



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

TEENWOORDIG:

Uitvoerende Burgemeester, rdh J H Cleophas (voorsitter)

Lede van die Burgemeesterskomitee:

Rdl D G Bess (virtueel ingeskakel)

Rdl N Smit

Rdh T van Essen

Rdl A K Warnick (virtueel ingeskakel)

Ander raadslede:

Rdh M A Rangasamy (Speaker)

Beampies:

Munisipale Bestuurder, mnr J J Scholtz

Direkteur: Finansiële Dienste, mnr M A C Bolton

Direkteur: Elektriese Ingenieursdienste, mnr R du Toit

Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann

Direkteur: Ontwikkelingsdienste, me J S Krieger

Direkteur: Korporatiewe Dienste, me M S Terblanche

Bestuurder: Sekretariaat en Rekords, me N Brand

1. OPENING

Die voorsitter verwelkom lede en versoek die rdl N Smit om die vergadering met gebed te open.

2. VERLOF TOT AFWESIGHEID

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

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

3. VOORLEGGINGS/AFVAARDIGINGS/SPREEKBEURTE

Geen.

4. NOTULES

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

BESLUIT

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

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

5. OORWEGING VAN AANBEVELINGS UIT DIE NOTULE

5.1 NOTULES VAN PORTEFEULJEKOMITEESVERGADERINGS GEHOU OP 11 MEI 2022

5.1.1 MUNISIPALE BESTUURDER, ADMINISTRASIE EN FINANSIES

BESLUIT

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

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

5.1.2 SIVIELE EN ELEKTRIESE DIENSTE

BESLUIT

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

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

5.1.3 ONTWIKKELINGSDIENSTE

BESLUIT

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

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

5.1.4 BESKERMINGSDIENSTE

BESLUIT

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

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

6. SAKE VOORTSPRUITEND UIT DIE NOTULES

Geen.

7. NUWE SAKE

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

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

BESLUIT

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

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

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

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

7.2/...

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

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

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

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

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

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

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

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

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

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

- (a) Dat, na deeglike oorweging van die insette ontvang vanaf die publiek en provinsie soos deurgegee in **(Annexure E, Inputs received on Draft Budget)**, dit die oorwoë mening van die Raad is dat geen wysigings aan die beleide of begroting nodig geag word sover dit die 2022/2023 MTREF Konsepbegroting aangaan nie;
- (b) Dat die Raad kennis neem dat die koste soos beoog deur Artikel 19 (2)(a)(b) verkry is na konsultasie met die onderskeie direkteur(e) wie die operasionele kostes bevestig het soos per **(Annexure A: 2022/23 – 2024/25 Final Budget and Tariff File)**;
- (c) Dat die Raad, voor die goedkeuring van die kapitaalprojekte bo R50 miljoen soos gelys in **(Annexure B: 2022/23 – 2024/25 Capital Projects ito Sec 19)**, eers die geprojekteerde koste wat alle finansiële jare dek totdat die projek in werking is en die toekomstige bedryfskoste en inkomste op die projek, met inbegrip van belasting- en tarief-implikasies oorweeg het;

(d)/...

7.3/...

- (d) Dat die Raad kennis neem dat die Departement van Sport nie betyds die skrywes van aanbeveling, spesifiek ten opsigte van sportprojekte ten bedrae van R10 miljoen uitgereik het nie. Die gevolg is dat die projekte nie onder die MIG-program geregistreer kon word nie en dus nie gedurende die 2022/2023 finansiële jaar geïmplementeer kan word nie. Die Departement van Sport het egter goedkeuring verleen dat die fondse aangewend word in die 2023/2024 finansiële jaar;
- (e) Dat die Raad kennis neem van die versnelling van die Herseëlprogram in die huidige finansiële jaar as gevolg van die onderspandering op die Moorreesburg Riolsuiweringswerke-projek, onderhewig daaraan dat die Herseëlprogram met dieselfde bedrag verminder in die 2022/2023 jaar en die fondse weer geallokeer word aan die Moorreesburg Riolsuiweringswerke-projek;
- (f) Dat die Raad in beginsel goedkeuring verleen vir die opneem van 'n eksterne lening in 2023/24 of 2024/25 vir die gedeeltelike finansiering van die Highlands Stortingsterrein en Grootmaat Elektriesiteitsprojekte ten bedrae van R50 miljoen;
- (g) Dat die Raad die befondsingsbronne oorweeg wat verband hou met die Raad se kapitaalprogram en daarop let dat die befondsingsbronne beskikbaar is en nie vir ander doeleindes geormerk is nie;

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

- (h) Dat die Raad dit toepaslik geag het om die totale kapitaalprogram te oorweeg, uitgesluit die 3 individuele projekte bo R50 miljoen aangesien die voorgenoemde kapitaalprogram se operasionele koste, insluitend die toekomstige koste wat gedek sal word deur belasting en die normale kostesentrums soos in die bedryfsbegroting;
- (i) Dat die Raad die kapitaalprojekte as deel van die gekonsolideerde kapitaalprogram goedkeur soos per **(Annexure A: 2022/23 – 2024/25 Final Budget and Tariff File)**;
- (j) Dat die finale hoë-vlak meerjarige Kapitaal- en Bedryfsbegrotings ten opsigte van die 2022/23 tot 2024/25 finansiële jare goedgekeur word as finaal;

Tabel/...

	Oorspronklike Begroting 2021/22	Aansuiwerings begroting 2021/22	Finale Begroting 2022/23	Finale Begroting 2023/24	Finale Begroting 2024/25
Kapitaalbegroting	166 435 729	170 040 448	191 095 805	195 834 903	165 690 722
Bedryfsuitgawes	911 967 149	953 347 356	1 029 478 873	1 061 530 679	1 140 028 445
Bedryfsinkomste	968 875 613	1 013 254 106	1 093 983 965	1 123 993 180	1 174 158 797
Begrote (Surplus)/ Tekort	(56 908 464)	(59 906 750)	(64 505 092)	(62 462 501)	(34 130 352)
Minus: Kapitaal Toekennings en Bydraes	47 912 409	52 027 246	77 109 000	73 351 000	35 935 000
(Surplus)/ Tekort	(8 996 055)	(7 879 504)	12 603 908	10 888 499	1 804 648

- (k) Dat die Raad goedkeuring verleen vir die kennisgewing ingevolge artikel 14(1) en (2) van die Plaaslike Regering: Wet op Munisipale Eiendomsbelasting, 2004 ten opsigte van die heffing van finale eiendomsbelastingkoerse, vrystellings en afslag op eiendomme soos gespesifiseer in die onderstaande skedule en in die eiendomsbelastingbeleid vir die 2022/23 finansiële jaar;

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

Exemptions and Reductions

- **Residential Properties:** For all residential properties, the municipality will not levy a rate on the first R15 000 of the property's market value. The R15 000 is the statutory impermissible rate as per section 17(1)(h) of the Municipal Property Rates Act.

Rebates in respect of a category of owners of property are as follows:

- **Indigent owners:** 100 per cent rebate will be granted to registered indigents in terms of the Indigent Policy to a maximum valuation of R105 000;

7.3/(k)...

- **Qualifying senior citizens and disabled persons:** A rebate to an amount equal to the rates payable on the first amount of the valuation of such property to a limit of R300 000.

NB: Please refer to the municipality's property rates policy in respect of all rebates offered.

- (l) Dat die Raad die tariefstrukture en heffings vir water, vullisverwydering, riool en ander diverse heffings soos uiteengesit in **(Annexure A: 2022/23 – 2024/25 Final Budget and Tariff File)** goedkeur as finaal;
- (m) Dat die Raad die voorgestelde elektrisiteitstariewe as finaal goedkeur vir die 2022/23 finansiële jaar, **met inagneming dat dit onderhewig is aan finale goedkeuring deur NERSA;**
- (n) Dat die jaarlikse begrotingstabelle soos vereis deur die Begrotings- en Rapporteringsregulasies en uiteengesit is in **(Annexure C: Budget Report and A-Schedules 2022/23 – 2023/24)** goedgekeur word;
- (o) Dat die **wysigings** aan die begrotings- en verwante beleide soos vervat in **(Annexure D: Final Amendments to Budget & Related Policies 2022/23)**, goedgekeur word as finaal;
- (p) Dat die opleidingsbegroting beperk word tot **0,65%** van die salarisbegroting ten bedrae van **R1 911 192** vir die 2022/23 finansiële jaar;
- (q) Dat die Raad kennis neem dat die verhogings vir die Direkteure kontraktueel gekoppel is aan die ander personeel wat op nasionale vlak onderhandel en bepaal word:
 - Ten opsigte van alle personeel, 'n verhoging van **4.9%** vir 2022/2023; **4.4%** vir die 2023/2024 en **4%** vir 2024/2025 finansiële jare, uitgesluit die toename in ander voordele wat van toepassing is en die jaarlikse 2,5% kerfverhoging waar van toepassing;
 - Daar is voldoende begroot vir alle salarisaanpassings;
 - Voorsiening is gemaak vir 'n **3%** verhoging vir politieke ampsbekleërs wat val binne die middelband van die inflasietekens soos bepaal deur die Suid-Afrikaanse Reserwebank (SARB);
- (r) Dat die Raad kennis neem van die begrote bedryfsurplusse en dat die begroting “kontant gefinansier” word as gevolg van die kontantreserwes in tabel A8, die totale groei in uitgawes van **8%** vanaf die huidige na die nuwe finansiële jaar en die inkomstebronne met 'n groei in inkomste van **8% (slegs 5.6% kapitale toekennings uitgesluit)** vir die MTREF periode, sowel as die kontantvloei-staat soos per **(A-schedule: A7)** vir die volgende drie finansiële jare;
 - die risikofaktor vir kontantdekking vir bedryfsuitgawes is **8.9 maande** vir 2022/23, **8.4 maande** vir 2023/24 en **7.8 maande** vir die 2024/25 finansiële jaar (dit kan wesenlik beïnvloed word, maar op hierdie stadium is dit nie moontlik om wetenskaplik te bepaal nie);
 - oor die volgende drie finansiële jare is die beplanning van so 'n aard dat netto bedryfstekorte verwag word vir 2022/23, 'n bedrag van **R 12 603 908**, vir 2023/24 'n bedrag van **R 10 888 499** en vir 2024/25 'n bedrag van **R 1 804 648 (kapitale toekennings uitgesluit)**, wat bestuurbaar is binne die risiko-aptit van die munisipaliteit en gerugsteun word deur die verbeterde betaalkoerse.
- (s) Dat die Direkteur: Finansiële Dienste voldoen aan die vereistes van die Begrotingsomsendbriewe en –formate in die konteks van die verslagdoeningsvereistes aan Provinsiale en Nasionale Tesourie;

7.3/...

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

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

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

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

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

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

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

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

- (a) Die aangehegte ontwikkelingbydraes vir die 2022/2023 finansiële jaar goedgekeur word:
- Greenfields"-ontwikkelingbydraes – Malmesbury (Bylae "A");
 - "Brownfields"-ontwikkelingbydraes – Swartland Munisipale Gebied (Bylae "B");
 - Ontwikkelingbydraes – Riebeek Vallei (Bylae "C" & "C1" en Bylae "C");
 - Ontwikkelingsbydraes vir grootmaatsdienste – Yzerfontein (Bylae "D");
- (b) 'n Korting van 35% op genoemde ontwikkelingbydraes ten opsigte van die 2022/2023 finansiële jaar toegestaan word;
- (c) Ontwikkelaars 'n ooreenkoms met die Munisipaliteit aangaan m.b.t. die betaling van ontwikkelingbydraes ingevolge die bestaande beleide;
- (d) Die bestaande besluit insake die vrystelling van betaling van ontwikkelingsbydraes op ontwikkelings van 100m² en kleiner aan ondernemings en nywerhede in die Riebeek Vallei, ten opsigte van die 2022/2023 finansiële jaar bevestig word;
- (e) Die werklike koste van ontwikkelingsbydraes sal op alle ontwikkelings van toepassing wees, soos bepaal en bereken deur die Direkteur: Siviele Ingenieursdienste en die Direkteur: Elektriese Ingenieursdienste.

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

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

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

Besluit/...

7.5/...

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

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

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

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

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

BESLUIT

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

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

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

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

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

BESLUIT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) Dat kennis geneem word van die konsep Prosesplan;
- (b) Dat 'n werksessie in verband met die Prosesplan met die Raad gehou word op 9 Junie 2022;
- (c) Dat die plaaslike gemeenskap gedurende Junie en Julie 2022 gekonsulteer word deur middel van kennisgewings in die plaaslike koerante en op die Munisipaliteit se Facebookblad en webtuiste; en
- (d) Dat die finale Prosesplan in Augustus 2022 aan die Raad voorgelê word vir goedkeuring.

7.11/...

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

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

BESLUIT

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

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

7.11/...

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

7.12 VOORRAADOPNAME: 2022 (6/1/1)

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

BESLUIT

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

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

7.13 UITSTAANDE DEBITEURE: APRIL 2022 (5/7/1/1)

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

Die Direkteur: Finansiële Dienste, mnr M Bolton, meld dat ten opsigte van die uitstaande skuld deur staatsdepartemente, die Provinsiale Tesourie versoek het om geleentheid te gee om met die Departement van Vervoer en Openbare Werke en die Departement van Landbou en Landelike Ontwikkeling in gesprek te tree alvorens verdere regsprosesse volvoer word om skulde te in.

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

BESLUIT

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

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

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

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

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

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

BESLUIT

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

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

7.15/...

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

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

BESLUIT

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

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

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

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

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

BESLUIT

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

7.16/...

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

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

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

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

BESLUIT

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

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

(GET) J H CLEOPHAS
UITVOERENDE BURGEMEESTER



NOTULE VAN 'N VERGADERING VAN DIE MUNISIPALE BESTUUR-, ADMINISTRASIE EN FINANSIES PORTEFEULJEKOMITEE VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 8 JUNIE 2022 OM 11:03

TEENWOORDIG:

RAADSLEDE:

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

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

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

BEAMPTES:

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

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom lede.

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

Geen verskonings is ontvang nie.

2. NOTULE

2.1 NOTULE VAN 'N PORTEFEULJEKOMITEEVERGADERING (MUNISIPALE BESTUUR-, ADMINISTRASIE- EN FINANSIESKOMITEE) GEHOU OP 11 MEI 2022

BESLUIT

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

Dat die notule van die Portefeuljekomiteevergadering (Munisipale Bestuur-, Administrasie- en Finansieskomitee) gehou op 11 Mei 2022 goedgekeur word.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

3.1 SKRYWES VAN DANK EN WAARDERING AAN SWARTLAND MUNISIPALITEIT

BESLUIT

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

3.2 UITVOERENDE BURGEMEESTER: MUNISIPALE FINANSIËLE VOLHOUBAARHEID GRADERING

Die Uitvoerende Burgemeester, rdh J H Cleophas, wens Swartland Munisipaliteit geluk met die aanwysing deur *Africa-Ratings* as die vierde beste munisipaliteite in die land. Die Munisipaliteit het 'n punt van 71% bepaal in vergelyke met 2017 se punt van 65% en dui dit op 'n goeie verbetering.

Die Uitvoerende Burgemeester wens al die personeellede van die Munisipaliteit geluk met die uitstaande prestasie, asook die voormalige Raad wat toegelaat het dat die amptenare hulle werk doen om so 'n goeie toekenning te kon behaal.

Ten slotte versoek die Uitvoerende Burgemeester dat die Munisipale Bestuurder en Direkteure die Raad se dank aan die werknemers van Swartland Munisipaliteit oordra.

VIR KENNISNAME

3.3 MUNISIPALE BESTUURDER: "UPPER LIMITS" VIR RAADSLEDE

Die Munisipale Bestuurder, mnr J J Scholtz, noem dat die bo-perke t.o.v. raadslidvergoeding op 2 Junie 2022 afgekondig is vir die 2021/2022 finansiële jaar.

'n Spesiale Raadsvergadering word geskeduleer vir Woensdag, 15 Junie 2022 om 09:30 ten einde die raadslidvergoeding vir die 2021/2022 finansiële jaar goed te keur en dit aan die Minister van Plaaslike Regering se kantoor te voorsien teen die einde van die betrokke dag. Indien die bo-perk implementering van raadslidvergoeding nie teen die einde van die finansiële jaar geïmplementeer word nie, sal dit finansiële beplanning ontwig.

VIR KENNISNAME

3.4 MUNISIPALE BESTUURDER: WES-KAAPSE REGERING: PAD VORENTOE IN REAKSIE OP DIE VERKLARING WAT DEUR DIE KONSTITUSIONELE HOF OP 16 FEBRUARIE 2022 VERSKAF IS, SOOS DIT VERBAND HOU OP DIE OPSKORTING VAN ONGELDIGHEID VAN DIE VOORKEURVERKRYGINGSREGULASIES, 2017

Die Munisipale Bestuurder, mnr J J Scholtz, meld dat op Woensdag, 6 Februarie 2022 het die Konstitusionele Hof 'n uitspraak gelewer rakende die ongeldigheid van die Voorkeurverkrygingsregulasies, 2017 wat op 20 Januarie 2017 deur die Minister afgekondig is.

Die Hoogste Hof van Appèl het die Voorkeurverkrygingsregulasies ongeldig verklaar op grond daarvan dat die Minister met die afkondiging van sekere bepalings in die Regulasies sy bevoegdheid oorskry het. Die Wes-Kaapse Regering het 'n Tesourie-omsendbrief 06/2022 uitgereik om leiding te verskaf oor die tussentydse reëlins, en in reaksie hierop het munisipaliteite verskillende benaderings gevolg.

Die 2017-Voorkeurverkrygingsregulasies sal tot 15 Februarie 2023 van krag bly, tensy nuwe regulasies voor daardie datum afgekondig word.

Ten slotte meld die Munisipale Bestuurder dat munisipaliteite en munisipale entiteite moet verseker dat alle beleidsbesluite wat gedurende die tussentydse tydperk geneem is, teruggetrek word en verseker dat alle relevante beleide in lyn gebring word met die 2017-Voorkeurverkrygingsregulasies en deur die Raad goedgekeur word om te verseker dat voldoen word aan die Konstitusionele Hof-uitspraak wat op 30 Mei 2022 gelewer is.

VIR KENNISNAME

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

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

5.1/...

5.1 MAANDVERSLAG: APRIL 2022

Die voorsitter lê die maandverslag ter tafel soos met die sakelys gesirkuleer en versoek die Munisipale Bestuurder, om belangrike aspekte uit te wys.

Die Munisipale Bestuurder bevestig, op navraag van rdl B J Penxa, dat die skootrekenaars van raadslede reeds deur die diensverkaffer ontvang is, en binnekort aan die Munisipaliteit afgelewer sal word.

Op navraag deur, rdl P E Soldaka, oor die vestiging/formalisering van die Moorreesburg Sakekamer, versoek die Voorsitter dat daar met die Sakekamer geskakel moet word om die nodige inligting te bekom.

BESLUIT

(voorgestel deur rdl D C Pypers, gesekondeer deur rdl E C O'Kennedy)

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

6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

7. GEDELEGEERDE SAKE M.B.T. ADMINISTRASIE

7.1 MAANDVERSLAG: APRIL 2022

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

BESLUIT

(op voorstel van rdd M van Zyl, gesekondeer deur rdh M A Rangasamy)

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

8. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

9. GEDELEGEERDE SAKE M.B.T. FINANSIES

9.1 MAANDVERSLAG: APRIL 2022

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

Die Direkteur: Finansiële Dienste gee 'n oorsig van die finansiële posisie vir die Raad, met verwysing na inkomste en uitgawes.

BESLUIT

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

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

10. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

(GET) RDL I S LE MINNIE
VOORSITTER



**NOTULE VAN 'N VERGADERING VAN DIE SIVIELE- EN ELEKTRIESE DIENSTE
PORTEFEULJEKOMITEE VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 8
JUNIE 2022 OM 11:48**

TEENWOORDIG:

RAADSLEDE:

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

Bess, D G

Duda, A A

O'Kennedy, E C

Pieters, C

Smit, N

Stanley, B J (rdh)

Van Zyl, M (rdd)

Warnick, A K

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

BEAMPTES:

Munisipale Bestuurder, mnr J J Scholtz

Direkteur: Beskermingsdienste, mnr P A C Humphreys

Direkteur: Elektriese Ingenieursdienste, mnr R du Toit

Direkteur: Finansiële Dienste, mnr M A C Bolton

Direkteur: Korporatiewe Dienste, me M S Terblanche

Direkteur: Ontwikkelingsdienste, me J S Krieger

Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann

Komiteebeampte, me S Willemse

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom almal teenwoordig.

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

Verlof tot afwesigheid word verleen aan rdl C Fortuin.

2. NOTULE

2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (SIVIELE- EN ELEKTRIESE DIENSTEKOMITEE) GEHOU OP 11 MEI 2022

BESLUIT

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

Dat die notule van die Portefeuljekomiteevergadering (Siviele- en Elektriese Dienste) gehou op 11 Mei 2022 goedgekeur word.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

3.1 VERFRAAIING VAN DIE OOP RUIMTES IN SWARTLAND MUNISIPALITEIT

Rdh T van Essen doen 'n voorlegging insake die verfraaiing van die oop ruimtes in die Swartland munisipale gebied om tot voordeel van die omliggende gemeenskappe te wees en as 'n oplossing kan dien vir onwettige rommelstorting op oop ruimtes.

Rdh T van Essen meld dat rommelstrooi en onwettige storting van afval deur plaaslike gemeenskappe in Suid-Afrika en ook die Swartland 'n baie groot krisis geword het.

VIR KENNISNAME

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

5. GEDELEGEERDE SAKE

5.1. MAANDVERSLAG: APRIL 2022

5.1.1 SIVIELE INGENIEURSDIENSTE

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

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

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

Rdh B J Stanley bevestig dat hy in samewerking met die Direkteur: Siviele Ingenieursdienste en hulp vanaf die gemeenskap, 'n groot stortingsterrein in Kalbaskraal toegemaak het.

BESLUIT

(op voorstel van rdd M van Zyl, gesekondeer deur rdl A K Warnick)

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

5.1.2 ELEKTRIESE INGENIEURSDIENSTE

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

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

Die Direkteur: Elektriese Ingenieursdienste gee inligting deur insake die instandhouding van straatligte in die Eskom voorsieningsgebiede en bevestig dat Eskom toestemming aan die Munisipaliteit verleen het om, onder voorwaardes, op hul netwerke te werk.

BESLUIT

(op voorstel van rdd M van Zyl, gesekondeer deur rdl A K Warnick)

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

6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

**(GET) RDL R J JOOSTE
VOORSITTER**



**NOTULE VAN 'N VERGADERING VAN DIE ONTWIKKELINGSDIENSTE PORTEFEULJEKOMITEE
VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 8 JUNIE 2022 OM 10:00**

TEENWOORDIG:

RAADSLEDE:

Voorsitter, rdl G Vermeulen
Ondervoorsitter, rdl D G Bess

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

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

BEAMPTES:

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

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom lede en open die vergadering met skriflesing en gebed.

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

Die Munisipale Bestuurder reël dat die Portefeuljekomitee: Ontwikkelingsdienste eerste plaasvind en daarna die ander komitees in normale volgorde.

Geen verskonings is ontvang nie.

2. NOTULE

2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (ONTWIKKELINGSDIENSTE) GEHOU OP 11 MEI 2022

BESLUIT

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

Dat die notule van die Portefeuljekomiteevergadering (Ontwikkelingsdienste) gehou op 11 Mei 2022 goedgekeur word.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

**3.1 VOORLEGGING DEUR DIE SNR BESTUURDER: BOU-OMGEWING INSAKE DIE
VOORGESTELDE ONTWIKKELINGS IN EN RONDON MALKESBURY**

Die Senior Bestuurder: Bou-Omgewing, mnr A M Zaayman, doen 'n voorlegging insake die voorgestelde ontwikkelings in en rondom Malmesbury, Darling en Riebeeck-Vallei.

Die Munisipale Bestuurder, mnr J J Scholtz, lewer aanvullende kommentaar tot die projekte, onder andere, die impak van die opgradering van die N7.

Die Munisipale Bestuurder noem, na aanleiding van rdl P E Soldaka se kommer dat Moorreesburg uitgesluit word van ontwikkelings, dat daar gesprekke aan die gang is met 'n ontwikkelaar wat 'n Olieproduksie-aanleg uit Kanola in Moorreesburg wil vestig. Die Munisipale Bestuurder verwys verder na die opgradering van die Afvalwatersuiweringswerke in Moorreesburg wat in volgende jaar voltooi sal wees.

Rdl D C Pypers ondersteun die kommer dat daar geen ontwikkeling in Moorreesburg plaasvind nie.

Die Speaker versoek dat daar gedurende gesprekke met ontwikkelaars versoek word om, waar moontlik, inwoners van die Swartland area vir werksgeleenthede aan te stel.

Die Uitvoerende Burgemeester bevestig dat hy reeds gedurende gesprekke met ontwikkelaars aangedring het om inwoners van die Swartland aan te stel. Tydens 'n vergadering met die Sakekamer, was daar ook gesprekke om openbare vervoer in plek te stel vir die inwoners/werkers buite Malmesbury wat hier werk kry.

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

5. GEDELEGEERDE SAKE

5.1 MAANDVERSLAG: APRIL 2022

Die voorsitter lê die maandverslag ter tafel.

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

Op navraag deur, rdl M Ngozi, rakende die verskeie behuisingsprojekte in Malmesbury, word dit deur die Direkteur: Ontwikkelingsdienste bevestig dat daar ±2800 behuisingsgeleenthede in Malmesbury, De Hoop ontwikkel gaan word.

Rdl M Ngozi verneem verder oor die vereistes om vir behuising te kwalifiseer, en meld die Munisipale Bestuurder dat die Munisipaliteit uitvoering moet gee aan die kriteria wat deur die Nasionale Regering daargestel is en dat daar nie afgewyk mag word nie.

Rdl C Daniels spreek sy kommer uit oor die kapitaalspandering van 59.3% en die spandering van toelaes wat staan op 41%.

Die Direkteur: Ontwikkelingsdienste meld dat, met betrekking tot die Menslike Nedersettingsprojekte, die meeste van die projekte afgehandel is. Weens die vertraging deur die Provinsiale Regering om die Darling Gap-behuisingsprojekte goed te keur, sal al die fondse nie in die 2021/2022 finansiële jaar bestee kan word nie. Die Departement Menslike Nedersetting het bevestig dat die befondsing in die volgende finansiële jaar aan die Munisipaliteit teruggegee sal word.

BESLUIT

(op voorstel van rdl I S le Minnie, gesekondeer deur rdl D G Bess)

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

6. VERSLAGDOENING INSAKE GEDELEGEERDE BESLUITNEMING DEUR

6.1 DIE MUNISIPALE BEPLANNINGSTRIBUNAAL

Dat **KENNIS GENEEM** word van die inhoud van die notule van 'n vergadering van die Munisipale Beplanningstribunaal gehou op 13 April 2022.

7. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

**(GET) RDL G VERMEULEN
VOORSITTER**



NOTULE VAN 'N VERGADERING VAN DIE BESKERMINGSDIENSTE PORTEFEULJEKOMITEE VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 8 JUNIE 2022 OM 12:33

TEENWOORDIG:

RAADSLEDE:

Voorsitter, rdd M van Zyl

Ondervoorsitter, rdl A K Warnick

Bess, D G

Daniels, C

De Beer, J M

Jooste, R J

Le Minnie, I S

Papier, J R

Pieters, C

Stanley, B J (rdh)

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

BEAMPTES:

Munisipale Bestuurder, mnr J J Scholtz

Direkteur: Beskermingsdienste, mnr P A C Humphreys

Direkteur: Elektriese Ingenieursdienste, mnr R du Toit

Direkteur: Finansiële Dienste, mnr M A C Bolton

Direkteur: Korporatiewe Dienste, me M S Terblanche

Direkteur: Ontwikkelingsdienste, me J S Krieger

Direkteur: Siviele Ingenieursdienste, mnr L D Zikmann

Komiteebeampte, me S Willemse

1. OPENING/VERLOF TOT AFWESIGHEID

Die voorsitter verwelkom lede.

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

Verlof tot afwesigheid word verleen aan rdl C Fortuin.

2. NOTULE

2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (BESKERMINGS-DIENSTE) GEHOU OP 11 MEI 2022

BESLUIT

(voorgestel deur rdl A K Warnick, gesekondeer deur rdl D G Bess)

Dat die notule van die Portefeuljekomiteevergadering (Beskermingsdienste) gehou op 11 Mei 2022 goedgekeur word.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

Geen

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

5. GEDELEGEERDE SAKE

5.1. MAANDVERSLAG: APRIL 2022

5.1.1/...

5.1.1 PRESTASIEVERSLAG
5.1.2 VERKEER- EN WETSTOEPASSINGSDIENSTE
5.1.3 BRANDBESTRYDING

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

Op navraag deur, rdl D G Bess, oor die funksionering van die SAPD se K9-eenheid, meld die Direkteur: Beskermingsdienste dit in die Paarl geleë is. Die K9-eenheid kan slegs suksesvol funksioneer in samewerking met die SAPD.

Rdl C Daniels spreek sy kommer uit oor die hoë spoed en onwettige jaagtogte op die Darling-pad en 'n bespreking volg om moontlik oplossings te ondersoek.

BESLUIT

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

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

6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

(GET) RDL A K WARNICK
ONDERVOORSITTER

**ITEM 7.1 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEEVERGADERING
WAT GEHOU SAL WORD OP 15 JUNIE 2022**

ONDERWERP:	VOORLEGGING VAN DIE 2022/2023 DIENSLEWERING- EN BEGROTINGIMPLEMENTERINGSPLAN (SDBIP)
SUBJECT:	SUBMISSION OF THE 2022/2023 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP)

1. BACKGROUND / DISCUSSION

Section 1 of the Municipal Finance Management Act (Act 56 of 2003) (MFMA) defines service delivery and budget implementation plan (SDBIP) as a detailed plan for implementing the municipality's delivery of municipal services and its annual budget, and which must indicate -

- (a) projections for each month of -
 - (i) revenue to be collected, by source; and
 - (ii) operational and capital expenditure, by vote;
- (b) service delivery targets and performance indicators for each quarter.

The purpose of the SDBIP is to support the Municipality's management to achieve service delivery targets as well as the spending of the capital budget within given timeframes..

2. WETGEWING

Artikel 69 van die MFMA bepaal dat die Munisipale Bestuurder 'n konsep SDBIP vir die begrotingsjaar aan die Burgemeester moet voorlê binne 14 dae na goedkeuring van die jaarlikse begroting (dit is voor of op 9 Junie 2022). Dit is dan wel op 9 Junie 2022 aan die Burgemeester voorgelê.

Artikel 53 van die 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).

3. ALIGNMENT TO THE IDP

The IDP and the SDBIP are linked through Chapter 7 of the IDP which is also included in the SDBIP as well as the annual budget which is included in both documents. The budget is informed by the strategy and objectives of the IDP.

4. FINANSIËLE IMPLIKASIE

Geen

5. AANBEVELING / RECOMMENDATION

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

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

(get) J J Scholtz

**MUNISIPALE BESTUURDER
MUNICIPAL MANAGER**

ITEM 7.2 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEEVERGADERING WAT GEHOU SAL WORD OP 15 JUNIE 2022

ONDERWERP: VOORLEGGING VAN 2022/2023 PRESTASIE-OOREENKOMSTE EN -PLANNE SUBJECT: SUBMISSION OF 2022/2023 PERFORMANCE AGREEMENTS AND PLANS

1. AGTERGROND

Die prestasie-ooreenkomste en –planne wat voorgelê word (dié van die Munisipale Bestuurder en die Direkteur Ontwikkelingsdienste is as **AANHANGSEL 1** aangeheg) is vir die 2022/2023 finansiële jaar en is 'n vervangende addendum tot die aanstellingskontrakte van die Munisipale Bestuurder en direkteure.

2. LEGISLATION

The performance agreements were compiled in terms of section 57 of the Municipal Systems Act (Act 32 of 2000).

Section 57(2) of the MSA stipulates that the performance agreements must be concluded annually within one month after the beginning of each financial year.

Section 69 of the MFMA stipulates that the performance agreements must be submitted to the Executive Mayor within 14 days after approval of the annual budget. It was submitted to the Mayor on 9 June 2022.

In terms of Section 53(2) of the MFMA the performance agreements must be made public no later than 14 days after the approval of the municipality's SDBIP and copies must be submitted to the council and the MEC for local government in the province.

3. KOPPELING AAN DIE GOP

Die GOP en die prestasie-ooreenkomste is aan mekaar gekoppel deurdat die KPI's en teikens in Hoofstuk 7 van die GOP in die prestasie-ooreenkomste opgeneem is.

4. FINANSIËLE IMPLIKASIE

Geen

5. AANBEVELING / RECOMMENDATION

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

That the performance agreements and plans of the Municipal Manager and directors for the 2022/2023 financial year be noted.

(get) J J Scholtz

MUNISIPALE BESTUURDER
MUNICIPAL MANAGER

PERFORMANCE AGREEMENT

MADE AND ENTERED INTO BY AND BETWEEN:

**THE SWARTLAND MUNICIPALITY
AS REPRESENTED BY THE EXECUTIVE MAYOR**

Harold Cleophas

AND

JJ Scholtz

THE EMPLOYEE OF THE MUNICIPALITY

FOR THE

FINANCIAL YEAR: 1 JULY 2022 - 30 JUNE 2023

PERFORMANCE AGREEMENT

ENTERED INTO BY AND BETWEEN:

The **Swartland Municipality** herein represented by **Harold Cleophas** in his capacity as Executive Mayor (hereinafter referred to as the **Employer**)

and

Joachim Jacobus Scholtz (ID 620902 5118 085) (hereinafter referred to as the **Employee**).

WHEREBY IT IS AGREED AS FOLLOWS:

1. INTRODUCTION

- 1.1 The **Employer** has entered into a contract of employment with the **Employee** in terms of section 57(1)(a) of the Local Government: Municipal Systems Act 32 of 2000 ("the Systems Act"). The **Employer** and the **Employee** are hereinafter referred to as "the Parties".
- 1.2 Section 57(1)(b) of the Systems Act, read with the Contract of Employment concluded between the parties, requires the parties to conclude an annual performance agreement.
- 1.3 The parties wish to ensure that they are clear about the goals to be achieved, and secure the commitment of the **Employee** to a set of outcomes that will secure local government policy goals.
- 1.4 The parties wish to ensure that there is compliance with Sections 57(4A), 57(4B) and 57(5) of the Systems Act.

2. PURPOSE OF THIS AGREEMENT

The purpose of this Agreement is to -

- 2.1 comply with the provisions of Section 57(1)(b), (4A), (4B) and (5) of the Systems Act as well as the employment contract entered into between the parties;
- 2.2 specify objectives and targets defined and agreed with the **Employee** and to communicate to the **Employee** the **Employer's** expectations of the **Employee's** performance and accountabilities in alignment with the Integrated Development Plan, Service Delivery and Budget Implementation Plan (SDBIP) and the Budget of the **Employer**;
- 2.3 specify accountabilities as set out in a performance plan, which forms an annexure to the performance agreement;
- 2.4 monitor and measure performance against set targeted outputs;
- 2.5 use the performance agreement as the basis for assessing whether the **Employee** has met the performance expectations applicable to his or her job;
- 2.6 in the event of outstanding performance, to appropriately reward the **Employee**; and
- 2.7 give effect to the **Employer's** commitment to a performance-orientated relationship with its **Employee** in attaining equitable and improved service delivery.

3 COMMENCEMENT AND DURATION

- 3.1 This Agreement will commence on the **1 July 2022** and will remain in force until **30 June 2023**, after which a new Performance Agreement and Performance Plan shall be concluded between the parties for the next financial year or any portion thereof.
- 3.2 The parties will review the provisions of this Agreement during June each year. The parties will conclude a new Performance Agreement and Performance Plan that replaces this Agreement at least once a year by not later than the beginning of each successive financial year.

- 3.3 This Agreement will terminate on the termination of the **Employee's** contract of employment for any reason.
- 3.4 The content of this Agreement may be revised at any time during the above-mentioned period to determine the applicability of the matters agreed upon.
- 3.5 If at any time during the validity of this Agreement the work environment alters (whether as a result of government or council decisions or otherwise) to the extent that the contents of this Agreement are no longer appropriate, the contents shall immediately be revised.

4 PERFORMANCE OBJECTIVES

- 4.1 The Performance Plan (Annexure B) sets out-
 - 4.1.1 the performance objectives and targets that must be met by the **Employee**; and
 - 4.1.2 the time frames within which those performance objectives and targets must be met.
- 4.2 The performance objectives and targets reflected in Annexure B are set by the **Employer** in consultation with the **Employee** and based on the Integrated Development Plan, Service Delivery and Budget Implementation Plan (SDBIP) and the Budget of the **Employer**, and shall include key objectives; key performance indicators; target dates and weightings.
 - 4.2.1 The key objectives describe the main tasks that need to be done.
 - 4.2.2 The key performance indicators provide the details of the evidence that must be provided to show that a key objective has been achieved.
 - 4.2.3 The target dates describe the timeframe in which the work must be achieved.
 - 4.2.4 The weightings show the relative importance of the key objectives to each other.
- 4.3 The **Employee's** performance will, in addition, be measured in terms of contributions to the goals and strategies set out in the **Employer's** Integrated Development Plan.

5 PERFORMANCE MANAGEMENT SYSTEM

- 5.1 The **Employee** agrees to participate in the performance management system that the **Employer** adopts or introduces for the **Employer**, management and municipal staff of the **Employer**.
- 5.2 The **Employee** accepts that the purpose of the performance management system will be to provide a comprehensive system with specific performance standards to assist the **Employer**, management and municipal staff to perform to the standards required.
- 5.3 The **Employer** will consult the **Employee** about the specific performance standards that will be included in the performance management system as applicable to the **Employee**.
- 5.4 The **Employee** undertakes to actively focus towards the promotion and implementation of the KPA's (including special projects relevant to the **Employee's** responsibilities) within the local government framework.
- 5.5 The criteria upon which the performance of the **Employee** shall be assessed shall consist of two components, both of which shall be contained in the Performance Agreement.
 - 5.5.1 The **Employee** must be assessed against both components, with a weighting of 80:20 allocated to the Key Performance Areas (KPA's) and Competencies respectively.
 - 5.5.2 Each area of assessment will be weighted and will contribute a specific part to the total score.
 - 5.5.3 KPA's covering the main areas of work will account for 80% and Competencies will account for 20% of the final assessment.
- 5.6 The **Employee's** assessment will be based on his/her performance in terms of the outputs/outcomes (performance indicators and targets) identified as per attached Performance Plan (**Annexure B**), which are linked to the KPA's, and will constitute 80% of the overall assessment result as per the following weightings agreed to between the **Employer** and **Employee**:

Key Performance Areas (KPA's)	Weight
IDP Implementation	40%
Good Governance and Public Participation and LED	15%
Basic Service Delivery	15%
Municipal Institutional Development and Transformation	15%
Municipal Financial Viability and Management	15%
Total	100%

- 5.7 The Competencies will make up the other 20% of the **Employee's** assessment score. The following Competencies will be assessed in terms of the Regulations on Appointment and Conditions of Employment of Senior Managers (17 January 2014):

LEADING COMPETENCIES	
Strategic Direction and Leadership	<ul style="list-style-type: none"> • Impact and Influence • Institutional Performance Management • Strategic Planning and Management • Organisational Awareness
People Management	<ul style="list-style-type: none"> • Human Capital Planning and Development • Diversity Management • Employee Relations Management • Negotiation and Dispute Management
Program and Project Management	<ul style="list-style-type: none"> • Program and Project Planning and Implementation • Service Delivery Management • Program and Project Monitoring and Evaluation
Financial Management	<ul style="list-style-type: none"> • Budget Planning and Execution • Financial Strategy and Delivery • Financial Reporting and Monitoring
Change Leadership	<ul style="list-style-type: none"> • Change Vision and Strategy • Process Design and Improvement • Change Impact Monitoring and Evaluation
Governance Leadership	<ul style="list-style-type: none"> • Policy Formulation • Risk and Compliance Management • Cooperative Governance
CORE COMPETENCIES	
Moral Competence	
Planning and Organising	
Analysis and Innovation	
Knowledge and Information Management	
Communication	
Results and Quality Focus	

6. EVALUATING PERFORMANCE

- 6.1 Paragraph 7 of this Agreement sets out -
- 6.1.1 the procedures for evaluating the **Employee's** performance; and
- 6.1.2 the intervals for the evaluation of the **Employee's** performance.
- 6.2 Despite the establishment of agreed intervals for evaluation, the **Employer** may in addition review the **Employee's** performance at any stage while the contract of employment remains in force.
- 6.3 Personal growth and development needs identified during any performance review discussion must be documented in a Personal Development Plan as well as the actions agreed to and implementation must take place within set time frames.
- 6.4 The **Employee's** performance will be measured in terms of contributions to the goals and strategies set out in the **Employer's** IDP.

6.5 The annual performance appraisal will involve:

6.5.1 Assessment of the achievement of results as outlined in the performance plan:

- (a) Each KPA will be assessed according to the extent to which the specified standards or performance indicators have been met and with due regard to ad hoc tasks that had to be performed under the KPA.
- (b) The rating scale in paragraph 6.6 below will be used.
- (c) The applicable assessment rating calculator (refer to paragraph 6.5.3 below) must then be used to add the scores and calculate a final KPA score.

6.5.2 Assessment of the Competencies

- (a) Each Competency will be assessed according to the extent to which the specified standards have been met.
- (b) The rating scale in paragraph 6.7 below will be used.
- (c) The applicable assessment rating calculator (refer to paragraph 6.5.3) must then be used to add the scores and calculate a final Competency score.

6.5.3 Overall rating

An overall rating is calculated by using the applicable assessment-rating calculator. Such overall rating represents the outcome of the performance appraisal.

6.6 The assessment of the performance of the **Employee** will be based on the following rating scale for KPA's:

Rating	Terminology	Description
5	Outstanding performance	Performance far exceeds the standard expected of an employee at this level. The appraisal indicates that the Employee has achieved above fully effective results against all performance criteria and indicators as specified in the Performance Plan and maintained this in all areas of responsibility throughout the year.
4	Performance significantly above expectations	Performance is significantly higher than the standard expected in the job. The appraisal indicates that the Employee has achieved above fully effective results against more than half of the performance criteria and indicators and fully achieved all others throughout the year.
3	Fully effective	Performance fully meets the standards expected in all areas of the job. The appraisal indicates that the Employee has fully achieved effective results against all significant performance criteria and indicators as specified in the Performance Plan.
2	Not fully effective	Performance is below the standard required for the job in key areas. Performance meets some of the standards expected for the job. The appraisal indicates that the Employee has achieved below fully effective results against more than half the key performance criteria and indicators as specified in the Performance Plan.
1	Unacceptable performance	Performance does not meet the standard expected for the job. The appraisal indicates that the Employee has achieved below fully effective results against almost all of the performance criteria and indicators as specified in the Performance Plan. The Employee has failed to demonstrate the commitment or ability to bring performance up to the level expected in the job despite management efforts to encourage improvement.

- 6.7 The assessment of the performance of the **Employee** will be based on the following rating scale for Competencies:

Rating	Achievement level	Description
2	Basic	Applies basic concepts, methods, and understanding of local government operations, but requires supervision and development intervention
3	Competent	Develops and applies more progressive concepts, methods and understanding. Plans and guides the work of others and executes progressive analyses
4	Advanced	Develops and applies complex concepts, methods and understanding. Effectively directs and leads a group and executes in- depth analyses
5	Superior	Has a comprehensive understanding of local government operations, critical in shaping strategic direction and change, develops and applies comprehensive concepts and methods

A full description of achievement levels per competency is attached as **ANNEXURE C**.

- 6.8 For purposes of evaluating the annual performance, an evaluation panel constituted of the following persons must be established -
- 6.8.1 Executive Mayor;
 - 6.8.2 Chairperson of the audit committee;
 - 6.8.3 Member of the mayoral committee;
 - 6.8.4 Executive Mayor and/or municipal manager from another municipality; and
 - 6.8.5 Member of a ward committee as nominated by the Executive Mayor.
- 6.9 The **Employer's** manager responsible for human resources must provide secretariat services to the evaluation panels referred to in sub-regulations (d) and (e).

7. SCHEDULE FOR PERFORMANCE ASSESSMENT

- 7.1 The performance assessment of each **Employee** in relation to his/her Performance Plan shall be done as follows:
- 7.1.1 KPI's and targets shall be monitored on a monthly basis.
 - 7.1.2 KPI's and targets shall be assessed on a quarterly basis on the following dates:

First quarter (July-September 2022):	October 2022
Second quarter (October-December 2022):	January 2023
Third quarter (January-March 2023):	April 2023
Fourth quarter (April-June 2023):	July 2023
 - 7.1.3 Competencies shall be assessed in June/July 2023.
 - 7.1.4 KPI's and targets as well as Competencies shall be formally assessed by the evaluation panel on an annual basis in August/September 2023.
- 7.2 The **Employer** shall keep a record of the mid-year review and annual assessment meetings.
- 7.3 Performance feedback shall be based on the **Employer's** assessment of the **Employee's** performance.
- 7.4 The **Employer** will be entitled to review and make reasonable changes to the provisions of Annexure B from time to time for operational reasons. The **Employee** will be fully consulted before any such change is made.
- 7.5 The **Employer** may amend the provisions of Annexure B whenever the performance management system is adopted, implemented and/or amended as the case may be. In that case the **Employee** will be fully consulted before any such change is made.

8. OBLIGATIONS OF THE EMPLOYER

8.1 The Employer shall –

- 8.1.1 create an enabling environment to facilitate effective performance by the **Employee**;
- 8.1.2 provide access to skills development and capacity building opportunities;
- 8.1.3 work collaboratively with the **Employee** to solve problems and generate solutions to common problems that may impact on the performance of the **Employee**;
- 8.1.4 on the request of the **Employee** delegate such powers reasonably required by the **Employee** to enable him/her to meet the performance objectives and targets established in terms of this Agreement; and
- 8.1.5 make available to the **Employee** such resources as the **Employee** may reasonably require from time to time to assist him/her to meet the performance objectives and targets established in terms of this Agreement.

9. CONSULTATION

9.1 The Employer agrees to consult the Employee timely where the exercising of the powers will have amongst others –

- 9.1.1 a direct effect on the performance of any of the **Employee**'s functions;
- 9.1.2 commit the **Employee** to implement or to give effect to a decision made by the **Employer**; and
- 9.1.3 a substantial financial effect on the **Employer**.

9.2 The Employer agrees to inform the Employee of the outcome of any decisions taken pursuant to the exercise of powers contemplated in 9.1 as soon as is practicable to enable the Employee to take any necessary action without delay.

10 MANAGEMENT OF ASSESSMENT OUTCOMES

10.1 The annual assessment of the Employee's performance will form the basis for rewarding outstanding performance or correcting unacceptable performance.

10.2 The Employee will be eligible for a performance bonus according to the calculation table in ANNEXURE D up to a maximum of 14%.

10.3 The Employer may make provision for non-monetary incentives in recognition of outstanding performance.

10.4 In the case of unacceptable performance, the Employer shall –

- 10.4.1 provide systematic remedial or developmental support to assist the **Employee** to improve his or her performance; and
- 10.4.2 after appropriate performance counselling and having provided the necessary guidance and/ or support as well as reasonable time for improvement in performance, the **Employer** may consider steps to terminate the contract of employment of the **Employee** on grounds of unfitness or incapacity to carry out his or her duties.

11. DISPUTE RESOLUTION

11.1 Any disputes about the nature of the Employee's performance agreement, whether it relates to key responsibilities, priorities, methods of assessment and/ or any other matter provided for, shall be mediated by the MEC for local government in the province or any other person designated by the MEC within thirty (30) days of receipt of a formal dispute from the Employee. The decision of the MEC or person designated by the MEC shall be final and binding on both parties.

11.2 In the event that the mediation process contemplated above fails, the dispute resolution stipulations in the Contract of Employment shall apply.

12. GENERAL

- 12.1 The contents of this agreement must be made available to the public by the **Employer** in accordance with the Municipal Finance Management Act, 2003 and Section 46 of the Systems Act.
- 12.2 Nothing in this agreement diminishes the obligations, duties or accountabilities of the **Employee** in terms of his/her contract of employment, or the effects of existing or new regulations, circulars, policies, directives or other instruments.
- 12.3 The performance assessment results of **Employee** must be submitted to the MEC responsible for local government in the province as well as the national minister responsible for local government, within fourteen (14) days after the conclusion of the assessment.

Thus **done** and **signed** aton this the..... day of 2022

AS WITNESSES:

1. _____

EMPLOYEE

2. _____

AS WITNESSES:

1. _____

EXECUTIVE MAYOR

2. _____

Report period from: _____ to: _____

Particulars of employee

Name:	
Position held:	
Department and Division:	

Training and development to improve current work performance

Date	Need	Recommended solution and time frame	Impact on work performance (Employee)	Impact on work performance (Manager)

Long term training and development needs

Need	Recommended solution and time frame	Action taken / Progress made	Revision date

Signature of employee		Date	
Signature of Manager		Date	

A copy must be sent to the Human Resource Management Division when a new need develops and at the identification of a training intervention.

