van 'n oop en demokratiese samelewing.

(4) Indien 'n mosie om lede van die publiek uit te sluit van 'n vergadering soos beoog in subartikel (1)(b) gesekondeer word, moet daar oor die mosie gestem word na 'n bespreking van die redes, maar sonder 'n bespreking van die saak.

(5) Indien lede van die publiek uitgesluit word van—

- (a) 'n fisieke vergadering, moet die lokaal ontruim word van alle lede van die publiek.
- (b) 'n virtuele vergadering, moet virtuele toegang tot die publiek geweier word; of
- (c) 'n hibriede vergadering, moet die lokaal ontruim word van alle lede van die publiek en virtuele toegang moet geweier word.

Hertoelating van lede van die publiek

26.(1) 'n Raadslid mag tydens die verloop van 'n vergadering waarvan die lede van die publiek uitgesluit is, 'n mosie indien “dat die vergadering heropen moet word”, en die redes gee vir die mosie.

(2) As die mosie gesekondeer word, moet onmiddellik daarvoor gestem word sonder debat.

(3) As die mosie aanvaar word, moet die Speaker verseker dat lede van die publiek—
(a) fisieke toegang verkry tot 'n fisieke vergadering;
(b) virtuele toegang verkry tot 'n virtuele vergadering; of
(c) fisieke en virtuele toegang verkry tot 'n hibriede vergadering.

HOOFSTUK 5

GEDRAG BY VERGADERINGS

Gedrag van raadslede, munisipale werknemers en lede van die publiek

27.(1) Raadslede, munisipale werknemers en lede van die publiek moet die orde bewaar by vergaderings, en mag nie—

- (a) op 'n onwaardige wyse optree nie;
- (b) die verrigtinge verhinder nie;
- (c) enige oortreding van die verordening begaan nie;
- (d) verval in nietersaaklike argumente of eentonige herhaling van argumente nie; of
- (e) aanstootlike of onbetaamlike taal gebruik of opmerkings maak wat lasterlik van aard is nie.

(2) Raadslede mag nie 'n beslissing van die Speaker soos beoog in artikel 8(2) betwis nie.

(3) Indien 'n raadslid, munisipale werknemer of lid van die publiek subartikel (1) oortree, moet die Speaker hom of haar opdrag gee om hom of haarself te weerhou van sodanige oortreding.

(4) Indien 'n raadslid, munisipale werknemer of lid van die publiek die Speaker se opdrag beoog in subartikel (3) verontagsaam, kan die Speaker—

(a) gelas dat die raadslid, munisipale werknemer of lid van die publiek, indien so 'n persoon besig is om te praat, sy of haar toespraak moet staak;

(b) gelas dat die raadslid, munisipale werknemer of lid van die publiek moet onttrek van die raadsaal of komiteekamer vir die res van die vergadering indien die raadslid, munisipale werknemer of lid van die publiek die vergadering fisiek bywoon; of

(c) die mikrofoon van die raadslid, munisipale werknemer of lid van die publiek demp vir die res van die vergadering indien die raadslid, munisipale werknemer of lid van die publiek die vergadering virtueel bywoon.

(5) As die Speaker versuim om op te tree ingevolge subartikel (3) of (4), kan enige raadslid 'n mosie indien wat van die Speaker vereis om dit te doen.

(6) Die mosie beoog in subartikel (5) moet sonder kennisgewing voorgestel word en as die mosie gesekondeer word, moet daar sonder versuim daarvoor gestem word sonder debatvoering.

(7) Die gebruik van selfone gedurende vergaderings word verbied. Selfone moet afgeskakel wees tydens vergaderings tensy vooraf reëlings getref is met die Speaker. Boetes mag opgelê word vir veronagsaming van hierdie artikel en moet genotuleer word.

(8) 'n Raadslid mag nie die vergaderlokaal verlaat sonder die toestemming van die Speaker nie.

HOOFSTUK 6

DEBAT EN MOSIES

Aanspreek van Speaker

28.(1) 'n Raadslid of 'n munisipale werknemer of lid van die publiek soos beoog in artikel 23(4)(a), wat 'n spreekbeurt kry op 'n vergadering, moet die Speaker aanspreek.

(2) 'n Lid van die publiek wat deur die Speaker geleentheid gegee word om te praat moet sy of haar naam vermeld en, indien sy of hy 'n organisasie of groep verteenwoordig, moet die naam daarvan ook vermeld word.

Reg van spraak en beperking

29.(1) Ooreenkomstig artikel 160(8)(a) en (b) van die Grondwet, is 'n raadslid geregtig om deel te neem aan Raadsverrigtinge op 'n wyse wat—

- (a) billike verteenwoordiging toelaat van die partye en belange wat weerspieël word binne die Raad; en
- (b) strook met demokrasie.

(2) 'n Raadslid het vryheid van spraak in enige vergadering van die Raad en in enige komitee waarvan hy of sy 'n lid is ooreenkomstig artikel 28 van die Strukture Wet en artikel 2 van die Wes-Kaapse Wet op Voorregte en Immuniteite van Raadslede, 2011 (Wet 7 van 2011): Met dien verstande dat hy of sy—

- (a) sy of haar toespraak moet beperk tot sake op die agenda;
- (b) hom of haarself moet weerhou van persoonlike aanvalle op ander raadslede; en
- (c) hom of haarself weerhou daarvan om ander raadslede, 'n persoon of instelling te belaster.

(3) Die reg van vryheid van spraak van 'n raadslid soos beoog in sub-artikel (2) —

(a) sluit in deelname aan die beraadslagings en stemming oor enige resoluëie, besluit, verslag, referaat of notule aanvaar of goedgekeur deur die Raad of enige van sy komitees; en

(b) is onderworpe aan hierdie verordening.

(4) 'n Raadslid wat nie 'n lid is van 'n komitee nie het die reg om by 'n vergadering van daardie komitee te praat: Met dien verstande dat sodanige raadslid deur die voorsitter toegelaat is om oor 'n spesifieke item op die agenda te praat.

(5) 'n Raadslid mag begin of voortgaan om te praat by 'n vergadering nadat hy of sy deur die Speaker toestemming gegee is.

(6) 'n Raadslid mag slegs een keer praat oor—

(a) 'n saak voor die Raad;

(b) enige mosie voor die Raad;

(c) enige wysigings tot 'n mosie voor die Raad; of

(d) 'n punt van orde of 'n vraag,

tensy gemagtig deur die Speaker of soos bepaal deur hierdie verordening.

(7) 'n Raadslid mag nie onderbreek word tydens sy of haar toespraak nie tensy hy of sy tot orde geroep word deur die Speaker of 'n punt van orde geopper word deur enige ander raadslid.

(8) Die Speaker mag nie 'n raadslid toestemming gee om te praat oor 'n saak nadat daar reeds oor die saak gestem is nie.

(9) Die Speaker mag nie debat toelaat oor 'n saak—

(a) wat enige saak op die agenda vooruitloop nie; of

(b) ten opsigte waarvan daar 'n beslissing deur 'n geregtelike of administratiewe liggaam of 'n kommissie van ondersoek hangende is nie.

Tydsduur van toesprake

30.(1) Uitgesonderd met die toestemming van die Speaker mag geen lid langer as vyf minute oor enige onderwerp (of aangeleentheid) praat nie.

(2) Die voorsteller van 'n oorspronklike mosie of van enige wysiging kan egter vyf minute lank oor sodanige mosie of wysiging praat.

Deelname deur Speaker aan debat

31.(1) Indien die Speaker wil deelneem aan 'n debat, mag hy of sy dit doen van die vloer af en moet—

(a) die vergadering versoek om 'n Waarnemende Speaker te verkies op die wyse beoog in artikel 17(3) vir die duur van die debat waaraan hy of sy wil deelneem; en

(b) in die geval van 'n fisieke vergadering, of 'n hibriede vergadering waar die Speaker die vergadering fisiek bywoon, die stoel ontruim en sitplek inneem tussen die ander raadslede.

(2) Die Speaker hoef nie die stoel te ontruim indien hy of sy verslag doen oor sake wat met die Raad of die administrasie daarvan te make het nie.

Vrae

32.(1) Behoudens artikel 39 mag die Speaker geen vraag aanvaar nie tensy kennis daarvan ingevolge subartikel (2) gegee is.

(2) Elke kennisgewing van voorneme deur 'n raadslid om 'n vraag te stel, moet skriftelik wees en onderteken en gedateer wees en aan die Munisipale Bestuurder gelewer word minstens ses werksdae voor die datum van die vergadering waarop dit gestel gaan word.

(3) Die raadslid aan wie sodanige vraag gerig word, mag die vraag antwoord by die vergadering bedoel in subartikel (2), of indien die raadslid verkies om die vraag skriftelik te beantwoord mag hy of sy dit doen binne ses werksdae na die vergadering.

(4) Indien 'n vraag voor die Raad gedien het, mag 'n soortgelyke vraag nie voor die Raad dien binne die daaropvolgende drie maande nie, tensy die Raad anders beveel.

(5) 'n Debat sal nie toegelaat word oor 'n vraag nie, behalwe vir 'n vraag van duidelikheid van die raadslid wat die vraag gevra het.

Inhoud van debat

33. 'n Raadslid wat 'n toespraak maak, moet sy of haar toespraak rig op 'n saak voor die Raad.

Punt van orde

34.(1) 'n Raadslid kan 'n punt van orde opper tydens 'n raadsvergadering om die Speaker se aandag te vestig op 'n oortreding van die verordening, die Kode of 'n statutêre bepaling.

(2) 'n Punt van orde kan geopper word ten opsigte van —

(a) 'n prosedurele aangeleentheid; of

(b) die gedrag van 'n raadslid, munisipale werknemer of lid van die publiek.

(3) 'n Raadslid wat 'n punt van orde opper moet onmiddellik aangehoor word en hy of sy moet verwys na—

(a) die punt van orde; en

(b) die artikel, item in die Kode of statutêre bepaling wat na bewering oortree word.

(4)(a) 'n Raadslid wat besig is om te praat wanneer die punt van orde geopper word, moet onmiddellik stilbly totdat die Speaker 'n beslissing gemaak het oor die punt van orde.

(b) Alle ander sake voor die Raad moet opgeskort word totdat daar 'n beslissing gemaak is oor die punt van orde.

(5) Indien die beslissing is dat die raadslid—

(a) binne orde is, moet die raadslid toegelaat word om met sy of haar toespraak voort te gaan; of

(b) buite orde is, moet die raadslid stilbly of moet enige opmerkings terugtrek of verander om die beslissing te gehoorsaam.

(6) Die Speaker se beslissing oor 'n punt van orde—

(a) is finaal en is nie vatbaar vir debat nie; en

(b) moet in die notule aangeteken word.

(7)(a) Indien 'n raadslid volhard met nietersaaklike, beuselagtige of ongegronde punte van orde, kan die Speaker—

(i) gelas dat die raadslid onmiddellik onttrek van die raadsaal of komiteekamer vir die res van die dag se vergadering indien die raadslid die vergadering fisiek bywoon; of

(ii) die raadslid se mikrofoon demp in gevalle waar die raadslid die vergadering virtueel bywoon.

(b) Indien die Speaker versuim om op te tree ingevolge paragraaf (a), kan enige raadslid 'n mosie voorstel wat van die Speaker vereis om dit te doen.

Verduideliking

35.(1) Die Speaker kan 'n raadslid toelaat om 'n vorige toespraak te verduidelik maar slegs wanneer en tot die mate waarin 'n wesenlike gedeelte van die toespraak moontlik verkeerd verstaan is.

(2) Die raadslid wat die verduideliking gee mag geen nuwe aangeleentheid aanroer nie en geen debat oor die verduideliking word toegelaat word nie.

Mosie

36. 'n Raadslid mag slegs 'n mosie voorstel wanneer hy of sy deur die Speaker toegelaat word en indien gesekondeer deur 'n ander raadslid, tensy hierdie verordening anders bepaal.

Kennisgewing van mosie

37.(1) Speaker mag geen mosie, uitgesonderd 'n dringende mosie of 'n mosie van orde, aanvaar nie, tensy kennis daarvan ingevolge subartikel (2) gegee is.

(2) Elke kennisgewing van voorneme deur 'n lid om 'n mosie in te dien, moet skriftelik wees en onderteken en gedateer wees en aan die Munisipale Bestuurder gelewer word minstens ses werksdae voor die datum van die vergadering waarop dit ingedien gaan word.

(3) Die Speaker kan 'n item, mosie of vraag weier, in die omstandighede beoog in reël 5 (4), in welke geval die Speaker die item, mosie of vraag—

(a) moet terugverwys na die betrokke raadslid met vermelding van die rede hoekom dit nie op die agenda geplaas kan word nie;

(b) moet verwys na die komitee wat deur die raad die mandaat gegee is om die saak te hanteer; of

(c) moet verwys na die Uitvoerende Burgemeester, waar van toepassing, indien volgens die reg sodanige mosie of vraag eers deur die Uitvoerende Burgemeester oorweeg moet word.

(4) Indien 'n item, mosie of vraag voorheen gestel is en geweier is deur die Raad, kan 'n soortgelyke item, mosie of vraag nie voor die Raad geplaas word voor die verstryking van drie maande nie, tensy die Raad anders bepaal.

Vraag vir debat

38.(1) Gedurende 'n debat en—

(a) na 'n mosie gestel en gesecondeer is; of

(b) by die afsluiting van enige toespraak oor 'n mosie,

mag enige raadslid enige vraag wat tersaaklik is tot die mosie vra aan 'n ander raadslid.

(2) Slegs die raadslid wat die vraag gevra het mag 'n aanvullende vraag vra, en dan slegs ten opsigte van sake wat voortspruit uit die antwoord op daardie vraag.

(3) Die raadslid aan wie die vraag gevra word kan—

(a) sonder versuim daarop antwoord; of

(b) vereis dat kennis gegee word van die vraag, in welke geval die Speaker moet verseker dat die antwoord op die agenda van die volgende vergadering geplaas word.

Dringende mosie

39.(1) 'n Raadslid mag die Raad se aandag vestig op enige saak wat nie op die agenda verskyn nie en waarvan geen kennis gegee is nie, deur kortliks die onderwerp van die saak te vermeld en, sonder kommentaar daarop, 'n mosie voor te stel “dat die mosie waarop die aandag gevestig word onmiddellik oorweeg word as 'n mosie van dringendheid”.

(2) Indien die mosie in subartikel (1) gesecondeer en aanvaar word, kan die raadslid wat die mosie gestel het toegelaat word om die saak te laat oorweeg sonder kennisgewing.

(3) Hierdie artikel is nie van toepassing op 'n mosie vir die ampsverwydering van die Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester soos beoog in artikel 55 nie.

Proseduremosies

40.(1) Die volgende word as proseduremosies beskou:

- (a) dat voorkeur gegee word aan die oorweging van enige spesifieke saak op die agenda;
- (b) dat daar kennis geneem word van enige verslag waarna in die agenda verwys word, of dat dit aanvaar word, opgetree word in verband daarmee of terugverwys word;
- (c) dat gehandel word met betrekking tot 'n dokument voor die Raad op 'n wyse wat in die mosie bepaal word;
- (d) dat opgetree word ten opsigte van enige saak voorgelê vir oorweging op die wyse bepaal in die mosie;
- (e) dat die Speaker opdrag moet gee dat 'n raadslid, munisipale werknemer of lid van die publiek moet onttrek van die vergadering; en
- (f) enige mosie beoog in artikel 41.

(2) As 'n proseduremosie gesekondeer word, moet dit sonder versuim tot stemming gebring word sonder debatvoering.

Voorrang van debat

41. Wanneer 'n mosie gedebatteer word, mag geen verdere mosie ontvang word nie, behalwe dat—

- (a) die mosie gewysig word soos beoog in artikel 42;
- (b) die oorweging van die saak uitgestel word na 'n vaste of onbepaalde datum soos beoog in artikel 43;
- (c) lede van die publiek uitgesluit word soos beoog in artikel 25;
- (d) lede van die publiek hertoegelaat word soos beoog in artikel 26;
- (e) die vergadering verdaag word na 'n ander datum soos beoog in artikel 44;
- (f) die vergadering verdaag word tot 'n spesifieke tyd soos beoog in artikel 45;
- (g) die debat oor die saak verdaag word vir 'n bepaalde tyd soos beoog in artikel 46;
- (h) die mosie tot stemming gebring word soos beoog in artikel 47;

- (i) die mosie van die agenda verwyder word soos beoog in artikel 48;
- (j) die mosie na 'n komitee verwys word soos beoog in artikel 49; of
- (k) die mosie teruggetrek word soos beoog in artikel 50.

Mosie van wysiging

42.(1) 'n Raadslid kan 'n mosie van wysiging voorstel deur te verklaar—

- (a) “dat die mosie gewysig moet word”; en
- (b) hoe die oorspronklike mosie gewysig moet word.

(2) Die mosie beoog in subartikel (1), en onderworpe aan subartikel (6),

- (a) hoef nie op skrif gestel te wees nie; en
- (b) moet gesekondeer word.

(3) Die wysiging moet van toepassing wees op die oorspronklike mosie ten opsigte waarvan dit voorgestel word en moet voorgestel word terwyl die oorspronklike mosie onder oorweging is.

(4)(a) Die wysiging kan nie neerkom op 'n wesenlike wysiging van die beginsel wat in die oorspronklike mosie beliggaam word nie maar kan die bepalinge daarvan wysig in een of meer besonderhede.

(b) Die Speaker moet besluit of die wysiging paragraaf (a) nakom en moet diennooreenkomstig 'n bevel maak.

(5) Die wysiging moet voor die oorspronklike mosie oorweeg word.

(6) Indien die Speaker so vereis, moet 'n voorgestelde wysiging op skrif wees, onderteken deur die raadslid wat dit voorstel en —

- (a) by die Speaker ingedien word; of
- (b) deur elektroniese kommunikasie aan die Speaker afgelewer word.

(7)(a) As daar meer as een wysiging tot die oorspronklike mosie is, moet die laaste voorgestelde wysiging eerste tot stemming gebring word en indien dit aanvaar word, moet die saak dienooreenkomstig afgehandel word.

(b) Indien die laaste voorgestelde wysiging verwerp word, moet die wysiging wat onmiddellik voor die laaste wysiging voorgestel is tot stemming gebring word.

(c) Wanneer al die wysigings afgehandel is, moet die oorspronklike mosie tot stemming gebring word.

(8) Geen verdere wysiging aan die oorspronklike mosie mag voorgestel word na die Speaker begin het met die stemming oor die oorspronklike mosie nie.

Mosie vir uitstel van saak

43.(1) 'n Raadslid kan aan die einde van 'n toespraak voorstel “dat die oorweging van die saak uitgestel word na 'n vaste of onbepaalde datum”.

(2) Die mosie—

(a) hoef nie op skrif te wees nie; en

(b) moet gesekondeer word.

(3) Die raadslid wat die mosie voorgestel het kan die vergadering toespreek oor die mosie.

(4) Die raadslid wat die oorspronklike mosie voorgestel het met betrekking tot die saak onder debat mag repliek lewer, waarna die mosie beoog in subartikel (1) tot stemming gebring moet word sonder verdere debat.

(5) Indien die mosie beoog in subartikel (1) aanvaar word, moet die saak eerste geplaas word op die agenda van die vergadering waarna dit uitgestel is.

(6) Indien die mosie beoog in subartikel (1) verwerp word, moet die vergadering voortgaan asof geen onderbreking plaasgevind het nie.

Mosie vir verdaging van vergadering na ander datum

44.(1) 'n Raadslid kan te enige tyd gedurende die vergadering, behalwe gedurende die verloop van 'n toespraak deur 'n ander raadslid of wanneer stemming plaasvind, voorstel “dat die vergadering verdaag word tot 'n ander datum”.

(2) Die mosie —

(a) hoef nie op skrif te wees nie; en

(b) moet gesekondeer word.

(3) Die raadslid wat die mosie voorgestel het mag die vergadering toespreek oor die mosie.

(4) 'n Debat oor die mosie word nie toegelaat nie: Met dien verstande dat die eerste raadslid wat sy of haar teenkanting teen die mosie aandui, 'n spreekbeurt in opposisie van die mosie gegun word.

(5) 'n Wysiging aan die mosie mag nie voorgestel word nie behalwe in verband met die tydperk van verdaging.

(6) As die mosie aanvaar word, moet die vergadering onmiddellik verdaag en herbelê word vir die datum bepaal in die mosie of gewysigde mosie, tensy die Speaker beveel dat die vergadering eers voortgaan om ander sake as die bestrede aangeleentheid af te handel.

(7) As die mosie nie aanvaar word nie, moet die vergadering voortgaan asof geen onderbreking plaasgevind het nie en die Speaker mag nie 'n soortgelyke mosie aanvaar totdat 30 minute verstryk het nie.

(8) Voor die afhandeling van 'n mosie wat aanvaar word gedurende 'n debat, is die raadslid wat die verdaging voorgestel het geregtig op die eerste spreekbeurt wanneer die saak heropen word vir bespreking by die verdaagde vergadering.

(9) Geen ander sake mag hanteer word by 'n verdaagde vergadering as die sake wat op die agenda was vir die vergadering waarvan dit 'n verdaging is nie.

Mosie vir verdaging van vergadering vir 'n vasgestelde tyd

45.(1) 'n Raadslid kan te enige tyd, behalwe tydens die toespraak van 'n ander raadslid of wanneer stemming plaasvind, voorstel "dat die vergadering verdaag vir 'n vasgestelde tyd," wat nie 60 minute mag oorskry nie.

(2) Die mosie—

(a) hoef nie op skrif te wees nie; en

(b) moet gesekondeer word.

(3) As die mosie aanvaar word, moet die vergadering onmiddellik verdaag word vir die bepaalde tyd en weer byeenkom op die tyd wat in die mosie bepaal word.

(4) As die mosie nie aanvaar word nie, gaan die vergadering voort asof daar geen onderbreking was nie en die Speaker mag nie 'n soortgelyke mosie aanvaar totdat 30 minute verstryk het nie.

