



NOTULE VAN 'N VERGADERING VAN DIE UITVOERENDE BURGEMEESTERSKOMITEE GEHOU IN DIE STADSAAL, MALMESBURY OP WOENSDAG, 13 JULIE 2022 OM 10:00

TEENWOORDIG:

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

Lede van die Burgemeesterskomitee:

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

Ander raadslede:

Rdh M A Rangasamy (Speaker)

Beampies:

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

1. OPENING

Die voorsitter verwelkom lede en open die vergadering.

2. VERLOF TOT AFWESIGHEID

BESLUIT dat verlof tot afwesigheid verleen word aan rdl N Smit en die Direkteur: Elektriese Ingenieursdienste, mnr R du Toit.

3. VOORLEGGINGS/AFVAARDIGINGS/SPREEKBEURTE

Geen.

4. NOTULES

4.1 NOTULE VAN 'N GEWONE UITVOERENDE BURGEMEESTERSKOMITEE-VERGADERING GEHOU OP 15 JUNIE 2022

BESLUIT

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

Dat die notule van 'n Gewone Uitvoerende Burgemeesterskomiteevergadering gehou op 15 Junie 2022 goedgekeur en deur die Uitvoerende Burgemeester onderteken word.

4.2 NOTULE VAN 'N SPESIALE UITVOERENDE BURGEMEESTERSKOMITEE-VERGADERING GEHOU OP 22 JUNIE 2022

Besluit/...

4.2/...

BESLUIT

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

Dat die notule van 'n Spesiale Uitvoerende Burgemeesterskomiteevergadering gehou op 22 Junie 2022 goedgekeur en deur die Uitvoerende Burgemeester onderteken word.

5. SAKE VOORTSPRUITEND UIT DIE NOTULES

Geen.

6. MAANDVERSLAG: MEI 2022

[Nota: Die prestasie- en finansiële inligting t.o.v. Kwartaal 4 word ingesluit in die artikel 52 MFMA-verslag wat op 28 Julie 2022 aan die Raad voorgelê sal word, vandaar die voorlegging van slegs addisionele verslae soos van toepassing op die betrokke direkteur.]

6.1 SIVIELE INGENIEURSDIENSTE (7/1/2/2-4)

Die Direkteur: Siviele Ingenieursdienste wys daarop dat die hoë waterverbruik vir Mei 'n kommerwekkende uitskieter is sedert die droogte. Die Munisipaliteit betree verder 'n periode van potensiële falings van sy grootmaatwaterinfrastruktuur, wat daadwerklike beplanning oor die volgende tien tot 15 jaar noodsaak.

Die Direkteur: Siviele Ingenieursdienste meld ook dat die Departement Waterwese se versuim om die waterprobleem aan te spreek, vereis dat alternatiewe waterbronne desnoods deur die Munisipaliteit ondersoek sal moet word, om onder meer die toename in verbruikers en ekonomiese groei te akkommodeer. Daar is ook kommer dat die Bergrivier-projek, wat addisionele kapasiteit/toevoer vir die Munisipaliteit sou skep, nie gaan realiseer nie, hoofsaaklik weens die onbekostigbaarheid daarvan vir die landbouers wat tot die lening sal moet bydra.

Die Burgemeester, raadsheer van Essen en die Munisipale Bestuurder spreek insgelyks hul kommer oor die kwessie uit, onder andere ook met verwysing na die situasie te Chatsworth en Riverlands, en word vervolgens

BESLUIT

- (a) Dat kennis geneem word van die inhoud van die maandverslag van die Direktooraat: Siviele Ingenieursdienste ten opsigte van Mei 2022;
- (b) Dat die daarstel van indikatore om watersekuriteit vir die Swartland in die langtermyn te verseker, verwys word vir oorweging as deel van die GOP-proses.

6.2 ELEKTRIESE INGENIEURSDIENSTE (7/1/2/2-6)

Raadsheer van Essen spreek sy kommer uit oor die kragverbruik in sekere gebiede, soos Malmesbury, met verwysing na die Klipkoppie-skakeltuig wat reeds 21 jaar oud is, en wat die risiko loop van faling as gevolg van gereelde beurtkrag. Hy voorsien 'n groter impak op elektrisiteitsvoorsiening aan die dorp indien SASKO (as gevolg van 'load curtailment') van beurtkrag uitgesluit sou word. Raadsheer van Essen noem verder dat verbruikers weerstandig begin raak oor die betaling van beskikbaarheidsgelde.

BESLUIT dat kennis geneem word van die inhoud van die maandverslag van die Direktooraat Elektriese Ingenieursdienste ten opsigte van Mei 2022.

6.3 ONTWIKKELINGSDIENSTE (7/1/2/2-5)

Die Direkteur: Ontwikkelingsdienste meld dat daar reeds 102 huise in die De Hoop-projek oorhandig is, en dat die kontrakteur (*Simply Do*) aangedui het dat Fase 1 (395 strukture) teen die einde van die jaar afgehandel sal wees. Sy noem verder dat daar teen 21 Julie 2022 aan die Darling *Action Group* terugvoering gegee moet word rakende grond vir 'n skool en die skep van gedienste erwe.

6.3/...

Met verwysing na die appèlverhoor ten aansien van erf 1192, Yzerfontein, spreek die Burgemeester sy kommer uit dat daar klaarblyklik nie boetes gehef word vir ongemagtigde bouwerk nie. Die Munisipale Bestuurder en Direkteur: Ontwikkelingsdienste dui egter aan dat dit wel die geval is dat boetes gehef word, en onderneem om terugvoering aan die komitee te gee in hierdie verband.

BESLUIT

- (a) Dat kennis geneem word van die inhoud van die maandverslag van die Direkoraat Ontwikkelingsdienste ten opsigte van Mei 2022;
- (b) Dat daar aan die komitee terugvoering gegee sal word oor die hef van boetes vir ongemagtigde bouwerk.

6.4 BESKERMINGSDIENSTE (7/1/2/2-3)

6.4.1 VERKEER- EN WETSTOEPASSINGSDIENS

6.4.2 BRANDWEERDIENSTE

Die Direkteur: Beskermingsdienste noem dat die opleiding van die reaksie-eenheid goed verloop, en teen 29 Julie 2022 afgehandel sal wees. Die twee senior verkeersbeamptes in beheer van die eenheid, deurloop ook die opleiding by die Chrysalis Academy.

Hy meld verder dat die honde-eenheid ook uitstekend vaar, en hul dienste ook deur ander munisipaliteite benut word.

Raadslede spreek hul kommer uit oor die spesifieke uitdagings wat die direkteur uitlig, synde onwettige storting, grondgrype en '*speeding/dicing*', lg. synde veral in Darling 'n probleem. Die Direkteur: Beskermingsdienste meld dat Stad Kaapstad se konsep verkeersverordening geraadpleeg sal word om vas te stel hoe die Stad 'n kwessie soos '*dicing*' hanteer, wat potensieel inhou dat voertuie geskut of lisensies ontnem mag word.

Kennis word geneem dat daar selde boetes uitgereik word vir die ongemagtigde storting van vullis, omdat oortreders op heterdaad betrap moet word, en mense nie geneë is om oortreders aan te gee nie, weens potensiële viktimisasie.

BESLUIT

- (a) Dat kennis geneem word van die inhoud van die maandverslag van die Direkoraat Beskermingsdienste ten opsigte van Mei 2022;
- (b) Dat daar as deel van die GOP-proses oorweeg sal word om indikatore te stel vir die skryf van boetes vir onwettige storting.

7. NUWE SAKE

7.1 HERAANNEMING VAN DIE MUNISIPALE RUIMTELIKE ONTWIKKELING-RAAMWERK (MSDF) AS DEEL VAN DIE GOP (2/1/4/4/1)

Die Ruimtelike Ontwikkelingsraamwerk (ROR) is op 30 Mei 2019 deur die voormalige Raad aanvaar en sedertdien is daar geen wysigings aan die ROR aangebring nie. Die ROR vorm 'n integrale deel van die Geïntegreerde Ontwikkelingsplan (GOP) en derhalwe is 'n opsomming daarvan vervat in die GOP soos goedgekeur deur die Raad op 26 Mei 2022.

Die GOP is voorsien aan die Minister van Plaaslike Regering en het lg. versoek dat die ROR heraangeneem word, aangesien slegs die opsomming daarvan in die GOP as onvoldoende beskou word.

BESLUIT (vir voorlegging aan die Raad op 28 Julie 2022)

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

Dat die Munisipale/...

7.1/...

Dat die Munisipale Ruimtelike Ontwikkelingsraamwerk wat op 30 Mei 2019 deur die Raad aanvaar is en waarvan 'n opsomming by die huidige GOP (Hoofstuk 6, paragraaf 6.4) ingesluit is, by die Raad aanbeveel word vir heraanname.

7.2 AANVAARDING VAN VERORDENING INSAKE DIE HOU VAN VERGADERINGS (1/1)

Die konsep Verordening insake die Hou van Vergaderings is op 26 Mei 2022 aan die Raad voorgelê vir doeleindes om die publieke deelnameproses te deurloop.

Daar is geen kommentaar/insette ontvang teen die sperdatum van 1 Julie 2022 nie.

BESLUIT (vir oorweging deur die Raad op 28 Julie 2022)
(op voorstel van rdl A K Warnick, gesekondeer deur rdl D G Bess)

- (a) Dat die volgende verordening aanbeveel word vir goedkeuring deur die Raad, om in werking te tree op datum van afkondiging in die Provinsiale Koerant:
 - Swartland Munisipaliteit: Verordening insake die Hou van Vergaderings
- (b) Dat boetes vir oortredings van die verordening vasgestel word deur die Departement van Justisie;
- (c) Dat die Reëls vir Virtuele Vergaderings wat as aanvullend tot die bestaande verordening aangeneem was, herroep word vanaf datum van afkondiging van die nuwe verordening.

7.3 AANSTELLING VAN DISSIPLINÊRE PANEEL WAT AAN DIE RAAD AANBEVEEL WORD (5/15/1/5)

Die Dissiplinêre Raad is ingestel as 'n onafhanklike adviserende liggaam om ingevolge die *Financial Misconduct Regulations* die Raad by te staan in ondersoeke na finansiële wangedrag.

Die Munisipale Bestuurder noem dat die verslag slegs beoog om die nuwe Interne Ouditeur op die Dissiplinêre Raad aan te stel, en dat 'n verslag mettertyd aan die komitee voorgehou sal word rakende die ander lede wie se aanstellingstermyne op 31 Desember 2022 verstryk.

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

- (a) Dat paragraaf 4(3) van die *Financial Misconduct Regulations* bepaal dat die ampstermyn van lede van die Dissiplinêre Raad nie 'n termyn van drie jaar mag oorskry nie en dat die Uitvoerende Burgemeesterskomitee, met in ag neming van die kommentaar in paragraaf 3 van die verslag, die volgende goedkeuring verleen ten einde kontinuïteit in die bestaan van die Dissiplinêre Raad te verseker:
 - (i) Die aanstelling van Me J Erasmus, Bestuurder Interne Oudit vanaf 1 Junie 2022 tot 31 Mei 2025.

7.4 VERGOEDING VAN DIE LEDE VAN DIE MUNISIPALE PRESTASIE- EN RISIKO OUDITKOMITEE (5/15/1/3)

Die Prestasie- en Risiko Ouditkomitee speel 'n belangrike oorsigrol en lewer 'n gespesialiseerde diens aan die Munisipaliteit as adviserende liggaam t.o.v. finansiële-, risiko- en prestasiebestuur.

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

- (a) Uurlikse tarief:
 - (i) Dat die vergoeding betaalbaar aan die lede van die Prestasie- en Risiko Ouditkomitee vanaf 1 Julie 2022 vir die voorbereiding en bywoning van ouditkomiteevergaderings of vergaderings van die Raad, goedgekeur word, soos volg:

7.4(a)/...

- Voorsitter: R820.00 per uur (maksimum van 8 ure)
- Lede: R700.00 per uur (maksimum van 7 ure)
- (ii) Dat die maksimum ure per vergadering die bywoning, voorbereiding, navorsing en reistyd na en van die lokaal waar die vergaderings gehou word insluit;
- (iii) Dat goedkeuring verleen word dat die bogenoemde uurlikse tariewe voortaan jaarliks vanaf 1 Julie verhoog met die persentasie-aanpassing van 5% bereken op die tarief betaalbaar aan die lede (nie Voorsitter) afgerond tot die naaste R5.00, d.w.s. 5% van R700 = R35 afgerond na R35. Dus die Voorsitter se uurlikse tarief sal in 2023/24 verander na R820 + R35 = R855 en ander lede R700 + R35 = R735. In 2024/25 sal lede se uurlikse tarief verhoog van R735 + 5% = R771.25 afgerond na R770, dus R770. Die Voorsitter se tarief verhoog van R855 + R35 = R890;
- (b) Aantal vergaderings:
 - (i) Dat kennis geneem word dat 'n minimum van vier vergaderings per jaar belê sal word, waarvan twee van die vergaderings Prestasiebestuur sal insluit en ander twee Risikobestuur. Addisionele vergaderings wat belê word sal in oorleg met die Munisipale Bestuurder geskied ten einde die uitgawe in hierdie verband te kontroleer;
- (c) Reiskostes:
 - (i) Dat kennis geneem word dat reiskostes betaal sal word ooreenkomstig die tarief soos voorgeskryf in die Reis- en Verblyfbeleid van die Munisipaliteit.

7.5 MENSLIKE HULPBRONNE PLAN VIR 2017-2022: UITBREIDING VAN DIE PLAN TOT 30 JUNIE 2023 (2/B)

Die Menslike Hulpbronne Plan is 'n strategiese dokument wat bely is met verskeie strategieë van die Munisipaliteit en moet gevolglik saamloop met die termyn van die GOP.

BESLUIT

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

Dat goedkeuring verleen word vir die uitbreiding van die Menslike Hulpbronne Plan met 12 maande, eindigend 30 Junie 2023, om saam te loop van die bestaande GOP.

7.6 CAPENATURE: VOORGESTELDE MEMORANDUM VAN OOREENKOMS INSAKE ONWETTIGE GRONDBESETTING (1/1)

CapeNature het die Munisipaliteit genader om bystand te verleen in die voorkoming van en spoedige reaksie op onwettige besetting van grond wat deur *CapeNature* bestuur word. Die voorgestelde Memorandum van Ooreenkoms is met die sakelys gesirkuleer.

Raadslede spreek hul steun uit vir die voorgestelde ooreenkoms, maar versoek dat die inhoud (met spesifieke verwysing na klousules 6.1.7, 6.1.7 en 6.1.8) na behore nagegaan sal word om te verseker dat die Munisipaliteit hom nie verpligtinge op die hals haal wat by die eienaar van die grond berus nie, en om te verseker dat die Munisipaliteit genoeg magte het om te mag optree wanneer dit nodig blyk.

Die Direkteur: Finansiële Dienste doen aan die hand dat die ooreenkoms spesifiek moet boekstaaf dat die grond die eiendom van *CapeNature* is, en dat die aanspreeklikheid en verantwoordelikheid daarvoor by die instelling berus, en nie aan die Munisipaliteit opgedra word uit hoofde van die ooreenkoms nie.