PERFORMANCE PLAN (ANNEXURE B)

1. KPIs and targets from the IDP

Strategic Goal 2: Inclusive economic growth

Strategic Objectives	Strategic Initiatives	Key Performance Indicators	Targets
2.1 Relevant stakeholders systematically improve local competitive advantages	Gain commitment from key stakeholders to collaborate systematically to strengthen local competitive advantages.	Number of key stakeholder groups actively contributing to improved competitive advantage	15 by end of Dec 2022
2.2 Well located, serviced sites and premises available for commercial and industrial investors	Ensure adequate supply of land and services for commercial and industrial premises.	Number of well located, serviced industrial sites available.	20 by end of Dec 2022
2.4 Local markets work better to increase opportunity for local small businesses	Establish a local business opportunity network incl. a local business directory	Number of opportunities advertised / shared with Swartland businesses.	100 by end of Dec 2022
2.5 Easier for farmers to add and grow new / promising business models	New (more enabling) Spatial Development Framework	Number of key constraints to growth removed.	3 by end of Dec 2022
2.6 Easier for local citizens to access economic opportunity	Establish an information portal pointing to best information sources including local support services	Number of unique visitors (local, with more than 1 page view)	400 by end of Dec 2022

Strategic Goal 4: Caring, competent and responsive institutions, organisations and business

Strategic Objectives	Strategic Initiatives	Key Performance Indicators	Targets
4.6 Identify risks and implement preventative and corrective controls	Risk Management responsibilities assigned to Internal Audit as part of their consulting service to management	Updated Internal Audit Charter which include risk management facilitation role	By June 2023
	Assign Disciplinary Committee responsibilities to four newly appointed members	Appointment of new members for the Disciplinary Committee over a period of six months for continuity	By December 2022
	Maintain an effective independent Performance and Risk Audit Committee as per legislation (Appoint for three years, but can extend for six years)	Appointment of new members for the PRA Committee over a period of three years for continuity	Annually by June

2. Other KPIs and targets

Perf Objectives	Key Performance Indicators	Targets
09-0001: Liaison with business role-players	Annual event with local business held	Yes (before end of June)
09-0003: Sound management	Number of monthly management meetings held	At least 10 p.a.
09-0004: Legally compliant procurement	Number of appeals against the municipality regarding the awarding of tenders that were upheld	0 maximum

Perf Objectives	Key Performance Indicators	Targets
09-0005: Performance and financial monitoring	Number of monthly performance and financial assessments done	Qtr 1: 3 per quarter Qtr 2: 2 per quarter Qtr 3: 3 per quarter Qtr 4: 3 per quarter
09-0006: Annual report compilation and approval	Annual Report as required by MFMA (121) tabled Annual Report as required by MFMA (121) approved	Yes (annually by end of January) Yes (annually by end of March)
09-0007: Council decision implementation	% of due council decisions initiated	100%
09-0008: Monitoring the IDP / Budget process	Number of months that the IDP / Budget process schedule were checked	At least 10 p.a.
09-0009: Functional macro-structure maintained	Annual review of the macro-structure completed	Yes (before end of June)
09-0012: LED fund management	% of the LED funds actually spent	90% for the year
10-0040: MFMA Section 131(1): Ensure that any issues raised by the Auditor-General in an audit report are addressed	% of issues raised by the Auditor-General in an audit report addressed	100%
19-0015: Training needs of staff	Training needs of staff identified and provided to HR at meetings held with all departments during November annually	Yes (annually by Nov)
21-0001: Hand-over report for new council	A hand-over report that can be tabled at the first meeting of the newly elected council completed	By end of September 2021

GENERAL INDICATORS IN TERMS OF THE MUNICIPAL PLANNING AND PERFORMANCE MANAGEMENT REGULATIONS, 2001

Perf Objectives	Key Performance Indicators	Targets
14-0029: General KPI: % of capital budget spent on capital projects identified for a particular financial year in terms of the municipality's IDP	% of capital budget spent	Between 90% and 105%
14-0026: General KPI: Jobs created through municipality's LED initiatives including capital projects	Number of jobs created through Municipality's capital projects (contracts > R200 000)	100 for the year

COMPETENCY DESCRIPTIONS (ANNEXURE C)

1. Leading Competencies Cluster

Competency Name	Strategic Direction and Leadership		
Competency Definition	Provide and direct a vision for the institution, and inspire and deploy others to deliver on the strategic institutional mandate		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Understand institutional and departmental strategic objectives, but lacks the ability to inspire others to achieve set mandate• Describe how specific tasks link to institutional strategies but has limited influence in directing strategy• Has a basic understanding of institutional performance management, but lacks the ability to integrate systems into a collective whole• Demonstrate a basic understanding of key decision- makers	<ul style="list-style-type: none">• Give direction to a team in realising the institution's strategic mandate and set objectives• Has a positive impact and influence on the morale, engagement and participation of team members• Develop actions plans to execute and guide strategy implementation• Assist in defining performance measures to monitor the progress and effectiveness of the institution• Displays an awareness of institutional structures and political factors• Effectively communicate barriers to execution to relevant parties• Provide guidance to all stakeholders in the achievement of the strategic mandate• Understand the aim and objectives of the institution and relate it to own work	<ul style="list-style-type: none">• Evaluate all activities to determine value and alignment to strategic intent• Display in-depth knowledge and understanding of strategic planning• Align strategy and goals across all functional areas• Actively define performance measures to monitor the progress and effectiveness of the institution• Consistently challenge strategic plans to ensure relevance• Understand institutional structures and political factors, and the consequences of actions• Empower others to follow strategic direction and deal with complex situations• Guide the institution through complex and ambiguous concern• Use understanding of power relationships and dynamic tensions among key players to frame communications and develop strategies, positions and alliances	<ul style="list-style-type: none">• Structure and position the institution to local government priorities• Actively use in-depth knowledge and understanding to develop and implement a comprehensive institutional framework• Hold self-accountable for strategy execution and results• Provide impact and influence through building and maintaining strategic relationships• Create an environment that facilitates loyalty and innovation Display a superior level of self-discipline and integrity in actions• Integrate various systems into a collective whole to optimise institutional performance management• Uses understanding of competing interests to manoeuvre successfully to a win/win outcome

Competency Name	People Management		
Competency Definition	Effectively manage, inspire and encourage people, respect diversity, optimise talent and build and nurture relationships in order to achieve institutional objectives		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Participate in team goal-setting and problem solving• Interact and collaborate with people of diverse backgrounds• Aware of guidelines for employee development, but requires support in implementing development initiatives	<ul style="list-style-type: none">• Seek opportunities to increase team contribution and responsibility• Respect and support the diverse nature of others and be aware of the benefits of a diverse approach• Effectively delegate tasks and empower others to increase contribution and execute functions optimally• Apply relevant employee legislation fairly and consistently• Facilitate team goal-setting and problem-solving• Effectively identify capacity requirements to fulfil the strategic mandate	<ul style="list-style-type: none">• Identify ineffective team and work processes and recommend remedial interventions• Recognise and reward effective and desired behaviour• Provide mentoring and guidance to others in order to increase personal effectiveness• Identify development and learning needs within the team• Build a work environment conducive to sharing, innovation, ethical behaviour and professionalism• Inspire a culture of performance excellence by giving positive and constructive feedback to the team• Achieve agreement or consensus in adversarial environments• Lead and unite diverse teams across divisions to achieve institutional objectives	<ul style="list-style-type: none">• Develop and incorporate best practice people management processes, approaches and tools across the institution• Foster a culture of discipline, responsibility and accountability• Understand the impact of diversity in performance and actively incorporate a diversity strategy in the institution• Develop comprehensive integrated strategies and approaches to human capital development and management• Actively identify trends and predict capacity requirements to facilitate unified transition and performance management

Competency Name	Program and Project Management		
Competency Definition	Able to understand program and project management methodology; plan, manage, monitor and evaluate specific activities in order to deliver on set objectives		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Initiate projects after approval from higher authorities• Understand procedures of program and project management methodology, implications and stakeholder involvement• Understand the rational of projects in relation to the institution's strategic objectives• Document and communicate factors and risk associated with own work• Use results and approaches of successful project implementation as guide	<ul style="list-style-type: none">• Establish broad stakeholder involvement and communicate the project status and key milestones• Define the roles and responsibilities of the project team and create clarity around expectations• Find a balance between project deadline and the quality of deliverables• Identify appropriate project resources to facilitate the effective completion of the deliverables• Comply with statutory requirements and apply policies in a consistent manner• Monitor progress and use of resources and make needed adjustments to timelines, steps, and resource allocation	<ul style="list-style-type: none">• Manage multiple programs and balance priorities and conflicts according to institutional goals• Apply effective risk management strategies through impact assessment and resource requirements• Modify project scope and budget when required without compromising the quality and objectives of the project• Involve top-level authorities and relevant stakeholders in seeking project buy-in• Identify and apply contemporary project management methodology• Influence and motivate project team to deliver exceptional results• Monitor policy implementation and apply procedures to manage risks	<ul style="list-style-type: none">• Understand and conceptualise the long-term implications of desired project outcomes• Direct a comprehensive strategic macro and micro analysis and scope projects accordingly to realise institutional objectives• Consider and initiate projects that focus on achievement of the long-term objectives• Influence people in positions of authority to implement outcomes of projects• Lead and direct translation of policy into workable actions plans• Ensures that programs are monitored to track progress and optimal resource utilisation, and that adjustments are made as needed

Competency Name	Financial Management		
Competency Definition	Able to compile, plan and manage budgets, control cash flow, institute financial risk management and administer procurement processes in accordance with recognised financial practices. Further to ensure that all financial transactions are managed in an ethical manner		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Understand basic financial concepts and methods as they relate to institutional processes and activities• Display awareness into the various sources of financial data, reporting mechanisms, financial governance, processes and systems• Understand the importance of financial accountability• Understand the importance of asset control	<ul style="list-style-type: none">• Exhibit knowledge of general financial concepts, planning, budgeting, and forecasting and how they interrelate• Assess, identify and manage financial risks• Assume a cost- saving approach to financial management• Prepare financial reports based on specified formats• Consider and understand the financial implications of decisions and suggestions• Ensure that delegation and instructions as required by National Treasury guidelines are reviewed and updated• Identify and implement proper monitoring and evaluation practices to ensure appropriate spending against budget	<ul style="list-style-type: none">• Take active ownership of planning, budgeting, and forecast processes and provides credible answers to queries within own responsibility• Prepare budgets that are aligned to the strategic objectives of the institution• Address complex budgeting and financial management concerns• Put systems and processes in place to enhance the quality and integrity of financial management practices• Advise on policies and procedures regarding asset control• Promote National Treasury's regulatory framework for Financial Management	<ul style="list-style-type: none">• Develop planning tools to assist in evaluating and monitoring future expenditure trends• Set budget frameworks for the institution• Set strategic direction for the institution on expenditure and other financial processes• Build and nurture partnerships to improve financial management and achieve financial savings• Actively identify and implement new methods to improve asset control• Display professionalism in dealing with financial data and processes

Competency Name	Change Leadership		
Competency Definition	Able to direct and initiate institutional transformation on all levels in order to successfully drive and implement new initiatives and deliver professional and quality services to the community		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Display an awareness of change interventions, and the benefits of transformation initiatives• Able to identify basic needs for change• Identify gaps between the current and desired state• Identify potential risk and challenges to transformation, including resistance to change factors• Participate in change programs and piloting change interventions• Understand the impact of change interventions on the institution within the broader scope of Local government	<ul style="list-style-type: none">• Perform an analysis of the change impact on the social, political and economic environment• Maintain calm and focus during change• Able to assist team members during change and keep them focused on the deliverables• Volunteer to lead change efforts outside of own work team• Able to gain buy-in and approval for change from relevant stakeholders• Identify change readiness levels and assist in resolving resistance to change factors• Design change interventions that are aligned with the institution's strategic objectives and goals	<ul style="list-style-type: none">• Actively monitor change impact and results and convey progress to relevant stakeholders• Secure buy-in and sponsorship for change initiatives• Continuously evaluate change strategy and design and introduce new approaches to enhance the institution's effectiveness• Build and nurture relationships with various stakeholders to establish strategic alliance in facilitating change• Take the lead in impactful change programs• Benchmark change interventions against best change practices• Understand the impact and psychology of change, and put remedial interventions in place to facilitate effective transformation• Take calculated risk and seek new ideas from best practice scenarios, and identify the potential for implementation	<ul style="list-style-type: none">• Sponsor change agents and create a network of change leaders who support the interventions• Actively adapt current structures and processes to incorporate the change interventions• Mentor and guide team members on the effects of change, resistance factors and how to integrate change• Motivate and inspire others around change initiatives

Competency Name	Governance Leadership		
Competency Definition	Able to promote, direct and apply professionalism in managing risk and compliance requirements and apply a thorough understanding of governance practices and obligations. Further, able to direct the conceptualisation of relevant policies and enhance cooperative governance relationships		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Display a basic awareness of risk, compliance and governance factors but require guidance and development in implementing such requirements• Understand the structure of cooperative government but requires guidance on fostering workable relationships between stakeholders• Provide input into policy formulation	<ul style="list-style-type: none">• Display a thorough understanding of governance and risk and compliance factors and implement plans to address these• Demonstrate understanding of the techniques and processes for optimising risk taking decisions within the institution• Actively drive policy formulation within the institution to ensure the achievement of objectives	<ul style="list-style-type: none">• Able to link risk initiatives into key institutional objectives and drivers• Identify, analyse and measure risk, create valid risk forecasts, and map risk profiles• Apply risk control methodology and approaches to prevent and reduce risk that impede on the achievement of institutional objectives• Demonstrate a thorough understanding of risk retention plans• Identify and implement comprehensive risk management systems and processes• Implement and monitor the formulation of policies, identify and analyse constraints and challenges with implementation and provide recommendations for improvement	<ul style="list-style-type: none">• Demonstrate a high level of commitment in complying with governance requirements• Implement governance and compliance strategy to ensure achievement of institutional objectives within the legislative framework• Able to advise Local Government on risk management strategies, best practice interventions and compliance management• Able to forge positive relationships on cooperative governance level to enhance the effectiveness of local government• Able to shape, direct and drive the formulation of policies on a macro level

2. Core Competencies Cluster

Competency Name	Moral Competence		
Competency Definition	Able to identify moral triggers, apply reasoning that promotes honesty and integrity and consistently display behaviour that reflects moral competence		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Realise the impact of acting with integrity, but requires guidance and development in implementing principles• Follow the basic rules and regulations of the institution• Able to identify basic moral situations, but requires guidance and development in understanding and reasoning with moral intent	<ul style="list-style-type: none">• Conduct self in alignment with the values of Local Government and the institution• Able to openly admit own mistakes and weaknesses and seek assistance from others when unable to deliver• Actively report fraudulent activity and corruption within local government• Understand and honour the confidential nature of matters without seeking personal gain• Able to deal with situations of conflict of interest promptly and in the best interest of local government	<ul style="list-style-type: none">• Identify, develop, and apply measures of self- correction• Able to gain trust and respect through aligning actions with commitments• Make proposals and recommendations that are transparent and gain the approval of relevant stakeholders• Present values, beliefs and ideas that are congruent with the institution's rules and regulations• Takes an active stance against corruption and dishonesty when noted• Actively promote the value of the institution to internal and external stakeholders• Able to work in unity with a team and not seek personal gain• Apply universal moral principles consistently to achieve moral decisions	<ul style="list-style-type: none">• Create an environment conducive of moral practices• Actively develop and implement measures to combat fraud and corruption• Set integrity standards and shared accountability measures across the institution to support the objectives of local government• Take responsibility for own actions and decisions, even if the consequences are unfavourable

Competency Name	Planning and Organising		
Competency Definition	Able to plan, prioritise and organise information and resources effectively to ensure the quality of service delivery and build efficient contingency plans to manage risk		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Able to follow basic plans and organise tasks around set objectives• Understand the process of planning and organising but requires guidance and development in providing detailed and comprehensive plans• Able to follow existing plans and ensure that objectives are met• Focus on short- term objectives in developing plans and actions• Arrange information and resources required for a task, but require further structure and organisation	<ul style="list-style-type: none">• Actively and appropriately organise information and resources required for a task• Recognise the urgency and importance of tasks• Balance short and long-term plans and goals and incorporate into the team's performance objectives• Schedule tasks to ensure they are performed within budget and with efficient use of time and resources• Measures progress and monitor performance results	<ul style="list-style-type: none">• Able to define institutional objectives, develop comprehensive plans, integrate and coordinate activities, and assign appropriate resources for successful implementation• Identify in advance required stages and actions to complete tasks and projects• Schedule realistic timelines, objectives and milestones for tasks and projects• Produce clear, detailed and comprehensive plans to achieve institutional objectives• Identify possible risk factors and design and implement appropriate contingency plans• Adapt plans in light of changing circumstances• Prioritise tasks and projects according to their relevant urgency and importance	<ul style="list-style-type: none">• Focus on broad strategies and initiatives when developing plans and actions• Able to project and forecast short, medium and long term requirements of the institution and local government• Translate policy into relevant projects to facilitate the achievement of institutional objectives

Competency Name	Analysis and Innovation		
Competency Definition	Able to critically analyse information, challenges and trends to establish and implement fact-based solutions that are innovative to improve institutional processes in order to achieve key strategic objectives		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Understand the basic operation problem solving of analysis, but lack detail and thoroughness• Able to balance independent analysis with requesting assistance from others• Recommend new ways to perform tasks within own function• Propose simple remedial interventions that marginally challenges the status quo• Listen to the ideas and perspectives of others and explore opportunities to enhance such innovative thinking	<ul style="list-style-type: none">• Demonstrate Logical techniques and approaches and provide rationale for recommendations• Demonstrate objectivity, insight, and thoroughness when analysing problems• Able to break down complex problems into manageable parts and identify solutions• Consult internal and external stakeholders on opportunities to improve processes and service delivery• Clearly communicate the benefits of new opportunities and innovative solutions to stakeholders• Continuously identify opportunities to enhance internal processes• Identify and analyse opportunities conducive to innovative approaches and propose remedial intervention	<ul style="list-style-type: none">• Coaches team members on analytical and innovative approaches and techniques• Engage with appropriate individuals in analysing and resolving complex problems• Identify solutions on various areas in the institution• Formulate and implement new ideas throughout the institution• Able to gain approval and buy- in for proposed interventions from relevant stakeholders• Identify trends and best practices in process and service delivery and propose institutional application• Continuously engage in research to identify client needs	<ul style="list-style-type: none">• Demonstrate complex analytical and problem solving approaches and techniques• Create an environment conducive to analytical and fact-based problem-solving• Analyse, recommend solutions and monitor trends in key challenges to prevent and manage occurrence• Create an environment that fosters innovative thinking and follows a learning organisation approach• Be a thought leader on innovative customer service delivery, and process optimisation• Play an active role in sharing best practice solutions and engage in national and international local government seminars and conferences

Competency Name	Knowledge and Information Management		
Competency Definition	Able to promote the generation and sharing of knowledge and information through various processes and media, in order to enhance the collective knowledge base of local government		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Collect, categorise and track relevant information required for specific tasks and projects• Analyse and interpret information to draw conclusions• Seek new sources of information to increase the knowledge base• Regularly share information and knowledge with internal stakeholders and team members	<ul style="list-style-type: none">• Use appropriate information systems and technology to manage institutional knowledge and information sharing• Evaluate data from various sources and use information effectively to influence decisions and provide solutions• Actively create mechanisms and structures for sharing of information• Use external and internal resources to research and provide relevant and cutting-edge knowledge to enhance institutional effectiveness and efficiency	<ul style="list-style-type: none">• Effectively predict future information and knowledge management requirements and systems• Develop standards and processes to meet future knowledge management needs• Share and promote best- practice knowledge management across various institutions• Establish accurate measures and monitoring systems for knowledge and information management• Create a culture conducive of learning and knowledge sharing• Hold regular knowledge and information sharing sessions to elicit new ideas and share best practice approaches	<ul style="list-style-type: none">• Create and support a vision and culture where team members are empowered to seek, gain and share knowledge and information• Establish partnerships across local government to facilitate knowledge management• Demonstrate a mature approach to knowledge and information sharing with an abundance and assistance approach• Recognise and exploit knowledge points in interactions with internal and external stakeholders

Competency Name	Communication		
Competency Definition	Able to share information, knowledge and ideas in a clear, focused and concise manner appropriate for the audience in order to effectively convey, persuade and influence stakeholders to achieve the desired outcome		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Demonstrate an understanding for communication levers and tools appropriate for the audience, but requires guidance in utilising such tools• Express ideas in a clear and focused manner, but does not always take the needs of the audience into consideration• Disseminate and convey information and knowledge adequately	<ul style="list-style-type: none">• Express ideas to individuals and groups in formal and informal settings in a manner that is interesting and motivating• Able to understand, tolerate and appreciate diverse perspectives, attitudes and beliefs• Adapt communication content and style to suit the audience and facilitate optimal information transfer• Deliver content in a manner that gains support, commitment and agreement from relevant stakeholders• Compile clear, focused, concise and well-structured written documents	<ul style="list-style-type: none">• Effectively communicate high-risk and sensitive matters to relevant stakeholders• Develop a well-defined communication strategy• Balance political perspectives with institutional needs when communicating viewpoints on complex issues• Able to effectively direct negotiations around complex matters and arrive at a win-win situation that promotes Batho Pele principles• Market and promote the institution to external stakeholders and seek to enhance a positive image of the institution• Able to communicate with the media with high levels of moral competence and discipline	<ul style="list-style-type: none">• Regarded as a specialist in negotiations and representing the institution• Able to inspire and motivate others through positive communication that is impactful and relevant• Creates an environment conducive to transparent and productive communication and critical and appreciative conversations• Able to coordinate negotiations at different levels within local government and externally

Competency Name	Results and Quality Focus		
Competency Definition	Able to maintain high quality standards, focus on achieving results and objectives while consistently striving to exceed expectations and encourage others to meet quality standards. Further, to actively monitor and measure results and quality against identified objectives		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Understand quality of work but requires guidance in attending to important matters• Show a basic commitment to achieving the correct results• Produce the minimum level of results required in the role• Produce outcomes that is of a good standard• Focus on the quantity of output but requires development in incorporating the quality of work• Produce quality work in general circumstances, but fails to meet expectation when under pressure	<ul style="list-style-type: none">• Focus on high- priority actions and does not become distracted by lower-priority activities• Display firm commitment and pride in achieving the correct results• Set quality standards and design processes and tasks around achieving set standards• Produce output of high quality• Able to balance the quantity and quality of results in order to achieve objectives• Monitors progress, quality of work, and use of resources; provide status updates, and make adjustments as needed	<ul style="list-style-type: none">• Consistently verify own standards and outcomes to ensure quality output• Focus on the end result and avoids being distracted• Demonstrate a determined and committed approach to achieving results and quality standards• Follow task and projects through to completion• Set challenging goals and objectives to self and team and display commitment to achieving expectations• Maintain a focus on quality outputs when placed under pressure• Establishing institutional systems for managing and assigning work, defining responsibilities, tracking, monitoring and measuring success, evaluating and valuing the work of the institution	<ul style="list-style-type: none">• Coach and guide others to exceed quality standards and results• Develop challenging, client-focused goals and sets high standards for personal performance• Commit to exceed the results and quality standards, monitor own performance and implement remedial interventions when required• Work with team to set ambitious and challenging team goals, communicating long-and short-term expectations• Take appropriate risks to accomplish goals• Overcome setbacks and adjust action plans to realise goals• Focus people on critical activities that yield a high impact

Annexure D: Performance calculation

POINTS AWARDED	% BONUS
2.5	5.0%
2.51-2.55	5.2%
2.56-2.60	5.6%
2.61-2.65	6.0%
2.66-2.70	6.4%
2.71-2.75	6.8%
2.76-2.80	7.2%
2.81-2.85	7.6%
2.86-2.90	8.0%
2.91-2.95	8.4%
2.96-2.99	8.8%
3.0	9.0%

3.01	10.0%
3.02-3.05	10.2%
3.06-3.10	10.6%
3.11-3.15	11.0%
3.16-3.20	11.4%
3.21-3.25	11.8%
3.26-3.30	12.2%
3.31-3.35	12.6%
3.36-3.40	13.0%
3.41-3.45	13.4%
3.46-3.49	13.8%
3.50	14.0%

PERFORMANCE AGREEMENT

MADE AND ENTERED INTO BY AND BETWEEN:

**THE SWARTLAND MUNICIPALITY
AS REPRESENTED BY THE MUNICIPAL MANAGER**

JJ Scholtz

AND

JS Krieger

THE EMPLOYEE OF THE MUNICIPALITY

FOR THE

FINANCIAL YEAR: 1 JULY 2022 - 30 JUNE 2023

PERFORMANCE AGREEMENT

ENTERED INTO BY AND BETWEEN:

The **Swartland Municipality** herein represented by **Joachim Jacobus Scholtz** (ID 620902 5118 085) in his capacity as Municipal Manager (hereinafter referred to as the **Employer**)

and

Jo-Ann Sybil Krieger (ID 650529 0211 087) (hereinafter referred to as the **Employee**).

WHEREBY IT IS AGREED AS FOLLOWS:

1. INTRODUCTION

- 1.1 The **Employer** has entered into a contract of employment with the **Employee** in terms of section 57(1)(a) of the Local Government: Municipal Systems Act 32 of 2000 ("the Systems Act"). The **Employer** and the **Employee** are hereinafter referred to as "the Parties".
- 1.2 Section 57(1)(b) of the Systems Act, read with the Contract of Employment concluded between the parties, requires the parties to conclude an annual performance agreement.
- 1.3 The parties wish to ensure that they are clear about the goals to be achieved, and secure the commitment of the **Employee** to a set of outcomes that will secure local government policy goals.
- 1.4 The parties wish to ensure that there is compliance with Sections 57(4A), 57(4B) and 57(5) of the Systems Act.

2. PURPOSE OF THIS AGREEMENT

The purpose of this Agreement is to -

- 2.1 comply with the provisions of Section 57(1)(b), (4A), (4B) and (5) of the Systems Act as well as the employment contract entered into between the parties;
- 2.2 specify objectives and targets defined and agreed with the **Employee** and to communicate to the **Employee** the **Employer's** expectations of the **Employee's** performance and accountabilities in alignment with the Integrated Development Plan, Service Delivery and Budget Implementation Plan (SDBIP) and the Budget of the **Employer**;
- 2.3 specify accountabilities as set out in a performance plan, which forms **ANNEXURE B** to the performance agreement;
- 2.4 monitor and measure performance against set targeted outputs;
- 2.5 use the performance agreement as the basis for assessing whether the **Employee** has met the performance expectations applicable to his or her job;
- 2.6 in the event of outstanding performance, to appropriately reward the **Employee**; and
- 2.7 give effect to the **Employer's** commitment to a performance-orientated relationship with its **Employee** in attaining equitable and improved service delivery.

3 COMMENCEMENT AND DURATION

- 3.1 This Agreement will commence on the **1 July 2022** and will remain in force until **30 June 2023**, after which a new Performance Agreement and Performance Plan shall be concluded between the parties for the next financial year or any portion thereof.
- 3.2 The parties will review the provisions of this Agreement during June each year. The parties will conclude a new Performance Agreement and Performance Plan that replaces this Agreement at least once a year by not later than the beginning of each successive financial year.
- 3.3 This Agreement will terminate on the termination of the **Employee's** contract of employment for any reason.

- 3.4 The content of this Agreement may be revised at any time during the above-mentioned period to determine the applicability of the matters agreed upon.
- 3.5 If at any time during the validity of this Agreement the work environment alters (whether as a result of government or council decisions or otherwise) to the extent that the contents of this Agreement are no longer appropriate, the contents shall immediately be revised.

4 PERFORMANCE OBJECTIVES

- 4.1 The Performance Plan (**ANNEXURE B**) sets out-
- 4.1.1 the performance objectives and targets that must be met by the **Employee**; and
- 4.1.2 the time frames within which those performance objectives and targets must be met.
- 4.2 The performance objectives and targets reflected in **ANNEXURE B** are set by the **Employer** in consultation with the **Employee** and based on the Integrated Development Plan, Service Delivery and Budget Implementation Plan (SDBIP) and the Budget of the **Employer**, and shall include key objectives; key performance indicators; target dates and weightings.
- 4.2.1 The key objectives describe the main tasks that need to be done.
- 4.2.2 The key performance indicators provide the details of the evidence that must be provided to show that a key objective has been achieved.
- 4.2.3 The target dates describe the timeframe in which the work must be achieved.
- 4.2.4 The weightings show the relative importance of the key objectives to each other.
- 4.3 The **Employee's** performance will, in addition, be measured in terms of contributions to the goals and strategies set out in the **Employer's** Integrated Development Plan.

5 PERFORMANCE MANAGEMENT SYSTEM

- 5.1 The **Employee** agrees to participate in the performance management system that the **Employer** adopts or introduces for the **Employer**, management and municipal staff of the **Employer**.
- 5.2 The **Employee** accepts that the purpose of the performance management system will be to provide a comprehensive system with specific performance standards to assist the **Employer**, management and municipal staff to perform to the standards required.
- 5.3 The **Employer** will consult the **Employee** about the specific performance standards that will be included in the performance management system as applicable to the **Employee**.
- 5.4 The **Employee** undertakes to actively focus towards the promotion and implementation of the KPA's (including special projects relevant to the **Employee's** responsibilities) within the local government framework.
- 5.5 The criteria upon which the performance of the **Employee** shall be assessed shall consist of two components, both of which shall be contained in the Performance Agreement.
- 5.5.1 The **Employee** must be assessed against both components, with a weighting of 80:20 allocated to the Key Performance Areas (KPA's) and Competencies respectively.
- 5.5.2 Each area of assessment will be weighted and will contribute a specific part to the total score.
- 5.5.3 KPA's covering the main areas of work will account for 80% and Competencies will account for 20% of the final assessment.
- 5.6 The **Employee's** assessment will be based on his/her performance in terms of the outputs/outcomes (performance indicators and targets) identified as per attached Performance Plan (**ANNEXURE B**), which are linked to the KPA's, and will constitute 80% of the overall assessment result as per the following weightings agreed to between the **Employer** and **Employee**:

Key Performance Areas (KPA's)	Weight
General Management	30%
IDP Implementation	20%
Community Development	10%
Human Settlements	10%
Built Environment	20%
Occupational Health and Facilities	10%
Total	100%

- 5.7 The Competencies will make up the other 20% of the **Employee's** assessment score. The following Competencies will be assessed in terms of the Regulations on Appointment and Conditions of Employment of Senior Managers (17 January 2014):

LEADING COMPETENCIES	
Strategic Direction and Leadership	<ul style="list-style-type: none"> • Impact and Influence • Institutional Performance Management • Strategic Planning and Management • Organisational Awareness
People Management	<ul style="list-style-type: none"> • Human Capital Planning and Development • Diversity Management • Employee Relations Management • Negotiation and Dispute Management
Program and Project Management	<ul style="list-style-type: none"> • Program and Project Planning and Implementation • Service Delivery Management • Program and Project Monitoring and Evaluation
Financial Management	<ul style="list-style-type: none"> • Budget Planning and Execution • Financial Strategy and Delivery • Financial Reporting and Monitoring
Change Leadership	<ul style="list-style-type: none"> • Change Vision and Strategy • Process Design and Improvement • Change Impact Monitoring and Evaluation
Governance Leadership	<ul style="list-style-type: none"> • Policy Formulation • Risk and Compliance Management • Cooperative Governance
CORE COMPETENCIES	
Moral Competence	
Planning and Organising	
Analysis and Innovation	
Knowledge and Information Management	
Communication	
Results and Quality Focus	

6. EVALUATING PERFORMANCE

- 6.1 Paragraph 7 of this Agreement sets out -

- 6.1.1 the procedures for evaluating the **Employee's** performance; and
- 6.1.2 the intervals for the evaluation of the **Employee's** performance.

- 6.2 Despite the establishment of agreed intervals for evaluation, the **Employer** may in addition review the **Employee's** performance at any stage while the contract of employment remains in force.
- 6.3 Personal growth and development needs identified during any performance review discussion must be documented in the personal training and development plan (**ANNEXURE A**) as well as the actions agreed to and implementation must take place within set time frames.
- 6.4 The **Employee's** performance will be measured in terms of contributions to the goals and strategies set out in the **Employer's** IDP.

6.5 The annual performance appraisal will involve:

6.5.1 Assessment of the achievement of results as outlined in the performance plan:

- (a) Each KPA will be assessed according to the extent to which the specified standards or performance indicators have been met and with due regard to ad hoc tasks that had to be performed under the KPA.
- (b) The rating scale in paragraph 6.6 below will be used.
- (c) The applicable assessment rating calculator (refer to paragraph 6.5.3 below) must then be used to add the scores and calculate a final KPA score.

6.5.2 Assessment of the Competencies

- (a) Each Competency will be assessed according to the extent to which the specified standards have been met.
- (b) The rating scale in paragraph 6.7 below will be used.
- (c) The applicable assessment rating calculator (refer to paragraph 6.5.3) must then be used to add the scores and calculate a final Competency score.

6.5.3 Overall rating

An overall rating is calculated by using the applicable assessment-rating calculator. Such overall rating represents the outcome of the performance appraisal.

6.6 The assessment of the performance of the **Employee** will be based on the following rating scale for KPA's:

Rating	Terminology	Description
5	Outstanding performance	Performance far exceeds the standard expected of an employee at this level. The appraisal indicates that the Employee has achieved above fully effective results against all performance criteria and indicators as specified in the Performance Plan and maintained this in all areas of responsibility throughout the year.
4	Performance significantly above expectations	Performance is significantly higher than the standard expected in the job. The appraisal indicates that the Employee has achieved above fully effective results against more than half of the performance criteria and indicators and fully achieved all others throughout the year.
3	Fully effective	Performance fully meets the standards expected in all areas of the job. The appraisal indicates that the Employee has fully achieved effective results against all significant performance criteria and indicators as specified in the Performance Plan.
2	Not fully effective	Performance is below the standard required for the job in key areas. Performance meets some of the standards expected for the job. The appraisal indicates that the Employee has achieved below fully effective results against more than half the key performance criteria and indicators as specified in the Performance Plan.
1	Unacceptable performance	Performance does not meet the standard expected for the job. The appraisal indicates that the Employee has achieved below fully effective results against almost all of the performance criteria and indicators as specified in the Performance Plan. The Employee has failed to demonstrate the commitment or ability to bring performance up to the level expected in the job despite management efforts to encourage improvement.

- 6.7 The assessment of the performance of the **Employee** will be based on the following rating scale for Competencies:

Rating	Achievement level	Description
2	Basic	Applies basic concepts, methods, and understanding of local government operations, but requires supervision and development intervention
3	Competent	Develops and applies more progressive concepts, methods and understanding. Plans and guides the work of others and executes progressive analyses
4	Advanced	Develops and applies complex concepts, methods and understanding. Effectively directs and leads a group and executes in-depth analyses
5	Superior	Has a comprehensive understanding of local government operations, critical in shaping strategic direction and change, develops and applies comprehensive concepts and methods

A full description of achievement levels per competency is attached as **ANNEXURE C**.

- 6.8 For purposes of evaluating the annual performance, an evaluation panel constituted of the following persons must be established -
- 6.8.1 Municipal Manager;
 - 6.8.2 Chairperson of the audit committee;
 - 6.8.3 Member of the mayoral committee
 - 6.8.4 Municipal manager from another municipality.
- 6.9 The **Employer's** manager responsible for human resources must provide secretariat services to the evaluation panels referred to in sub-regulations (d) and (e).

7. SCHEDULE FOR PERFORMANCE ASSESSMENT

- 7.1 The performance assessment of each **Employee** in relation to his/her Performance Plan shall be done as follows:
- 7.1.1 KPI's and targets shall be monitored on a monthly basis
 - 7.1.2 KPI's and targets shall be assessed on a quarterly basis on the following dates:

First quarter (July-September 2022):	October 2022
Second quarter (October-December 2022):	January 2023
Third quarter (January-March 2023):	April 2023
Fourth quarter (April-June 2023):	July 2023
 - 7.1.3 Competencies shall be assessed in June/July 2023.
 - 7.1.4 KPI's and targets as well as Competencies shall be formally assessed by the evaluation panel on an annual basis in August/September 2023.
- 7.2 The **Employer** shall keep a record of the mid-year review and annual assessment meetings.
- 7.3 Performance feedback shall be based on the **Employer's** assessment of the **Employee's** performance.
- 7.4 The **Employer** will be entitled to review and make reasonable changes to the provisions of **ANNEXURE B** from time to time for operational reasons. The **Employee** will be fully consulted before any such change is made.
- 7.5 The **Employer** may amend the provisions of **ANNEXURE B** whenever the performance management system is adopted, implemented and/or amended as the case may be. In that case the **Employee** will be fully consulted before any such change is made.

8. OBLIGATIONS OF THE EMPLOYER

8.1 The Employer shall –

- 8.1.1 create an enabling environment to facilitate effective performance by the **Employee**;
- 8.1.2 provide access to skills development and capacity building opportunities;
- 8.1.3 work collaboratively with the **Employee** to solve problems and generate solutions to common problems that may impact on the performance of the **Employee**;
- 8.1.4 on the request of the **Employee** delegate such powers reasonably required by the **Employee** to enable him/her to meet the performance objectives and targets established in terms of this Agreement; and
- 8.1.5 make available to the **Employee** such resources as the **Employee** may reasonably require from time to time to assist him/her to meet the performance objectives and targets established in terms of this Agreement.

9. CONSULTATION

9.1 The Employer agrees to consult the Employee timely where the exercising of the powers will have amongst others –

- 9.1.1 a direct effect on the performance of any of the **Employee**'s functions;
- 9.1.2 commit the **Employee** to implement or to give effect to a decision made by the **Employer**; and
- 9.1.3 a substantial financial effect on the **Employer**.

9.2 The Employer agrees to inform the Employee of the outcome of any decisions taken pursuant to the exercise of powers contemplated in 9.1 as soon as is practicable to enable the Employee to take any necessary action without delay.

10 MANAGEMENT OF ASSESSMENT OUTCOMES

10.1 The annual assessment of the Employee's performance will form the basis for rewarding outstanding performance or correcting unacceptable performance.

10.2 The Employee will not be eligible for a performance bonus or any other monetary incentive.

10.3 The Employer may make provision for non-monetary incentives in recognition of outstanding performance.

10.4 In the case of unacceptable performance, the Employer shall –

- 10.4.1 provide systematic remedial or developmental support to assist the **Employee** to improve his or her performance; and
- 10.4.2 after appropriate performance counselling and having provided the necessary guidance and/ or support as well as reasonable time for improvement in performance, the **Employer** may consider steps to terminate the contract of employment of the **Employee** on grounds of unfitness or incapacity to carry out his or her duties.

11. DISPUTE RESOLUTION

11.1 Any disputes about the nature of the Employee's performance agreement, whether it relates to key responsibilities, priorities, methods of assessment and/ or any other matter provided for, shall be mediated by a member of the municipal council within thirty (30) days of receipt of a formal dispute from the Employee, provided that such member was not part of the evaluation panel provided for in Paragraph 6.7 of this Agreement. The decision of this member shall be final and binding on both parties.

11.2 In the event that the mediation process contemplated above fails, the dispute resolution stipulations in the Contract of Employment shall apply.

12. GENERAL

- 12.1 The contents of this agreement and the outcome of any review conducted in terms of Annexure B may be made available to the public by the **Employer**.
- 12.2 Nothing in this agreement diminishes the obligations, duties or accountabilities of the **Employee** in terms of his/her contract of employment, or the effects of existing or new regulations, circulars, policies, directives or other instruments.

Thus **done** and **signed** aton this the..... day of 2022

AS WITNESSES:

1. _____

EMPLOYEE

2. _____

AS WITNESSES:

1. _____

MUNICIPAL MANAGER

2. _____

Report period from: _____ to: _____

Particulars of employee

Name:	
Position held:	
Department and Division:	

Training and development to improve current work performance

Date	Need	Recommended solution and time frame	Impact on work performance (Employee)	Impact on work performance (Manager)

Long term training and development needs

Need	Recommended solution and time frame	Action taken / Progress made	Revision date

Signature of employee		Date	
Signature of Manager		Date	

A copy must be sent to the Human Resource Management Division when a new need develops and at the identification of a training intervention.

PERFORMANCE PLAN (ANNEXURE B)

1. KPIs and targets from the IDP

Strategic Goal 1: Improved quality of life for citizens

Strategic Objectives	Strategic Initiatives	Key Performance Indicators	Targets
1.1 Facilitate access to the economy	Support local economic development through skills and enterprise development	Number of SMME training sessions	1 per quarter
	Engagement with formal business on SMME support	Annual engagement held	Yes (annually by June)
1.6 Coordinate social development internally and externally with partners.	Promote the coordination of social development through partnerships:		
	<ul style="list-style-type: none"> Internally: Internal Social Development Committee to identify additional action plans in each department that contributes to social development 	Agreement reached on additional action plans in each department	Yes (annually by June)

Strategic Goal 3: Quality and sustainable living environment

Strategic Objectives	Strategic Initiatives	Key Performance Indicators	Targets
3.9 Maintain a balance between non-paying and paying households through the increased provision of affordable housing, Finance Linked Individual Subsidy Programme (FLISP) housing, Gap housing and social housing.	Obtain land use rights and secure funding for FLISP housing, affordable housing and social housing	Funding application to DHS submitted	By June 2023

2. Other KPIs and targets

Perf Objective	KPI	Target
Capital expenditure in line with budget and time frames	% of capital budget spent	Between 95%and 105%
Capital project implementation	Average % completion of capital projects	90%for the year
Operating expenditure in line with budget and time frames	% of operating budget spent	Between 90% and 100%
Workforce training roll-out	% of planned training sessions according to the Workplace Skills Plan realised	100%
Council decision implementation	% of due council decisions initiated	100%
Performance and financial monitoring	Number of monthly performance assessments and reconciliation of departmental records of expenditure with finance records done	Qtr 1: 3 per quarter Qtr 2: 2 per quarter Qtr 3: 3 per quarter Qtr 4: 3 per quarter
Annual report inputs provided by departments	Departmental input to the annual report submitted by due date	Yes
Budget inputs provided by departments	Budget requests provided to financial department in accordance with the budget time schedule	Yes
Assignments from the municipal manager completed	Number of written warnings received from municipal manager	0 maximum
Correspondence addressed in a timely manner	% of all correspondence recorded by Collaborator less than 60 days old	100.0%
Equal employment opportunity management	% of employment opportunities applied for appropriate equity appointments	100% cumulative by end of June annually
Procurement in line with legal process	% compliance with SCM policy with the exception of approved deviations	100%
Audit issues resolved	% internal audit queries for which an action plan was submitted within 10 working days	100%
	% internal actions implemented within agreed time frame	100%
	% of Auditor General's queries (comafs) for which an action plan was submitted within 5 working days	100%
	% of Auditor General's findings implemented within agreed time frame	100%
Risk identification and control implementation	Confirmations of risk assessment done	Yes (bi-annually by Nov and May)
	% of Risk Action Plans implemented in accordance with the agreed time frame	100% (bi-annually by Nov and May)
	Chief Risk Officer / Internal Audit informed of any newly identified risks	Yes

Perf Objective	KPI	Target
	Chief Risk Officer / Internal Audit informed of any changes in work procedures	Yes
	Chief Risk Officer / Internal Audit informed of any incidents where controls have failed (loss control register update)	Yes
Invocoms held	Number of invocoms held	Qtr 1: 3 per quarter Qtr 2: 2 per quarter Qtr 3: 3 per quarter Qtr 4: 3 per quarter
Average duration of vacancies reduced	Average duration of vacancies after decision was taken by management to fill the post	3 months maximum
Productive workforce	% of person days lost per month due to sick leave	4% pm maximum
EPWP monitoring (not applicable to Financial Services)	Number of Full Time Equivalents (FTE's) for the financial year	103 for the whole organisation
	Number of work opportunities created during the financial year	296 for the whole organisation
Assets safeguarding	A condition assessment and a review of the remaining useful life of all assets in the department done and a certification in this regard provided to the Head Asset Management.	Yes (by June annually)
	All moveable assets that became unusable or that were lost or stolen reported immediately in the prescribed manner to the Head: Asset Management	Yes
Communication Strategy implementation	All planned communication activities for the next financial year in terms of the Communication Strategy submitted to the Director Corporate Services	Yes (annually by end of June)
	Number of reports on all communication activities undertaken by the department submitted to the Director Corporate Services	1 per quarter
Issuing of safety clothing	All safety clothing issued	Yes (by end of March)
Spending of grants	% spending of grants	100% by end of June
Ensure that accurate revenue estimates are prepared in relation to operating requirements	Projected tariff increases determined for the budget of the new financial year	Yes (annually by February)
Ensure timeous submission of capital payment invoices and payment certificates to the Finance Department	Due date for last capital payment invoices and payment certificates to be submitted to the Finance Department	Annually by 9 July
Training needs of staff	Training needs for staff identified and provided to HR at meetings held with all departments during November annually	Yes (annually by November)

COMPETENCY DESCRIPTIONS (ANNEXURE C)

1. Leading Competencies Cluster

Competency Name	Strategic Direction and Leadership		
Competency Definition	Provide and direct a vision for the institution, and inspire and deploy others to deliver on the strategic institutional mandate		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Understand institutional and departmental strategic objectives, but lacks the ability to inspire others to achieve set mandate• Describe how specific tasks link to institutional strategies but has limited influence in directing strategy• Has a basic understanding of institutional performance management, but lacks the ability to integrate systems into a collective whole• Demonstrate a basic understanding of key decision- makers	<ul style="list-style-type: none">• Give direction to a team in realising the institution's strategic mandate and set objectives• Has a positive impact and influence on the morale, engagement and participation of team members• Develop actions plans to execute and guide strategy implementation• Assist in defining performance measures to monitor the progress and effectiveness of the institution• Displays an awareness of institutional structures and political factors• Effectively communicate barriers to execution to relevant parties• Provide guidance to all stakeholders in the achievement of the strategic mandate• Understand the aim and objectives of the institution and relate it to own work	<ul style="list-style-type: none">• Evaluate all activities to determine value and alignment to strategic intent• Display in-depth knowledge and understanding of strategic planning• Align strategy and goals across all functional areas• Actively define performance measures to monitor the progress and effectiveness of the institution• Consistently challenge strategic plans to ensure relevance• Understand institutional structures and political factors, and the consequences of actions• Empower others to follow strategic direction and deal with complex situations• Guide the institution through complex and ambiguous concern• Use understanding of power relationships and dynamic tensions among key players to frame communications and develop strategies, positions and alliances	<ul style="list-style-type: none">• Structure and position the institution to local government priorities• Actively use in-depth knowledge and understanding to develop and implement a comprehensive institutional framework• Hold self-accountable for strategy execution and results• Provide impact and influence through building and maintaining strategic relationships• Create an environment that facilitates loyalty and innovation Display a superior level of self-discipline and integrity in actions• Integrate various systems into a collective whole to optimise institutional performance management• Uses understanding of competing interests to manoeuvre successfully to a win/win outcome

Competency Name	People Management		
Competency Definition	Effectively manage, inspire and encourage people, respect diversity, optimise talent and build and nurture relationships in order to achieve institutional objectives		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Participate in team goal-setting and problem solving• Interact and collaborate with people of diverse backgrounds• Aware of guidelines for employee development, but requires support in implementing development initiatives	<ul style="list-style-type: none">• Seek opportunities to increase team contribution and responsibility• Respect and support the diverse nature of others and be aware of the benefits of a diverse approach• Effectively delegate tasks and empower others to increase contribution and execute functions optimally• Apply relevant employee legislation fairly and consistently• Facilitate team goal-setting and problem-solving• Effectively identify capacity requirements to fulfil the strategic mandate	<ul style="list-style-type: none">• Identify ineffective team and work processes and recommend remedial interventions• Recognise and reward effective and desired behaviour• Provide mentoring and guidance to others in order to increase personal effectiveness• Identify development and learning needs within the team• Build a work environment conducive to sharing, innovation, ethical behaviour and professionalism• Inspire a culture of performance excellence by giving positive and constructive feedback to the team• Achieve agreement or consensus in adversarial environments• Lead and unite diverse teams across divisions to achieve institutional objectives	<ul style="list-style-type: none">• Develop and incorporate best practice people management processes, approaches and tools across the institution• Foster a culture of discipline, responsibility and accountability• Understand the impact of diversity in performance and actively incorporate a diversity strategy in the institution• Develop comprehensive integrated strategies and approaches to human capital development and management• Actively identify trends and predict capacity requirements to facilitate unified transition and performance management

Competency Name	Program and Project Management		
Competency Definition	Able to understand program and project management methodology; plan, manage, monitor and evaluate specific activities in order to deliver on set objectives		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Initiate projects after approval from higher authorities• Understand procedures of program and project management methodology, implications and stakeholder involvement• Understand the rational of projects in relation to the institution's strategic objectives• Document and communicate factors and risk associated with own work• Use results and approaches of successful project implementation as guide	<ul style="list-style-type: none">• Establish broad stakeholder involvement and communicate the project status and key milestones• Define the roles and responsibilities of the project team and create clarity around expectations• Find a balance between project deadline and the quality of deliverables• Identify appropriate project resources to facilitate the effective completion of the deliverables• Comply with statutory requirements and apply policies in a consistent manner• Monitor progress and use of resources and make needed adjustments to timelines, steps, and resource allocation	<ul style="list-style-type: none">• Manage multiple programs and balance priorities and conflicts according to institutional goals• Apply effective risk management strategies through impact assessment and resource requirements• Modify project scope and budget when required without compromising the quality and objectives of the project• Involve top-level authorities and relevant stakeholders in seeking project buy-in• Identify and apply contemporary project management methodology• Influence and motivate project team to deliver exceptional results• Monitor policy implementation and apply procedures to manage risks	<ul style="list-style-type: none">• Understand and conceptualise the long-term implications of desired project outcomes• Direct a comprehensive strategic macro and micro analysis and scope projects accordingly to realise institutional objectives• Consider and initiate projects that focus on achievement of the long-term objectives• Influence people in positions of authority to implement outcomes of projects• Lead and direct translation of policy into workable actions plans• Ensures that programs are monitored to track progress and optimal resource utilisation, and that adjustments are made as needed

Competency Name	Financial Management		
Competency Definition	Able to compile, plan and manage budgets, control cash flow, institute financial risk management and administer procurement processes in accordance with recognised financial practices. Further to ensure that all financial transactions are managed in an ethical manner		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Understand basic financial concepts and methods as they relate to institutional processes and activities• Display awareness into the various sources of financial data, reporting mechanisms, financial governance, processes and systems• Understand the importance of financial accountability• Understand the importance of asset control	<ul style="list-style-type: none">• Exhibit knowledge of general financial concepts, planning, budgeting, and forecasting and how they interrelate• Assess, identify and manage financial risks• Assume a cost- saving approach to financial management• Prepare financial reports based on specified formats• Consider and understand the financial implications of decisions and suggestions• Ensure that delegation and instructions as required by National Treasury guidelines are reviewed and updated• Identify and implement proper monitoring and evaluation practices to ensure appropriate spending against budget	<ul style="list-style-type: none">• Take active ownership of planning, budgeting, and forecast processes and provides credible answers to queries within own responsibility• Prepare budgets that are aligned to the strategic objectives of the institution• Address complex budgeting and financial management concerns• Put systems and processes in place to enhance the quality and integrity of financial management practices• Advise on policies and procedures regarding asset control• Promote National Treasury's regulatory framework for Financial Management	<ul style="list-style-type: none">• Develop planning tools to assist in evaluating and monitoring future expenditure trends• Set budget frameworks for the institution• Set strategic direction for the institution on expenditure and other financial processes• Build and nurture partnerships to improve financial management and achieve financial savings• Actively identify and implement new methods to improve asset control• Display professionalism in dealing with financial data and processes

Competency Name	Change Leadership		
Competency Definition	Able to direct and initiate institutional transformation on all levels in order to successfully drive and implement new initiatives and deliver professional and quality services to the community		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Display an awareness of change interventions, and the benefits of transformation initiatives• Able to identify basic needs for change• Identify gaps between the current and desired state• Identify potential risk and challenges to transformation, including resistance to change factors• Participate in change programs and piloting change interventions• Understand the impact of change interventions on the institution within the broader scope of Local government	<ul style="list-style-type: none">• Perform an analysis of the change impact on the social, political and economic environment• Maintain calm and focus during change• Able to assist team members during change and keep them focused on the deliverables• Volunteer to lead change efforts outside of own work team• Able to gain buy-in and approval for change from relevant stakeholders• Identify change readiness levels and assist in resolving resistance to change factors• Design change interventions that are aligned with the institution's strategic objectives and goals	<ul style="list-style-type: none">• Actively monitor change impact and results and convey progress to relevant stakeholders• Secure buy-in and sponsorship for change initiatives• Continuously evaluate change strategy and design and introduce new approaches to enhance the institution's effectiveness• Build and nurture relationships with various stakeholders to establish strategic alliance in facilitating change• Take the lead in impactful change programs• Benchmark change interventions against best change practices• Understand the impact and psychology of change, and put remedial interventions in place to facilitate effective transformation• Take calculated risk and seek new ideas from best practice scenarios, and identify the potential for implementation	<ul style="list-style-type: none">• Sponsor change agents and create a network of change leaders who support the interventions• Actively adapt current structures and processes to incorporate the change interventions• Mentor and guide team members on the effects of change, resistance factors and how to integrate change• Motivate and inspire others around change initiatives

Competency Name	Governance Leadership		
Competency Definition	Able to promote, direct and apply professionalism in managing risk and compliance requirements and apply a thorough understanding of governance practices and obligations. Further, able to direct the conceptualisation of relevant policies and enhance cooperative governance relationships		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Display a basic awareness of risk, compliance and governance factors but require guidance and development in implementing such requirements• Understand the structure of cooperative government but requires guidance on fostering workable relationships between stakeholders• Provide input into policy formulation	<ul style="list-style-type: none">• Display a thorough understanding of governance and risk and compliance factors and implement plans to address these• Demonstrate understanding of the techniques and processes for optimising risk taking decisions within the institution• Actively drive policy formulation within the institution to ensure the achievement of objectives	<ul style="list-style-type: none">• Able to link risk initiatives into key institutional objectives and drivers• Identify, analyse and measure risk, create valid risk forecasts, and map risk profiles• Apply risk control methodology and approaches to prevent and reduce risk that impede on the achievement of institutional objectives• Demonstrate a thorough understanding of risk retention plans• Identify and implement comprehensive risk management systems and processes• Implement and monitor the formulation of policies, identify and analyse constraints and challenges with implementation and provide recommendations for improvement	<ul style="list-style-type: none">• Demonstrate a high level of commitment in complying with governance requirements• Implement governance and compliance strategy to ensure achievement of institutional objectives within the legislative framework• Able to advise Local Government on risk management strategies, best practice interventions and compliance management• Able to forge positive relationships on cooperative governance level to enhance the effectiveness of local government• Able to shape, direct and drive the formulation of policies on a macro level