(5) Die Speaker kan te enige tyd 'n vergadering verdaag vir 'n bepaalde tyd as daar 'n goeie rede daarvoor bestaan.

Mosie vir verdaging van debat oor saak vir bepaalde tyd

46.(1) 'n Raadslid kan, by die afsluiting van 'n toespraak oor enige saak, voorstel “dat die debat oor die saak verdaag word vir 'n spesifieke tyd”.

(2) Die mosie—

(a) hoef nie op skrif te wees nie; en

(b) moet gesekondeer word.

(3) Die raadslid wat die mosie voorgestel het kan ter ondersteuning daarvan praat.

(4) Geen debat word toegelaat oor die mosie nie behalwe dat die eerste raadslid wat sy of haar teenkanting teen die mosie aandui 'n spreekbeurt ter opposisie van die mosie gegun word.

(5) Geen wysiging tot die mosie mag voorgestel word nie, behalwe wat betref die tydperk van verdaging.

(6)(a) As die mosie aanvaar word, gaan die vergadering voort na die volgende item op die agenda en die verdaagde debat word hervat op die tyd bepaal in die mosie.

(b) By hervatting van die verdaagde debat, is die raadslid wat die verdaging voorgestel het geregtig om eerste te praat.

(7) As die mosie nie aanvaar word nie, gaan die debat voort asof daar geen onderbreking was nie en die Speaker mag nie 'n soortgelyke mosie aanvaar totdat 30 minute verstryk het nie.

(8) 'n Raadslid mag nie meer as een mosie voorstel of sekondeer vir verdaging van die debat gedurende die verloop van daardie debat nie.

(9) Die Speaker kan te enige tyd 'n debat verdaag vir 'n bepaalde tyd as daar 'n goeie rede daarvoor bestaan.

Mosie dat saak tot stemming gebring word

47.(1) 'n Raadslid kan, aan die einde van enige toespraak oor 'n saak, voorstel “dat die saak tot stemming gebring word”.

(2) Indien 'n mosie beoog in subartikel (1) aanvaar is, moet die mosie tot stemming gebring word sonder enige verdere debat.

Mosie om saak van agenda te verwyder

48.(1) 'n Raadslid kan in die loop van 'n debat, aan die einde van enige toespraak, voorstel “dat die aangeleentheid van die sakelys verwyder word”.

(2) Behoudens die bepalings van subartikel (3), is geen mosie wat ingevolge subartikel (1) voorgestel word, oop vir bespreking nie.

(3) Die voorsteller van 'n aangeleentheid onder bespreking kan, wanneer 'n mosie ingevolge subartikel (1) voorgestel is, hoogstens vyf minute lank oor sodanige mosie praat, waarna genoemde mosie sonder enige verdere bespreking tot stemming gebring word.

(4) Indien sodanige mosie aanvaar word, word die aangeleentheid onder bespreking nie verder bespreek nie.

Mosie om saak na komitee te verwys

49.(1) 'n Raadslid kan, by afsluiting van enige toespraak oor 'n saak, voorstel “dat die saak na 'n komitee verwys word”.

(2) Die mosie —

(a) hoef nie op skrif te wees nie; en

(b) moet gesekondeer word.

(3) Onderworpe aan subartikel (4), is 'n mosie beoog in subartikel (1) nie oop vir debat nie.

(4) Die raadslid wat die oorspronklike mosie voorgestel het kan, wanneer 'n mosie beoog in subartikel (1) voorgestel is, oor daardie oorspronklike mosie praat, waarna die mosie beoog in subartikel (1) tot stemming gebring moet word sonder enige verdere debat.

(5) As die mosie beoog in subartikel (1) aanvaar word, kan die saak onder debat nie verder hanteer word by die vergadering nie.

(6) As die mosie beoog in subartikel (1) nie aanvaar word nie, gaan die vergadering voort asof geen onderbreking plaasgevind het nie en die Speaker mag nie 'n soortgelyke mosie oor daardie item aanvaar nie.

Terugtrekking van mosie of vraag

50.(1)(a) 'n Raadslid wat 'n mosie voorgestel het kan dit te enige tyd terugtrek.

(b) 'n Raadslid mag nie oor 'n mosie praat na die Raad die terugtrekking daarvan toegelaat het nie.

(c) As 'n mosie teruggetrek word, mag 'n soortgelyke mosie nie voor die Raad geplaas word tot na verstryking van 'n tydperk van drie maande nie, tensy die Raad anders besluit.

(2)(a) 'n Raadslid wat 'n vraag gevra het kan dit terugtrek te enige tyd voor die vraag beantwoord word.

(b) As 'n vraag teruggetrek word, mag 'n soortgelyke vraag nie voor die Raad geplaas word tot na verstryking van 'n tydperk van drie maande nie tensy die Raad anders besluit.

Afwesigheid van raadslid wat kennis gegee het van mosie of vraag

51.(1) As die raadslid wat kennis gegee het van 'n mosie of 'n vraag nie teenwoordig is wanneer hy of sy deur die Speaker opgeroep word nie, kan die mosie voorgestel of die vraag gevra word deur enige ander raadslid.

(2) As die mosie beoog in subartikel (1) nie voorgestel word nie, gaan die vergadering voort asof geen onderbreking plaasgevind het nie en die Speaker mag nie 'n soortgelyke mosie aanvaar oor daardie item nie.

Herindiening van mosie of vraag

52. 'n Mosie wat deur die Raad verwerp is of 'n vraag wat beantwoord is, mag nie weer voorgestel of gevra word binne 'n tydperk van drie maande vanaf die vergadering waarop dit verwerp of beantwoord was nie, tensy die Raad anders besluit.

Mosie of vraag oor saak wat na komitee verwys is

53.(1) 'n Raadslid mag nie kennis gee van 'n mosie of 'n vraag met betrekking tot enige saak wat voor 'n komitee dien vir oorweging nie, tensy daardie kennisgewing ook—

(a) aan daardie komitee gegee is; of

(b) na daardie komitee verwys is vir oorweging en verslag.

(2) Die voorsitter van 'n komitee kan, indien hy of sy van mening is dat die saak een van dringendheid is, kennis gee van 'n mosie of vraag oor 'n saak wat na die komitee verwys is ten spyte van die feit dat die mosie of vraag nie ingedien is of oorweeg is deur daardie komitee nie.

Verslag oof gedelegeerde magte

54. 'n Uitvoerende Burgemeester, Speaker, komitee of Munisipale Bestuurder moet verslag doen aan die Raad oor besluite geneem met betrekking tot gedelegeerde of ge-subdelegeerde magte of pligte so gereeld as wat die Raad vereis.

HOOFSTUK 7

VERWYDERING VAN AMPSDRAER UIT AMP

Verwydering van Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester uit amp

55.(1)(a) 'n Raadslid kan, by wyse van 'n skriftelike mosie aan die Speaker gerig, voorstel dat die Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester uit die betrokke amp verwyder word.

(b) 'n Mosie om die Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester uit sy of haar amp te verwyder beoog in paragraaf (a), moet deur ten minste drie ander raadslede gesekondeer word.

(2) 'n Mosie om die Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester uit sy of haar amp te verwyder moet 'n kort opsomming bevat van die redes vir verwydering en die datum en tyd van die spesiale Raadsvergadering aandui, welke datum nie minder tyd kan toelaat as —

(a) ses werksdae vanaf die datum waarop die mosie by die Speaker ingedien is nie; of

(b) vier werksdae vanaf die datum waarop die versoek by die Speaker ingedien is indien die saak as 'n dringende saak beskou word, in welke geval die redes vir dringendheid in die versoek aangedui moet word.

(3) Die Speaker moet, by ontvangs van 'n mosie om die Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester uit sy of haar amp te verwyder —

(a) onmiddellik 'n afskrif daarvan na die Sweep, Munisipale Bestuurder en die Uitvoerende Burgemeester, waar van toepassing, stuur; en

(b) as die mosie voldoen aan die vereistes uiteengesit in hierdie artikel en die Strukture Wet —

- (i) 'n spesiale Raadsvergadering belê vir die datum en die tyd uiteengesit in die mosie en op 'n plek of platform deur hom of haar bepaal; en
- (ii) die Munisipale Bestuurder inlig van die datum, tyd, plek of platform.

(4) Indien die Speaker, vir watter rede ookal, versuim om die spesiale Raadsvergadering te belê volgens subartikel (3) binne drie werksdae van ontvangs van die mosie, moet die Munisipale Bestuurder, of in die afwesigheid of weiering van die Munisipale Bestuurder, 'n persoon aangewys deur die Provinsiale Minister, die spesiale Raadsvergadering belê vir die datum en die tyd soos aangedui in die mosie en op 'n plek of platform wat deur die Munisipale Bestuurder of persoon aangewys deur die Provinsiale Minister, na gelang van die geval, bepaal word.

(5)(a) As die Speaker afwesig, nie beskikbaar, onwillig of nie in staat is om as voorsittende beampte op te tree by die spesiale Raadsvergadering nie, moet die Munisipale Bestuurder of 'n persoon aangewys deur die Provinsiale Minister indien die Munisipale Bestuurder afwesig, nie beskikbaar, onwillig of nie in staat is nie, as voorsittende beampte optree by die verkiesing van die Waarnemende Speaker ooreenkomstig artikel 36(3) van die Strukture Wet.

(b) Die Waarnemende Speaker mag slegs voorsit by die betrokke spesiale Raadsvergadering.

(6) Slegs die mosie om die Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester uit sy of haar amp te verwyder beoog in subartikel (1) mag hanteer word by die spesiale Raadsvergadering.

(7)(a) Die Munisipale Bestuurder moet kennis gee van die spesiale Raadsvergadering ten minste twee werksdae voor die vergadering, op die wyse beoog in artikels 6(5) en (6).

(b) As die Speaker bepaal dat die spesiale Raadsvergadering 'n dringende vergadering is, moet die Munisipale Bestuurder ten minste een werksdag voor die vergadering skriftelik kennis gee soos beoog in artikels 6(5) en (6), behalwe waar tydsbeperkings dit onmoontlik maak.

(c) As die Munisipale Bestuurder per abuis nalaat om kennis te gee aan enige raadslid, veroorsaak sodanige versuim nie die ongeldigheid van die vergadering nie.

(8) As die Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester op wie die mosie van toepassing is, uit die amp bedank te enige tyd voor die spesiale Raadsvergadering, val die mosie om die Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester uit sy of haar amp te verwyder weg en die vergadering gaan nie voort nie.

(9) Die Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester op wie die mosie van toepassing is, het die reg en moet die geleentheid gegun word gedurende die spesiale Raadsvergadering om repliek te lewer op elke bewering gemaak —

(a) in die mosie om die Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester uit sy of haar amp te verwyder; en

(b) gedurende die vergadering.

(10) Indien die Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester op wie die mosie van toepassing is, nie teenwoordig is tydens die spesiale Raadsvergadering nie, mag die Raad voortgaan met die verrigtinge in sy of haar afwesigheid.

(11) Indien die Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester op wie die mosie van toepassing is te enige tyd

gedurende die spesiale Raadsvergadering, maar voor die mosie tot stemming gebring word, bedank uit die amp —

(a) word die spesiale Raadsvergadering onmiddellik verdaag; en

(b) die mosie val weg;

nieteenstaande enige bepalings tot die teendeel in hierdie verordening: Met dien verstande dat as die mosie om die Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester uit sy of haar amp te verwyder op die Speaker van toepassing is, die Raad moet voortgaan om 'n nuwe Speaker te verkies.

(12) As die mosie om die Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester uit sy of haar amp te verwyder aanvaar word, word die Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester met onmiddellike uitwerking uit die amp verwyder en die Raad gaan voort om 'n nuwe Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester te verkies, na gelang van die geval, nieteenstaande enige bepalings tot die teendeel in hierdie verordening.

(13) 'n Raadslid wat as Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester verkies word kragtens subartikel (11) of (12), na gelang van die geval, dien vir die onverstreke termyn van sy of haar voorganger.

(14) As die mosie om die Speaker, Sweep (waar van toepassing), Uitvoerende Burgemeester of Adjunk Uitvoerende Burgemeester uit sy of haar amp te verwyder nie aanvaar word nie, kan geen mosie wat dieselfde bewerings bevat voor die Raad geplaas word nie totdat 'n termyn van drie maande verstryk het nie, tensy die Raad anders gelas.

HOOFSTUK 8

WETGEWENDE PROSES

Indiening van konsepverordening

56. 'n Konsepverordening kan slegs ingedien word deur 'n raadslid of 'n komitee soos beoog in artikel 12 van die Stelsels Wet.

Indiening van konsepverordening deur raadslid

57.(1) 'n Raadslid kan 'n konsepverordening indien deur dit voor te lê, tesame met 'n memorandum wat die oogmerke daarvan aandui, aan die Munisipale Bestuurder.

(2) Indien een of meer komitees verantwoordelik is vir die hantering van die onderwerp van die konsepverordening, moet die Munisipale Bestuurder 'n verslag voorlê met sy of haar kommentaar oor die konsepverordening aan sodanige komitee of komitees, na gelang van die geval, vir kommentaar.

(3)(a) Die Munisipale Bestuurder moet 'n verslag oor die konsepverordening voorlê, saam met enige kommentaar ontvang van die komitee of komitees, na gelang van die geval, soos beoog in subartikel (2), indien van toepassing, aan die Uitvoerende Burgemeester vir 'n verslag en aanbeveling aan die Raad soos beoog in artikel 30(5) van die Strukture Wet.

(b) Die Uitvoerende Burgemeester moet binne drie maande van ontvangs van 'n konsep- verordening van die Munisipale Bestuurder, die konsepverordening oorweeg en besluit óf om dit te ondersteun met of sonder wysigings, óf dit nie te ondersteun nie.

(4) Nadat die Uitvoerende Burgemeester 'n besluit gemaak het soos beoog in subartikel (3)(b), moet hy of sy 'n verslag aan die Raad voorlê wat die volgende uiteensit:

- (a) 'n Uitvoerende opsomming van die konsepverordening;
- (b) 'n memorandum van die oogmerke van die konsepverordening;
- (c) die inhoud van die konsepverordening;

- (d) ander verordeninge wat herroep of gewysig sal moet word indien die konsepverordening aanvaar word;
- (e) die redes hoekom die konsepverordening ondersteun word met of sonder wysigings, of nie ondersteun word nie, na gelang van die geval;
- (f) enige tersaaklike kommentaar of voorstelle, wat voorstelle vir wysigings kan insluit; en
- (g) 'n aanbeveling of aanbevelings.

(5)(a) Na oorweging van die verslag beoog in subartikel (4), moet die Raad besluit om die konsepverordening óf te verwerp óf om dit goed te keur met of sonder wysigings.

(b) Indien die Raad die konsepverordening verwerp, kan 'n verordening met dieselfde inhoud nie ingedien word totdat 'n tydperk van ses maande vanaf die datum van verwerping verstryk het nie, tensy die Raad anders gelas.

(c) As die Raad die konsepverordening goedkeur, moet dit vir openbare kommentaar gepubliseer word ooreenkomstig artikel 59.

Indiening van konsepverordening deur komitee

58.(1) 'n Komitee kan 'n konsepverordening indien deur dit voor te lê, saam met 'n memorandum van die oogmerke daarvan, by die Munisipale Bestuurder vir kommentaar.

(2) Die komitee moet die kommentaar ontvang van die Munisipale Bestuurder soos beoog in subartikel (1) oorweeg, en dit weer voorlê aan die Munisipale Bestuurder.

(3)(a) Indien enige ander komitee ook verantwoordelik is vir die hantering van die onderwerp van die konsepverordening, moet die Munisipale Bestuurder 'n verslag voorlê aan sodanige komitee aangaande die noodsaaklikheid, al dan nie, van die verordening.

(b) As die komitee beoog in paragraaf (a) saamstem dat die verordening noodsaaklik is, moet die Munisipale Bestuurder die konsepverordening aan daardie komitee voorlê vir kommentaar.

(4) Die Munisipale Bestuurder moet die konsepverordening met die kommentaar beoog in subartikel (3)(b), waar van toepassing, voorlê aan die Uitvoerende Burgemeester.

(5) Die proses beoog in artikel 57(3)(b) tot (5) is van toepassing op die indiening van 'n konsepverordening deur 'n komitee.

Publikasie van konsepverordening

59.(1)(a) Die Munisipale Bestuurder moet so gou moontlik nadat die Raad goedkeuring verleen het vir 'n verordening beoog in artikels 57 of 58, ooreenkomstig artikel 57(5)(c) die konsepverordening publiseer vir openbare kommentaar.

(b) Die tydperk vir kommentaar moet ten minste 30 werksdae vanaf die datum van publikasie wees, tensy die Raad 'n korter tydperk goedgekeur het.

(2) Publikasie vir openbare kommentaar moet geskied op 'n wyse wat die publiek geleentheid gee om vertoë te rig aangaande die voorgestelde verordening soos beoog in artikel 12(3)(b) van die Stelsels Wet.

Oorweging van konsepverordening

60.(1) Die Munisipale Bestuurder moet so gou doenlik na die sluitingsdatum vir openbare kommentaar beoog in artikel 59, 'n verslag voorlê aan die Uitvoerende Burgemeester tesame met —

(a) 'n afskrif van die konsepverordening;

(b) 'n afskrif van die publikasie beoog in artikel 59;

(c) kommentaar ontvang van die publiek; en

(d) kommentaar of aanbevelings van die Munisipale Bestuurder.

(2) Die Uitvoerende Burgemeester moet die verslag van die Munisipale Bestuurder oorweeg en moet—

(a) 'n verslag aan die Raad voorlê wat die volgende uiteensit:

(i) 'n uitvoerende opsomming van die konsepverordening; en

(ii) enige tersaaklike kommentaar of voorstelle; en

(b) by die Raad aanbeveel dat die verordening aanvaar moet word met of sonder wysigings, om die aanvaarding van die verordening uit te stel of om die verordening te verwerp.

(3) As die Raad die konsepverordening verwerp, mag 'n verordening met dieselfde inhoud nie voorgestel word tot na verstryking van 'n tydperk van ses maande vanaf die datum van sodanige verwerping nie, tensy die Raad anders gelas.

(4) Soos beoog in artikel 20(2)(a), is 'n ondersteunende stem van 'n meerderheid van sittende raadslede nodig om 'n verordening te aanvaar.

(5) Die Raad mag nie 'n verordening aanvaar nie tensy al die raadslede redelike kennis gegee is soos beoog in artikel 160(4)(c) van die Grondwet en artikel 12(3)(a) van die Stelsels Wet.

(6) Nadat 'n verordening aanvaar is, moet dit ooreenkomstig artikel 13 van die Stelsels Wet gepubliseer word.

(7) Hierdie verordening is ook van toepassing op die aanvaarding van standaard konsep- verordeninge soos beoog in artikel 14(4) van die Stelsels Wet.

HOOFSTUK 9

DIVERSE AANGELEENTHEDE

Amptelike tale

61. 'n Persoon wat 'n vergadering toespreek mag enige van die drie amptelike tale gebruik wat erken word deur die Grondwet van die Wes-Kaap, 1997 (Wet 1 van 1998), naamlik Engels, Afrikaans en isiXhosa.

Munisipale werknemers

62. 'n Munisipale werknemer moet 'n vergadering bywoon indien hy of sy versoek word om dit te doen deur die Munisipale Bestuurder of die Speaker.

Oortredings en misdrywe

63.(1) 'n Raadslid, munisipale werknemer of lid van die publiek wat 'n vergadering fisiek bywoon en wat—

(a) weier om die raadsaal of komiteekamer te verlaat in die omstandighede beoog in artikel 9(4) of wanneer hy of sy so gelas word deur die Speaker ingevolge artikels 10, 27(4) of 34(7); of

(b) terugkeer na 'n vergadering waarvan hy of sy onttrek het of verwyder is vir die duur van die vergadering ooreenkomstig hierdie verordening,

kan verwyder word deur 'n persoon aangewys deur die Speaker.

(2) 'n Raadslid, munisipale werknemer of lid van die publiek mag nie—

(a) inmeng met die Raad of dit verhinder in die uitoefening of uitvoering van sy magte, funksies of pligte nie;

(b) met die uitoefening of uitvoering van 'n raadslid se magte, funksies of pligte as 'n raadslid inmeng of dit verhinder nie;

(c) 'n raadslid dreig of verhinder terwyl daardie raadslid op pad is na of van 'n vergadering nie;

(d) 'n raadslid aanrand of dreig nie;

(e) versuim of weier om 'n opdrag van die Speaker na te kom nie; of

(f) versuim of weier om 'n opdrag van 'n behoorlik gemagtigde munisipale werknemer na te kom nie in verband met —

(i) die teenwoordigheid van persone by 'n spesifieke vergadering; of

(ii) die besit van enige item, insluitende 'n vuurwapen, op die perseel waar 'n vergadering plaasvind of op munisipale eiendom.

(3) 'n Persoon, uitsluitend 'n raadslid, wat subartikel (2) oortree, is skuldig aan 'n oortreding en by skuldigbevinding strafbaar met—

(a) 'n boete;

(b) gevangenisstraf soos bepaal deur die voorsittende beampte; of

(c) beide sodanige boete en gevangenisstraf.

(4) Subartikels (1) en (3) doen nie afbreuk aan enige ander strafregtelike of siviele strafbepaling nie of, in die geval van raadslede, 'n sanksie met betrekking tot 'n oortreding van die Kode nie.

(5) 'n Raadslid wat enige van die artikels van hierdie verordening oortree gedurende 'n vergadering bring die integriteit van die munisipaliteit in gedrang en moet ook hanteer word ooreenkomstig die Kode.

Herroeping van verordeninge

64. Die Swartland Munisipaliteit: Verordeninge Insake die Reëls vir die Hou van Vergaderings soos gepubliseer in Provinsiale Koerant 7501 van 2 Oktober 2015 word hiermee in geheel herroep.