BESLUIT

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

- (a) Dat goedkeuring verleen word dat die voorgestelde Memorandum van Ooreenkoms met *CapeNature* aangegaan word rakende die onwettige besetting of okupasie van grond, onderhewig daaraan dat die inhoud deur die Direkteur: Beskermingsdienste en Direkteur: Korporatiewe Dienste gefinaliseer sal word;

7.6/...

- (b) Dat die Munisipale Bestuurder gemagtig word om die finale ooreenkoms namens die Munisipaliteit te onderteken;
- (c) Dat kennis geneem word dat die uurtariewe ten aansien van wetstoepassingsdienste sal geld, soos jaarliks vasgestel deur die Raad.

7.7 RAAMWERK VIR DIE DE VLEI-AMFITEATER, DARLING (17/9/2/2/3)

Die De Vlei Amfiteater in Darling is gedurende 2020/2021 gebou en amptelik geopen op 19 Oktober 2021. Die doel van die Amfiteater is om 'n ruimte te skep waar gemeenskappe bymekaar kan kom om kuns, kultuur en optredes te geniet.

Sedert die opening was daar talle versoeke vanaf die publiek ontvang om van die interkulturele ruimte gebruik te maak.

Die Burgemeester spreek sy kommer uit dat gebruik van die amfiteater, weens die feit dat dit nie omhein is nie, mag ontaard in groter funksies wat beheer daarvoor binne die voorgestelde raamwerk mag kompliseer. Daar word egter kennis geneem dat die fasiliteite tot dusver nog met sukses bestuur kon word, en dat die situasie gemonitor sal word.

BESLUIT

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

- (a) Dat die aangehegte raamwerk goedgekeur word wat die kriteria en aansoekproses ten opsigte van die gebruik van die De Vlei Amfiteater bevat, en dat dit jaarliks hersien word om te bepaal of die kriteria steeds van toepassing is;
- (b) Dat gebruiksaansoeke ook telkens aan die Direktoraat Beskermingsdienste voorgelê sal word om potensiele risiko's te bepaal en te kan bestuur, waar nodig in samewerking met die SAPD;
- (c) Dat die inhoud van die raamwerk op 'n bondige, positiewe wyse (sonder verwysing na enige strafmaatreëls) aan die gemeenskap gekommunikeer sal word.

7.8 AFSKRYWING VAN SKULD VAN DEERNISHUISHOUDINGS EN ANDER ONINVORDERBARE SKULDE, JUNIE 2022 – BEDRAG WERKLIK AFGESKRYF (5/7/3)

Die verslag het ten doel om die werklike bedrae afgeskryf aan die Uitvoerende Burgemeesterskomitee voor te lê nadat lopende heffings en/of rente by die afskrywingslyste van deernishuishoudings en ander oninvorderbare skulde bygewerk is, asook die afhandeling van sosio-ekonomiese ondersoeke.

Die Direkteur: Finansiële Dienste meld dat die afskrywings jaarliks nagenoeg R6,5 miljoen bedra, wat slegs sowat 0,8% beloop van die totale gehefde inkomste per jaar. Vergeleke met 'n buurmunisipaliteit waar afskrywings meer as 10% beloop, voorsien hy nie die risiko dat die situasie, gebaseer op die omvang van die huidige afskrywings, onvolhoubaar is nie.

BESLUIT

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

- (a) Dat kennis geneem word dat die bedrae wat werklik afgeskryf is ten opsigte van deernishuishoudings **R3 315 985,28** beloop en ten opsigte van ander oninvorderbare skulde **R63 263,47** beloop;
- (b) Dat kennis geneem word dat Swartland Munisipaliteit die reg voorbehou om enige bedrag wat afgeskryf is, weer terug te skryf na die betrokke debiteur en alle nodige stappe geneem sal word om die skuld in te vorder, indien dit vanaf datum van hierdie goedkeuring aan die lig kom dat:
 - (i) 'n huishouding nie aan die deerniskriteria voldoen het nie (soos bepaal in Hoofstuk 7 van die Deernisbeleid); of

7.8(b)/...

- (ii) 'n gedeelte van die skuld of die totale skuld van 'n debiteur nie korrek sou wees nie; of
 - (iii) enige inligting wat op datum van afskrywing nie aan die Uitvoerende Burgemeesterskomitee bekend was, wat daartoe sou lei dat die komitee die voorgelegde skuld nie vir afskrywing sou oorweeg nie;
- (c) Dat kennis geneem word dat indien 'n eiendom op welke wyse ookal vervreem sou word, Swartland Munisipaliteit die reg voorbehou om uitklaring op die betrokke eiendom te weerhou en die bedrae afgeskryf eers in te vorder, alvorens uitklaring op die betrokke eiendom gegee sal word. 'n Register is by die Eiendomsbelastingafdeling ingestel waarin gekontroleer word of daar ten opsigte van die betrokke uitklaring vir die voorafgaande twee jaar voor uitklaring, enige afskrywing was en dat indien wel, die afgeskryfde bedrag met die uitklaring verhaal word.

7.9 JAARVERSLAG INSAKE DIE IMPLEMENTERING VAN DIE VOORSIENINGKANAALBESTUURSBELEID VIR DIE FINANSIËLE JAAR EINDIGEND 30 JUNIE 2022 (8/1/B/1)

Regulasie 6(2)(a)(i) van die *Municipal Supply Chain Management Regulations* bepaal dat daar jaarliks 'n verslag aan die Raad voorgelê moet word aangaande die implementering van die Voorsieningskanaalbestuursbeleid.

Die jaarverslag vir die periode 1 Julie 2021 tot 30 Junie 2022 is met die sakelys gesirkuleer.

Raadslid Warnick versoek dat herhaalde afwykings, veral ten aansien van gevalle wat as 'onprakties' geïdentifiseer word, ondersoek moet word om moontlik onder die toepaslike tenderprosesse hanteer te word, en dat spesifikasies dienooreenkomstig aandag moet geniet.

Die Direkteur: Finansiële Dienste meld dat die verkrygingsregulasies baie spesifiek is hieraangaande, maar dat daar (binne die konteks van die Raad se oorsigrol) kennis geneem word van raadslid Warnick se vertoë, as synde 'n beroep op homself en die direkteure om die potensiële misbruik van die regulasies te voorkom. Hy noem verder dat die afwykings vir die jaar egter 'n baie klein persentasie vergestalt, vergeleke met die omvang van informele en formele tenders.

BESLUIT

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

- (a) Dat kennis geneem word van die jaarverslag insake die implementering van die Voorsieningskanaalbestuursbeleid gedurende die 2021/2022 finansiële jaar ingevolge artikel 6(2)(a)(i) van die Regulasies, asook die verslae van die Formele Tenders (Aanhangsel A), Informele Tenders (Aanhangsel B) en die Afwykingsverslag (Aanhangsel C);
- (b) Dat verder kennis geneem word van die dienste gelewer vir die tydperk 1 April 2022 tot 30 Junie 2022 met verwysing na die uitsonderings waar dit onprakties was om die mark te toets en dus 'n afwyking van die verkrygingsprosesse ingevolge paragraaf 2(6) van die Voorsieningskanaalbestuursbeleid genoodsaak het (Aanhangsel D). Kennis moet geneem word dat betalings nog in die 2021/2022 finansiële jaar gefinaliseer moet word en sal enige verskille ten opsigte van Kwartaal 4 ingevolge wetgewing in die volgende kwartaalverslag vermeld word, onderhewig aan die transaksies/syfers wat die volledigheid van die finansiële state mag beïnvloed.

7.10 UITSTAANDE DEBITEURE: JUNIE 2022 (5/7/1/1)

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

Die Direkteur: Finansiële Dienste bevestig dat daar aan die komitee terugvoering gegee sal word indien die afskrywingsbedrag na jaarafsluiting sou wysig.

7.10/...

BESLUIT

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

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

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

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

Die Direkteur: Finansiële Dienste bring onder die aandag van raadslede dat die geweldige verhoging in versekeringspremies te wyte is aan die addisionele bates wat bekom is en verseker moet word, waaronder infrastruktuur van meer as R600 miljoen en IT-infrastruktuur van sowat R7 miljoen. Hy is egter van mening dat die huidige versekeringsportefeulje steeds vir die Munisipaliteit voordelig is, en (nog) nie die skep van eie versekeringsreserwes regverdig nie. Hy maan opnuut dat daar met die nodige omsigtigheid deur personeel gehandel sal word met bates, waaronder voertuie.

Met betrekking tot die beveiliging van infrastruktuur, word genoem dat

- (1) die aard van die bate sal bepaal of 'n omheining weer aangebring sal word waar dit gevandaliseer of verwyder is;
- (2) die potensiële risiko's en kostes telkens 'n deurslaggewende rol speel wanneer bepaal word of daar van sekuriteitsmaatskappye gebruik gemaak moet word om infrastruktuur te beveilig, met verwysing na die voormalige Standard Bank-gebou waar die vervangingswaarde van gevandaliseerde bates (wat weer benut sou word) deurslaggewend was vir doeleindes van die versekeringseis, en nie die totale omvang van die skade nie.

BESLUIT

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

- (a) Dat kennis geneem word van die stand van uitstaande versekeringseise tot en met 31 Mei 2022 soos met die sakelys gesirkuleer;
- (b) Dat die Direkteur: Beskermingsdienste die lys sal deurgee aan die Burgemeester van alle gevalle waar sekuriteitsreëlings in plek is, en wat dit behels.

7.12 GOEDKEURING VIR DIE PUBLIEKE DEELNAMEPROSES T.O.V. DIE 4DE GENERASIE KONSEP GEÏNTEGREERDE AFVALBESTUURSPLAN VIR PUBLIEKE EN DEA&OP KOMMENTAAR (16/4/B)

Die 3de Generasie Geïntegreerde Afvalbestuursplan is deur die voormalige Raad op 25 Mei 2017 ingevolge die bepalings van die *National Environmental Management: Waste Act, 2008 (Act 59 of 2008)* goedgekeur, onder andere, dat die plan elke vyf jaar hersien moet word.

Die konsep 4de Generasie Geïntegreerde Afvalbestuursplan is deur JPCE Raadgewende Ingenieurs opgestel en is 'n bestuursopsomming daarvan met die sakelys gesirkuleer.

BESLUIT

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

- (a) Dat kennis geneem word dat die Munisipaliteit in proses is om die 4de Generasie Geïntegreerde Afvalbestuursplan op te stel;
- (b) Dat goedkeuring verleen word dat die konsep 4de Generasie Geïntegreerde Afvalbestuursplan vir publieke deelname gepubliseer word vir kommentaar/insette vanaf die publiek en die Departement van Omgewingsake en Ontwikkelingsbeplanning;

(c)/...

7.12/...

- (c) Dat die 4de Generasie Geïntegreerde Afvalbestuursplan aan die Raad voorgelê word vir oorweging en goedkeuring, met in ag neming van die oorweging van kommentaar/insette ontvang tydens die publieke deelnameproses;
- (d) Dat daar oorweeg sal word om die inhoud van die afvalbestuursplan met raadslede te werkwinkel, gegewe die belangrikheid daarvan.

7.13 AFWYKING VAN VOORGESKREWE VERKRYNGSPROSEDURES: AANSTELLING VAN 'N DIENSVERSKAFER VIR OPLEIDING EN VERBLYF VAN DIE WETSTOEPASSING REAKSIE-EENHEID (8/1/B/2)

Die Munisipaliteit het befondsing ontvang om 'n Wetstoepassing Reaksie-eenheid op die been te bring en 20 beamptes is by wyse van 'n werwing- en keuringsproses vir hierdie doeleindes aangestel.

Stad Kaapstad se Metro-Polisie Opleidingsakademie en samewerking met *Chrysalis Academy* is die enigste diensverskaffer in die Wes-Kaap wat die toepaslike opleiding aan die betrokke beamptes kan aanbied.

BESLUIT

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

- (a) Dat die Uitvoerende Burgemeesterskomitee kennis neem van die afwyking van die voorgeskrewe verkrygingsprosedures ingevolge klousule 36(2) van die Voorsieningkanaalbestuurbeleid;
- (b) Dat verder kennis geneem word van die aksie van die Munisipale Bestuurder om nie tenders uit te nooi nie, maar wel die kwotasie van *Chrysalis Academy* te aanvaar ten bedrae van R318 795,00 (BTW ingesluit) vir die opleiding en verblyf van amptenare van die Wetstoepassing Reaksie-Eenheid;
- (c) Dat die redes vir die afwyking van die voorgeskrewe verkrygingsproses soos volg aangeteken word:
 - (i) *Chrysalis Academy* is die enigste diensverskaffer in die Wes-Kaap wat die vereiste opleiding (ingesluit die verblyf) kan voorsien;
- (d) Dat die uitgawe ten bedrae van R318 795,00 (BTW ingesluit) teen posnommer: 9/233-490-852 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.

7.14 AFWYKING VAN VOORGESKREWE VERKRYNGSPROSEDURES: VERKRYGING VAN HAELEGEWEER RUBBERKOEËLS (8/1/B/2)

Die Swartland Verkeer- en Wetstoepassingsdienste het op 13 tot 17 Junie 2022 die SAPD bygestaan tydens die protesaksies op Darling.

Die optrede van die ±500 betogers was van so 'n aard dat traangas en rubberkoeëls gebruik is om orde te handhaaf en die ammunisie voorraad was nie voldoende nie.

BESLUIT

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

- (a) Dat die Uitvoerende Burgemeesterskomitee kennis neem van die afwyking van die voorgeskrewe verkrygingsprosedures ingevolge klousule 36(2) van die Voorsieningkanaalbestuurbeleid;
- (b) Dat verder kennis geneem word van die aksie van die Munisipale Bestuurder om nie tenders uit te nooi nie, maar wel die kwotasie van *Brussels Gunstock Makers (Pty) Ltd* te aanvaar ten bedrae van R43 412,50 (BTW ingesluit) vir die verskaffing van rubberkoeëls aan die Verkeer- en Wetstoepassingdienste;

7.14/...

- (c) Dat die redes vir die afwyking van die voorgeskrewe verkrygingsproses soos volg aangeteken word:
 - (i) Die protesaksies was 'n noodsituasie met Verkeer- en Wetstoepassingsdienste se haelgeweer rubberkoeëls wat opgeraak het;
 - (ii) *Brussels Gunstock Makers (Pty) Ltd* was die enigste diensverskaffer wat op 'n publieke vakansiedag en gedurende die protesaksies die rubberkoeëls kon voorsien;
- (d) Dat die uitgawe ten bedrae van R43 412,50 (BTW ingesluit) teen posnommer: 9/233-1004-3473 in die 2021/2022 finansiële jaar 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.

(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, 10 AUGUSTUS 2022 OM 10:00

TEENWOORDIG:

RAADSLEDE:

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

O'Kennedy, E C	Soldaka, P E
Penxa, B J	Vermeulen, G
Pypers, D C	Warnick, A K
Rangasamy, M A (rdh)	

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

BEAMPTES:

Direkteur: Beskermingsdienste, mnr P A C Humphreys
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: Tegnieuse Dienste, mnr M J Swanepoel
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: Munisipale Bestuurder, Administrasie en Finansies.