2. Core Competencies Cluster

Competency Name	Moral Competence		
Competency Definition	Able to identify moral triggers, apply reasoning that promotes honesty and integrity and consistently display behaviour that reflects moral competence		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Realise the impact of acting with integrity, but requires guidance and development in implementing principles• Follow the basic rules and regulations of the institution• Able to identify basic moral situations, but requires guidance and development in understanding and reasoning with moral intent	<ul style="list-style-type: none">• Conduct self in alignment with the values of Local Government and the institution• Able to openly admit own mistakes and weaknesses and seek assistance from others when unable to deliver• Actively report fraudulent activity and corruption within local government• Understand and honour the confidential nature of matters without seeking personal gain• Able to deal with situations of conflict of interest promptly and in the best interest of local government	<ul style="list-style-type: none">• Identify, develop, and apply measures of self- correction• Able to gain trust and respect through aligning actions with commitments• Make proposals and recommendations that are transparent and gain the approval of relevant stakeholders• Present values, beliefs and ideas that are congruent with the institution's rules and regulations• Takes an active stance against corruption and dishonesty when noted• Actively promote the value of the institution to internal and external stakeholders• Able to work in unity with a team and not seek personal gain• Apply universal moral principles consistently to achieve moral decisions	<ul style="list-style-type: none">• Create an environment conducive of moral practices• Actively develop and implement measures to combat fraud and corruption• Set integrity standards and shared accountability measures across the institution to support the objectives of local government• Take responsibility for own actions and decisions, even if the consequences are unfavourable

Competency Name	Planning and Organising		
Competency Definition	Able to plan, prioritise and organise information and resources effectively to ensure the quality of service delivery and build efficient contingency plans to manage risk		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Able to follow basic plans and organise tasks around set objectives• Understand the process of planning and organising but requires guidance and development in providing detailed and comprehensive plans• Able to follow existing plans and ensure that objectives are met• Focus on short- term objectives in developing plans and actions• Arrange information and resources required for a task, but require further structure and organisation	<ul style="list-style-type: none">• Actively and appropriately organise information and resources required for a task• Recognise the urgency and importance of tasks• Balance short and long-term plans and goals and incorporate into the team's performance objectives• Schedule tasks to ensure they are performed within budget and with efficient use of time and resources• Measures progress and monitor performance results	<ul style="list-style-type: none">• Able to define institutional objectives, develop comprehensive plans, integrate and coordinate activities, and assign appropriate resources for successful implementation• Identify in advance required stages and actions to complete tasks and projects• Schedule realistic timelines, objectives and milestones for tasks and projects• Produce clear, detailed and comprehensive plans to achieve institutional objectives• Identify possible risk factors and design and implement appropriate contingency plans• Adapt plans in light of changing circumstances• Prioritise tasks and projects according to their relevant urgency and importance	<ul style="list-style-type: none">• Focus on broad strategies and initiatives when developing plans and actions• Able to project and forecast short, medium and long term requirements of the institution and local government• Translate policy into relevant projects to facilitate the achievement of institutional objectives

Competency Name	Analysis and Innovation		
Competency Definition	Able to critically analyse information, challenges and trends to establish and implement fact-based solutions that are innovative to improve institutional processes in order to achieve key strategic objectives		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Understand the basic operation problem solving of analysis, but lack detail and thoroughness• Able to balance independent analysis with requesting assistance from others• Recommend new ways to perform tasks within own function• Propose simple remedial interventions that marginally challenges the status quo• Listen to the ideas and perspectives of others and explore opportunities to enhance such innovative thinking	<ul style="list-style-type: none">• Demonstrate Logical techniques and approaches and provide rationale for recommendations• Demonstrate objectivity, insight, and thoroughness when analysing problems• Able to break down complex problems into manageable parts and identify solutions• Consult internal and external stakeholders on opportunities to improve processes and service delivery• Clearly communicate the benefits of new opportunities and innovative solutions to stakeholders• Continuously identify opportunities to enhance internal processes• Identify and analyse opportunities conducive to innovative approaches and propose remedial intervention	<ul style="list-style-type: none">• Coaches team members on analytical and innovative approaches and techniques• Engage with appropriate individuals in analysing and resolving complex problems• Identify solutions on various areas in the institution• Formulate and implement new ideas throughout the institution• Able to gain approval and buy- in for proposed interventions from relevant stakeholders• Identify trends and best practices in process and service delivery and propose institutional application• Continuously engage in research to identify client needs	<ul style="list-style-type: none">• Demonstrate complex analytical and problem solving approaches and techniques• Create an environment conducive to analytical and fact-based problem-solving• Analyse, recommend solutions and monitor trends in key challenges to prevent and manage occurrence• Create an environment that fosters innovative thinking and follows a learning organisation approach• Be a thought leader on innovative customer service delivery, and process optimisation• Play an active role in sharing best practice solutions and engage in national and international local government seminars and conferences

Competency Name	Knowledge and Information Management		
Competency Definition	Able to promote the generation and sharing of knowledge and information through various processes and media, in order to enhance the collective knowledge base of local government		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Collect, categorise and track relevant information required for specific tasks and projects• Analyse and interpret information to draw conclusions• Seek new sources of information to increase the knowledge base• Regularly share information and knowledge with internal stakeholders and team members	<ul style="list-style-type: none">• Use appropriate information systems and technology to manage institutional knowledge and information sharing• Evaluate data from various sources and use information effectively to influence decisions and provide solutions• Actively create mechanisms and structures for sharing of information• Use external and internal resources to research and provide relevant and cutting-edge knowledge to enhance institutional effectiveness and efficiency	<ul style="list-style-type: none">• Effectively predict future information and knowledge management requirements and systems• Develop standards and processes to meet future knowledge management needs• Share and promote best- practice knowledge management across various institutions• Establish accurate measures and monitoring systems for knowledge and information management• Create a culture conducive of learning and knowledge sharing• Hold regular knowledge and information sharing sessions to elicit new ideas and share best practice approaches	<ul style="list-style-type: none">• Create and support a vision and culture where team members are empowered to seek, gain and share knowledge and information• Establish partnerships across local government to facilitate knowledge management• Demonstrate a mature approach to knowledge and information sharing with an abundance and assistance approach• Recognise and exploit knowledge points in interactions with internal and external stakeholders

Competency Name	Communication		
Competency Definition	Able to share information, knowledge and ideas in a clear, focused and concise manner appropriate for the audience in order to effectively convey, persuade and influence stakeholders to achieve the desired outcome		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Demonstrate an understanding for communication levers and tools appropriate for the audience, but requires guidance in utilising such tools• Express ideas in a clear and focused manner, but does not always take the needs of the audience into consideration• Disseminate and convey information and knowledge adequately	<ul style="list-style-type: none">• Express ideas to individuals and groups in formal and informal settings in an manner that is interesting and motivating• Able to understand, tolerate and appreciate diverse perspectives, attitudes and beliefs• Adapt communication content and style to suit the audience and facilitate optimal information transfer• Deliver content in a manner that gains support, commitment and agreement from relevant stakeholders• Compile clear, focused, concise and well-structured written documents	<ul style="list-style-type: none">• Effectively communicate high-risk and sensitive matters to relevant stakeholders• Develop a well-defined communication strategy• Balance political perspectives with institutional needs when communicating viewpoints on complex issues• Able to effectively direct negotiations around complex matters and arrive at a win-win situation that promotes Batho Pele principles• Market and promote the institution to external stakeholders and seek to enhance a positive image of the institution• Able to communicate with the media with high levels of moral competence and discipline	<ul style="list-style-type: none">• Regarded as a specialist in negotiations and representing the institution• Able to inspire and motivate others through positive communication that is impactful and relevant• Creates an environment conducive to transparent and productive communication and critical and appreciative conversations• Able to coordinate negotiations at different levels within local government and externally

Competency Name	Results and Quality Focus		
Competency Definition	Able to maintain high quality standards, focus on achieving results and objectives while consistently striving to exceed expectations and encourage others to meet quality standards. Further, to actively monitor and measure results and quality against identified objectives		
ACHIEVEMENT LEVELS			
BASIC	COMPETENT	ADVANCED	SUPERIOR
<ul style="list-style-type: none">• Understand quality of work but requires guidance in attending to important matters• Show a basic commitment to achieving the correct results• Produce the minimum level of results required in the role• Produce outcomes that is of a good standard• Focus on the quantity of output but requires development in incorporating the quality of work• Produce quality work in general circumstances, but fails to meet expectation when under pressure	<ul style="list-style-type: none">• Focus on high- priority actions and does not become distracted by lower-priority activities• Display firm commitment and pride in achieving the correct results• Set quality standards and design processes and tasks around achieving set standards• Produce output of high quality• Able to balance the quantity and quality of results in order to achieve objectives• Monitors progress, quality of work, and use of resources; provide status updates, and make adjustments as needed	<ul style="list-style-type: none">• Consistently verify own standards and outcomes to ensure quality output• Focus on the end result and avoids being distracted• Demonstrate a determined and committed approach to achieving results and quality standards• Follow task and projects through to completion• Set challenging goals and objectives to self and team and display commitment to achieving expectations• Maintain a focus on quality outputs when placed under pressure• Establishing institutional systems for managing and assigning work, defining responsibilities, tracking, monitoring and measuring success, evaluating and valuing the work of the institution	<ul style="list-style-type: none">• Coach and guide others to exceed quality standards and results• Develop challenging, client-focused goals and sets high standards for personal performance• Commit to exceed the results and quality standards, monitor own performance and implement remedial interventions when required• Work with team to set ambitious and challenging team goals, communicating long-and short-term expectations• Take appropriate risks to accomplish goals• Overcome setbacks and adjust action plans to realise goals• Focus people on critical activities that yield a high impact



Verslag ♦ Ingxelo ♦ Report

Office of the Municipal Manager
2022-06-15

8/1/B/1
WARD: All wards

ITEM 7.3 OF THE AGENDA OF AN EXECUTIVE MAYORAL COMMITTEE MEETING TO BE HELD ON 15 June 2022

SUBJECT: QUARTERLY REPORT ON THE PERFORMANCE OF CONTRACTORS
ONDERWERP: KWARTAAL VERSLAG OOR DIE PRESTASIE VAN KONTRAKTEURS

1. BACKGROUND

Section 116(2) of the Municipal Finance Management Act, Act 56 of 2003 stipulates the following:

(2) *The accounting officer of a municipality must -*

- (a) *take all reasonable steps to ensure that a contract or agreement procured through the supply chain management policy of the municipality is properly enforced;*
- (b) *monitor on a monthly basis the performance of the contractor under the contract or agreement;*
- (c) *establish capacity in the administration of the municipality -*
 - (i) *to assist the accounting officer in carrying out the duties set out in paragraphs (a) and (b); and*
 - (ii) *to oversee the day-to-day management of the contract or agreement; and*
- (d) *regularly report to the council of the municipality, on the management of the contract or agreement and the performance of the contractor*

The performance of contractors are quarterly monitored on the Eunomia compliance system.

This report is done in compliance with Section 116(2)(d) above.

2. DISCUSSION

All contracts or agreements procured through the supply chain management policy of the Municipality are monitored on a quarterly basis. At the monthly performance assessment meetings the directors then report to the Municipal Manager on the performance of contractors through the Eunomia compliance system. Problems occurred (if any) are discussed here with possible interventions where necessary.

No problems were however reported during the third quarter of the 2021/2022 financial year.

3. LEGISLATION

The following act is applicable: Municipal Finance Management Act 56 of 2003

4. LINK TO THE IDP

Not applicable

5. FINANCIAL IMPLICATION

None

6. AANBEVELING / RECOMMENDATION

- (a) dat kennis geneem word van hierdie verslag.
- (a) *That this report be noted.*

MUNICIPAL MANAGER

SLA Assessments per Department - Third Quarter

Assess Month	Object Ref	Date Closed	Department	Agreement Name	Assess Year	Assess Month	Assessment Date	Assessed By	Tender Number	Description of Service	Delivery Score	Status
March	3979495	2022-06-08	Corporate Services	OXBRIDGE ACADEMY	2022	March	2022-03-31	APRILG	T21/19/20	RESOLUTION (confirmed by the Municipal		
	3705033	2022-03-07	Civil Engineering Services	MAKHARE HOLDING	2022	March	2022-03-07	QUICKFALLN	T62/19/20	RESOLUTION (confirmed by the Municipal	3 - Delivered up to expectation	Behind Schedule
	3705036	2022-03-07	Civil Engineering Services	MAINSTRUCT PROJECTS	2022	March	2022-03-07	QUICKFALLN	T38/20/21	RESOLUTION (confirmed by the acting	3 - Delivered up to expectation	Behind Schedule
	3721794	2022-05-16	Civil Engineering Services	MAINSTRUCT PROJECTS	2022	March	2022-03-01	QUICKFALLN	T38/20/21	RESOLUTION (confirmed by the acting	3 - Delivered up to expectation	Behind Schedule
	3694071	2022-03-01	Protection Services	TMT SERVICES AND SUPPLIES	2022	March	2022-03-01	MOUTONHS	T40/18/19	RESOLUTION (confirmed by the Municipal Manager on 7	3 - Delivered up to expectation	On Schedule
	3702315	2022-03-01	Protection Services	EDWIN CHARLES GENADE	2022	March	2022-03-01	MOUTONHS	T63/19/20	RESOLUTION (confirmed by the Municipal	3 - Delivered up to expectation	On Schedule
	3705031	2022-03-04	Civil Engineering Services	Riverlands Cleaning and Maintenance	2022	March	2022-03-04	VENTERJ	T04/18/19	RESOLUTION (Confirmed by the Municipal	4 - Delivery is above expectation	On Schedule
	3705037	2022-03-15	Civil Engineering Services	HAW AND INGLIS CIVIL ENGINEERING	2022	March	2022-03-15	SPIESJ	T22/19/20	Civil Works: Moorreesburg Upgrading op WWTW	3 - Delivered up to expectation	On Schedule
	3705038	2022-03-04	Civil Engineering Services	JVZ CONSTRUCTIO N	2022	March	2022-03-04	VENTERJ	T65/20/21	RESOLUTUION (confirmed by the Municipal	3 - Delivered up to expectation	On Schedule
	3705039	2022-03-04	Civil Engineering Services		2022	March	2022-03-04	VENTERJ	T04/21/22	RESOLUTION (confirmed by the Municipal	3 - Delivered up to expectation	On Schedule
	3705041	2022-05-26	Corporate Services	NASIONALE SEE EN SAND INSTITUUT	2022	March	2022-03-28	LOOCKI	T22/21/22	RESOLUTION (Confirmed by the Municipal Manager on 11	5 - Exceptional Delivery (Value Add)	On Schedule
	3714177	2022-03-28	Corporate Services	HOME AND HECTARE	2022	March	2022-03-28	TERBLANCHE M	T36/19/20	RESOLUTION (confirmed by the Municipal	3 - Delivered up to expectation	On Schedule
	3714178	2022-03-28	Corporate Services	HOME AND HECTARE	2022	March	2022-03-28	TERBLANCHE M	T36/19/20	RESOLUTION (confirmed by the Municipal	3 - Delivered up to expectation	On Schedule
	3714181	2022-04-25	Corporate Services		2022	March	2022-03-28	TERBLANCHE M	T34/20/21	(a) That the following panel of attorneys	3 - Delivered up to expectation	On Schedule
	3714880	2022-04-20	Corporate Services	ACS TRAINING	2022	March	2022-03-04	APRILG	T10/21/22	RESOLUTION (confirmed by the Municipal	3 - Delivered up to expectation	On Schedule

	3716379	2022-04-20	Civil Engineering Services	VIKING PONY AFRICA PUMPS	2022	March	2022-03-07	VENTERJ	T64/20/21	RESOLUTION (confirmed by the Municipal Manager on 15	3 - Delivered up to expectation	On Schedule
	3721711	2022-05-11	Civil Engineering Services	PERFECT BOUNCE CONSULTANTS	2022	March	2022-03-31	SPIESJ	T14/21/22	RESOLUTION (confirmed by the Municipal Manager on 15	3 - Delivered up to expectation	On Schedule
	3721730	2022-04-20	Corporate Services	MORAR	2022	March	2022-03-04	APRILG	T31/21/22	(a) That the tender for the appointment of	3 - Delivered up to expectation	On Schedule
	3721778	2022-04-22	Civil Engineering Services		2022	March	2022-03-31	PIETERSJ	T53/20/21	(Confirmed by the Municipal Manager on 21	3 - Delivered up to expectation	On Schedule
	3721803	2022-04-25	Corporate Services	F B PROTECTION SERVICES	2022	March	2022-03-21	SOLOMONSG	T52/20/201	RESOLUTION (confirmed by the Municipal Manager on 9	3 - Delivered up to expectation	On Schedule
	3721816	2022-05-16	Electrical Engineering Services	LINUX BASED SYSTEMS DESIGN SA	2022	March	2022-03-31	PIENAARJ	T48/20/21	(Confirmation by the Municipal Manager on 9	3 - Delivered up to expectation	On Schedule
	3721819	2022-04-25	Financial Services	EWC VEHICLE COMMUNICATION	2022	March	2022-03-25	BENEKEA	T50/20/21	(Confirmed by the Municipal Manager on 9 June 2021)	3 - Delivered up to expectation	On Schedule
	3721825	2022-04-25	Financial Services	SILVER LAKE TRADING 305 (Opulentia Financial Services)	2022	March	2022-03-25	BENEKEA	T51/20/21	(Confirmed by the Municipal Manager on 9 June 2021)	3 - Delivered up to expectation	On Schedule
February	3701945	2022-02-21	Corporate Services	Nextec Industrial Technologies (Pty) Ltd	2022	February	2022-02-21	ADMIN	T27/18/19	RESOLUTION (confirmed by the Municipal Manager on 13		
	3979493	2022-06-08	Corporate Services	OXBRIDGE ACADEMY	2022	February	2022-02-28	APRILG	T21/19/20	RESOLUTION (confirmed by the Municipal Manager on 11		
	3686713	2022-05-26	Corporate Services	NASIONALE SEE EN SAND INSTITUUT	2022	February	2022-02-28	LOOCKI	T22/21/22	RESOLUTION (Confirmed by the Municipal Manager on 11	5 - Exceptional Delivery (Value Add)	On Schedule
	3700875	2022-02-25	Financial Services	CFAO MOTORS	2022	February	2022-02-25	PRESTONS	T28/21/22	RESOLUTION (Confirmed by the Municipal Manager on 11	3 - Delivered up to expectation	On Schedule
	3705040	2022-04-20	Civil Engineering Services	VIKING PONY AFRICA PUMPS	2022	February	2022-02-04	VENTERJ	T64/20/21	RESOLUTION (confirmed by the Municipal Manager on 15	3 - Delivered up to expectation	On Schedule
	3721708	2022-05-11	Civil Engineering Services	PERFECT BOUNCE CONSULTANTS	2022	February	2022-02-01	SPIESJ	T14/21/22	RESOLUTION (confirmed by the Municipal Manager on 15	3 - Delivered up to expectation	On Schedule
	3721729	2022-04-20	Corporate Services	MORAR	2022	February	2022-02-21	APRILG	T31/21/22	(a) That the tender for the appointment of	3 - Delivered up to expectation	On Schedule
	3721762	2022-04-20	Corporate Services	ACS TRAINING	2022	February	2022-02-21	APRILG	T10/21/22	RESOLUTION (confirmed by the Municipal Manager on 15	3 - Delivered up to expectation	On Schedule

January	3721777	2022-04-22	Civil Engineering Services		2022	February	2022-02-28	PIETERSJ	T53/20/21	(Confirmed by the Municipal Manager on 21	3 - Delivered up to expectation	On Schedule
	3721801	2022-04-25	Corporate Services	F B PROTECTION SERVICES	2022	February	2022-02-21	SOLOMONSG	T52/20/201	RESOLUTION (confirmed by the Municipal	3 - Delivered up to expectation	On Schedule
	3721815	2022-05-16	Electrical Engineering Services	LINUX BASED SYSTEMS DESIGN SA	2022	February	2022-02-28	PIENAARJ	T48/20/21	(Confirmation by the Municipal Manager on 9	3 - Delivered up to expectation	On Schedule
	3721818	2022-04-25	Financial Services	EWC VEHICLE COMMUNICATION	2022	February	2022-02-25	BENEKEA	T50/20/21	(Confirmed by the Municipal Manager on 9 June 2021)	3 - Delivered up to expectation	On Schedule
	3721824	2022-04-25	Financial Services	SILVER LAKE TRADING 305 (Opulentia Financial Services)	2022	February	2022-02-25	BENEKEA	T51/20/21	(Confirmed by the Municipal Manager on 9 June 2021)	3 - Delivered up to expectation	On Schedule
	3979494	2022-06-08	Corporate Services	OXBRIDGE ACADEMY	2022	January	2022-01-31	APRILG	T21/19/20	RESOLUTION (confirmed by		
	3684927	2022-01-27	Civil Engineering Services	MAKHARE HOLDING	2022	January	2022-01-30	QUICKFALLN	T62/19/20	RESOLUTION (confirmed by the Municipal	3 - Delivered up to expectation	Behind Schedule
	3686239	2022-02-01	Civil Engineering Services		2022	January	2022-01-30	SPIESJ	T18/21/22	(a) That the tenders for the supply and	4 - Delivery is above expectation	Completed
	3676425	2022-01-18	Civil Engineering Services	HAW AND INGLIS CIVIL ENGINEERING	2022	January	2022-01-30	venterj	T22/19/20	Civil Works: Moorreesburg Upgrading op WWTW	3 - Delivered up to expectation	On Schedule
	3684917	2022-01-24	Corporate Services	VERSO FINANCIAL SERVICES	2022	January	2022-01-30	DEJONGHS	T23/18/19	RESOLUTION (confirmed by the Municipal	3 - Delivered up to expectation	On Schedule
	3684918	2022-01-13	Civil Engineering Services	Riverlands Cleaning and Maintenance	2022	January	2022-01-30	VENTERJ	T04/18/19	RESOLUTION (Confirmed by the Municipal	4 - Delivery is above expectation	On Schedule
	3684920	2022-01-24	Corporate Services	AYANDA MBANGA COMMUNICATIONS	2022	January	2022-01-30	DEJONGHS	T28/18/19	RESOLUTION (confirmed by the Municipal Manager on 7	3 - Delivered up to expectation	On Schedule
	3684926	2022-03-28	Corporate Services	HOME AND HECTARE	2022	January	2022-01-29	TERBLANCHE M	T36/19/20	RESOLUTION (confirmed by the Municipal	4 - Delivery is above expectation	On Schedule
	3684936	2022-02-01	Civil Engineering Services	BUILD A WAY CONSTRUCTION	2022	January	2022-01-30	SPIESJ	T44/20/21	(Confirmed by the Municipal Manager on 9	3 - Delivered up to expectation	On Schedule
	3684938	2022-01-27	Civil Engineering Services	MAINSTRUCT PROJECTS	2022	January	2022-01-30	QUICKFALLN	T38/20/21	RESOLUTION (confirmed by the acting	3 - Delivered up to expectation	On Schedule
	3684941	2022-01-18	Civil Engineering Services	JVZ CONSTRUCTION	2022	January	2022-01-30	VENTERJ	T65/20/21	RESOLUTION (confirmed by the Municipal	3 - Delivered up to expectation	On Schedule

3684942	2022-01-18	Civil Engineering Services		2022	January	2022-01-30	VENTERJ	T04/21/22	RESOLUTION (confirmed by the Municipal	3 - Delivered up to expectation	On Schedule
3684943	2022-01-18	Civil Engineering Services	VIKING PONY AFRICA PUMPS	2022	January	2022-01-30	VENTERJ	T64/20/21	RESOLUTION (confirmed by the Municipal	3 - Delivered up to expectation	On Schedule
3693169	2022-02-08	Corporate Services	NASIONALE SEE EN SAND INSTITUUT	2022	January	2022-01-30	LOOCKI	T22/21/22	RESOLUTION (Confirmed by the Municipal Manager on 11	5 - Exceptional Delivery (Value Add)	On Schedule
3694072	2022-04-20	Civil Engineering Services		2022	January	2022-01-17	PIETERSJ	T53/20/21	(Confirmed by the Municipal Manager on 21	3 - Delivered up to expectation	On Schedule
3700874	2022-04-20	Corporate Services	MORAR	2022	January	2022-01-21	APRILG	T31/21/22	(a) That the tender for the appointment of	3 - Delivered up to expectation	On Schedule
3702316	2022-04-20	Financial Services	EWC VEHICLE COMMUNICATI ON	2022	January	2022-01-24	BENEKEA	T50/20/21	(Confirmed by the Municipal Manager on 9 June 2021)	3 - Delivered up to expectation	On Schedule
3721763	2022-04-20	Corporate Services	ACS TRAINING	2022	January	2022-01-04	APRILG	T10/21/22	RESOLUTION (confirmed by the Municipal	3 - Delivered up to expectation	On Schedule
3721780	2022-04-22	Civil Engineering Services		2022	January	2022-01-31	PIETERSJ	T53/20/21	(Confirmed by the Municipal Manager on 21	3 - Delivered up to expectation	On Schedule
3721785	2022-04-20	Protection Services	LEWIS BUSH CLEARING AND ALIEN FIRE FIGHTING	2022	January	2022-01-20	HARRISR	T15/21/22	RESOLUTION (confirmed by the Municipal Manager on 15 September	3 - Delivered up to expectation	On Schedule
3721800	2022-04-25	Corporate Services	F B PROTECTION SERVICES	2022	January	2022-01-21	SOLOMONSG	T52/20/201	RESOLUTION (confirmed by the Municipal	3 - Delivered up to expectation	On Schedule
3721814	2022-05-16	Electrical Engineering Services	LINUX BASED SYSTEMS DESIGN SA	2022	January	2022-01-31	PIENAARJ	T48/20/21	(Confirmation by the Municipal Manager on 9	3 - Delivered up to expectation	On Schedule
3721823	2022-04-25	Financial Services	SILVER LAKE TRADING 305 (Opulentia Financial Services)	2022	January	2022-01-25	BENEKEA	T51/20/21	(Confirmed by the Municipal Manager on 9 June 2021)	3 - Delivered up to expectation	On Schedule
3721826	2022-05-16	Electrical Engineering Services	BIDVEST OFFICE (Konica Minolta SA)	2022	January	2022-01-31	PIENAARJ	T54/20/21	(Confirmation by the Municipal Manager on 9 June 2021)	3 - Delivered up to expectation	On Schedule
3721827	2022-05-16	Electrical Engineering Services	BIDVEST OFFICE (Konica Minolta SA)	2022	January	2022-01-31	PIENAARJ	T54/20/21	(Confirmation by the Municipal Manager on 9 June 2021)	3 - Delivered up to expectation	On Schedule
3721828	2022-05-16	Electrical Engineering Services	BIDVEST OFFICE (Konica Minolta SA)	2022	January	2022-01-31	PIENAARJ	T54/20/21	(Confirmation by the Municipal Manager on 9 June 2021)	3 - Delivered up to expectation	On Schedule

	3721829	2022-05-16	Electrical Engineering Services	BIDVEST OFFICE (Konica Minolta SA)	2022	January	2022-01-31	PIENAARJ	T54/20/21	(Confirmation by the Municipal Manager on 9 June 2021)	3 - Delivered up to expectation	On Schedule
	3723479	2022-04-25	Corporate Services		2022	January	2022-01-20	TERBLANCHE M	T34/20/21	(a) That the following panel of attorneys	3 - Delivered up to expectation	On Schedule



Verslag ♦ Ingxelo ♦ Report

Kantoor van die Direkteur: Korporatiewe Dienste
10 Junie 2022

12/1/3/1-1/1

ITEM 7.4 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE VERGADERING WAT GEHOU SAL WORD OP 15 JUNIE 2022

ONDERWERP: VERHUUR VAN HANDELSPLASIES TE RIEBEEK KASTEEL EN RIEBEEK-WES SUBJECT: LEASING OF TRADING SPACES IN RIEBEEK KASTEEL AND RIEBEEK WEST

1. AGTERGROND/BACKGROUND

- 1.1 Swartland Munisipaliteit, in samewerking met PPC Riebeeck, is tans besig met die vestiging van 'n Entrepreneursnode te erwe 1539, 1540, 1541, Riebeeck Kasteel, asook erf 2183, Riebeeck-Wes, tesame met erwe 161, 163 and 649 vir die informele handelaars te Riebeeck-Wes.
- 1.2 Voorsiening word gemaak vir die bedryf van klein besighede uit vier (4) doelgeboude skeepsvraghouders, voorsien deur die PPC Riebeeck.
- 1.3 Die tipe besighede waarvoor die vrag-skeeps-houders ingerig word, sal bepaal word nadat die werwings- en keuringsproses afgehandel is.
- 1.4 Aflewering van skeepsvraghouders word teen Augustus 2022 verwag en inbedryfstelling teen Februarie 2023.
- 1.5 Die voorgestelde kriteria vir die toekenning en bedryf van die handelsplasies word dus nou voorgelê vir ooreweging.

2. WETGEWING

Die Raad se Verordening insake die Oordrag van Munisipale Kapitale Bates, PK 7394 van 2015, asook die beleid daarkragtens, magtig die munisipaliteit om – in ooreenstemming met sy operasionele behoeftes en strategiese doelwitte – onder andere –

- kapitale bates te verhuur op lang- of korttermyn by wyse van onderhandeling of openbare mededinging;
- onderhewig aan die bepalings van die MATR (Municipal Asset Transfer Regulations) gesubsidieerde verkoopprijs of huurtariewe ten opsigte van kapitale bates te bepaal [Artikel 4(d) en (e) van verordening].

Die beleid self bepaal dat onroerende eiendom slegs teen markverwante pryse verhuur word, tensy die lot van die armes, die openbare belang asook die operasionele en strategiese doelwitte van die munisipaliteit anders bepaal. Meer spesifiek vind hierdie projek beslag in die strategiese doelwitte van die munisipaliteit, soos toegelig in paragraaf 3.

3. **KOPPELING AAN DIE GEÏNTEGREERDE ONTWIKKELINGSPLAN**

Hierdie projek vind in die Geïntegreerde Ontwikkelingsplan 2017-2022 direk aansluiting by

- *Strategic Goal 2: Inclusive Economic Growth*

4. **FINANSIËLE IMPLIKASIE**

Geen lopende uitgawes vir Munisipaliteit. Nominale huurgeld van R100.00, plus BTW, per maand, word voorgestel.

5. **RECOMMENDATION**

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

5. **AANBEVELING**

- 5.1 Dat die aangehegte kriteria en aansoekproses goedgekeur word vir die identifisering van huurders vir die beskikbare handelspasia's 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
- 5.2 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;
- 5.3 Dat die Direkteur: Korporatiewe Dienste gemagtig word om die terme en voorwaardes van die genoemde huurooreenkomste te bepaal, in samewerking met die Direkteur: Ontwikkelingsdienste;
- 5.4 Dat daar op bestuursvlak oorweging geskenk daaraan dat die dienste-aansluitings (water, elektrisiteit) uit die Munisipaliteit se bedryfsbegroting gesubsidieer sal word al dan nie.

(get) M S Terblanche

MUNISIPALE BESTUURDER
GS/



CALL FOR PROPOSALS: RIEBEEK- KASTEEL ENTREPRENEURIAL HUB (CONTAINER RENTAL)

Swartland Municipality recently acquired two (2) containers on Erf 1539, 1540 and 1541 in Riebeek-Kasteel, which will be made available to entrepreneurs for the running of small/micro businesses.

We call on Small/Micro businesses to submit business proposals to lease these containers, subject to the following criteria:

CRITERIA

- Only emerging Small Medium and Micro Enterprises (SMME's) are eligible to apply.
- Business hubs will not be eligible for the selling of liquor.
- Applicants must not be in arrears with their municipal account and have a valid Tax clearance certificate.
- Only residents within Ward 12 in Riebeek-Kasteel will be allowed to apply.
- The trader/business owner must be a South African citizen, and must submit a valid South African identity document.
- Business units will be limited to one unit per business owner or household.
- Applicants who have successfully operated as a registered SMME over the past twelve (12) months and who are currently operational will get preference.
- Preference will be given to applicants who are selling self-produced goods or services.

APPLICATION PROCESS

- The application process shall be in accordance with the guiding principles in the National Framework for Local Economic Development, with its aim of capacitating previous disadvantage communities.
- Application forms for the applicants will be available at the Riebeek-Kasteel Municipal Office.
- The prescribed form must be completed and handed in at the Municipal Office, Riebeek-Kasteel along with the supporting documents in an envelope, clearly marked 'Riebeek-Kasteel Entrepreneurial Hub' and addressed to the Department Development Services or submitted via email : swartlandmun@swartland.org.za.
- Only applicants whose application forms and business plan meet the criteria will be shortlisted and interviewed.
- The business hubs will be leased to small business in terms of the signed lease agreement for a period of 24 months, with an option to renew, subject to a sustainability assessment of the business.
- Swartland Municipality will determine the terms and conditions of the lease agreement.

APPLICATION CLOSE 18 JULY 2022 AT 17:00

For enquiries contact Gustav Solomons or Hillary Balie at 022 487 9400



CALL FOR PROPOSALS: RIEBEEK-WEST ENTREPRENEURIAL HUB (CONTAINER RENTAL)

Swartland Municipality recently acquired two (2) containers on Erf 2183 in Riebeeck-West, which will be made available to entrepreneurs for the running of small/micro businesses.

We call on Small/Micro businesses to submit business proposals to lease these containers, subject to the following criteria:

CRITERIA

- Only emerging Small Medium and Micro Enterprises (SMME's) are eligible to apply.
- Business hubs will not be eligible for the selling of liquor.
- Applicants must not be in arrears with their municipal account and have a valid Tax clearance certificate.
- Only residents within Ward 3 in Riebeeck-West will be allowed to apply.
- The trader/business owner must be a South African citizen, and must submit a valid South African identity document.
- Business units will be limited to one unit per business owner or household.
- Applicants who have successfully operated as a registered SMME over the past twelve (12) months and who are currently operational will get preference.
- Preference will be given to applicants who are selling self-produced goods or services.

APPLICATION PROCESS

- The application process shall be in accordance with the guiding principles in the National Framework for Local Economic Development, with its aim of capacitating previous disadvantage communities.
- Application forms for the applicants will be available at the Riebeeck-West Municipal Office.
- The prescribed form must be completed and handed in at the Municipal Office, Riebeeck-West along with the supporting documents in an envelope, clearly marked 'Riebeeck-West Entrepreneurial Hub' and addressed to the Department Development Services or submitted via email : swartlandmun@swartland.org.za.
- Only applicants whose application forms and business plan meet the criteria will be shortlisted and interviewed.
- The business hubs will be leased to small business in terms of the signed lease agreement for a period of 24 months, with an option to renew, subject to a sustainability assessment of the business.
- Swartland Municipality will determine the terms and conditions of the lease agreement.

APPLICATION CLOSE 18 JULY 2022 AT 17:00

For enquiries contact Gustav Solomons or Hillary Balie at 022 487 9400

ITEM 7.5 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE-VERGADERING WAT GEHOU SAL WORD OP 15 JUNIE 2022

ONDERWERP: TENDER L06.21.22: VERHURING VAN ERF 11228, MALMESBURY

1. AGTERGROND/BEREDENERING

- 1.1 Erf 11228 (voorheen bekend as kampe 5, 6 en 7), Malmesbury was ingevolge 'n huurooreenkoms as landbougrond verhuur teen huurgeld ten bedrae van R98 461.40 per jaar, plus BTW. Hierdie ooreenkoms, wat op 1 Maart 2019 'n aanvang geneem het, het verstryk op 28 Februarie 2022.
- 1.2 Nadat 'n rondte tenders deurloop is waarop geen aanbiedinge ontvang was nie, is die eiendom weer per tender beskikbaar gestel word vir verhuring vanaf 1 Julie 2022, vir 'n termyn wat nie een (1) jaar oorskry nie, gegewe die moontlikheid dat die eiendom in die afsienbare toekoms moontlik vir ander doeleindes aangebied mag word.
- 1.3 Teen die sluitingsdatum vir tenders op 16 Mei 2022, is slegs een huuraanbieding ontvang, soos volg:
 - Walters Broers Vennootskap, Bakenfontein, Malmesbury: R80 000,00 plus BTW
- 1.4 Die tenderspesifikaies het gemeld dat die huur wat aangebied word die enigste kriterium sal wees vir die evaluering van die tenders wat ontvang word, en gevolglik word aanbeveel dat die tender toegeken word aan die Walters Broers Vennootskap.

2. WETGEWING, FINANSIËLE EN STRATEGIESE IMPLIKASIES

Die Raad se Verordening insake die Oordrag van Munisipale Kapitale Bates, PK 7394 van 2015, asook die beleid daarkragtens, magtig die munisipaliteit om – in ooreenstemming met sy operasionele behoeftes en strategiese doelwitte – onder andere –

- kapitale bates te verhuur op lang- of korttermyn by wyse van onderhandeling of openbare mededinging;

3. KOPPELING AAN DIE GEÏNTEGREERDE ONTWIKKELINGSPLAN

Hierdie projek vind in die Geïntegreerde Ontwikkelingsplan 2017-2022 direk aansluiting by

- *Strategic Goal 2: Inclusive Economic Growth*

4. FINANSIËLE IMPLIKASIE

Geen uitgawes vir die munisipaliteit. Huurgeld van R80 000,00, plus BTW per jaar sal gehef word.

5. RECOMMENDATION

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

5. AANBEVELING

- (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.

(get) M S Terblanche

MUNISIPALE BESTUURDER

GS/

**ITEM 7.6 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE
VERGADERING WAT GEHOU SAL WORD OP 15 JUNIE 2022**

**ONDERWERP: MUNISIPALE BEPLANNINGSDOKUMENT VIR VOORLOPIGE DIENSTE EN
MENSLIKE NEDERSETTINGSKWESSIES INGEVOLGE DIE RAAD SE
NEDERSETTINGSPLAN**

1. AGTERGROND / BACKGROUND

The Provincial Department of Human Settlements has embarked on a process to improve forward planning. In order for Province to submit a comprehensive Business Plan to the National Department of Human Settlements, municipalities are requested to confirm municipal project pipelines. This municipal planning document is of great importance as it allows the municipality to clearly and concretely present their municipal housing strategy in terms of specific housing projects with accompanying budgets for the short, medium and long terms.

2. BESPREKING/DISCUSSION

The planning document is also an annexure of our Human Settlement plan, approved by our Executive Mayoral Committee on the 20th of May 2021.

Die Raad het intussen verneem dat sy DORA toekenning vir die volgende 5 jaar soos volg daaruit sien, nl:

1)	2022/23	-	R 53 605 000
2)	2023/24	-	R 15 100 000
3)	2024/25	-	R 5 000 000

Met inaggenome ons DORA allokasie (Aanhangsel "A") sal ons projekte op ons Munisipale Beplanningsdokument aangepas moet word om binne die begroting te bly.

- Aangeheg hierby is 'n voorgestelde aangepaste Beplanningsdokument vir die 2022/23 (Aanhangsel "B") tot 2026/27 finansiële jare. Dit is in ooreenstemming met Swartland Munisipaliteit se finansiële jare en nie die van die Provinsie nie.
- Aangeheg (Aanhangsel "C") toegekende fondse van DHS.
- Die Uitvoerende Burgemeesterskomitee moet ook kennis neem dat hierdie dokument 'n beplanningsdokument is en die behoefte van Swartland Munisipaliteit weerspieël en as sodanig aan die Departement van Menslike Nedersetting op n jaarlikse basis voorgelê en gemotiveer moet word.

3. KOPPELING AAN DIE GOP

- | | | |
|-------------------------|---|---|
| Strategic Goal 3 | - | Quality and Sustainable Living Environment. |
| Strategic Objective 3.7 | - | Facilitate land availability, bulk infrastructure, provision and Implementation of the Housing Pipeline |

4. FINANSIËLE IMPLIKASIE

- Soos reeds vermeld maak die nuwe verhoogde subsidie bedrag voorsiening vir teerstrate en stormwater en gevolglik sal net fondse vir die normale grootmaatdienste benodig word.
- Die voorgestelde beplanningsdokument sluit nie die Raad se bydrae tot eksterne dienste in nie en sal gevolglik apart begroot moet word.

5. AANBEVELING

- 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 grootmaatdienste binne die onderskeie dorpe en indien voldoende fondse nie beskikbaar is nie, projekte moontlik aangeskuif kan word na die volgende finansiële jare.
- c) Dat die Raad ook kennis neem dat die topstrukture(395) van fase 1 van die Malmesbury De Hoop 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(270 erwe).

RECOMMENDATIONS

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

(get) J S Krieger

MUNISIPALE BESTUURDER



Elizabeth Wenn
Local Government Revenue and Expenditure
E-mail: Elizabeth.Wenn@westerncape.gov.za
Tel: +27 21 483 4540 Fax: +27 21 483 4337

Reference number: PTR 16/1/7/3

Private Bag X9165
CAPE TOWN
8000

The Municipal Manager
Swartland Municipality
Private Bag X52
MALMESBURY
7300

Dear Mr Scholtz

2022/23 MUNICIPAL BUDGET ALLOCATIONS

This letter outlines the Municipal Budget Allocations for the 2022/23 MTEF, including priority allocations from Provincial Government.

Overall thrust of the 2022/23 Budget

Minister David Maynier tabled the 2022/23 Western Cape Provincial Budget in the Provincial Parliament on 14 March 2022 and arising from this, for the 2022/23 MTEF, your Municipality receives total planned transfers from various Provincial departments as set out in the attached Schedule A, of which the frameworks for the provincial allocations are presented in the 2022 Provincial Gazette No. 8566, dated 14 March 2022.

In the attached Schedule A, all the allocations applicable to your Municipality take effect on the date of commencement of the WC Appropriation Act, 2022, but you are required to take up these allocations in your municipal budget, in line with the Municipal Budget and Reporting Regulations.

I trust that communicating this information will provide you with the required strategic and operational information on the plans of provincial departments, so that you can better plan and budget within your Municipality.

Kind regards

**Steven
Kenyon**

Digitally signed by
Steven Kenyon
Date: 2022.03.14
14:32:55 +02'00'

MR S KENYON

CHIEF DIRECTOR: LOCAL GOVERNMENT REVENUE AND EXPENDITURE

DATE: 14 March 2022

Cc: The Mayor

Cc: The Chief Financial Officer

SCHEDULE A

LOCAL GOVERNMENT MTEF ALLOCATIONS: 2022/23 - 2024/25			
Swartland	2022/23 R thousands	2023/24 R thousands	2024/25 R thousands
Municipal Allocations from Provincial Departments			
Vote 4 - Community Safety	6,420	6,525	6,828
RESOURCING FUNDING FOR ESTABLISHMENT AND SUPPORT OF A K9 UNIT	2,420	2,516	2,616
RESOURCING FUNDING FOR ESTABLISHMENT OF LAW ENFORCEMENT REACTION UNIT	4,000	4,009	4,212
Vote 8 - Human Settlements	53,861	33,845	5,249
HUMAN SETTLEMENTS DEVELOPMENT GRANT (BENEFICIARIES)	53,605	15,100	5,000
MUNICIPAL ACCREDITATION AND CAPACITY BUILDING GRANT	256	245	249
INFORMAL SETTLEMENTS UPGRADING PARTNERSHIP GRANT: PROVINCES (BENEFICIARIES)	-	18,500	-
Vote 9 - Environmental Affairs	1,200	-	-
REGIONAL SOCIO-ECONOMIC PROJECTS (RSEP) PROGRAMME - MUNICIPAL PROJECTS	1,200	-	-
Vote 10 - Transport and Public Works	4,470	170	3,170
FINANCIAL ASSISTANCE TO MUNICIPALITIES FOR MAINTENANCE AND CONSTRUCTION OF TRANSPORT INFRASTRUCTURE	4,470	170	3,170
Vote 13 - Cultural Affairs and Sport	11,623	10,801	11,286
LIBRARY SERVICE: REPLACEMENT FUNDING FOR MOST VULNERABLE B3 MUNICIPALITIES	6,439	6,529	6,822
COMMUNITY LIBRARY SERVICES GRANT	5,184	4,272	4,464
Vote 14 - Local Government	38	188	38
THUSONG SERVICE CENTRES GRANT (Sustainability: Operational Support Grant)	-	150	-
COMMUNITY DEVELOPMENT WORKERS (CDW) OPERATIONAL SUPPORT GRANT	38	38	38
Total Transfers from Provincial Departments	77,612	51,529	26,571

HSS NUMBER	5 YEAR DELIVERY PLAN: HSDG	PROGRAMME	2021/2022			2022/2023			2023/2024			2024/2025			2025/2026			2026/2027		
			SITES SERVICED	HOUSES BUILT	FUNDING R '000	SITES SERVICED	HOUSES BUILT	FUNDING R '000	SITES SERVICED	HOUSES BUILT	FUNDING R '000	SITES SERVICED	HOUSES BUILT	FUNDING R '000	SITES SERVICED	HOUSES BUILT	FUNDING R '000	SITES SERVICED	HOUSES BUILT	FUNDING R '000
	Average Site Cost (R'000) Average Unit cost (R'000)	61 183																		
	Swartland Municipality		36	100	31 661	266	295	59 794	1 083	230	110 421	1 559	0	73 719	1 033	70	75 823	0	399	73 017
W19100001/1	Malmesbury De Hoop Phase 2 - T1.2	IRDP			5 255			2 335												
W17080040/1	Malmesbury De Hoop - Phase 1 BNG & Phase 2 (Services/Top Structures)	IRDP		100	26 406	230	295	47 570	783	230	89 853	1 021		62 281	1 033		63 013		250	45 750
W17080034/1	Darling (36) - Flisp	IRDP	36			36		2 700												
W19090003/1	Kalbaskraal Land Purchase - Transnet	IRDP						2 400												
	Moorreesburg (652) T1.1 & T1.2 PID,PFR & PIRR 2022/23 & T2 2023/24/25	IRDP						3 139	300		19 122	352				70	12 810		63	11 529
	Darling Phase 1 (186) T1.1 & T1.2 PID,PFR & PIRR 2022/23 & T2 2024/25	IRDP						895				186		11 438					86	15 738
	Darling Phase 2 (327) T1.1 PID 2022/23, T1.2 PFR 2023/24)	IRDP						454			1 120									
	Chatsworth (130) T1.1 PID 2022/23) & T1.2 PFR 2023/24 & T2 2024/25	IRDP						300			328	130		7 930						
	De Hoop Social Housing (500 Units)															250			250	
HSS NUMBER	5 YEAR DELIVERY PLAN: ISUPG	PROGRAMME	2021/2022			2022/2023			2023/2024			2024/2025			2025/2026			2026/2027		
			SITES SERVICED	HOUSES BUILT	FUNDING R '000	SITES SERVICED	HOUSES BUILT	FUNDING R '000	SITES SERVICED	HOUSES BUILT	FUNDING R '000	SITES SERVICED	HOUSES BUILT	FUNDING R '000	SITES SERVICED	HOUSES BUILT	FUNDING R '000	SITES SERVICED	HOUSES BUILT	FUNDING R '000
	Average Site Cost (R'000) Average Unit cost (R'000)	61 183																		
	Swartland		0	0	0	0	0	0	0	0	0	0	0	1 993	0	0	18 300	0	0	0
	Silvertown Land Purchase Silvertown (300) PID Chatsworth - Silvertown IBS (PID / HSDG)	Land UISP								8 000 518				1 993			18 300			
	Malmesbury De Land Purchase for Small Farmers Malmesbury Small Farmers (300) - PID	UISP						16 000 518												
	Phola Park	UISP						535	35		2 100 000									

Approved (Municipal Manager) Date:



Western Cape
Government

Ms Phila Mayisela
Acting Head of Department
Email: Phila.Mayisela@westerncape.gov.za
tel: +27 21 483 2854

ATT: Mr Joggie Scholtz
The Municipal Manager
Swartland Municipality
Private Bag X52
Malmesbury
7300
Per email: ScholtzJJ@swartland.org.za

Dear Mr Scholtz

TARGETS AND FUNDING ALLOCATION OF THE 2022/23 HUMAN SETTLEMENTS DEVELOPMENT GRANT (HSDG) AND INFORMAL SETTLEMENTS UPGRADE PARTNERSHIP GRANT (ISUPG) BUSINESS PLANS:

The Department herewith submits the targets and funding allocation of the 2022/23 HSDG and ISUPG Business Plans which reflect projected expenditures for the 2022/23 financial year.

Municipalities would have received the total allocation amounts for the 2022/23 financial year in the Provincial Gazette Number 8566.

Kindly note that final approval of the 2022-23 Business Plans submissions has not yet been received from the National Department of Human Settlements. Provincial Departments may be required to resubmit both Business Plans to the National Department during April 2022 and we will keep you informed of this process.

However, since the above amounts have been gazetted and municipalities do require a breakdown of projects and targets in order to allow procurement to proceed, please find below your projected allocations and targets for the 2022-23 financial year

2022/23: R 53,605 000- HUMAN SETTLEMENT DEVELOPMENT GRANT (HSDG)

Swartland Municipality	2022/23 Planned		
	Sites	Units	Funding R'000
Malmesbury De Hoop (2833 of 4666)	0	0	2,335
Malmesbury De Hoop (395 of 4666) phase 1	0	295	47,570
Kalbaskraal (150)	0	0	2,400
Darling (36)	0	0	1,000
Chatsworth (H.D.A. Land)	0	0	300
TOTAL	0	295	53,605

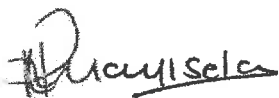
The Department confirms that Swartland Municipality has no planned targets and funding allocation on the **2022/23 ISUPG Business Plan**.

The Department hereby notes your budget for the 2022/23 financial year totalling **R 53,605 000**.

For any Business Plan enquires, kindly contact the Regional Director: West Coast, Rehana Tiry at Rehana.Tiry@westerncape.gov.za

Your co-operation is appreciated.

Kind regards



Ms P Mayisela

Acting Head of Department

Date: 22. 04. 2022



Verslag♦Ingxelo♦ Report

Office of Directorate: Electrical Engineering Services
9 June 2022

6/2/3/1/B
WYK: NVT

ITEM 7.7 FOR AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE TO BE HELD ON 15 JUNE 2022.

SUBJECT: INFORMATION AND COMMUNICATION TECHNOLOGY: APPROVAL OF REVIEWED AND UPDATED ICT POLICIES

1. BACKGROUND

In order to make provision for enhanced security measures inter alia as recommended by the external IT security consultant appointed by Swartland Municipality, recent technological developments as well as the recent POPIA legislation, the following ICT Policies were reviewed and updated.