Kort titel en inwerkingtreding

65. Hierdie verordening staan bekend as die Swartland Munisipaliteit: Verordening insake die Hou van Vergaderings en tree in werking op die datum van publikasie in die Provinsiale Koerant.

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

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
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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 Φ Ingxelo Φ Report

Office of the Municipal Manager
Internal Audit Division
27 June 2022

5/15/1/5

ITEM 7.3 ON THE AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE MEETING WHICH WILL BE HELD ON 13 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

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

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.

(get) J S Krieger

Municipal Manager

JE/ Disciplinary Board



Verslag Φ Ingxelo Φ Report

Office of the Municipal Manager:
Internal Audit Division

27 June 2022
5/15/1/3

ITEM 7.4 ON THE AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE MEETING WHICH WILL BE HELD ON 13 JULY 2022

SUBJECT: REMUNERATION OF THE MEMBERS OF THE MUNICIPAL PERFORMANCE AND RISK AUDIT COMMITTEE

1. BACKGROUND

The Performance and Risk Audit Committee plays an important oversight role within our Municipality and is becoming more specialised not only with regards to finance but also in the field of risk and performance management.

2. LEGISLATION

The Performance and Risk Audit Committee serves as an independent advisory body appointed by Council and fulfills its function in terms of the provisions of section 166 of the Municipal Finance Management Act of 2003.

3. RECOMMENDATION/ AANBEVELING

3.1 Hourly rates/ Uurlikse skale

The remuneration payable to the members of the Performance and Risk Audit Committee from 1 July 2022 for the preparation and attendance of audit committee meetings or Council meetings is approved for 2022/2023, as follows:

- Chairperson: R820.00 per hour (maximum of 8 hours)
- Members: R700.00 per hour (maximum of 7 hours)

The indicated rates per meeting are sitting fees and include payments in respect of preparation, research and travelling time to and from the meeting venues.

It is recommended that the above-mentioned hourly rates increase annually from 1 July with the percentage adjustment of 5% calculated on the tariff payable to members (not Chairperson) rounded to the nearest R5.00, i.e. 5% of R700 = R35.00 rounded to R35. The hourly rate of the Chairperson will thus change in 2023/24 to R820 + R35 = R855 and other members R700 + R35 = R735. In 2024/25 the hourly rate will increase for members from R735 + 5% = R770 rounded to R770, thus R770. The Chairperson's rate will increase from R855 + R35 = R890.

Die vergoeding betaalbaar aan die lede van die Prestasie en Risiko Ouditkomitee vanaf 1 Julie 2022 vir die voorbereiding en bywoning van ouditkomitee vergaderings of vergaderings van die Raad, goedgekeur word, soos volg:

- Voorsitter: R820.00 per uur (maksimum van 8 ure)
- Lede: R700.00 per uur (maksimum van 7 ure)

Die maksimum ure per vergadering sluit in die bywoning, voorbereiding, navorsing en reistyd na en van die lokaal waar die vergaderings gehou word.

Dit word aanbeveel dat bogenoemde uurlikse tariewe voortaan jaarliks vanaf 1 Julie verhoog met die persentasie-aanpassing van 5% bereken op die tarief betaalbaar aan die lede (nie Voorsitter) afgerond tot die naaste R5.00, d.w.s. 5% van R700 = R35 afgerond na R35. Dus die Voorsitter se uurlikse tarief sal in 2023/24 verander na R820 + R35 = R855 en ander lede R700 + R35 = R735. In 2024/25 sal lede se uurlikse tarief verhoog van R735 + 5% = R36.75 afgerond na R35, dus R770. Die Voorsitter se tarief verhoog van R855 + R35 = R890.

3.2 Number of meetings/ Aantal vergaderings

A minimum of four meetings will be held annually, two of which will include Performance Management and the other two meetings Risk Management. Additional meetings convened will be held in consultation with the Municipal Manager in order to control the expense in this regard.

'n Minimum van vier vergaderings per jaar sal belê word, waarvan twee van die vergaderings Prestasiebestuur sal insluit en ander twee Risikobestuur. Addisionele vergaderings wat belê word sal in oorleg met die Munisipale Bestuurder geskied ten einde die uitgawe in hierdie verband te kontroleer.

3.3 Travelling costs/ Reiskostes

Travel costs will be paid in accordance with the tariff as prescribed in the Travel Accommodation and Subsistence Policy of the Municipality.

Reiskostes sal betaal word ooreenkomstig die tarief soos voorgeskryf in die Reis- en Verblyfbeleid van die Munisipaliteit.

(get) J S Krieger

MUNICIPAL MANAGER

JE/KS



Verslag ♦ Ingxelo ♦ Report

Office of the Director: Corporate Services
21 June 2022

2/B
WYK: NVT

ITEM 7.5 OF THE AGENDA OF AN EXECUTIVE MAYORAL COMMITTEE MEETING TO BE HELD ON 13 JULY 2022

**SUBJECT: HUMAN RESOURCES PLAN FOR 2017-2022: EXTENSION OF PLAN
UNTIL 30 JUNE 2023**

1. BACKGROUND/DISCUSSION

- 1.1 The Swartland Municipality Human Resources Plan is based on the Human Resources Standards as highlighted in the South African Board for People Practices (SABPP) Human Resources Management Standards Model with a focus on the Action Plans as identified in the Swartland Municipality's Integrated Development Plan (IDP) and performance objectives for the five year period where applicable.
- 1.2 The Human Resources Plan for 2017-2022 was approved by the Executive Mayoral Committee on 24 January 2018 for the period 1 July 2017 to 30 June 2022 to run concurrently with the IDP.
- 1.3 The HR Plan was reviewed annually. The review process served as a learning process and remained a strategic process of ensuring the institution remained in touch with their intentions and the environment within which it functions. Although the implementation of the HR Plan was monitored through the regular monitoring which included systems such as the performance management system, an annual process was required to check the relevance of the HR plan within a dynamic environment.
- 1.4 The implementation of the Municipal Staff Regulations (MSR) promulgated on 20 September 2021 for implementation on 1 July 2022, has a further impact on the HR Plan. In terms of the MSR, the municipality must develop a Human Resource Strategy and Implementation Plan and ensure alignment to the IDP, Budget, Spatial Development Framework, Employment Equity Plan and the Workplace Skills Plan. The Executive Mayoral Committee resolved the following on 19 May 2022 regarding the implementation of the MSR:
 - (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.
- 1.5 A new HR Plan must be compiled to run concurrently with the IDP. On 18 August 2021 the Executive Mayoral Committee extended the term of the IDP with one year to provide the new Council another year to compile a new IDP. The HR Plan focuses on the Action Plans as identified in the IDP and performance objectives for the period of the plan. A new HR Plan can therefore only be compiled once the new IDP has been adopted.
- 1.6 In order to provide sufficient time for the compilation of a new HR Plan based on the new IDP, it is necessary that the current period of the HR Plan be extended for 12 months until 30 June 2023.

2./...

2. **LEGISLATION**

Local Government: Municipal Systems Act (Act 32 of 2000)
Basic Conditions of Employment Act (Act 75 of 1997)
Employment Equity Act (Act 55 of 1998)
Skills Development Act (Act 97 of 1998)
Skills Development Levies Act (Act 28 of 1999)
Labour Relations Act (Act 66 of 1995)
Occupational Health and Safety Act (Act 85 of 1993)
Local Government: Municipal Staff Regulations, 2021

3. **ALIGNMENT TO THE IDP**

In terms of Chapter 7 of the IDP the Human Resources Plan is aligned to Strategic Goal 4 namely Caring, Competent and Responsive Institutions, Organisations and Business as well as Strategic Goal 5 namely Sufficient, Affordable and Well-Run Services.

4. **FINANCIAL IMPLICATION**

The extension of the Human Resources Plan has no financial implication for Swartland Municipality.

5. **RECOMMENDATION**

That the extension of the current HR Plan for 12 months until 30 June 2023 in line with the extension of the current IDP, be approved.

(get) M S Terblanche

MUNICIPAL MANAGER

ITEM 7.6 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE-VERGADERING WAT GEHOU SAL WORD OP 13 JULIE 2022

ONDERWERP: <i>CAPENATURE</i> : VOORGESTELDE MEMORANDUM VAN OOREENKOMS INSAKE ONWETTIGE GRONDBESSETTING
SUBJECT: <i>CAPENATURE</i> : PROPOSED MEMORANDUM OF AGREEMENT REGARDING UNLAWFUL LAND INVASION

1. BACKGROUND

- 1.1 During discussions with the Protection Services directorate, *CapeNature* expressed its keenness to conclude a Memorandum of Agreement (MoA) with the Municipality in an attempt to formalize possible assistance by the Municipality for the prevention of and rapid response to unlawful occupation of land managed by *CapeNature*. The areas concerned are the Ganzekraal Conservation Area and the Riverlands Nature Reserve, which areas are located within the Swartland municipal boundary, as indicated on the map appended to the draft/proposed MoA attached as **ANNEXURE A** hereto.
- 1.2 Management, in principle, is in support of the agreement, in that it would promote an integrated approach and pro-active stance towards the prevention of unlawful invasion and/or occupation of land in the Swartland. It would also contribute towards the mission of the municipal law enforcement unit, i.e. to prevent land grabs in the Swartland through sustainable enforcement practices and integrated strategies in partnership with both internal and external stakeholders.
- 1.3 The MoA will be for a period of three years.
- 1.4 The patrol of land managed by *CapeNature* shall take place during the normal course of patrol of land by municipal staff, and will at all times be subject to the Municipality having the available resources and manpower to fulfill this obligation.

RECOMMENDED

- (a) That approval be granted for the proposed Memorandum of Agreement to be entered into with *CapeNature* regarding the unlawful invasion and/or occupation of land, subject thereto that the contents shall be finalized by the Director: Protection Services and Director: Corporate Services;
- (b) That the Municipal Manager be authorized to sign the final agreement on the Municipality's behalf;
- (c) That it be noted that the hourly tariffs in respect of law enforcement services shall apply, as determined annually by Council.

AANBEVEEL

- (a) Dat goedkeuring verleen word dat die voorgestelde Memorandum van Ooreenkoms met *CapeNature* aangegaan word rakende die onwettige besetting of okkupasie van grond, onderhewig daaraan dat die inhoud deur die Direkteur: Beskermingsdienste en Direkteur: Korporatiewe Dienste gefinaliseer sal word;
- (b) Dat die Munisipale Bestuurder gemagtig word om die finale ooreenkoms namens die Munisipaliteit te onderteken;
- (c) Dat kennis geneem word dat die uurtariewe ten aansien van wetstoepassingsdienste sal geld, soos jaarliks vasgestel deur die Raad.

(get) M S Terblanche

MUNISIPALE BESTUURDER

MEMORANDUM OF AGREEMENT

entered into by and between

The Western Cape Nature Conservation Board t/a CapeNature

Established in terms of Section 2 of the Western Cape Nature Conservation Board Act, 1998 (Act No. 15 of 1998), t/a CapeNature

Represented by **Dr Razeena Omar** in her capacity as **Chief Executive Officer**

duly authorised thereto

(Herein referred to as "**CapeNature**")

THE MUNICIPALITY

(Herein represented by in his/her Municipality as duly authorised thereto)

(Hereinafter referred to as "**the Municipality**")

in respect of

THE UNLAWFUL INVASION AND/OR OCCUPATION OF LAND

PREAMBLE

WHEREAS CapeNature is a Schedule 3C public entity responsible for nature conservation in the Western Cape, discharging this mandate in terms of Schedule 4 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) as amended, which sets out functional areas of concurrent national and provincial legislative competence.

AND WHEREAS CapeNature, the provincial authority responsible for nature conservation in the Western Cape, is the executive arm of the Western Cape Nature Conservation Board ("**WCNCB**"), established in terms of the Western Cape Nature Conservation Board Act (Act No. 15 of 1998) as amended. The Act has 3 (three) general objectives namely:

- a) To promote, ensure and enhance biodiversity conservation and related matters within the framework of sustainable development.
- b) To render services and provide facilities for research, education and awareness in connection with biodiversity and related matters in the Province; and
- c) To generate income, within the framework of any applicable policy determined by the responsible Minister of the Provincial Cabinet.

AND WHEREAS CapeNature's mission is conserving nature for resilience and sustainability.

AND WHEREAS the xxxx Municipality (*insert acronym where relevant*) is a Category xxx municipality, discharging its mandate in terms of Schedule 4 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) which sets out functional areas of concurrent national and provincial legislative competence.

AND WHEREAS xxx Municipality's Law Enforcement mission is to xxxxx throughout the area of the municipality and undertakes activities such as monitoring and communicating early warning indicators, patrol duties, law and order.

AND WHEREAS CapeNature is responsible for the management of the following protected areas or parts thereof that occur within the xxxx municipal boundary:

Ganzekraal Conservation Area;

Riverlands Nature Reserve

AND WHEREAS xxxxx Municipality is responsible, in terms of *(insert relevant legislation)* to xxxxxxx within the district/xxxx as a whole and governed by relevant By-Laws and associated cross boundary cooperation and enforcement protocols.

AND WHEREAS the CapeNature is obligated in terms of the National Environmental Protected Areas Act, 2003 (Act No. 57 of 2003) to manage protected areas for the purpose for which they were declared; and to adhere to Norms and Standards for the management of protected areas as stipulated by the National Protected Area Management Act, 2003 (Act No. 57 of 2003) Norms and Standards for the Management of Protected Areas in South Africa.

AND WHEREAS it is therefore in the interest of the Parties to this Agreement to co-operate for the optimisation of any combination of their resources to expeditiously deal with threats and incidents of unlawful occupation within and adjacent to any and all, CapeNature managed protected areas within the *(insert municipality name)* Municipality.

AND WHEREAS there is a need to:

- regulate and formalise such co-operation and the structures, systems, processes, procedures and responsibilities relating to such co-operation;
- an integrated approach to prevention of unlawful invasion and/or occupation of land;

- rapid response with regards to the prevention of unlawful invasion and/or occupation of land.

AND WHEREAS the Constitution promotes co-operative governance and good intergovernmental relations.

AND WHEREAS in the spirit of co-operative governance, and in terms of section 238 of the Constitution of the Republic of South Africa, 1996, the Parties have agreed to enter into an Agreement in terms of which the Municipality and CapeNature will cooperate to rapidly respond to and prevent unlawful invasion and/or occupation of their vested land that falls within the Municipality's area of jurisdiction.

NOW THEREFORE THE PARTIES AGREES AS FOLLOWS:

1. INTERPRETATION

- 1.1 The headings of the clauses in this Agreement are for the purpose of convenience and reference only and shall not be used in the interpretation of nor modify nor amplify the terms of this Agreement nor any clause thereof.
- 1.2 In this Agreement, unless a contrary intention is clear, the following shall apply:
 - 1.2.1 Words importing one gender include the other gender; the singular includes the plural and vice versa; and natural persons include created entities and vice versa.
 - 1.2.2 Words and expressions defined in any sub-clause shall, for the purpose of the clause of which that sub-clause forms part, bear the meaning assigned to such words and expressions in that sub-clause.
 - 1.2.3 If any provision in a definition is a substantive provision conferring rights or imposing obligations on any Party, effect shall be given to it as if it were a substantive clause in the body of the Agreement, notwithstanding that it is only contained in the interpretation clause.

1.2.4 If any period is referred to in this Agreement by way of reference to a number of days, the days shall be reckoned exclusively of the first and inclusively of the last day.

1.3 The following terms shall have the meanings assigned to them hereunder and cognate expressions shall have a corresponding meaning:

1.3.1 **“Agreement”** means this Agreement together with all annexures annexed hereto, entered into by and between the Parties;

1.3.2 **“Building(s) or Structure(s)”** includes any hut, shack, tent or similar structure or any other form of temporary or permanent dwelling or shelter;

1.3.3 **The Municipality** refers to the municipality, a Category (*insert appropriate category*) municipality discharging its mandate in terms of Schedule 4 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996);

1.3.4 **“CapeNature”** means the Western Cape Nature Conservation Board t/a CapeNature, a statutory body established in terms of section 2 of the Western Cape Nature Conservation Board Act, 1998 (Act 15 of 1998);

1.3.5 **“Commencement Date”** means the date of signature of this Agreement by the Party signing last in time;

1.3.6 **“Constructive Eviction”** means any act or omission, including the deprivation of access to land, which is calculated or likely to induce a person to vacate occupied land;

1.3.7 **“Day”** means any day of the week, excluding Saturdays, Sundays and public holidays in the Republic of South Africa recognised as such under the Public Holiday Act, 36 of 1994;

- 1.3.8 **“Evict”** means to expel a person of occupation of a building or structure, or the land on which such building or structure is erected, against his or her will, and **“eviction(s)”** has a corresponding meaning;
- 1.3.9 **“Law Enforcement”** means the action of activity of compelling observance of or compliance with the law by relevant members of SAPS and the Municipality;
- 1.3.10 **“Managing Authority”** means property assigned or vested within CapeNature for management thereof;
- 1.3.11 **“Nature Reserve”** as defined in section 1 of the National Environmental Management: Protected Areas Act, 57 of 2003 means –
- (a) an area declared, or regarded as having been declared, in terms of section 23 as a nature reserve, or
 - (b) an area which before or after commencement of this Act was or is declared or designated in terms of provincial legislation for a purpose for which that area could in terms of section 23(2) be declared a nature reserve,
- and includes an area declared in terms of section 23(1) as part of an area referred to in paragraph (a) or (b) above;
- 1.3.12 **“Organ of State”** means an organ of state as defined in section 239 of the Constitution of the Republic of South Africa, 108 of 1996;
- 1.3.13 **“Owner”** means the registered owner of land, including an Organ of State;
- 1.3.14 **“Parties”** means the Municipality and CapeNature, and **“Party”** means either one of them as the context may require;
- 1.3.15 **“Person in Charge”** means a person who has or at the relevant time had the legal authority to give permission to another person to enter or reside upon the land in question;

- 1.3.16 "**POPIA**" refers to the Protection of Personal Information Act, 4 of 2013;
- 1.3.17 "**SAPS**" means the South African Police Service a public agency established in terms of Chapter 11 of the Constitution of the Republic of South Africa;
- 1.3.18 "**Schedule of Fees**" means a list of fees that must be paid for actual expenses incurred in terms of this Agreement or as agreed upon between the Parties, annexed hereto as Annexure A;
- 1.3.19 "**State owned land**" means all the land in the Republic of South Africa owned by and under the control of the relevant spheres of government;
- 1.3.20 "**Unlawful Invasion and/or Occupation**" means the invasion or occupation of land without the consent of the owner or person in charge, or without any other right in law to occupy such land. For the purposes of this definition, "consent" means the express or tacit consent, whether in writing or otherwise, of the owner or person in charge of the occupation by the occupier of the land in question;
- 1.3.21 "**VAT**" means value-added tax levied in terms of the Value-Added Tax Act, No. 89 of 1991, as amended or any other similar tax levied on the supply of goods and/or services from time to time. This Agreement is subject to any change in the rate of VAT from time to time. Should the VAT rate, as at the Commencement Date of this Agreement, vary, then any amounts which the Parties are obliged to pay in terms of this Agreement (if any), which are expressed inclusive of VAT, shall increase, or decrease as the case may be, in accordance with, and with effect from the effective date of such variation.

2. COLLABORATIVE EFFORT

- 2.1 The relationship between the Parties in terms of this Agreement shall involve a close collaboration between the Parties.

- 2.2 The Parties will co-operate with each other in good faith at all times and they warrant in their dealings with each other that they shall neither do anything or refrain from doing anything which might prejudice or detract from the rights, assets, or interests of any of them.

3. OBJECTIVES OF THE AGREEMENT

- 3.1 The Parties agree to co-operate in the optimisation of their respective resources to systematically and expeditiously rapidly respond to and prevent the unlawful invasion and/or occupation on and adjacent to all CapeNature protected areas within the xxxx municipal area as a whole.
- 3.2 Formalise and regulate such co-operation and structures, systems, processes, procedures and responsibilities relating to such co-operation with the aim of coordinating the implementation and maintenance of integrated rapid response and prevention of unlawful invasion and/or occupation.
- 3.3 Formalise the conditions for the procedure, in terms of which the rendering of assistance for rapid response and prevention will be approached and regulated.
- 3.4 Ensure the safety of staff, prevention, detection, surveillance and monitoring related to integrated response to threats and incidents of unlawful invasion and/or occupation.

4 RENDERING OF ASSISTANCE IN THE PREVENTION OF UNLAWFUL INVASION AND/OR OCCUPATION OF LAND AND OTHER RELATED INCIDENTS

- 4.1 The Parties to this Agreement are willing, upon request from the other Party and in accordance with the terms and conditions of this Agreement, to render assistance to prevent and rapidly respond to threats and/or incidents of unlawful invasion and/or occupation, provided that:

- 4.1.1 A Party requesting assistance must specify the resources requested.
 - 4.1.2 Where assistance is requested, such assistance shall be provided rapidly and efficiently if available.
- 4.2 Parties will apply the Incident Command System ("**ICS**") to facilitate joint operations and participate in Joint Operation Command Structures facilitated by the Municipality.
- 4.3 CapeNature will take the lead as Incident Commander at incidents on land managed by CapeNature.

5. COMMENCEMENT AND DURATION

- 5.1 The Parties have agreed that the Municipality will assist CapeNature to rapidly respond to and prevent any threat and/or incident of unlawful invasion and/or occupation of state-owned land that falls within the Municipality's area of jurisdiction, and that the Municipality will act as an agent in this regard.
- 5.2 This Agreement shall commence on the Commencement Date and shall endure for a period of 3 (three) years where-after this Agreement will terminate automatically.
- 5.3 The Agreement may be renewed for a further period (insert period), subject to an annual review process, upon mutual Agreement between the Parties and reduced to writing and signed by both Parties, executed at any time prior to the expiry of this Agreement.
- 5.4 Either Party shall be entitled to terminate this Agreement by giving the other Party 90 (ninety) days written notice of its intention to terminate.