Verlof tot afwesigheid word verleen aan rdh T van Essen, rdd M van Zyl en die Munisipale Bestuurder, mnr J J Scholtz.

2. NOTULE

2.1 NOTULE VAN 'N PORTEFEULJEKOMITEEVERGADERING (MUNISIPALE BESTUUR-, ADMINISTRASIE- EN FINANSIESKOMITEE) GEHOU OP 8 JUNIE 2022

BESLUIT

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

Dat die notule van die Portefeuljekomiteevergadering (Munisipale Bestuur-, Administrasie- en Finansieskomitee) gehou op 8 Junie 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 SPORT TOEKENNING

Swartland Munisipaliteit is by die Weskus Distrik Sporttoekennings bekroon as die beste Raad in die Distrik vir Munisipale Sport en Ontspanning.

Swartland Munisipaliteit glo in die verenigende en transformerende krag van sport. Dit is vir hierdie rede dat die Uitvoerende Burgemeester die belangrikheid beklemtoon het om sportgeleenthede te ondersteun tydens sy begrotingsrede.

Die Uitvoerende Burgemeester meld dat die munisipliteit se fokus nie slegs op bekende sportkodes sal wees nie, maar ook minder bekende sportkodes sal ondersteun wat voortdurend in gewildheid toeneem.

KENNIS GENEEM

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

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

Geen

6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

7. GEDELEGEERDE SAKE M.B.T. ADMINISTRASIE

Geen

8. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

9. GEDELEGEERDE SAKE M.B.T. FINANSIES

Geen

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, 10
AUGUSTUS 2022 OM 10:13**

TEENWOORDIG:

RAADSLEDE:

Voorsitter, rdl R J Jooste

Bess, D G

Duda, A A

O'Kennedy, E C

Pieters, C

Smit, N

Stanley, B J (rdh)

Warnick, A K

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

BEAMPTES:

Direkteur: Beskermingsdienste, mnr P A C Humphreys

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: Tegnieuse Dienste, mnr M J Swanepoel

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 rdh T van Essen, rdd M van Zyl en die Munisipale Bestuurder, mnr J J Scholtz.

2. NOTULE

2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (SIVIELE- EN ELEKTRIESE DIENSTEKOMITEE) GEHOU OP 8 JUNIE 2022

BESLUIT

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

Dat die notule van die Portefeuljekomiteevergadering (Siviele- en Elektriese Dienste) gehou op 8 Junie 2022 goedgekeur word.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

Geen

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

5. GEDELEGEERDE SAKE

5.1. MAANDVERSLAG: JUNIE 2022

5.1.1/...

5.1.1 SIVIELE INGENIEURSDIENSTE

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

Die Direkteur: Siviele Ingenieursdienste gee – onder andere – inligting deur insake die reënval in die Swartland munisipale area.

Die Direkteur: Siviele Ingenieursdienste meld dat die reënval in Julie slegs 41mm was, wat onder die langtermyn gemiddelde is. Die kumulatiewe reënval was 256mm in vergelyking met die langtermyn gemiddelde van 307mm.

Rdh B J Stanley bedank die Direkteur: Siviele Ingenieursdienste vir sy goeie samewerking ten opsigte van die skoonhou van Kalbaskraal.

Rdl A A Duda spreek sy kommer uit oor die munisipaliteit wat te lank geneem het om 'n geblokte rioolpyp in llinge Lethu te herstel.

BESLUIT

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

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

5.1.2 ELEKTRIESE INGENIEURSDIENSTE

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

Op navraag deur rdl D G Bess insake die instandhouding van straatligte in die Eskom voorsieningsgebiede, meld die Senior Bestuurder: Tegniese Dienste dat die munisipaliteit steeds in onderhandeling is met Eskom en dat daar nog nie uitsluitel is oor watter instansie die instandhouding moet doen nie.

Die Senior Bestuurder: Tegniese Dienste meld dat die munisipaliteit tans besig is om die instandhouding van straatligte in die Eskom voorsieningsgebiede te doen, met 'n beperkte begroting.

Rdl C Fortuin spreek haar kommer uit oor inwoners se krag wat nie onmiddellik na beurtkrag aangeskakel kan word nie.

Die Senior Bestuurder: Tegniese Dienste meld dat die munisipaliteit bewus is van die probleem en doen alles in hul vermoë om die probleem uit te sorteer.

Op navraag deur die Uitvoerende Burgemeester oor die munisipaliteit vir Eskom gaan faktureer vir die werk wat die munisipaliteit aan Eskom se straatligte gedoen het, meld die Senior Bestuurder: Tegniese Dienste dat die munisipaliteit nie vir Eskom gaan faktureer vir die werk gedoen nie.

Rdl A A Duda spreek sy kommer uit oor onwettige krag-konneksies in 'n gedeelte van llinge Lethu wat gevaarlik is vir die inwoners.

Die Senior Bestuurder: Tegniese Dienste meld dat bogenoemde gebied oor die volgende 2 jaar elektrifiseer sal word.

Op navraag deur rdl D G Bess of daar genoeg personeel en toerusting is om voorsiening te maak vir die hele Swartland, met betrekking tot die instandhouding van straatligte in die Eskom voorsieningsgebiede, meld die Senior Bestuurder: Tegniese Dienste dat die munisipaliteit sal geleidelik ekstra personeel aanstel en toerusting aankoop.

BESLUIT

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

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

6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

6.1 TOESTAND VAN RESIDENSIELE TEERSTRATE IN SWARTLAND MUNISIPALITEIT

Strategiese doelwit 5 van die GOP bepaal die volgende: Voldoende, bekostigbare en goed bestuurde dienste en verwys spesifiek na die instandhouding van paaie in die bedieningsgebied van die Swartland Munisipaliteit.

Opgegradeerde strate vereis spesifieke instandhoudingsintervensies om die funksionaliteit te handhaaf. Versuim om geskeduleerde herseelwerk te doen lei tot 'n toename in die vorming van slaggate en agteruitgang van die basislaag as gevolg van die binnedring van water.

Die gemiddelde begroting wat oor die afgelope vyf boekjare vir die herseel van paaie toegeken is, was R 17,86 miljoen per boekjaar. Dit lei daartoe dat slegs 59,1% van die vereiste jaarlikse instandhouding onderneem word.

BESLUIT

Dat die portefeuljekomitee vir Tegniese Dienste kennis neem van die status quo-verslag van 2021/2022 van munisipale paaie in die Swartland.

6.2 OORWEGING VAN DIE KONSEP VERKEERKALMERINGSBELEID

Die Swartland munisipale area ondervind 'n bestendige toename in die wat 'n toename in voertuigbeweging tot gevolg het. Gevolglik ontvang die Munisipaliteit gereeld versoeke vir die konstruksie van verkeers-kalmerende maatreëls in die vorm van spoedwalle.

'n Konsep Verkeerkalmeringsbeleid is deur die Direktoraat Siviele Ingenieursdienste ontwikkel. Die doel van die beleid is om padveiligheid in die munisipale area te bevorder en om neergelegde kriteria te gebruik vir die identifisering en implementering van verkeerkalmeringmaatreëls.

Die konsepbeleid is met die sakelys gesirkuleer.

AANBEVELING

- (a) Dat kennis geneem word van die inhoud van die konsep Verkeerkalmeringsbeleid;
- (b) Dat die Verkeerkalmeringsbeleid aanbeveel word vir goedkeuring deur die Uitvoerende Burgemeesterskomitee vir implementering.

(GET) RDL R J JOOSTE
VOORSITTER



**NOTULE VAN 'N VERGADERING VAN DIE ONTWIKKELINGSDIENSTE PORTEFEULJEKOMITEE
VAN DIE SWARTLAND MUNISIPALE RAAD GEHOU OP WOENSDAG, 10 AUGUSTUS 2022 OM
10:51**

TEENWOORDIG:

RAADSLEDE:

Voorsitter, rdl G Vermeulen
Ondervoorsitter, rdl D G Bess

De Beer, J M
Le Minnie, I S
Ngozi, M
Pypers, D C

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

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

BEAMPTES:

Direkteur: Beskermingsdienste, mnr P A C Humphreys
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: Tegnieuse Dienste, mnr M J Swanepoel
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:
Ontwikkelingsdienste.

Verlof tot afwesigheid word verleen aan rdle C Daniels, A M Booysen en die Munisipale
Bestuurder, mnr J J Scholtz.

2. NOTULE

**2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (ONTWIKKELINGS-
DIENSTE) GEHOU OP 8 JUNIE 2022**

BESLUIT

(voorgestel deur rdl I D C Pypers, gesekondeer deur rdh M A Rangasamy)

Dat die notule van die Portefeuljekomiteevergadering (Ontwikkelingsdienste) gehou op
8 Junie 2022 goedgekeur word.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

Geen

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

5. GEDELEGEERDE SAKE

5.1 MAANDVERSLAG: JUNIE 2022

Die voorsitter lê die maandverslag ter tafel.

Die Direkteur: Ontwikkelingsdienste gee inligting deur insake die vordering met die onderskeie behuisingsprojekte.

Die Direkteur: Ontwikkelingsdienste noem dat die raadslede en wykskomiteelede uitgenooi is na die amptelike bekendstelling van die GBV (*Gender Base Violence*) Ambassadeur-program op Vrydag, 19 Augustus 2022.

Rdl D C Pypers spreek sy kommer uit oor die probleme wat die inwoners van Moorreesburg ondervind om van SASSA se dienste gebruik te maak, aangesien die inwoners tot in Malmesbury moet reis.

Die Direkteur: Ontwikkelingsdienste meld dat wanneer beplanning met die verskillende staatsdepartemente gedoen word, daar probleme met SASSA (*South African Social Security Agency*) ondervind word om hulle aan vasgestelde datums te verbind. Daar sal met toekomstige gesprekke met SASSA gevra word om hul dienste meer gereeld na kleiner dorpe te neem.

Rdl P E Soldaka verneem oor die 4 begunstigdes van Riverlands se maandelikse terugbetaling op hul erwe, aan die munisipaliteit.

Die Direkteur: Korporatiewe Dienste meld dat die begunstigdes al vir baie jare op die grond bly wat Swartland Munisipaliteit nou aan hulle oordra. Daar is 'n paar begunstigdes wat nie vir die subsidie kwalifiseer nie, met wie koopaktes gesluit is.

Rdl M Ngozi spreek sy kommer uit – onder andere – oor SASSA se dienste, die kriteria van die De Hoop behuisingsprojek en die tekort aan gemeenskapsprojekte by die jeugkantoor.

Raadslede spreek hul kommer uit oor die volhoubaarheid van kleinboere in die Swartland area.

BESLUIT

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

Dat kennis geneem word van die maandverslag van die Direktoraat Ontwikkelingsdienste vir Junie 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 11 Mei 2022 en 8 Junie 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, 10 AUGUSTUS 2022 OM 10:47

TEENWOORDIG:

RAADSLEDE:

Ondervoorsitter, rdl A K Warnick

Bess, D G
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:

Direkteur: Beskermingsdienste, mnr P A C Humphreys
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: Tegniese Dienste, mnr M J Swanepoel
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 rdle M van Zyl, C Daniels en die Munisipale Bestuurder, mnr J J Scholtz.

2. NOTULE

2.1 NOTULES VAN 'N PORTEFEULJEKOMITEEVERGADERING (BESKERMINGS-DIENSTE) GEHOU OP 8 JUNIE 2022

BESLUIT

(voorgestel deur rdh B J Stanley, gesekondeer deur rdl R J Jooste)

Dat die notule van die Portefeuljekomiteevergadering (Beskermingsdienste) gehou op 8 Junie 2022 goedgekeur word.

3. AFVAARDIGINGS/VOORLEGGINGS/MEDEDELINGS

Geen

4. SAKE VOORTSPRUITEND UIT NOTULES

Geen

5. GEDELEGEERDE SAKE

5.1. MAANDVERSLAG: JUNIE 2022

5.1.1 VERKEER- EN WETSTOEPASSINGSDIENSTE

5.1.2 BRANDBESTRYDING

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

Die Direkteur: Beskermingsdienste noem dat die Verkeers- en Wetstoepassingsafdeling 'n mandaat deur middel van die GOP het om alle informele nedersettings te monitor binne die Swartland munisipale gebied om grondbesetting te voorkom en te bestuur.

Verder meld die Direkteur: Beskermingsdienste dat die Wes-Kaapse Minister van Polisie-oorsig en Gemeenskapsveiligheid, minister Reagan Allan, die K9-eenheid op 29 Junie 2022 besoek het om 'n inspeksie te hou.

Ten slotte meld die Direkteur: Beskermingsdienste dat die Wetstoepassingsreaksie-eenheid op 20 Junie 2022 hul opleiding by Chrysalis Akademie begin het.

Rdh B J Stanley versoek dat dienslewering vir die inwoners van Swartland Munisipaliteit uitgebrei moet word na 'n Saterdag met betrekking tot dienste by die Verkeersdienste-afdeling en Finansies-rekeninge afdeling.

Die Direkteur: Beskermingsdienste meld dat hy ondersoek sal doen oor dienslewering op Saterdag vir die inwoners van Swartland Munisipaliteit.

Rdl I S le Minnie spreek haar kommer uit oor dienslewering deur Verkeer- en Wetstoepassingsbeamptes. Die Direkteur: Beskermingsdienste noem dat dit sal help as 'n naam gegee word sodat die probleem aangespreek kan word.

Die Direkteur: Beskermingsdienste lig die komitee in oor die nuwe Brandweervoertuig wat ontvang was. Brandweerdienste het ook tien (10) drank op die perseel en buite die perseel tavernes geïnspekteer in 'n gesamentlike operasie met SAPD, Drankowerheid en Wetstoepassing.

BESLUIT

(op voorstel van rdl D G Bess, gesekondeer deur rdh B J Stanley)

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

6. SAKE VIR AANBEVELINGS AAN DIE UITVOERENDE BURGEMEESTER

Geen

(GET) RDL A K WARNICK
ONDERVOORSITTER



Verslag Φ Ingxelo Φ Report

Office of the Director: Electrical Engineering Services
03 August 2022

16/2/1/2/1
All Wards

ITEM 7.1 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE VERGADERING WAT GEHOU SAL WORD OP 17 AUGUST 2022

ONDERWERP: NERSA GOEDKEURING VAN ELEKTRISITEITSTARIEWE VIR 2022/2023 SUBJECT: NERSA APPROVAL OF ELECTRICITY TARIFFS FOR 2022/2023
--

1. BACKGROUND

The National Energy Regulator of South Africa (NERSA) issued a consultation paper re *Municipal Tariff Guidelines, Benchmarks and proposed Timelines for Municipal Tariff Approval Process for the 2022/23 financial year* on 30 March 2022. Based on an Eskom increase of 8.61% for municipalities, the guideline increase for municipal electricity tariffs was 7.47% and addition, guidelines for specific tariffs and tariff categories were published.