- Information Technology Strategy
- Information Security Policy End Users
- Information Security Policy Technical
- FireWall System Policy
- Corporate Governance of ICT Policy

2. LEGISLATION

All policies were updated terms of the following legislation:

- a. In terms of the Municipal Systems Act, Act 32, of 2000, Section 55(1):

“The municipal manager of a municipality is, subject to the policy directions of the municipal council, responsible and accountable for:

- (a) The formation and development of an economical effective, efficient and accountable administration :
 - (i) equipped to carry out the task of implementing the municipality's integrated development plan in accordance with Chapter 5:
 - (ii) Operating in accordance with the municipality's performance Management system in accordance with Chapter 6;”

- b. In terms of the Municipal Finance Management Act, Act 56 of 2003, Section 62:

“The accounting officer of a municipality is responsible for managing the financial administration of the municipality, and must for this purpose take all reasonable steps to ensure—

- (a) that the resources of the municipality are used effectively, efficiently and economically;
- (b) that full and proper records of the financial affairs of the municipality are kept in accordance with any prescribed norms and standards;”

- c. In terms of the Municipal Finance Management Act, Act 56 of 2003, Section 78 of the Municipal Finance Management Act:

“Each senior manager of a municipality and each official of a municipality exercising financial management responsibilities must take all reasonable steps within their respective areas of responsibility to ensure -

- (a) that the system of financial management and internal control established for the municipality is carried out diligently;
- (b) that the financial and other resources of the municipality are utilized effectively, efficiently, economically and transparently;
- (c) that any unauthorised, irregular or fruitless and wasteful expenditure and any other losses are prevented;”

3. FINANCIAL IMPLICATION

None

4. ALIGNMENT WITH THE 2017-2022 INTEGRATED DEVELOPMENT FRAMEWORK

The provision of Information and Communication Technology Policies align with Strategic goal 4: caring, competent and responsive institutions, organisations and business

5. RECOMMENDATION

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

Sgn R du Toit

Director: Electrical Engineering Services



Information Technology Strategy

Swartland Municipality

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Version Control

The table below shows version control for this document

DATE	CHANGES MADE	CURRENT VERSION	APPROVED BY
19 June 2012	Initial Document	1.0	
15/May/2013	No changes needed	1.0	
21/May/2014	No changed needed	1.0	
09/Jun/2015	Changed the following section Network Security Architecture: Upgrade of a Managed Data Line to Internet Service Provider:	2.0	
25/May/2016	No changed needed		
22/May/2017	No changed needed		
23/May/2018	No changed needed		
13/May/2019	No changed needed		
19 May/2020	Background	3.0	
19 May/2021	Background	3.0	
7 June 2022	Various parts of strategy	3.0	

Background

The ICT Division's technology architecture and strategy is designed to support cost reduction and increase productivity. Information Technology services are provided with limited staff members covering wide geographical locations. Hence the strategy is to standardise equipment, have centralised applications, support, and technical management tools. This is designed to support users remotely, saving time and travel costs.

The IT strategy is aligned with the strategic objectives of Swartland Municipality's Integrated Development Plan (IDP). The IDP objectives are set out below:

- PEOPLE: Improved quality of life for citizens
- ECONOMY: Inclusive economic growth
- ENVIRONMENT: Quality and sustainable living environment
- INSTITUTIONS: Caring, competent and responsive institutions, organisations and business
- SERVICES: Sufficient, affordable and well-run services

The IT systems will aid and assist in achieving the IDP strategic objectives in the following manner.

- A stable technology environment and infrastructure to support business units and departments in achieving their objectives
- Reduced down time of systems
- Increased support and optimized application and infrastructure resulting in increased productivity within Swartland Municipality
- Secure and govern IT assets
- Reduce cost through IT without compromising support and productivity
- Bring innovation through IT when required to support economic growth

The Data Centre Architecture and Strategy:

Swartland Municipality has invested a substantial amount in electronics, computer hardware and software. These investments need to be protected from physical theft, environmental and power damage. The equipment stated above holds data that is critical to the operations of Swartland Municipality.

The strategy for the design architecture of the main data centre which is accommodated at the Swartland Municipality main office building is described in this document. The design has all the necessary functionality to provide services in the event of a power failure and to protect the equipment from environmental damages and theft.

Refer to Figure 1 for the Data Centre Architecture diagram.

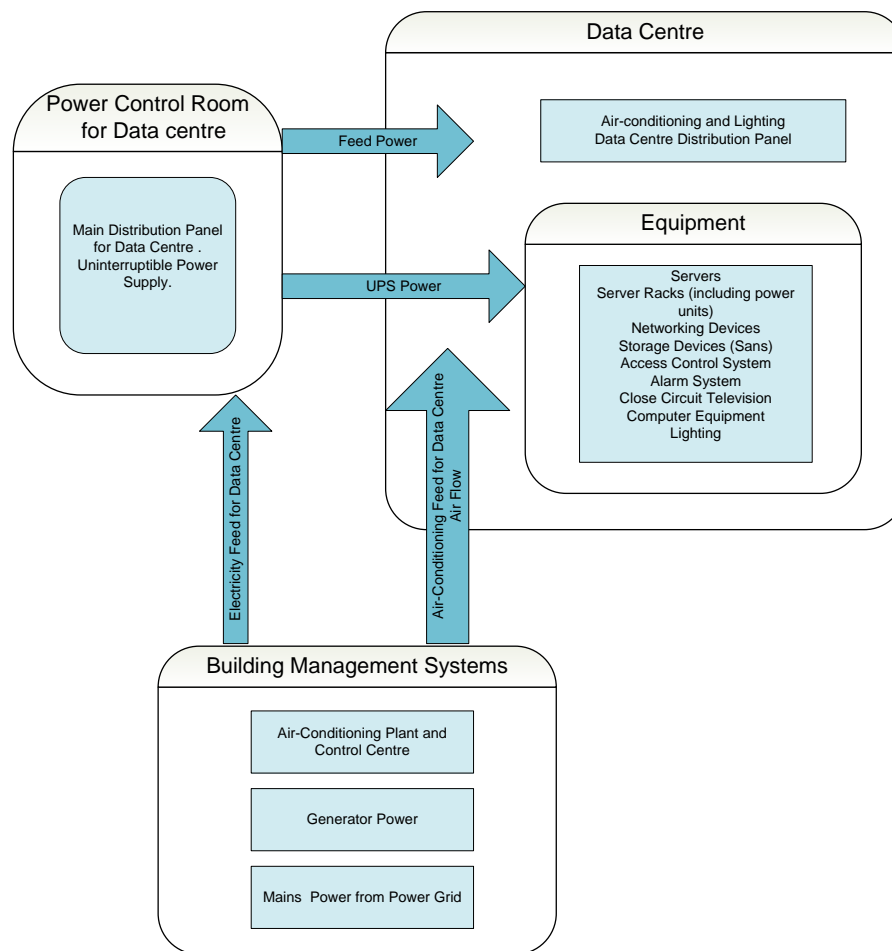


Figure 1: Data Centre Architecture

The diagram above illustrates the electrical, cooling and environmental protection systems.

The main power supplies the Uninterruptable Power Supply (UPS) and the UPS supplies the data centre (under normal power conditions). In the event of a power failure the UPS supplies power to the data centre. Simultaneously the generator becomes active and now supplies power to the UPS.

When there is no longer a power supply to the UPS, the UPS then takes on the load to supply the data centre (serious power outage). A secondary UPS bank has been installed and connected to the main UPS. It serves as redundancy to the main UPS.

There are smoke detectors and climate control sensors installed and connected to a monitoring system. Alarms will be triggered in the event of fire and temperatures over a certain range.

All monitored data and variables trigger SMS text messages and e-mail to relevant staff.

Refer to Figure 2 for the Main Data Centre diagram.

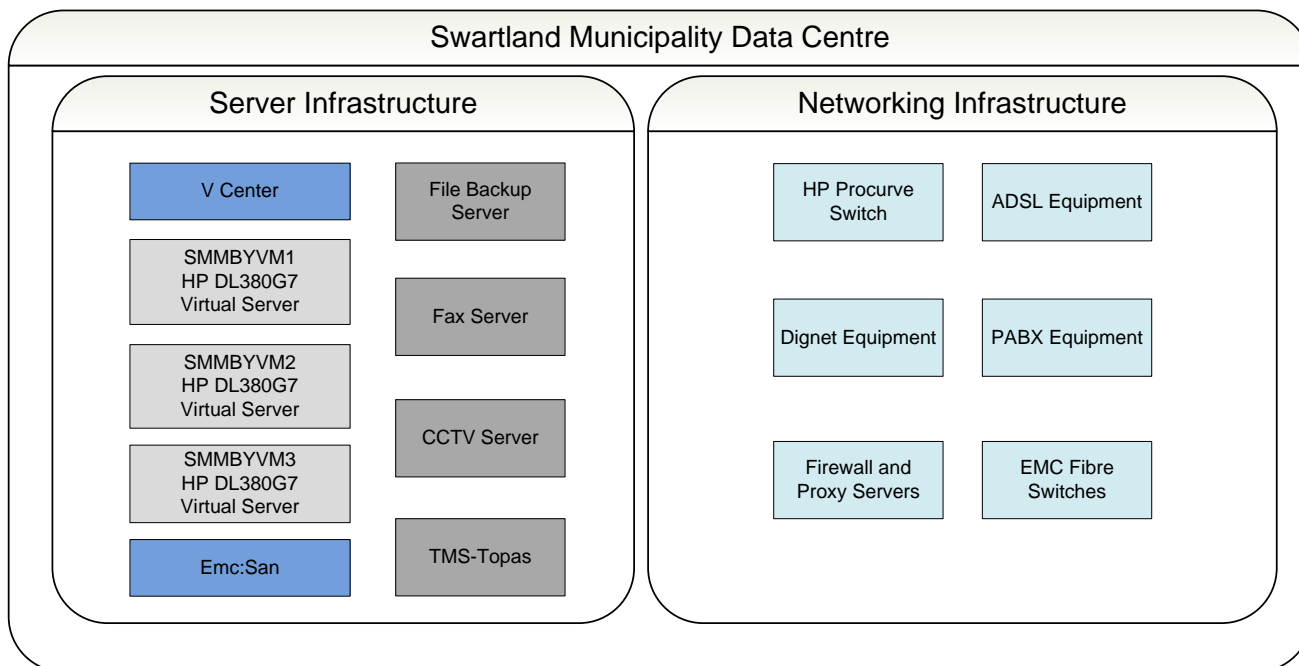


Figure 2: Main Data Centre

The Secondary Data Centre:

The Secondary Data Centre is currently housed in the Engineering offices building approximately 300 metres away from the main site.

All the identified critical applications for Swartland Municipality are configured in a virtual server environment. The building is connected by a fibre optic cable which is owned by the municipality.

In due course the secondary Data Centre will be designed to the specifications of the Main Data Centre. This will however be dependent on the feasibility of such a project and a return on investment study.

Refer to Figure 3 for the Secondary Data Centre diagram.

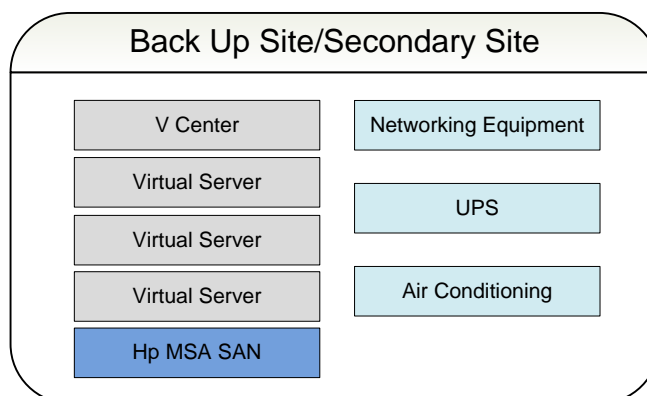


Figure 3: Secondary Data Centre

Network Architecture Strategy:

An effective network architecture strategy is essential to mitigating the cost of external telecommunications for both voice and data, and also, to reduce dependency on external data carriers. This has been achieved by installing fibre links where possible and using wireless network technology. The networking equipment for data communication is owned by the Swartland Municipality and reduces the monthly cost for data traffic. The data network also supports the use of voice over IP, hence reducing the cost on future voice calls made on the network. All telephone calls made within the network are free from Telkom charges.

Refer to Figure 4 for the Networked Sites.

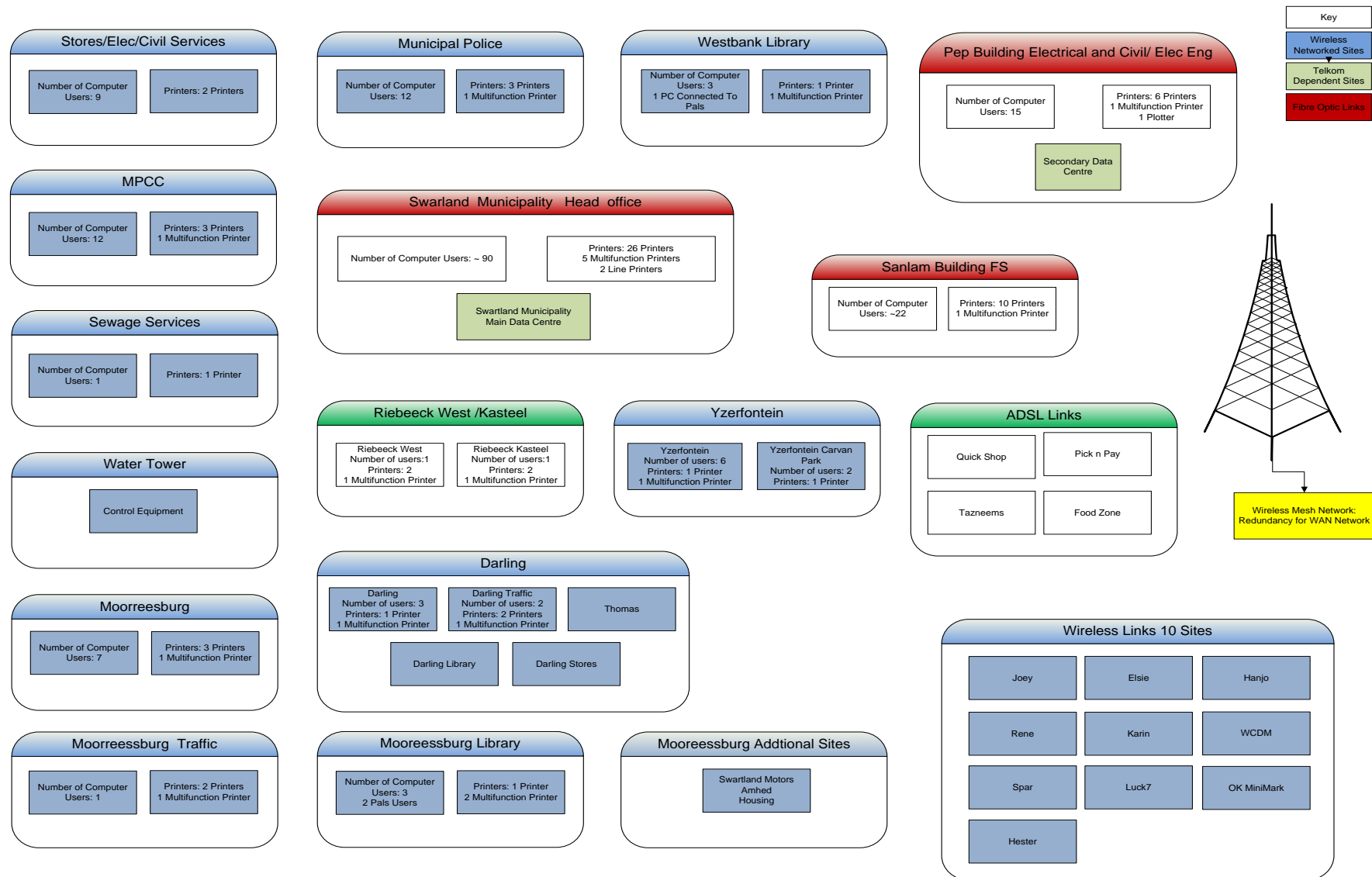


Figure 4: Networked Sites

The Network Architecture

The network currently supports approximately 260 users across a wide geographical area. The network is supported by 4 ICT staff members.

The network is supportive of providing Swartland Municipality with voice communication (telephony services) and a data service (application).

The network is managed and quality of service has been implemented across the wireless network, with VOIP traffic being given priority. The network is configured to use IPv4 (Internet Protocol Version 4). There is no current benefit to move to IPv6.

There is a DHCP (Dynamic Host Configuration Protocol) server that provides IP addresses to the main office building and connected office buildings. All other sites are managed with either fixed or leased IP addresses.

There are 2 DNS (Domain Name Service) servers which serve all computer users and devices.

Network connectivity is provided to all remote sites via one of the following mediums:

- Wireless connectivity (equipment owned and supported by Swartland Municipality);
- Fibre optic cable infrastructure (equipment owned and supported by Swartland Municipality); and leased from external vendors
- External various fibre infrastructure providers.

It is Swartland Municipality's strategic intent to reduce its dependency on external telecommunications services by employing internal communication networks, subject to financial feasibility.

Network Security Architecture:

The network is protected with one physical Fortigate 200E UTM (unified threat management) firewall with proxy. Internet and access rules are governed and managed on the Fortigate device. All inbound and outbound connections are subject to firewall rules.

A yearly maintenance agreement is maintained purchase to leverage all new features and support.

Network 3 Year Plan:

Wireless Wide Area Network (WAN):

The wireless WAN utilizes Mikrotik a hybrid of wireless equipment which will be adopted as the municipal standard technology to ensure compatibility. In the event of unavailability, alternative equipment will be sourced.

The standardising of equipment will increase deployment as all equipment can have base line configurations. Technical training will be aligned to maximise the benefit, providing the technicians with skills to support the equipment.

Maintenance and support will be from one vendor. Firmware upgrades and fixes can be planned and tested.

The design and installation of a wireless Mesh network will provide redundant capabilities for the entire WAN network.

The Mesh network will be a wireless radio network with the ability to carry voice and data. This will be adequate to support the Municipality in the event of network failure or service disruption.

The use of optical fibre links via external service providers to provide a SD-N (Software defined network) for connectivity between towns will be investigated and implemented in terms of financial feasibility.

Upgrade of Remote Access:

Remote access is currently done via modem to modem Access Point Name (APN) with Virtual Private Network (VPN). This access method could be made more secure and cost effective if the service is provided by a dedicated service provider.

The migration to a dedicated service will have a negligible impact to the user.

Upgrade of a Managed Data Line to Internet Service Provider:

All external inbound and outbound email, critical web services, VPN and APN services are dependent on a connection to the internet. The information is routed via an Enterprise Fibre connection. A service level agreement with guaranteed uptime, bandwidth allocation and return to service is applicable. An ADSL line is used as a backup/redundant link to the Fibre link.

Due to the need to maintain services for critical applications that are dependent on connection, the Enterprise Fibre linked will be upgraded to a 70MB/s Enterprise fibre optical link and to support the SD-N roll out in the future. The link/service will be managed and supported by a service provider according to a service level agreement.

Desktop and Server Architecture:

Desktop Environment:

To leverage off the investment made in VMware and Citrix the ICT Division will deploy thin client terminals with the new hardware standards for the user interface. Where required in terms of workload and application, desktop workstations and notebooks will be provided. Technical criteria as provided by the vendor will guide this strategy.

The deployment of thin client workstations will provide the following benefits:

- No moving parts also resulting in lower maintenance costs.
- The refresh cycle could be extended on thin client hardware. All processing is done on the central server environment.
- A standardized environment will ensure easy support, maintenance and uniformity.
- Decrease in travel costs to the various geographical locations will have significant benefits.
- Increased turnaround time to resolve problems and issues (will be done with remote support).
- The implementation and deployment of new software and applications will no longer be dependent on client workstation specifications.
- Automated security and patch management.

The deployment of Citrix within the information technology environment where feasible limits support overheads and allows for more efficient services. With the deployment of Citrix, certain applications will be centralised.

The use of office package versions, operating systems and council approved systems can be enforced with IT policies.

Refer to Figure 5 for the Desktop and Server Environment diagram.

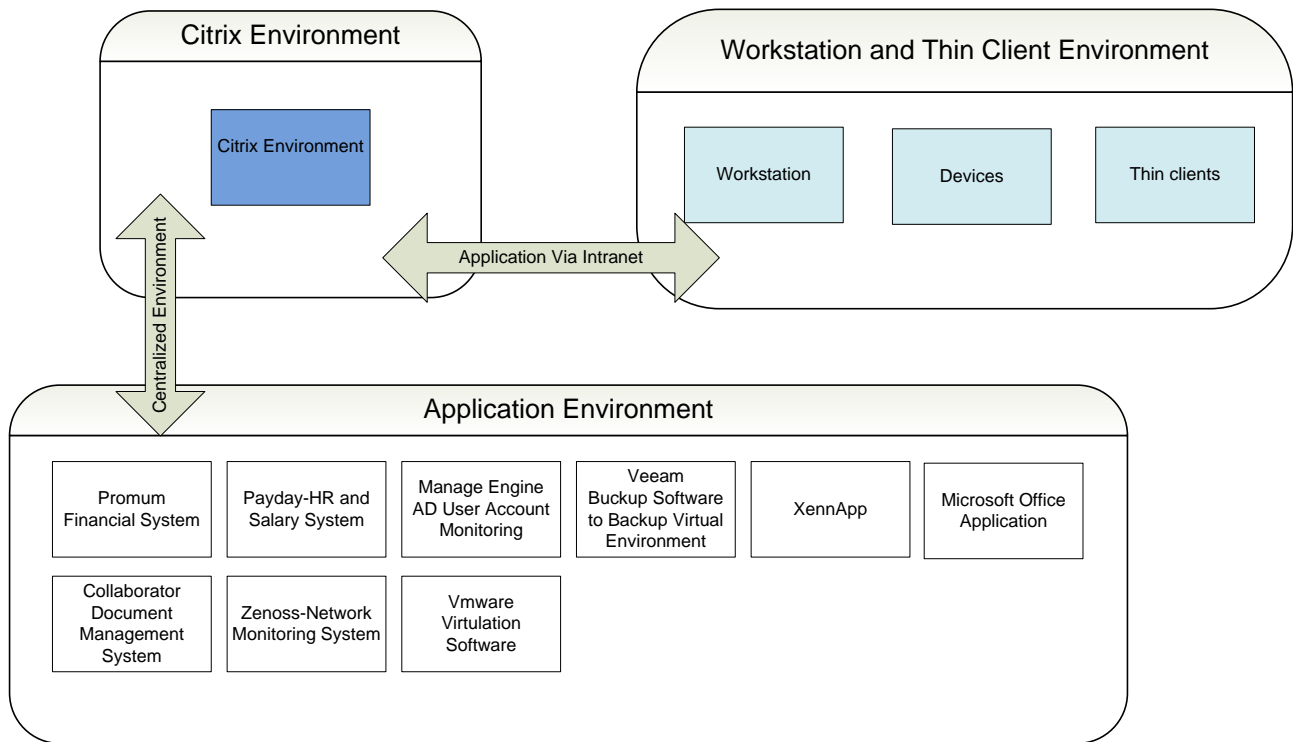


Figure 5: Desktop and Server Environment diagram

The standardization of desktop operating systems will ensure uniformity across all desktop deployments. This will further enhance security, reduce maintenance cost and extend the operating system refresh cycle. Swartland Municipality employs the Microsoft Enterprise operating system with refresh cycle which allows for the use of the most supported operating system for a longer time period. ~~before moving to the latest available and supported operating system.~~

The standardization of office packages will follow the same deployment and refresh cycle as for operating systems.

The deployment and refresh cycles will be planned and coordinated with vendor releases of operating systems and office packages as well as the end of product support for previous releases.

Cloud strategy:

Swartland Municipality will deploy a hybrid cloud strategy. The strategy will be to make provision for certain workloads in the municipal on premises cloud and where feasible workloads will be moved to the external cloud. The options to revert to external cloud services will be investigated on a per workload basis and financial feasibility. The speed and reliability of the internet and WAN connections will also be taken into consideration.

The main driver for this strategy would be financial feasibility, allocation of budget and cloud adoption advantages.

Backup strategy:

Swartland Municipality will deploy a backup strategy that can cater for recovery subsequent to intended and unintended data destruction.

The strategy must include best practice in data storage, backup and recovery. This must also include but not limited to data immutability, air gaps, cloud storage.

The main driver for this strategy will be business continuity, financial feasibility and allocation of budget.

Staff Retention and Training:

Swartland has 4 ICT officials supporting ICT services and requirements, including operations, support, compliance and management. The staff complement shall be reviewed and assessed annually to ensure that the ICT strategic objectives are achieved and maintained.

Due to the extended geographical area of Swartland Municipality, the existing ICT officials shall be trained and equipped to employ innovative technology to facilitate remote monitoring and support of ICT infrastructure and systems.

It is essential that only certified, trained and trustworthy ICT officials may be allowed to access, manage and program the municipal information and communications networks and systems. Warranties and support agreements are void if personnel are not trained and certified to work on ICT systems. The ICT Division shall budget for training and refresher courses in line with technology deployments and roll out plans.

A staff retention and succession plan shall be in place in consultation with the Human Resources Division.



Information Security Policy

User Information Security Policy of Swartland Municipality

Swartland Municipality holds a large quantity of information that could cause difficulties if it fell into the wrong hands or become inaccessible. Everyone needs to make sure that information is secure from the moment that it is collected or created, whenever it is used, when it is stored and finally, when it is disposed of. Furthermore, there is a legal duty to keep certain information secure and to use information systems in a responsible manner as set out in this Policy. Finally, everyone who uses electronic communications represents Swartland Municipality and as such must use the facilities in a responsible manner.

This policy highlights the main duties that everyone needs to know and adhere to. For the purpose of this policy the terms “users” or “everyone” includes councilors, employees, contractors and third parties.

This policy is crucial to the operation and security of Swartland Municipality. Any failure to comply with the rules and standards set out herein will be regarded as misconduct. All misconduct will be assessed by Swartland Municipality and evaluated on its level of severity. Appropriate disciplinary action will be instituted against any user who contravenes this policy. Failure to comply with this policy may result in dismissal, civil or criminal action, or both.

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Version Control

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DATE	CHANGES MADE	CURRENT VERSION	APPROVED BY
19 June 2012	Initial Document	1.0	
15 May 2013	No changes needed		
21 May 2014	No changes needed		
09 June 2015	No changes needed		
25 May 2016	No changes needed		
27 May 2017	No changes needed		
23 May 2018	No changes needed		
13 May 2019	No changes needed		
14 May 2020	No changes needed		
May 2022	Section 5.4, 7.3, 18		

POLICY STATEMENTS

1. GENERAL

- 1.1. Information Security is everyone's responsibility.
- 1.2. Everyone must familiarise themselves and comply with this and other Swartland Municipality information security policies. This policy must also be read together with any other Swartland Municipality policies that deal with privacy, records retention, interception, intellectual property, electronic evidence or electronic signatures.
- 1.3. Everyone will execute any particular security process or task assigned to them. Additional information security responsibilities which form part of the user's roles and responsibilities, which are not dealt with in this policy, will be communicated to the user as part of their job description.
- 1.4. This policy forms part of the user's contract of employment or other applicable contract and should be read in conjunction with such contracts.
- 1.5. All information systems are owned by Swartland Municipality and users are only permitted to use the facilities for business use with limited incidental private use.
- 1.6. Everyone has a duty to protect the records of the entity, whether it is for regulatory, contractual or operational requirements.

2. SECURITY

- 2.1. Everyone has a duty to report security incidents, weaknesses or non-compliance with the security policies immediately to their Manager.
- 2.2. It is not permitted to attempt to prove suspected security weaknesses.
- 2.3. All users are required to adhere to the security requirements and information security controls imposed on information systems (applications or services) by the classification of the information system.
- 2.4. Users are prohibited from deactivating any security mechanisms installed on their IT equipment, including but not limited: firewalls and software protection tools.

3. AWARENESS

- 3.1. Users are required to attend awareness training and familiarize themselves regularly with updates in Information Security policies. It is the users' responsibility to ensure that they attend such training.
- 3.2. Everyone who does not understand this policy is required to enquire with Management and ensure the policy is adequately explained to them in a language and in a manner that they understand.
- 3.3. In the event that users are not able to understand this policy they are required to report their lack of understanding with Management.

4. ACCESS TO SYSTEMS

- 4.1. Access to information systems are forbidden, unless formally permitted.
- 4.2. User identities and access rights will be granted in terms of: functional roles and responsibilities, based on least-privilege, need-to-have and need-to-know principles; and restrictions placed on access due to legal and regulatory requirements.
- 4.3. Any changes to access rights will be communicated to the user, once authorized by designated management.
- 4.4. Users may not use any utilities capable of overriding system security to access data directly.

- 4.5. Unauthorised access to program source code and/or system documentation is prohibited.

5. PASSWORDS AND LOG-ON MECHANISMS

- 5.1. Passwords must be kept secret and never be written down.
- 5.2. Passwords will expire every 40 days and the user will be required to select a new password. Passwords may not be re-used and users will be required to select a new and original password.
- 5.3. Never use obvious passwords such as a birth date or a pet's name.
- 5.4. Always select strong passwords i.e. at least 6 10 characters in length and contain at least one alpha-numeric combination, with at least one uppercase/lowercase combination.
- 5.5. Passwords must be changed immediately if they are suspected to have been compromised.
- 5.6. Passwords may not be stored in any automated log-on process, macro or function key.
- 5.7. Users are required to change all default passwords received.
- 5.8. The user will only be allowed three unsuccessful log-on attempts, thereafter the user will be locked out.
- 5.9. Log off systems if they are not in use or when computers are left unattended, unless the computer has an automatic screen locking mechanism.
- 5.10. Never use another employee's account to access systems.
- 5.11. Sessions will time out after 15 minutes of inactivity.

6. INTERCEPTION AND MONITORING

- 6.1. Everyone understands and expressly consents to Swartland Municipality using monitoring tools and producing periodic reports detailing individual user use of the e-mail and Internet systems. Signing of this agreement gives consent to this interception.
- 6.2. All users and their activity on IT systems will be uniquely identifiable by user and an audit trail of access to information systems will be maintained by the Municipality. The acceptable use of network services by users is monitored by the Municipality and the user expressly consents to such monitoring.
- 6.3. The users understand that they are consenting to Swartland Municipality tracking their use, including network, email, and internet use, of the information systems in order to ensure that everyone is adhering to the Municipality's policies. Additionally the Municipality will use such interception in order to be able to retain and locate all required information.
- 6.4. Monitoring shall occur during the course of the carrying on of business to ensure that: there is no unauthorized access to the Municipality's information systems, to track the performance of the information systems, to ensure that the information system is secure and free from any defects and/or viruses.

7. E-MAIL AND INTERNET

- 7.1. E-mail and Internet access may not be used for transmitting, retrieving, or storage of any communications of a discriminatory or harassing nature or materials that are obscene or X-rated.
- 7.2. Sending of racially or sexually harassing messages/files is also prohibited.
- 7.3. No abusive, profane, or offensive language is to be transmitted through Swartland Municipality's e-mail or Internet system, including any other messaging system such as Winpop Teams, Instant Messenger or any other messaging system.

- 7.4. Users are prohibited from compromising the reputation of Swartland Municipality through defamation, harassment, impersonation, forwarding of chain letters, unauthorized purchasing, etc.
- 7.5. Everyone is prohibited from using the Municipality's systems to access online pornography or engage in online gambling.
- 7.6. Every staff member has a responsibility to maintain and enhance Swartland Municipality's public image and to use e-mail and access to the Internet in a responsible manner.
- 7.7. Solicitation of non-Swartland Municipality business or any use of Swartland Municipality e-mail or Internet for personal gain is prohibited.
- 7.8. The use of e-mail to participate in political activities, solicit political support or propagate political vies is prohibited.
- 7.9. Each employee is responsible for the content of all text, audio, or images that they place or send over the organisation's e-mail / Internet system.
- 7.10. No e-mail or other electronic communications may be sent which hides the identity of the sender or represents the sender as someone else or someone from another company or Municipality.
- 7.11. All messages communicated on Swartland Municipality's e-mail / Internet system must contain the employee's name.
- 7.12. All out-going e-mail will have the Swartland Municipality standard disclaimer attached.
- 7.13. The official e-mail address or any other form of identification that links the employee to Swartland Municipality may not be used on social media (e.g. Facebook, news groups etc.) if the employee do not officially represent an opinion of Swartland Municipality.
- 7.14. Certain critical or sensitive electronic communications must be encrypted or password protected. Always consider whether an e-mail's contents are important enough to send it encrypted or password protected over the Internet.
- 7.15. Automatic forwarding of electronic mail to external e-mail addresses is not permitted.
- 7.16. Never save personal data, official passwords or e-mail address on computers, software or public websites.
- 7.17. Always be aware of statements in electronic mails that may be viewed by third parties as binding contracts.
- 7.18. Employees may not use any free Internet services (e.g. e-mail addresses or data storage) for official use unless previously authorised by IT as they may not be secure.
- 7.19. Employees may not use the Internet to attempt to gain unauthorized access to computers, files, services etc.
- 7.20. Everyone must adhere to applicable security requirements when engaging in cloud computing.

8. INTELLECTUAL PROPERTY

- 8.1. Everyone must comply with the license terms and conditions stated by publishers.
- 8.2. Software may only be acquired from known and reputable sources.
- 8.3. Users must retain licenses, master disks, manuals or other evidence that provides proof of ownership of software or other information products.
- 8.4. Users may not violate the Municipality's/State or third party copyright. Everyone is required to protect materials vulnerable to copyright infringement.
- 8.5. Users must adhere to license terms which shall be communicated by the Municipality to them. Users are prohibited from modifying, using or distributing copies of licensed material, including software, in any manner that violates any license agreement in terms of which the Municipality is bound.
- 8.6. Everyone must only use State and/or third party trade marks in an authorized manner and may not infringe trade marks.
- 8.7. Users may not alter or distort any State trade marks and may not use these trade marks in such a manner so as to suggest endorsement or sponsorship.
- 8.8. Users who have knowledge of intellectual property rights infringement must immediately notify Management.
- 8.9. All intellectual property rights regarding work, documents, methodologies, diagrams and software developed, drafted, created or designed on the instructions of Swartland Municipality will belong to the Municipality.

9. COMPUTER VIRUSES

- 9.1. Everyone must be aware of the risk of the harm of viruses in the information systems and always follow safe practices, such as:
 - i) Do not use any devices for official use that do not have anti-virus software.
 - ii) Do not interfere with the operation of anti-virus software.
 - iii) Do not download and launch files or software from external networks, e-mails or removable media unless absolutely necessary for official purposes. If such a need arises, always scan the files or software first for viruses before use.
 - iv) Do not visit websites that are not reputable.
 - v) Heed warnings from IT management relating to virus alerts.
 - vi) In the case of virus detection, discontinue work and report the incident immediately.

10. INFORMATION ON PAPER

- 10.1. Everyone has a duty to safeguard physical documents that contain confidential information.
- 10.2. Users must adhere to the security requirements imposed by the documents' classification.
- 10.3. Desks must be kept clear of confidential or sensitive documents or removable media.
- 10.4. Always consider the security arrangements when sending confidential information via couriers, post or by hand delivery.
- 10.5. Employees should print confidential information in secure areas where available.
- 10.6. Confidential information may not be left unattended on printers, copiers or fax machines.
- 10.7. Fax machines and copiers offer the ability to retrieve other employee's stored pages and are prone to accidental misdialing or malicious programming. Always consider if it is really necessary to use these facilities on confidential information and responsibly use copy machines, printers, and facsimile machines. Everyone is required to take due care when using facsimile and copy machines with critical or sensitive information.
- 10.8. Confidential paper must be disposed of in the established secure process.
- 10.9. Only authorized users may create and/or approve transactions.

- 10.10. Disposal of information must be securely erased or destroyed in a manner that prevents retrieval and in accordance with the Municipality's processes.

11. PHONE CALLS

- 11.1. Always consider whether it is appropriate to discuss confidential matters over the phone or to leave confidential messages on voice mail.
- 11.2. Everyone must take appropriate precautions not to reveal sensitive information when making or taking phone calls.
- 11.3. Users must restrict access to their voice-mail service.
- 11.4. Users are prohibited from leaving messages containing sensitive information on answering machines.
- 11.5. Never have confidential conversations in public places or open offices and meeting places with non-sound proofed-walls.
- 11.6. When responding to requests for information from external parties (e.g. law enforcement) always verify the identity of the person requesting the information and confirm authorisation and the proper way of documenting the information, before releasing such information.

12. MOBILE DEVICES

- 12.1. Users may only use authorised mobile devices for official use, if they comply with the device's security standard, and the device is subjected to a risk and controls assessment.
- 12.2. Swartland Municipality owns any official information on personal mobile devices.
- 12.3. Users are required to look after and protect authorized mobile devices, in order to reduce the likelihood of the device becoming lost or stolen.
- 12.4. All authorized mobile devices must, depending on the classification of the information on the device: be password protected, have storage encryption, information backups, remote data wipe, device lock-out, acceptable types of portable storage devices.
- 12.5. All authorized mobile devices must only be able to connect to other devices and networks in a secure manner.
- 12.6. The access to business applications deployed to the device must be restricted through either encryption or password protection, depending on the classification of the business applications and information.
- 12.7. Swartland Municipality reserves the right to enforce security measures and to confiscate the device and recover or delete the information remotely.

13. ACCESS TO THE NETWORK

- 13.1. Only authorized devices will be allowed to have access to the network.
- 13.2. Access to network devices is restricted to authorized network users.
- 13.3. Wireless connections to the network may not be established without approval.
- 13.4. Remote access to the network may only be used for official and legal purposes.
- 13.5. All external devices, such as laptops, connecting to the internal network must be authorized and meet the minimum security requirements of malware protection, patch updates and personal firewalls.
- 13.6. Only authorized user access to all network services is allowed. The capability of users to connect to the services will depend on the nature of the authorization received.
- 13.7. Remote access will only be allowed for authorized users. Users will be required to ensure security safeguards are in place to prevent unauthorized disclosure of information and unauthorized remote access to the Municipality's network
- 13.8. Remote access will only be provided to authorized users through a secure VPN connection.

14. TRAVELLING OR WORKING FROM HOME

- 14.1. Employee's security responsibilities extend outside normal working hours and premises and continue after employment has ended.
- 14.2. When travelling or working from home, take due care not to lose or have your equipment stolen. Never leave equipment in public places and always keep your network password confidential.
- 14.3. All requirements imposed by insurance policies on equipment security must be complied with.

15. MEMORY STICKS, CDS, PORTABLE HARD DISKS ETC (REMOVABLE MEDIA)

- 15.1. Removable media with confidential information must be encrypted or password protected, if possible, if it is taken off-site and at risk of being lost or stolen.
- 15.2. Removable media may not be thrown away, but given to IT to be securely disposed.
- 15.3. Only authorized removable media may be used in relation to Municipality's information systems.

16. IT EQUIPMENT AND PHYSICAL SECURITY

- 16.1. IT equipment owned by Swartland Municipality must be returned if it is no longer needed. This includes changing employment.
- 16.2. Any official information contained on personal equipment must be removed in the event of changing employment.
- 16.3. Everyone has a responsibility to protect the security of premises by keeping security doors closed, keeping keys and access cards safe, and to follow visitor entry and exit protocols.
- 16.4. No equipment, information or software may be taken off-site without prior authorisation.

17. BACKUPS

- 17.1. Everyone is responsible for their own backups if they choose to save data to PCs, laptops or mobile devices. Save copies of data to the file servers, which are regularly backed up.
- 17.2. Backups must be done in accordance with the Municipality's requirements and processes.
- 17.3. Users are responsible for the backup of critical or sensitive data on personal computers or mobile devices under their control.

18. PROTECTION OF PERSONAL INFORMATION

- 18.1. Personal information may not be collected and stored by anyone unless safeguarded in accordance with the Protection of Personal Information Act, 2013 (Act 4 of 2013) (POPIA) and therefore the conditions for lawful processing of personal information and all other measures that gives effect to these conditions are to be complied with including all information security and data protection standards.
- 18.2. In particular, any personal information collected or received from data subjects by means of electronic communications, or which may be accessed through any of the Municipality's automated business process and financial systems (e.g.

Collaborator and Promun) may only be used, stored, processed or distributed/shared for the purpose it was collected or has been received.

19. Security of the premises

- 19.1. Everyone has a responsibility to protect the security of premises by keeping security doors closed, keeping keys and access cards safe, and to follow visitor entry and exit protocols.
- 19.2. No equipment, information or software may be taken off-site without prior authorisation.

20. SYSTEMS DEVELOPMENT

- 20.1. Employees may not perform any changes to systems, develop new systems, or acquire new package software, outside of the established change control process.
- 20.2. The use of desktop applications (e.g. spreadsheets or databases) for a specific purpose is discouraged if it makes better sense to develop a formal system on a server.
- 20.3. If an employee wants to use desktop applications for an important purpose, the following safeguards must be investigated before the official use of the software is permitted:
 - The functionality must be tested.
 - The versions of the desktop application must be managed.
 - Access to the application and its functionality must be appropriately restricted.
 - Access to the file server directory, PC or laptop must be restricted. The data must be backed up regularly.
 - Data captured into the application must be validated and checked.

21. AGREEMENT

I have read this document and acquainted myself with its content. I hereby also understand that all my e-mails, incoming as well as out-going, may be read by the head of the IT Department. I consent to the interception and monitoring as set out in this policy read together with the Interception Policy. I also understand that violation of this policy might lead to my dismissal.

Signed on this _____ day of _____ 20__.

Employee Signature

Senior Manager: ICT

Employee Name



INFORMATION SECURITY POLICY (TECHNICAL POLICY)

Version Control

The table below shows version control for this document

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1 Introduction

1.1 Importance of Information Security

Swartland Municipality, hereafter referred to as "Council", holds a large quantity of information that could cause difficulties if it fell into the wrong hands or become inaccessible. Everyone needs to make sure that information is secure from the moment that it is collected or created, whenever it is used, when it is stored and finally, when it is disposed of. Furthermore, there is a legal duty to keep certain information secure and to use information systems in a responsible manner as set out in this Policy. Finally, everyone who uses electronic communications represents Council and must take special care to maintain the clarity, consistency and integrity of Council's corporate image and posture. Council has become highly reliant on its information and information systems to meet citizens' demand for service delivery, and administrative and operational efficiencies. The Council's financial position and reputation is therefore directly linked to the success of its information systems.

With the ever changing technology landscape, also come many threats to information and information systems from employees, contractors, third parties, external parties and the environment alike. Some of these threats may be malicious, others may be accidental. It is therefore important to have appropriate information security controls in place to manage these threats to an acceptable threshold.

This document sets out the Information Security Policy of the Municipality. This particular policy is of a technical nature and should be read in conjunction with the abbreviated Information Security Policy developed for employees, contractors and third parties.

1.2 Information Security principles

Information Security at the Municipality will be founded on the following principles:

- (a) Information Security controls will make business sense.
- (b) In terms of risk management, security planning philosophy is one of "prevention is better than cure".
- (c) Information security requires the participation of and support from all information users. All users (employees, consultants, contractors, third parties and temporaries) must be provided with sufficient training and supporting reference materials to allow them to properly protect and otherwise manage municipal information assets. Training materials should communicate that information security is an important part of the municipality. The Human Resources Department will be responsible for training documentation with respect to information security and is the responsibility of the Head of Information Services in conjunction with the Human Resources Department.
- (d) Municipal management must devote sufficient time and resources to ensure that information is properly protected.
- (e) Swartland Municipality's information must be protected in a manner commensurate with its sensitivity, value, and criticality.
- (f) Security measures must be employed regardless of the media on which information is stored (paper, overhead transparency, computer bits, etc.), the systems, which process it

(microcomputers, firewalls, voice mail systems, etc.), or the methods by which it is moved (electronic mail, face to face conversation, etc.).

- (g) Authorised users will be able to access information systems when they need to.
- (h) All messages sent over municipal computer and communications systems are the property of Swartland Municipality.
- (i) Decision-making within Swartland Municipality is critically dependent on information and information systems. Management is expected to know the nature of information they use for decision making (accuracy, timeliness, relevance, completeness, confidentiality, criticality, etc.). The awareness of and fine tuning of such information attributes is an important information management activity.
- (j) The integrity of information will be protected from the moment that it is collected or created, whenever it is used, when it is stored and finally, when it is disposed of.
- (k) Municipal managers are ultimately responsible to ensure that the information is protected in a manner that is acceptable to higher management. To achieve this objective, risks should be identified by conducting regular risk analysis and, to take corrective measures where applicable.
- (l) The information systems are a component of the overall organisation and are managed within the context of Enterprise Risk Management.
- (m) Information security incidents will be acted upon as appropriate.
- (n) Users will be provided with a secure working environment.
- (o) Disaster recovery plans will be maintained and tested on a regular basis.
- (p) The Municipality will meet applicable regulatory and legislative requirements.
- (q) As a condition of gaining access to Swartland Municipality's computer network, every third party must secure its own connected systems in a manner consistent with the municipality's requirements. Swartland Municipality reserves the right to audit the security measures in effect on these connected systems without warning. The municipality also reserves the right to immediately terminate network connections with all third party systems not meeting such requirements

1.3 Scope and applicability

This policy applies to everyone in the Council. This policy is regarded as being crucial to the operation and security of the Council. Any failure to comply with the rules and standards set out herein will be regarded as misconduct. All misconduct will be assessed by the Council and evaluated on its level of severity. Appropriate disciplinary action will be instituted against any user who contravenes this policy. Failure to comply with this policy may result in dismissal, civil or criminal action, or a combination of both.

2 Definitions

“**decryption key**” means any key, mathematical formula, code, password, algorithm or any other data which is used to:

- allow access to encrypted information; or
- facilitate the putting of encrypted information into an intelligible form.

“electronic communication” means a communication by means of data messages

“electronic signature” means data attached to, incorporated in, or logically associated with other data and which is intended by the user to serve as a signature

“encryption” means any electronic data which, without the decryption key to that data:

- cannot, or cannot readily, be accessed; or
- cannot, or cannot readily, be put into an intelligible form.

“indirect communication” means the transfer of information, including a message or any part of a message, whether:

- In the form of: speech, music or other sounds; data; text; visual images, whether animated or not; signals; or radio frequency; or
- In any other form or in any combination of forms,

that is transmitted in whole or in part by means of a postal service or telecommunication system.

“information” means all information, whether electronic or hard copy, within the Council that could include data and information that is:

- stored on computers, databases, removable media such as flash-drives, CDs, DVDs, hard disks, tapes and other similar media, fixed media and disk sub-systems, film, microfiche;
- transmitted across the Council and external networks, via facsimile (fax), telefax or other communications method;
- printed, hand-written on paper; and
- otherwise created, stored or distributed on the Council's resources or information systems in whatsoever format or medium.

“Information system” means a system for generating, sending, receiving, storing, displaying or otherwise processing data messages and includes the internet

“integrity” means and must be assessed:

- by considering whether the information has remained complete and unaltered, except for the addition of any endorsement and any change which arises in the normal course of communication;
- in the light of the purpose for which the information was generated; and
- having regard to all other relevant circumstance.

“intellectual property rights” means any and all now known or hereafter existing rights associated with works of authorship or inventors, including but not limited to copyrights, patents, trademarks, and all other intellectual and industrial property and proprietary rights (of every kind and nature however designated or described),

“intercept” means the aural or other acquisition of the contents of any communication through the use of any means, including an interception device, so as to make some or all of the contents of a communication available to a person other than the sender or recipient or intended recipient of that communication, and includes the:

- monitoring of any such communication by means of a monitoring device;
- viewing, examination or inspection of the contents of any indirect communication; and
- diversion of any indirect communication from its intended destination to any other destination,

and **“interception”** has a corresponding meaning;

“**system controller**” means the municipal manager in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), or the person who is acting as such.

3 Information Security Management System

3.1 Security organisation

3.1.1 Information Security is everyone’s responsibility:

- (a) Municipal Management is ultimately responsible for Information Security and to provide for sufficient resources in this regard.
- (b) Process and System Owners are ultimately responsible for Information Security in their respective areas, and as such have a duty to inform Information Security Managers of risks in their environments, as well as to assist them with defining the appropriate controls.
- (c) Guidance, direction, and authority for information security activities is centralised for the entire organisation in the Section Head of Information Services. The office is responsible for establishing and maintaining organisation wide information security policies, standards, guidelines, and procedures.
- (d) IT Management are only ultimately responsible for Information Security in their capacity as Process and System Owners of IT services. However, Information Security Management and IT Management may be performed by the same resources.
- (e) All employees, contractors and third parties have a duty to comply with the Information Security policies and to execute any particular security process or activities assigned to them.
- (f) Compliance checking to ensure that organisational units are operating in a manner consistent with these requirements is the responsibility of the Internal/external Auditors.
- (g) Investigations of system intrusions and other information security incidents are the responsibility of the Head Information Services and the relevant department Manager.

3.1.2 Information Security related decisions will be made by the decision making bodies defined within the IT Governance Framework / IT Charter.

3.1.3 It is very important that Information Security planning and processes do not take place in isolation from the rest of the organisation as it is everyone’s responsibility. For this reason, Information Security planning and management involves users and managers from all departments. It also involves key service providers and third parties involved in the provision of systems, hardware, applications, skills and other materials.

3.1.4 The data and systems access requirements must be defined from a departmental level and include all users, all jobs and functions within the municipality.

The IT disaster recovery team should include members from the disaster planning committee and heads of departments to ensure that all critical systems are included in the plan and that systems security and access requirements are correctly defined. Third parties and IT suppliers and service providers (Telkom, Eskom, Banks, IT service providers, etc), should also be included as these organisations will be responsible for supplying services and may have or require access to the municipal data stores and systems. The vendors of security products and systems are often required to provide configuration and maintenance services to the municipality. Steps must be taken to ensure

that they are included in the security definition process and that they fully understand and comply with security, confidentiality and non-disclosure requirements. Any potential weaknesses or problem areas noted and it should be ensured that any risks that may exist are mitigated.

3.1.5 It should be noted that external organisations may be dependent on services provided by the municipality. Therefore, these organisations may request to review or be involved in the municipal IT and data security planning process to ensure that they have full understanding of dependencies between their organisation and the municipality.

3.1.6 The key members of the decision making committees should be involved in the planning process and policy definition from the start to ensure that any external IT dependencies or requirements are fully understood and incorporated into the IT policies and plans. Third parties can be involved as and when required, but particularly during the negotiation of replacement systems.

All new systems must be approved by the Head of IT. All new systems must be where possible able to integrate with existing system where applicable. The system will be on the generally approved and used Database platform used within the municipality. Data must be freely available to the organisation without limits, and any data in the database will be the property of the municipality.

3.2 Security risk assessment

3.2.1 Information Security will be deployed using a risk-based approach. This will have several dimensions as explained below.

3.2.2 Information systems (applications or services) will be identified at an aggregate level and allocated an owner (usually the owner of the business process). The owner will classify each information system according to the following scheme (using one or more of the guidelines):

(a) Critical

- Information systems (or modules within information systems) that should only be accessed by specific users with the need to have access. The information system contains highly confidential information or enables the processing of transactions with a high fraud risk.
- The information system may also have special legal compliance requirements that could lead to significant consequences if not complied with.
- The availability of the information system is critical.

(b) Sensitive

- Information systems (or modules within information systems) that should only be accessed by specific users with the need to have access. The information system could contain confidential information or enable processing of transactions susceptible to fraud.
- The information system may also have special legal compliance requirements.
- The availability of the information system is important.

(c) Internal

- Information systems that should only be accessed by internal users, but do not contain confidential information and do not enable processing of transactions susceptible to fraud.
- The availability of the information system is not of great concern.

(d) Public

- Information systems that are available to the general public.
- Any unauthorised changes to the information present a low degree of impact to the organisation.
- The availability of the information system is not of great concern.

3.2.3 The classification of each information system must be used as a guideline when considering to deploy or not to deploy Information Security controls defined in this policy.

3.2.4 Assuming that an Enterprise Risk Assessment approach exists, the approach must include Information Security risks and be treated or managed accordingly.