6. ROLES AND RESPONSIBILITIES OF THE PARTIES

6.1 Roles and responsibilities of the Municipality

- 6.1.1 The Municipality shall, through its relevant department during the normal course of patrol of land by its staff, also inspect and patrol land managed by CapeNature. This obligation of the Municipality will at all times be subject to the Municipality having the available resources and manpower to fulfil this obligation.
- 6.1.2 The Municipality may utilise technology such as surveillance in accordance with the National Environmental Protected Areas Act (Act No. 57 of 2003) and Regulations, to monitor land managed by CapeNature. Surveillance may include aerial survey methods such as drone technology to document the status of the land managed by CapeNature.
- 6.1.3 CapeNature hereby authorises the Municipality to take the necessary steps on their behalf to prevent the unlawful invasion and/or occupation of their land.
- 6.1.4 The Municipality shall inform the relevant Landscape Unit Manager at CapeNature of any unlawful invasion and/or occupation of their land, as soon as reasonably possible.
- 6.1.5 The Municipality may use reasonable force to rapidly respond to and prevent the unlawful invasion and/or occupation of CapeNature managed land and must take reasonable steps to minimise damage to the property of others while taking steps to prevent the unlawful invasion and/or occupation of the land.
- 6.1.6 The Municipality shall ensure the safety of staff during any operation to rapidly respond to and prevent the threat of and/or incidents of unlawful invasion and/or occupation.

- 6.1.7 The obligations of the Municipality in terms of this Agreement shall at all times be undertaken by the Municipality, subject to the availability of manpower and resources of the Municipality for this purpose. In the event of a planned land invasion and/or unlawful occupation of CapeNature managed land, CapeNature authorises the Municipality to incur reasonable overtime costs outside normal working hours which costs shall be in accordance with the schedule of fees annexed hereto as Annexure A, to prevent such unlawful invasion and/or occupation, the cost of which CapeNature agrees to pay, subject to the provisions of clause 6.2.8 below.
- 6.1.8 Although the Municipality will take the necessary steps to prevent the unlawful invasion and/or occupation of CapeNature managed land, the Municipality shall not attend to instituting any evictions proceedings on their behalf and shall not apply constructive eviction at any time.
- 6.1.9 In the event of an unlawful occupation of the land, the Municipality shall assist CapeNature documenting the unlawful occupants and implement monitoring utilising methods such as aerial surveillance through drone technology.

6.2 Roles and responsibilities of CapeNature

- 6.2.1 CapeNature in its capacity as managing authority shall, as soon as is reasonably possible, provide the Municipality with the necessary details of all their land within the Municipality's area of jurisdiction.
- 6.2.2 CapeNature acknowledges its obligation towards the protection of property assigned and/or vested within CapeNature for management thereof.
- 6.2.3 CapeNature shall at all times take all reasonable steps to ensure that their land is protected and secured including but not limited to, methods

such as appropriate boundary demarcation, fencing, signage, patrols and surveillance.

- 6.2.4 CapeNature will inform the Municipality as soon as reasonably possible of any unlawful invasion and/or occupation of National, Provincial and enterprises land managed by CapeNature or adjacent to its protected areas.
- 6.2.5 CapeNature shall undertake to inform the South African Police Services ("**SAPS**") of the unlawful invasion and/or occupation of CapeNature managed land and to request assistance from the SAPS. CapeNature shall ensure that it reports a case of trespassing at SAPS in respect of the unlawful invasion and/or occupation of land managed and/or owned by CapeNature.
- 6.2.6 CapeNature in consultation with their legal representatives will determine the most appropriate legal recourse available to protect land managed by CapeNature from unlawful land invasion and/or occupation included but not limited to obtaining the relevant court order and/or interdict.
- 6.2.7 CapeNature shall provide the Municipality with reasonable access to its land for the purposes of this Agreement.
- 6.2.8 The Parties acknowledge that, in complying with its responsibilities in terms of this Agreement, the Municipality will incur expenses. The Parties will from time to time agree on a written schedule of fees, annexed hereto as Annexure A, in terms of which CapeNature will reimburse the Municipality for the actual expenses incurred by the Municipality in complying with its obligations in terms of this Agreement. CapeNature shall reimburse the Municipality for expenses incurred by it and its partners for support provided through the Law Enforcement Interregional Agreement resources in line with the schedule of fees within 30 (thirty) days of receiving an invoice from the Municipality.

7. SETTLEMENT OF DISPUTES

- 7.1 This Agreement shall be governed by and construed in accordance with the laws of the Republic of South Africa.
- 7.2 In the event of any dispute arising from this Agreement, the Parties shall make every effort to settle such dispute amicably.
- 7.3 If the dispute is not capable of being settled between the Parties amicably, such dispute shall be elevated to the senior management / executive or their duly designated representatives for mediation purposes.
- 7.4 Should the dispute, despite such mediation, remain unresolved for a period of 30 (thirty) days after being referred:
- 7.4.1 the Parties may, if the dispute is not an intergovernmental dispute as defined in the Intergovernmental Relations Framework Act, 13 of 2005 ("**the IGR Act**"), by mutual consent, follow an arbitration procedure as agreed between them, without detracting from either Party's right to institute action or motion proceedings in the High Court or other Court of competent jurisdiction in respect of any dispute that may arise out of this Agreement;
- 7.4.2 either Party may, if the dispute is an intergovernmental dispute as defined in the IGR Act, declare such dispute a formal intergovernmental dispute by notifying the other Party of such declaration in writing, in which event the Parties will follow the procedure as outlined in the IGR Act. Should the dispute still remain unresolved, the dispute will be adjudicated by a competent court of law with jurisdiction to hear the matter.

8. BREACH AND TERMINATION

- 8.1 In the event of an act of default being committed by either Party, the affected Party may, without prejudice to any other right or remedy it may have in law, give written notice to the defaulting Party to remedy such default within 30 (thirty) days of receipt of such notice.
- 8.2 If the defaulting Party fails to remedy the breach within the 30 (thirty) day notice period, the affected Party shall be entitled, but not obliged, to cancel this Agreement either in whole or in part by giving the other Party 30 (thirty) days written notice of its intention to do so.
- 8.3 Either Party shall give the other Party 30 (thirty) days' notice, in writing, of its intention to terminate the Agreement should any of the following conditions be applicable:
- 8.3.1 Either Party knowingly discloses to any unauthorised person confidential information, unless obliged to do so by a court of law;
- 8.3.2 Either Party knowingly provided incorrect material or false information to the other Party.
- 8.4 The termination described in clause 8.3 above, shall be without prejudice to any other rights or powers, which either Party may have against the other Party including a claim for damages.

9. STANDARD OF CARE

All obligations to be fulfilled by each Party in terms of this Agreement shall be performed with due care and diligence, in a competent, professional and timely manner, and in conformity with sound business and accounting practices.

10. VARIATION

No addition to or variation, consensual cancellation or novation of this Agreement and no waiver of any right arising from the Agreement, or its breach or termination shall be of any force or effect unless reduced to writing and signed by both Parties.

11. RELAXATION

No latitude, extension of time or other indulgence which may be given or allowed by any Party to the other Party in respect of the performance of any obligation hereunder or enforcement of any right arising from this Agreement and no single or partial exercise of any right by any Party shall under any circumstances be construed to be an implied consent by such Party or operate as a waiver or a novation of, or otherwise affect any of that Party's rights in terms of or arising from this Agreement or stop such Party from enforcing, at any time and without notice, strict and punctual compliance with each and every provision or term thereof.

12. NO CESSION / TRANSFER

No rights or obligations which either Party may have in terms of this Agreement shall be capable of cession or transfer without the prior written consent of the other Party.

13. ENTIRE AGREEMENT

This Agreement together with all the annexures hereto, constitutes the entire Agreement between the Parties and no variation, amendment or addition to this Agreement shall be of any force and effect unless agreed upon, reduced to writing and signed by both Parties.

14. INSURANCE

The Parties shall, where applicable, be responsible for taking out any appropriate insurance coverage for the purpose of this Agreement.

15. NOTICES AND DOMICILIA

15.1 The Parties choose as their *domicilium citandi et executandi* their respective addresses as set out in this clause for all purposes arising out of or in connection with this Agreement, at which addresses all processes and notices arising out of or in connection with this Agreement, its breach or termination, may validly be served upon or delivered to the Parties.

15.2 For the purpose of this Agreement the Parties' respective addresses shall be:

Western Cape Nature Conservation Board t/a CapeNature

Chief Executive Officer

Dr Razeena Omar

PGWC Shared Services Centre

Cnr Bosduif & Volstruis Streets

Bridgetown

7764

The Municipality

Municipal Manager

Relevant address

15.3 Each of the Parties shall be entitled, from time to time by written notice to the other, to vary its *domicilium* to any other physical address within the Department, which address may not be a post office box or poste restante.

15.4 Any notice given in terms of this Agreement shall be in writing and shall:

15.4.1 if delivered by hand, be deemed to have been duly received by the addressee on the date of delivery;

15.4.2 if forwarded by pre-paid registered post, be deemed to have been received by the addressee 7 (seven) days after the date of postage; or

15.4.3 if transmitted by telefax or email (subject to the transmitter retaining the fax transmission slip) shall be deemed (in the absence of proof to the contrary) to have been received within 1 (one) hour of transmission where it is transmitted during normal business hours of receiving instrument and within 2 (two) hours of commencement of the following business day where it is transmitted outside those business hours.

15.5 Notwithstanding anything to the contrary contained in this Agreement, a written notice or communication actually received by one of the Parties from the other Party shall be adequate written notice of communication to such Party.

16. NO AGENCY OR PARTNESHIP

Neither Party shall have any authority over the other Party's internal business affairs or decisions. Neither Party shall have the authority to act on behalf of, or legally bind the other Party, including holding itself out as having any such authority. This Agreement shall not be construed as creating a partnership.

17. FORCE MAJEURE

17.1 In the event that a Party is unable to perform any of its obligations under this Agreement and such non-performance is caused by acts of God, rained out venues, riots, civil insurrection, acts of a public enemy, accidents, acts of a civil or military authority, floods, earthquakes or winds, pestilence or epidemic accident, pandemic or similar situations beyond the reasonable control of the Party concerned, such failure to perform will not constitute a breach of this Agreement.

- 17.2 The Party incapable of performing will, at no cost to the other Party, exercise due diligence to shorten the duration of such non-performance and keep the other Party informed of all steps being taken to enable performance under this Agreement.
- 17.3 The relevant terms of this Agreement will be suspended in the event of non-performance in terms of clause 17.1 above.
- 17.4 If the cause of the force majeure prevents the Party concerned from performing for a period exceeding 6 (six) months, either Party may exercise their right to cancel this Agreement.

18. LEGAL COMPLIANCE

The Parties shall at all times throughout the duration of this Agreement, comply with all relevant laws, by-laws, regulations, directives and applicable authorities in the execution of its duties as determined in this Agreement.

19. COMPLIANCE WITH THE PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013

- 19.1 The Parties acknowledge their respective obligations to comply with the applicable provisions of the Protection of Personal Information Act, 4 of 2013 (hereinafter referred to as "**POPIA**").
- 19.2 Where any Party receives any personal information as defined in POPIA it shall ensure that it fully complies with the provisions of POPIA and only deal with the personal information to fulfil its obligations under this Agreement. The personal information received shall not be further processed or disclosed without the consent of the disclosing party.
- 19.3 Each party therefore understands and agrees, notwithstanding any contrary provision in any other agreement between the parties, that each party retains its full rights to pursue legal or equitable remedies in the event of any breach

or threatened breach of the provisions dealing with POPIA, and may prevent the other party, any of its agents or subcontractors, or any third party who has received records from that party from violating this Agreement by any legal means available. Each party further understands that violation of the provisions dealing with POPIA may subject that party to applicable legal penalties, including those provided under POPIA.

19.4 Within 30 (thirty) days after the termination of this Agreement, for whatever reason, the receiving party of either party's personal information shall return same or at the discretion of the disclosing party of such personal information, destroy such personal information, and shall not retain copies, samples, or excerpts thereof except where legislation requires the receiving Party to retain the personal information. In such a case, the receiving Party shall return or destroy such personal information, within 30 (thirty) days after the required legislative duration to retain the personal information has lapsed.

19.5 In cases where the disclosing party has elected for the personal information to be destroyed, as provided for in clause 19.4 above, the receiving party shall, within 10 (ten) days of receiving the instruction to destroy the personal information, send an affidavit confirming the destruction of personal information.

20. WARRANTY OF AUTHORITY

Each Party warrants to the other that it has the power, authority and legal right to sign and perform this Agreement and that this Agreement has been duly authorised by all necessary actions of its officials or structures, if required, and constitutes valid and binding obligations on it in accordance with the terms of this Agreement.

21. INDEMNITY

Both Parties hereby indemnify each other and undertake to defend at their own costs any action or claim which may be made against the other Party or its agents or employees for any direct loss, damage, injury or death resulting from any act or omission by that Party in its performance of any obligation and/or function or duty in terms of this Agreement, excluding any act or omission which is directly or indirectly due to the other Party failing to timeously and fully comply with or execute any of its functions, duties or obligations under or in terms of this Agreement.

22. CONFIDENTIALITY

22.1 During the course of this Agreement, one Party may provide the other Party with information which it wishes to keep confidential.

22.2 Information disclosed by one Party ("**the Disclosing Party**") to the other Party ("**the Receiving Party**") and which is designated as confidential, will be treated as confidential by the Receiving Party and may not be disclosed, whether entirely or partially to any third party, unless prior consent has been obtained from the Disclosing Party.

22.3 The Parties agree to use the confidential information for the sole purpose of this Agreement only.

22.4 The Parties agree that this Agreement is not intended to restrict the use or disclosure of any information which:

22.4.1 is made known to the public through no fault by the Receiving Party regarding its obligations under this Agreement;

22.4.2 is rightfully received by the Receiving Party from a third party having no obligation of confidentiality to the Disclosing Party;

22.4.3 is independently developed by the Receiving Party by persons who did not have access to Confidential Information of the Disclosing Party; or

22.4.4 is disclosed by the Receiving Party after receipt of written permission from the Disclosing Party.

22.5 The provisions of this clause will survive the termination of this Agreement.

23. GENERAL

23.1 Neither Party will present itself as the representative or agent of the other Party for any business, legal or any other reason, nor shall it have the power of authority to commit the other Party, unless it receives the other Party's prior written consent.

23.2 No failure or delay by any Party in exercising any right, power or privilege hereunder will operate as a waiver thereof nor will any single or partial exercise of any such right, power or privilege preclude any other or further exercise thereof. The rights and remedies provided herein are cumulative and not exclusive of any rights or remedies which the Parties would otherwise have.

23.3 If any clause or term of this Agreement should be declared invalid, unenforceable or illegal, then the remaining terms and provisions of this Agreement will be severable from it and will continue to be of full force and effect.

SIGNED AT _____ ON THIS ____ DAY OF _____ 2022.

Dr Razeena Omar on behalf of
CapeNature, duly authorised

AS WITNESSES:

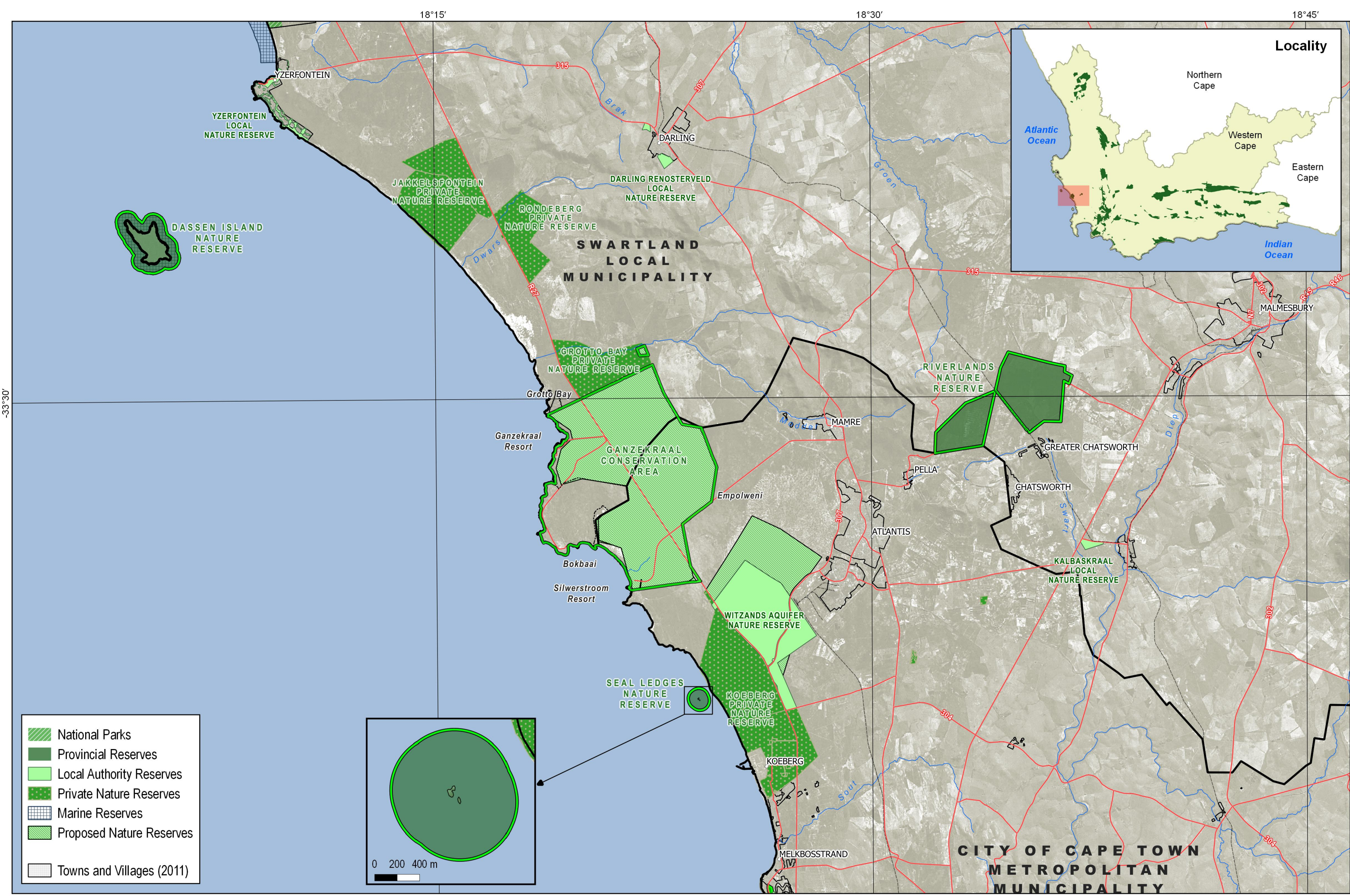
- | | | |
|----|----------------|-----------|
| 1. | _____ | _____ |
| | Name & Surname | Signature |
| 2. | _____ | _____ |
| | Name & Surname | Signature |

SIGNED AT _____ **ON THIS** ____ **DAY OF** _____ **2022.**

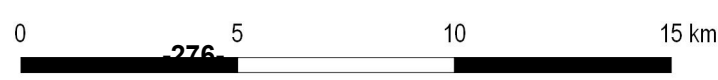
xxxxxx on behalf of **xxxxxx**
Municipality, duly authorised

AS WITNESSES:

- | | | |
|----|----------------|-----------|
| 1. | _____ | _____ |
| | Name & Surname | Signature |
| 2. | _____ | _____ |
| | Name & Surname | Signature |



— Major Roads — Railways — Major Rivers — Dassen Coastal Complex — Bokbaai



Projection: Transverse Mercator, Central Meridian 19°E, WGS84
Background: Landsat 7, 2002/02, EarthSat image
15 October 2018

**ITEM 7.7 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE
VERGADERING WAT GEHOU SAL WORD OP 13 JULIE 2022**

ONDERWERP: RAAMWERK VIR DIE DE VLEI AMFITEATER DARLING SUBJECT: <i>FRAMEWORK OF DE VLEI AMPHITHEATRE DARLING</i>

1. BACKGROUND

During the public participation meeting of the Darling RSEP programme needs was identified and a project list compiled. The first project that was identified by the Council of Stakeholders was an Amphitheatre with the purpose to create a space for social cohesion where communities can come together and enjoy art, culture, performances and experience a sense of place.

The Amphitheatre was constructed during 2020-2021 with the funding of Department of Environmental Affairs and Development planning and was officially opened on 19 October 2021. Since the opening, there was numerous request from the public to make use of the intercultural space.

In the absence of the framework it creates a risk to allow organisations to make use of the De Vlei Amphitheatre Darling without proper guidelines to ensure that the space is used for the intended use and the responsibilities of parties involved.

The Framework for the De Vlei Amphitheatre will ensure sustainability of the amphitheatre in terms of clear criteria for the usage of the space that will contribute to Darling's cultural diversity and social cohesion.

2. LEGASLATIVE INSTRUMENTS:

- 2.1. Constitution of the Republic of South Africa, 1996
- 2.2. Safety at Sports and Recreational Events Act, 2010 (Act 2 of 2010)
- 2.3. Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)
- 2.4. Integrated Development Framework
- 2.5. Swartland Spatial Development Framework 2017
- 2.6. Bylaw for the Prevention of Public Nuisances 2015

- 2.7. Western Cape Liquor Act 2010
- 2.8. Disaster Management Act 2016
- 2.9. Covid 19 Regulations

3. LINK WITH THE INTEGRATED DEVELOPMENT PLAN

This project directly link with the Integrated Development Plan of 2017-2022

- Strategic Goal 1: Improved quality of life for citizens

4. FINANCIAL IMPLICATIONS

No current expenses for the Municipality, but a notice board with instructions of what is permitted and not permitted actions will have to be erected to make the community aware. The Civil Department already indicated that the expense for the notice board is allocated to their budget.