On 01 June 2022 the final *Annual Municipal Electricity Tariff Guideline* was issued by NERSA for 2022/23 which corresponded with the NERSA consultation paper. (For 2021/22 the date of publication of the final NERSA Tariff Guideline was 15 May 2021). Based on the approval of the proposed municipal tariffs by Council, Swartland Municipality lodged the tariff increase application on 20 May 2022 and confirmed the tariff application on 06 June 2022 subsequent to receipt of the final NERSA tariff guideline for 2022/23.

On 05 July 2022 the letter of approved of the municipal electricity tariffs was received from NERSA. In terms of the NERSA letter it was requested that the tariff increase pertaining to the energy components of the industrial tariff structures, Tariff 3 and Tariff 10 be limited to 7.47% in lieu of the 8% increase that was applied for. NERSA also advised that they lack the statutory and regulatory jurisdiction over the proposed activity between the municipality and small scale embedded generators (SSEG) and therefore cannot approve the municipal tariff for SSEG's, Tariff 11 despite having approved the SSEG tariff in previous years. All other electricity tariffs as applied for were approved by NERSA.

Swartland Municipality forthwith objected against the NERSA tariff determination with respect to the energy components of the industrial tariff structures, i.a. on the basis of the following:

- a) Due to the late receipt of the NERSA tariff approval it was not possible to obtain Municipal Council approval for the adjustment before implementation of the tariffs on 1 July 2022.

- b) The industrial tariffs with the proposed 8% increase of the energy components remain well below the NERSA benchmark for such tariffs, i.e.

NERSA kWh /mnt Benchmark	Munic Cost	Munic Cost/kWh	NERSA Benchmark		
43800	R 111 949.11	R 2.56	R2.6241	to	R2.7529
98550	R 251 885.50	R 2.56	R2.5757	to	R2.6723

The following response was i.a. received from NERSA:

“Unfortunately the decision the Regulator took stands and if the municipality implements tariffs that are not approved by the Regulator, they will be regarded as illegal tariffs and action will be taken against the municipality. I am unable to change anything at this stage. The Regulator took a stand to limit all tariffs increasing by above guideline to the guideline increase. Your municipality is not the only one affected.”

2. FINANCIAL IMPLICATIONS

The estimated financial implication of the adjustment of the energy component tariffs of the industrial tariff structures by NERSA amounts to R346 000 or 0.083% of the total projected revenue from sales of electricity.

Although it is possible to lodge a formal appeal to NERSA to reconsider the tariff determination, the following must be considered:

- The tariffs as approved by NERSA had to be implemented as from 1 July.
- The appeal process is likely to be exceedingly time consuming.
- The financial implication of the NERSA tariff determination is not significant.
- NERSA will require a recent and updated Cost of Supply Study as part of the motivation, which will attract a significant consultancy fee.

Therefore it is recommended that the NERSA tariff determination for 2022/23 be accepted.

3. RECOMMENDATION

- That the approval of the electricity tariffs by NERSA for 2022/23 be noted and accepted.
- That the NERSA admission that that they lack the statutory and regulatory jurisdiction over the proposed activity between the municipality and small scale embedded generators be noted.
- That the following reduced energy tariffs as determined and approved by NERSA pertaining to the industrial tariff structures be accepted:

No	Tariff Structure	NERSA approved Tariff Excl Vat	NERSA approved increase	Tariff applied for Excl Vat	% Increase applied for
3	Industrial Bulk Normal (3-phase)				
3a	Bulk Consumers: Network Charge per month	R 1 853.4300	7.47%	R 1 853.4300	7.47%
3b	Consumption: per kWh	R 0.8810	7.47%	R 0.8854	8.00%
3c	Maximum Demand: per kVA per month	R 356.5700	7.47%	R 356.5700	7.47%
10	Industrial Bulk 'Time Of Use'-Tariff (3-phase, Alternative for Tariff 3)				
10a	Time Of Use: Network Charge per month	R 1 853.4300	7.47%	R 1 853.4300	7.47%
	Low Consumption Season (Sep - May):				
10b	* Peak (per kWh)	R 1.5277	7.47%	R 1.5352	8.00%
10c	* Standard (per kWh)	R 1.0513	7.47%	R 1.0565	8.00%
10d	* Off peak (per kWh)	R 0.6667	7.47%	R 0.6701	8.00%
	High Consumption Season (Jun - Aug):				
10e	* Peak (per kWh)	R 4.6834	7.47%	R 4.7065	8.00%
10f	* Standard (per kWh)	R 1.4187	7.47%	R 1.4257	8.00%
10g	* Off peak (per kWh)	R 0.7702	7.47%	R 0.7741	8.00%
10h	Maximum Demand: per kVA per month	R 239.1500	7.47%	R 239.1500	7.47%

(Sgd) R du Toit

DIRECTOR: ELECTRICAL ENGINEERING SERVICES
RDT/ma



Verslag ♦ Ingxelo ♦ Report

Office of the Director: Civil Engineering Services

21 JULY 2022

5/6/1/1/2
WARDS: All

ITEM 7.2 OF THE AGENDA OF AN EXECUTIVE MAYORAL COMMITTEE MEETING WHICH SHALL BE HELD ON 12 AUGUST 2022

SUBJECT: BUDGET FOR MAINTENANCE OF PROVINCIAL MAIN ROADS: 2023/2024 FINANCIAL YEAR

The road expenditure estimates for maintenance and rehabilitation on Provincial Main Roads are submitted annually to the District Roads Engineer for consideration and approval. This information together with Council Approval must be presented to the District Roads Engineer. Accordingly, this item is presented to the EMC for consideration.

The list of expected expenses follows below:

ESTIMATES OF EXPENDITURE ON MUNICIPAL MAIN ROADS : 2023/2024							
COUNCIL	PROJECT NUMBER	ROAD NO.	DESCRIPTION FROM TO	ACTIVITY	REQUESTED 2023/2024	RECOMMENDATION DRE.-2023/2024	COMMENTS
Swartland		MR 226	Riebeek Kasteel Main Rd, Sarel Cilliers, Piet Retief	Periodic Maintenance	R 2 021 942.20		
Swartland		MR 215	Darling (Main Road)	Periodic Maintenance	R 994 453.32		
Swartland		MR228	Darling (Evita Bezuidenhout)	Periodic Maintenance	R 783 933.75		
Swartland		MR174	Malmesbury (Voortrekker Road)	Periodic Maintenance	R 602 043.77		
TOTAL					R 4 402 373.04		

The application must be accompanied by Council Approval; accordingly, it is recommended as follows:

RECOMMENDATION

- That the Executive Mayoral Committee approves the budget of expenses for Provincial Main Roads for the 2023/2024 financial year.

DIRECTOR: CIVIL ENGINEERING SERVICES
JMSS/ma



Verslag ♦ Ingxelo ♦ Report

Office of the Municipal Manager
2022-08-17

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

ITEM 7.3 OF THE AGENDA OF AN EXECUTIVE MAYORAL COMMITTEE MEETING TO BE HELD ON 17 AUGUST 2022

ONDERWERP: PROSESPLAN VIR DIE OPSTEL VAN DIE GOP EN WYSIGING VAN DIE ROR
SUBJECT: PROCESS PLAN FOR THE COMPILATION OF THE IDP AND AMENDMENT OF THE SDF

The process plan is circulated under separate cover.

1. BACKGROUND AND DISCUSSION

The Municipal Systems Act (No 32 of 2000) stipulates the following regarding the IDP compilation process:

Section 28. Adoption of process

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

Section 29. Process to be followed

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

2. INSETTE EN KOMMENTAAR

Die Prosesplan is op 21 en 22 Junie 2022 in die plaaslike koerante geadverteer vir insette en kommentaar met 'n sluitingsdatum van 15 Julie 2022. Geen insette is ontvang nie.

3. LEGISLATION

The following legislation is applicable:

- Municipal Systems Act, No 32 of 2000, Sections 28 and 29
- Municipal Finance Management Act, No 56 of 2003, Section 21

4. AANBEVELING / RECOMMENDATION

- (a) Dat die Prosesplan vir die opstel van die nuwe GOP vir Swartland in terme van Artikel 28 van die Wet op Munisipale Stelsels (Nr 32 van 2000) aanbeveel word vir goedkeuring deur die Raad.
 - (b) Dat die program met tydraamwerke / tydskedule wat as Aanhangsel A by die Prosesplan ingesluit is, in terme van artikel 29(1)(a) van die Wet op Munisipale Stelsels asook artikel 21(1)(b) van die Wet op Munisipale Finansiële Bestuur aanbeveel word vir goedkeuring deur die Raad.
 - (c) Dat die Prosesplan ook die hersiening van die Swartland Ruimtelike Ontwikkelingsraamwerk rig.
- (a) *That the Process Plan for the compilation of the new IDP for Swartland be recommended for approval by Council in terms of Section 28 of the Municipal Systems Act (No 32 of 2000).*
 - (b) *That the programme with timeframes / time schedule that is included in the Process Plan as Annexure A be recommended for approval by Council in terms of section 29(1)(a) of the Municipal Systems Act as well as section 21(1)(b) of the Municipal Finance Management Act.*
 - (c) *That the Process Plan also guide the revision of the Swartland Spatial Development Framework.*

(get) J J Scholtz

MUNISIPALE BESTUURDER / MUNICIPAL MANAGER

DATUM: 17 Augustus 2022 / **DATE:** 17 August 2022



Swartland Municipality

PROCESS PLAN

to guide the planning, drafting, adoption and review of the

SWARTLAND INTEGRATED DEVELOPMENT PLAN

including the

MSDF, Annual Budget and performance management

August 2022

IDP Process Plan

Compiled in terms of
Section 28 and 29 of the Municipal Systems Act, No 32 of 2000

and includes

a Programme with timeframes for the different steps in terms of Section 29(1) of the Municipal Systems Act 32 of 2000 / Time Schedule in terms of section 21(1)(b) of the Municipal Finance Management Act 56 of 2003

Adopted by the Council on ...

The Integrated Development Plan is a municipality's principal strategic plan that deals with the most critical development needs of the municipal area (external focus) as well as the most critical governance needs of the organisation (internal focus).

The Integrated Development Plan –

- *is adopted by council within one year after a municipal election and remains in force for the council's elected term (a period of five years);*
- *is initially drafted and thereafter reviewed annually in consultation with the local community as well as interested organs of state and other role players;*
- *guides and informs all planning and development, and all decisions with regard to planning, management and development;*
- *forms the framework and basis for the municipality's medium term expenditure framework, annual budgets and performance management system; and*
- *seeks to promote integration and coordination of actions across sectors and spheres of government.*

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1 INTRODUCTION

1.1 Point of departure

Integrated development planning is the key tool for local government to cope with its role and function in terms of the SA Constitution and other applicable legislation. Integrated development planning is seen as a function of municipal management, as part of an integrated system of planning and delivery. The IDP process is meant to arrive at decisions on issues such as municipal budget priorities, land management, social and economic development and institutional transformation in a consultative, systematic and strategic manner.

The integrated development planning process has to provide a platform for identifying, discussing and resolving the **real issues** in a municipality (which may be over-arching issues for the whole municipality, as well as issues of specific communities or stakeholder groups) to a level of detail which is required for realistic costing and which helps manage the implementation process without much delay.

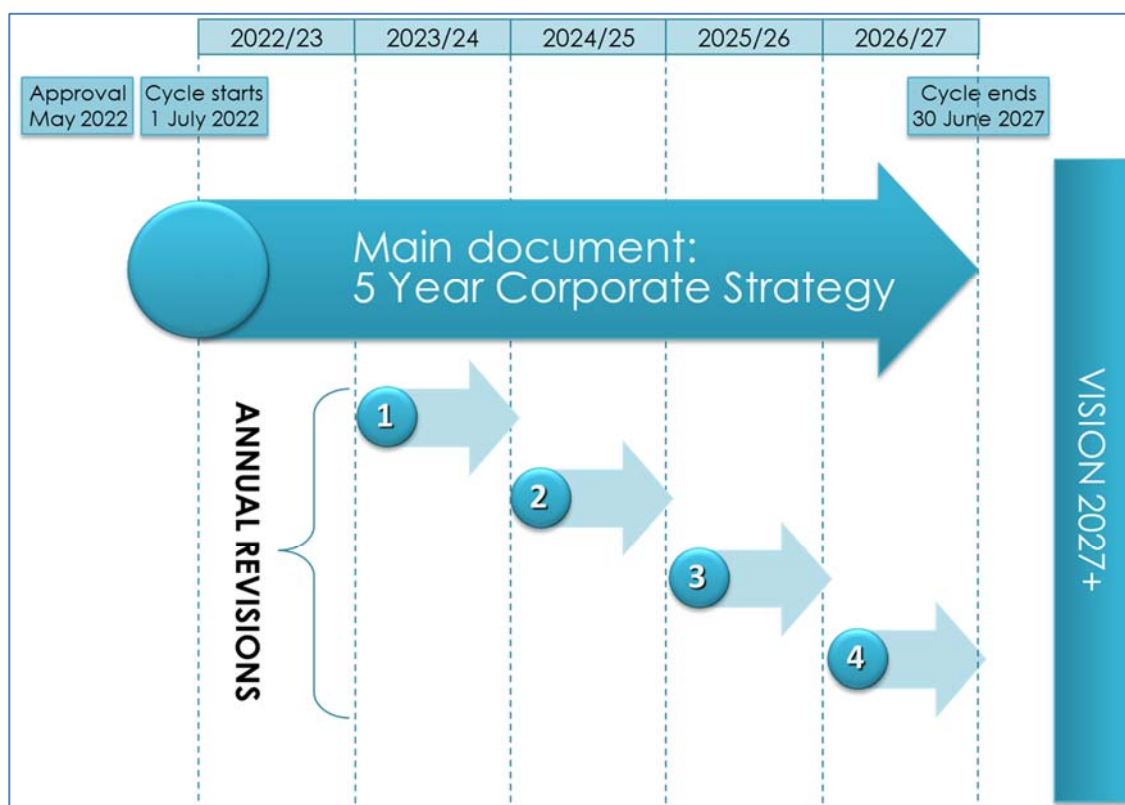
The **Process Plan** fulfils the function of a business plan or an operational framework for the IDP process. It says in a simple and transparent manner what has to happen when, by whom, with whom, and where, and it includes a budget.

1.2 Area of the IDP

The IDP will be applicable to the Swartland Municipal Area which includes the following towns and settlements: Malmesbury, Abbotsdale, Kalbaskraal, Chatsworth, Riverlands, Moorreesburg, Koringberg, Darling, Yzerfontein, Riebeeck West and Riebeeck Kasteel.

The geographic size of the municipal area is approximately 3 700 square kilometres.