3.2.5 Information Security must integrate with municipal disaster recovery and planning processes.

3.2.6 Risk assessments will be re-visited on a cyclic basis.

3.2.7 Vulnerability assessments and audits will be performed on information systems environments on a cyclic basis (as defined in other sections of the policy).

3.2.8 Security incidents will be reviewed to identify and resolve recurring problems (as defined in other sections of the policy).

3.3 Security policies

3.3.1 The Information Security risks will be treated by considering whether they are within the risk acceptable thresholds, failing which additional security controls should be deployed. This approach will be conducted in the following manner:

- (a) The controls that will mitigate a risk will be selected from recognised good practices (e.g. ISO 27000 series) after due consideration and where this makes sense in the environment.
- (b) The controls will be documented within Information Security policies, procedures, standards and plans.
- (c) A strategy will be formulated and implemented to establish the desired controls over a period of time.
- (d) Policies and plans will be reviewed from time to time to ensure that they take any system and procedure changes into account. More specifically, policies and procedures should be reviewed when any of the following events occur:
 - A new system is implemented or a major new technology adopted;
 - A major component of a system has changed or a component change would result in a different security procedure;
 - A change in staff occurs or a re-allocation of responsibilities is required;
 - A change of supplier takes place or a supplier contract is moved to a different vendor;
 - There is a major change in the cost components and budget requirements to administer and secure a system;
 - A higher level of efficiency in the security procedures is required to reduce risks to the data and systems;
 - There is a regulatory change; orA major new security risk is discovered that affects a particular technology used by the municipality.

- 3.3.2 Generally, it is the responsibility of everyone in the municipality to note any problems with the policies, procedures and plans that may result in a security incident.

3.4 Security awareness

- 3.4.1 All employees, contractors and third parties will attend appropriate awareness training and familiarise themselves regularly with updates in Information Security policies as relevant for their job function. The Council will have in place processes and procedures, which will enable all employees, contractors and third parties who are not able to understand this policy to enquire with Management and have the policy explained to them in a language and in a manner that they understand. In the event that the employees, contractors and third parties are not able to understand this policy they are required to report their lack of understanding to management.
- 3.4.2 All staff should be provided with training on the requirements for data and systems security and the responsibilities of each staff members to uphold the security policies and raise any suspicion of breach of the policies or systems. The objective of this training should be to raise awareness for the need of data and systems security. All new joiners to the municipality must receive training on the policies upon joining in the induction program.

3.5 Security effectiveness reviews

- 3.5.1 The effectiveness of deployed Information Security controls will be reviewed at cyclic intervals and after security incidents. This will be done in the following manner:
- (a) Information Security controls must be reviewed independently at planned intervals, or when significant changes to the environment occurs if a review makes business sense.
 - (b) Metrics will be defined and collected to measure the effectiveness of controls.
 - (c) Once a security incident occurs, the underlying reasons for the incident must be resolved to the extent that it makes sense in the environment.
 - (d) Management will consider the effectiveness of controls on a cyclic basis.

3.6 Legal and regulatory compliance

- 3.6.1 Information systems environments may be subject to legal and regulatory requirements (including cross-border requirements). Therefore the Municipality will ensure that these requirements are addressed in the following manner:
- (a) Applicable legislation will be identified, recorded and kept up to date by compliance functions and through seeking advice from specialist IT legal advisors; and
 - (b) IT policies, procedures, standards and plans will be updated to give effect to these requirements in day to day use of IT and IT operations.

4 Employees, contractors and third parties

4.1 Prior and during employment

- 4.1.1 The Municipality will ensure that employees, contractors and third party users understand their responsibilities regarding information security. This will be done in the following manner:
- (a) Security responsibilities will be defined and included in employment contracts (prior to employment) and / or end-user information security policies.

- (b) Job descriptions will include any specific information security process or activities assigned to individuals.
- (c) Employees, contractors and third party users must agree to their security responsibilities in writing or any other electronic form that is legally acceptable.
- (d) Everyone in the Municipality will be provided with security awareness education and / or training relevant to their job function.
- (e) Processes and procedures will be in place, which will enable all employees, contractors and third parties who are not able to understand this policy to enquire with Management and have the policy explained to them in a language and in a manner that they understand.

4.1.2 Background verification checks will be performed on all candidates for employment, contractors, and third parties where the job description entails access to sensitive information or duties where the potential for fraud is elevated. The Council must keep the background verification checks confidential, and classify them as personal information. The requirements regarding the processing of personal information will be dealt with in terms of the records management policies.

4.2 Termination or change of employment

4.2.1 The Municipality will ensure that employees, contractors and third party users exit the organisation, or change employment responsibilities, in an orderly manner. This will be done in the following manner:

- (a) Any assets no longer required will be recovered.
- (b) Any information relating to the Municipality contained on personal equipment will be removed.
- (c) Access rights will be removed or changed appropriately in a timely manner.
- (d) In cases of management-initiated termination, access rights will be removed before termination at the discretion of management.

4.3 User access

4.3.1 The Municipality will prevent unauthorised access by users to information systems. This will be done in the following manner:

- (a) Information systems will provide protection mechanisms from unauthorised access by any user, utility, operating system software, and malicious software that is capable of overriding or bypassing system or application controls;
- (b) User identities and access rights will be granted in terms of:
 - Functional roles and responsibilities, based on least-privilege, need-to-have and need-to-know principles; and
 - Restrictions placed on access due to legal and regulatory requirements.
- (c) Users will be allocated a User ID by the IT Department and will be required to choose a password with first login. Passwords must contain at least **six ten** characters, and must consist of both numbers and letters. Passwords must be difficult to guess, and should not consist of for example words in a dictionary, derivatives of the User ID or common character sequences like "123456". Personal details like name of spouse, birthday etc. should also be avoided.

- (d) Users will be prompted to change passwords from time to time as determined by the IT Department, but passwords must not be valid for longer than 40 days. If Users do not change their passwords within the time specified, their access to the System will be suspended. New passwords should not have been used before. New passwords cannot be any of the one of the last 24 passwords used.
- (e) Users must not share their passwords with anyone, or store the password in such a way that it can be seen by third parties, whether in hard copy or electronically. Electronic storage of a password in an insecure way includes inclusion in a readable form in batch files, automated logon scripts, software macros, terminal function keys, or in computers without access control.
- (f) If a User suspects that anyone else knows what his password is, the User must immediately change his password, or request the IT Department to reset his password as the case may be. The Minimum password age will not be enforced and left at default as 0 days to give the users the opportunity to change their passwords themselves.
- (g) Due to the fact that access to the Municipality's computers is controlled as set out in this policy by means of a Username and password, the User will be held accountable for any action taken on the network that can be linked with his User ID, unless it is proved that he was not responsible.
- (h) The following policy is applicable to System administrators of Promun and PayDay:
- Passwords must have the following characteristics:
 - passwords must not be valid for longer than 60 days
 - password must be complex (numeric and alphanumeric characters)
 - at least the previous 12 sequential passwords cannot be re-used
 - All users must have a unique username; the use of general super user accounts to do any maintenance by Systems Administrators is prohibited.
 - A password reset request must be done by email, a confirmation must be sent by the System's Administrators once the request has been completed. These requests and confirmations must be electronically archived and will be proof of authorisation to reset the password.
 - System Administrators activity regarding password changes/resets must be reconciled with approved application forms or relating email requests
 - No accounts may be deleted; inactive or old users must be setup on the Systems not to have any access.
 - The following reports should be sent to the ICT manager monthly:
 - All passwords that have been reset for the month
 - All accounts with expired passwords and not yet changed, longer than 30 days
 - All accounts that have not logged in for the past 30 days will be disabled
- (i) All changes to access rights (creation, modifications and deletions) will be made at the appropriate time based only on documented instructions, duly authorised by designated management individuals:
- A formal request authorised by the specific Director must be submitted to the IT department.
 - An account on Active Directory will be created with the appropriate security and network access as specified in the request form.

- Access will be granted by the IT department to network resources as specified in the request form.
 - If at any time access to a System is required:
 - the applicable request form must be obtained from the System's Administrator and completed.
 - the request form must be authorised by the user's senior.
 - An Account/User will be created by the System's Administrators on the System(s) specified on the request form.
 - Access to programs/modules as specified by the request form will be granted to the applicant by the System Administrators.
 - System Administrators activity regarding the creation, deletion of user accounts as well as changes to programs/modules of users must be reconciled with approved application forms or relating email requests.
 - Request forms must be submitted by the Director in advance to prevent unproductive users due to no access to network resources or Systems.
 - No changes to a user's access are allowed without an authorised access request form.
 - User access to Systems must be reviewed every 6 months:
 - A complete access list per user must be supplied to the user's senior by the System's Administrator:
 - The senior will review the access list, request changes in writing, sign and return to the System administrator for implementation.
 - The changed access list will be supplied to the user's senior and the senior will then sign off.
 - The signed access list will be electronically archived by the System's Administrator and will be proof of any changes done to a user's access to the System.
 - The System Administrator is responsible for the compilation and updating of access request forms.
- (j) The following other rules apply to passwords and log-on mechanisms:
- Passwords must not be included in any automated log-on process;
 - The log-on process will not display the user password, nor will it assist the user in guessing the password;
 - The number of unsuccessful log-on attempts will be limited to three, after which an account will be locked out permanently until reactivated by an administrator;
 - Active Directory sessions will be set to time out after 15 minutes of inactivity;
 - The Domain Administrator account must be renamed;
 - The Domain Guest account must be disabled;
 - Local Administrator Accounts must be renamed;
 - Passwords will be stored in protected form (e.g. encrypted or hashed); and
 - Accounts dormant for 60 days or more will be disabled
- (k) Privileged user accounts will be segregated from normal user accounts and appropriately restricted.
- (l) System user accounts will be protected as far as possible to avoid disclosure (e.g. using very long and complex passwords, encrypting program code containing clear text passwords etc.).

- (m) All user accounts and related privileges will be reviewed on a cyclic basis.
 - (n) Default passwords received from suppliers of software packages or utilities must be changed after installation.
 - (o) Users may not use any utilities capable of overriding system security to access data directly, without authorisation or safeguards in place to prevent fraudulent activity.
 - (p) An audit trail of access, failure and successful, to information systems will be maintained.
- 4.3.2 No electronic financial transactions are allowed in the name of Swartland Municipality without the prior approval of management and if not according to the municipality's procurement policy.

4.4 Mobile computing

- 4.4.1 The Municipality acknowledges that mobile computing is becoming a common way of working; however information security risks must be addressed accordingly. Therefore all methods of mobile computing and the devices must be approved prior to use and subjected to a risk and controls assessment. The risk and controls assessment must satisfactorily deal with the following:
- (a) The likelihood of the device becoming lost or stolen must be reduced (e.g. security cables for notebooks, staff security awareness, staff acceptable usage policy etc.).
 - (b) When possible, the information on the device must not be compromised in the event of the device becoming lost or stolen (e.g. complex passwords, hard-disk encryption, information backups, remote data wipe, device lock-out, acceptable types of portable storage devices etc.).
 - (c) The device must have a secure means of connecting to other devices and to networks (e.g. VPN, protecting wireless access etc.).
 - (d) The access to business applications deployed to the device must be restricted (e.g. user access control, encryption, deploying business applications using terminal servers etc.).
 - (e) If practical, the types of portable storage devices permitted for storing business information must be defined.
- 4.4.2 Staff will be made aware of the fact that the Municipality owns business information on the mobile devices and reserves the right to enforce security measures and to confiscate the device and recover or delete the information remotely.

4.5 Information protection and leakage

- 4.5.1 All access to the Municipality's information is generally forbidden unless expressly permitted.
- 4.5.2 The Municipality will take general steps to prevent the leakage of critical or sensitive information. This will be done in the following manner:
- (a) Users will be provided with facilities for the secure disposal of storage media, IT equipment or paperwork containing Council information. Users will be made aware of their responsibility to use these facilities, in terms of the records management policies and records retention schedules.
 - (b) Sensitive information on mobile storage devices or media, including backup tapes, must be protected (e.g. encryption or password protection) if it is at risk of being lost.

- (c) Certain critical or sensitive electronic communications that passes over the Internet, or any other untrusted network, will be encrypted or password protected in an appropriate way, as specified in the electronic signatures policy.
 - (d) Automatic forwarding of electronic mail to external e-mail addresses is not allowed.
 - (e) Facsimile and copy machines have inherent security risks, namely the ability to retrieve stored pages, accidental misdialling or malicious programming. Everyone will be made aware of due care to be taken when using these facilities with critical or sensitive information.
 - (f) Registering personal data, passwords or e-mail address on personal computers, software or public websites will not be allowed.
 - (g) Information will be retained in accordance with regulatory, contractual or operational requirements, as determined in the records management policies and the records retention schedules.
- 4.5.3 Personal information may not be collected and stored by anyone unless safeguarded in accordance with legislation and more specifically the privacy policy.

4.6 Outsource partners

- 4.6.1 The Municipality will manage outsourced IT services to maintain the protection of information and the reliability of service delivery. This will be done as follows:
- (a) Suppliers will be selected with due cognisance of their ability to maintain the protection of information and reliability of service delivery.
 - (b) Where possible security and service delivery requirements for information systems will be included in a contract conditions with IT outsource partners. The following may be included as a minimum:
 - Service measurement
 - Adherence to IT governance requirements (e.g. compliance with IT policies, compliance with laws, asset protection, privacy, authorised access, managing privileged access, confidentiality, security awareness, change management etc.)
 - Ownership of data and security responsibilities should there be exchange of data between the parties
 - Ownership of source code, escrow agreement, and copyright
 - Ownership of various intellectual property rights
 - The right to audit
 - Management of sub-contracted suppliers
 - Obligation to maintain documentation
 - Any requirements for the supplier to screen its staff or to do background checks prior to employment or prior to being deployed to the contract
 - Conditions for renegotiation/termination of agreements
 - Dispute resolution
 - Normal termination and transition support
 - (c) IT outsource partners will be made aware of security responsibilities.
 - (d) Critical IT controls processes will be integrated with those of IT outsource partners (e.g. change management, incident management etc.).

- (e) IT contracts with IT outsource partners will be monitored to ensure compliance with contract conditions.
- (f) IT outsource partners may be subjected to independent IT audits.
- (g) IT outsource partners are secured in a manner which ensures transparency, accountability and appropriate lines of responsibility.
- (h) IT outsource partners will be appointed in line with the Municipal Supply Chain Management policies.

4.7 Public access

4.7.1 Should it be necessary to give customers or the public access to its information systems or assets, the risks will be managed as follows:

- (a) A contract will be entered into by the Municipality and its customers or the public.
- (b) The contract terms must address the risks associated with the sensitivity of information systems or assets that will be affected, including the legal requirements to protect such information.
- (c) The contract terms must be defined by experienced IT legal advisors, tailored for each circumstance. The following must be included as a minimum:
 - Ownership of information systems and assets;
 - The safeguarding of assets and return of assets;
 - The information security responsibilities of both parties (e.g. safeguarding of passwords, malware protection etc.);
 - The right to monitor and revoke access;
 - Legal compliance matters;
 - Intellectual property rights
 - Copyright; and
 - Limitation of liability of the Municipality.
- (d) The contract terms must be displayed to the user in an appropriate manner, and as stipulated by IT legal advisors.
- (e) Customers or the public will not be granted access to the Municipality's information systems until they have agreed to the contract in a manner stipulated by IT legal advisors.
- (f) All customers or the public accessing information systems must be uniquely identified.
- (g) Access must be granted using an approach commensurate with the risks of granting such access.
- (h) The Information systems that customers or the public will be allowed to access must be suitably segregated by network controls to prevent unauthorised access to the Municipality's internal network.

- 4.7.2 The Council will make provision for consumer protection provisions regarding electronic transactions by supplying all the required information on the Municipality's website and ensuring the appropriate processes and procedures are in place.

5 Information systems

5.1 Change control

- 5.1.1 Information security requirements must be included in the requirements definition when developing new information systems or when acquiring off the shelf software. The development and selection of software must consider these information security requirements, unless compensating controls can be implemented to address the perceived information security risks.
- 5.1.2 All changes to information systems (including infrastructure and networks) will be controlled through change control. This will include the following controls, at a minimum:
- (a) All change requests must be logged, approved and monitored by the systems administrators.
 - (b) All changes will be documented, archived and given to relevant service providers in writing.
 - (c) All change requests must be reviewed by the relevant systems administrators, major changes with a potential security or systems availability (down time) possibility must be identified as critical.
 - (d) Emergency changes must follow the same process, only quicker. Documentation may be updated later- within a week.
 - (e) Critical changes must be tested in a secure test environment that is representative of the production environment.
 - (f) The test environment must be separate from the production information systems.
 - (g) Critical changes must be tested and accepted by the systems administrator, prior to deployment.
 - (h) The release of a critical change must be performed in a planned manner to ensure success and fall back if required.
 - (i) Systems service providers will at all times be responsible, as per SLA, for the software as a system.
 - (j) Only systems service providers can deploy new or change programs to both the test and live environment.
 - (k) With critical changes, the relevant systems administrators must ensure that programs are well tested before the instruction is given to the service provider to deploy to the live environment.

5.1.3 Test data must be protected in the same manner as production data, ideally by removing sensitive details beyond recognition. This is particularly relevant to data affected by legislation e.g. personal information.

5.1.4 Access to program source code and / or system documentation must be restricted to prevent the introduction of unauthorized functionality or disclosure of sensitive information.

5.2 Information input and processing

5.2.1 The Municipality will ensure that information input and processing in IT systems is valid, complete, accurate, timely, and secure (i.e., reflects legitimate and authorised business use), through the following:

- (a) Access rights within information systems will ensure that transactions are created by authorised individuals only, including where appropriate, adequate segregation of duties regarding the origination and approval of transactions.
- (b) Information systems will authenticate the originator of transactions and information systems will verify that he/she has the authority to originate the transaction.
- (c) Information systems will validate input data according to defined validation rules.
- (d) Information systems will capture source information, supporting evidence and the record of transactions, and retain the data in accordance with prevailing data retention policies and electronic evidence policies.
- (e) Information systems will maintain the integrity and validity of data through processing.
- (f) Information systems will maintain the integrity of data during unexpected interruptions in processing and confirm data integrity after processing failures.
- (g) Information systems will present errors and exceptions to users to facilitate their correction.
- (h) Information systems will protect the information during transmission, and maintain authenticity and integrity during transmission or transport.
- (i) Information systems will verify the accuracy and completeness of output.
- (j) Information systems will handle output in an authorised manner and deliver to the appropriate recipient.
- (k) Notwithstanding any automated controls as stated above that are embedded into information systems, the end-to-end municipal business processes will be sufficiently controlled by management with manual controls to ensure that only valid, complete, accurate, timely and secure transactions are inputted.
- (l) Information systems will capture information and documentation in an accessible manner which ensures such information and documentation is usable for subsequent reference and is capable of being displayed or produced to the person to whom it is presented.
- (m) Information systems will maintain the integrity of information from the time when the information was first generated in its final form.
- (n) Information systems will generate, store and communicate information in a reliable manner.

- (o) Information systems will record the identity of the originator of information and any other relevant factors pertaining to the information.
- (p) Information systems will retain information in the format it was generated, sent or received or in a format which can be verified to accurately represent such information.
- (q) Information systems will retain information in such a manner to ensure that the origin and destination of the information can be determined, as well as the date and time the information was sent or received.

5.3 Electronic commerce systems

5.3.1 The Municipality allows the deployment of information systems offering online transactions or electronically publicly available information. However, the following security implications of such systems must be addressed as a minimum prior to deployment using specialist's advice:

- The system must not accept transaction input from unauthorised users, services or systems;
- The payment system must be sufficiently secure with reference to accepted technology standard;
- The activities of users, services or systems must be restricted within the system;
- Business rules must be embedded into the system to ensure non-repudiation, completeness and accuracy of transaction input and processing;
- Technical controls must be embedded into the system to prevent errors such as incomplete transmissions, duplicated transactions etc.
- The system must not be exposed to application-level security vulnerabilities (refer OWASP for examples);
- The infrastructure supporting the system must be security hardened to prevent circumvention of application level security;
- Sensitive information being stored or in transit must be protected from unauthorised disclosure.
- The system must have adequate availability and performance;
- Unauthorised access to the internal network beyond the application must be prevented;
- Transaction flow between the system and back-office information systems must be protected and secure;
- Sensitive security information about the system must be protected from disclosure;
- The website must be protected against phishing attacks;
- All activities must have an audit trail;
- Website contents must comply with legal and regulatory requirements. The following information with regards to the Council must be provided on the website: its full name and legal status; its physical address and telephone number; its website address and email address; the physical address where it will receive legal service of documents; a sufficient description of the main characteristics of the goods and/or services offered by the Council, its privacy policy in respect of payment, payment information and personal information; and any other required information; and
- The terms and conditions between trading partners committing both to limitation of liability and security responsibilities.

- 5.3.2 Browser-based applications must be tested for application level security vulnerabilities if they are deployed on the Internet, prior to go live and then again at regular intervals.

5.4 Desktop applications

- 5.4.1 The Municipality acknowledges the proliferation of desktop applications (e.g. spreadsheets or databases), but its use is discouraged for critical information processing. In the event that this form of information processing is in use for critical information processing, the following safeguards must be considered on a case by case basis:

- Testing the functionality and using version control;
- Access controls to the application itself and where it is stored;
- Access controls to powerful functionality within the application itself;
- Input validation checks; and
- Information backup.

6 IT facilities, infrastructure and networks

6.1 IT facilities and server rooms

- 6.1.1 The Municipality will protect IT facilities and server rooms against environmental risks to ensure the continuity of normal operations. This will be done in the following manner:

- (a) IT facilities and server rooms will be situated and constructed to minimise and mitigate susceptibility to environmental threats.
- (b) Environmental threats (e.g., fire, water, smoke, humidity) will be monitored by specialised devices.
- (c) Eating, drinking and smoking in server rooms will not be allowed. Stationery and other supplies posing a fire hazard may not be stored in server rooms.
- (d) IT facilities will be protected against power fluctuations and outages.
- (e) Where practical, IT facilities will have more than one source for dependent utilities (e.g. power, telecommunications, water etc.).
- (f) IT facilities and equipment will be managed to vendor specifications and health and safety regulations.
- (g) Server rooms will have a separate physical entrance.
- (h) Cabling outside of server rooms will be organised and protected against damage and tampering.
- (i) Equipment and media may not be taken off-site unless authorised, and any items taken off-site must be recorded.
- (j) Equipment and media taken off-site must be protected from theft or damage, taking into consideration suitable security and environmental control measures.

- 6.1.2 Work areas outside of IT facilities will be protected with physical access control (e.g. working in secure areas) if the nature of information being processed warrants such measures.
- 6.1.3 All information on storage media on equipment scheduled for disposal or re-use must be securely erased or destroyed in a manner that prevents retrieval.
- 6.1.4 Virtual server environments must be secured as follows:
- (a) Access to the virtual server management console (or equivalent) must be restricted to authorised virtual server administrators.
 - (b) Each virtual server must be treated as a physical server and protected using the same information security controls.
 - (c) Hypervisors must logically separate virtual servers to promote information security controls across multiple server environments.
 - (d) The number of virtual servers must not exceed management's ability to a point where the administrator can no longer manage them effectively, or to a point where resource overload occurs.

6.2 IT assets

- 6.2.1 The Municipality will protect the IT assets that support information systems. This will be done in the following manner:
- (a) All IT assets (hardware and software) will be accounted for and managed throughout its lifecycle in an asset register.
 - (b) The asset register will reflect, at a minimum, a description of the asset, the owner and location information.
 - (c) The asset register will be verified through cyclic physical checks or automated software audits.
 - (d) The asset register (or other repository) will reflect any specific security, legislative or availability requirements relating to an IT asset and controls will be deployed accordingly.
 - (e) Asset replacement will be planned in accordance with lifecycle strategies.
 - (f) IT equipment, infrastructure and software must be funded out of the IT budget only. The IT budget, capital and operational, must reflect true IT spending/cost within the municipality.

6.3 IT operational procedures

- 6.3.1 IT operational schedules and procedures will be developed and used to ensure that operational tasks are performed reliably and consistently (e.g. media handling, execution of jobs, backups, error handling etc.).

6.4 Network security

- 6.4.1 The network must be protected from malicious traffic on other networks by firewalls and / or virtual private networks.
- (a) All external connections to the municipality's network must be preceded with a risk analysis and at a minimum be protected by a firewall or similar type of device. Non IP network connections must be secured by definition characteristics and / or specific configurations to restrict access capabilities and to meet the security requirements. The connections must be reviewed

periodically via a traceable process. Where applicable, internal networks (i.e. LAN's), where sensitive information is processed, must also be protected commensurate to its sensitivity.

- (b) Firewalls must be configured securely in accordance with vendor recommendations, at a minimum as follows:
 - Network Address Translation (NAT)
 - Deny network traffic by default, and fail secure
 - Filtering of specific types or sources of network traffic
 - Block or restrict communication protocols that are prone to abuse or “denial of service attacks
 - Limit the disclosure of information about the network at the network level
- (c) The creation of a demilitarised zone is preferred, but not mandated.
- (d) Firewall configurations must be security tested regularly and the rules manually reviewed to ensure that it remains secure and unnecessary rules removed.
- (e) All external connections / third parties to the network should be assigned an owner, approved by the network owner and the head of the Department involved, individually identified and recorded.
- (f) Third party connections must be disabled or decommissioned when no longer required.
- (g) Third party connections must be configured in a secure manner in accordance with vendor recommendations and security tested regularly, at a minimum to:
 - Verify the source of external connections;
 - Restrict access to certain parts of the internal network or information systems; and
 - Protecting information transmitted across the network connection (e.g. using encryption).
- (h) In order to provide a clear picture of the network and to minimise unwanted connections, network access control must be centrally approved by the network owner or a responsible person as appointed by him/her.
- (i) The municipality's network should preferably be protected by creating a DMZ. No sensitive information may be stored in the DMZ.
- (j) With the exception of pre-approved operational network sniffing or monitoring devices, no other network sniffing or monitoring devices may be installed / activated without the explicit authorisation of the Head Information Services.
- (k) Measures must be implemented to ensure the network filtering devices cannot be bypassed and can only be accessed from designated workstations or specified IP addresses via authorised secure channels (for example SSL).
- (l) Divulgence / broadcast of information about the network must be restricted to the absolute minimum.
- (m) Critical information systems should ideally be isolated from other information systems on the network.

6.4.2 Only authorized devices will be allowed to have access to the network:

- (a) Access to network devices must be restricted to authorised network staff.

- (b) Network devices must be configured in a secure manner in accordance with vendor recommendations and security tested regularly, at minimum removing unnecessary services, changing vendor supplied passwords and keeping the devices up to date with vendor supplied updates.
- (c) Network access points must be protected by locating them in secure environments or by disabling them when not in use.
- (d) All external devices (e.g. laptops) wanting to connect to the internal network must be authorised and meet the minimum security requirements of malware protection, patch updates and personal firewalls.
- (e) Remote maintenance by vendors on information systems must be governed by contract terms, activity must be logged and access revoked after maintenance is complete. Remote diagnostic and configuration ports must be physically and logically security hardened according to vendor recommendations and security tested regularly.
- (f) Wireless access to the Municipality network will be protected through:
 - authorising all wireless networks;
 - security hardening wireless networks according to vendor recommendations and security tested regularly;
 - separating wireless networks from the internal network through filtering devices (e.g. firewall);
 - protecting networks by using encryption without known vulnerabilities; and
 - detecting unauthorised wireless access points using scanning software.

6.4.3 Hosts and network systems must be subject to penetration testing on a cyclic basis, from outside of the network, as well as from within. This can be done by IT management using security scanning tools, however an independent review performed by specialists in this field should augment IT management self-assessments.

6.4.4 Hosting Agreements shall specify the liability of the Council's hosting service providers in relation to storage and processing of data on behalf of the Council, or on the Council's instructions monitors data transmitted or stored on behalf of the Municipality. .

6.5 Network services

6.5.1 Access to network services will be restricted to authorised users:

- (a) User access to all network services will be authorised and the capability of users to connect to the services will be restricted accordingly.
- (b) Users will be provided with guidelines for the safe and authorised business use of network services (e.g. e-mail, Internet etc.)
- (c) The acceptable use of network services will be monitored.
- (d) Network services must be used and configured in a secure manner in accordance with vendor recommendations and security tested regularly.
- (e) Remote access by users will be authorised, authenticated (e.g. Radius or TACACS+) and logged. Remote access facilities must be security hardened according to vendor recommendations and security tested regularly.

- Applications for remote access services will only be allowed to personnel and clients or contractors, based on a valid business need.
 - All applications must be motivated and recommended in writing by the applicant's manager or the department / business unit requesting the access, and handed to the Head Information Services.
 - The Head Information Services will consider all applications for approval after consideration of the risk.
 - Periodic access reviews will be conducted with the assistance of HR to ensure incumbents are still employed by the municipality. All accesses must be reviewed at least annually by the applicant's manager and where applicable, terminated / suspended.
 - A central register must be maintained by the IT function or department responsible for IT of all users with dial-in / remote accesses, also indicating the access authorities to facilitate auditable processes.
 - To minimise the risk of compromising security, all users of the remote access services must receive training before access is allowed. The training should include what is allowed and what is not allowed during sessions.
 - In order to ensure compliance in terms of software, hardware and security requirements, the computer used for the remote access should be provided by the municipality. The use of private (home) computers may only be allowed if based on a valid business need and must be processed as a deviation from this policy. The manager/department responsible for IT security shall maintain a central register of all the deviations.
 - The remote client (computer used to access the municipality's network) must have anti-virus software and the correct level of security patches as prescribed by the IT function from time to time. A process must be formulated by the IT function to ensure the regular update of the software/patches.
 - Under no circumstances may the access privileges be transferred to another user without following the official normal application procedure.
 - No user may be provided with access privileges that exceed those than would otherwise be afforded if working in the office (least access / authorisation principle). For example if the request was to have access to the mailbox/calendar, not other access may be provided.
 - To prevent an open session from being misused by unauthorised persons, all sessions must automatically be logged-off after 30 minutes of inactivity.
 - Confidential information stored on remote computers must be protected against unauthorised access.
 - Due to system limitations, remote access connections may not be used for a period longer than 8 hours per day.
 - Unless specifically specified, the municipality does not offer technical support for personal (home) computers.
- (f) Remote working by employees at off-site or personal locations will only be allowed if suitable security safeguards are in place to prevent theft of equipment, unauthorised disclosure of information and unauthorized remote access to the Municipality's network.
- (g) No modems may be connected to the network without the prior approval of the Head information Services. A register of all approved modems must be maintained by the Information Services Section.

- (h) No user may simultaneously be connected to another network by using a modem while still connected to the municipality's network.

6.6 Telephony and conferencing

6.6.1 Telephony and conferencing facilities will be restricted as follows:

- (a) Access to voice-mail and voice-mail operator consoles will be restricted to the authorised user by using a password, which is different from the supplier standard passwords.
- (b) Conferencing facilities (e.g. teleconferencing, video conferencing) will be protected from unauthorised access by requiring a unique password for each conference.

6.7 Malware protection

6.7.1 The Municipality will protect itself against malware (e.g. viruses, worms, spyware, spam etc.) as follows:

- (a) Malicious software protection tools will be installed and activated, with up to date malicious software definition files.
- (b) Protection software will be centrally distributed and managed to ensure consistent and up-to-date protection.
- (c) New potential threats will be identified and managed e.g. by reviewing vendor's products and service advisories.
- (d) Incoming traffic, such as email and Internet downloads, will be filtered.
- (e) Users will be made aware through policy of what constitutes safe computer use.

6.8 Vulnerability management

6.8.1 The Municipality will configure its infrastructure and networks securely. This will be done in the following manner:

- (a) Security baselines will be established for all platforms that support critical or sensitive information systems.
- (b) The platforms will be configured in accordance with the baselines, failing which exceptions to the baselines will be documented with a valid business reason and the compensating controls.
- (c) The platform configurations will be validated against the baselines on a cyclic basis using manual or automated means.
- (d) Deviations from the baselines will be investigated and corrected, or treated as an exception.

6.8.2 Devices such as printers and multifunction devices have similar security risks as servers. These security risks must be understood and managed through a secure technical configuration.

6.8.3 The Municipality will patch its information systems in a timely manner to ensure that security vulnerabilities cannot be exploited. This will be done in the following manner:

- (a) Contacts with software suppliers and specialist security interest groups will be established to ensure that early warnings of security alerts, advisories, and patches pertaining to attacks and vulnerabilities are identified.

- (b) Security patches will be tested and applied in a timely manner and the complete deployment of patches to all affected information systems will be monitored.
- (c) Alternative methods will be established to protect information systems if it is not possible to apply patches or no solution is available for a known vulnerability.

6.9 Cloud computing

6.9.1 Storing or processing of information using cloud based services must be controlled in the following manner:

- (a) Prior to the use of cloud computing services, a risk assessment must be undertaken that considers the criticality of the information to be stored and processed in the cloud, legal risks, contract risks, access risks and the nature of the cloud service provider's reputation and control environment.
- (b) The Council will determine the security measures, including physical security measures, currently in place by the cloud service provider. Additionally the Council must ensure that the security measures keep abreast of technical developments and best practices. The Council will obtain warranties from the cloud service provider with regards to their security practices.
- (c) Following the risk assessment, any special security requirements to protect information in the cloud must be identified and managed by the Council itself (e.g. encryption of data in the cloud, or through the contract with the cloud service provider), due regard must be paid to identifying in what jurisdiction the information will be stored.
- (d) The Council must remain abreast of the control environment of the cloud service provider and to respond to any changes made that could impact the initial risk assessment.
- (e) The Council assess the backup policies and procedures of the service provider to ensure it is aligned with their access and retention requirements.

6.10 Intellectual property rights

6.10.1 The intellectual property rights of software or other information products that the Council uses will be protected, as specified in the intellectual property policies. This will be done in the following manner:

- (a) Software or other information products will only be acquired from known reputable sources.
- (b) Awareness will be raised with users of the importance to protect intellectual property rights.
- (c) Asset registers will contain all assets with requirements to protect intellectual property rights.
- (d) Materials will be licensed and proof of evidence of ownership of materials (e.g. licenses, master disks, manuals etc.) will be retained.
- (e) The Municipality will seek to compare purchased licenses against the installed base on a cyclic basis.
- (f) The Council will investigate and implement appropriate technical protection measures to secure its intellectual property rights.
- (g) Awareness will be raised regarding the nature of copyright and copyright infringement. Users will be required not violate the Council's or third party copyright, as well as protect materials vulnerable to copyright infringement.

- (h) The Council will review the licence terms which they are bound by and regularly ensure that that its users are adhering to the terms thereof, including assessing the number of users authorised to use the licensed material. Users shall not modify, use or distribute copies of licensed material, including software, in any manner that violates the licence agreements.
- (i) Awareness will be raised regarding State and third party trade marks, authorised use and infringement thereof. Users may not alter or distort any State trade marks and may not use these trade marks in such a manner so as to suggest endorsement or sponsorship.
- (j) The Council will require that any knowledge of intellectual property rights infringement be immediately brought to the attention of Management.
- (k) The intellectual property rights regarding work, documents, methodologies, diagrams, and software developed, drafted, created or designed on the instructions of the Council will vest in the Council. Users, employees or independent contractors shall not pursue any intellectual property rights or the exploitation of the intellectual property rights during the terms of their employment or services or at any time whatsoever.

7 Business continuity

7.1 Disaster recovery

- 7.1.1 The Municipality will be able to recover from a disaster that affects information systems, in the timeframes acceptable to the business, but with due consideration of the likelihood of a disaster weighted against the cost of preparing to respond to a disaster. This ability will be developed as follows:
- (a) The critical business processes and supporting IT services will be identified with the help of key stakeholders.
 - (b) A business impact analysis will be conducted to evaluate the impact over time of a disruption to the critical business processes, thereby producing the minimum acceptable time required to recover the processes.
 - (c) The potential scenarios and likelihood of their giving rise to disasters affecting the supporting IT services will be identified.
 - (d) Strategies will be identified that could reduce the likelihood and impact of an IT disaster through improved prevention and increased resilience.
 - (e) The resource requirements and costs for each strategic option will be identified and the most appropriate option selected and approved by management.
 - (f) Disaster recovery plans will be developed that contain underpinning detail of the strategic recovery options that contain the disaster scenarios and recovery strategies, procedures, resource requirements, skill levels, data backup arrangements, and roles and responsibilities.
 - (g) The plans must consider a design of technology for availability, as well as design for recovery.
 - (h) Critical end-user data (e.g. spreadsheets) will be included in backup arrangements.
 - (i) Evidence will be obtained that key suppliers and outsource partners have effective disaster recovery plans in place.

- (j) The implementation of each section of the plans and the tasks contained therein must be formally allocated to individuals who must formally accept the responsibility for the adherence to and implementation of the policy or activity.
- (k) The disaster recovery plans must be tested on a regular basis to exercise the plans and to validate the effectiveness of the plans.
- (l) The disaster recovery plans will be updated in the event of major changes to the IT environment.
- (m) The disaster recovery plans will be reviewed on a regular basis to ensure that it remains relevant.
- (n) Everyone involved in the success of the disaster recovery plans will be given relevant training, as well as being involved in testing of the plans.
- (o) The adequacy of disaster recovery plans must be assessed after invocation of the plans in the event of a real disaster.
- (p) Disaster recovery plans will be aligned with available business continuity plans.
- (q) All relevant documentation, policies, procedures, plans, checklists, etc, must be stored in a safe location where it can be secured from tampering but is also easily accessible in the event of an emergency.
- (r) Disaster recovery plans will include processes and procedures, which establishes structures to enable access to the Council's information in times of disaster, as required in the records management policies, record retention schedules and the Council's PAIA Manual. Additionally there should be processes and procedures in place to cater for requests to information, in terms of the Promotion of Access to information Act, made in times of disaster.

7.2 Information backup

7.2.1 Information back-up is part of disaster recovery.

7.2.2 Information backup will be performed in accordance with the information protection and leakage provisions specified in this policy. Information backup will be done in accordance with the Council's records management policies and records retention schedules.

7.2.3 The information backup arrangements that would underpin disaster recovery plans will be defined within the disaster recovery plans and will cover the data required to recover, retention periods, backup schedules, backup types, location of data sources, and on-site and off-site storage of backups including physical and environmental protection of off-site locations. The following guidelines apply to the backup policy:

- Regularity of backup – it makes sense to backup a system every time a change (or set of changes) is made. For multi-user systems (such as Promun), there should be as a minimum, the provision of 'mirrored discs/raid arrays' for continual backup and a removable media backup on a daily basis.
- Timing of routine backup – where a system is required on a continual basis at all hours, appropriate timeslots for backups should be determined between the users and the system management/technical staff.
- Size of backup – In conjunction with 'regularity', the amount of data backed up should be determined. It is not always possible to backup the entirety of data on a system due to time

& capacity constraints. Therefore procedures that take backups of 'data entered on that day', which combined with less regular 'full backups' can be implemented, so that complete recovery can be achieved (up to the last 'daily backup') via a combination of backups.

- Storage and protection of backup media – Storage should be in a location remote from the main system, but subject to at least the same environmental and physical protection as the main system. All backup media will be stored in a fire safe in a different fire zone to the system that it backed up.
- As part of backup procedures regular testing and full restoration of backups to a separate system should be implemented.
- Retention periods for backup information should be determined, with ideally at least 3 complete backup cycles in place prior to disposal.
- Backup media should be appropriately disposed of following decommissioning.
- Backup media should be regularly replaced to avoid wear and tear.
- All electronic mailboxes within Swartland Municipality will be backed up to removable media.
- Backup media will have a minimum 10 day life cycle before being overwritten.
- All backups will be verified by software on completion.
- A log of the backup and verification must be automatically generated.
- Backup software must automatically warn the Server Manager\Senior Technician of any backup failure.
- A backup form will be completed for each system and signed by the person who changed the media. These backup forms will be sent to the helpdesk every Friday and will be countersigned by the Head of ICT Services.
- Training will be available to all staff involved with the backups.
- Regulatory and legislative requirements will be met.
- A cleaning tape will be used on all tape drives at least once a month
- Restoration of any data will be preformed by
- A recovery test will be performed at least once every six months.
- The ICT Manager will randomly audit the backup logs at least twice a month.
- Backup logs for all systems will be made available to managers of departments that make use of the system being backed up.

7.2.4 The following policy applies in terms of backup schedules:

- Full daily backs: full backups will copy all data to backup media, this allows for the complete restore of data from backup media.
- Replicated virtual Machines: Virtual machines (servers) are replicated to the disaster recovery site for easy access and deployment at the disaster recovery site when needed.
- Backup of Virtual Machines or data to the disaster recovery site: Data or complete virtual machines are backed up to hard drives at the disaster recovery site.
- Critical servers will be replicated every weekday with 5 restore points.
- Important servers are replicated or backed up every weekend.
- All Important virtual services will be copied to tape every month.
- All critical servers (virtual machines) will be copied to tape weekly.
- The file server will be copied to tape every workday .
- All virtual servers will be copied to external hard drives monthly.

7.2.5 There are two ways of testing a backup.

- Ad-hoc basis where a computer end user makes a request to have a file restored; or
- Tested on a cyclic basis as part of a disaster recovery test.

7.2.6 Adhoc testing will be conducted as follows:

- User logs a call to request for a file restoration specifying relevant details.
- The backup administrator obtains an appropriate backup tape.
- The files get restored as per user's specification.
- The user is contacted to verify the status of restoration.
- In case of an unsuccessful data restoration, the problem must immediately be investigated and correctional action taken.
- The restoration status must then be recorded in a logbook Backup test register.

7.2.7 Cyclic testing will be conducted as follows:

- The DR-Site should be tested once every quarter.
- Backup testing should be done once a month.
- Two backup tapes must be selected at random, one weekly/monthly backup tape, and the other the latest daily backup tape.
- At least 10 MB of the data should be restored into a restore folder on the backup server.
- The backup administrator must then check the status of the data restoration and record the findings.
- In case of an unsuccessful data restoration, the problem must immediately be investigated and correctional action taken.
- The restoration status must then be recorded in a logbook Backup test register.
- The tapes must be taken back to their original location and a logbook completed.

7.2.8 The policy in terms of backup tapes is:

- Swartland Municipality should use tapes as an ideal medium for backing up data because of its high storage capacities, low cost, and the ability to store cartridges off-site.
- Organizing a number of tapes into an efficient backup library also allows one to restore data from different points in time, and archive data.
- Tapes should be taken offsite daily and can be called back as and when required. This is a procedure that will protect the municipality in the event of atrophic disaster for quick retrieval of data.

7.2.9 The policy in terms of backup tape storage is:

- Backup tapes must be kept on-site and off-site. Weekly backup tapes must be kept on site in a steel fire proof safe. 'On-site' refers to the computer room at SM building in Malmesbury.
- Monthly tapes must be kept off-site in a steel fire proof safe. 'Off-site' refers to a vendor like Metro File or a remote building in Malmesbury.
- Tapes must be sent to these storage areas as soon as they are removed from the tape drive. All tapes must be labelled properly and comprehensively.
- Access to the storage areas should be strictly controlled. Keys to these safes must be controlled by the Information Technology Manager.

- Only approved IT personnel must have access to these safes. Each storage area will have a logbook where any visit to the area will be recorded.

7.2.10 The following pitfalls can reduce the effectiveness of any tape backup system:

- Faulty media – if you run the same tapes for years, eventually they will wear out. However, your backup software should be able to detect faulty tapes when it verifies the data written to the tape after each backup.
- Human error – if you place the wrong tape in the tape drive for a backup, you'll obviously disrupt the system. There are ways of minimizing human error, which includes using software such as BackupAssist, to email your administrator/secretary daily, and instruct him/her to place a certain tape in the drive.
- Insecure storage of tapes – it is critical that your tapes be stored in a secure location such as a fireproof safe, and that your monthly, quarterly and yearly tapes be stored off site. Please note that if you store all your backup tapes next to your file server and your building gets robbed or burns down, not even the best tape backup library in the world will get your data back.

7.2.11 The following tape rotation system will be followed:

- Grandfather – Father – Son (GFS)
- The Grandfather – Father – Son schedule is the most widely used method, and involves backing up data in the following way:
Daily- "son tapes"
Weekly- "father tapes"
Monthly- "grandfather tapes"
- This system is far more powerful than the five tape rotation, but requires more tapes

<i>Monday</i>	<i>Tuesday</i>	<i>Wednesday</i>	<i>Thursday</i>	<i>Friday</i>
	1 Tuesday	2 Wednesday	3 Thursday	4 Friday
7 Month 1	8 Tuesday	9 Wednesday	10 Thursday	11 Friday
14 Week 2	15 Tuesday	16 Wednesday	17 Thursday	18 Friday
21 Week 3	22 Tuesday	23 Wednesday	24 Thursday	25 Friday
28 Week 4	29 Tuesday	30 Wednesday		

- This strategy will provide Swartland Municipality with the ability to restore data from the last week, plus any Monday over the last month, plus any month for as many monthly tapes as you have.

7.2.12 Everyone will be made aware that they are responsible for the backup of critical or sensitive data on personal computers or mobile devices under their control. For this purpose, file servers will be made available that will be backed up.

7.2.13 Consideration must be given to the ability to access media in the future in a time when technology changes, as well as the possibility of deterioration of media used for storage of records.

7.3 Data Centre Capacity and performance

7.3.1 The Municipality will maintain adequate capacity and performance of its information systems through cyclic capacity planning and through continuous automated monitoring of information systems from defined capacity and performance thresholds. Known capacity and performance problems will be treated as IT incidents.

7.3.2 Resources must be monitored monthly, predictions must be made on the required resources to meet service levels as demand increases. Components that will negatively impact response times must be identified and cost effectively accommodated.

7.3.3 The ICT strategic plan, aligned with the IDP, will predict future changes. Possible solutions to accommodate these changes must be investigated and included in the relevant budget year.

8 Security incident management

8.1 Information systems monitoring

8.1.1 Information systems and infrastructure will be monitored to detect and respond to security events affecting normal operations. This will be done in the following manner:

- (a) Information systems and infrastructure that needs to be monitored will be identified.
- (b) Events will be logged on the information systems and infrastructure, with due consideration of risk and performance. The following audit policy is preferred:
 - Audit account logon events - Attempts will be logged on success and failure to logon to the network
 - Audit account management - Success and failure
 - Audit directory service access - Success and failure
 - Audit logon events - Success and failure
 - Audit object access - Success and failure
 - Audit policy change - Success and failure
 - Audit privilege use - Success and failure
 - Audit process tracking - Success and failure
 - Audit system events - Success and failure
- (c) Any activity involving privileged access by an administrator will be logged.
- (d) Events will be correlated and responded to, either by automated toolsets or through manual review and response.
- (e) Security incidents will be logged when activity outside of normal operations is identified.
- (f) Event logs will be protected against tampering.
- (g) The clocks IT infrastructure will be synchronised with an agreed accurate time source.

- (h) The Council will obtain prior written consent from users, employees and independent contractors for interception of their indirect communications. The Council will specify to these users, employees and independent contractors the nature, purpose and extent of such interception.
- (i) The Council will specify the nature of the interception of indirect communications which occurs during the course of the carrying on of business. The Council will adhere to the policy statements and procedures set out in the interception policy.
- (j) The Council will appoint a systems controller who will be responsible for effecting interception and providing express or implied consent for such interception.
- (k) The Council will only its information systems and will differentiate between routine and targeted interception.

8.2 Security incident and problem management

8.2.1 Security incidents will be managed, thereby restoring normal operations in a timely manner. This will be done using the following approach:

- (a) All incidents will be logged and documented, recording all relevant information (including classification and priority) so that they can be handled effectively and a full historical record can be maintained.
- (b) Security incident escalation rules and procedures will be defined, especially for major incidents.
- (c) Everyone in the Municipality will be made aware of their responsibility to report suspected security weaknesses or incidents.
- (d) Security incidents will be escalated, diagnosed and resolved.
- (e) As service level agreements may be defined between IT Section and departments, provision should be made for their suspension or modification during a security incident.
- (f) A procedure must be maintained to collect evidence in line with computer forensic evidence rules, if the incident will lead to criminal prosecution or disciplinary action.
- (g) Security incidents will be analysed on a cyclic basis to establish trends and identify patterns of recurring problems or inefficiencies.

8.2.2 The Municipality will prevent security incidents from reoccurring by dealing with the root causes of such incidents. This will be done in the following manner

- (a) Recurring problems will be identified through incident reporting or other resources.
- (b) Permanent solutions or workarounds for problems will be identified, tested, applied and recorded for future knowledge.

9 Information Security references

The following works were consulted in the drafting of this policy. The policy complies with these resources where it makes business sense.

ISO/IEC 27001:2005 Information technology — Security techniques — Information security management systems — Requirements

<http://standards.iso.org/ittf/licence.html>

http://www.iso.org/iso/catalogue_detail?csnumber=42103

ISO/IEC 27002:2005 Information technology — Security techniques — Code of practice for information security management

http://www.iso.org/iso/catalogue_detail?csnumber=50297

ISO/IEC 27005:2008 Information technology — Security techniques — Information security risk management

http://www.iso.org/iso/catalogue_detail?csnumber=42107

CobiT 5 : A Business Framework for the Governance and Management of Enterprise IT, 2012
CobiT 5 : Enabling Processes, 2012

<http://www.isaca.org>

King III Code of Governance Principles - Chapter 5

http://www.iodsa.co.za/downloads/documents/King_Code_of_Governance_for_SA_2009.pdf

RiskIT Framework for Management of IT Related Business Risks, 2009

<http://www.isaca.org/Knowledge-Center/Risk-IT-IT-Risk-Management/Pages/Risk-IT1.aspx>

Legislation:

Municipal Finance Management Act (MFMA)

Municipal Structures Act

Municipal Systems Act

The Labour Relations Act

Regulation of Interception of Communications and Provision of Communication-Related Information Act

Electronic Communications and Transactions Act

Basic Conditions of Employment Act

Promotion of Access to Information Act

Copyright Act

Trade Marks Act



FIREWALL
BASELINE POLICY

Version Control

The table below shows version control for this document

DATE	CHANGES MADE	CURRENT VERSION	APPROVED BY
26 January 2015	Initial document	1.0	
25 May 2016	No changes needed		
27 Mar 2017	No changes needed		
23 May 2018	No changes needed		
13 May 2019	No changes needed		
14 May 2020	No changes needed		
May 2021	No changes needed		
Jun 2022	Changes to Section 2	1.01	

Background:

This document aims to guide and set the rules for installing FireWall devices on the Swartland Municipalities ICT infrastructure.

Purpose:

Following the guidelines set herewith should maximize security and stability of the ICT infrastructure.

Scope:

Because of the integration of ICT equipment and services within the Municipality, Swartland Municipality as a whole is affected.

Definitions:

ICT: Information and Communication Technology

ICT equipment: Any hardware, network equipment, printers, scanners, fax units and telephones

ICT software: All computerised software running on ICT equipment

ICT services: All other ICT requests that does not form part of ICT equipment or ICT software

User: Any employee (permanent or contract), including employers and ICT staff using ICT equipment and ICT software

OS: Operating System

FireWall: is a network security system that controls the incoming and outgoing network traffic based on an applied rule set

For a Firewall:

1. After installing the device

- Change the default administrator password with a strong password of at least 8 characters with a combination of alpha-numeric characters and symbols
- Create unique user for each Administrator of the device.
- Remote firewall administration must be limited to SSHv2 on the internal network or HTTPS web service for both external and internal network.
- N-1 Operating System, firmware must be applied.
- Intrusion prevention must be enabled and notification via e-mail setup.
- Ensure deny all rule is enabled and active.
-

2. Ports

- Block all incoming ports unless the service is required to connect to a server on the internal network (e.g. port 80 and port 443 for web servers)

Direction	Port	Protocol
Out	53	DNS
Out	80	http
Out	443	https
Out	25	smtp
In	25	smtp

2. Change Management

- All FireWall rule changes must be approved by the ICT Manager or ICT Steering committee
- All FireWall software updates must be approved by the ICT Manager or ICT Steering committee
- All rule, software and firmware changes must be documented on the Change Control Form
- All incoming traffic FireWall rule(s) limiting scope to South African access changes must be approved by the Director.