5. RECOMMENDATION

- 5.1 *That the attached framework for the De Vlei Amphitheatre criteria and application process be approved and reviewed annually to determine if the criteria is still applicable;*

(get) J S Krieger

MUNICIPAL MANAGER



FRAMEWORK: AMPHITHEATRE DARLING

1. INTRODUCTION & BACKGROUND:

The Darling Amphitheatre called De Vlei originate from the Regional Socio Economic Project (RSEP) with the purpose to create a space for social cohesion where communities can come together and enjoy art, culture, performances and experience a sense of place.

The Darling Amphitheatre is the only project of its kind in the Swartland Municipal area and there is no clear framework that outlines how the space should be utilised. There is a dire need for the community to use the amphitheatre for outdoor performances or other events and therefore a framework guidance is necessary to ensure the safety and accessibility for the community.

2. WHY AN AMPHITHEATRE?

- 2.1. Ensures that groups and organisations that focus on Art & Culture development not be denied access to the Municipality's facility.
- 2.2. Creates a consistent approach to decision making regarding usage of the amphitheatre.
- 2.3. Sets clear criteria for the usage of the Amphitheatre.
- 2.4. Celebrates Darling's cultural diversity, artistic excellence, creative capacity and rich history, for the benefit of inclusivity, social cohesion, quality of life and social and economic development.

3. STRATEGIC ALIGNMENT WITH THE IDP:

- 3.1. Improved quality of life for citizens.
- 3.2. Contributes to safe and inspiring neighbourhood nodes
- 3.3. Promotes community structures that contributes to a sense of ownership/
- 3.4. Promotes social cohesion

4. LEGASLATIVE INSTRUMENTS:

- 4.1. Constitution of the Republic of South Africa, 1996
- 4.2. Safety at Sports and Recreational Events Act, 2010 (Act 2 of 2010)
- 4.3. Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)
- 4.4. Integrated Development Framework
- 4.5. Swartland Spatial Development Framework 2017
- 4.6. Bylaw for the Prevention of Public Nuisances 2015
- 4.7. Western Cape Liquor Act 2010
- 4.8. Disaster Management Act 2016
- 4.9. Covid 19 Regulations

5. POLICY DIRECTIVES:

- 5.1. NGO's, Community groups or voluntary associations and government departments are allowed to book the amphitheatre.
- 5.2. The organisation making use of the facility is liable for any damage to the facility.
- 5.3. Any misrepresentation or misuse of the framework will be referred to the relevant authority.
- 5.4. Examples of misuse and misrepresentation include but are not limited to booking the facility for a private function or booking a facility but not intending to use the facility.
- 5.5. The framework will be supported by standard operating procedures and standardised templates.

6. RESPONSIBILITIES AND DELEGATED AUTHORITY:

A. PAYMENT OF FEES AND RESPONSIBILITIES OF THE LESSEE:

1. A refundable deposit of R500 (as determined by Council annually) is strictly payable in advance for the reservation of the Darling Amphitheatre. Deposit only to be refunded once it is determined whether any damage has been done to the facility while in care of Lessee. (After the organisation paid at the cashier the application form and proof of payment will be sent to Community Development. Community Development will notify the Director of Protective Service, Law Enforcement, Manager Public Affairs, Libraries & Tourism and Civil Engineering Department (Refuse Removal) of the booking.
 - 1.1 Should a reservation be made in respect of a date for which tariffs have not yet been Determined by Council, the owing balance shall be recovered from the lessee once an increase of the applicable tariff is approved by Council for implementation.
2. The total seating includes a safety distance of 2,1m. (1.5m + person 0,6m = 2,1m) at the amphitheatre which was indicated by Building Control Manager according to m2
 - Amphitheatre: 50 persons
 - Flower surface: 50 persons
 - Amphitheatre & flower surface: 100 persons
 - Grass surface: 900 persons
 - Amphitheatre + flower surface + grass surface = 1 000 persons
3. The **organisation** will be responsible for the following in their own capacity:
 - a) Book the Amphitheatre 21 days in advance and pay the R500 refundable deposit at the cashier at Darling Municipal Offices
 - b) Complete the standard application form & wait for written approval from the Manager: Community Development
 - c) Sign receipt of the keys for the toilet facilities at the cashier
 - d) Purchase electricity for the event
 - e) Supply own toilet paper
 - f) Cleaning of toilets after the function

- g) Safekeeping of keys
- h) Keep premises in same condition it was received. (*Civil Department will provide bins when the venue is booked and they will also arrange pick up of trash*)
- i) Prohibited selling or using of substances (alcohol and drugs) on the premises
- j) Applying Covid 19 regulations according to Covid Alert Levels and risk adjusted approach as announced by Government
- k) Ensuring that no rest disturbances occur during the time of the function
- l) Ensuring that no foul language to be used at the function
- m) No fires are allowed on the premises.

B. PERIODS OF OCCUPATION AND PERMITTED FUNCTIONS:

1. Reservations shall be on a first come, first serve basis, which means that preference shall be given to an applicant who books and pays the rental fee for the premises at the cashier of the Darling Municipal Offices.
2. The organisation may not request entrance fees, make any public announcement, or incur any expenses in respect of the purpose for which the amphitheatre is reserved.
3. Time of Events: Daytime activities are allowed and the ending time is 22h00 at night during weekdays and 23h00 during weekends. (*If the organisation do not adhere to stop the event at indicated time law enforcement will be called in for assistance.*)
4. The venue capacity to be restricted to the indicated capacity (1000 people, determined by Building Control Manager according to m2) of the venue.
5. Permitted functions and events: Theatre and Literature.
 - Poetry
 - Music
 - Creative Dance/ Talent Shows, (during the talent shows DJ with equipment will be allowed)
 - Story telling
 - Choir
 - Christmas concerts (including Carols by Candle light) and any other cultural events
 - No Church Services are permitted
 - No political, sport activities and camping events will be allowed at the Amphitheatre.
6. The organisation shall be responsible for ensuring that his/her guests vacate the amphitheatre at the appropriate times as set out above.
7. An Ad Hoc committee consisting of the Manager Community Development , Executive Mayoral Council , Law Enforcement, Manager Public Affairs, Libraries & Tourism to review all applications to determine if a safety plan is necessary in the instance where its determined that a safety plan is required the application must be send to the Director Protection Service for further deliberation.

8. USE OF AMPHITHEATRE FACILITIES ON WEEKENDS AND PUBLIC HOLIDAYS

- 8.1 The amphitheatre shall be leased only once on a weekend.
- 8.2 In respect of the amphitheatre no caretaker is on duty, the organisation shall carry out an inspection after the function to determine breakages, which damages and report it to the Municipality.

9. CANCELLATION OR AMENDMENT OF RESERVATION

1. The organisation must give notice in writing of a cancellation of or amendment to a reservation at least seven days in advance.

10. INSPECTION AND LIABILITY

- 10.1 The Director: Protection Services / his delegated authority those authorised by him shall have the right to enter and inspect the premises at any time.
- 10.2 Any person entering or using the amphitheatre premises does so at his/her own risk and Council shall accept no liability for any injury or damage suffered by such a person.
- 10.3 The organisation shall specifically indemnify Council against any detrimental effects or injuries that may be caused by the use of the facility.
- 10.4 The organisation shall see to the inspection beforehand of all amphitheatre and ablution facilities and, should same not meet with his/her approval, shall hire such equipment at own costs from an external supplier.
- 10.5 The organisation shall not use any objects or material that may damage or harm the amphitheatre surface.
- 10.6 Additional lights or other electricity-consuming appliances are allowed with permission of the Electrical Services, who may grant or refuse such a request and indeed on such conditions as may be deemed necessary in the circumstances.
- 10.7 If food are prepared or kept elsewhere on the premises the organisation must state it in the application form and indicate if the stall holder have a certificate for acceptability of food and also a trade licence.
- 10.8 Disco's and explicit scenes or any other form of public indecency
- 10.8.1 No disco's and explicit scenes or any other form of public indecency may be presented in the amphitheatre.
- 10.8.2 An organisation, who obtains and uses the amphitheatre under false pretences to present disco or explicit activities, shall be liable to the penalties set out below.
- 10.9 Usage and sell of alcohol is prohibited
- 10.10 No fires allowed on the premises (a notice board will be erected which indicate which actions are permitted or not permitted)
- 10.11 A lessee shall take reasonable steps to ensure sufficient security during functions, in order to protect the organisations and the Council's property against potential damage and/or loss as well as unauthorised access.
- 10.12 For the purposes of liability in terms of these policy measures, the person who signs the application form shall be deemed the organisation.

11. PENALTIES

11.1 If the organisation fails to comply with any of these policy conditions or uses the amphitheatre under false pretences, the Director Protection Services/ his delegated authority have to stop the event.

11.2 Council further reserves the right to deny the lessee in the capacity of lessee the use of the amphitheatre for at least three (3) months as penalty for providing false information, circumventing, or transgressing any of the conditions in terms of this policy.

12. APPLICATION

The application/administration of this framework is delegated to the Director: Development Services (or his delegate), with the discretion to deviate from it within reason. An Ad Hoc committee consisting of the Manager Community Development, Executive Mayoral Council, Law Enforcement, Manager Public Affairs, Libraries & Tourism as well as the Chief Fire Officer/Disaster Management to review all applications to determine if a safety plan is necessary. If a safety plan is required the application must be send to the Director Protection Service for further deliberations and decisions.

13. COMMENCEMENT

After approval of Council

ITEM 7.8 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE-VERGADERING WAT GEHOU SAL WORD OP 13 JULIE 2022

ONDERWERP: AFSKRYWING VAN DEERNIS EN ONINBARE SKULD JUNIE 2022 - BEDRAG WERKLIK AFGESKRYF TEN OPSIGTE VAN DEERNISHUISHOUDINGS TEN BEDRAE VAN R 3 315 985,28 EN ANDER ONINVORDERBARE SKULDE TEN BEDRAE VAN R 63 263,47

SUBJECT: WRITE-OFF OF INDIGENT AND IRRECOVERABLE DEBT JUNE 2022 - ACTUAL AMOUNT WRITTEN OFF WITH REGARDS TO INDIGENT HOUSEHOLDS IN THE AMOUNT OF R AND OTHER R 3 315 985,28 IRRECOVERABLE DEBT IN THE AMOUNT OF R 63 263,47

1. AGTERGROND/BEREDENERING / BACKGROUND/DISCUSSION

Voortspruitend uit 'n notule van 'n Vergadering van die Uitvoerende Burgemeesterskomitee, gehou op 15 Junie 2022, is goedgekeur dat die bedrag van **R 3 576 713.38** afgeskryf mag word ten opsigte van deernishuishoudings en dat die bedrag van **R 77 203.16** afgeskryf mag word ten opsigte van ander oninvorderbare skulde.

*Arising from a Meeting of the Executive Mayoral Committee held on 15 June 2022, it was approved that the amount of **R 3 576 713.38** may be written off in respect of Indigent households and that the amount of **R 77 203.16** may be written off in respect of other irrecoverable debts.*

In die geval van deernishuishoudings is lopende heffings en/of rente wat nie by die bestaande lys bygewerk was nie, as gevolg van sosio-ekonomiese ondersoeke wat nog nie kon plaasvind aan al die deernishuishoudings nie, ook by die afskrywings ingesluit en was daar slegs enkele gevalle waar betaling ontvang was deur deernishuishoudings

In the case of equitable share households, current charges and / or interest not included in the existing list were included as a result of socio-economic investigations that could not yet be made to all the equitable share households and there were only a few cases where payment was received by equitable share households

The actual amount that was written off with regards to indigent households during June 2022, amounted to **R 3 315 985,28** . Please see schedule A enclosed hereto.

Lopende heffings en/of rente wat nie by die bestaande lys ten opsigte van oninvorderbare skulde bygewerk was nie, vanweë die tydsverloop van wanneer die administratiewe proses van genoemde afskrywingslys begin was en die tydperk daarna, is ook by die afskrywings ingesluit.

Ongoing charges and / or interest not included in the existing list in respect of uncollectible debts due to the timing of when the administrative process of the said write-off list was commenced and the period thereafter are also included in the write-offs.

The actual amount that was written off with regards to other irrecoverable debt during June 2022, amounted to **R 63 263,47** Please see schedule B enclosed hereto.

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 / ALIGNMENT TO THE IDP**

For purposes of Revenue Protection with reference to Strategic Outcome 1: A Financial Sustainable Municipality with well Maintained Assets in terms of Chapter 7 of the IDP, more specifically Output 1.1.2 – Maintain and Improve on Debt Collection.

4. **FINANSIËLE IMPLIKASIE / FINANCIAL IMPLICATION**

R 3 315 985,28 is die werklike bedrag afgeskryf ten opsigte van deernishuishoudings.

R 3 315 985,28 is the actual amount written off in respect of indigent households.

R 63 263,47 is die werklike bedrag afgeskryf ten opsigte van ander uitstaande debiteure wat oninvorderbaar is.

R 63 263,47 is the actual amount written off in respect of other outstanding debtors which are uncollectible.

The total amount written-off, amounted to **R 3 379 248. 75**

5. **AANBEVELING / RECOMMENDATION**

- (a) Dat kennis geneem word dat die bedrae wat werklik afgeskryf is ten opsigte van deernishuishoudings **R 3 315 985,28** beloop en ten opsigte van ander oninvorderbare skulde **R 63 263,47** beloop.

*That cognizance is taken that the actual amount written off in respect of indigent households amounted to **R 3 315 985,28** and in respect of other irrecoverable debt amounted to **R 63 263,47***

- (b) Dat kennis geneem word dat Swartland Munisipaliteit die reg voorbehou om enige bedrag wat afgeskryf is, weer terug te skryf na die betrokke debiteur en alle nodige stappe geneem sal word om die skuld in te vorder, indien dit vanaf datum van hierdie goedkeuring aan die lig kom dat -

- (i). 'n huishouding nie aan die deerniskriteria voldoen het nie (soos bepaal in Hoofstuk 7 van die Deernisbeleid); of
- (ii). 'n gedeelte van die skuld of die totale skuld van 'n debiteur nie korrek sou wees nie; of
- (iii). enige inligting wat op datum van afskrywing nie aan die Uitvoerende Burgemeesterskomitee bekend was, wat daartoe sou lei dat die komitee die voorgelegde skuld nie vir afskrywing sou oorweeg nie.

That further cognizance is taken that Swartland Municipality reserves the right to do a reversal of any amount that was written off to the relevant debtor and that all necessary steps will be taken to recover the debt, if it comes to light after the date of this approval that -

- (i) a household did not comply with the indigent criteria (as determined in Chapter 7: of the Indigent Policy); or
- (ii) a portion of, or the total debt of a debtor was not correct; or
- (iii) information came forth that was not known to the Executive Mayoral Committee when the writing off was considered, that would have influenced the decision of the committee.

- (c) Dat kennis geneem word dat indien 'n eiendom op welke wyse ookal vervreem sou word, Swartland Munisipaliteit 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. 'n Register is 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.

That cognizance is taken that if the property is alienated in any way; Swartland Municipality reserves the right to refuse clearance on the property in question in order to first recover the amounts written off. A register is kept in this regard at the Property Rates Division in order to determine if any amounts was written off for the previous two years, in order to recover the write-off amount before clearance is given.

(get) M A C Bolton

DIREKTEUR FINANSIËLE DIENSTE

Schedule A

	Amount	VAT
Abbotsdale	R 255 688,05	R 28 031,61
Chatsworth	R 602 813,66	R 65 774,61
Darling	R 199 233,23	R 23 283,36
Ilinge Lethu	R 235 564,53	R 29 571,38
Kalbaskraal	R 372 712,01	R 43 356,48
Koringberg	R 28 764,31	R 3 118,55
Malmesbury	R 54 882,59	R 4 880,12
Moorreesburg	R 158 585,78	R 17 966,28
Phola Park	R 135 949,46	R 16 021,06
Riebeek-Kasteel	R 534 941,70	R 60 817,11
Riebeek-Wes	R 134 609,89	R 14 094,28
Riverlands	R 354 268,07	R 44 377,09
Wesbank	R 238 822,69	R 27 547,70
Yzerfontein	R 9 149,31	R 816,88
	R 3 315 985,28	R 379 656,51

Schedule B

	Amount	VAT
Abbotsdale	21 789,65	2 322,42
Chatsworth	611,60	80,44
Malmesbury	18 887,67	1 354,30
Moorreesburg	1 992,40	194,61
Riebeek Wes	9 263,94	999,89
Riverlands	2 756,88	351,02
Wesbank	529,43	68,28
Plase	7 431,90	799,53
	63 263,47	6 170,49

**ITEM 7.9 ON THE AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE WHICH WILL BE HELD ON
13 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 Swartland Municipality's Supply Chain Management Policy must be submitted to Council within 30 days of the end of each financial year. Regulation 6(3) of the SCM Regulations requires the Accounting Officer to report quarterly on the implementation of the Supply Chain Management Policy to the Mayor, in order to give effect to Council's oversight role.

2. DOCUMENTATION

Attached hereto please find a copy of the report on the implementation of the Supply Chain Management Policy for the period 1 July 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

- (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.

(get) J S Krieger

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
4 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
VVE 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

ITEM 7.10 ON THE AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE WHICH WILL BE HELD ON 13 JULY 2022

ONDERWERP: UITSTAANDE DEBITEURE – JUNIE 2022
SUBJECT: OUTSTANDING DEBT – JUNE 2022

1. AGTERGROND/BEREDENERING / BACKGROUND/DISCUSSION

Die bylae hierby aangeheg reflekteer die besonderhede van Swartland Munisipaliteit se uitstaande debiteure vir die tydperk Junie 2022 en is saamgestel uit die volgende verslae:-

The schedule attached hereto reflects the particulars of Swartland Municipality's outstanding debt for the period July 2022 and is composed of the following reports.

- a) Outstanding debt (before levy) Residential / Business / Government / Personnel / Council Members
- b) Outstanding debt (before levy) 150 days and older
- c) Outstanding debt (before levy) 150 days and older - Legal Suite
- d) Outstanding debt (before levy) 150 days and older - Collab
- e) Statistics Cut-Off List

2. WETGEWING / LEGISLATION

- 2.1 Wet op Plaaslike Regering: Munisipale Stelsels Wet 32 van 2000
- 2.2 Local Government: Municipal Finance Management Act 56 of 2003

3. KOPPELING AAN DIE GOP / ALIGNMENT TO THE IDP

For purposes of Revenue Protection with reference to Strategic Outcome 1: A Financial Sustainable Municipality with well Maintained Assets in terms of Chapter 7 of the IDP, more specifically Output 1.1.2 – Maintain and Improve on Debt Collection.

4. FINANSIËLE IMPLIKASIE / FINANCIAL IMPLICATION

- 4.1 Die uitstaande debiteure vir Mei 2021 het R31 345,330.16 beloop terwyl die uitstaande debiteure vir Junie 2021 R29 710,711.67 beloop het en was 'n vermindering van R1 634,618.49
- 4.2 Die uitstaande debiteure vir Mei 2022 het R35 092,587.84 beloop terwyl die uitstaande debiteure vir Junie 2022 R35 198,805.52 beloop - 'n vermeerdering van R106 217.68
- 4.3 Die uitstaande debiteure vir Junie 2021 het R29 710,711.67 beloop terwyl die uitstaande debiteure vir Junie 2022 R35 198,805.52 beloop - 'n vermeerdering van R5 488,093.85 in uitstaande debiteure.
- 4.4 Die uitstaande debiteure vir Junie 2022 is 5.35% van die inkomste uit dienste voor die nuwe maand se heffing terwyl die uitstaande debiteure vir Junie 2021 5.18% was van die inkomste uit dienste voor die nuwe maand se heffing.

5. **AANBEVELING / RECOMMENDATION**

Dat die Raad kennis neem van die verslag aangaande die stand van Swartland Munisipaliteit se uitstaande debiteure vir Junie 2022.