1.3 Five year cycle of the IDP



1.4 Phases of the annual compilation / review process

The IDP compilation / review process normally goes through the following phases between September of any year and May of the following year:

Phase	Tasks	Mechanisms
Analysis	<i>Broad awareness and support:</i>	
	▪ Electronic needs survey ▪ Mass communication	▪ Google Forms ▪ Social media, newsletter, radio interviews notice boards and press articles
	<i>Compilation of area plans:</i>	
	▪ Ward profiles ▪ Services backlogs ▪ Priority issues ▪ Sector needs and issues	▪ Meetings per area with community representatives ▪ Open days ▪ Ward committee meetings ▪ Inputs by departments
	<i>Focus group discussions:</i>	
	Meetings per focus group with key role-players (Safety, Health, Education, Agriculture, Business, Tourism and Religion)	▪ Meetings ▪ Stakeholders discussions
	<i>Internal analysis and technical input:</i>	
	▪ Critical issues / challenges ▪ Minimum service levels	▪ In-house exercise by departments ▪ Sector plans ▪ Spatial Development Framework Performance assessment
Strategy	<i>Inter-governmental alignment:</i>	
	Align with National and Provincial Policies, programmes and projects	▪ Desktop study by Strategic Manager ▪ Swartland Intergovernmental Forum
Strategy	Council and Management discuss strategic issues such as vision and mission, future directions as well as strategic goals and objectives.	▪ Strategy workshops ▪ In-house exercise by Management Team
Tabling of draft IDP and draft annual budget	Finalise and table draft IDP, SDF and annual budget	In-house preparation of the relevant documentation and submission to Council
Consultation and refinement	▪ Make public the draft IDP, SDF and draft annual budget for comments and submissions. ▪ Submissions and consultations.	▪ In-house exercise by Director Financial Services and Strategic Manager ▪ Public meetings & workshops ▪ Mayoral Consultative Forum
Final approval	▪ Council approves the final IDP, SDF and annual budget	In-house preparation of the relevant documentation and submission to Council

2 LEGAL PROCESS REQUIREMENTS

In order to ensure certain minimum quality standards of the IDP process and a proper coordination between and within the spheres of government, the IDP process is regulated by the following legislation:

MUNICIPAL SYSTEMS ACT, NO 32 OF 2000 (MSA)

SECTION 28

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

SECTION 29(1)

The process followed by a municipality to draft its integrated development plan, including its consideration and adoption of the draft plan, must -

- (a) be in accordance with a predetermined programme specifying timeframes for the different steps;*
- (b) through appropriate mechanisms, processes and procedures established in terms of Chapter 4, allow for -*
 - (i) the local community to be consulted on its development needs and priorities;*
 - (ii) the local community to participate in the drafting of the integrated development plan; and*
 - (iii) organs of state, including traditional authorities, and other role players to be identified and consulted on the drafting of the integrated development plan;*
- (c) provide for the identification of all plans and planning requirements binding on the municipality in terms of national and provincial legislation; and*
- (d) be consistent with any other matters that may be prescribed by regulation.*

MUNICIPAL PLANNING AND PERFORMANCE MANAGEMENT REGULATIONS, 2001, REGULATION 3 - PROCESS FOR AMENDING IDP'S

[NOTE: DCoG busy with amendment of the Regulations which will affect Regulation 3]

- (1) Only a member or committee of a municipal council may introduce a proposal for amending the municipality's integrated development plan in the council.*
- (2) Any proposal for amending a municipality's IDP must be-*
 - (a) accompanied by a memorandum setting out the reasons for the proposal; and*
 - (b) aligned with the framework adopted in terms of section 27 of the Act.*
- (3) An amendment to a municipality's IDP is adopted by a decision taken by a municipal council in accordance with the rules and orders of the council.*
- (4) No amendment to a municipality's IDP may be adopted by the municipal council unless-*
 - (a) all the members of the council have been given reasonable notice;*
 - (b) the proposed amendment has been published for public comment for a period of at least 21 days in a manner that allows the public an opportunity to make representations with regard to the proposed amendment;*
 - (c) [district municipality]; and*

- (d) *the municipality, if it is a local municipality, has complied with subregulation (6).*
- (5) *[district municipality]*
- (6) *A local municipality that considers an amendment to its IDP must -*
- (a) *consult the district municipality in whose area it falls on the proposed amendment; and*
 - (b) *take all comments submitted to it by the district municipality into account before it takes a final decision on the proposed amendment.*

3 PREPARATION FOR THE PROCESS

The result of the preparation process should not only be a document (the Process Plan), but also a well prepared council and management, confident about the task ahead. In the Process Plan -

- Organisational arrangements are established and the membership of committees and forums is clarified.
- Roles and responsibilities are clarified and internal human resources allocated accordingly.
- The legal requirements, principles and functions of community and stakeholder participation during the IDP process are clarified.
- Mechanisms and procedures for alignment with external stakeholders such as other municipalities, districts and other spheres of government are looked at.
- A guideline for the contents of the IDP is provided.
- Legislation and policy requirements that have to be considered in the course of the IDP process are provided. The list contains documents, guidelines, plans and strategies from the provincial and national sphere of government.

This preparation for the IDP compilation process is a task of municipal management. Individual tasks may be delegated but the process remains the accountability of the Management Team.

4 ENGAGEMENT WITH COMMUNITY AND STAKEHOLDERS

4.1 Organisational arrangements

The municipality needs to establish a set of organisational arrangements to -

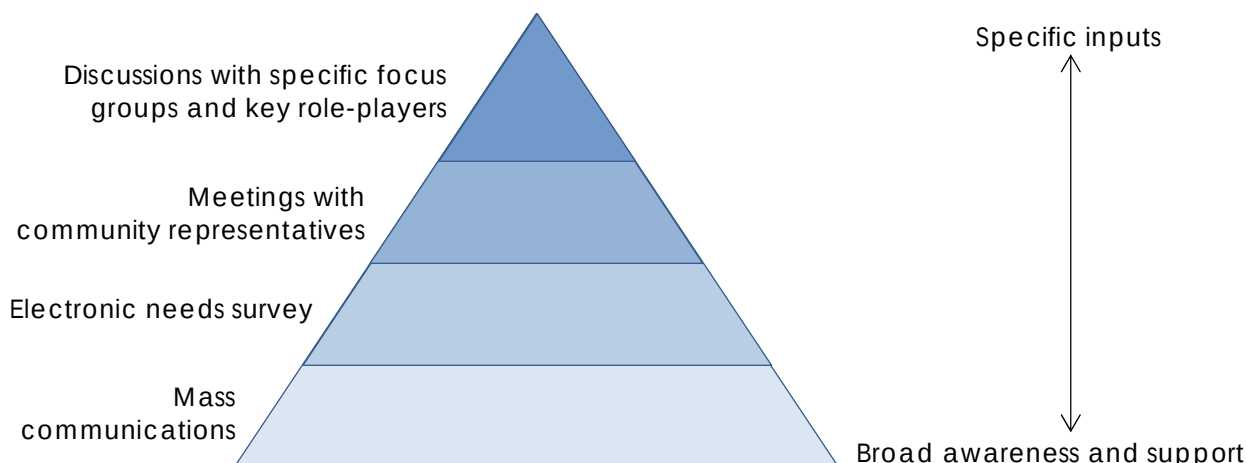
- institutionalise the participation process;
- effectively manage outputs; and
- give affected parties access to contribute to the decision-making process.

The Municipality should consider existing arrangements, use and adapt them if necessary, and avoid duplication of mechanisms. This section deals with the organisational structure and the terms of reference for each of the arrangements/structures.

4.2 Structured participation

The IDP process and the engagement with the community and stakeholders in this process have to be **structured**.

The involvement and inputs of the community and stakeholders will be obtained in the manner depicted in the following picture:



4.3 Ways of engagement

The engagements discussed below will happen during **September to November** of each year. During **April** of the following year the draft IDP will be advertised for written public comments and inputs.

(a) Mass communications

Will be done inter alia by means of the Municipality's Facebook Page, newsletters, WhatsApp, radio interviews, notice boards and press articles.

(b) Electronic needs survey

Will be done by means of the free Google Forms service that is accessible from any device over the internet.

(c) Meetings per area with community representatives

Meetings will be held with community representatives per area. Representatives will include inter alia community leaders, NGO's in the area concerned, sector representatives, representatives of vulnerable groups and SMME's.

(d) Open days

Join SDF open days.

(e) Meetings per focus group with specific key role-players

- **Safety:** CPF's, SAPS, neighbourhood watches, private security firms
- **Health:** Swartland District health representatives, Health Forum, private health practitioners, EMS
- **Education:** Regional representatives of DoE, school principals, West Coast College
- **Agriculture:** Representative of Agricultural Society, Farm Workers Association, emerging farmers
- **Business:** Meetings with business chambers / associations, meeting with large business role-players including mega-farmers.
- **Tourism:** Meetings with representatives of tourism organisations, accommodation establishments, restaurants as well as farms and wineries that are open to tourists.
- **Religion:** Meetings with representatives from the Swartland Interdenominational Forum.

4.4 Ward committees

The role of the Ward Committees with respect to public engagement is to -

- Assist the ward councillor in identifying challenges and needs of residents.
- Prioritise of challenges and needs
- Interact with other forums and organisations on matters affecting the ward.
- Draw up a area plan that offers suggestions on how to improve service delivery and address the needs in a particular ward / area.

The chairperson of the Ward Committee is the Ward Councillor of that particular ward.

4.5 Swatland Intergovernmental Forum (SIF)

The Integrated Development Planning process requires alignment with other spheres of government at different stages during the process. Before starting with the IDP process the Municipality needs to understand where alignment should take place and through which mechanism this can best be achieved. Alignment is the instrument to determine the role and inputs of the different spheres of government.

The desired outcome of inter-governmental alignment is –

- to make government as a whole work together;
- to improve the impact of its programmes; and
- to work towards achieving common objectives and outcomes,

particularly with respect to economic growth for job creation and addressing the needs of the poor.

Inter-governmental alignment during the process will be achieved through the Swatland Intergovernmental Forum. The Forum will meet during **September to November** of each year and will involve stakeholders from different spheres of government involved in the municipal IDP.

4.6 Mayoral Consultative Forum (MCF)

The Mayoral Consultative Forum (MCF) will meet **during April of each year** to assist in finalising the IDP content. The MCF will comprise of -

- two members from each ward committee;
- at least two representatives from the each of the focus areas mentioned in paragraph 4.3(e) above, namely **Safety, Health, Education, Agriculture, Business, Tourism and Religion**. The representatives should be nominated at the meetings held during September to November in terms of paragraph 4.3(e); and
- Municipal councillors (ex officio).

The MCF will not have any decision making powers.

5 ROLES AND RESPONSIBILITIES

5.1 Activities and outputs

It is one of the pre-requisites of a smooth and well organised IDP process that all role players are fully aware of their own and of other role players' responsibilities. Therefore, it is one of the first preparation requirements for the IDP process to ensure that there is a clear understanding of all required roles, and of the persons or organisations that can assume those roles. This section deals with:

- The roles which the municipality has to play in the IDP process in relation to the roles which external role players are expected to play.
- The further specification of roles within the Municipality and the responsibilities related to that role in detail.

5.2 Roles and responsibilities within Government

Role Player	Roles and Responsibilities
Local Municipality	▪ Prepare and adopt the IDP Process Plan. ▪ Undertake the overall management and co-ordination of the IDP process which includes ensuring that : - all relevant role-players are appropriately involved; - appropriate mechanisms and procedures for community participation are applied; - events are undertaken in accordance with the approved time schedule; - the IDP relates to the real burning issues in the municipality; and - the sector planning requirements are satisfied. ▪ Prepare and adopt the IDP. ▪ Adjust the IDP in accordance with the MEC's proposal. ▪ Ensure that the annual business plans, budget and performance management system are linked to and based on the IDP.
District Municipality	▪ Same roles and responsibilities as local municipalities but related to the preparation of a District IDP. The District Municipality must also prepare a District Framework (Sec 27 of the MSA). ▪ Fulfil a coordination and facilitation role by - - ensuring alignment of the IDP's of the municipalities in the district council area; - ensuring alignment between the district and local planning; - facilitation of alignment of IDP's with other spheres of government and sector departments; and - preparation of joint strategy workshops with local municipalities, provincial and national role-players and other subject matter specialists.

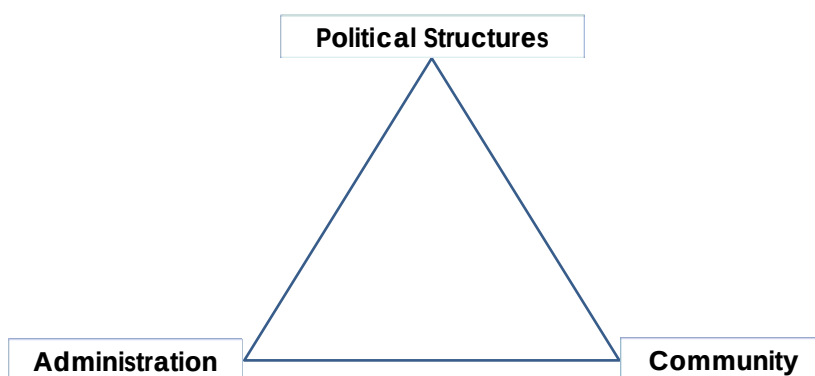
Role Player	Roles and Responsibilities
Provincial Government	▪ Ensure horizontal alignment of the IDP's of the district municipalities within the province. ▪ Ensure vertical/sector alignment between provincial sector departments/ provincial strategic plans and the IDP process at local/district level by - - guiding the provincial sector departments' participation in and their required contribution to the municipal IDP process; and - guiding them in assessing draft IDP's and aligning their sector programmes and budgets with the IDP's. ▪ Efficient financial management of provincial IDP grants. ▪ Monitor the progress of the IDP processes. ▪ Facilitate resolution of disputes related to IDP. ▪ Assist municipalities in the IDP drafting process where required. ▪ Organise IDP-related training where required. ▪ Co-ordinate and manage the MEC's assessment of IDP's.

5.3 Roles and responsibilities - Municipality and stakeholders

(a) Legal framework

Systems Act Section 2(b) - A municipality consists of -

- (i) the political structures and administration of the municipality; and
- (ii) the community of the municipality



POLITICAL STRUCTURES:

Structures Act Section 56 - Functions and powers of executive mayors

- (2) The executive mayor must –
 - (a) identify the needs of the municipality;
 - (b) review and evaluate those needs in order of priority;
 - (c) recommend to the municipal council strategies, programmes and services to address priority needs through the **integrated development plan**, and the estimates of revenue and expenditure, taking into account any applicable national and provincial development plans; and
 - (d) recommend or determine the best way, including partnership and other approaches, to deliver those strategies, programmes and services to the maximum benefit of the community.

Systems Act Section 30 - Management of drafting process

The executive mayor of a municipality must, in accordance with section 29 -

- (a) manage the drafting of the municipality's integrated development plan;

- (b) *assign responsibilities in this regard to the municipal manager; and*
- (c) *submit the draft plan to the municipal council for adoption by the council.*

ADMINISTRATION:

Systems Act Section 55(1) - Municipal managers

As head of administration 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; and*
 - (iii) *responsive to the needs of the local community to participate in the affairs of the municipality;*
- (b) *the management of the municipality's administration in accordance with this Act and other legislation applicable to the municipality;*
- (c) *the implementation of the municipality's **integrated development plan**, and the monitoring of progress with implementation of the plan;*

COMMUNITY:

Systems Act Section 29(1) - Process to be followed

The process followed by a municipality to draft its integrated development plan, including its consideration and adoption of the draft plan, must -

- (b) *through appropriate mechanisms, processes and procedures established in terms of Chapter 4, allow for -*
 - (i) *the local community to be consulted on its development needs and priorities*
 - (ii) *the local community to participate in the drafting of the integrated development plan.*

(b) Responsibilities of different role players

The table below indicates the roles and responsibilities of the different role players.