3. Backup

- Every quarter an backup of the device must be preformed
- After any rule change an full backup must be preformed
- Before any software upgrade and backup must be preformed

4. Log review

- Monthly log review for changes must be performed and check against Change Control applications
- Quarterly rule review must be done to check for inactive rules

Municipal Corporate Governance of Information and Communication Technology Policy

January 2015

EXECUTIVE SUMMARY

Information Communication Technology (ICT) Governance has been described as the effective and efficient management of ICT resources and processes to facilitate the achievement of Municipal goals and objectives. The ICT Governance Institute describes ICT Governance as, "...the responsibility of the board of directors and executive management."

ICT Governance has risen in importance because of the widening gulf between what the organization expects and what ICT delivers. ICT has grown to be seen as a cost centre with growing benefits to the organisation ICT serves. A Governance of ICT framework is meant to align ICT functions to the organizational goals, minimise the risk ICT introduces and ensure that there is value in the investment made in ICT.

The view that ICT should be governed and managed at all levels within a given organizational structure is supported by internationally accepted good practice and standards. These practices and standards are defined in the King III Code of Good Governance, ISO 38500 Standard for the Corporate Governance of ICT and other best practice ICT Process Frameworks, which forms the basis of this document.

Translated into a municipal operating environment the corporate governance of ICT places a very specific responsibility on the Council and Management within a municipality to ensure that the decision making process for ICT related investments and the operational efficiencies of the municipalities ICT environments remain transparent and are upheld. This accountability enables the municipality to align the delivery of ICT services with the municipality's Integrated Development Plans and strategic goals.

The Council and Management of municipalities need to extend their governance functions to include the Corporate Governance of ICT. In the execution of the Corporate Governance of ICT, they should provide the necessary strategies, architectures, plans, frameworks, policies, structures, procedures, processes, mechanisms and controls, and culture which are in compliance with the best practise ICT Governance Frameworks.

To strengthen the Corporate Governance of ICT further, responsibility for the decision making of ICT programmes and projects should be placed at a strategic level in the municipality. The Corporate Governance of ICT is a continuous function that should be embedded in all operations of a municipality, from Council and Management level to all areas within a municipality including ICT service delivery.

According to the establish frameworks, the Governance of ICT is implemented in two different layers:

- (a) Corporate Governance of ICT – the Governance of ICT through structures, policies and processes.
- (b) Governance of ICT – through Standard Operating Procedures.

The difference between the Corporate Governance of ICT and the Governance of ICT can be defined as follows:

Corporate Governance of ICT: *The system by which the current and future use of ICT is directed and controlled.*

Governance of ICT: *The individual processes and procedure which ensure the compliance of the ICT environment based on a pre-agreed set of principles.*

In November 2012, Cabinet approved the Public Service Corporate Governance of ICT Policy Framework and made ICT applicable to National and Provincial Departments, Provincial Administrations, Local Governments, Organs of State and Public Entities for implementation by July 2014.

To address the above mentioned, the Western Cape Department of Local Government in collaboration with the Department of Cooperative Governance (DCOG) , the Department of Public Service and Administration (DPSA), the South African Local Government Association (SALGA), and the Western Cape Provincial Treasury, developed this Municipal Corporate Governance of ICT Policy for application in the Local Government sphere.

The purpose of the Municipal Corporate Governance ICT Policy is to institutionalise the Corporate Governance of ICT as an integral part of corporate governance within municipalities. This Municipal Corporate Governance ICT Policy provides the Municipal Council and Management within a municipality with a set of principles and practices that must be complied with, together with an implementation approach to be utilised for implementation of ICT Governance within Municipalities.

To enable a municipality to implement this Municipal Corporate Governance of ICT Policy, a three-phase approach will be followed:

- (a) **Phase 1 – Enabling Environment** : The Corporate Governance of ICT environments will be established in Municipalities through the adoption of this Municipal Corporate Governance of ICT Policy and its associated policies through Council resolution;
- (b) **Phase 2 – Business and Strategic Alignment:** Municipalities will plan and implement the alignment between IDP's, strategic goals and ICT strategy.
- (c) **Phase 3 – Continuous Improvement:** Municipalities will enter into an on-going process to achieve continuous improvement of all elements related the Governance of ICT.

This Corporate Governance of ICT Policy will allow municipalities to maintain alignment of strategic ICT functions to meet their needs and apply best practices in order to reduce costs and increase the effectiveness of the ICT service delivery to the municipality.

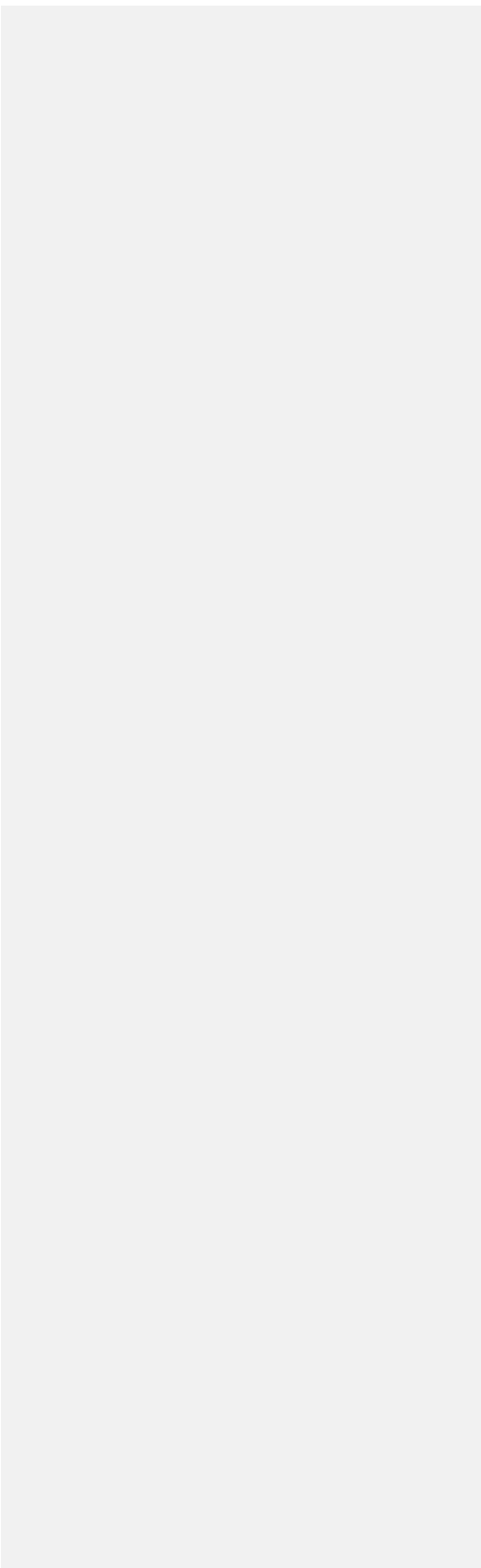


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GLOSSARY

AG	Auditor-General of South Africa
	not mentioned in document
CIO	Chief Information Officer
CGICTPF	Corporate Governance of ICT Policy Framework
	not mentioned in document
DPSA	Department of Public Service and Administration
DCOG	Department of Cooperative Governance
ICT	Information and Communications Technology
®	I not mentioned in document
ISO/IEC	International Organisation for Standardisation (ISO) and the International Electro technical Commission (IEC)
ISO/IEC 38500	International Standard on Corporate Governance of ICT (ISO/IEC WD 38500: 2008: 1)
ITGI™	ICT Governance Institute
	not mentioned in document
King III	The King III Report and Code on Governance for South Africa
MICTGP	Municipal ICT Governance Policy
M&E	Monitoring and Evaluation
PSCGICTPF	Public Service Corporate ICT Governance Policy Framework
SALGA	South African Local Government Association
SDBIP	Service Delivery and Budget Implementation Plan

Municipal Corporate Governance of Information and Communication Technology Governance Policy

1. ICT GOVERNANCE OVERVIEW

1.1 INTRODUCTION

Information and Communications Technology (ICT) Governance has been described as the effective and efficient management of ICT resources to facilitate the achievement of organizational goals and objectives. ICT does not exist for its own sake within an organisation; ICT is there to make sure that organizations achieve sustainable success through the use of their ICT. The ICT Governance Institute describes ICT Governance as, "...the responsibility of the board of directors and executive management. ICT is an integral part of enterprise governance and consists of the leadership and organisational structures and processes that ensure that the organisation's ICT [the infrastructure as well as the capabilities and organisation that is established to support ICT] sustain and extends the organisation's strategies and objectives".

1.1 PURPOSE

The purpose of this policy is to institutionalise the Corporate Governance of ICT as an integral part of corporate governance within municipalities in a uniform and coordinated manner. The policy provides a set of principles and practices which will assist to institutionalise the Corporate Governance of ICT.

1.2 LEGISLATIVE FRAMEWORK

Municipalities must be aware of and comply with the legislative landscape applicable to their context. This includes the Local Government Municipal Systems Act, Act 32, of 2000, Local Government: Municipal Structures Act, Act 117 of 1998, the Public Administration Management Act, Act 11 of 2014 and the Local Government: Municipal Finance Management Act, Act 56 of 2003.

This policy has been developed with following sections of legislation in mind:

- a. In terms of the Municipal Systems Act, Act 32, of 2000, Section 55(1):

"the municipal manager of a municipality is, subject to the policy directions of the municipal council, responsible and accountable for:

- (a) The formation and development of an economical effective, efficient and accountable administration :
 - (i) equipped to carry out the task of implementing the municipality's integrated development plan in accordance with Chapter 5:
 - (ii) Operating in accordance with the municipality's performance

Management system in accordance with Chapter 6;”

b. In terms of the Municipal Finance Management Act, Act 56 of 2003, Section 62:

“ The accounting officer of a municipality is responsible for managing the financial administration of the municipality, and must for this purpose take all reasonable steps to ensure—

- (a) that the resources of the municipality are used effectively, efficiently and economically;
- (b) that full and proper records of the financial affairs of the municipality are kept in accordance with any prescribed norms and standards;”

c. In terms of the Municipal Finance Management Act, Act 56 of 2003, Section 78 of the Municipal Finance Management Act stipulates that:

“Each senior manager of a municipality and each official of a municipality exercising financial management responsibilities must take all reasonable steps within their respective areas of responsibility to ensure—

- (a) that the system of financial management and internal control established for the municipality is carried out diligently;
- (b) that the financial and other resources of the municipality are utilised effectively, efficiently, economically and transparently;
- (c) that any unauthorised, irregular or fruitless and wasteful expenditure and any other losses are prevented;”

1.3 SCOPE

This Policy has been developed to guide and assist all municipalities to be aligned with the Corporate Governance of ICT best practise frameworks. This Policy recognizes that municipalities are diverse in nature.

This Policy therefore adopts the approach of establishing and clarifying principles and practices to support and sustain the effective Corporate Governance of ICT.

1.4 BENEFITS OF GOOD GOVERNANCE OF ICT

When the Corporate Governance of ICT is effectively implemented and maintained, the following benefits are realised:

- a. Establishment of ICT as a strategic enabler in a municipality.
- b. Improved achievement of municipal integrated development plans;
- c. Improved effective service delivery through ICT-enabled access to municipal information and services;
- d. Improved ICT enablement of a municipality;
- e. Improved delivery of ICT service quality;

- f. Improved stakeholder communication;
- g. Improved trust between the municipality and the community through the use of ICT;
- h. Lower costs (for ICT functions and ICT dependent functions)
- i. Increased alignment of ICT investment towards municipal integrated development plans;
- j. Improved return on ICT investments;
- k. ICT risks managed in line with the ICT priorities and risk appetite of the municipality;
- l. Appropriate security measures to protect both the municipality's and its employees information;
- m. Improved management of municipal-related ICT projects;
- n. Improved management of information as ICT is prioritised on the same level as other resources in municipalities;
- o. ICT pro-actively recognises potential efficiencies and guides municipalities in timeous adoption of appropriate technology;
- p. Improved ICT ability and agility to adapt to changing circumstances; and
- q. ICT executed in line with legislative and regulatory requirements.

1.5 CORPORATE GOVERNANCE OF ICT GOOD PRACTICE AND STANDARDS

In recognition of the importance of ICT Governance, a number of internationally recognised frameworks and standards, have been developed to provide context for the institutionalisation of the governance of ICT.

- a. The **King III Code**: The most commonly accepted Corporate Governance Framework in South Africa is also valid for Municipalities. ICT was used to inform the Governance of ICT principles and practices and to establish the relationship between Corporate Governance of and Governance of ICT.
- b. **ISO/IEC 38500**: Internationally accepted as the standard for Corporate Governance of ICT; ICT provides governance principles and a model for the effective, efficient, and acceptable use of ICT within municipalities.
- c. **Other** internationally accepted process frameworks for implementing Governance of ICT.

1.6 LAYERED APPROACH TO CORPORATE GOVERNANCE OF ICT IN MUNICIPALITIES

Corporate Governance of ICT encompasses two levels of decision-making, authority and accountability to satisfy the expectations of all stakeholders. These levels are:

- a. Facilitating the achievement of a municipality's strategic goals (Corporate Governance of ICT); and
- b. The efficient and effective management of ICT service delivery (Operational Governance of ICT).

The implementation of Corporate Governance of ICT in Municipalities thus consists of the following layered approach:

- a. This Municipal Corporate Governance of ICT Policy, which addresses the **Corporate Governance of ICT** layer at a strategic level.
- b. Other best practise frameworks which will be adapted to give effect to the governance of the ICT operational environments within municipalities.

1.6.1 CORPORATE GOVERNANCE IN MUNICIPALITIES:

Corporate governance is a vehicle through which value is created within a municipal context. Value creation means realising benefits while optimising resources and risks. This value creation takes place within a governance system that is established by the municipal policy. A governance system refers to all the means and mechanisms that enable the municipality's Council and Management team to have a structured and organised process.

1.6.2 CORPORATE GOVERNANCE OF ICT IN MUNICIPALITIES:

The Corporate Governance of ICT is an integral part of the corporate governance system in municipalities. The Corporate Governance of ICT involves evaluating, directing and monitoring the alignment of the municipal ICT strategy with the municipal IDP's and related strategies. The Corporate Governance of ICT also involves the monitoring of ICT service delivery to ensure a culture of continuous ICT service improvements exist in the municipality. The Corporate Governance of ICT includes determining ICT strategic goals and plans for ICT service delivery as determined by the Service Delivery and Budget Implementation Plan (SDBIP) objectives of the municipality.

1.7 MUNICIPAL CORPORATE GOVERNANCE OF ICT POLICY OBJECTIVES

The objectives of this Corporate Governance of ICT Policy for municipalities seek to achieve the following:

- a. Institutionalising a Corporate Governance of ICT Policy that is consistent with the Corporate Governance Frameworks of the municipality;
- b. Aligning the ICT strategic goals and objectives with the municipality's strategic goals and objectives;
- c. Ensuring that optimum Municipal value is realised from ICT-related investment, services and assets;
- d. Ensuring that Municipal and ICT-related risks do not exceed the municipality's risk appetite and risk tolerance;
- e. Ensuring that ICT-related resource needs are met in an optimal manner by providing the organisational structure, capacity and capability;
- f. Ensuring that the communication with stakeholders is transparent, relevant and timely; and
- g. Ensuring transparency of performance and conformance and driving the achievement of strategic goals through monitoring and evaluation.

1.8 MUNICIPAL CORPORATE GOVERNANCE OF ICT PRINCIPLES of ICT Policy is based on principles as explained in international good practices and standard for ICT governance, namely, King III Code, ISO/IEC 38500 and other best practise process frameworks.

Table 1 below contains the principles which have been adopted in the Public Service Corporate Governance of ICT Policy Framework (PSCGICTPF) which have been adapted for municipalities.

Principle 1: Political Mandate
The Governance of ICT must enable the municipality's political mandate.
The Municipal Council must ensure that Corporate Governance of ICT achieves the service delivery mandate of the municipality.
Principle 2: Strategic Mandate
The Governance of ICT must enable the municipality's strategic mandate.
The Municipal Manager must ensure that Corporate Governance of ICT serves as an enabler to the municipality's strategic plans.
Principle 3: Corporate Governance of ICT
The Municipal Manager is responsible for the Corporate Governance of ICT.
The Municipal Manager must create an enabling environment in respect of the Corporate Governance of ICT within the applicable legislative and regulatory landscape and information security context.

Principle 4: ICT Strategic Alignment
ICT service delivery must be aligned with the strategic goals of the municipality.
Management must ensure that ICT service delivery is aligned with the municipal strategic goals and that the administration accounts for current and future capabilities of ICT. ICT must ensure that ICT is fit for purpose at the correct service levels and quality for both current and future Municipal needs are met.
Principle 5: Significant ICT Expenditure
Management must monitor and evaluate significant ICT expenditure.
Management must monitor and evaluate major ICT expenditure, ensure that ICT expenditure is made for valid Municipal enabling reasons and monitor and manage the benefits, opportunities, costs and risks resulting from this expenditure, while ensuring that information assets are adequately managed.
Principle 6: Risk Management and Assurance
Management must ensure that ICT risks are managed and that the ICT function is audited.
Management must ensure that ICT risks are managed within the municipal risk management practice. ICT must also ensure that the ICT function is audited as part of the municipal audit plan.
Principle 7: Organisational Behaviour
Management must ensure that ICT service delivery is sensitive to organisational behaviour/culture.
Management must ensure that the use of ICT demonstrates the understanding of and respect for organisational behaviour/culture.

Table 1: Corporate Governance of ICT Principles

1.9 MUNICIPAL CORPORATE GOVERNANCE OF ICT POLICY PRACTICES

The following practices, outlined in Table 2 below, have been assigned to specific designated municipal structures and officials in order to achieve the objectives and principles contained in this Municipal Corporate Governance of ICT Policy:

Practice No.	Practices Description
1.	<p>The Municipal Council must:</p> <p>Provide political leadership and strategic direction through:</p> <ul style="list-style-type: none"> a) Determining policy and providing oversight; b) Take an interest in the Corporate Governance of ICT to the extent necessary to ensure that a properly established and functioning Corporate Governance of ICT system is in place in the municipality to leverage ICT as an enabler the municipal IDP;

Practice No.	Practices Description
	<ul style="list-style-type: none"> c) Assist the Municipal Manager to deal with intergovernmental, political and other ICT-related Municipal issues beyond their direct control and influence; and d) Ensure that the municipality's organisational structure makes provision for the Corporate Governance of ICT.
2.	<p>The Municipal Manager must:</p> <ul style="list-style-type: none"> a) Provide strategic leadership and management of ICT; b) Ensure alignment of the ICT strategic plan with the municipal IDP; c) Ensure that the Corporate Governance of ICT is placed on the municipality's strategic agenda; d) Ensure that the Corporate Governance of ICT Policy, charter and related policies for the institutionalisation of the Corporate Governance of ICT are developed and implemented by management; e) Determine the delegation of authority, personal responsibilities and accountability to the Management with regards to the Corporate Governance of ICT; f) Ensure the realisation of municipality-wide value through ICT service delivery and management of Municipal and ICT-related risks; g) Ensure that appropriate ICT capability and capacity are provided and a suitably qualified and experienced Governance Champion is designated; h) Ensure that appropriate ICT capacity and capability are provided and that a designated official at a Management level takes accountability for the Management of ICT in the municipality; and i) Ensure the monitoring and evaluation of the effectiveness of the Corporate Governance of ICT system e.g. ICT steering committee.
3.	<p>The Municipal ICT Steering Committee, Risk and Audit Committee must Assist the Municipal Manager in carrying out his/her Corporate Governance of ICT accountabilities and responsibilities.</p>
4.	<p>Management must ensure:</p> <ul style="list-style-type: none"> a) ICT strategic goals are aligned with the municipality's Municipal strategic goals and support the municipal processes; and b) Municipal-related ICT strategic goals are cascaded throughout the municipality for implementation and are reported on.

Table 2: Corporate Governance - Practices

2. PRACTICAL IMPLEMENTATION OF THIS MUNICIPAL CORPORATE GOVERNANCE OF ICT POLICY.

Upon approval of this Policy, the municipality must approve a Corporate Governance of ICT Charter and practical implementation plan.

2.1 THE CORPORATE GOVERNANCE OF ICT CHARTER

The Charter should guide the creation and maintenance of effective enabling governance structures, processes and practices. ICT should also clarify the governance of ICT-related roles and responsibilities towards achieving the municipality's strategic goals.

2.1.1 OBJECTIVES OF THE MUNICIPAL CORPORATE GOVERNANCE OF ICT CHARTER

In order to give effect to the Corporate Governance of ICT in Municipalities, the following objectives should be included in the municipality's Corporate Governance of ICT Charter:

- ~~a. Identify and establish a Corporate Governance of ICT Policy and implementation guideline for the municipality. Policy must first be in place then the Charter.~~
- ~~b-a.~~ Embed the Corporate Governance of ICT as a subset of the municipal governance objectives.
- ~~e-b.~~ Create Municipal value through ICT enablement by ensuring municipal IDP and ICT strategic alignment;
- ~~e-c.~~ Provide relevant ICT resources, organisational structure, capacity and capability to enable ICT service delivery;
- ~~e-d.~~ Achieve and monitor ICT service delivery performance and conformance to relevant internal and external policies, frameworks, laws, regulations, standards and practices;
- ~~f-e.~~ Implement the corporate governance of ICT in the municipality, based on an approved implementation plan.

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2.1.2 DESIGN OF THE MUNICIPAL CORPORATE GOVERNANCE OF ICT CHARTER

This charter should be approved at a strategic level in the municipality and should contain the following:

- a. How the ICT strategic goals and their related service delivery mechanisms will be aligned with municipal IDP, monitored and reported on to the relevant stakeholders;

- b. How ICT service delivery will be guided at a strategic level to create ICT value in the municipality;
- c. How the administrations ICT-related risks will be managed; and
- d. The establishment of structures to give effect to the Governance of ICT, and the management of ICT functions. The members of these structures and the roles, responsibilities and delegations of each should be defined. The proposed structures are as follows:

STRUCTURE	MEMBERS	MANDATE/RESPONSIBILITIES
ICT STEERING COMMITTEE (Committee of Management)	Designated Members of Management and the ICT Manager. The Chairperson shall be a designated member of the Management of the Municipality duly appointed by the Municipal Manager.	<p>Has a specific delegated responsibility to ensure the planning, monitoring and evaluation, of the municipalities:</p> <ul style="list-style-type: none"> • ICT structures. • ICT policies. • ICT procedures, processes, mechanisms and controls regarding all aspects of ICT use (Municipal and ICT) are clearly defined, implemented and enforced. • ICT Performance Management. • ICT Change Management. • ICT Contingency Plans. • ICT Strategy development. • Management of ICT Security and Data Integrity. • The establishment of the municipalities ICT Ethical culture. • The evaluation, directing and monitoring of ICT specific projects. • ICT Strategic alignment. • ICT Governance compliance. • ICT Infrastructure Management. • ICT Security. • ICT Application Management. • ICT Value. • ICT Data availability and integrity. • ICT Vendor Management. • The evaluation, directing and monitoring of ICT processes
Audit Committee and	Nominated members of the Audit and Risk	Has a specific responsibility to perform an oversight role for the Identification and Management of ICT audit and governance compliance, and ICT Risks.

STRUCTURE	MEMBERS	MANDATE/RESPONSIBILITIES
Risk Committee	committee/s of the municipality and the ICT Manager or CIO.	

Table 3: ICT Governance roles, responsibilities and delegations

2.2 MUNICIPAL IDP AND ICT STRATEGIC ALIGNMENT

This accountability assigned to the leadership of a municipality through this ICT Corporate Governance Policy enables the municipality to align the delivery of ICT strategies and services with the municipality's Integrated Development Plans and strategic goals.

This is achieved through the development and adoption of an ICT strategic plan which is informed by the enterprise architecture plan which clearly outlined the roles, responsibilities and business processes contained in the IDP.

~~2.3 CONTINUOUS SERVICE IMPROVEMENT OF ICT IN MUNICIPALITIES~~

~~In this phase, all aspects of the Corporate Governance of ICT should demonstrate measurable improvement from the initial implementation phase 2016–20. In this phase, detailed measurable criteria for the implementation of and compliance against the approved Corporate Governance of ICT Policy and implementation plan are established and can be measured for compliance. In this phase the applicability of all elements of the Corporate Governance of ICT Policy is tested for efficacy and efficiency.~~

2.4 THE DETAILED PHASED APPROACH

Implementation deliverables per financial year

Phase 1 (Enablement Phase): To be completed by June 2017

- 1) ~~Municipal Corporate Governance of ICT Policy approved and implemented;~~
- 2) ~~Corporate Governance of ICT Governance approved and implemented;~~
- 3) ~~The following capabilities created in the municipality:~~
 - ~~Governance Champion designated and responsibilities allocated;~~
 - ~~A proficient ICT Manager or CIO appointed functioning at strategic level.~~

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- Approved and implemented **Risk Management Policy** that includes the management of Municipal-related ICT risks;
- Approved and implemented **Internal Audit Plan** that includes ICT audits;
- Approved and implemented **ICT Management Framework**;
- Approved and implemented municipal **Portfolio Management Framework** that includes ICT portfolio/programme and project management;
- Approved **ICT Disaster Recovery Plan** informed by Municipal Continuity Plan and Strategy.
- Approved **Data Backup and Recovery policy**.
- Approved **ICT Service Level Agreement Management policy**.
- Approved **ICT User Access Management policy**.
- Approved **ICT Security Controls policy**.
- Approved **ICT Operating System Security Controls policy**.

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Phase 2 (Strategic Alignment): to be completed by June 2019

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- 1) Approved **Enterprise Architecture** informing the ICT Architecture;
- 2) Approved medium term ICT Strategy.
- 3) Approved **ICT Migration Plan** with annual milestones linked to an enabling budget;
- 4) Approved **ICT Performance Indicators as contained in the municipality's performance management system**.

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Phase 3: Continuous improvement of Corporate Governance of and Governance of ICT

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The successful implementation of a Corporate Governance of ICT system leads to continuous improvement in the creation of value to the municipality. ICT delivery must be assessed on an on-going basis to identify gaps between what was expected and what was realised. Assessments must be performed coherently and encompass both:

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- a) The Corporate Governance of ICT (ICT contribution to realisation of Municipal value); and
- b) Governance of ICT. (Continuous improvement of the management of ICT).

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3. Conclusion

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This Corporate Governance of ICT Policy has been designed for the exclusive use and alignment of Municipalities. The implementation thereof had been phased over a longer period to provide municipalities with the time required to implement this Corporate Governance of ICT Governance Policy effectively. This Corporate Governance of ICT Policy

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~~will be supplemented with an implementation plan that will give guidance to the practical implementation of the framework.~~

ITEM 7.8 OF THE AGENDA OF AN EXECUTIVE MAYORAL COMMITTEE MEETING TO BE HELD ON 15 JUNE 2022

SUBJECT: THIRD AMENDMENT OF THE 2021/2022 MIG DETAILED PROJECT IMPLEMENTATION PLAN

1. BACKGROUND/DISCUSSION

The Detailed Project Implementation Plan (DPIP) provides information regarding projects and cash flows that is to be implemented under the MIG programme. The DPIP, detailing information of the following financial year, must be certified by the MM and submitted to the Department of Cooperative Governance and Traditional Affairs by the end of May of each year. In the event that the actual implementation of MIG projects vary from the original certified DPIP, it is required that the Executive Mayoral Committee approves the amendments to the DPIP.

2. 2021/2022 MIG PROGRAMME IMPLEMENTATION

The certified DPIP for 2021/2022 financial year was submitted to the Department on 23 April 2021 and indicated the following projects and budgets:

Nr	Project	Budget
1	Upgrade Moorreesburg WWTW (WC1710S/17/122)	R 15 849 816
2	Darling Upgrading of Waste Water Treatment Works & Dewatering Facility (WC1780/S/19/22)	R 3 027 658
3	Malmesbury: Rehabilitation of Roads (WC1765/R.ST/19/23)	R 3 423 526
	Total	R 22 301 000

On 25 March 2022, the Department increased the 2021/2022 MIG allocation of Swartland Municipality to R 26 301 000. It was required to amend the 2021/2022 DPIP to include the additional allocation of R 4 000 000.00. The additional allocation was approved by council on 28 April 2022 and the certified amended DPIP was submitted to the department on 29 April 2022.

The amended DPIP now allocates the 2021/2022 MIG allocation as follows:

Nr	Project	Budget
1	De Hoop Development: Upgrade Bulk Water Supply (WC1865/W/21/25)	R 350 000.00
2	Upgrade Moorreesburg WWTW (WC1710S/17/122)	R 15 849 816.00
3	Darling Upgrading of Waste Water Treatment Works & Dewatering Facility (WC1780/S/19/22)	R 3 027 658.00
4	Moorreesburg: Rehabilitation of Roads (WC1768/R.ST/19/23)	R 1 000 000.00
5	Riebeeck Kasteel: Rehabilitation of Roads (WC1767/R.ST/19/23)	R 704 000.00
6	Koringberg: Rehabilitation of Roads (WC1766/R.ST/19/23)	R 173 266.00
7	Malmesbury Rehabilitation of Roads (WC1765/R.ST/19/23)	R 3 996 260.03
8	Malmesbury: Ilingeethu Construction of Roads (WC1859/R.ST/22/25)	R 1 200 000.00
	Total	R 26 301 000.00

In order to achieve full expenditure, it is required to amend the 2021/2022 DPIP.

The third amendment to the DPIP therefore allocates the 2021/2022 MIG allocation as follows:

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

3. **ALIGNMENT TO THE IDP**

The implementation of the MIG Programme links to Strategic Goal 5 of the IDP: Sufficient, Affordable and well-run services.

4. **RECOMMENDATION**

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

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

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

(get) L D Zikmann

MUNICIPAL MANAGER

LDZ/ma



Verslag • Ingxelo • Report

Office of the Director: Civil Engineering Services
7 June 2022
16/6/B

ITEM 7.9 OF THE AGENDA OF AN EXECUTIVE MAYORAL COMMITTEE MEETING WHICH SHALL BE HELD ON 15 JUNE 2022

SUBJECT: APPLICATION FOR THE ERECTION OF A MONUMENT: DARLING CEMETERY

1. BACKGROUND

Mrs. Ivy Johnson, a senior resident of Darling has approach the Municipality to obtain permission to erect a monument at the Darling cemetery. The purpose of the monument would be to contribute to the heritage of Darling by commemorating practices of the past with funerals. Mrs. Johnson has indicated that funds for the construction of the monument will be sourced from the community and that no funding is required from the Municipality.

2. DEPARTMENTAL COMMENTS

Not much detail around the physical appearance is available at this stage but the indication is that the proposed monument will be a wall of about 2,5 meters high. In order to ensure that the monument is structurally sound it would be advisable that the Municipality provides the design drawings for building plan approval and assistance with construction supervision during the construction phase.

Initiatives where communities out of own initiative make effort to contribute towards cultural heritage conservation is commendable and should be supported where possible. The proposed monument at the old Darling Cemetery will not detrimentally affect operational activities and it is therefore proposed that the initiative be supported.

3. LINKING WITH THE IDP

The initiative to erect a Monument at the old Darling Cemetery to commemorate historic funeral practices aligns with Strategic Goal 3: Quality and Sustainable living Environment of the IDP.

4. RECOMMENDATION

- 4.1 That cognizance be taken of the application by Mrs. Ivy Johnson, a senior citizen of Darling, for permission to erect a Monument at the old Darling Cemetery to commemorate historic funeral practices.
- 4.2 That cognizance further be taken that the initiative does not require any contribution from the Municipality.

4.3/...

- 4.3 That the initiative be supported and the permission be granted to erect the Monument provided that
- a) The Municipality develops the design drawings;
 - b) Building plans be submitted and approved prior to construction, and
 - c) The Municipality provides construction supervision.

(get) L D Zikmann

DIRECTOR: CIVIL ENGINEERING SERVICES
LDZ/ma

Durban Str E14.
Darling
7345

Geagte Burgemeester en Raadsleden

Insake: Die Ou Lykshuisie op Darling.

Hiermee doen ek Ivy Johnson inwoner en boorling van Darling gemeenskap om toestemming vir 'n monument op ons ou begraafplaas op te rig, as erfenis tot ons dorps mense.

Die bou en oprig van die monument sal befonds word deur mense uit ons gemeenskap. Geen politieke partye is betrokke nie. Ons verleen dus net die toestemming van die munisipaliteit.

Hierdie monument sal grootliks bydrae tot die dorps geskiedenis en ryklike nagedagtenis. Hierdie geskiedenis bied groot belangstelling vir ons dorps en sy mense. Dit is ook een van my drome wat ek graag wil sien waar word.

Die mate van die muur sal 2,5 meter hoog en die breedte 1,5 meter. Dit moet sigbaar wees sodat toeriste dit kan sien wanneer hulle verby die begraafplaas ry. Ek vertrou dat die Raad hieroor sal na dink en ek hoop op 'n positiewe terugvoering.

Geskiedenis oor Ons lykshuisie

Ek is in 1950 gebore. Vandat ek kan onthou was die lykshuisie reeds daar. Daar was geen elektrisiteit nie. As iemand gesterf het en dit was in die aand en reeds donker moes die lyk in die huis bly tot die oggend wanneer die dag breek.

Daar was ses vrouens wat gereeld die bedroefdes ~~as~~ ondersteun het. Hulle het dan by die lyk gaan waak tot die oggend. Elke een van die vrouens het dan brood, kerse, koffie en tee saam geneem. Daar was partykeer wat daar mense was, & wat baie swaar gekry het dan eet'almal saam.

Daar was 'n slag pale daar waar die S.P.C.A nou is. Die vrouens het sommer bees lewer of afval gaan koop en kos vir die familie gemaak. Die volgende oggend word die lyk na ons lykshuisie geneem. Voordat die lyk gaan het Aunt Ellen eers die lyk gebalsem. Voor dit gebalsem word het twee vrouens eers die lyk afgewas. Die ander het dan daadefek die kamer skoon gemaak, vensters oop en vloere vas met dettol water gewas. Die veelde dag word die lyk begrawe. Tom Willa Humphreys het lykshuisie

gemaak. Die lykskoets was swartperde
Dit was ook syne. n Ou Com het die
perdekar bestuur.

Ons het ook n vreed vrou gehad in die
Bo dorp vore die apartheid. in haar
was dit Oom Sara Jackson. Sy het
bevallings tot op die omliggende plase
gedoen. Sy het nie net bruin
bevallings gedoen nie maar ook baie
wit mense. Die boeke het n perdekar
gestuur om vir haar te kom haal, of
dit somer of winter was sy was
altyd op haar pos. Nadat sy baie
oud was het ons vir nurse Florence
gekry. Hierdie mense het baie goeie
deens in die gemeenskap gedoen.
Daar was ook n baie jong man wat die
mense se gat gegrawe het. Hy het
alleen gegrawe net vir kos vir die
dag sonder vergoeding. Hy het n
goeie hart gehad al het mense dit
nie so gesien nie. Ek voel
hierdie mense moet erkenning kry.

Suy Johnson



Verslag Φ Ingxelo Φ Report

Kantoor van die Direkteur: Beskermingsdienste

6 Junie 2022

17/5/1/1

ITEM 7.10 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE
VERGADERING WAT GEHOU SAL WORD OP 15 JUNIE 2022

**SUBJECT: SWARTLAND MUNICIPALITY: 2022 REVIEWED BUSINESS CONTINUITY
AND DISASTER RECOVERY PLAN**

1. AGTERGROND / BACKGROUND

Section 9 of the original Business Continuity and Disaster Recovery Plan states:
"This plan is intended to be a living document and as such must be reviewed on a regular basis"

Attached find the annual **reviewed 2022 Business Continuity and Disaster Recovery Plan** which cover all possible disasters that can happen within the municipality. Changes to the plan relates merely to the update of staff changes and telephone numbers (refer page 6 of the plan).

The purpose of this business continuity plan is to prepare Swartland Municipality and specifically its departments in the event of extended service outages caused by factors beyond our control, and to restore services to the widest extent possible in a minimum timeframe. The plan makes provision for a disaster recovery team (Emergency Management Team – EMT), which consists of:

- The Municipal Manager
- Departmental Heads
- IT-Manager
- The Executive Mayor
- The Executive Mayoral Committee member responsible for Protection Services

This disaster recovery team will be responsible for the overall co-ordination of the disaster recovery effort.

2. WETGEWING / LEGISLATION

This Business Continuity and Disaster Recovery Plan are reviewed in line with the **Disaster Management Act, Act 57 of 2002**.

3. KOPPELING AAN DIE GOP / ALIGNMENT TO THE IDP

This plan is aligned to the IDP for 2017-2022 with **strategic goal 1: Improved quality of life for citizens**

4. FINANSIELE IMPLIKASIE / FINANCIAL IMPLICATION

Geen finansiële implikasie vir die Raad. Die plan is intern opgedateer.
No financial implication. The plan was reviewed internally.

5. **AANBEVELING / RECOMMENDATIONS**

5.1 That **cognisance is taken of the changes** that was made to the Business Continuity and Recovery Plan.

5.2 That the reviewed 2022 Swartland Business Continuity and Recovery Plan **be approved**.

(get) P A C Humphreys

MUNISIPALE BESTUURDER
MUNICIPAL MANAGER

ITEM 7.11 ON THE AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE WHICH WILL BE HELD ON 15 JUNE 2022

ONDERWERP: UITSTAANDE DEBITEURE – MEI 2022
SUBJECT: OUTSTANDING DEBT – MAY 2022

1. AGTERGROND/BEREDENERING / BACKGROUND/DISCUSSION

Die bylae hierby aangeheg reflekteer die besonderhede van Swartland Munisipaliteit se uitstaande debiteure vir die tydperk Mei 2022 en is saamgestel uit die volgende verslae:-

The schedule attached hereto reflects the particulars of Swartland Municipality's outstanding debt for the period May 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 April 2021 het R42 126,723.53 beloop terwyl die uitstaande debiteure vir Mei 2021 R31 345,330.16 beloop het en was 'n vermindering van R10 781,393.37
- 4.2 Die uitstaande debiteure vir April 2022 het R36 781,216.35 beloop terwyl die uitstaande debiteure vir Mei 2022 R35 092,587.84 beloop - 'n vermindering van R1 688,628.51
- 4.3 Die uitstaande debiteure vir Mei 2021 het R31 345,330.16 beloop terwyl die uitstaande debiteure vir Mei 2022 R35 092,587.84 beloop - 'n vermeerdering van R3 747,257.68 in uitstaande debiteure.
- 4.4 Die uitstaande debiteure vir Mei 2022 is 5.33% van die inkomste uit dienste voor die nuwe maand se heffing terwyl die uitstaande debiteure vir Mei 2021 5.47% 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 Mei 2022.

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

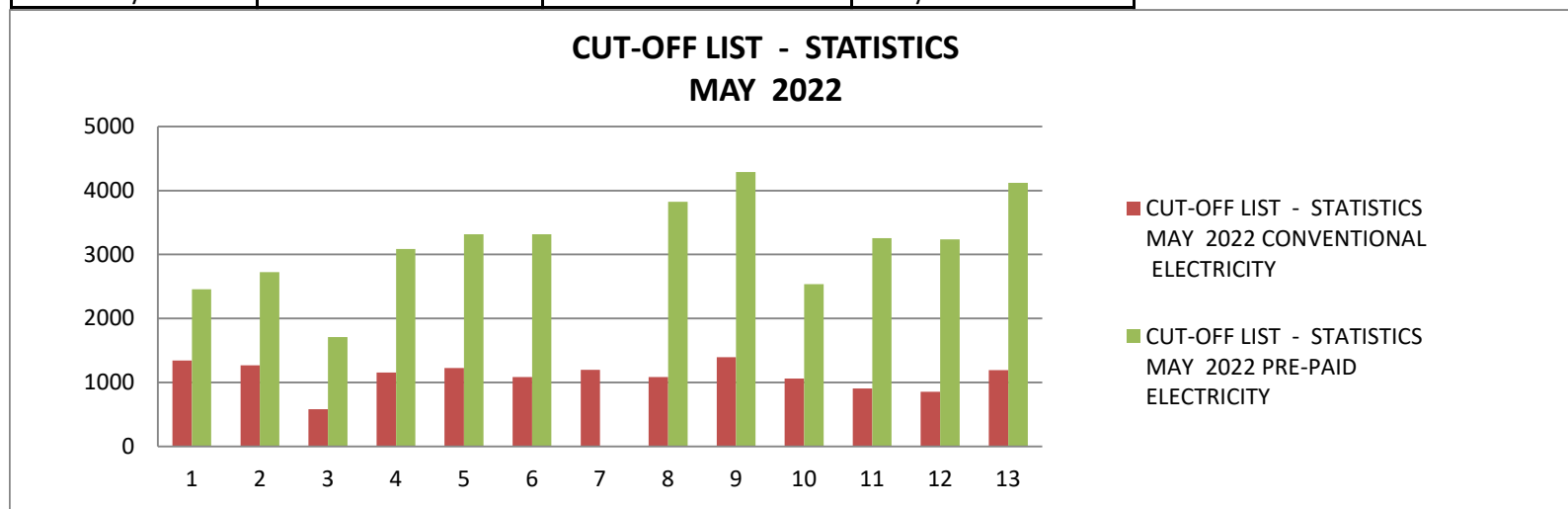
(get) M Bolton

M BOLTON
DIREKTEUR: Finansiële Dienste

OUTSTANDING DEBTORS (FUTURE EXCLUDED) MONTH END RESIDENTIAL - BUSINESS - GOVERNMENT STAFF - COUNCILLORS MAY 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
Dec-21	R -1 871 413	R 34 258 913	R 29 610 732	R 2 941 128	R 1 705 977	R 1 075	R -	EFT payments day after month end received amounted to R1 553,427.94(OTM account) and R0.00 (Sundries account) The businesses outstanding amounted to R2 941,128.48. Staff outstanding in the amount of R1075.16. Three (3) Staff members have outstanding accounts (3 X Pre-paid electricity). The Government outstanding amounted to R1 705,977.32 as a result of annual rates. The amount of R28 072.45 is added to the outstanding debtors because of property rates that changed on request from monthly to annually whose future has been cancelled.	5,21%	6,30%	3,77%
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) and have been contacted. 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%

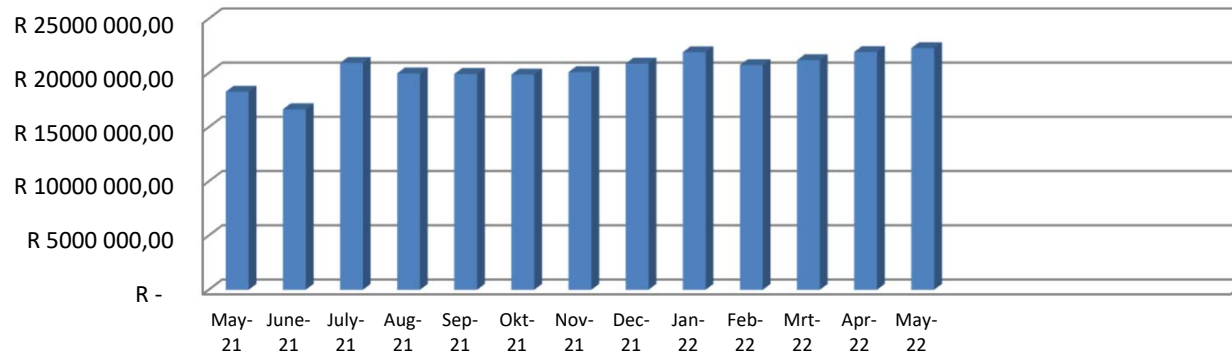
CUT-OFF LIST - STATISTICS MAY 2022			
MONTHS	CONVENTIONAL ELECTRICITY	PRE-PAID ELECTRICITY	COMMENCEMENT DATE PHYSICAL CUT-OFF
May-21	1343	2456	7 June 2021
June-21	1266	2724	14 July 2021
July-21	580	1712	17 August 2021
Aug-21	1156	3088	8 September 2021
Sep-21	1227	3317	11 October 2021
Oct-21	1083	3316	8 November 2021
Nov-21	1196	CUT-OFF LIST - STATISTICS MAY 2022	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

Or as soon as System had been updated



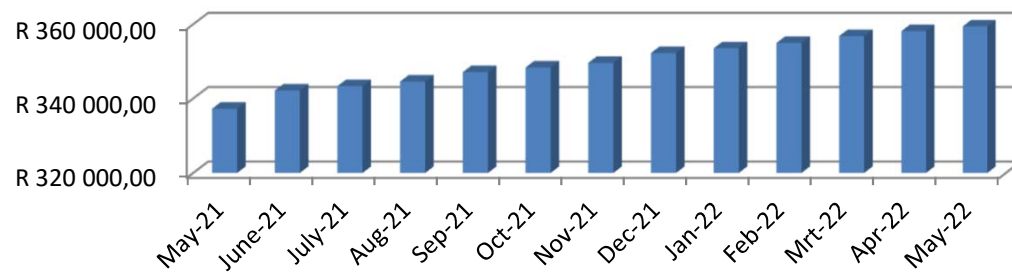
OUTSTANDING DEBT 150 DAYS & OLDER Before Levy (MONTH END) MAY 2022		Comparative Period 2021- 2022	
Month	Before Levy		
May-21	R 18 271 285,07	R	2 288 600,56
June-21	R 16 653 868,77	R	569 440,86
July-21	R 20 923 800,76	R	4 296 994,28
Aug-21	R 19 966 573,48	R	2 616 541,12
Sep-21	R 19 908 658,19	R	2 999 098,74
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

**OUTSTANDING DEBT
150 DAYS & OLDER
Before Levy(MONTH END)
MAY 2022**

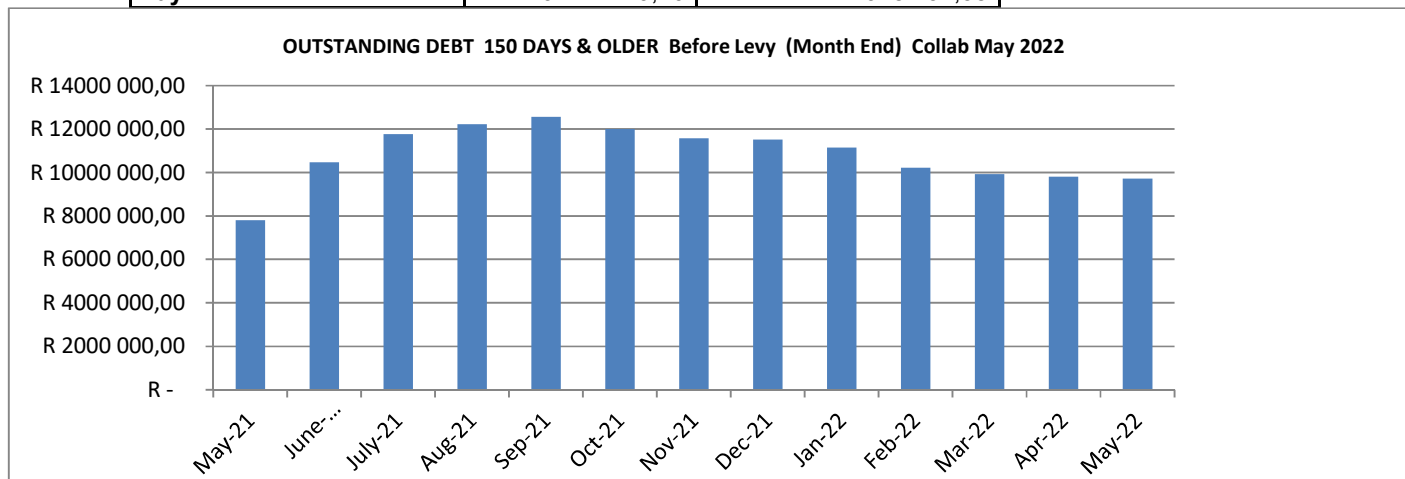


OUTSTANDING DEBT 150 DAYS & OLDER Before Levy (MONTH END) - Legal Suite MAY 2022			Comparative Period 2021-2022	
Month	Before Levy			
May-21	R	337 234,22	R	-179 558,86
June-21	R	342 129,24	R	-178 540,30
July-21	R	343 330,59	R	-179 951,88
Aug-21	R	344 574,10	R	-181 168,33
Sep-21	R	347 106,52	R	-181 334,19
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

**OUTSTANDING DEBT
150 DAYS & OLDER
Before Levy(MONTH END)
- Legal Suite
MAY 2022**



OUTSTANDING DEBT 150 DAYS & OLDER Before Levy (Month End) Collab MAY 2022		Comparative Period 2021 - 2022	
Month	Before levy		
May-21	R 7 795 684,58	R	-675 139,72
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



ITEM: 7.12 ON THE AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE WHICH WILL BE HELD ON 15 JUNE 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 – 31 May 2022	:R 503 749.01(paid)
Excess	Outstanding claims	:R 149 614.57. (outstanding)

5. AANBEVELING / RECOMMENDATION

Voorgelê vir u kennisname/
Tabled for cognisance

(Get) M BOLTON

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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.
2022/31	CLGRMUM-861854	Civil Services: IT Department	27/11/2021	07/12/2021	Property Loss: Stolen CCTV Cameras	20 815,00	2500,00	In the early hours of 27 November 2021 the CCTV camera in Moorreesburg was stolen. Awaiting approval from insurers for the claim. We have requested feedback on 26 January, 17 February, 23 March and 19 April 2022. Claim has been approved. Invoice outstanding.
2022/35	CLGRMUM-860436	Civil Services: Water	04/01/2022	24/01/2022	Property Loss: Riebeeek Kasteel Store	9 059,40	7 500,00	Officials discovered that Riebeeek 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.
2022/38	CLGRMUM-861619	Civil Services: Refuse Removal	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.
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	On route to Kalbaskraal sportsground a taxi bus collided with tractor CK39191. Guardrisk appointed an Assessor to assist with the assessment. Confirmation to repair the tractor was received on 31 March 2022. Invoice outstanding. Repairer confirmed on 30 May 2022 that they still awaiting parts.
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.
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.
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.
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.
2022/54	CLGRMUM-863801	Civil Services: Sewerage	15/03/2022	12/04/2022	Motor Damaged, CK53979	11 356,56	5 000,00	The official went to take the industrial sample at Darling Brew with vehicle CK53979. In the momentum when the vehicle reverse, the hatchback's jackfoot pressed under the tail light. Assessor appointed on 30 April 2022. Confirmation to repairworks was received on 12 May 2022.
2022/58	SWA2021-22/SW/49/C	Municipal Property	07/05/2022	16/05/2022	Property Loss: Airconditioners, STD Building	84 000,00	10 000,00	On returning to work on 9 May 2022 an official discovered that copper pipes and airconditioner unit was broken into and stolen. On 31 May 2022 an additional quote was requested and supplied to insurance.
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.