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

(get) M A C Bolton

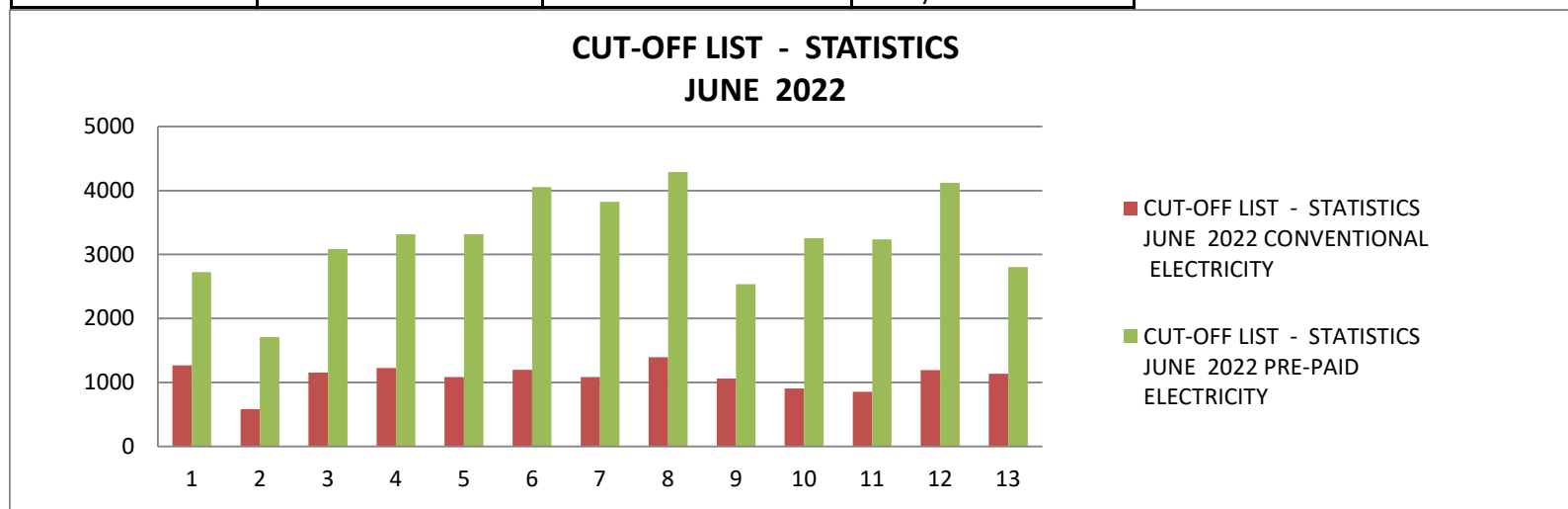
M BOLTON
DIREKTEUR: Finansiële Dienste

OUTSTANDING DEBTORS (FUTURE EXCLUDED) MONTH END RESIDENTIAL - BUSINESS - GOVERNMENT STAFF - COUNCILLORS JUNE 2022									2021/2022 OUTSTANDING DEBTORS AS % OF TOTAL BUDGETED SERVICE CHARGES	2020/2021 OUTSTANDING DEBTORS AS % OF TOTAL BUDGETED SERVICE CHARGES	2019/2020 OUTSTANDING DEBTORS AS % OF TOTAL BUDGETED SERVICE CHARGES
Months	Deviation same month of corresponding months of the previous year. (-) is a positive number	Total Debt	Residential	Business	Government	Staff	Councillors	Comments			
									R 658 069 842	R 573 330 277	R 540 939 135
Jan-22	R -3 109 527	R 37 014 702	R 31 628 156	R 3 560 820	R 1 823 367	R 2 359	R -	EFT payments day after month end received amounted to R2 124,814,50(OTM account) and R0.00 (Sundries account) The businesses outstanding amounted to R3 560,819,50. Staff outstanding in the amount of R2359,30. Three (3) Staff members have outstanding accounts (2 X Pre-paid electricity and 1X Conventional Electricity). The Government outstanding amounted to R1 823,367,35 as a result of annual rates. The amount of R2463,12 is added to the outstanding debtors because of property rates that changed on request from monthly to annually whose future has been cancelled.	5,62%	7,00%	4,09%
Feb-22	R -10 310 073	R 34 074 037	R 29 352 739	R 2 816 184	R 1 904 994	R 120	R -	EFT payments day after month end received amounted to R2 618,166,33(OTM account) and R0.00 (Sundries account) The businesses outstanding amounted to R2 816,183,85. Staff outstanding in the amount of R120,18. One (1) Staff member has an outstanding account (Pre-paid electricity) The Government outstanding amounted to R1 904,993,75 as a result of annual rates. The amount of R45 611,00 is added to the outstanding debtors because of property rates that changed on request from monthly to annually whose future has been cancelled.	5,18%	7,74%	4,38%
Mrt-22	R -7 333 932	R 34 962 960	R 29 398 765	R 3 518 544	R 2 044 380	R 1 271	R -	EFT payments day after month end received amounted to R2 388,138,20(OTM account) and R0.00 (Sundries account) The businesses outstanding amounted to R3 518,544,01. Staff outstanding in the amount of R1271,16. Three (3) Staff members have outstanding accounts (3 X Pre-paid electricity) The Government outstanding amounted to R2 044,379,75 as a result of annual rates. The amount of R5678,44 is added to the outstanding debtors because of property rates that changed on request from monthly to annually whose future has been cancelled.	5,31%	7,38%	4,23%
Apr-22	R -5 345 507	R 36 781 216	R 31 758 964	R 2 809 920	R 2 212 209	R 124	R -	EFT payments day after month end received amounted to R1 863,428,13(OTM account) and R0.00 (Sundries account) The businesses outstanding amounted to R2 809,919,80. Staff outstanding in the amount of R123,88 One (1) Staff member has an outstanding account (Pre-paid electricity) The Government outstanding amounted to R2 212,208,58 as a result of annual rates. The amount of R1 586,76 is added to the outstanding debtors because of property rates that changed on request from monthly to annually whose future has been cancelled.	5,59%	7,35%	5,50%
May-22	R 3 747 258	R 35 092 588	R 31 683 448	R 593 230	R 2 815 136	R 774	R -	EFT payments day after month end received amounted to R1 493,716,56(OTM account) and R0.00 (Sundries account) The businesses outstanding amounted to R593,229,67. Staff outstanding in the amount of R744,28 Two (2) Staff members have outstanding accounts (1 X Pre-paid electricity and 1X Conventional Electricity) The Government outstanding amounted to R2 815,135,71 as a result of annual rates. The amount of R2016,62 is added to the outstanding debtors because of property rates that changed on request from monthly to annually whose future has been cancelled.	5,33%	5,47%	6,06%
June-22	R 5 488 094	R 35 198 806	R 30 088 519	R 2 411 046	R 2 697 612	R 1 629	R -	EFT payments day after month end received amounted to R2 336,797,15(OTM account) and R0.00 (Sundries account) The businesses outstanding amounted to R2 411,045,65 Staff outstanding in the amount of R1 629,09 Three (3) Staff members have outstanding accounts (1 X Pre-paid electricity - 1X Conventional Electricity and 1x Eskom electricity) Informed the relevant director. The Government outstanding amounted to R2 697,611,55 as a result of annual rates. The amount of R758 922,13 is added to the outstanding debtors because of property rates that changed on request from monthly to annually whose future has been cancelled.	5,35%	5,18%	6,06%

OUTSTANDING DEBTORS (FUTURE EXCLUDED) MONTH END RESIDENTIAL - BUSINESS - GOVERNMENT STAFF - COUNCILLORS JUNE 2022									2021/2022 OUTSTANDING DEBTORS AS % OF TOTAL BUDGETED SERVICE CHARGES	2020/2021 OUTSTANDING DEBTORS AS % OF TOTAL BUDGETED SERVICE CHARGES	2019/2020 OUTSTANDING DEBTORS AS % OF TOTAL BUDGETED SERVICE CHARGES
Months	Deviation same month of corresponding months of the previous year. (-) is a positive number	Total Debt	Residential	Business	Government	Staff	Councillors	Comments			
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CUT-OFF LIST - STATISTICS JUNE 2022			
MONTHS	CONVENTIONAL ELECTRICITY	PRE-PAID ELECTRICITY	COMMENCEMENT DATE PHYSICAL CUT-OFF
June-21	1266	2724	14 July 2021
July-21	580	1712	17 August 2021
Aug-21	1156	3088	8 September 2021
Sep-21	1227	3317	11 October 2021
Oct-21	1083	3316	8 November 2021
Nov-21	1196	4053	8 December 2021
Dec-21	1084	3823	11 January 2022
Jan-22	1397	4290	7 February 2022
Feb-22	1062	2539	9 Maart 2022
Mar-22	907	3257	11 April 2022
Apr-22	853	3237	9 May 2022
May-22	1195	4120	8 May 2022
June-22	1136	2804	11 July 2022

Or as soon as System had been updated



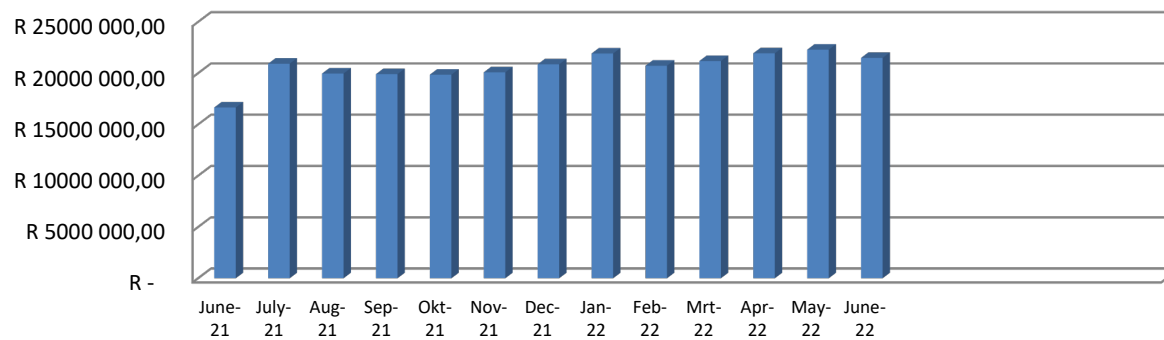
OUTSTANDING DEBT - 150 DAYS & OLDER - BEFORE LEVY (MONTH END) - JUNE 2022									
MAANDE									
	NORMAL-LEGAL-COLLAB	Nov-21	Des-21	Jan-22	Feb-22	Mrt-22	Apr-22	Mei-22	June-22
MALMESBURY 1	COLLAB	R 970 989,02	R 952 595,11	925 279,25	885 543,53	880 178,53	848 178,23	838 388,80	1 046 751,86
MALMESBURY 1	LEGAL	R 157 165,56	R 158 974,84	159 552,32	160 138,02	160 723,67	161 404,40	161 990,17	163 077,77
MALMESBURY 1	NORMAL	R 357 154,81	R 370 049,25	415 292,59	439 677,61	528 663,83	577 665,36	614 611,73	366 432,32
MALMESBURY 1 Total		R 1 485 309,39	R 1 481 619,20	1 500 124,16	1 485 359,16	1 569 566,03	1 587 247,99	1 614 990,70	1 576 261,95
WESBANK 2	COLLAB	R 542 557,81	R 634 870,97	598 011,63	561 806,19	523 484,74	510 907,56	490 097,16	709 143,24
WESBANK 2	LEGAL	R 99 175,05	R 99 511,45	99 847,75	100 184,05	100 520,33	100 856,61	101 192,96	101 539,81
WESBANK 2	NORMAL	R 205 892,82	R 244 094,54	312 327,18	249 008,89	273 835,14	303 401,36	331 101,88	116 714,47
WESBANK 2 Total		R 847 625,68	R 978 476,96	1 010 186,56	910 999,13	897 840,21	915 165,53	922 392,00	927 397,52
KALBASKRAAL 3	COLLAB	R 637 330,29	R 603 400,62	597 252,51	551 916,60	506 300,11	508 613,18	509 040,36	748 434,34
KALBASKRAAL 3	LEGAL	R -	R -	-	-	-	-	-	-
KALBASKRAAL 3	NORMAL	R 259 173,81	R 367 841,61	484 391,70	413 912,73	453 689,38	522 785,07	574 859,61	175 380,44
KALBASKRAAL 3 Total		R 896 504,10	R 971 242,23	1 081 644,21	965 829,33	959 989,49	1 031 398,25	1 083 899,97	923 814,78
ABBOTSDALE 4	COLLAB	R 1 773 811,01	R 1 757 349,18	1 744 425,86	1 568 371,46	1 534 111,00	1 508 525,31	1 484 333,83	2 132 075,31
ABBOTSDALE 4	LEGAL	R -	R -	-	-	-	-	-	-
ABBOTSDALE 4	NORMAL	R 342 889,15	R 446 776,97	594 090,24	567 544,95	650 029,96	740 298,11	821 650,77	163 122,98
ABBOTSDALE 4 Total		R 2 116 700,16	R 2 204 126,15	2 338 516,10	2 135 916,41	2 184 140,96	2 248 823,42	2 305 984,60	2 295 198,29
RIEBEEK KASTEEL 5	COLLAB	R 833 044,96	R 821 422,40	784 249,95	691 138,05	683 403,32	683 366,82	673 001,48	1 300 097,96
RIEBEEK KASTEEL 5	LEGAL	R -	R -	-	-	-	-	-	-
RIEBEEK KASTEEL 5	NORMAL	R 610 850,15	R 765 239,83	943 955,44	785 681,02	869 671,99	1 010 661,60	1 109 839,82	425 035,57
RIEBEEK KASTEEL 5 Total		R 1 443 895,11	R 1 586 662,23	1 728 205,39	1 476 819,07	1 553 075,31	1 694 028,42	1 782 841,30	1 725 133,53
RIEBEEK WES 6	COLLAB	R 937 567,38	R 912 102,90	915 618,79	766 908,42	756 323,18	747 852,70	739 590,66	1 276 967,99
RIEBEEK WES 6	LEGAL	R 15 675,19	R 15 935,05	16 019,30	16 280,25	16 365,66	16 452,24	16 538,82	16 628,11
RIEBEEK WES 6	NORMAL	R 316 793,49	R 398 068,62	508 219,37	484 131,16	571 330,20	653 372,83	692 305,38	192 993,28
RIEBEEK WES 6 Total		R 1 270 036,06	R 1 326 106,57	1 439 857,46	1 267 319,83	1 344 019,04	1 417 677,77	1 448 434,86	1 486 589,38
CHATSWORTH 7	COLLAB	R 1 923 146,90	R 1 888 494,58	1 873 217,59	1 811 341,32	1 776 955,08	1 711 423,69	1 717 520,70	2 385 887,95
CHATSWORTH 7	LEGAL	R 526,60	R 529,20	531,92	534,64	537,26	539,88	542,62	545,44
CHATSWORTH 7	NORMAL	R 461 097,49	R 563 589,77	749 392,83	667 296,75	738 582,48	839 503,98	952 576,89	282 133,12
CHATSWORTH 7 Total		R 2 384 770,99	R 2 452 613,55	2 623 142,34	2 479 172,71	2 516 074,82	2 551 467,55	2 670 640,21	2 668 566,51
RIVERLANDS 8	COLLAB	R 1 098 180,81	R 1 098 260,67	1 098 152,26	1 069 812,16	1 074 150,24	1 079 877,67	1 080 114,83	1 417 698,64
RIVERLANDS 8	LEGAL	R -	R -	-	-	-	-	-	-
RIVERLANDS 8	NORMAL	R 195 760,21	R 270 476,90	338 846,02	280 537,24	320 594,84	373 776,65	422 942,96	109 844,08
RIVERLANDS 8 Total		R 1 293 941,02	R 1 368 737,57	1 436 998,28	1 350 349,40	1 394 745,08	1 453 654,32	1 503 057,79	1 527 542,72
ILINGE LETHU 9	COLLAB	R 98 130,96	R 94 486,47	91 930,15	83 479,12	81 284,63	72 752,96	72 841,54	157 348,16
ILINGE LETHU 9	LEGAL	R -	R -	-	-	-	-	-	-
ILINGE LETHU 9	NORMAL	R 79 941,31	R 115 209,24	159 782,36	98 795,63	109 207,63	113 841,97	122 145,28	23 247,85
ILINGE LETHU 9 Total		R 178 072,27	R 209 695,71	251 712,51	182 274,75	190 492,26	186 594,93	194 986,82	180 596,01
PHOLA PARK 10	COLLAB	R 101 151,88	R 102 002,31	101 821,28	101 937,75	102 050,76	102 530,43	103 115,70	123 558,99

	NORMAL-LEGAL-COLLAB	Nov-21	Des-21	Jan-22	Feb-22	Mrt-22	Apr-22	Mei-22	June-22
PHOLA PARK 10	LEGAL	R -	R -	-	-	-	-	-	-
PHOLA PARK 10	NORMAL	R 27 239,05	R 41 512,83	51 917,91	46 214,81	54 589,48	64 299,19	72 382,18	16 984,74
PHOLA PARK 10 Total		R 128 390,93	R 143 515,14	153 739,19	148 152,56	156 640,24	166 829,62	175 497,88	140 543,73
PPC RIEBEEK WES 16	COLLAB	R 24 577,79	R 23 235,15	21 322,00	799,89	802,62	805,35	807,99	4 126,83
PPC RIEBEEK WES 16	LEGAL	R -	R -	-	-	-	-	-	-
PPC RIEBEEK WES 16	NORMAL	R 2 842,65	R 5 039,70	19 824,75	6 364,26	13 342,44	8 495,16	6 756,55	4 807,02
PPC RIEBEEK WES 16 Total		R 27 420,44	R 28 274,85	41 146,75	7 164,15	14 145,06	9 300,51	7 564,54	8 933,85
DARLING 20	COLLAB	R 660 094,87	R 679 396,13	643 271,13	455 180,81	389 740,19	407 124,36	395 176,76	540 800,96
DARLING 20	LEGAL	R 77 056,60	R 77 307,70	77 559,13	77 810,56	78 061,64	78 312,72	78 563,77	78 822,69
DARLING 20	NORMAL	R 236 302,17	R 257 374,20	325 163,39	313 931,22	301 627,46	324 470,02	317 171,96	170 177,91
DARLING 20 Total		R 973 453,64	R 1 014 078,03	1 045 993,65	846 922,59	769 429,29	809 907,10	790 912,49	789 801,56
MOORREESBURG 30	COLLAB	R 855 844,82	R 840 598,97	826 738,73	771 769,48	759 413,21	766 408,31	769 526,76	1 046 936,57
MOORREESBURG 30	LEGAL	R -	R -	-	-	586,90	586,90	590,54	594,49
MOORREESBURG 30	NORMAL	R 842 617,93	R 897 184,90	981 783,20	996 114,89	1 029 388,00	1 084 903,66	1 135 286,72	891 218,10
MOORREESBURG 30 Total		R 1 698 462,75	R 1 737 783,87	1 808 521,93	1 767 884,37	1 789 388,11	1 851 898,87	1 905 404,02	1 938 749,16
YZERFONTEIN 40	COLLAB	R 348 594,81	R 337 671,86	226 252,36	226 285,24	218 844,85	220 305,63	216 424,46	317 140,47
YZERFONTEIN 40	LEGAL	R -	R -	-	-	-	-	-	-
YZERFONTEIN 40	NORMAL	R 161 060,32	R 177 896,74	193 079,06	215 312,71	256 332,76	272 197,04	270 258,42	198 247,14
YZERFONTEIN 40 Total		R 509 655,13	R 515 568,60	419 331,42	441 597,95	475 177,61	492 502,67	486 682,88	515 387,61
GROTTABAAL 41	COLLAB	R 179,70	R 180,70	181,67	182,64	183,58	184,52	185,43	669,81
GROTTABAAL 41	LEGAL	R -	R -	-	-	-	-	-	-
GROTTABAAL 41	NORMAL	R 35 726,88	R 36 520,74	43 090,00	44 955,28	48 030,61	51 520,65	49 928,34	48 516,79
GROTTABAAL 41 Total		R 35 906,58	R 36 701,44	43 271,67	45 137,92	48 214,19	51 705,17	50 113,77	49 186,60
JAKKALSFONTEIN 42	COLLAB	R 38 148,93	R 34 340,90	34 683,87	30 749,14	26 737,19	27 221,89	27 384,58	27 554,57
JAKKALSFONTEIN 42	LEGAL	R -	R -	-	-	-	-	-	-
JAKKALSFONTEIN 42	NORMAL	R 355 494,59	R 357 394,48	348 796,26	355 519,60	362 878,44	369 602,25	378 953,09	388 787,18
JAKKALSFONTEIN 42 Total		R 393 643,52	R 391 735,38	383 480,13	386 268,74	389 615,63	396 824,14	406 337,67	416 341,75
KORINGBERG 50	COLLAB	R 249 250,22	R 246 529,54	227 322,49	209 007,10	181 972,31	178 503,60	151 243,08	271 629,52
KORINGBERG 50	LEGAL	R -	R -	-	-	-	-	-	-
KORINGBERG 50	NORMAL	R 92 074,55	R 117 078,03	114 077,26	108 028,33	105 559,08	127 975,59	142 617,54	35 051,78
KORINGBERG 50 Total		R 341 324,77	R 363 607,57	341 399,75	317 035,43	287 531,39	306 479,19	293 860,62	306 681,30
Plase Deel 1 71	COLLAB	R 3 395,84	R 3 403,86	3 422,90	3 441,94	3 461,01	3 480,08	3 499,17	16 265,01
Plase Deel 1 71	LEGAL	R -	R -	-	-	-	-	-	-
Plase Deel 1 71	NORMAL	R 401 882,82	R 374 192,03	407 211,04	440 404,00	425 039,21	441 886,06	451 982,57	290 820,10
Plase Deel 1 71 Total		R 405 278,66	R 377 595,89	410 633,94	443 845,94	428 500,22	445 366,14	455 481,74	307 085,11
Plase Deel 2 72	COLLAB	R 18 345,00	R 18 446,70	18 547,16	18 647,62	18 562,28	18 651,16	18 740,00	21 401,28
Plase Deel 2 72	LEGAL	R -	R -	-	-	-	-	-	-
Plase Deel 2 72	NORMAL	R 492 657,88	R 496 201,47	496 427,18	528 695,56	522 425,23	532 018,37	559 563,89	513 240,61
Plase Deel 2 72 Total		R 511 002,88	R 514 648,17	514 974,34	547 343,18	540 987,51	550 669,53	578 303,89	534 641,89
Plase Deel 3 73	COLLAB	R 220,07	R 221,37	222,67	223,97	225,27	226,57	227,87	229,21