Role Player	Roles and Responsibilities	Objectives	Objectives for all role players
Executive Mayor (together with the Mayoral Committee) (process "owner", accountable)	- Decide on planning process: nominate persons in charge - Monitor planning process - Responsible for the overall management, co-ordination and monitoring of the process and drafting of the IDP (to make sure that all relevant actors are involved)	- Increased ownership and accountability - More appreciation of the merit of the process/ plan - More openness to new / different ideas - Greater commitment to the process / plan - Be more accessible to the public - Get buy-in from the community - Improved communication to manage expectations - Communicate limited resources	- Greater structured participation / involvement - High quality dialogue - As simple and easy as possible to participate / contribute
Proportional councillors, ward councillors, ward committee members	- Link integrated development planning process to their constituencies/wards - Create awareness around public participation		
Municipal Manager and Management Team (Responsible)	- Actively partake in the engagements with community and stakeholders - Summarise / digest process inputs from the participation process - Discuss / comment on inputs from specialists - Provide technical / sector expertise and information - Provide inputs related to the various planning steps		
Strategic Management Office (Process facilitator)	Day-to-day management of the drafting process on behalf of the Municipal Manager to ensure a properly managed and organised planning process	More productive and efficient process management	
Community and stakeholders	As described in Section 4		

6 IDP CONTENT

6.1 Legal requirements

Section 26 of the MSA: Core components of integrated development plans

An integrated development plan must reflect-

- the municipal council's vision for the long term development of the municipality with special emphasis on the municipality's most critical development and internal transformation needs;*
- an assessment of the existing level of development in the municipality, which must include an identification of communities which do not have access to basic municipal services;*

- (c) *the council's development priorities and objectives for its elected term, including its local economic development aims and its internal transformation needs;*
- (d) *the council's development strategies which must be aligned with any national or provincial sectoral plans and planning requirements binding on the municipality in terms of legislation;*
- (e) *a spatial development framework which must include the provision of basic guidelines for a land use management system for the municipality;*
- (f) *the council's operational strategies;*
- (g) *applicable disaster management plans;*
- (h) *a financial plan, which must include a budget projection for at least the next three years; and*
- (i) *the key performance indicators and performance targets determined in terms of section 41.*

Regulation 2 of the 2001 Municipal Planning and Performance Management Regulations:

[NOTE: DCoG busy with amendment of the Regulations which will affect Regulation 2]

Detail of integrated development plan

- (1) *A municipality's integrated development plan must at least identify-*
 - (a) *the institutional framework, which must include an organogram, required for-*
 - (i) *the implementation of the integrated development plan; and*
 - (ii) *addressing the municipality's internal transformation needs, as informed by the strategies and programmes set out in the integrated development plan;*
 - (b) *any investment initiatives in the municipality;*
 - (c) *any development initiatives in the municipality, including infrastructure, physical, social, economic and institutional development;*
 - (d) *all known projects, plans and programmes to be implemented within the municipality by any organ of state; and*
 - (e) *the key performance indicators set by the municipality.*
- (2) *An integrated development plan may-*
 - (a) *have attached to it maps, statistics and other appropriate documents; or*
 - (b) *refer to maps, statistics and other appropriate documents that are not attached, provided they are open for public inspection at the Offices of the municipality in question.*
- (3) *A financial plan reflected in a municipality's integrated development plan must at least-*
 - (a) *include the budget projection required by section 26(h) of the Act;*
 - (b) *indicate the financial resources that are available for capital project developments and operational expenditure; and*
 - (c) *include a financial strategy that defines sound financial management and expenditure control, as well as ways and means of increasing revenues and external funding for the municipality and its development priorities and objectives, which strategy may address the following:*
 - (i) *Revenue raising strategies;*
 - (ii) *asset management strategies;*
 - (iii) *financial management strategies;*
 - (iv) *capital financing strategies;*
 - (v) *operational financing strategies; and*
 - (vi) *strategies that would enhance cost-effectiveness.*
- (4) *A spatial development framework reflected in a municipality's integrated development plan must-*
 - (a) *give effect to the principles contained in Chapter 1 of the Development Facilitation Act, 1995 (Act No. 67 of 1995);*

- (b) set out objectives that reflect the desired spatial form of the municipality;*
- (c) contain strategies and policies regarding the manner in which to achieve the objectives referred to in paragraph (b), which strategies and policies must-*
 - (i) indicate desired patterns of land use within the municipality;*
 - (ii) address the spatial reconstruction of the municipality; and*
 - (iii) provide strategic guidance in respect of the location and nature of development within the municipality;*
- (d) set out basic guidelines for a land use management system in the municipality;*
- (e) set out a capital investment framework for the municipality's development programs;*
- (f) contain a strategic assessment of the environmental impact of the spatial development framework;*
- (g) identify programs and projects for the development of land within the municipality;*
- (h) be aligned with the spatial development frameworks reflected in the integrated development plans of neighbouring municipalities; and*
- (i) provide a visual representation of the desired spatial form of the municipality, which representation -*
 - (i) must indicate where public and private land development and infrastructure investment should take place;*
 - (ii) must indicate desired or undesired utilisation of space in a particular area;*
 - (iii) may delineate the urban edge;*
 - (iv) must identify areas where strategic intervention is required; and*
 - (v) must indicate areas where priority spending is required.*

6.2 Guideline for the contents of the IDP

The form and content of an IDP are largely subject to the discretion of a Municipality. The following bullets serve only as a guide:

- Forewords by the Executive Mayor and Municipal Manager
- Introduction and background
- The planning process, roles and responsibilities
- The organisation
- Intergovernmental policy alignment - national, provincial and district
- Sector plan alignment
- Status quo information
- Strategy (vision, mission, goals)
- Expenditure framework - Municipal budget, financial allocations, provincial budget
- Status of sector plans and policy

7 ANNUAL REVISION OF THE IDP

7.1 Legal requirements

MSA Section 34: Annual review and amendment of integrated development plan

A municipal council-

(a) must review its integrated development plan-

(i) annually in accordance with an assessment of its performance measurements in terms of section 41; and

(ii) to the extent that changing circumstances so demand; and

(b) may amend its integrated development plan in accordance with a prescribed process.

[NOTE: DCoG is busy with amendment of the 2001 Municipal Planning and Performance Management Regulations. A new regulation 3A is proposed that deals with the Review of an IDP]

7.2 Annual review and amendment explained

The IDP has to be reviewed annually in order to:

- Ensure its relevance as the municipality's strategic plan;
- inform other components of the municipal business process including institutional and financial planning and budgeting; and
- inform the cyclical inter-governmental planning and budgeting cycle.

For the IDP to remain relevant the municipality must assess implementation performance and the achievement of its targets and strategic objectives. In the light of this assessment the IDP is reviewed to reflect the impact of successes as well as corrective measures to address problems. The IDP is also reviewed in the light of changing internal and external circumstances that impact on the priority issues, outcomes and outputs of the IDP.

The annual review must inform the municipality's financial and institutional planning and most importantly, the drafting of the annual budget. It must be completed in time to properly inform the latter.

The purpose of Section 34 is therefore to -

- compare the actual progress of the implementation of the integrated development plan with the planned progress;
- measure actual performance in terms of the integrated development plan with the appropriate performance targets provided for in the integrated development plan; and
- take into account any changed circumstances, including national, provincial and local priorities, new or updated policies or events that may necessitate the amendment of the integrated development plan.

If at the end of the review process the municipality decides to amend the IDP such amendment must be in accordance with **MSA Section 34(b)** and regulation 3 of the **2001 Municipal Planning and Performance Management Regulations**.

8 LEGAL AND POLICY DOCUMENTS GUIDING THE IDP

The Integrated Development Planning process is guided by a number of legal and policy documents that impose a range of demands and requirements on the Municipality. The list below contains the some of the most important IDP source documents:

Acts

Constitution of South Africa (1996)
Municipal Structures Act (117 of 1998)
Municipal Systems Act (32 of 2000)
Municipal Finance Management Act (56 of 2003)
Intergovernmental Relations Framework Act, 2005 (Act No. 13 of 2005)
Spatial Planning and Land Use Management Act (16 of 2013)

Regulations

Municipal Planning and Performance Management Regulations (Aug 2001)
Municipal Budget and Reporting Regulations (April 2009)
Regulations in terms of the Spatial Planning and Land Use Management Act (March 2015)

National policy

National Development Plan (2011)
Medium-Term Strategic Framework: 2019 – 2024
National District Development Model (DDM) and One Plan
Integrated Urban Development Framework - 2016

Provincial policy

Western Cape's Provincial Strategic Plan: 2019-2024
Western Cape Joint District and Metro Approach (JDMA)
Western Cape Provincial Spatial Development Framework - March 2014

ANNEXURE A

PROGRAMME WITH TIMEFRAMES IN TERMS OF SECTION 29(1)(a) OF THE MSA / TIME SCHEDULE IN TERMS OF SECTION 21(1)(b) OF THE MFMA

ACRONYMS USED IN THE PROGRAMME

MSA	Municipal Systems Act 32 of 2000
MPPMR	Municipal Planning and Performance Management Regulations, 2001
MFMA	Municipal Finance Management Act 56 of 2003
MPR	Municipal Performance Regulations for Municipal Managers and Managers directly accountable to Municipal Managers, 2006
MBRR	Municipal Budget and Reporting Regulations, 2009
SPLUMA	Spatial Planning and Land Use Management Act, 2013
WC LUPA	Western Cape Land Use Planning Act, 2014
MSDF	Municipal Spatial Development Framework
BYLAW	Swartland Municipality : Land Use Planning Bylaw, 2017

WHERE REFERENCE IS MADE IN THE ANNEXURE TO "MAKE PUBLIC", THE FOLLOWING APPLIES:

Municipal Systems Act, Section 21A(1) -

All documents that must be **made public** by a municipality in terms of a requirement of this Act, the Municipal Finance Management Act or other applicable legislation, must be conveyed to the local community -

- (a) by displaying the documents at the municipality's head and satellite offices and libraries;
- (b) by displaying the documents on the municipality's official website, **and**
- (c) by notifying the local community, in accordance with **section 21**, of the place, including the website address, where detailed particulars concerning the documents can be obtained.

CONSULTATION WITH LOCAL COMMUNITY REGARDING THE PROCESS PLAN (Section 28, MSA)

The municipality will consult the local community during June and July 2022 before the Council adopts the Process Plan on 25 August 2022.

KEY DEADLINES PER MONTH

AUGUST 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat	
	1	2	3	4	5	6	
7	8	9	10	11	12	13	9 Aug: Women's Day
14	15	16	17	18	19	20	17 Aug: Mayoral Committee
21	22	23	24	25	26	27	25 Aug: Council
28	29	30	31				

Date	IDP	Budget	SDF	Performance Management	Legal Reference
17 Aug	Submit Process Plan to Mayoral Committee				MSA Section 28: <i>(1) Each municipal council, within a prescribed period after the start of its elected term, must adopt a process set out in writing to guide the planning, drafting, adoption and review of its integrated development plan.</i> <i>(2) The municipality must through appropriate mechanisms, processes and procedures established in terms of Chapter 4, consult the local community before adopting the process.</i>
25 Aug	Submit Process Plan to Council for approval				
29 Aug	Submit Process Plan to Provincial Treasury, Department of Local Government and the West Coast District Municipality and post on Municipal website.				
31 Aug		Submit annual financial statements to the Auditor-General for auditing		Submit annual performance report to the Auditor-General for auditing	MSA Section 126(1)(a): <i>The accounting officer of a municipality must prepare the annual financial statements of the municipality and, within two months after the end of the financial year to which those statements relate, submit the statements to the Auditor-General for auditing</i> MSA Section 46:

Date	IDP	Budget	SDF	Performance Management	Legal Reference
					(1) A municipality must prepare for each financial year a performance report reflecting (a) the performance of the municipality and of each external service provider during that financial year; (b) a comparison of the performances referred to in paragraph (a) with targets set for and performances in the previous financial year; and (c) measures taken to improve performance. (2) An annual performance report must form part of the municipality's annual report in terms of Chapter 12 of the Municipal Finance Management Act.

SEPTEMBER 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat	
				1	2	3	
4	5	6	7	8	9	10	
11	12	13	14	15	16	17	
18	19	20	21	22	23	24	21 Sep: Mayoral Committee; 24 Sep: Heritage Day
25	26	27	28	29	30		

Date	IDP	Budget	SDF	Performance Management	Legal Reference
Sep	Public engagements:				MSA Section 29(1)(b): The process followed by a municipality to draft its IDP, including its consideration and adoption of the draft plan, must through appropriate mechanisms, processes and procedures established in terms of Chapter 4, allow for- (i) the local community to be consulted on its development needs and priorities; (ii) the local community to participate in the drafting of the IDP; and (iii) organs of state, including traditional authorities, and other role players to be
Sep+Oct	▪ Mass communication				
5-30 Sep	▪ Electronic survey (community needs)				
12-20 Sep	▪ Meetings per area with community rep's				
Sep+Oct	▪ Meetings per focus group				

Date	IDP	Budget	SDF	Performance Management	Legal Reference
					<i>identified and consulted on the drafting of the IDP.</i>
Sep			Short evaluation synthesis of SDF (Identify strengths, weaknesses, opportunities constraints) Identify top key strategic issues in SDF		LUPA S.10
1 Sep		Commence with the spreadsheets for multi-year capital and operating budgets (Budget Office)			
1 Sep		Determine revenue projections and proposed rate and service charges and drafts initial allocations for the next financial year after taking into account strategic objectives.			
1 Sep		Engage with Provincial and National sector departments on sector specific programmes for alignment with municipalities plans (schools, libraries, clinics, water, electricity, roads, etc)			
6+7 Sep	Give notice of the approved Process Plan through local media				MSA Section 28(3): A municipality must give notice to the local community of particulars of the process it intends to follow
9 Sep				Annual panel evaluation of the 2019/2020 performance	MPR Regulation 27(4) Evaluation panel: (d) For purposes of evaluating the annual performance of the municipal manager: (i) Executive Mayor or Mayor; (ii) Chairperson of the audit committee; (iii) Member of the mayoral committee; (iv) Mayor and/or municipal manager from another municipality; and

Date	IDP	Budget	SDF	Performance Management	Legal Reference
					(v) Member of a ward committee as nominated by the Executive Mayor. (e) For purposes of evaluating the annual performance of managers directly accountable to the municipal manager: (i) Municipal Manager; (ii) Chairperson of the audit committee; (iii) Member of the mayoral; and (iv) Municipal manager from another municipality.
12 Sep				Submit performance results of the MM to the MEC for local government	MPR Regulation 34(3): The performance assessment results of the municipal manager must be submitted to the MEC responsible for local government in the relevant province as well as the national minister responsible for local government, within 14 days after the conclusion of the assessment
30 Sep		Distribute operating and capital budget spreadsheets to departments for purposes of multi-year request verification			