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 loadshedding causing the temperature compensation sensor to fail. Insurance queried the date of incident and requested additional information.
						1 173 447,07	149 614,57	

FINALISED CLAIMS

Number	Claim number	Directorate	Incident	Registered	Nature of Damage/ Loss	Amount of Claim	Excess Payment	Comments
2022/43	CLGRMUM-862436	Civil Services: Sewerage	21/02/2022	15/03/2022	Motor Damaged, CK53982	6 763,62	5 000,00	The excess amount was paid to the supplier on 2 May 2022.
2022/47	CLGRMUM-862559	Civil Services: Parks and Recreational Areas	28/02/2022	16/03/2022	Property Loss: Damaged Fencing, Sports & Community Centre	26 220,00	10 000,00	EFT payment received on 02 May 2022. Receipt number 101137. Amount received R16220,00
2022/50	CLGRMUM-862857	Civil Services: Water	28/02/2022	28/03/2022	Property Loss: Burglary Sewerage Pumpstation	40 105,10	25 000,00	EFT payment received on 02 May 2022. Receipt number 101243. Amount received R15 105,10
2022/19	CLGRMUM-856809	Civil Services: Water	01/10/2021	11/10/2021	Property Loss: Burst Geyser, Malmesbury Swimming Pool	12 099,15	3 099,15	The excess amount was paid to the Guardrisk on 13 May 2022.
2022/49	CLGRMUM-862824	Fire Department	01/03/2022	23/03/2022	Property Loss: PPE Bag	26 887,00	2 688,70	EFT payment received on 19 May 2022. Receipt number 057807. Amount received R24 198,30
						112 074,87	45 787,85	

REPUDIATE

Reference Number	Claim number	Directorate	Date of Incident	Date of Claim Registered	Nature of Damage/ Loss	Amount of Claim	Excess Payment	Comments
2022/59	CLGRMUM-856057	Municipal Property	17/04/2022	17/05/2022	Property Loss: Moorreesburg Swimming Pool	2 000,00	10 000,00	On returning to work on 17 April 2022 the official discovered that there was a break inn at the swimming pool and that various items were stolen. Claim repudiated due to the fact that it falls within the excess amount of R10 000,00
2022/56	CLGRMUM-864463	Civil Services: Parks and Recreational Areas	18/04/2022	06/05/2022	Property Loss: Stolen Fencing Rosenhof Sports Ground	20 194,71	25 000,00	On 18 April the caretaker at Rosenhof sportsground discovered that +- 250 meter of fencing was stolen. Feedback received 1 June 2022 that claim will be repudiated due to the fact that it falls within the excess amount of R25 000,00
2022/57	SWA2021-22/SW/48/C	Civil Services: Parks and Recreational Areas	01/05/2022	13/05/2022	Property Loss: Wesbank Sports Ground	15 650,00	25 000,00	Upon inspection the official discovered that there was a break in at the sportsground. Feedback received 1 June 2022 that claim will be repudiated due to the fact that it falls within the excess amount of R25 000,00
						37 844,71	60 000,00	

ITEM: 7.13 ON THE AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE WHICH WILL BE HELD ON 15 JUNE 2022

ONDERWERP: AFSKRYF VAN BATES TEN DOEL OM DIT VAN DIE BATE REGISTER TE VERWYDER MET BETREKKING TOT VERSEKERINGSEISE TOT 31 MEI 2022
SUBJECT: WRITE-OFF OF ASSETS DUE TO INSURANCE CLAIMS FOR PURPOSES OF ASSET REGISTER MAINTENANCE/UPDATING UP TO 31 MAY 2022

1. AGTERGROND/BEREDENERING / BACKGROUND/DISCUSSION

According to the Asset Management Policy the only reasons for writing off assets, other than the sale of those assets during the process of alienation, shall be loss, theft, destruction, material impairment, or decommissioning of the asset in question.

The write-off of assets involves the process of permanently removing same from the asset register after the Mayoral Committee resolved to such act. Assets can then be written-off after the approval of a report indicating that:

- The useful life of the asset has expired;
- The asset has been destroyed;
- The asset is out-dated;
- The asset has no further useful life;
- The asset does not exist anymore;
- The asset has been sold; and
- Acceptable reasons have been furnished leading to the circumstances set out above.

Throughout the year, a register is retained of all assets that are lost, stolen or damaged which fall within the ambit of our insurance policy or insurance procedures. The write-off recommendation pertains therefore to those assets identified through the insurance processes.

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

R 20 982.05 (Insurance Claims Assets: Bookvalue at 31 May 2022)

5. AANBEVELING / RECOMMENDATION

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

(Get) M BOLTON

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DIREKTEUR: Finansiële Dienste

ASSET CODE	BAR CODE	DEPARTMENT	DESCRIPTION	RESPONSIBLE	COMMENTS	BOOK VALUE as at 31/05/2022
30013	20782	IT Services	Monitor: Samsung LED	Johan Pienaar	Insurance Claim: Falls under excess payment	167,51
30360	20745	Multi Purpose Centres	Monitor: Samsung	Johan Pienaar	Insurance Claim: Falls under excess payment	33,20
8698	21390	Electricity Distribution	Toolbox Raco Alum	Christiaan Boois / Renate du Plessis	Insurance Claim: Falls under excess payment	17,22
26221	17983	Municipal Property	Drill: Makita Cordless Kit	Stanley Seldon / Clayton Jacobs	Insurance claim: CLGRMUM 853144	69,05
20460	14309	Municipal Property	LG Microwave	Christiaan Boois / Renate du Plessis	Insurance Claim: Falls under excess payment	47,38
26107	18030	IT Services	Thin Client	Johan Pienaar	Insurance Claim: Falls under excess payment	118,98
26038	18300	IT Services	Thin Client HP	Johan Pienaar	Insurance Claim: Falls under excess payment	86,70
39670	30332	Refuse Removal	Wheel Barrow	Jacobus Jansen	Insurance Claim: Falls under excess payment	452,28
23729	R80	Parks and Recreational Areas	Full Head Immobiliser Unit With Straps	Renate du Plessis	Insurance Claim: Falls under excess payment	41,73
5788	17484	Swerage	Canteen Aluminium Chair	Francois Malan	Insurance Claim: Falls under excess payment	2,23
23730	R80	Parks and Recreational Areas	Full Head Immobiliser Unit With Straps	Renate du Plessis	Insurance Claim: Falls under excess payment	41,73
38351		IT Services	CCTV Camera - Hikvision License Plate Recognition Camera (Moorreesburg)	Johan Pienaar	Insurance claim: CLGRMUM859131	9 082,62
38352		IT Services	CCTV Camera - Hikvision IP Bullet Camera Fixed Lens (Moorreesburg)	Johan Pienaar	Insurance claim: CLGRMUM861854	7 306,09

ITEM: 7.14 ON THE AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE WHICH WILL BE HELD ON 15 JUNE 2022

ONDERWERP: STAND VAN AFSKRYF VAN VERLORE EN VERNIETIGDE BATES SOOS OP 30 JUNIE 2022 TEN DOEL OM DIT VAN DIE BATE REGISTER TE VERWYDER

SUBJECT: POSITION OF THE WRITE-OFF OF LOST AND DESTROYED ASSETS AS AT 30 JUNE 2022 FOR PURPOSES OF THE ASSET REGISTER AMENDMENTS

1. AGTERGROND/BEREDENERING / BACKGROUND/DISCUSSION

An annual asset count was conducted from February 2022 to May 2022 on all moveable assets. A Total of 8170 assets were scanned and 15 items (0.018%) could not be located. The low percentage is indicative of our sound control environment.

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

R 8 370.18 (Missing Assets: Bookvalue)

5. AANBEVELING / RECOMMENDATION

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

(Get) M BOLTON

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DIREKTEUR: Finansiële Dienste

Missing Assets						
ASSET CODE	ACQUISITION DATE	BAR CODE	DESCRIPTION	DEPARTMENT	COMMENTS	Book Value as at 31/5/2022
21243	01/07/2004	17644	Fridge	Parks and Recreational Areas	Beyond repair: Cost to repair is higher than book value	3,19
20523	01/07/2004	16502	Hp Laptop	IT Services	Item sold as scrap on Auction	12,28
33923	04/07/2017	22538	Monitor: Lenovo Thinkvision IT1952p 19"	Libraries	Items was taken back by Provincial Library Service	0,03
33927	04/07/2017	22742	PC: Lenovo ThinkCentre M92P	Libraries	Items was taken back by Provincial Library Service	0,03
26252	31/08/2012	30293	Brush Cutter: FS450	Parks and Recreational Areas	Stolen: No insurance claim	22,64
23738	20/08/2010	17546	Stihl Fs450 Randsnyers	Parks and Recreational Areas	Stolen: No insurance claim	177,29
26012	27/11/2012	18659	Laptop: HP ProBook 6570b	IT Services	Item sold as scrap on Auction	53,22
21830	27/03/2008	12543	Samsung Monitor	IT Services	Item sold as scrap on Auction	3,06
21910	19/05/2008	14833	Samsung 17' TFT Monitor	Administration Financial Services	Item Missing. Owner of vendor point moved and never returned Council's assets.	282,05
24640	30/04/2012	17403	Light - Floodlight Double Stan	Licencing and Traffic Services	Item was damaged and rusted. Was disposed when the store room was cleaned	13,78
28979	25/09/2014	20195	Terminal: T510	Administration Financial Services	Item Missing. Owner of vendor point moved and never returned Council's assets.	3,49
29051	22/09/2014	20130	CPU: HP Desktop MT 3500 G2 Intel Cor	IT Services	Item sold as scrap on Auction	349,65
37965	28/08/2018	21966	Chainsaw MS382	Parks and Recreational Areas	Beyond repair: Cost to repair is higher than book value	1 611,06
37972	28/08/2018	30274	Bruschcutter FS450	Parks and Recreational Areas	Stolen: No insurance claim	2 061,25
40286	10/06/2021	40005	Terminal: HP T540 16GF	IT Services	Item Missing. Item stolen during riots at Kalbaskraal. Was not reported by vendor owner.	3 777,16

8 370,18



Verslag ♦ Ingxelo ♦ Report

Office of the Director: Financial Services
07 June 2022

6/1/4
WARDS: All

ITEM 7.15 ON THE AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE WHICH WILL BE HELD ON 15 JUNE 2022

SUBJECT: WRITE OFF OF STOLEN ELECTRICAL CABLE AT MUNICIPAL STORES - 2021/2022 WAREHOUSE 1

1. BACKGROUND/DISCUSSION

Electrical cable has been stolen at the Municipal Stores Abbatoir Road Malmesbury, on two different occasions.

Incident 1:

The incident was reported by Jannie Morris, Storeman at the stores, on Monday, the 23rd of August 2021, to Hennie Mouton, who manages the security at the Municipal Stores. Hennie Mouton contacted SAPS on the 23rd of August 2021 to do an investigation. The theft occurred during the weekend of 20- 22 August 2021. All the relevant information was sent to the Asset and Fleet department to register the claim. On the 18th of November 2021, we received correspondence from the Asset and Fleet department stating the claim was rejected, due to the fact that the claim amount of R25 096.54 falls within the excess amount of R150 000.00.

Incident 2:

The incident was reported by Johan Albertyn, Senior Storeman at the stores, on the 5th of October 2021, to Hennie Mouton. Hennie Mouton contacted SAPS on the 5th of October 2021 to do an investigation. The theft occurred the night of the 4th of October 2021. All the relevant information was sent to the Asset and Fleet department to register the claim. On the 19th of November 2021, we received correspondence from the Asset and Fleet department stating that the claim was rejected, due to the fact that the claim amount of R33 373.06 falls within the excess amount of R150 000.00.

2. LEGISLATION

Supply Chain Management: A Guide for Accounting Officers of Municipalities and Municipal Entities

3. ALIGNMENT TO THE IDP

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. FINANCIAL IMPLICATION

The total amount of stolen electrical cable to be written off is R58 469.60 (VAT excluded).

5. RECOMMENDATION

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

(get) M Bolton

.....
M. BOLTON
DIRECTOR: FINANCIAL SERVICES

**ITEM 7.16 FOR AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE TO BE HELD ON
15 JUNE 2022.**

SUBJECT: DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES : REPLACEMENT OF TRAFFIC SIGNAL CONTROLLER: MALMESBURY: VOORTREKKER/LANG STREETS INTERSECTION
--

1. BACKGROUND

As a result of an intermittent fault in the controller, the traffic signal at the Voortrekker/Lang street intersection in Malmesbury regularly fails and activates the red signals in all directions, adversely affecting the traffic flow and resulting in congestion. Due to the age of the controller it is not feasible to attempt to repair since components are no longer available. The specialist service provider who normally attends to municipal traffic signals advised that the complete controller should be replaced. EJJ Works (Pty) Ltd submitted a quotation in the amount of R115 579.03 including VAT. The Supply Chain Management Policy states that for the procurement of goods and services for any amount higher than R30 000.00 (including VAT), a formal tender process must be followed.

Due to the severity of the traffic congestion caused by the regular failure of the traffic signal and the extended delivery period of a new controller, the Municipal Manager and Director Financial Services approved the appointment of the specialist service provider without the invitation of formal tenders, in order to effect the replacement as soon as possible.

2. LEGISLATION

The Supply Chain Management Policy under paragraph 36(1)(a) allows the Accounting Officer to dispense with the official procurement processes for any required goods or services through any convenient process, which may include direct negotiations, but only –

- 2.1 in an emergency;
- 2.2 if such goods or services are produced or available from a single provider only;
- 2.3 for the acquisition of special works of art or historical objects where specifications are difficult to compile;
- 2.4 acquisition of animals for zoos and/or botanical specimens for nature and game reserves; or
- 2.5 in any other exceptional case where it is impractical or impossible to follow the official procurement processes;

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. FINANCIAL IMPLICATIONS

The quotation in the amount of R115 579.03 including VAT is considered fair and reasonable since the replacement of the controller of the traffic signal was included. Adequate funding was made available in vote number 9/117-453-53 (Capital Budget, Protection relay upgrade).

4. ALIGNMENT WITH THE 2017-2022 INTEGRATED DEVELOPMENT FRAMEWORK

The repair of the traffic signal aligns with Strategic Goal 5: Sufficient, affordable and well-run services.

5. RECOMMENDATION

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

R du Toit
Sgn Director: Electrical Engineering Services



- MEMORANDUM-

Office of Directorate: Electrical Engineering Services
09 May 2022

6/1/2/2

TO: Municipal Manager
Director Financial Services

APPROVAL FOR DEVIATION FROM SUPPLY CHAIN PROCEDURES: REPAIR OF TRAFFIC SIGNAL: VOORTREKKER/LANG STREETS INTERSECTION.

As a result of an intermittent fault in the controller, the traffic signal regularly fails and activates the red signals in all directions, adversely affecting the traffic flow resulting in congestion.

Due to the age of the controller it is not feasible to attempt to repair since components are no longer available. The municipal specialist service provider advised that the complete controller should be replaced. EJP Works (Pty) Ltd submitted a quotation in the amount of R115 579.03 including VAT. The expenditure can be funded from vote number 9/117-453-53 (Protection Relay Upgrade: Swartland) where adequate funding was transferred to by means of virement.

It is hereby requested that approval be granted to deviate from the supply chain processes and that one quotation from EJP Works (Pty) Ltd be accepted for the repairs and reinstatement of the traffic signal, due to the emergency situation.

Recommendation:

Director: Electrical Engineering Services
R du Toit

Approved:

Chief Financial Officer
Director: Financial Services
MAC Bolton

Accounting Officer
Municipal Manager
JJ Scholtz



Verslag Φ Ingxelo Φ Report

Office of Directorate: Electrical Engineering Services
8 June 2022

8/1/B/2

ITEM 7.17 FOR AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE TO BE HELD ON 15 JUNE 2022.

SUBJECT: APPROVAL FOR DEVIATION FROM SUPPLY CHAIN PROCEDURES: PURCHASE OF PROJECTOR

1. BACKGROUND

The projector in the municipal Town Hall failed after being in service for approximately 10 years. The projector is obsolete and cannot be repaired. With regular Council, Committee and public meetings as well as functions being held in the hall requiring projection of documentation and presentations available in electronic format, a new projector had to be procured urgently.

A quotation of R28 957.20 ex VAT for a projector which could be supplied immediately was provided by the company Presentation Solutions. The quotation is considered fair and reasonable and in compliance with the specifications of Swartland Municipality.

The expenditure can be funded from vote number 9/118-39-731 (Equipment: Information Technology).

The Supply Chain Management Policy states that for the procurement of goods and services for any amount higher than R30 000.00 (including VAT), a formal tender process must be followed.

2. LEGISLATION

The Supply Chain Management Policy under paragraph 36(1)(a) allows the Accounting Officer to dispense with the official procurement processes for any required goods or services through any convenient process, which may include direct negotiations, but only –

- 2.1 in an emergency;
- 2.2 if such goods or services are produced or available from a single provider only;
- 2.3 for the acquisition of special works of art or historical objects where specifications are difficult to compile;
- 2.4 acquisition of animals for zoos and/or botanical specimens for nature and game reserves; or
- 2.5 in any other exceptional case where it is impractical or impossible to follow the official procurement processes;

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. FINANCIAL IMPLICATIONS

The expenditure of R28 957.20 excluding VAT is allocated to vote number 9/118-39-731 (Equipment: Information Technology) where sufficient funding is available.

4. ALIGNMENT WITH THE 2017-2022 INTEGRATED DEVELOPMENT FRAMEWORK

The provision of Information and Communication Technology services aligns with Strategic Goal 5: Sufficient, affordable and well-run services.

5. RECOMMENDATION

- 5.1 That the action of the Municipal Manager be noted not to invite tenders but to approve the acceptance of the quotation of Presentation Solutions (Pty) Ltd for a projector to the amount of R28 957.20.00 excluding VAT.
- 5.2 That the reason for the deviation from the prescribed procurement processes be recorded as follows:
 - Due to regular Council, Committee and public meetings as well as functions being held in the hall requiring projection of documentation and presentations available in electronic format, it was impractical to follow the official procurement processes to facilitate prompt procurement a new projector.
- 5.3 That it be noted that the expenditure was allocated to mSCOA vote 9/118-39-731 and that there was sufficient funding available for the order in the amount of R28 957.20 excluding VAT.
- 5.4 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.

Sgn R du Toit

Director: Electrical Engineering Services



- MEMORANDUM -

Office of Directorate: Electrical Engineering Services
8 June 2022

6/1/2/2

TO: Municipal Manager
Director Financial Services

APPROVAL FOR DEVIATION FROM SUPPLY CHAIN PROCEDURES: PURCHASE OF PROJECTOR

It is required that a projector be procured on an urgent basis to be used as a mobile projector in the Town Hall being used for all committee and meetings of council. The current projector is faulty and uneconomical to repair.

Due to the current worldwide shortage of computer equipment, extended delivery periods of between 4-11 months being offered, should open tenders be invited based on specific specifications, such equipment will have to be imported upon award to a successful tenderer resulting in extended delays as currently experienced with computer equipment.

Suppliers of computer equipment however import batches for the general market which are then reserved upon receipt of firm orders. It is therefore possible to procure the projector with a shorter delivery period if a quotation is accepted in lieu of the invitation of tenders.

Presentation Solutions provided a quotation for an Epson L200W Laser LCD Projector that complies with the specification of Swartland Municipality and will work as a mobile unit in the Town Hall at a cost of R28 957.20 exc VAT, with a guaranteed delivery of 5 working days. No other supplier has stock in order to quote.

The expenditure will be funded from vote number 9/118-39-731 (Equipment: Information Technology).

It is hereby approved to deviate from the supply chain processes and that the quotation from Presentation solution (Pty) Ltd of R28 957.20 excl VAT be accepted to purchase the required projector, given the special circumstances and urgency occasioned by the worldwide shortage as a direct result of the COVID pandemic, amongst other.

Recommendation:



Director: Electrical Engineering Services
R du Toit

Approved:



8 June 2022

Chief Financial Officer
Director: Financial Services
MAC Bolton



8/6/2022

Accounting Officer
Municipal Manager
JJ Scholtz



Verslag Φ Ingxelo Φ Report

Office of Directorate: Electrical Engineering Services
01 June 2022

8/1/B/2

ITEM 7.18 FOR AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE TO BE HELD ON 15 JUNE 2022.

SUBJECT: DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES : SPONSORSHIP: SARPA NATIONAL CONVENTION 26 AND 27 MAY 2022
--

1. BACKGROUND

The current president of SARPA (Southern Africa Revenue Protection Association) Mrs Belinda Dawson is in the employ of Swartland Municipality and as such Swartland Municipality is obliged to host the annual convention of SARPA.

In terms of the resolution of the Executive Mayoral Committee, Item 7.11 of 23 January 2019 a reasonable amount had to be budgeted towards the hosting of the national convention of SARPA when required. Therefore an amount of R150 000 was budgeted for in the 2020/21 financial year. Due to the Covid-19 pandemic the convention had to be postponed and the amount was again budgeted for in 2021/22, vote number 9/253-1022-2408.

In terms of SCM regulations an order was issued to SARPA to facilitate payment of the budgeted amount upon receipt of a quotation. SARPA was the sole provider for hosting of the 2021/22 annual SARPA convention within the Swartland municipal area and it was evidently not possible or practical to invite tenders or quotations.

2. LEGISLATION

The Supply Chain Management Policy under paragraph 36(1)(a) allows the Accounting Officer to dispense with the official procurement processes for any required goods or services through any convenient process, which may include direct negotiations, but only –

- 2.1 in an emergency;
- 2.2 if such goods or services are produced or available from a single provider only;
- 2.3 for the acquisition of special works of art or historical objects where specifications are difficult to compile;
- 2.4 acquisition of animals for zoos and/or botanical specimens for nature and game reserves; or
- 2.5 in any other exceptional case where it is impractical or impossible to follow the official procurement processes;

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. FINANCIAL IMPLICATIONS

The expenditure of R150 000.00 excluding VAT was allocated to vote number 9/253-1022-2408 (SARPA Conference) where sufficient funding was made available.

4. ALIGNMENT WITH THE 2017-2022 INTEGRATED DEVELOPMENT FRAMEWORK

The sponsorship aligns with the integrated development framework :
Chapter 8: 8.1 Long-term Financial Plan, Long-term financial sustainability of Council

5. RECOMMENDATION

- 5.1 That the action of the Municipal Manager be noted not to invite formal tenders but to approve the payment of the budget allocated for the SARPA Convention in the amount of R150 000.00 excluding VAT.
- 5.2 That the reasons for the deviation from the prescribed procurement process be recorded as follows:
 - Since the current President of SARPA is in the employ of Swartland Municipality, the municipality is obliged to host the annual convention of SARPA.
 - In terms of a resolution of the Executive Mayoral Committee, Item 7.11 of 23 January 2019 a reasonable amount was budgeted towards the hosting of the national convention of SARPA.
 - SARPA is the sole provider and it was not practical to invite tenders.
 - In view of the attendance of national and international delegates and the added value in support of tourism, publicity and promotion of the municipality, the municipal contribution represents a reasonable and valuable investment.
 - The municipality benefitted since financial and law enforcement officials were afforded the opportunity to attend and to gain knowledge and insights as presented by knowledgeable presenters (i.a. by the Head Investigation of the NPA, SAPS Legal Department, City of Cape Town Director of Copper Theft Division and United Kingdom Revenue Protection Association).
- 5.3 That it be noted that the expenditure was allocated to mSCOA vote 9/253-1022-2408 and that there was sufficient funding available for the order in the amount of R150 000.00 excluding VAT.
- 5.4 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.

Sgn R du Toit

Director: Electrical Engineering Services



- MEMORANDUM -

Office of Directorate: Electrical Engineering Services
15 February 2022

6/1/2/2

TO: Municipal Manager
Director Financial Services

APPROVAL OF DEVIATION FROM SUPPLY CHAIN PROCEDURES: SPONSORSHIP: SARPA CONVENTION 26 AND 27 MAY 2022

The current president of SARPA (Southern Africa Revenue Protection Association) Mrs Belinda Dawson is in the employ of Swartland Municipality and as such Swartland Municipality is obliged to host the annual convention of SARPA.

In terms of the resolution of the Executive Mayoral Committee, Item 7.11 of 23 January 2019 a reasonable amount had to be budgeted towards the hosting of the national convention of SARPA when required. Therefore an amount of R150 000 was budgeted for in the 2020/21 financial year. Due to the Covid-19 pandemic the convention had to be postponed and the amount was again budgeted for in 2021/22, vote number 9/253-1022-2408.

The actual cost of the venue and catering will exceed the amount budgeted for and the shortfall will be provided by SARPA. In view of the national and international delegates expected to attend the convention and the added value in support of tourism and promotion of the municipality, the municipal contribution is considered reasonable and a valuable and appropriate investment.

In terms of SCM regulations an order will have to be issued to SARPA to facilitate payment of the budgeted amount. It is evidently not possible or practical to invite tenders or quotations. The deviation from the municipal SCM regulations is herewith approved to effect the payment of R150 000 (VAT not applicable) to SARPA as the sole supplier towards hosting of the 2021/22 annual SARPA convention within the Swartland municipal area.

Recommendation:



R. du Toit
Director: Electrical Engineering Services

Approved:



Chief Financial Officer
Director: Financial Services
MAC Bolton



Accounting Officer
Municipal Manager
JJ Scholtz



Verslag Φ Ingxelo Φ Report

Office of Directorate: Electrical Engineering Services
9 June 2022

8/1/B/2

ITEM 7.19 FOR AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE TO BE HELD ON 15 JUNE 2022.

**SUBJECT: APPROVAL FOR DEVIATION FROM SUPPLY CHAIN PROCEDURES:
PURCHASE OF UPS WITH LITHIUM BATTERIES**

1. BACKGROUND

The generator that supplied power to the ICT Disaster Recovery (DR) Computer System failed during load shedding. On investigation it was found that the generator starter motor burnt out and cannot be repaired. It was determined that the manufacturer went out of business and the part required is not available and deemed unrepairable.

The generator supplied an existing UPS which is intended to provide an uninterruptable power supply. In the absence of the generator the existing UPS subsequently failed to maintain the power supply during load shedding. To protect the critical and sensitive ICT Equipment in the DR site it was decided to procure an uninterruptible power supply with lithium batteries on an urgent basis. The lithium batteries can be discharged to a lower voltage and charge quicker than convention lead acid batteries. This will allow the batteries to recover sufficiently between load shedding periods to provide an uninterrupted power supply to keep the critical ICT equipment operational.

The quotation of R70 949.00 ex VAT for the UPS was provided by the company Technology Strategy Corp which is considered reasonable and in compliance with the specifications of Swartland Municipality.

The expenditure can be funded from vote number 9/118-503-346 (Communication and infrastructure equipment (Nedbank Building)).

The Supply Chain Management Policy states that for the procurement of goods and services for any amount higher than R30 000.00 (including VAT), a formal tender process must be followed. Since an emergency has occurred, the Municipal Manager and Director Financial Services approved the acceptance of one quotation.

2. LEGISLATION

The Supply Chain Management Policy under paragraph 36(1)(a) allows the Accounting Officer to dispense with the official procurement processes for any required goods or services through any convenient process, which may include direct negotiations, but only –

- 2.1 in an emergency;
- 2.2 if such goods or services are produced or available from a single provider only;
- 2.3 for the acquisition of special works of art or historical objects where specifications are difficult to compile;

- 2.4 acquisition of animals for zoos and/or botanical specimens for nature and game reserves; or
- 2.5 in any other exceptional case where it is impractical or impossible to follow the official procurement processes;

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. FINANCIAL IMPLICATIONS

The expenditure of R70 949.00 excluding VAT is allocated to vote number 9/118-503-346 (Communication and infrastructure equipment (Nedbank Building)) where sufficient funding is available.

4. ALIGNMENT WITH THE 2017-2022 INTEGRATED DEVELOPMENT FRAMEWORK

The provision of Information and Communication Technology services aligns with Strategic Goal 5: Sufficient, affordable and well-run services.

5. RECOMMENDATION

- 5.1 That the action of the Municipal Manager be noted not to invite tenders but to approve the acceptance of the quotation of Technology Strategy Corp to supply an uninterruptable power supply to the amount of R70 949.00 excluding VAT.
- 5.2 That the reasons for the deviation from the prescribed procurement process to alleviate the emergency situation be recorded as follows:
- The equipment was urgently required to provide an uninterruptable power supply to the ICT Disaster Recovery Computer System during load shedding to protect critical ICT infrastructure.
 - The unavailability of a power supply to the ICT Disaster Recovery Computer System compromised the integrity of the ICT Systems and constituted an emergency.
- 5.3 That it be noted that the expenditure was allocated to mSCOA vote 9/118-503-346 and that there was sufficient funding available for the order in the amount of R70 949.00 excluding VAT.
- 5.4 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.

Sgn R du Toit

Director: Electrical Engineering Services



- MEMORANDUM-

Office of Directorate: Electrical Engineering Services
8 June 2022

6/1/2/2

TO: Municipal Manager
Director Financial Services

APPROVAL FOR DEVIATION FROM SUPPLY CHAIN PROCEDURES: PURCHASE OF UPS WITH LITHIUM BATTERIES

The generator that supplies emergency power to the ICT DR Site failed to start during the load shedding. On investigation it was found that the generator starter motor burnt out and cannot be repaired. We were informed that manufacturer went out of business and the part needed is not available and deemed unrepairable.

To protect the critical and sensitive ICT Equipment in the DR site we need to procure a UPS with lithium batteries on an urgent basis. The lithium batteries can be discharged to a lower voltage and charge quicker than convention lead acid batteries. This will allow the batteries to recover sufficient during the load shedding period to provide adequate power to keep the critical ICT equipment operational.

Technology Strategy Corp furnished Swartland with a quotation and lead times of 3-4 weeks.

The price quoted is market related since it the same specification UPS offered in a tender awarded to the same company.

The expenditure will be funded from vote number 9/118-503-346 (Communication and infrastructure equipment (Nedbank Building)).

It is hereby approved due to the urgency to deviate from the supply chain processes and that the quotation from Technology Strategy Corp of R70 949.00 excl VAT be accepted to purchase the required UPS.

Recommendation:



Director: Electrical Engineering Services
R du Toit

Approved:



Chief Financial Officer
Director: Financial Services
MAC Bolton



Accounting Officer
Municipal Manager
JJ Scholtz

8/06/2022



Verslag Φ Ingxelo Φ Report

Office of Directorate: Civil Engineering
3 June 2022

8/1/B/2

ITEM 7.20 FOR AGENDA OF EXECUTIVE MAYORAL COMMITTEE TO BE HELD ON 15 JUNE 2022

SUBJECT: DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES : URGENT REPAIR WORK TO WASTE REMOVAL TRUCK CK 32552
--

1. **BACKGROUND.**

The Municipality deploys a compactor truck CK32552 in Moorreesburg to deliver waste removal services. The truck is a 2021 model UD 330 Quester.

The Heil 5000 compactor body required urgent repairs to a broken blade assembly and replacement of bottle pins. The truck was taken to Transtech, the agents for Heil compactor units, for an inspection and assessment at their workshop. It was determined that the outside plates required replacement and the inside plate needed welding and straightening. The Municipality was supplied a quote of R 75 377.08 excluding VAT.

CK32552 performs an essential waste collection and removal service and taking it out of service impairs on the Municipality's capacity to deliver the service. Not delivering the waste removal services to the required standard will lead to public and environmental health risks. It is therefore extremely important that the truck is repaired and put back into service in the shortest possible time.

Currently the vehicle is scheduled for replacement in the 2029/2030 financial year and therefore the repair works are warranted.

The Supply Chain Management Policy states that for the procurement of goods and services for any amount higher than R 30,000.00 (including VAT), a formal tender process must be followed. However, the Acting Municipal Manager has approved that the repairs to waste removal truck CK32552 be treated as an emergency to prevent prolonged impairment to the waste removal service.

2. **LEGISLATION**

The Supply Chain Management Policy under paragraph 36(1)(a) allows the Accounting Officer to dispense with the official procurement processes for any required goods or services through any convenient process, which may include direct negotiations, but only –

- 2.1 in an emergency;
- 2.2 if such goods or services are produced or available from a single provider only;
- 2.3 for the acquisition of special works of art or historical objects where specifications are difficult to compile;
- 2.4 acquisition of animals for zoos and/or botanical specimens for nature and game reserves;
or
- 2.5 in any other exceptional case where it is impractical or impossible to follow the official procurement processes;

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. FINANCIAL IMPLICATIONS

The expenditure will be allocated to the vehicle repair vote number 9/241-1253-709 and there is sufficient funding available for the quoted amount.

4. ALIGNMENT WITH THE 2017-2022 INTEGRATED DEVELOPMENT FRAMEWORK

The delivery of the waste removal service aligns with Strategic Goal 5: Sufficient, affordable and well-run services.

5. RECOMMENDATION

- 5.1 That cognisance be taken of the deviation from the prescribed procurement procedures in terms of Section 36 of the Supply Chain Management Policy.
- 5.2 That cognisance be taken of the action of the Municipal Manager to approve repairs of waste removal truck CK32552 for the amount of R 75 377.08 excluding VAT by Transtec.
- 5.2 That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - The truck would be left out of service for an extended period of time;
 - This will result in a failure in the waste removal services capacity and public health risks;
 - The repair works to the truck therefore is handled as an emergency.
- 5.3 That it be noted that the expenditure will be allocated mSCOA Code: 9/241-1253-709 and that there is sufficient funding available for the quoted amount of R 75 377.08 excluding VAT
- 5.4 That the Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements when compiled.

(get) L D Zikmann

DIRECTOR: CIVIL ENGINEERING SERVICES
PSM/psm

**ITEM 7.21 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE-
VERGADERING WAT GEHOU SAL WORD OP 15 JUNIE 2022**

ONDERWERP: DARLING VELDBLOMVERENIGING: GEBRUIK VAN MUNISIPALE GROND VIR JAARLIKSE VELDBLOMSKOU
SUBJECT: DARLING WILDFLOWER SOCIETY: USE OF MUNICIPAL PREMISES FOR ANNUAL WILDFLOWER SHOW

1. AGTERGROND

- 1.1 Die aangehegte versoek 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, vir die eerste keer na afloop van die pandemie, op kleiner skaal aangebied sal word. Die skrywe spreek vir sigself rakende die redes vir die aanbieding van die skou vanaf die perseel soos geïdentifiseer.
- 1.2 Die eiendom ter sprake is erf 171, Darling en is as Vervoersone 3 gesoneer.
- 1.3 Die Beplanningsafdeling is van mening dat die versoek positief geakkommodeer kan word in terme van die sonering, maar versoek dat 'n publieke deelname proses deurloop word deur die aansoeker, om die eienaars van eiendomme in die omgewing in kennis te stel van die geleentheid, met inbegrip van die detail.
- 1.4 Die veldblomskou was tot voor die pandemie 'n bekende toerisme-atraksie wat baie voete en koopkrag na Darling gebring het, en word derhalwe

AANBEVEEL

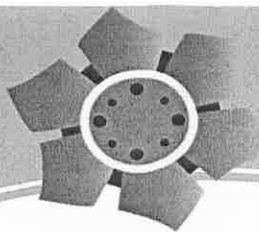
- (a) Dat goedkeuring verleen word vir die gebruik van Erf 171, Darling vir die jaarlikse veldblomskou vanaf 16 tot 18 September 2022, met dien verstande dat 'n publieke deelnameproses deurloop word om die eienaars van eiendomme in die omgewing van die geleentheid en die detail daarvan in kennis te stel;
- (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.

RECOMMENDED

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

(get) M S Terblanche

MUNISIPALE BESTUURDER



Established 1915

Darling Wildflower Society

P.O. Box 18, Darling, 7345

Telephone: 084 916 1111

Email: info@darlingwildflowers.co.za

www.darlingwildflowers.co.za

23 May 2022

Dear Madelaine

This year we are partnering with Darling Tourism and the Darling Museum in marketing the Darling Wild Flower Season which runs from early August to mid-October.

During this season there will be a number of events all linked to Flowers and crops etc. and the Darling wild Flower show will be but one of, albeit the biggest, such events. The aim is as always to promote Wild flower conservation but driving tourist traffic for the benefit of the Museum, local business and community over the extended season is a key objective also.

Given the constraints over the last few years the Darling Wild flower Society sees 2022 as a transitional year, the first step in returning to an annual Wild Flower Show as in the past. We have not been able to reach an accommodation with the Darling Club for venue use and given the uncertainties and difficulty in forecasting visitor volumes post Covid it makes sense to partner with the Darling Museum to stage this year's event. Naturally, we are forecasting far fewer feet arriving at this year's Show; over a 3 day period 1,800 visitors will get us to breakeven whilst 2,400+ will produce a useful surplus.

We are therefore requesting Swartland Municipality permission to use its premises and property for the following;

- (i) Use of the Museum and Machine shed premises for flower displays.
- (ii) Use of the adjacent car parking area for a local market and beer tent.

We will shortly be submitting a detailed application to the Municipality for permission to stage the event. This will include a traffic management plan, safety plan, paramedic cover, compliance with COVID regulations, liquor licence etc.

At this stage, we are therefore requesting use of premises and not approval for the event which will follow in due course.

Look forward to hearing from you,

Charles Duckitt
Chairman



Verslag ♦ Ingxelo ♦ Report

Office of the Director: Corporate Services
3 June 2022

4/2/3
WYK: NVT

ITEM 7.22 OF THE AGENDA OF AN EXECUTIVE MAYORAL COMMITTEE MEETING TO BE HELD ON 15 JUNE 2022

SUBJECT: MANDATE MEETING: MAIN COLLECTIVE AGREEMENT AND WAGE CURVE NEGOTIATIONS

1. BACKGROUND/DISCUSSION

- 1.1 SALGA invited all municipalities in the Western Cape to a virtual mandate meeting on 2 June 2022. The purpose of the meeting was to obtain a mandate from municipalities regarding possible amendments to the South African Local Government Bargaining Council (SALGBC) Main Collective Agreement (MCA). SALGA obtained a mandate prior to the local government elections, but would like the new leadership to consider the proposed amendments as approved by the previous leadership and any additional amendments to be effected to the MCA. The attached Annexure A explains the detail of the proposed amendments as well as comments from Swartland Municipality on the proposals. SALGA further informed municipalities that the mandate meeting must also deal with the Categorisation and Wage Curve proposals from SALGA and submitted the last position presented by SALGA during wage curve negotiations (Annexure B). Municipalities were requested to also consider the proposal and to confirm either acceptance or rejection or propose any amendments to the SALGA proposal.
- 1.2 In response to SALGA's request, Swartland Municipality provided the following mandate based on SALGA's recommendations:
- 1.2.1 Amendments to the MCA – **Supported, except for clause 11.8.3.9 where an alternative proposal was made**
- 1.2.2 Wage Curve Negotiations – **Not Supported due to the fact that Swartland Municipality cannot afford the implementation of the Wage Curve**

2. LEGISLATION

Main Collective Agreement

3. ALIGNMENT TO THE IDP

In terms of Chapter 7 of the IDP this amendment to the policies is aligned to Strategic Goal 4, namely Caring, Competent and Responsive Institutions, Organisations and Business.

4. FINANCIAL IMPLICATION

- 4.1 The amendment of the Main Collective Agreement has no financial implication.
- 4.2 In 2020 a calculation showed that the implementation of the Wage Curve would increase the salary budget with R17 million.

5. RECOMMENDATION

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

(get) M S Terblanche

MUNICIPAL MANAGER

sdj

MANDATE MEETING: MAIN COLLECTIVE AGREEMENT – 2 JUNE 2022

Section	Amendment	Swartland Municipality Comments
3. PERIOD OF OPERATION	1 July 2015 1 July 2023 and shall remain in force until 30 June 2028.	
5. HOME OWNERS ALLOWANCE		
5.1	The Home Owners' Allowance shall be extended to all employees <u>provided only one member per family shall receive the benefit</u> subject to the requirements of the <u>municipal policy</u> or scheme, which provides for a subsidy in respect of a mortgage bond to a maximum amount, as agreed to by the parties from time to time during wage negotiations.	Agreed
7. HOURS OF WORK		
7.2	The determination of hours of work for Senior Management , Safety and security personnel, emergency personnel, and those employees working less than 24 hours per month, is delegated to be dealt with and finalized in the divisions of the Council.	
7.5	<u>The actual arrangements of the working hours as regulated above will be done at the Local Labour Forum in terms of the operational requirements of the municipality.</u>	New addition – agreed (that is how we did it in the past)
8. LEAVE		
8.1 Annual Leave		
8.1.5	Annual leave shall only be accumulated to a maximum of forty-eight (48) working days <u>excluding current leave.</u>	There has always been confusion whether current leave should be included. We included it.
8.1.6	<u>The encashment of leave is not permissible but for the accrued leave in excess of forty eight (48) working days. Should the employee be unable to take such accrued leave in excess of forty eight (48) working days, despite applying and because the employer refused to grant him such leave as a result of the employers operational requirements, then the accrued leave in excess of 48 working days can be paid to the employee. If despite being afforded an opportunity to take such accrued leave in excess forty eight (48) working days, an employee fails, refuses or neglects to take the remaining leave due to him during this period, such remaining leave shall fall away.</u> Any leave in excess of forty-eight (48) working days may be encashed should the employee be unable to take such leave, despite applying and because the employer refused to grant him such leave, as a result of the employer's operational requirements. If, despite, being afforded an opportunity to take leave, an employee fails, refuses or neglects to take the remaining leave due to him during this period, such remaining leave shall fall away.	The wording in the clause was improved – only applicable on accrued leave.

Section	Amendment	Swartland Municipality Comments
8.1.7	Within six months of the end of a leave cycle, an employee may not have more than 48 days annual <u>accrued</u> leave to his credit.	Only applicable on accrued leave – clarification of interpretation challenges.
8.1.8	In the event of the termination of service, an employee shall be paid <u>the balance of his compulsory leave</u> his leave entitlement in terms of this agreement, calculated in terms of the relevant provisions of the Basic Conditions of Employment Act 75 of 1997, as amended. <u>Any accrued leave up to a maximum of forty eight (48) working days shall be paid at salary of the employee as at date of termination of service.</u>	The wording in the clause was improved.
8.3 Maternity and Adoption Leave		
8.3.1	An employee, including an employee adopting a child under three (3) months, shall be entitled to receive three (3) months paid maternity or adoption leave with no limit to the number of confinements or adoptions. This leave provision shall also apply to an employee whose child is still-born. <u>The employee can take the fourth month as maternity leave but such can only be payable as per the Unemployment Insurance Benefits.</u> <u>An employee adopting a child under 2 years of age shall be entitled to qualify for 10 consecutive weeks adoption leave but such will be unpaid and the employee can claim from the Unemployment Insurance Fund.</u> <u>Where an adoption order is made in respect to two adoptive parents one can qualify for parental leave of 10 consecutive days and the other for adoption leave of 10 consecutive weeks but this will be unpaid and employee can claim from the Unemployment Insurance Fund.</u>	The wording in the clause was improved – clarification of interpretation challenges. Incorporating amendments to the BCEA as applicable from 1 January 2019
8.3.3	To qualify for paid maternity leave, an employee must have one (1) year's continuous service with the <i>employer</i> . <u>If the employee does not have one years' service when the maternity leave commences the employee will claim benefits under the Unemployment Insurance Fund.</u>	The wording in the clause was improved – clarification of interpretation challenges.
8.5 Parental Leave		
8.5.1	<u>An employee who is parent of child will be entitled to ten (10) consecutive days' unpaid parental leave in terms of the Unemployment Insurance Act. This leave must commence from the day the child is born or the date the adoption order is granted or that the child is placed in the care of a prospective adoptive parent by a competent court pending the finalisation of an adoption order in respect of that child, whichever date occurs first.</u> <u>The employee can qualify for both family responsibility leave of five (5) working days paid leave and 10 consecutive days parental leave but unpaid and can claim from the Unemployment Insurance Fund.</u>	Incorporating amendments to the BCEA as applicable from 1 January 2019

Section	Amendment	Swartland Municipality Comments
9. EMPLOYEE BENEFIT		
9.1 Medical Aid		
9.1.1.3	Employees shall not be permitted to separate family membership and register dependants on different schemes. <u>The municipality will contribute to one medical aid scheme per family.</u>	Agreed
10. LEVELS OF BARGAINING		
10.2 & 10.3	<p>The following matters shall be the subject of collective bargaining at a national level only:</p> <p>10.2.1 Wages, and salaries, <u>pay progression, pay parity, wage curves and categorisation</u></p> <p>10.2.2 Medical aid;</p> <p>10.2.3 Retrenchment policy and severance pay;</p> <p>10.2.4 Retirement funds;</p> <p>10.2.5 Home owners' allowance;</p> <p>10.2.6 Annual leave;</p> <p>10.2.7 Maternity leave;</p> <p>10.2.8 Sick leave;</p> <p>10.2.9 Hours of work; and</p> <p>10.2.10 Family responsibility leave.</p> <p><u>All allowances as outlined in 10.3.1-10.3.6 and 10.3.9</u></p> <p><u>10.3.1 Special leave;</u></p> <p><u>10.3.2 Acting allowance;</u></p> <p><u>10.3.3 Night work allowance;</u></p> <p><u>10.3.4 Standby allowance;</u></p> <p><u>10.3.5 Shift allowance;</u></p> <p><u>10.3.6 Long service bonus;</u></p> <p><u>10.3.9 Additional paid sick leave;</u></p> <p><u>10.3.10 Administrative measures for the taking of sick leave; and</u></p> <p><u>10.3.11 Measures to manage the taking and accrual of sick leave.</u></p> <p><u>Where a specific matter is not listed above or under the powers and functions of the LLF then such must first be referred to the Central Council for consideration before the parties engage on this at Local Labour Forum.</u></p> <p><u>10.3 The Divisional Bargaining Councils shall be responsible purely for the monitoring and effective implementation of collective agreements concluded in the central bargaining council.</u> In furtherance of the intent to establish uniform conditions of service, the following matters shall be the subject of collective bargaining at a divisional level only:</p> <p>10.3.1 Special leave; 10.3.2 Acting allowance; 10.3.3 Night work allowance; 10.3.4 Standby allowance; 10.3.5 Shift allowance; 10.3.6 Long service bonus; 10.3.7 Emergency work; 10.3.8 Legal indemnification; 10.3.9 Additional paid sick leave; 10.3.10 Administrative measures for the taking of sick leave; and 10.3.11 Measures to manage the taking and accrual of sick leave.</p>	<p>Changed levels of bargaining to national level.</p> <p>Divisional councils' collective bargaining powers centralised.</p>

Section	Amendment	Swartland Municipality Comments
11. ORGANISATIONAL RIGHTS		
11.1 Threshold of representativeness		
11.1.1	The <i>Parties</i> to the <i>Council</i> establish, in respect of the rights referred to in Sections 12, 13 and 15 of the <i>Act</i> , a <i>threshold of representativeness</i> equivalent to the membership percentage established in clause 4.2.2 of the Constitution of the Council <u>provided that dual membership of unions shall be excluded from the calculation of the membership percentage.</u>	The wording in the clause was improved – clarification of interpretation challenges.
11.3 Stop Order Facilities		
11.3.8	An <i>employer</i> shall make deductions from the <i>trade union's</i> members' salaries or wages in respect of <u>no more than one trade union initiated scheme as agreed at the SALGBC Executive Committee .The relevant trade union will have to satisfy the municipality that there has been formal communication to the employees on whom the deductions shall be applied to the SALGBC and make payment to the relevant party or its nominee in terms of these schemes.</u> any trade union initiated scheme of the trade union and make payment to the relevant party or its nominee in terms of the scheme.	Agreed More control as the situation was getting out of hand
11.4 Shop Stewards		
11.4.2 Employees Not Entitled to Become Shops Stewards		
11.4.2.1	The Municipal Manager and persons appointed as Managers directly accountable to Municipal Managers in terms of Section 57 of the Municipal Systems Act, 32 of 2000, Deputy Municipal Manager, Executive Director, Director, Deputy Director, Head of Department, Deputy Head of Department or such post of equivalent management status, whatever the title, as it may differ from <i>Municipality to Municipality</i> , as determined by the relevant division of the Council;	
11.4.2.3	Human Resource managers, Industrial Relations Managers and Industrial Relations Officers or equivalent designations; <u>Any employee that works with the personal or financial information of employees or represent employers in disciplinary and dispute processes or provide legal advice to the municipality.</u>	The wording in the clause was improved – clarification of interpretation challenges.
11.4.2.4	Managers <u>at Task level 14 and above;</u> a certain grade, which grade is to be determined by the parties to the relevant division of the Council; and	The wording in the clause was improved – clarification of interpretation challenges.

Section	Amendment	Swartland Municipality Comments
11.4.3 Ratio of Shop Stewards to Members		
11.4.3.1	<p>Each <i>trade union</i> shall be entitled to a number of <i>shop stewards</i> based on its members employed by an <i>employer</i> as follows:</p> <p>11.4.3.1.1 One <i>shop steward</i> for every 50 members or part thereof up to 500 members provided the <i>trade union</i> has at least 10 members;</p> <p>11.4.3.1.2 Thereafter, one <i>shop steward</i> for every 60 members or part thereof up to 1000 members;</p> <p>11.4.3.1.3 Thereafter, one <i>shop steward</i> for every 75 members or part thereof up to 5000 members;</p> <p>11.4.3.1.4 Thereafter, one <i>shop steward</i> for every 100 members or part thereof.</p>	
11.4.6 Shop Stewards' Functions		
11.4.6.2	<p>Should a <i>shop steward</i> (other than a full-time <i>shop steward</i>) be required to leave his or her <i>workplace</i> in order to carry out any duties as set out in Section 14 of the Act as amended from time to time as a <i>shop steward</i>, the <i>shop steward</i> shall first obtain the permission of his or her superior/supervisor, <u>the granting of permission will depend on the motivation provided by the shop steward. The shop steward can however only represent employees within his constituency within the municipality.</u> which permission shall not be unreasonably withheld.</p>	<p>The wording in the clause was improved – clarification of interpretation challenges.</p> <p>We welcome the fact that shop steward representation is limited to his constituency.</p>
11.4.7 Meetings and Facilities		
11.4.7.2	<p>The <i>shop stewards' committee</i> shall be entitled to hold four (4) general meetings with members per <i>Year</i>. Any such meeting shall be held during working hours for not more than 2 (two) hours during working time on a date to be approved by the <i>employer</i>, which approval shall not be unreasonably withheld. The meeting shall take place either before lunch break or knock-off time. The <i>shop stewards committee</i> may request additional meetings/time and such request shall be <u>considered based on the motivation provided by the shop steward committee.</u> not be unreasonably refused.</p>	<p>The wording in the clause was improved – clarification of interpretation challenges.</p>
11.4.8 Time Off for Trade Union Activities and Training		
11.4.8.3	<p>Further requests for time off for <i>shop stewards</i> shall <u>be based on motivation provided by shop steward.</u> not be unreasonably refused.</p>	<p>The wording in the clause was improved – clarification of interpretation challenges.</p>

Section	Amendment	Swartland Municipality Comments
11.5 Full-Time Shop Stewards		
11.5.2 Number of Full-Time Shop Stewards		
11.5.2.2	<p>Where a <i>workplace</i> falls within the geographical boundary of a <i>District Council</i>, the total membership of the <i>trade union</i> concerned will be accumulated and full-time <i>shop stewards</i> shall <i>mutatis mutandis</i> be allocated based on the total membership, provided that the membership of those <i>workplaces</i> that qualify for full-time <i>shop stewards</i> in terms of clause 11.5.2.1 above shall be excluded from the total;</p> <p><u>Where such application is made by the union to the district council the SALGBC must verify the membership and coordinate a meeting of all municipalities in the district to confirm the status of the shop stewards as full time as well as agree on the remuneration to be paid to the full time shop steward and the proportional payment of each municipality towards the remuneration of the full time shop steward.</u></p>	The wording in the clause was improved – clarification of interpretation challenges.
11.5.7 Conditions of Service and Employment Security		
11.5.7.6	<p>All applications for leave will be dealt with in accordance with the applicable conditions of service, including all administrative requirements for leave, and will be authorised by the relevant <i>trade union</i> subject to the provision that the person designated in terms of clause 11.5.9.1 is duly informed. <u>The recess periods of the trade unions will be deemed to be official leave of full time shop stewards. All further applications for leave will be dealt with in accordance with the applicable conditions of service of the relevant municipality and will be authorised by the relevant trade union and such will be communicated to the relevant designated person in terms of clause 11.5.9.1</u></p>	The wording in the clause was improved – clarification of interpretation challenges.
11.5.7.7	<p><u>An official record of Trade Union related engagements shall be submitted by the Full-Time shop steward to the Manager concerned as proof of trade union related business.</u></p>	New addition - Agreed
11.8 Local Labour Forum		
11.8.1 Composition		
11.8.1.3	<p><i>Employer</i> representatives <u>as nominated by council</u> shall consist of at least 2 (two) Councillors and of Management (as set out in clause 11.8.1.6.) except where the Local Labour Forum is seventy five (75) members; (three-a-side), councillors shall be at least one third of the delegation.</p>	The wording in the clause was improved – clarification of interpretation challenges.