	NORMAL-LEGAL-COLLAB	Nov-21	Des-21	Jan-22	Feb-22	Mrt-22	Apr-22	Mei-22	June-22
Plase Deel 3 73	LEGAL	R -	R -	-	-	-	-	-	-
Plase Deel 3 73	NORMAL	R 334 213,80	R 314 732,32	343 185,24	361 842,14	364 713,85	387 590,98	422 826,68	436 367,62
Plase Deel 3 73 Total		R 334 433,87	R 314 953,69	343 407,91	362 066,11	364 939,12	387 817,55	423 054,55	436 596,83
Plase Deel 4 74	COLLAB	R 1 608,07	R 1 614,62	1 621,17	1 627,72	1 634,27	1 640,82	1 647,37	1 654,12
Plase Deel 4 74	LEGAL	R 3,60	R 3,60	3,60	3,60	3,60	3,60	3,60	3,60
Plase Deel 4 74	NORMAL	R 980 500,47	R 981 930,55	1 045 939,98	1 108 382,82	1 169 485,77	1 193 268,18	1 245 145,28	826 203,66
Plase Deel 4 74 Total		R 982 112,14	R 983 548,77	1 047 564,75	1 110 014,14	1 171 123,64	1 194 912,60	1 246 796,25	827 861,38
Plase Deel 5 75	COLLAB	R 82 582,91	R 83 146,63	83 686,21	67 586,41	68 126,07	66 411,99	62 781,25	115 674,99
Plase Deel 5 75	LEGAL	R -	R -	-	-	-	-	-	-
Plase Deel 5 75	NORMAL	R 536 515,60	R 542 991,43	582 142,44	603 048,78	608 586,46	583 654,98	274 712,61	228 363,27
Plase Deel 5 75 Total		R 619 098,51	R 626 138,06	665 828,65	670 635,19	676 712,53	650 066,97	337 493,86	344 038,26
Plase Deel 6 76	COLLAB	R -	R -	-	-	-	-	-	-
Plase Deel 6 76	LEGAL	R -	R -	-	-	-	-	-	-
Plase Deel 6 76	NORMAL	R -	R -	-	-	-	-	-	-
Plase Deel 6 76 Total		R -	R -	-	-	-	-	-	-
Plase Deel 7 77	COLLAB	R 83 743,71	R 84 215,51	80 684,35	80 430,12	78 494,43	78 803,41	78 484,39	91 026,50
Plase Deel 7 77	LEGAL	R -	R -	-	-	-	-	-	-
Plase Deel 7 77	NORMAL	R 510 051,87	R 495 943,26	528 577,87	562 701,71	600 655,64	661 131,86	703 421,23	673 870,87
Plase Deel 7 77 Total		R 593 795,58	R 580 158,77	609 262,22	643 131,83	679 150,07	739 935,27	781 905,62	764 897,37
Plase Deel 8 78	COLLAB	R 104 972,81	R 112 414,55	109 693,19	109 467,32	110 020,96	110 571,91	111 122,85	271 675,40
Plase Deel 8 78	LEGAL	R -	R -	-	-	-	-	-	-
Plase Deel 8 78	NORMAL	R 303 691,31	R 341 569,82	394 831,49	444 204,10	485 447,03	495 962,41	515 793,51	328 916,93
Plase Deel 8 78 Total		R 408 664,12	R 453 984,37	504 524,68	553 671,42	595 467,99	606 534,32	626 916,36	600 592,33
SUNDRY ACC 90	COLLAB	R 178 565,42	R 176 818,07	142 864,37	143 745,53	144 626,66	144 415,40	178 822,14	195 884,11
SUNDRY ACC 90	LEGAL	R -	R -	-	-	-	-	-	-
SUNDRY ACC 90	NORMAL	R 26 435,88	R 28 073,25	31 461,88	37 957,01	41 582,48	46 717,86	19 485,70	2 298,82
SUNDRY ACC 90 Total		R 205 001,30	R 204 891,32	174 326,25	181 702,54	186 209,14	191 133,26	198 307,84	198 182,93
Grand Total		R 20 084 499,60	R 20 866 464,09	21 917 794,24	20 726 613,85	21 183 174,94	21 937 941,09	22 291 862,23	21 490 622,35

OUTSTANDING DEBT 150 DAYS & OLDER Before Levy (MONTH END) JUNE 2022			Comparative Period 2021- 2022	
Month	Before Levy			
June-21	R	16 653 868,77	R	569 440,86
July-21	R	20 923 800,76	R	4 296 994,28
Aug-21	R	19 966 573,48	R	2 616 541,12
Sep-21	R	19 908 658,19	R	2 999 098,74
Okt-21	R	19 853 986,01	R	2 658 773,12
Nov-21	R	20 084 499,60	R	2 388 638,26
Dec-21	R	20 866 464,09	R	2 446 905,55
Jan-22	R	21 917 794,24	R	2 483 818,47
Feb-22	R	20 726 613,85	R	-1 438 747,40
Mrt-22	R	21 183 174,94	R	-1 731 362,35
Apr-22	R	21 937 941,09	R	-1 965 168,19
May-22	R	22 291 862,23	R	4 020 577,16
June-22	R	21 490 622,35	R	4 836 753,58

**OUTSTANDING DEBT
150 DAYS & OLDER
Before Levy(MONTH END)
JUNE 2022**

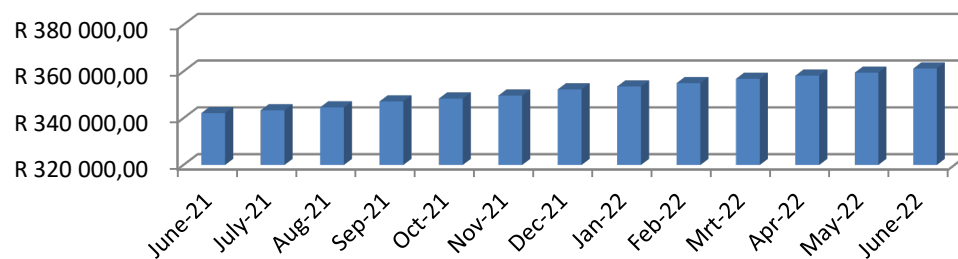


OUTSTANDING DEBT - 150 DAYS & OLDER - BEFORE LEVY (MONTH END) - JUNE 2022 LEGAL SUITE									
MONTH									
SUBURB	DRMAL-LEGAL-COLL	Nov-21	Dec-21	Jan-22	Feb-22	Mrt-22	Apr-22	Mei-22	June-22
MALMESBURY 1	LEGAL	157 165,56	158 974,84	159 552,32	160 138,02	160 723,67	161 404,40	161 990,17	163 077,77
MALMESBURY 1 Total		157 165,56	158 974,84	159 552,32	160 138,02	160 723,67	161 404,40	161 990,17	163 077,77
WESBANK 2	LEGAL	99 175,05	99 511,45	99 847,75	100 184,05	100 520,33	100 856,61	101 192,96	101 539,81
WESBANK 2 Total		99 175,05	99 511,45	99 847,75	100 184,05	100 520,33	100 856,61	101 192,96	101 539,81
KALBASKRAAL 3	LEGAL	-	-	-	-	-	-	-	-
KALBASKRAAL 3 Total		-	-	-	-	-	-	-	-
ABBOTSDALE 4	LEGAL	-	-	-	-	-	-	-	-
ABBOTSDALE 4 Total		-	-	-	-	-	-	-	-
RIEBEEK KASTEEL 5	LEGAL	-	-	-	-	-	-	-	-
RIEBEEK KASTEEL 5 Total		-	-	-	-	-	-	-	-
RIEBEEK WES 6	LEGAL	15 675,19	15 935,05	16 019,30	16 280,25	16 365,66	16 452,24	16 538,82	16 628,11
RIEBEEK WES 6 Total		15 675,19	15 935,05	16 019,30	16 280,25	16 365,66	16 452,24	16 538,82	16 628,11
CHATSWORTH 7	LEGAL	526,60	529,20	531,92	534,64	537,26	539,88	542,62	545,44
CHATSWORTH 7 Total		526,60	529,20	531,92	534,64	537,26	539,88	542,62	545,44
RIVERLANDS 8	LEGAL	-	-	-	-	-	-	-	-
RIVERLANDS 8 Total		-	-	-	-	-	-	-	-
ILINGE LETHU 9	LEGAL	-	-	-	-	-	-	-	-
ILINGE LETHU 9 Total		-	-	-	-	-	-	-	-
PHOLA PARK 10	LEGAL	-	-	-	-	-	-	-	-
PHOLA PARK 10 Total		-	-	-	-	-	-	-	-
PPC RIEBEEK WES 16	LEGAL	-	-	-	-	-	-	-	-
PPC RIEBEEK WES 16 Total		-	-	-	-	-	-	-	-
DARLING 20	LEGAL	77 056,60	77 307,70	77 559,13	77 810,56	78 061,64	78 312,72	78 563,77	78 822,69
DARLING 20 Total		77 056,60	77 307,70	77 559,13	77 810,56	78 061,64	78 312,72	78 563,77	78 822,69
MOORREESBURG 30	LEGAL	-	-	-	-	586,90	586,90	590,54	594,49
MOORREESBURG 30 Total		-	-	-	-	586,90	586,90	590,54	594,49
YZERFONTEIN 40	LEGAL	-	-	-	-	-	-	-	-
YZERFONTEIN 40 Total		-	-	-	-	-	-	-	-
GROTTORBAAI 41	LEGAL	-	-	-	-	-	-	-	-
GROTTORBAAI 41 Total		-	-	-	-	-	-	-	-
JAKKALSFONTEIN 42	LEGAL	-	-	-	-	-	-	-	-
JAKKALSFONTEIN 42 Total		-	-	-	-	-	-	-	-
KORINGBERG 50	LEGAL	-	-	-	-	-	-	-	-

SUBURB	ORMAL-LEGAL-COLL	Nov-21	Dec-21	Jan-22	Feb-22	Mrt-22	Apr-22	Mei-22	June-22
KORINGBERG 50 Total		-	-	-	-	-	-	-	-
Plase Deel 1 71	LEGAL	-	-	-	-	-	-	-	-
Plase Deel 1 71 Total		-	-	-	-	-	-	-	-
Plase Deel 2 72	LEGAL	-	-	-	-	-	-	-	-
Plase Deel 2 72 Total		-	-	-	-	-	-	-	-
Plase Deel 3 73	LEGAL	-	-	-	-	-	-	-	-
Plase Deel 3 73 Total		-	-	-	-	-	-	-	-
Plase Deel 4 74	LEGAL	3,60	3,60	3,60	3,60	3,60	3,60	3,60	3,60
Plase Deel 4 74 Total		3,60	3,60	3,60	3,60	3,60	3,60	3,60	3,60
Plase Deel 5 75	LEGAL	-	-	-	-	-	-	-	-
Plase Deel 5 75 Total		-	-	-	-	-	-	-	-
Plase Deel 6 76	LEGAL	-	-	-	-	-	-	-	-
Plase Deel 6 76 Total		-	-	-	-	-	-	-	-
Plase Deel 7 77	LEGAL	-	-	-	-	-	-	-	-
Plase Deel 7 77 Total		-	-	-	-	-	-	-	-
Plase Deel 8 78	LEGAL	-	-	-	-	-	-	-	-
Plase Deel 8 78 Total		-	-	-	-	-	-	-	-
SUNDRY ACC 90	LEGAL	-	-	-	-	-	-	-	-
SUNDRY ACC 90 Total		-	-	-	-	-	-	-	-
Grand Total		349 602,60	352 261,84	353 514,02	354 951,12	356 799,06	358 156,35	359 422,48	361 211,91

OUTSTANDING DEBT 150 DAYS & OLDER Before Levy (MONTH END) - Legal Suite JUNE 2022		Comparative Period 2021-2022	
Month	Before Levy		
June-21	R 342 129,24	R	-178 540,30
July-21	R 343 330,59	R	-179 951,88
Aug-21	R 344 574,10	R	-181 168,33
Sep-21	R 347 106,52	R	-181 334,19
Oct-21	R 348 349,94	R	-180 088,25
Nov-21	R 349 602,60	R	-183 531,80
Dec-21	R 352 261,84	R	-182 762,06
Jan-22	R 353 514,02	R	-183 820,41
Feb-22	R 354 951,12	R	-184 233,53
Mrt-22	R 356 799,06	R	-194 152,44
Apr-22	R 358 156,35	R	-200 465,69
May-22	R 359 422,48	R	22 188,26
June-22	R 361 211,91	R	19 082,67

**OUTSTANDING DEBT
150 DAYS & OLDER
Before Levy(MONTH END)
- Legal Suite
JUNE 2022**

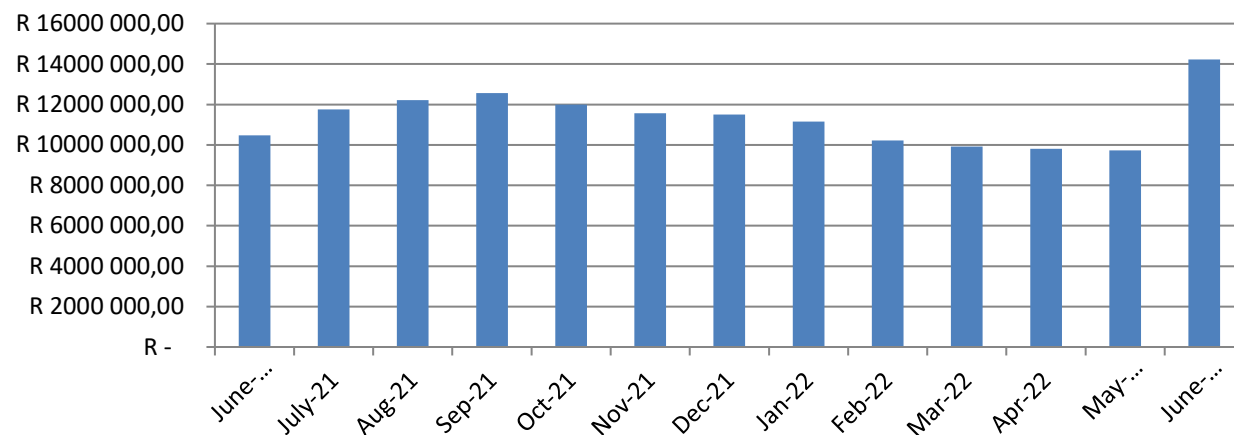


OUTSTANDING DEBT - 150 DAYS & OLDER - BEFORE LEVY (MONTH END) - JUNE 2022 - COLLAB									
MONTH									
SUBURB	NORMAL-LEGAL-COLLAB	Nov-21	Dec-21	Jan-22	Feb-22	Mrt-22	Apr-22	May-22	June-22
MALMESBURY 1	LEGAL	970 989,02	952 595,11	925 279,25	885 543,53	880 178,53	848 178,23	838 388,80	1 046 751,86
MALMESBURY 1 Total		970 989,02	952 595,11	925 279,25	885 543,53	880 178,53	848 178,23	838 388,80	1 046 751,86
WESBANK 2	LEGAL	542 557,81	634 870,97	598 011,63	561 806,19	523 484,74	510 907,56	490 097,16	709 143,24
WESBANK 2 Total		542 557,81	634 870,97	598 011,63	561 806,19	523 484,74	510 907,56	490 097,16	709 143,24
KALBASKRAAL 3	LEGAL	637 330,29	603 400,62	597 252,51	551 916,60	506 300,11	508 613,18	509 040,36	748 434,34
KALBASKRAAL 3 Total		637 330,29	603 400,62	597 252,51	551 916,60	506 300,11	508 613,18	509 040,36	748 434,34
ABBOTSDALE 4	LEGAL	1 773 811,01	1 757 349,18	1 744 425,86	1 568 371,46	1 534 111,00	1 508 525,31	1 484 333,83	2 132 075,31
ABBOTSDALE 4 Total		1 773 811,01	1 757 349,18	1 744 425,86	1 568 371,46	1 534 111,00	1 508 525,31	1 484 333,83	2 132 075,31
RIEBEEK KASTEEL 5	LEGAL	833 044,96	821 422,40	784 249,95	691 138,05	683 403,32	683 366,82	673 001,48	1 300 097,96
RIEBEEK KASTEEL 5 Total		833 044,96	821 422,40	784 249,95	691 138,05	683 403,32	683 366,82	673 001,48	1 300 097,96
RIEBEEK WES 6	LEGAL	937 567,38	912 102,90	915 618,79	766 908,42	756 323,18	747 852,70	739 590,66	1 276 967,99
RIEBEEK WES 6 Total		937 567,38	912 102,90	915 618,79	766 908,42	756 323,18	747 852,70	739 590,66	1 276 967,99
CHATSWORTH 7	LEGAL	1 923 146,90	1 888 494,58	1 873 217,59	1 811 341,32	1 776 955,08	1 711 423,69	1 717 520,70	2 385 887,95
CHATSWORTH 7 Total		1 923 146,90	1 888 494,58	1 873 217,59	1 811 341,32	1 776 955,08	1 711 423,69	1 717 520,70	2 385 887,95
RIVERLANDS 8	LEGAL	1 098 180,81	1 098 260,67	1 098 152,26	1 069 812,16	1 074 150,24	1 079 877,67	1 080 114,83	1 417 698,64
RIVERLANDS 8 Total		1 098 180,81	1 098 260,67	1 098 152,26	1 069 812,16	1 074 150,24	1 079 877,67	1 080 114,83	1 417 698,64
ILINGE LETHU 9	LEGAL	98 130,96	94 486,47	91 930,15	83 479,12	81 284,63	72 752,96	72 841,54	157 348,16
ILINGE LETHU 9 Total		98 130,96	94 486,47	91 930,15	83 479,12	81 284,63	72 752,96	72 841,54	157 348,16
PHOLA PARK 10	LEGAL	101 151,88	102 002,31	101 821,28	101 937,75	102 050,76	102 530,43	103 115,70	123 558,99
PHOLA PARK 10 Total		101 151,88	102 002,31	101 821,28	101 937,75	102 050,76	102 530,43	103 115,70	123 558,99
PPC RIEBEEK WES 16	LEGAL	24 577,79	23 235,15	21 322,00	799,89	802,62	805,35	807,99	4 126,83
PPC RIEBEEK WES 16 Total		24 577,79	23 235,15	21 322,00	799,89	802,62	805,35	807,99	4 126,83
DARLING 20	LEGAL	660 094,87	679 396,13	643 271,13	455 180,81	389 740,19	407 124,36	395 176,76	540 800,96
DARLING 20 Total		660 094,87	679 396,13	643 271,13	455 180,81	389 740,19	407 124,36	395 176,76	540 800,96
MOORREESBURG 30	LEGAL	855 844,82	840 598,97	826 738,73	771 769,48	759 413,21	766 408,31	769 526,76	1 046 936,57
MOORREESBURG 30 Total		855 844,82	840 598,97	826 738,73	771 769,48	759 413,21	766 408,31	769 526,76	1 046 936,57
YZERFONTEIN 40	LEGAL	348 594,81	337 671,86	226 252,36	226 285,24	218 844,85	220 305,63	216 424,46	317 140,47
YZERFONTEIN 40 Total		348 594,81	337 671,86	226 252,36	226 285,24	218 844,85	220 305,63	216 424,46	317 140,47
GROTTABAAL 41	LEGAL	179,70	180,70	181,67	182,64	183,58	184,52	185,43	669,81
GROTTABAAL 41 Total		179,70	180,70	181,67	182,64	183,58	184,52	185,43	669,81
JAKKALSFONTEIN 42	LEGAL	38 148,93	34 340,90	34 683,87	30 749,14	26 737,19	27 221,89	27 384,58	27 554,57
JAKKALSFONTEIN 42 Total		38 148,93	34 340,90	34 683,87	30 749,14	26 737,19	27 221,89	27 384,58	27 554,57
KORINGBERG 50	LEGAL	249 250,22	246 529,54	227 322,49	209 007,10	181 972,31	178 503,60	151 243,08	271 629,52
KORINGBERG 50 Total		249 250,22	246 529,54	227 322,49	209 007,10	181 972,31	178 503,60	151 243,08	271 629,52
Plase Deel 1 71	LEGAL	3 395,84	3 403,86	3 422,90	3 441,94	3 461,01	3 480,08	3 499,17	16 265,01
Plase Deel 1 71 Total		3 395,84	3 403,86	3 422,90	3 441,94	3 461,01	3 480,08	3 499,17	16 265,01

Plase Deel 2 72	LEGAL	18 345,00	18 446,70	18 547,16	18 647,62	18 562,28	18 651,16	18 740,00	21 401,28
Plase Deel 2 72 Total		18 345,00	18 446,70	18 547,16	18 647,62	18 562,28	18 651,16	18 740,00	21 401,28
Plase Deel 3 73	LEGAL	220,07	221,37	222,67	223,97	225,27	226,57	227,87	229,21
Plase Deel 3 73 Total		220,07	221,37	222,67	223,97	225,27	226,57	227,87	229,21
Plase Deel 4 74	LEGAL	1 608,07	1 614,62	1 621,17	1 627,72	1 634,27	1 640,82	1 647,37	1 654,12
Plase Deel 4 74 Total		1 608,07	1 614,62	1 621,17	1 627,72	1 634,27	1 640,82	1 647,37	1 654,12
Plase Deel 5 75	LEGAL	82 582,91	83 146,63	83 686,21	67 586,41	68 126,07	66 411,99	62 781,25	115 674,99
Plase Deel 5 75 Total		82 582,91	83 146,63	83 686,21	67 586,41	68 126,07	66 411,99	62 781,25	115 674,99
Plase Deel 6 76	LEGAL	0,00	0,00	0,00	0,00	0,00	-	-	-
Plase Deel 6 76 Total		0,00	0,00	0,00	0,00	0,00	-	-	-
Plase Deel 7 77	LEGAL	83 743,71	84 215,51	80 684,35	80 430,12	78 494,43	78 803,41	78 484,39	91 026,50
Plase Deel 7 77 Total		83 743,71	84 215,51	80 684,35	80 430,12	78 494,43	78 803,41	78 484,39	91 026,50
Plase Deel 8 78	LEGAL	104 972,81	112 414,55	109 693,19	109 467,32	110 020,96	110 571,91	111 122,85	271 675,40
Plase Deel 8 78 Total		104 972,81	112 414,55	109 693,19	109 467,32	110 020,96	110 571,91	111 122,85	271 675,40
SUNDRY ACC 90	LEGAL	178 565,42	176 818,07	142 864,37	143 745,53	144 626,66	144 415,40	178 822,14	195 884,11
SUNDRY ACC 90 Total		178 565,42	176 818,07	142 864,37	143 745,53	144 626,66	144 415,40	178 822,14	195 884,11
Grand Total		11 566 035,99	11 507 219,77	11 150 473,54	10 211 399,53	9 921 086,49	9 798 783,55	9 724 119,16	14 220 633,79

OUTSTANDING DEBT 150 DAYS & OLDER Before Levy (Month End) Collab JUNE 2022		Comparative Period 2021 - 2022
Month	Before levy	
June-21	R 10 465 959,06	R 2 219 124,88
July-21	R 11 760 817,56	R 3 694 873,05
Aug-21	R 12 215 709,12	R 4 078 471,77
Sep-21	R 12 563 120,61	R 4 558 677,36
Oct-21	R 11 995 030,50	R 4 110 825,53
Nov-21	R 11 566 035,99	R 1 413 830,35
Dec-21	R 11 507 219,77	R 1 205 785,91
Jan-22	R 11 150 473,54	R 598 011,87
Feb-22	R 10 211 399,53	R -611 603,56
Mar-22	R 9 921 086,49	R -464 947,57
Apr-22	R 9 798 783,55	R -292 258,55
May-22	R 9 724 119,16	R 1 928 434,58
June-22	R 14 220 633,79	R 3 754 674,73

OUTSTANDING DEBT 150 DAYS & OLDER Before Levy (Month End) Collab June 2022



ITEM: 7.11 ON THE AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE WHICH WILL BE HELD ON 13 JULY 2022.