OCTOBER 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat	
						1	
2	3	4	5	6	7	8	
9	10	11	12	13	14	15	
16	17	18	19	20	21	22	18 Oct: Mayoral Committee
23	24	25	26	27	28	29	27 Oct: Council
30	31						

Date	IDP	Budget	SDF	Performance Management	Legal Reference
3 Oct		Commence with the review of the Long term Financial Plan			MSA Section 26(h): An integrated development plan must reflect a financial plan, which must include a budget projection for at least the next three years.
3 Oct		Commence with salary, vehicle and operating budget compilation			
3 Oct		Determine potential price increases of bulk resources			
10 Oct		Distribute capital budget spreadsheets to departments			
24 Oct-3 Nov	Public engagements: Sessions with ward committees				
27 Oct				Submit Section 52 Report to Council	MFMA Section 52(d): The mayor must, within 30 days of the end of each quarter , submit a report to the council on the implementation of the budget and the financial state of affairs of the municipality
31 Oct		Deadline for operating budget inputs, including salary budget and vehicle budget			

Date	IDP	Budget	SDF	Performance Management	Legal Reference
31 Oct				Submit Section 52 Report to the National Treasury and the relevant provincial treasury	MBRR Regulation 31(1)(c): The mayor's quarterly report on the implementation of the budget and the financial state of affairs of the municipality must be submitted to the National Treasury and the relevant provincial treasury within five days of tabling of the report in the council.
Oct+Nov			Internal Analysis – - critical issues / challenges with respect to every service - minimum service levels - institutional - financial - performance - Surrounding municipalities		LUPA S.15
Oct+Nov			Prepare Vision Statement and Programme for SDF - 10-20 year vision - Finalise population growth estimates, economic activities, employment trends, housing demand, land demand/supply - Identify development corridors, activity spines, economic nodes, transport routes, open space systems, ecological corridors, densification strategy of urban areas		SPLUMA S.21 b, c, d, e, and f LUPA S.10 (e) I, iii and v Bylaw S.8
Oct+Nov			SDF composite synthesis		

NOVEMBER 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat	
		1	2	3	4	5	
6	7	8	9	10	11	12	
13	14	15	16	17	18	19	16 Nov: Mayoral Committee
20	21	22	23	24	25	26	
27	28	29	30				

Date	IDP	Budget	SDF	Performance Management	Legal Reference
Nov	Commence with the compilation of new area plans				
Nov		Determine possible tariff increases for water and electricity			
2 Nov	Swartland Intergovernmental Forum meeting (SIF)				
4 Nov		Deadline for capital budget inputs from departments			
11 Nov		Due date for final adjustment budget submissions			
21-24 Nov				Review the KPI's and targets for current financial year during the performance assessment meetings	
24+25 Nov	Strategy Workshop (councillors, municipal manager, directors, selected senior managers) to consolidate all strategic inputs and to formulate a vision, mission and goals for the IDP.		Strategy Workshop 1 (councillors, municipal manager, directors, selected senior managers and SDF project committee) to reconcile views and opinions of the political structures and administration.		

Date	IDP	Budget	SDF	Performance Management	Legal Reference
			Strategy Workshop 2 (municipal manager, directors, selected senior managers and SDF project committee) to suggest solutions that contribute most to the Strategic Goal(s) applicable to each department.		

DECEMBER 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat	
				1	2	3	
4	5	6	7	8	9	10	
11	12	13	14	15	16	17	14 Dec: Mayoral Committee, 16 Dec: Day of Reconciliation
18	19	20	21	22	23	24	
25	26	27	28	29	30	31	25 Dec: Christmas Day; 26 Dec: Day of Goodwill

Date	IDP	Budget	SDF	Performance Management	Legal Reference
Dec+Jan			Prepare 1st Draft of amendment of SDF		SPLUMA S.7 & 21 LUPA S.10 Bylaw S.7
1 Dec		Commence with compilation of Adjustments Budget (B Schedule and Datastring)		Commence with compilation of midyear budget and performance assessments report	

JANUARY 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat	
1	2	3	4	5	6	7	1 Jan: New Year's Day; 2 Jan: Public holiday
8	9	10	11	12	13	14	
15	16	17	18	19	20	21	18 Jan: Mayoral Committee
22	23	24	25	26	27	28	26 Jan: Council
29	30	31					

Date	IDP	Budget	SDF	Performance Management	Legal Reference
Jan+Feb	Commence with IDP document	- Finalise budget in the prescribed formats incorporating National & provincial budget allocations - Integrate and align to IDP documentation and draft SDBIP - Finalise budget policies		Finalise KPI's and annual performance targets	
18 Jan				Submit review of KPI's and performance targets for current financial year to Mayoral Committee	
18 Jan			Submit first draft of the amendment SDF to the Mayoral Committee		SPLUMA S20(2) <i>The municipal spatial development framework must be prepared as part of a municipality's integrated development plan with the provisions of the MSA</i> WCLUPA S13(1) <i>The municipality must submit a draft amendment of a spatial development framework to the provincial Minister for written comment.</i> BYLAW <i>The project committee must compile a first draft of the amendment of the municipal spatial development framework and submit to the Council to approve the publication thereof for public comment.</i> <i>Bylaw S.7(1)(b)</i>
26 Jan			Submit first draft of the amendment SDF to the Council		

Date	IDP	Budget	SDF	Performance Management	Legal Reference
18 Jan				Submit Annual Report to Mayoral Committee	MFMA Section 127(2): The mayor of a municipality must, within seven months after the end of a financial year , table in the municipal council the annual report of the municipality.
26 Jan				Table Annual Report in Council	
18 Jan				Submit Section 72 mid-year assessment report to Mayoral Committee	MFMA Section 72(1): The accounting officer of a municipality must by 25 January of each year- (a) assess the performance of the municipality during the first half of the financial year; and (b) submit a report on such assessment to- (i) the mayor of the municipality; (ii) the National Treasury; and (iii) the relevant provincial treasury MFMA Section 54(1)(f): The mayor must, in the case of a section 72 report, submit the report to the council by 31 January of each year. MBRR Regulation 35(1): The municipal manager must submit to the National Treasury and the relevant provincial treasury, in both printed and electronic form (a) the mid-year budget and performance assessment by 25 January of each year; and (b) any other information relating to the mid-year budget and performance assessment as may be required by the National Treasury.
25 Jan				Submit Section 72 mid-year assessment report to Provincial Treasury and National Treasury	
26 Jan				Submit Section 72 mid-year assessment report to Council	
12 Jan		Submit Adjustments Budget to Budget Steering Committee			MFMA Section 28(1): A municipality may revise an approved annual budget through an adjustments budget.
18 Jan		Submit Adjustments Budget to Mayoral Committee			MBRR Regulation 23(1): An adjustments budget may be tabled in the municipal council at any time after the mid-year budget and performance assessment has been tabled in the council, but not later than 28 February of the current year.
26 Jan		Submit Adjustments Budget to Council			

Date	IDP	Budget	SDF	Performance Management	Legal Reference
26 Jan				Submit Section 52 Report to Council	MFMA Section 52(d): The mayor must, within 30 days of the end of each quarter , submit a report to the council on the implementation of the budget and the financial state of affairs of the municipality
30 Jan				Make the Section 72 mid-year assessment report public by placing it on the municipal website.	MBRR Regulation 34(1): Within five working days of 25 January each year the municipal manager must make the midyear budget and performance assessment public by placing it on the municipal website.
31 Jan				Submit Section 52 Report to the National Treasury and the relevant provincial treasury	MBRR Regulation 31(1)(c): The mayor's quarterly report on the implementation of the budget and the financial state of affairs of the municipality must be submitted to the National Treasury and the relevant provincial treasury within five days of tabling of the report in the council.

FEBRUARY 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat	
			1	2	3	4	
5	6	7	8	9	10	11	
12	13	14	15	16	17	18	15 Feb: Mayoral Committee
19	20	21	22	23	24	25	
26	27	28					

Date	IDP	Budget	SDF	Performance Management	Legal Reference
Feb		Note any provincial and national allocations to municipalities (DORA and Prov Gazette) for incorporation into budget			
Feb		Finalise detailed operating and capital budgets in the prescribed formats incorporating National and Provincial budget allocations, integrate and			

Date	IDP	Budget	SDF	Performance Management	Legal Reference
		align to IDP documentation and draft SDBIP, finalise budget policies including tariff policy			
Feb+Mar	Finalise IDP document and area plans	Finalise the draft capital and operating budget and budget related policies			
Feb+Mar				Annual review of KPI's and performance targets for next financial year	MPPMR Regulation 11: (1) A municipality must review its KPI's annually as part of the performance review process referred to in regulation 13. (2) Whenever a municipality amends its IDP in terms of section 34 of the Act, the municipality must review those KPI's that will be affected by such amendment. MPPMR Regulation 12: (1) A municipality must, for each financial year, set performance targets for each of the KPI's set by it.
Feb+Mar				Compile draft SDBIP for next financial year	
Feb+Mar				Make revisions to the SDBIP for the current financial year following approval of an adjustments budget	MFMA Section 54(1)(c): On receipt of a statement or report submitted in terms of section 71 or 72, the mayor must consider and, if necessary, make any revisions to the SDBIP, provided that revisions to the service delivery targets and performance indicators in the plan may only be made with the approval of the council following approval of an adjustments budget
Feb+Mar		Finalise review the Long term Financial Plan			MSA Section 26(h): An IDP must reflect a financial plan, which must include a budget projection for at least the next three years
1 Feb			Submit draft amendment of the Spatial Development Framework to Provincial Minister for written comments		WCLUPA S.13(1)(a) S.7(1)(c)

Date	IDP	Budget	SDF	Performance Management	Legal Reference
1 Feb			Invite the public to submit written representation on amendment of SDF		SPLUMA S 20(3) WCLUPA S13 Bylaw S7(1)(b)
30 Jan - 10 Feb		Open days to be held - ▪ Yzerfontein Community Hall ▪ Darling Community Hall ▪ Wesbank Community Hall ▪ Riebeek West Town Hall ▪ Moorreesburg Library Hall ▪ Abbotsdale Community Hall ▪ Chatsworth Library			
1 Feb				Submit the annual report to the Auditor-General, Provincial Treasury and provincial department responsible for local government	MFMA Section 127(5): Immediately after an annual report is tabled in the council in terms of subsection (2), the accounting officer of the municipality must - (a) in accordance with section 21A of the Municipal Systems Act -
7+8 Feb				▪ Make public the annual report and invite comments from the local community	(i) make public the annual report; and (ii) invite the local community to submit representations in connection with the annual report. (b) submit the annual report to the Auditor-General, the relevant provincial treasury and the provincial department responsible for local government in the province.
1 Feb		Post Adjustments Budget on the website		Post Annual Report on the website	MFMA Section 75(1): The accounting officer of a municipality must place on the website referred to in section 21A of the Municipal Systems Act the following documents of the municipality: (a) The annual and adjustments budgets and all budget related documents, (b) all budget related policies and (c) the annual report
7+8 Feb		Make public the Adjustments Budget			MBRR Regulation 26(1): Within 10 working days after the municipal council has approved an adjustments budget , the municipal manager must make public the approved adjustments budget and supporting documentation, as well as the resolutions referred to in regulation 25(3).

Date	IDP	Budget	SDF	Performance Management	Legal Reference
7+8 Feb				Make public any other information that the municipal council considers appropriate to facilitate public awareness of the midyear budget and performance assessment.	MBRR Regulation 34(2):: The municipal manager must make public any other information that the municipal council considers appropriate to facilitate public awareness of the midyear budget and performance assessment, including - (a) summaries in alternate languages predominant in the community; and (b) info relevant to each ward in the municipality.
Before 9 Feb		Submit the approved adjustments budget to Provincial Treasury and National Treasury			MBRR Regulation 24(1): The municipal manager must comply with section 28(7) of the Act within 10 working days after the mayor has tabled an adjustments budget in the municipal council MFMA Section 28(7): Sections 22(b), 23(3) and 24(3) apply in respect of an adjustments budget, and in such application a reference in those sections to an annual budget must be read as a reference to an adjustments budget.
15 Feb				Submit revised SDBIP for the current financial year to the Mayoral Committee (following approval of an adjustments budget)	MFMA Section 54(1)(c): On receipt of a statement or report submitted in terms of section 71 or 72, the mayor must consider and, if necessary, make any revisions to the SDBIP, provided that revisions to the service delivery targets and performance indicators in the plan may only be made with the approval of the council following approval of an adjustments budget. (3) The mayor must ensure that any revisions of the SDBIP are made public promptly .
21+22 Feb				Make public any revisions of the SDBIP	
20 Feb				Post revised SDBIP on the municipal website	
20 Feb				Submit revised SDBIP to Provincial Treasury and National Treasury	MBRR Regulation 27(2)(b): The municipal manager must submit to the National Treasury and the relevant provincial treasury, in both printed and electronic form the amended SDBIP, within ten working days after the council has approved the amended plan in terms of section 54(1)(c) of the Act;

Date	IDP	Budget	SDF	Performance Management	Legal Reference
24 Feb		Receive notification of any transfers that will be made to the municipality from other municipalities in each of the next three fin years			MFMA Section 37(2): The accounting officer of a municipality responsible for the transfer of any allocation to another municipality must, by no later than 120 days before the start of its budget year , notify the receiving municipality of the projected amount of any allocation proposed to be transferred to that municipality during each of the next 3 fin years.
24 Feb		Preliminary approval of electricity tariff increase for submission to NERSA			

MARCH 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat	
			1	2	3	4	
5	6	7	8	9	10	11	
12	13	14	15	16	17	18	
19	20	21	22	23	24	25	21 Mar: Human Rights Day; 22 Mar: Mayoral Committee
26	27	28	29	30	31		30 Mar: Council

Date	IDP	Budget	SDF	Performance Management	Legal Reference
7 Mar				MPAC Meeting – Oversight Report	
14 Mar		Submit draft budget to Budget Steering Committee			
22 Mar	Submit draft IDP and area plans to Mayoral Committee	Submit draft budget to Mayoral Committee		Submit review of KPI's and targets to Mayoral Committee	MFMA Section 16: (1) The council of a municipality must for each financial year approve an annual budget for the municipality before the start of that financial year . (2) In order for a municipality to comply with subsection (1), the mayor of the municipality must table the annual budget at a council meeting at least 90 days before the start of the budget year .
30 Mar	Table draft IDP and area plans in Council	Table draft budget in Council		Table review of KPI's and targets in Council	

Date	IDP	Budget	SDF	Performance Management	Legal Reference
22 Mar				Submit draft SDBIP for next financial year to Mayoral Committee	MBRR Regulation 14: (2) When complying with section 68 of the MFMA, the municipal manager must submit the draft municipal SDBIP to the mayor together with the annual budget to be considered by the mayor for tabling in terms of section 16(2) of the MFMA. (3) For effective planning and implementation of the annual budget, the draft municipal SDBIP may form part of the budget documentation and be tabled in the municipal council if so recommended by the Budget Steering Committee.
30 Mar				Table draft SDBIP for next financial year in Council	
30 Mar				Consider and approve, reject or refer back the Annual Report at a council meeting	MFMA Section 121(1): The council of a municipality must within nine months after the end of a financial year deal with the annual report of the municipality and of any municipal entity under the municipality's sole or shared control in accordance with section 129 MFMA Section 129(1): The council of a municipality must consider the annual report of the municipality and of any municipal entity under the municipality's sole or shared control, and by no later than two months from the date on which the annual report was tabled in the council in terms of section 127, adopt an oversight report containing the council's comments on the annual report.
30 Mar				Adopt an Oversight Report providing comments on the annual report	