Section	Amendment	Swartland Municipality Comments
11.8.2 Powers and Functions		
11.8.2.1.5	<u>The LLF will be the consultative forum for matters as listed in Section 84 of the Labour Relations Act unless matter specifically regulated in a policy or collective agreement.</u>	Section 84: <ul style="list-style-type: none"> • Restructuring the workplace • Changes in organisation of work • Partial or total plant closures • Mergers and transfers of ownership • Dismissal of employees for reasons based on operational requirements • Exemptions from any collective agreement or any law • Job grading • Criteria for merit increases or the payment of discretionary bonuses • Education and training • Product development plans • Export promotion
11.8.2.1.6	<u>The LLF will be the negotiating structure for matters as listed in Section 86 of the LRA unless the matter is specifically regulated in a policy or specifically delegated to the divisional bargaining council.</u>	Section 86: <ul style="list-style-type: none"> • Rules relating to the proper regulation of the workplace – apply to conduct not related to work performance of employees • Measures designed to protect and advance persons disadvantaged by unfair discrimination
11.8.3 Meetings of Local Labour Forum		
11.8.3.2	The position of chairperson and vice-chairperson of the meeting shall rotate annually between the <i>Parties</i> . <u>Where the chairperson is from the employer the vice chairperson will be from the unions.</u>	The wording in the clause was improved – clarification of interpretation challenges. We have been doing it this way.
11.8.3.5	<i>Local Labour Forums</i> shall meet at least once a month unless by mutual agreement of the <i>Parties</i> it is agreed not to meet. <u>This agreement must be in writing to not meet.</u>	The wording in the clause was improved – clarification of interpretation challenges. We have been doing it this way.
11.8.3.8	<u>The quorum for meetings of the LLF shall at least be 50% of each party to the Local Labour Forum.</u>	New addition – Agreed Confirmation of SALGBC quorum rules

Section	Amendment	Swartland Municipality Comments
11.8.3.9	<u>If within 60 minutes from the time fixed for the meeting, the meeting does not quorate the meeting shall be adjourned for 14 days after the meeting, or another date agreed upon and those present at the next meeting will form the quorum irrespective of attendance.</u>	New addition – Not agreed – too long – propose 15 minutes Confirmation of SALGBC quorum rules
11.8.3.10	<u>The parties shall be informed of the adjournment as well as the date, time and venue of the reconvened meeting at least 7 days prior to such meeting taking place.</u>	New addition – Agreed Confirmation of SALGBC quorum rules
12. ESSENTIAL SERVICES		
12.1 Procedure		
12.1.7	<u>The SALGBC divisions shall take responsibility to monitor the conclusion of Minimum Service Level Agreements.</u>	New addition – Agreed
13. GRIEVANCE PROCEDURE		
13.1 Preamble		
13.1.7	<u>A grievance must be lodged by an employee within ninety (90) calendar days of the decision, omission or action giving rise to the grievance.</u>	New addition – Agreed Timeframe was not previously in place.
13.2 Step One: Immediate Superior		
13.2.1	An aggrieved employee or group of employees must lodge a grievance in writing with his or her immediate superior on the prescribed form in Annexure 5 setting out the complaint and the desired result.	
13.2.4	The immediate superior shall wherever practically possible endeavour, in consultation with the affected employee or employees, <u>to try and reach an agreement on how to</u> resolve the grievance within ten (10) days of the grievance having been referred to him or her and shall inform the employee of the outcome in writing. An employee may, if he or she so wishes, be assisted by a shop steward, fellow employee or union official.	The wording in the clause was improved – clarification of interpretation challenges.
13.3 Step Two: Head of Department		
13.3.1	If a grievance has not been resolved to the satisfaction of the aggrieved employee or group of employees within ten (10) days of lodging in terms of clause 13.2.1 above, the employee or employees may refer the matter in writing within ten (10) days to the Head of Department or his or her nominee.	

<u>Section</u>	<u>Amendment</u>	<u>Swartland Municipality Comments</u>
13.3.2	The Head of Department or his or her nominee shall arrange a meeting to consult and hold discussions with the affected parties in an attempt to achieve <u>reach an agreement on the</u> a resolution <u>of the grievance</u> . The employee or employees may be assisted by a fellow employee, shop steward or union official at such a meeting and the immediate superior may also be required to attend.	The wording in the clause was improved – clarification of interpretation challenges.
13.3.3	The Head of Department or his or her nominee shall endeavour to <u>reach an agreement on the resolution of the grievance</u> resolve the grievance within ten (10) days of the grievance being referred and shall inform the employee of the outcome in writing.	The wording in the clause was improved – clarification of interpretation challenges.
13.4 Step Three: Municipal Manager		
13.4.1	If the grievance has not been resolved to the satisfaction of the aggrieved employee or group of employees within ten (10) days of the reference in terms of clause 13.3.3 above, the employee or employees may refer it in writing to the Municipal Manager or his or her nominee within ten (10) days. The Municipal Manager shall hold a meeting, attended by the employee or employees and their representative, if required, and any other persons who, in the opinion of the Municipal Manager or his or her nominee should attend.	
13.4.3	The Municipal Manager or his or her nominee shall inform the employee or employees in writing of the outcome of the hearing as envisaged in clause 13.4.2 above, and such outcome shall be final in terms of this procedure.	
<u>13.5 Collective Grievances</u>		

Section	Amendment	Swartland Municipality Comments
	<p><u>Where a group of employees lodge a grievance the following procedure will apply:</u></p> <p><u>The representatives of the employees will provide a broad submission in writing of the grievance to the Municipal Manager or his nominee. Any individual written submission will also be considered in addition to the submissions by the representatives on behalf of the group of employees.</u></p> <p><u>The Municipal Manager or his representative will then request management or employees implicated in the grievance to submit a written submission within 7 days from the request by the Municipal Manager or his authorised representative to respond to the grievance.</u></p> <p><u>The Municipal Manager or his authorised representative will then decide on process to be followed to resolve the grievance within 7 days based on the written submissions or any oral submission to try and resolve the grievance.</u></p> <p><u>The outcome of the grievance will be communicated by the Municipal Manager or his authorised representative within 5 days of consideration of the submissions or the finalisation of the hearing.</u></p> <p><u>If the grievance is not resolved any grievant employee can refer the matter to the bargaining council if such is permissible in law.</u></p>	New addition
19. ENFORCEMENT		
19.1	<p>Despite any other provision in the <i>Act</i>, the <i>Council</i> shall monitor and enforce compliance of this collective agreement in terms of Section 33A of the <i>Act</i>.</p> <p><u>Where any possible contravention of the MCA agreement by any of the parties or its members to this agreement is brought to attention of the General Secretary such will immediately be investigated without needing an agreement of any party to this effect.</u></p>	The wording in the clause was improved – clarification of interpretation challenges.
23. DEFINITIONS		
23.13 “Emergency Personnel”	shall be those emergency services such as, inter alia, Fire, Disaster and Risk Management, Police, Traffic Officers and Ambulance <u>and Electricians</u> staff only;	Agreed
23.36 “Senior Management”	shall be those employees employed as head of department, deputy head of department and director or such post as determined by the relevant Division of the Council; and excludes Section 56 and Section 57 Managers;	Agreed
ANNEXURE 8 – CONDUCT OF PROCEEDINGS BEFORE THE COUNCIL		
PART FIVE – RULES THAT APPLY TO CONCILIATIONS AND ARBITRATIONS AND CON-ARBS		
25 Representation before the Council		

Section	Amendment	Swartland Municipality Comments
25.1(a)(ii)	any <i>office bearer, official</i> or member of that party's registered <i>trade union</i> or <i>registered employers' organization</i> ; <u>(any member of the union can represent an employee and any member of the registered employer organization – (municipality is member and official from such member municipality and properly mandated by SALGA should be able to represent another municipality on behalf of SALGA.) – Arbitrators not allowing this whilst wording is clear.</u>	The wording in the clause was improved – clarification of interpretation challenges.
25.1(a)(iii)	if the party is a registered <i>trade union</i> , any <i>office bearer, official</i> or member of that trade union authorized to represent that party; or <u>(member of the union properly authorized by union can represent employee in dispute)</u>	The wording in the clause was improved – clarification of interpretation challenges.
25.1(a)(iv)	if the party is a registered <i>employers' organization</i> , any <i>office bearer or official</i> of that party or a <i>director</i> or <i>employee</i> of an employer that is a member of that employers' organization authorized to represent that party. <u>(an employee of an employer/municipality that is member of the employers' organization should be allowed to represent and authorized to represent the municipality on behalf of SALGA) – Arbitrators not allowing this despite wording being clear.</u>	The wording in the clause was improved – clarification of interpretation challenges.



SOUTH AFRICAN LOCAL GOVERNMENT BARGAINING COUNCIL

(Hereinafter referred to as “the “SALGBC”)

SALGA POSITION DOCUMENT ON WAGE CURVE NEGOTIATIONS

In accordance with the provisions of the Labour Relations Act, 1995 made and entered into by and between the:-

SOUTH AFRICAN LOCAL GOVERNMENT ASSOCIATION

(Hereinafter referred to as “SALGA”)

and

INDEPENDENT MUNICIPAL AND ALLIED TRADE UNION

(Hereinafter referred to as “IMATU”)

and

SOUTH AFRICAN MUNICIPAL WORKERS’ UNION

(Hereinafter referred to as “SAMWU”)

(IMATU and SAMWU will together be referred to as the “Trade Unions”)

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1. SCOPE OF APPLICATION

The terms of this agreement shall be observed in the Local Government Undertaking in the Republic of South Africa by all employers and by all employees who fall within the registered scope of the SALGBC.

2. EXCLUSIONS

Municipal Managers and employees appointed as managers directly accountable to Municipal Managers in terms of Section 54A, 56 and Section 57 of the Municipal Systems Act 32 of 2000, as amended, are not affected by the terms of this collective agreement.

3. PERIOD OF OPERATION

3.1 Notwithstanding the date of signature, this agreement shall come into effect in respect of the Parties to the agreement on 20.... and shall remain in force until 20....

3.2 This agreement shall come into operation in respect of non-parties on a date to be determined by the Minister of Labour, and shall remain in force until 20....

4. OBJECTIVES

The objectives of this agreement are, *inter alia*, to:

4.1 Provide for a scientific, rational, objective, and transparent categorisation model for all municipalities;

4.2 Provide for a strategic, transparent, consistent, equitable and objective framework for the categorization of municipalities and a **uniform but differentiated** remuneration framework for employees across the local government sector;

- 4.3 Address the wage gap within the local government sector;
- 4.4 To ensure that individual municipalities that appeal against the categorization outcome are afforded special attention through the retained remuneration expert as appointed by the Bargaining Council;
- 4.5 To ensure that the local government sector invests on the performance management instrument that promotes employee effectiveness and productivity for the benefit of municipalities;
- 4.6 Provide for an objective, independent and expedited exemption process that takes into account the municipal specific circumstances as outlined in the exemption procedure below;
- 4.7 Provide an independent and expedited appeals process conducted by an external remuneration expert, retained by the SALGBC, to consider and determine, fairly and objectively, any appeals against categorization outcomes in terms of this agreement;

5. DEFINITIONS

5.1 All expressions used in this agreement, which are defined in the Labour Relations Act, 1995 (hereinafter referred to as “the Act”), shall bear the same meaning as in the Act, unless the contrary intention appears, and words importing the masculine gender shall include the feminine and the singular shall include the plural.

5.2 The “Municipal Decision” shall mean the decision by the Council of the Municipality.

6. CATEGORISATION OF MUNICIPALITIES

- 6.1 The SALGBC shall categorise local, district and metropolitan municipalities in the sector, utilising the agreed categorisation model set out herein, in order to implement the wage.

6.2 The categorisation model shall be based on 10 categories of municipalities.

6.3 The categorisation model utilises three (3) factors for local municipalities and two (2) factors for district and metropolitan municipalities, to which weights are allocated. The factors and weights in the categorisation model, expressed in percentages, are as follows:

Factors and Weighting:

Local Municipalities:

Factors	Weighting
Property Rates Income	25%
Employee Related Costs	25%
Equitable Share Allocation	50%

District and Metropolitan Municipalities:

Factors	Weighting
Employee Related Costs	66%
Equitable Share Allocation	34%

6.4 **Municipal budget statements**, as submitted to national treasury on an annual basis, shall be used as a basis to categorize municipalities in terms of the factors and weights in 6.3 above, and the following categorization model:

Grade	Points	Equitable Share	Points	Employee Costs	Points	Property Rates
1	5	49 000 000	2.5	38 000 000	2.5	10 000 000
2	10	84 000 000	5.0	70 000 000	5.0	16 000 000
3	15	141 000 000	7.5	129 000 000	7.5	28 000 000
4	20	239 000 000	10.0	237 000 000	10.0	56 000 000
5	25	404 000 000	12.5	435 000 000	12.5	123 000 000
6	30	684 000 000	15.0	801 000 000	15.0	284 000 000
7	35	1 156 000 000	17.5	1 475 000 000	17.5	672 000 000
8	40	1 955 000 000	20.0	2 714 000 000	20.0	1 574 000 000
9	45	3 306 000 000	22.5	4 995 000 000	22.5	3 769 000 000
10	50	5 844 000 000	25.0	10 465 000 000	25.0	8 284 000 000

6.5 The Interpolated Method shall be utilised, in terms of which the points in the sizing model are added up and the result for the original method are rounded up to the next whole number.

Points	Size
10	1
20	2
30	3
40	4
50	5
60	6
70	7
80	8
90	9
100	10

- 6.6 The Wage Curve scales shall be updated annually in line with the cost of living adjustments as agreed by the parties.
- 6.7 All municipalities in the sector have been graded in terms of the agreed categorisation model. The Wage Curve outcomes of the municipalities are attached to this Agreement as **Annexures** which are incorporated herein.
- 6.8 The grading outcomes shall take effect upon the date of this collective agreement coming into effect, subject to the appeal provisions in **clause 9** below.
- 6.9 Where a categorisation of a municipality, results in a grading outcome that is higher than its grading prior to the implementation of this Agreement, the municipality may implement the new grade in a phased manner over **three (3) consecutive financial years**, provided that an implementation plan is submitted to the SALGBC.

7. MERGER, AMALGAMATION, DISESTABLISHMENT OF MUNICIPALITIES

- 7.1 Where a new municipality is established in terms of any determination by the Municipal Demarcation Board, the new municipality shall be categorised, by the appointment of a service provider to categorise the municipality. If it is a merger then apply the highest current category until formal categorisation of new council. If a new municipality is established, then independent expert must on urgent basis determine the category.

- 7.2 Where a merger or amalgamation of existing municipalities occurs the newly formed superseding municipality shall be categorised on an interim basis, utilising the highest category of the merged or amalgamated municipalities until a formal categorisation process is conducted.

8. RE-CATEGORISATION

- 8.1 The re-categorization process shall be initiated by a municipality concerned based on the fundamental changes in its economic status.
- 8.2 Any municipality may, within three (3) years of its last categorisation, apply to the SALGBC, to be re-categorised due to any relevant change in circumstances.
- 8.3 The application referred to above shall be approved by the Municipal Council concerned.

9. APPEALS AGAINST CATEGORISATION

- 9.1 Any Municipal Council, that is not satisfied with the outcome of the categorization may, within ninety (90) days of this Agreement coming into effect, submit an appeal, in writing, to the SALGBC.
- 9.2 The request for appeal shall be accompanied by:
- 9.2.1 A brief statement of the issues on appeal;
 - 9.2.2 Written representations in support of the appeal;
 - 9.2.3 Documentation supporting the appeal; and
 - 9.2.4 A written resolution from the municipal council of the appellant, authorising the request for appeal.
- 9.3 The lodging of an appeal suspends the implementation of the municipality's categorization outcome pending the finalisation of the appeal.

- 9.4 The SALGBC shall establish a sub-committee to oversee the administration of the appeal process. The sub-committee shall have the power to condone any non-compliance with time-limits set out herein based on good cause shown.
- 9.5 An independent service provider designated by the SALGBC, shall be appointed as the Appeal Authority to hear, consider and determine the appeal. The appeal shall be conducted as a review of the appellant's grading outcome.
- 9.6 The appeal shall be convened by the SALGBC, as expeditiously as circumstances may permit and the appellant shall be entitled to attend the appeal hearing. The appellants shall be given adequate notice of the date and time of the hearing and any records or documents held by the SALGBC, pertaining to the appeal shall be made available to the appellant, upon written request.
- 9.7 The Appeal Authority shall, after consideration of the appeal, confirm, amend, set aside or substitute the grading outcome with any other categorisation outcome. The decision of the Appeal Authority shall be final and binding, subject to review by a court with jurisdiction to hear the matter.
- 9.8 The Appeal Authority shall report to the sub-committee on the outcomes of the appeal process. The sub-committee shall not have the power to modify, amend, or in any way, alter the appeal decision.

10. THE WAGE CURVE

- 10.1 The 50th percentile market position derived from external market data, based on the South African national market as determined by 21st Century's audited salary survey, as at February 2018, forms the basis for establishing the Wage Curve.
- 10.2 The Wage Curve represents the remuneration framework that will be applicable for the Local Government sector and will be adjusted through the implementation of the annual cost of living adjustment as agreed among the parties from time to time.

10.3 The Wage Curve, as developed by 21st Century, shall come into effect on 20...., and shall thereafter be adjusted annually as indicated in 10.2, above.

11. IMPLEMENTATION MEASURES

11.1 The measures to facilitate the migration of employees from their existing salary structures to the wage curve salary scales shall be based on the following principles

11.1.1 Employees will be placed on the salary notch of their assigned TASK grade in the wage curve salary scale applicable to their municipality.

11.1.2 Employees whose current salary notch falls between two salary notches will be placed on the salary notch on the pay scale of the wage curve applicable to their municipality as categorised in terms of this agreement which is the next higher notch to their existing salary notch.

11.1.3 Employees whose basic salary is higher than the maximum notch of their assigned TASK grade on the salary scale of their municipality in terms of this agreement applicable to their municipality in terms of this Agreement, shall retain their basic salary.

11.1.4 Employees whose current salary notch is lower than the minimum of the salary scale of the wage curve applicable to their municipality will be placed on the minimum of the said salary scale.

11.1.5 Once employees have been migrated to the New Wage Curve, the qualification for "notch increases" shall only be based on the performance assessment outcomes as determined by the Performance Management Policy of the municipality.

- 11.1.6 Municipalities shall, within 12 months of this Agreement coming into effect, and in order to regulate employees' progression through the notch system of the wage curve, establish a performance management system if not already operational and migrate employees from notch increases to notch increases linked to performance management.
- 11.1.7 New employees shall be appointed in accordance with the adopted Wage Curve and applicable Task evaluated level to ensure achievement of equitable and uniform remuneration within the local government sector;
- 11.1.8 No employees shall claim unfair discrimination due to long serving employees earning at higher level as a result of historical factors.

12. APPLICATION OF THE TASK JOB EVALUATION SYSTEM

- 12.1 The TASK Job Evaluation System shall form the basis for implementing the Wage Curve.
- 12.2 Municipalities which have completed job evaluations, and issued Final Outcome Reports for all jobs on their organisational structures, shall implement the wage curve upon the date of this collective agreement coming into effect.
- 12.2 All outstanding job evaluations shall be completed by all municipalities within 12 months of this collective agreement coming into effect.
- 12.3 Municipalities which have not completed all job evaluations, within 12 months of this collective agreement coming into effect, shall be dealt with in terms of the enforcement provisions of this collective agreement (clauses 16 and 17 below).

13. REMUNERATION POLICIES

13.1 The Remuneration Policies of municipalities shall be subject to and must be aligned with the terms of this collective agreement.

14. ADMINISTRATIVE MATTERS NOT PROVIDED FOR BY THIS AGREEMENT

Any administrative matter that is necessary for the implementation of this agreement and which has not been specifically or expressly provided for in this agreement may be determined by resolution of the Executive Committee of the SALGBC.

15. APPLICATIONS FOR EXEMPTION

15.1 Exemptions Process

15.1.1 Any Party or person bound by this collective agreement concluded under the auspices of the Council or which binds the Parties to the Council, shall be entitled to apply for exemption from any provision of the said collective agreement.

15.1.2 All applications for exemption shall be made in writing on the appropriate application form, obtained from the Council, setting out relevant information, including:

15.1.2.1 The provisions of the agreement in respect of which exemption is sought;

15.1.2.2 The number of persons in respect of whom the exemption is sought;

15.1.2.3 The reasons why the exemption is sought;

- 15.1.2.4 The nature and size of the business in respect of which the exemption is sought;
- 15.1.2.5 The duration and timeframe for which the exemption sought;
- 15.1.2.6 The business strategy and plan of the applicant seeking the exemption;
- 15.1.2.7 The applicant's past record (if applicable) of compliance with the provisions of the collective agreement, its amendments and exemptions certificate;
- 15.1.2.8 Confirmation that the trade union or workforce itself were advised of the exemption application at local level; and
- 15.1.2.9 Any other relevant supporting data and financial information the Council may prescribe from time to time.
- 15.1.3 An application for exemption from any provision of the collective agreement shall be lodged in writing on the prescribed form with the General Secretary of the Council and the applicant shall serve a copy of the application on the national and local offices of SALGA, IMATU and SAMWU.
- 15.1.4 The Parties referred to in clauses 15.1.3, as the case may be, shall be afforded ten (10) days to submit a response to the application for exemption to the General Secretary of the Council. The Party shall also be obliged to submit the response to the applicant for exemption.
- 15.1.5 The application for exemption shall be considered by the National Exemption Committee.
- 15.1.6 All applications considered by the National Exemption Committee shall, unless determined otherwise by a Senior Panellist, only be

based on the written application and arguments in respect of the application, if any by the applicant and any Party or person opposing the application. The Senior Panellist shall consider exemption applications in a manner that is fair and transparent and applications shall be determined as expeditiously as possible which may include the hearing of evidence and arguments.

15.1.7 In the event of applications being made that are frivolous and vexatious, such applications may be dismissed with costs.

15.1.8 Where a municipality applies for exemption it shall not implement any changes to existing provisions until the exemption is finalised, unless the National Exemption Committee decides otherwise.

15.1.9 The National Exemptions Committee must consider and make its decision within thirty (30) days of the Council having received the exemption application.

15.1.10 The onus to prove the case for the granting of an exemption lies with the applicant.

15.1.11 Parties undertake to make every reasonable effort to assist their members to discharge such onus in a full and proper manner.

15.1.12 National Exemption Committee

15.1.12.1 The Executive Committee of the SALGBC shall establish a dedicated exemptions panel of arbitrators from the National Panel of conciliators and arbitrators of the SALGBC.

15.1.12.2 The General Secretary of the SALGBC shall appoint a Senior Panellist from the dedicated exemptions panel of arbitrators to hear and determine the application for exemption.

15.1.12.3 The General Secretary of the SALGBC or his nominee shall provide secretarial services to the National Exemption Committee.

15.1.12.4 The National Exemption Committee shall undertake its duties in a fair and transparent manner and shall have the powers and functions to:-

15.1.12.4.1 Grant or reject an application for exemption; and

15.1.12.4.2 Approve interim adjustments in circumstances where this will not affect the final outcome.

15.1.12.5 The National Exemption Committee shall grant or reject an exemption application within thirty (30) days after a referral to the General Secretary.

15.1.12.6 The Senior Panellist shall have the power to condone any failure to comply with the time periods provided for in terms of this procedure based on good cause shown.

15.1.12.7 The decisions of the National Exemption Committee shall be final and binding subject to the applicant's right of appeal. In the event that the National Exemption Committee declines to grant an exemption, the applicant shall be notified that its application has been unsuccessful and that it has the right of appeal to the Exemption Appeal Tribunal. The National Exemptions Committee shall provide brief written reasons for its decision.

15.1.12.8 An exemption certificate which contains the following information shall be signed by the Senior Panellist of the National Exemption Committee and the General Secretary of the SALGBC:

15.1.12.8.1 The full name of the applicant employer;

15.1.12.8.2 The date of issue;

15.1.12.8.3 The details of the agreement for which exemption is granted;

15.1.12.8.4 The period for which exemption shall operate;

15.1.12.8.5 The terms and conditions, or remedial requirements of the exemption;

15.1.12.8.6 Any other matter the arbitrator deems relevant; and

15.1.12.8.7 The exemption certificate shall be sent directly to the applicant and to the relevant Regional Secretary, who shall inform the parties to the division of the final terms and conditions within five (5) working days after receipt of such certificate.

15.1.13 Criteria and Other Factors to be considered by Exemptions Committees and Exemptions Appeal Tribunal

15.1.13.1 When considering an application for exemption, including an appeal or an application for the withdrawal of a certificate of exemption by the Council, the following criteria shall be taken into account (the order not indicating any form of priority):

15.1.13.1.1 Any written and/or verbal substantiation provided by the applicant or a Party to the SALGBC;

- 15.1.13.1.2 Fairness to the employer, its employees and other employers and the employees in the sector;
- 15.1.13.1.3 Whether an exemption, if granted, would undermine this agreement or the collective bargaining process;
- 15.1.13.1.4 The employer is unable to afford the costs of the whole or part of this agreement or;
- 15.1.13.1.5 The employer has short-term cash flow problems necessitating a limited exemption.
- 15.1.13.1.6 Unexpected economic hardship occurring during the currency of this agreement and job creation and/or loss thereof;
- 15.1.13.1.7 Whether or not a budgetary provision was made for implementation of the obligation arising out of the collective agreement;
- 15.1.13.1.8 The applicant's compliance with other statutory requirements such as the Compensation for Occupational Injuries and Diseases Act 130 of 1993, Basic Conditions of Employment Act 75 of 1997, Employment Equity Act 55 of 1998, Skills Development Act 97 of 1998, Skills Development Levies Act 9 of 1999, or Unemployment Insurance Act 63 of 2001; or
- 15.1.13.1.9 Any process or directives as may be agreed to by the Executive Committee from time to time.

15.1.14 Exemptions Appeal Tribunal (The Tribunal)

15.1.14.1 An appeal shall be considered by an external panellist other than the arbitrators from the national panel of conciliators and arbitrators. The external panellists shall be drawn from either the CCMA or any other suitable or equivalent agency.

15.1.14.2 Parties wishing to appeal shall forward their appeal to the General Secretary within five (5) days of receipt of the Council decision rejecting the exemption application.

15.1.14.3 The General Secretary shall convene a meeting of the Exemptions Appeal Tribunal not later than fourteen (14) days from having received the appeal. The Tribunal must finalize its decision within thirty (30) days of the date of the appeal being lodged with the Council.

15.1.14.4 The Exemptions Appeal Tribunal:

15.1.14.4.1 Shall consider the appeal fairly and quickly.

15.1.14.4.2 May condone a late appeal.

15.1.14.4.3 Decide whether the appeal is to be dealt with on the papers and/or by means of oral submissions.

15.1.14.4.4 Deliver its determination to the General Secretary of the Council within the 30 day period as stated in 15.1.14.3 above, who will then in turn notify the appellant and the other parties copying same to the relevant Regional Secretary.

15.1.15 For the purposes of this section only, "Day" shall mean calendar day.

16. ENFORCEMENT OF THIS COLLECTIVE AGREEMENT

16.1 Despite any other provision in the Act, the Council shall monitor and enforce compliance of this collective agreement in terms of Section 33A of the Act.

16.2 The General Secretary or his appointed designated agent may, in keeping with the SALGBC constitution and Section 33 (3) of the Act, issue a compliance order in terms of which any person bound by this collective agreement is required to comply with the terms of this agreement, stipulating the alleged breach and requiring that such breach be rectified within ten (10) days of receipt of such compliance order.

16.3 The Council may refer any unresolved dispute concerning compliance with any provision of this collective agreement to arbitration by an arbitrator appointed by the SALGBC.

16.4 If a Party to an arbitration in terms of Section 33A of the Act is not a Party to the SALGBC, and objects to the appointment of an arbitrator, the CCMA (herein referred to as "the Commission"), on request by the Council, must appoint an arbitrator.

16.5 If an arbitrator is appointed by the Commission in terms of 16.4 -

16.5.1 The council remains liable for the payment of the arbitrator's fee; and

16.5.2 The arbitration is not conducted under the auspices of the Commission.

16.6 An arbitrator conducting an arbitration in terms of Section 33A of the Act has the powers of a commissioner in terms of Section 142 of the Act, read with the changes required by the context.

16.7 Section 138 of the Act, read with the changes required by the context, applies to any arbitration conducted in terms of Section 33A of the Act and clause 16.6.

16.8 An arbitrator acting in terms of Section 33A of the Act and clause 16.6 may determine any dispute concerning the interpretation or application of a collective agreement.

16.9 An arbitrator conducting an arbitration in terms of Section 33A of the Act and clause 16.6 may make an appropriate award, including-

16.9.1 Ordering any Party to pay any amount owing in terms of a collective agreement;

16.9.2 Imposing a fine for a failure to comply with a collective agreement;

16.9.3 Charging a Party an arbitration fee;

16.9.4 Ordering a Party to pay the costs of the arbitration;

16.9.5 Confirming, varying or setting aside a compliance order issued by the General Secretary or his appointed designated agent; and

16.9.6 Any award contemplated in Section 139 (9) of the Act.

16.10 Interest on any amount that a Party is obliged to pay in terms of this collective agreement accrues from the date on which the amount was due and payable at the rate prescribed in terms of Section 1 of the Prescribed Rate of Interest, Act 55 of 1975, unless the arbitration award provides otherwise.

16.11 An arbitration award in an arbitration conducted in terms of Section 33A of the Act and clause 16.6 is final and binding and may be enforced in terms of Section 143 of the Act.

16.12 If an employer upon whom a fine has been imposed in terms of this Section files an application to review and set aside an award made in terms of this **clause 16.6**, any obligation to pay a fine is suspended pending the outcome of the application.

17. DISPUTES ABOUT THE APPLICATION OR INTERPRETATION OF THIS COLLECTIVE AGREEMENT

17.1 Any person or Party may refer a dispute about the application or interpretation of this agreement to the General Secretary of the Council.

17.2 The General Secretary must appoint a conciliator from the national panel of conciliators, (doing so as far as possible on a rotational basis) to attempt to resolve the dispute.

17.3 If the dispute remains unresolved any of the parties to the dispute may request the General Secretary to appoint an arbitrator from the national panel of arbitrator, (doing so as far as possible on a rotational basis) to arbitrate the dispute.

18. ENTIRE AGREEMENT, SEVERABILITY, WAIVER AND VARIATION

18.1 This agreement incorporates the entire agreement between the parties.

18.2 Any failure by any Party to enforce any provision of this agreement shall not constitute a waiver of such provision or affect, in any way, a Party's right to require performance of such provision at any time in the future, nor shall the waiver of any subsequent breach nullify the effectiveness of the provision itself.

18.3 If any provision of this agreement is held to be illegal, invalid or unenforceable, such illegality, invalidity and/or unenforceability shall not affect the other provisions of this agreement which shall continue to remain in force and effect.

THIS COLLECTIVE AGREEMENT WAS CONSIDERED, APPROVED AND ADOPTED
BY THE BARGAINING COMMITTEE OF THE CENTRAL COUNCIL, IN TERMS OF
CLAUSE 17.3 OF THE CONSTITUTION OF THE SALGBC, ON20....

SIGNED BY THE PARTIES AT DURBAN ON THIS DAY OF
.....20....

MEMBER OF THE SALGBC
(REPRESENTING SALGA – MR X GEORGE)

MEMBER OF THE SALGBC
(REPRESENTING IMATU – MR S KHOZA)

MEMBER OF THE SALGBC
(REPRESENTING SAMWU – MR J. DLAMINI)

GENERAL SECRETARY OF THE SALGBC
MR S GOVENDER



Verslag Φ Ingxelo Φ Report

Office of the Municipal Manager:
Internal Audit Division

9 June 2022
5/15/1/3

7.23
ITEM ON THE AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE MEETING WHICH
WILL BE HELD ON 15 JUNE 2022

**SUBJECT: MINUTES OF THE MUNICIPAL PERFORMANCE AND RISK AUDIT
COMMITTEE MEETING HELD ON 22 FEBRUARY 2022**

1. BACKGROUND

The minutes of the Municipality's Performance and Risk Audit Committee held on 22 February 2022 is hereby tabled. In accordance with the approved Performance and Risk Audit Committee mandate the said minutes, or a summary thereof, must be submitted to Council to be dealt with at its next ensuing meeting.

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.

In terms of the above mandate, the Committee mainly makes recommendations to the Council for consideration and decision making. There are no recommendations by the Performance and Risk Audit Committee, arising from their meeting held on 22 February 2022 for which a Council decision is required.

2. RECOMMENDATION

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

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



MUNICIPAL MANAGER
PLR/KS



MINUTES OF THE MEETING OF THE PERFORMANCE AND RISK AUDIT COMMITTEE OF SWARTLAND MUNICIPALITY HELD ON TUESDAY, 22 FEBRUARY 2022 AT 09:30

PRESENT

AUDIT COMMITTEE

Chairperson : Mr C De Jager (CDJ)
Members : Ms R Gani (RG)
Mr B Gouws (BG)

OFFICIALS : Director, Financial Services: Mr M Bolton (MB)
Director, Corporate Services: Ms M Terblanche (MT)
Director, Protection Services: Mr P Humphreys (PH)
Director, Civil Engineering Services: Mr L Zikmann (LZ)
Director, Electrical Engineering Services: Mr R du Toit (RDT)
Director, Development Services: Ms J Krieger (JK)
Senior Manager: Strategic Services: Ms O Fransman (OL)
IDP/LED-officer, Mr L Fourie (LF)
Manager, Financial Statement and Cash Flow: Mr R Alberts (RA)
Manager, Internal Audit: Mr P le Roux (PLR)
Internal Auditor: Ms C Ranna (CR)

1. OPENING

1.1 Welcome

The Chairperson of the Audit Committee, CDJ bade everyone welcome.

Meeting in accordance with the request from the Chairperson.

PLR informed everyone that this is the Internal Auditor, Ms C Ranna's last meeting and that she is leaving Swartland Municipality to join Bergrivier Municipality. PLR also mentioned that he will be at Swartland Municipality until end of June 2022.

Apologies

Municipal Manager: Mr J Scholtz (JS)

2. DECLARATION OF INTEREST BY MEMBERS OF THE AUDIT COMMITTEE

The Chairperson declared that he is also a member of the Disciplinary Committee of the municipality and a member of the MPAC.

No interests declared by other members.

3. DECLARATION OF INDEPENDENCE OF THE INTERNAL AUDIT COMPONENT

The independence of the Internal Audit Component was confirmed.

4. ADDITIONS TO THE AGENDA

5. MINUTES OF THE MEETING OF THE AUDIT COMMITTEE HELD ON 23 NOVEMBER 2021

Suggested changes made to the minutes during the meeting.

RESOLVED that the minutes of the Audit Committee meeting held on 23 November 2021, be accepted

6. MATTERS ARISING FROM MINUTES

6.1 Item 9.1 - Section 52 Report – Quarterly - section 71 ratios

The section 71 ratios report was sent electronically to all the members.

6.2 Item 10.2 - Operational Risk Registers

PLR stated that there was a request from the PRAC on matters to rectify on the operational risk registers. PLR also stated that TH is currently busy to make all the changes on the register.

Furthermore, PLR stated that a report regarding the risk assessments will be tabled at the next meeting.

6.3 Item 11.3 - ComAF's Register

Item discussed under item 11.1

6.4 Item 12.1 – Disaster Recovery Plan

PLR stated that the Senior Manager: ICT will present a presentation regarding the Disaster Recovery Plan during the PRAC meeting.

6.5 Item 12.3 - Draft Combined Assurance Plan

Item discussed under item 12.3

7. PERFORMANCE MANAGEMENT

7.1 Performance Corporate Semester 1 Reports IDP & SDBIP

OF explained that the system's act stated that every time a new Council is elected, the municipality must have a new strategic plan, but due to the late elections there was not enough time to went through a detailed process as described in the system's act.

Furthermore, OF stated that the newly elected Council will adopt the IDP in May 2022 for one year. Formerly the municipality will start with the new IDP process in June 2022, then a new 4 year strategic plan for the new IDP, with the performance management included.

LF gave additional comments regarding the process of the IDP and SDBIP.

COGNISANCE TAKEN of the report as circulated with the agenda

7.2 Performance Corporate Summary Semester 1 Report

COGNISANCE TAKEN of the report as circulated with the agenda

7.3 Performance Semester 1 Report per Director

BG asked to provide an updated progress regarding the Performance Report on the Directors for the next PRAC meeting.

COGNISANCE TAKEN of the report as circulated with the agenda

7.4 Performance Semester 1 Report of Divisional Heads

COGNISANCE TAKEN of the report as circulated with the agenda

7.5 Internal Audit reports

Performance Management is an important process in the operations of the municipality as it is one of the strategic measures to monitor performance and the achievement of service delivery initiatives.

CR stated that instances were identified where evidence is not attached to the Performance Management system or no indication is given as to where the information can be found. In order to evaluate performance, supporting evidence is required to substantiate performance/output.

Furthermore, CR stated that the abovementioned finding was rectified during the audit and that the performance was good for the second quarter.

COGNISANCE TAKEN of the report as circulated with the agenda

8. MSCOA – MUNICIPAL STANDARD CHART OF ACCOUNTS

8.1 Progress report

PLR stated that there is nothing to report on MSCOA.

9. FINANCIALS – IN – YEAR REPORTING

9.1 Section 52 Report – Mid-year report

Section 72(1) of the Municipal Finance Management Act (MFMA), Act 56 of 2003, stipulates that the accounting officer of a municipality must by 25 January of each year assess the performance of the municipality during the first half of the financial year and submit a report on such assessment to the mayor of the municipality; the National Treasury; and the relevant provincial treasury.

In terms of Section 54(1)(f) of the MFMA the mayor must, in the case of a section 72 report, submit the report to the council by 31 January of each year.

BG commented on the insufficient revenue to meet the demand for quality services on p2.

MB stated that he is overall satisfied with the Directors regarding the capital programme performance.

COGNISANCE TAKEN of the report as circulated with the agenda.

10 RISK MANAGEMENT

10.1 Risk Management Feedback for the quarter

PLR gave feedback regarding the Municipal Risk Management report on activities for the period November 2021 to January 2022.

BG made comments / inputs on the Risk Management Report.

COGNISANCE TAKEN of the feedback provided.

11. AUDITOR GENERAL / EXTERNAL AUDIT

11.1 Final Management report

The purpose of the management report is to communicate audit findings and other key audit observations to the accounting officer. The report does not constitute public information. This management report includes audit findings arising from the audit of the financial statements, performance information and compliance with legislation for the year ended 30 June 2021.

COGNISANCE TAKEN of the document as circulated with the agenda

11.2 Budget vs Actual (Hours & Costs)

The Budget vs Actual (Hours & Costs) has been circulated electronically to all the members.

Members made no comments.

COGNISANCE TAKEN of the document as circulated with the agenda and the feedback

11.3 Progress on the AG Action Plan – 2020/2021 audit

Members made no comments.

COGNISANCE TAKEN of the document as circulated with the agenda and the feedback

12 COMBINED ASSURANCE / OTHER EXTERNAL AUDITS

12.1 Eunomia report on compliance

PLR stated that all of the requirements are compiled; therefore, there are no non-compliance on the report.

COGNISANCE TAKEN of the document as circulated with the agenda

12.2 Litigation

CDJ stated that it is clear on the document that all of the requirements are compiled; therefore, there are no non-compliance on the report.

COGNISANCE TAKEN of the document as circulated with the agenda

12.3 Draft Combined Assurance plan

Combined assurance relates to sound risk governance over key organisational risks. This Combined Assurance Plan (CAP) has been compiled primarily from the risk analysis performed by Internal Audit (Risk Management) in conjunction with Management. This risk analysis enable Management to assign resources priority efficiently to mitigate the risks to an acceptable level and to identify who is responsible for each risk.

COGNISANCE TAKEN of the document as circulated with the agenda

12.4 Land Invasion

The Chairperson stated that the item will stand over until the next meeting.

COGNISANCE TAKEN

13 INTERNAL AUDIT

13.1 Report on the activities of Internal Audit for the period November 2021 to January 2022

13.1.1 Audit projects executed in accordance with the approved Annual Audit Plan

CR gave feedback w.r.t. the activities of the internal audit component. The following audit projects have been completed or commenced:

- Tender T20/21/22 - UHF Radio Network – Evaluate the Bid Adjudication Committee's reasons for tender to be non-responsive, Letter to Radiolady Pty Ltd i.r.o. objection;
- Performance Management 2nd Quarter 2021/22- Execution of audit completed, Final IA Report issued;
- Housing - Preliminary phase – Obtain SOP and relevant information, Execution of audit programme;
- Irregular and Fruitless & Wasteful expenditure - Disciplinary Board for Irregular Expenditure as well as Fruitless and Wasteful Expenditure reports finalised and submitted to Council;
- Follow-up Audits - Internal Audit findings – valuation roll, SCM Contract Management Administration, Property Contract Administration;
- Risk Management - Operational Risk Assessments, Action Plans, Capture of Risk Assessment data on BarnOwl and training of officials;
- Auditor-General – Coordinate request for information, ComAF's and Budget vs Actual hours/costs, Attend Steercom meetings.

13.1.2 AD-HOC Requests /Special Investigations

- | | |
|-------------------|--|
| ➤ Investigations | <ul style="list-style-type: none"> ➤ Vehicle accident – Law Enforcement and Traffic ➤ Cable theft ➤ Standard Bank card possible fraud ➤ Water connection – Riebeek Kasteel ➤ Allegation of bribery – Moorreesburg ➤ Street Sweeping contract - Wesbank ➤ Irregular and Fruitless & Wasteful expenditure |
| ➤ Ad Hoc Requests | <ul style="list-style-type: none"> ➤ Radiolady Pty Ltd objection |
| ➤ Consultation | <ul style="list-style-type: none"> ➤ Inputs to SCM contracts workflow on Collaborator ➤ Adjustment to Rewards Policy ➤ MPAC – Terms of Reference |

13.1.3 Internal Audit Findings

The findings and recommendations in respect of the above-mentioned audits have been communicated to the relevant Directors. Management action plans with due dates for implementation and official responsible have been agreed.

MFMA Compliance

Relevant officials are informed by e-mail prior to the due dates of action to be taken in respect of compliance to legislation and to update the Eunomia system accordingly. A report is submitted on a monthly basis to the Management team for oversight.

13.1.4 Tender T20/21/22 - Tender T20/21/22 - Uhf Radio Network

CR gave feedback regarding tender T20/21/22.

Late submission of objection

Radiolady (PTY) Ltd lodge an objection on 27 October 2021 without reasons.

The reasons why the tender was adjudicated as non-responsive were provided on 21 October 2021 and a reminder forwarded to Radiolady (PTY) Ltd on 2 November 2021 to provide the reasons for their objection.

The response to the municipality's reminder was only received on 17 November 2021.

Verification of tender process

Radiolady (PTY) Ltd did not complete any of the schedules included in the tender documents to confirm compliance with the technical specifications of the offered equipment or delivery periods.

It is a requirement that the tenderer shall be licenced by ICASA. However, the licence submitted by the tenderer expired on 31 March 2019.

Award of tender

After the objection period has expired, it was assumed that Radiolady (PTY) Ltd accepted the reasons why their tender was not considered and the municipality proceeded with the award of the tender to the successful tenderer.

Audit opinion and recommendation

The tender has been fairly and transparently assessed as the standard tender evaluation procedures were followed and applied throughout the process.

A letter was forwarded to Radiolady (PTY) Ltd on 18 November 2021 to inform them regarding the outcome of the investigation. No further correspondences have since been received where after the objection was regarded as unsuccessful and finalised.

13.1.5 Performance Management Audit 2 Quarter 2021-2022

Evidence not attached to substantiate performance (Repeated finding)

Evidence is not attached to the Performance Management system to substantiate the achievement of the targets.

The Senior Manager, Strategic Services makes the exception reports available to the Directors prior to their monthly meeting. Officials will be encouraged to attach sufficient evidence and if possible electronic evidence at all times.

13.1.6 Irregular Expenditure

Award to a person in the service of the state

The irregular expenditure of R950.00 for the procurement of services from a person in service of the municipality was not as a result of deliberate or gross negligence or as a result of fraud or other dishonest intent by staff.

Sufficient steps have been taken to not conduct further business with the relevant supplier and SCM will utilise National Treasury's CSD report as far as practically possible and/ or the Declaration of Interest of employees for all purchases to ensure that no awards are made to persons in service of the municipality.

Splitting of quotes – Non-Compliance with SCM Regulation 19

No intentional splitting of procurement took place for the municipality to avoid procuring the service through a competitive bidding process. Management made an informed decision based on an engineering perspective to handle the work to be done at the each site separately (R199 398.50 Moorreesburg & R133 749.60 Darling) as the functioning, management and physical conditions on site are different.

Staff acted in good faith and the irregular expenditure was not because of deliberate or gross negligence or as a result of fraud or other dishonest intent.

Recommendation by Disciplinary Board

The Disciplinary Board recommended that the irregular expenditure of R334 098.10 be written off as irrecoverable as the municipality received value and suffered no loss.

13.1.7 Fruitless and Wasteful Expenditure

A municipal vehicle was in an accident during the financial year 2021/ 2022. The excess payment of R5 000.00 is regarded as fruitless and wasteful expenditure.

The Disciplinary Board found that although the municipality suffered a loss the driver was not negligent and recommended that the amount of R5 000.00 should be written off.

The reports of the Disciplinary Board were tabled at the Council meeting of 27 January 2022, whereby the amount for irregular expenditure of R334 098.10 for financial year 2020/ 2021 and fruitless and wasteful expenditure to the amount of R5 000.00 for the financial year 2021/2022 were approved for write-off.

FINALISATION OF AUDIT QUERIES/ FINDINGS

Management comments and dates for implementing controls were acquired within the set 10 days. Implementation of the findings is monitored through the list of audit findings not yet rectified.

13.1.8 Investigations of fraud, corruption, theft and irregularities

Previous investigations not finalised

- None

Cases finalised

- Possible misuse of vehicle – WWTW Malmesbury – Included in Overtime audit
- Street Sweeping contract - Wesbank
- Cable theft
- Water connection – Riebeek Kasteel
- Allegation of bribery - Moorreesburg

New cases reported not yet finalised

- Standard Bank card - Fraud - Investigation performed by Standard Bank Forensic Unit

13.1.9 Miscellaneous and Ad Hoc Tasks

Time not spent on audits.

- Ad Hoc requests, interdepartmental liaison and interactions:
 - Inputs to SCM contracts workflow on Collaborator
- Attendance of workshops, seminars and training:
 - Cindy studied and wrote Part 3 of the Certified Internal Audit Exam (CIA) – Passed
 - Cindy and Taryn attended BarnOwl training on 2 & 3 & 11 November 2021
 - On the Job training of Intern Risk Management
- Performance & Risk Audit Committee
 - Compile IA Quarterly Report to the PRAC;
 - Preparation and attendance 23 November 2021 meeting;
 - Payments to PRAC members for meeting held on 23 November 2021;
 - Minutes of the meeting on 23 November 2021; and
 - Audit Committee work plan for 2021/22 – updated.
- Other
 - Performance Management, Eunomia (Compliance) and Seafire – Update of systems;
 - Update the RBAP of 2021/22 according to the execution of audits;
 - Provide information requested by Provincial – and National Treasuries MGAP;
 - Adjustments to the Rewards Policy and submit to MAYCO;
 - Revised the Enterprise Risk Management policy and submit to MAYCO;
 - Complete and review IA and RM mGAP questionnaires;
 - Coordinate the finalisation of the mGAP questionnaires of all Departments by 29 November; and
 - Management meetings.

COGNISANCE TAKEN of the report as circulated with the agenda and feedback given.

13.2 Outstanding Internal Audit findings

PLR stated that regarding Property Contract Administration, the policy and SOP will be compiled as soon as the electronic workflow on Collaborator has been finalised.

Suggested changes was made to the Outstanding Internal Audit findings document during the meeting.

COGNISANCE TAKEN of the report as submitted.

13.3 Progress w.r.t. the Annual Internal Audit Plan 2021-22

PLR stated that he will submit a revised audit plan at the next meeting.

COGNISANCE TAKEN of the report as submitted.

13.4 External Quality Review Implementation

COGNISANCE TAKEN of the report as submitted.

14 PERFORMANCE AND RISK AUDIT COMMITTEE MANDATE

14.1 PRAC Annual Work Programme 2021/2022 – progress

The action plan is based on the Performance and Risk Audit Committee (AC) Charter that sets out the specific responsibilities delegated by Council to the AC and spells out the manner in which the Committee will operate as the Performance and Risk Audit Committee.

COGNISANCE TAKEN of the report as submitted.

14.2 PRAC Bi-annual report for the period 1 July to 31 December 2021

The Performance and Risk Audit Committee is appointed by Council, in terms of the Local Government: Municipal Finance Management Act (MFMA) Section 166. Within the scope and in accordance with the Audit Committee's Terms of reference, it seeks to provide Council with an update of the last six months activities.

RG asked to include the names / headings of the internal audits that has been done in the report of the Swartland Municipality Performance and Risk Audit Committee for the period 01 July 2021 to 31 December 2021.

PLR stated that the Directors / Management should look at the outstanding audit findings to prioritize it better.

BG stated that the Annual Financial Statement Review should be included in the report.

COGNISANCE TAKEN of the report as submitted.

15 GENERAL

15.1 Draft Annual Report

The 2020/2021 Draft Annual Report was drawn up in accordance with the format prescribed in MFMA Circular 63 dated 26 September 2012, and is submitted in accordance with section 127(2) of the Local Government: Municipal Financial Management Act, 2003 (Act 56 of 2003) – MFMA.

The Chairperson gave the Directors an opportunity to go through their departmental projects and strategic goals in the Annual Report.

The Directors took the members individually through their various departments in the Draft Annual Report and answer all the questions and comments made by the PRAC members.

BG identified grammatical errors present in the draft report.

Suggested changes were made to the Draft Annual Report during the meeting.

BG enquired if there will be a client satisfactory survey conducted for this year because the 2017 survey is too outdated.

MT stated she will check with Strategic Services whether another one will be conducted.

COGNISANCE TAKEN of the report as submitted.

15.2 Draft SDBIP

The SDBIP provides the vital link between the executive mayor, council and the administration and facilitates the process for holding management accountable for its performance. The SDBIP is a management, implementation and monitoring tool that ensures that appropriate information is circulated internally and externally for purposes of monitoring the execution of the budget, performance of senior management and achievement of the strategic objectives set by council.

COGNISANCE TAKEN of the report as submitted.

16 NEXT MEETING

COGNISANCE TAKEN that the next formal AC meeting will be on:

- Tuesday, 24 May 2022 at 09:30 (PRAC to meet IA 09:00)
- Tuesday, 23 August 2022 at 09:30
- Tuesday, 29 August 2022 at 09:30
- Tuesday, 29 November 2022 at 09:30