ONDERWERP:	VORDERING MET UITSTAANDE VERSEKERINGSEISE
SUBJECT:	OUTSTANDING INSURANCE CLAIMS PROGRESS

1. AGTERGROND/BEREDENERING / BACKGROUND/DISCUSSION

Effective and sound asset management is critical to any business environment whether in the private or public sector. Asset safekeeping in the main, involves, whilst not limited to the latter, the protection and safeguarding of assets against potential damage, theft, and safety risks, whilst insurance cover provides selected and limited coverage for the accidental loss of the asset value.

2. WETGEWING / LEGISLATION

Section 63 of the Local Government: Municipal Finance Management Act, 2003 (Act no. 56 of 2003)

3. KOPPELING AAN DIE GOP / ALIGNMENT TO THE IDP

Verwys na 1.4.1 van die GOP/ Refer to 1.4.1 of the IDP

“Maintain and utilise assets effectively and efficiently- Implement an asset register that complies with Generally recognised Accounting Practice (GRAP) standards. In an effort to establish an asset management programme, compile a maintenance plan linked to the asset register, calculate escalated replacement cost of assets, and establish operating costs of assets and compare to standard.”

4. FINANSIËLE IMPLIKASIE / FINANCIAL IMPLICATION

Excess	1 July 2021 – 30 June 2022	:R 561 249.01(paid)
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Excess	Outstanding claims	:R 120 614.57 (outstanding)
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5. AANBEVELING / RECOMMENDATION

Voorgelê vir u kennisname/
Tabled for cognisance

(Get) M A C Bolton

DIREKTEUR: Finansiële Dienste

OUTSTANDING CLAIMS: COUNCIL

Reference Number	Claim number	Directorate	Date of Incident	Date of Claim Registered	Nature of Damage/ Loss	Amount of Claim	Excess Payment	Comments
2019/49	LAUA/CPT/P13988/41	Development Services	01/03/2019	13/03/2019	Motor Damaged: CK50308	11 173,99	5 000,00	SASRIA claim after vehicle was damage during protest. Insurance requests second quote on March 27. Outstanding documents send to Marsh on 29 May 2020. The claim was closed by Sasria but no reason was given why. A dispute was submitted to Sasria on the 12 November 2020 requesting them to review the rejection. Followed up on claim 17 March 2021. We referred the claim to our broker on 6 April 2021 to investigate the matter and provide feedback. Documents were again send to Lion of Africa on 31 August 2021 for their final review. Digicall confirms on 15 October 2021 that they requested SASRIA to re-open the file and assist with the claim. Sasria still busy with claim. Followed up on claim 20 December 2021. Follow up made with Sasria on 26 January, 25 February 20 May and 30 May 2022. Await feedback SASRIA still to respond. Refer claim to our brokers to attend urgently.
2022/38	CLGRMUM-861619	Civil Services: <i>Refuse Removal</i>	17/02/2022	21/02/2022	Motor Damaged, CK27606	121 872,68	15 000,00	While dumping a load of waste at the dumping site, the vehicle's hydraulic system failed which led to the vehicle tipping over and damaging the left side of the truck. Quotations send to insurer on 11 March 2022 and an assessor was appointed on 25 March 2022 to investigate the claim. Guardrisk confirmed on 18 May 2022 that a new service provider will be appointed. Confirmation to repair vehicle was received on 31 May 2022. Invoice outstanding.
2022/45	CLGRMUM-862561	Civil Services: Sewerage	14/02/2022	15/03/2022	Property Loss: Stolen Fencing Malmesbury Sewerage	266 145,65	26 614,57	Upon inspection of the site, it was discovered that +/- 350 meter of fencing was stolen. Awaiting approval from insurers for the claim. We have requested feedback on 19 April and 30 May 2022. Guardrisk appointed an Assessor to assist with the assessment. Follow up on claim 20 June 2022. Guardrisk have received the assessor report and settlement recommendations have been sent to Guardrisk management for approval on 29 June 2022.
'2022/51	CLGRMUM-863110	Municipal Property	25/03/2022	01/04/2022	Property Loss: Burst Geyser, 21 Alfa Street	9 310,00	1 000,00	The plumber confirms that the geyser bursts due to high water pressure. Pending confirmation from insurers whether the claim has been approved or not. We have requested feedback on 19 April and 20 May 2022. Invoice outstanding.
'2022/52	CLGRMUM-863166	Municipal Property	25/03/2022	01/04/2022	Property Loss: Burst Geyser, Rosenhof Community Hall	9 310,00	1 000,00	The plumber confirms that the geyser bursts due to high water pressure. Pending confirmation from insurers whether the claim has been approved or not. We have requested feedback on 19 April and 20 May 2022. Invoice outstanding.
'2022/53	CLGRMUM-863164	Municipal Property	25/03/2022	01/04/2022	Property Loss: Burst Geyser, Gene Louw Sports Ground	9 956,01	1 000,00	The plumber confirms that the geyser bursts due to high water pressure. Pending confirmation from insurers whether the claim has been approved or not. Guardrisk confirmed on 31 May 2022 that they have appointed a contractor to assess the loss. Invoice outstanding.
2022/60	SWA2021-22/SW/51/C	Civil Services: Water	12/05/2022	20/05/2022	Property Loss: Riverlands Borehole	183 827,95	25 000,00	Upon inspection the official discovered that the borehole control panels were vandalised at Riverlands borehole. Awaiting approval from insurers for the claim. Guardrisk appointed an Assessor to assist with the assessment. We have requested feedback on 20 June 2022.
2022/61	SWA2021-22/SW/52/C	Civil Services: Sewerage	08/02/2022	24/05/2022	Property Loss, Dissolved Oxygen Probes	388 654,00	25 000,00	The dissolved oxygen probes on the membrane bioreactor at the WWTW was damaged due to load shedding causing the temperature compensation sensor to fail. Insurance queried the date of incident and requested additional information. Awaiting approval from insurers for the claim.
2022/62	CLGRMUM-865648	Civil Services: Water	30/05/2022	01/06/2022	Property Loss: Burst Geyser, Multipurpose Centre	9 312,01	1 000,00	The plumber confirms that the geyser bursts due to high water pressure. Pending confirmation from insurers whether the claim has been approved or not. Guardrisk confirmed on 8 June 2022 that they have appointed an assessor to assess the loss. We have requested feedback on 21 June 2022.
2022/63	SWA2021-22/SW/55/AR	Civil Services: Parks and Recreational Areas	15/05/2022	13/06/2022	Property Loss: Darling Store	20 490,00	10 000,00	On 16 May 2022 the responsible official discovered that there was a break-in at the Darling stores. Several items were stolen. Awaiting approval from insurers for the claim. Outstanding documents send through on 15 June 2022.

2022/65	SWA2021-22/SW/58/C	Civil Services: Sewerage	18/05/2022	13/06/2022	Property Loss: Moorreesburg Sewerage Plant	18 242,05	10 000,00	On 19 May 2022 the responsible official discovered that there was a break-in at the Moorreesburg Sewerage plant. Several items were stolen. Awaiting approval from insurers for the claim. The insurer is attending to matter.
						1 048 294,34	120 614,57	

FINALISED CLAIMS

Number	Claim number	Directorate	Incident	Registered	Nature of Damage/ Loss	Amount of Claim	Excess Payment	Comments
2022/31	CLGRMUM-861854	Civil Services: IT Department	27/11/2021	07/12/2021	Property Loss: Stolen CCTV Cameras	20 815,00	2500,00	EFT Payment received on 01 June 2022. Receipt number 052323. Amount received R13 369,00
2022/58	SWA2021-22/SW/49/C	Municipal Property	07/05/2022	16/05/2022	Property Loss: Airconditioners, STD Building	84 000,00	25 000,00	EFT Payment received on 14 June 2022. Receipt number 103053. Amount received R39 722,00
2022/42	CLGRMUM-862366	Civil Services: Parks and Recreational Areas	01/03/2022	03/03/2022	Motor Damaged, CK39191	47 965,83	25 000,00	The excess amount was paid to the supplier on 14 June 2022
2022/54	CLGRMUM-863801	Civil Services: Sewerage	15/03/2022	12/04/2022	Motor Damaged, CK53979	11 356,56	5 000,00	The excess amount was paid to the supplier on 24 June 2022
						164 137,39	57 500,00	

REPUDIATE

Reference Number	Claim number	Directorate	Date of Incident	Date of Claim Registered	Nature of Damage/ Loss	Amount of Claim	Excess Payment	Comments
2022/35	CLGRMUM-860436	Civil Services: Water	04/01/2022	24/01/2022	Property Loss: Riebeeck Kasteel Store	9 059,40	7 500,00	Officials discovered that Riebeeck Kasteel Store had been broken into on 4 January 2022. Several items were stolen in the process. Awaiting approval from insurers for the claim. We have requested feedback on 19 April 2022. Outstanding information send to insurer on 30 May 2022. Claim repudiated on 6 June 2022 due to the fact that it falls within the excess amount of R25 000,00 and that the department could not provide proof of forcible and violent entry.
2022/66	SWA2021-22/SW/57/M	Civil Services: Sewerage	23/05/2022	13/06/2022	Motor Damage, CK12625	10 366,50	50 000,00	The official was emptying septic tanks at Highlands landfill. A third party drove backwards and collided with the truck. Claim repudiated on 15 June 2022 due to the fact that it falls within the excess amount of R50 000,00
						19 425,90	57 500,00	

ITEM 7.12 OF THE AGENDA OF AN EXECUTIVE MAYORAL COMMITTEE MEETING TO BE HELD ON 13 JULY 2022

SUBJECT: APPROVAL FOR CIRCULATION OF THE 4TH GENERATION DRAFT INTEGRATED WASTE MANAGEMENT PLAN (IWMP) FOR PUBLIC AND DEA&DP COMMENTS

1. BACKGROUND

An IWMP is a statutory requirement of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) that has been promulgated and came into effect on 1 July 2009, with the main goal being the transformation of collection and disposal methodologies and sustainable practices on waste avoidance and environmental sustainability.

The Waste Act requires the IWMP to be updated every five years and that it forms part of the IDP. The 3rd generation IWMP for Swartland Municipality was approved in May 2017. The 4th generation draft IWMP is now ready for circulation and comments. The final IWMP must be adopted by Council in 2022.

The draft IWMP document, compiled by JPCE, is attached hereto.

The document contains the following sections:

- **Executive Summary**
- **Section 1: Introduction:** Contains terms of reference, background, scope of the IWMP, methodology, aims and goals, geographic area of study and stakeholder participation.
- **Section 2: Status Quo:** Deals with legislation, demographics, waste classification, waste management structures and economics of waste management practices.
- **Section 3: Gaps and needs assessment:** Deals with legislation, waste quantities, collection needs, waste transportation and transfer, waste minimisation, recycling and re-use initiatives, airspace requirements, institutional needs, alternatives and funding mechanisms.
- **Section 4: Strategy and implementation:** Goals
- **Section 5: Monitoring and review:** Establishment of IWMP steering committee and monitoring schedule/programme
- **Section 6: Conclusions and recommendations**

2. SCOPE OF THE IWMP

The scope includes an investigation into the current state of the solid waste management system. This investigation aims to include various aspects such as legislation, waste types and generation, waste facilities and infrastructure and financing.

The status quo is evaluated to determine the gaps and needs of the system and include goals and objectives to improve the system where required. This is coupled with a monitoring and review program to ensure that the IWMP is implemented and up to date.

3. OVERALL AIMS AND GOALS OF THE IWMP

The primary objective of the IWMP is to integrate and optimize waste management in order to maximize efficiency and minimise associated environmental impacts and financial costs. The plan takes particular notice of the importance of local authority waste management planning and it underlines the following principles of the National Waste Management Strategy:

- Prevention of waste generation;
- Recovery of waste where generation cannot be prevented, and
- Safe disposal of waste that cannot be recovered

The main goals of the Swartland IWMP are aligned with the goals of the Western Cape Provincial IWMP, the National Waste Management Strategy, the Municipal Spatial Development Framework, the Municipal Integrated Development Plan, the National Development Plan and the Provincial Spatial Development Framework.

4. WASTE MINIMISATION, RECYCLING AND RE-USE INITIATIVES

The key component of modern waste management is arguably waste minimisation as a whole. Waste minimisation must continually be promoted to all domains of society.

Although Swartland Municipality has a successful recycling operation at the Highlands landfill, the total diversion from landfill must be increased to achieve targets.

The recently adopted Organic Waste Diversion Plan has set targets of 50% organic diversion in 2022 and 100% by 2027. These targets were set by the Western Cape Provincial Government. In addition to this, crushing of building rubble for alternative uses must also be explored.

5. TIMELINE / PROCESS

The draft document will be placed at libraries across the Swartland Municipal area after advertisements, calling for public comments, have appeared in newspapers. The draft IWMP will be submitted to DEA&DP for comments at the same time. From the date of the advertisement, thirty days will be allowed for comments from the public and DEA&DP, although the latter party may require more time.

Once the comments period expired, two weeks will be allowed to process and include comments into the final draft IWMP, which will then be submitted to Council for approval.

6. LINK TO IDP

The Integrated Waste Management Plan links to Strategic Goal 5: Sufficient, Affordable and Well Run Services, of The IDP.

7. RECOMMENDATION

- 7.1** That the Executive Mayoral Committee takes note that Swartland Municipality is in process of compiling the 4th Generation IWMP for Swartland Municipality.
- 7.2** That the Executive Mayoral Committee approves that the 4th Generation draft IWMP for Swartland Municipality be circulated for public and DEA&DP comments.
- 7.3** That with consideration of any comments received the final 4th Generation IWMP for Swartland Municipality be submitted to Council for approval.

(get) L D Zikmann

DIRECTOR: CIVIL ENGINEERING SERVICES

PSM/psm



Verslag Φ Ingxelo Φ Report

Kantoor van die Direkteur: Beskermingsdienste
15 June 2022

11/1/3/1/6

ITEM 7.13 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE
VERGADERING WAT GEHOU SAL WORD OP 13 JULIE 2022

ONDERWERP: AFWYKING VAN DIE VOORGESKREWE VERKRYGINGSPROSEDURES VIR DIE AANSTELLING VAN 'N DIENSVERSKAFER VIR OPLEIDING EN VERBLYF VAN DIE WETSTOEPASSINGS REAKSIE EENHEID.

SUBJECT: DEVIATION FROM THE PRESCRIBED PROCUREMENT PROCEDURES TO APPOINT A SERVICE PROVIDER FOR TRAINING AND LODGING OF THE LAW ENFORCEMENT REACTION UNIT.

1. AGTERGROND / BACKGROUND

Swartland Municipality received a conditional grant allocation for the establishment of a Law Enforcement Reaction Unit. Twenty Officers were appointed through a recruitment process and these officers now need to receive the necessary training (Traffic/Law Enforcement/ training, etc.).

The Cape Town Metropolitan Police Training Academy collaborating with Chrysalis Academy is the only service provider who provides this type of training to Reaction Units. Accommodation for the twenty officers will be provided by Chrysalis Academy in Tokai (Cape Town).

A quotation was received from **Chrysalis Academy = R 318 795, 00 (VAT Incl.)**

The Supply Chain Management Policy states that for the procurement of goods and services for any amount higher than R 30 000, 00 (Incl.Vat), a formal tender process must be followed. Since Chrysalis Academy is the only service provider to render the required service, the Municipal Manager and Director Financial Services approved the acceptance of the quotation of **Chrysalis Academy**.

2. WETGEWING / LEGISLATION

Klousule 36 van die Voorsieningskanaalbestuursbeleid bepaal in hierdie verband soos volg :

36(1) . Die rekenpligtige beampte mag –

- (a) . wegdoen met die amptelike aansaffingsprosesse wat deur die beleid daargestel is en enige benodigde goedere of dienste deur enige gerieflike proses , wat regstreekse onderhandelinge mag insluit , verkry , maar slegs –
 - (i) In n noodgeval ;
 - (ii) Indien sodanige goedere of dienste slegs deur n enkele verskaffer geproduseer of van n enkele verskaffer verkrygbaar is ,
 - (iii) Vir die verkryging van spesiale kunswerke of geskiedkundige voorwerpe waar dit moeilik is om spesifikasies op te stel ;

(iv) Vir die verkryging van diere vir dieretuine en/of botaniese monsters vir natuur- en wildreservate ; of

(v) In enige ander uitsonderlike geval waar dit onprakties of onmoontlik is om die amptelike verkrygingsprosesse te volg .

Further more the Accounting Officer must record the reasons for any deviations in terms of sub regulation (1) (a) and (b) and report them to the next meeting of the council, or board of Directors in the case of a municipal entity, and include as a note to the annual financial statements.

3. FINANSIELE IMPLIKASIE /FINANCIAL IMPLICATIONS

The expenditure of R 318 795,00 (VAT Incl.) is allocated to vote number 9/233-490-852 where sufficient funding is available.

4. AANBEVELING /RECOMMENDATIONS

- 4.1 That the action of the Municipal Manager be condoned not to invite tenders but to approve the acceptance of the quotation for the appointment of Chrysalis Academy to the amount of R 318 795,00 (VAT Incl.)
- 4.2 That the reasons for the deviation from the prescribed procurement process be recorded as:
 - Chrysalis Academy is the only service provider in the Western Cape that can provide the required training and lodging.
- 4.3 That it be noted that the expenditure was allocated to mSCOA vote 9/233-490-852 and that there was sufficient funding available for the order in the amount of R 318 795, 00 including VAT.
- 4.4 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.

(get) P A C Humphreys

MUNISIPALE BESTUURDER



Verslag ♦ Inggxelo ♦ Report

Kantoor van die Direkteur: Beskermingsdienste

20 June 2022.

ITEM 7.14 OF THE AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE MEETING TO BE HELD ON 13 JULY 2022.

**SUBJECT: DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES:
PROCUREMENT OF SHOTGUN RUBBER BULLETS**

1. BACKGROUND

- 1.1 The outbreak of protest action 13 to 17 June 2022 within the Darling community caused that the Traffic and Law Enforcement officers had to change their operational strategy to support Public Order Police (POP) and Provincial Intelligence in the execution of duty to curb protest action and safeguarding municipal infrastructure.
- 1.2 Forty (40) Swartland officers were part of the operational team who assisted SAPS in policing the protest action.
- 1.3 All Traffic and Law Enforcement employees had to change their working hours from the normal 8 hours to 12 hours shifts. The shifts started from 06h00-18h00 and 18h00-06h00.
- 1.4 Protesters threw motorists/road users with stones and they burned tyres in Evita Bezuidenhout Avenue. This action of the community caused that officers and SAPS had to use force by means of shotguns, rubber bullets and teargas to disperse the crowd.
- 1.5 More than 500 community members were part of this protest and the magnitude of the protesters caused us to run out of ammunition. We had to procure rubber bullets as an emergency purchase.
- 1.6 **Brussels Gunstock Makers PTY (LTD)** was the only available service provider who was willing to provide ammunition to Swartland Traffic and Law Enforcement on a public holiday and on short notice. Brussels Gunstock Makers supplied emergency ammunition on the 16 June 2022 at a cost of **R43 412.50** (VAT Included).

2. LEGISLATION

- (1) A supply chain management policy may allow the accounting officer-
 - (a) To dispense with the official procurement processes established by the policy and to procure any requires goods or services through any convenient process, which may include direct negotiations, but only-
 - (i) In an emergency;

- (ii) If such goods or services are produced or available from a single provider only;
 - (iii) For the acquisition of special works of art or historical objects where specifications are difficult to compile;
 - (iv) Acquisition of animals for zoos;
 - (v) In any other exceptional case where it is impractical or impossible, to follow the official procurement processes.
- (b) To ratify any minor breaches of the procurement processes by an official or committee acting in terms of delegated powers or duties, which are purely of a technical nature.
- (2) The accounting officer must record the reasons for any deviations in terms of sub regulation (1) (a) *and* (b) and report them to the next meeting of the council, or board of directors in the case of a municipal entity, and include as a note to the annual financial statements.
- (3) Sub regulation (2) does not apply to the procurement of goods and services contemplated in regulation 11 (2)."

3. FINANCIAL IMPLICATIONS

- 3.1 The total cost as per invoice provided by Brussels Gunstock Makers PTY (LTD) is **R 43 412.50 (vat included)** The goods will be paid from the Consumables Firearms vote **9/233-1004-3473**

4. RECOMMENDATION

- 4.1 That the action of the Municipal Manager be condoned to approve the payment of **R 43 412.50** to Brussels Gunstock Makers for the emergency purchase of Shotgun Rubber Bullets for Traffic and Law Enforcement.
- 4.2 That the reasons for the deviation from the prescribed procurement processes be recorded as follows:
- This was an emergency situation with Law Enforcement running out of shotgun bullets.
 - Brussels Gunstock Makers PTY (LTD) was the only service provider in this instance who was able to provide Shotgun Rubber Bullets on a public holiday and during the protest action.
- 4.3 The amount of **R 43 412.50** (VAT Included) was paid from vote number 9/233-1004-3473 (Consumables Firearms) in the 2021/22 budget;
- 4.4 That the Manager: Financial Statements and Control, in terms of the Supply Chain Management Policy be instructed to include the aforementioned reasons as a note to the financial statements, when the statements are compiled.

(get) P A C Humphreys

MUNICIPAL MANAGER