APRIL 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat	
						1	
2	3	4	5	6	7	8	7 Apr: Good Friday
9	10	11	12	13	14	15	10 Apr: Family Day;
16	17	18	19	20	21	22	19 Apr: Mayoral Committee
23	24	25	26	27	28	29	26 Apr: Council; 27 Apr: Freedom Day
30							

Date	IDP	Budget	SDF	Performance Management	Legal Reference
Apr			Consider comments received from Provincial Minister and public on SDF		WCLUPA S.13 (1)(b): <i>Consider comments from Provincial Minister</i> Bylaw S.7(10)(d): <i>Consider comments from Provincial Minister</i>
Apr	IDP/Budget Assessment (SIME / LGMTEC)				
3 Apr	Post on the website the draft IDP and area plans:	Post on the website the budget documents		Post on the website the - • Annual Report and Oversight Report; • draft KPI's and targets for next fin year; and • draft SDBIP for next fin year	MSA Section 21A(1)(b): All documents that must be made public by a municipality in terms of a requirement of this Act, the MFMA or other applicable legislation, must be conveyed to the local community by displaying the documents on the municipality's official website, if the municipality has a website as envisaged by section 21B.
3 Apr	Submit the draft IDP to Local Government, Provincial and National Treasury and other affected organs of state			Submit the draft budget and draft SDBIP to Provincial and National Treasury and other affected organs of state	MFMA Section 22: Immediately after an annual budget is tabled in a municipal council, the accounting officer of the municipality must (b) submit the annual budget - (i) in both printed and electronic formats to the National Treasury and the relevant provincial treasury; and (ii) in either formats to any prescribed national or provincial organs of state and to other municipalities affected by the budget. MBRR Regulation 15(3): When submitting the annual budget to the National Treasury and the relevant provincial treasury the

Date	IDP	Budget	SDF	Performance Management	Legal Reference
					municipal manager must also submit, in both printed and electronic form - (a) the supporting documentation as tabled in the municipal council; (b) the draft SDBIP; and (c) any other information as may be required by the National Treasury MBRR Regulation 15(4): The municipal manager must send copies of the annual budget and supporting documentation, in both printed and electronic form, to any other municipality affected by the annual budget within 10 working days of the annual budget being tabled in the municipal council.
3 Apr	Submit the draft IDP to the District Municipality				MSA Section 29(3)(b): A local municipality must draft its integrated development plan, taking into account the integrated development processes of, and proposals submitted to it by the district municipality. MPPMR Regulation 3(6): A local municipality that considers an amendment to its integrated development plan must- (a) consult the district municipality in whose area it falls on the proposed amendment; and (b) take all comments submitted to it by the district municipality into account before it takes a final decision on the proposed amendment
4+5 Apr	Make public the draft IDP and annual budget and invite the community to submit representations			Make public the review of KPI's and performance targets and invite the community to submit representations	MSA Section 42: A municipality, through appropriate mechanisms, processes and procedures established in terms of Chapter 4, must allow the community to participate in the setting of appropriate key performance indicators and performance targets for the municipality. MFMA Section 22(a): Immediately after an annual budget is tabled in a municipal council, the accounting officer of the

Date	IDP	Budget	SDF	Performance Management	Legal Reference
					municipality must in accordance with Chapter 4 of the Municipal Systems Act - (i) Make public the annual budget and the documents referred to in Section 17(3); and (ii) invite the local community to submit representations in connection with the budget; MBRR Regulation 15(1): When making public the annual budget and supporting documentation the municipal manager must also make public any other information that the municipal council considers appropriate to facilitate the budget consultation process MPPMR Regulation 15(3): A municipality must afford the local community at least 21 days to comment on the final draft of its IDP before the plan is submitted to the council for adoption.
4+5 Apr				Make public the oversight report	MFMA Section 129(3): The accounting officer must in accordance with section 21A of the Municipal Systems Act make public an oversight report referred to in subsection (1) within seven days of its adoption.
6 Apr				Annual Report: Submit copies of the minutes of those meetings to the Auditor General, the relevant provincial treasury and the provincial department for local government	MFMA Section 129(2)(b): The accounting officer must submit copies of the minutes of those meetings to the Auditor General, the relevant provincial treasury and the provincial department responsible for local government in the province.
6 Apr				Submit copies of the annual report and oversight report(s) to the provincial legislator	MFMA Section 132: (1) The following documents must be submitted to the provincial legislature: (a) The annual report ; and (b) all oversight reports on those annual reports adopted in terms of section 129(1). (2) The accounting officer of a municipality must submit the documents referred to in

Date	IDP	Budget	SDF	Performance Management	Legal Reference
					subsection (1) (a) and (b) to the provincial legislature within seven days after the municipal council has adopted the relevant oversight report in terms of section 129(1).
5-28 Apr	Period for public comments and inputs on the IDP and budget and final consultations with ward committees				MFMA Section 23(1): When the annual budget has been tabled, the municipal council must consider any views of – (a) the local community; and (b) the National Treasury, the relevant provincial treasury and any provincial or national organs of state or municipalities which made submissions on the budget. MSA Section 29(1)(b): The process followed by a municipality to draft its integrated development plan, including its consideration and adoption of the draft plan, must through appropriate mechanisms, processes and procedures established in terms of Chapter 4, allow for- (i) the local community to be consulted on its development needs and priorities; (ii) the local community to participate in the drafting of the integrated development plan; and (iii) organs of state, including traditional authorities, and other role players to be identified and consulted on the drafting of the integrated development plan.
26 Apr				Submit Section 52 Report to Council	MFMA Section 52(d): The mayor must, within 30 days of the end of each quarter , submit a report to the council on the implementation of the budget and the financial state of affairs of the municipality
Before 28 Apr	Mayoral Consultative Forum meeting				

MAY 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat	
	1	2	3	4	5	6	1 May: Workers Day
7	8	9	10	11	12	13	
14	15	16	17	18	19	20	17 May: Mayoral Committee
21	22	23	24	25	26	27	25 May: Council
28	29	30	31				

Date	IDP	Budget	SDF	Performance Management	Legal Reference
1 May				Submit Section 52 Report to the National Treasury and the relevant provincial treasury	MBRR Regulation 31(1)(c): The mayor's quarterly report on the implementation of the budget and the financial state of affairs of the municipality must be submitted to the National Treasury and the relevant provincial treasury within five days of tabling of the report in the council.
2-12 May	Council must give the mayor an opportunity to respond to the submissions and, if necessary, to revise the budget and table amendments for consideration by the council				MFMA Section 23(2): After considering all budget submissions, the council must give the mayor an opportunity- (a) to respond to the submissions; and (b) if necessary, to revise the budget and table amendments for consideration by the council.
11 May		Submit budget to Budget Steering Committee			
17 May	Submit to Mayoral Committee the - • IDP and area plans; • Budget; • Revised SDF; and • Review of KPI's and performance targets.				MFMA Section 24(1): The Council must at least 30 days before the start of the budget year consider the approval of the annual budget. MBRR Regulation 16(1): At least 30 days before the start of the budget year the mayor must table the following documents in the municipal council - (a) a report summarising the local community's views on the annual budget; (b) any comments on the annual budget received from the National Treasury and the relevant provincial treasury;
25 May	Submit to Council the - • IDP and area plans; • Budget; and • Revised SDF				

Date	IDP	Budget	SDF	Performance Management	Legal Reference
					(c) any comments on the annual budget received from any other organ of state, including any affected municipality; and (d) any comments on the annual budget received from any other stakeholders MPPMR regulation: (1) Only a member or committee of a municipal council may introduce a proposal for amending the municipality's integrated development plan in the council. (2) Any proposal for amending a municipality's IDP must be- (a) accompanied by a memorandum setting out the reasons for the proposal; and (b) aligned with the framework adopted in terms of section 27 of the Act.
29 May	Place the IDP, annual budget, all budget-related documents and all budget-related policies on the website (<i>within 5 days of the adoption of the plan</i>)				MFMA Section 75(1): The accounting officer of a municipality must place on the website the following documents of the municipality: (a) the annual and adjustments budgets and all budget-related documents; and (b) all budget-related policies MSA Section 21A(1)(b): All documents that must be made public by a municipality in terms of a requirement of this Act, the Municipal Finance Management Act or other applicable legislation, must be conveyed to the local community by displaying the documents on the municipality's official website, if the municipality has a website as envisaged by section 21B. MFMA Section 75(2): A document referred to above must be placed on the website not later than five days after its tabling in the council or on the date on which it must be made public, whichever occurs first.

Date	IDP	Budget	SDF	Performance Management	Legal Reference
29 May				Make known reviewed KPI's and performance targets by placing it on the municipal website	MSA Section 44: A municipality, in a manner determined by its council, must make known, both internally and to the general public, the key performance indicators and performance targets set by it for purposes of its performance management system.

JUNE 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat	
				1	2	3	
4	5	6	7	8	9	10	
11	12	13	14	15	16	17	14 June: Mayoral Committee; 16 Jun: Youth day
18	19	20	21	22	23	24	
25	26	27	28	29	30		

Date	IDP	Budget	SDF	Performance Management	Legal Reference
Before 2 Jun	Submit a copy of the IDP to the MEC for local government as well as Provincial Treasury				MSA Section 32(1): (a) The municipal manager of a municipality must submit a copy of the integrated development plan as adopted by the council of the municipality, and any subsequent amendment to the plan, to the MEC for local government in the province within 10 days of the adoption or amendment of the plan. (b) The copy of the IDP to be submitted in terms of paragraph (a) must be accompanied by - (i) a summary of the process referred to in section 29(1); (ii) a statement that the process has been complied with, together with any explanations that may be necessary to amplify the statement

Date	IDP	Budget	SDF	Performance Management	Legal Reference
6+7 Jun	Give notice to the public of the adoption of the IDP and publicise a summary of the plan				MSA Section 25(4)(a): A municipality must, within 14 days of the adoption of its integrated development plan in terms of subsection (1) or (3)- (a) give notice to the public- (i) of the adoption of the plan; and (ii) that copies of or extracts from the plan are available for public inspection at specified places; (b) publicise a summary of the plan. MSA Section 21A(1)(a) and (c): All documents that must be made public by a municipality in terms of a requirement of this Act, the MFMA or other applicable legislation, must be conveyed to the local community - (a) by displaying the documents at the municipality's head and satellite offices and libraries; (c) by notifying the local community, in accordance with section 21, of the place, including the website address, where detailed particulars concerning the documents can be obtained.
6+7 Jun			Give notice of SDF adoption		Bylaw S7(3) : Must within 14 days of its decision give notice of its decision in the media and Provincial Gazette
6+7 Jun		Make public the approved annual budget and supporting documentation (including tariffs)			MBRR Reg 18: (1) Within ten working days after the municipal council has approved the annual budget of a municipality, the municipal manager must in accordance with section 21A of the Municipal Systems Act make public the approved annual budget and supporting documentation and the resolutions referred to in section 24(2)(c) of the Act. (2) The municipal manager must also make public any other information that the municipal council considers appropriate to

Date	IDP	Budget	SDF	Performance Management	Legal Reference
					facilitate public awareness of the annual budget, including- (a) summaries of the annual budget and supporting documentation in alternate languages predominant in the community; and (b) information relevant to each ward in the municipality. (3) All information contemplated in subregulation (2) must cover: (a) the relevant financial and service delivery implications of the annual budget; and (b) at least the previous year's actual outcome, the current year's forecast outcome, the budget year and the following two years.
Before 8 Jun				Submit to the Executive Mayor the draft SDBIP and draft annual performance agreements for the next year	MFMA Section 69(3): (a) The accounting officer must no later than 14 days after the approval of an annual budget submit to the mayor a draft service delivery and budget implementation plan for the budget year. (b) The accounting officer must no later than 14 days after the approval of an annual budget submit to the mayor drafts of the annual performance agreements as required in terms of section 57(1)(b) of the Municipal Systems Act for the municipal manager and all senior managers.
Before 8 Jun	Submit approved IDP to the Provincial Treasury and National Treasury	Submit approved budget to the Provincial Treasury and National Treasury			MFMA Section 24(3): The accounting officer of a municipality must submit the approved annual budget to the National Treasury and the relevant provincial treasury. MBRR Reg 20: The municipal manager must comply with section 24(3) of the Act within ten working days after the municipal council has approved the annual budget.

Date	IDP	Budget	SDF	Performance Management	Legal Reference
14 Jun				Executive Mayor takes all reasonable steps to ensure that the SDBIP is approved	MFMA Section 53(1)(c)(ii): The mayor of a municipality must take all reasonable steps to ensure that the municipality's service delivery and budget implementation plan is approved by the mayor within 28 days after approval of the budget
Before 19 Jun				Place the performance agreements and all service delivery agreements on the website	MFMA Section 75(1): The accounting officer of a municipality must place on the website the following documents of the municipality: (d) performance agreements required in terms of section 57(1)(b) of the Municipal Systems Act; and (e) all service delivery agreements MBRR Reg 19: The accounting officer must place on the website all performance agreements required in terms of section 57(1)(b) of the Municipal Systems Act.
19 Jun				Submit copies of the performance agreements to the MEC for local government	MFMA Section 53(3)(b): Copies of such performance agreements must be submitted to the council and the MEC for local government in the province
26 Jun				Submit the SDBIP to National and Provincial Treasury	MBRR Reg 20(2)(b): The municipal manager must submit to the National Treasury and the relevant provincial treasury, in both printed and electronic form the approved service delivery and budget implementation plan within ten working days after the mayor has approved the plan.
27+28 Jun				Make public the projections, targets and indicators as set out in the SDBIP as well as the performance agreements of Municipal Manager and senior managers	MFMA Section 53(3): (a) The mayor must ensure that the revenue and expenditure projections for each month and the service delivery targets and performance indicators for each quarter, as set out in the SDBIP, are made public no later than 14 days after the approval of the SDBIP. (b) The mayor must ensure that the performance agreements of municipal manager, senior managers and any other categories of officials as may be prescribed,

Date	IDP	Budget	SDF	Performance Management	Legal Reference
					are made public no later than 14 days after the approval of the municipality's SDBIP. MBRR Reg 19: The municipal manager must in accordance with section 21A of the Municipal Systems Act make public the approved service delivery and budget implementation plan within ten working days after the mayor has approved the plan in terms of section 53(1)(c)(ii) of the Act.
Before 23 Jun		Publish property rates tariffs in Provincial Gazette			PROPERTY RATES ACT Section 14(2): A resolution levying rates in a municipality must be promulgated by publishing the resolution in the Provincial Gazette

JULY 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat	
						1	
2	3	4	5	6	7	8	
9	10	11	12	13	14	15	12 July: Mayoral Committee
16	17	18	19	20	21	22	
23	24	25	26	27	28	29	27 July: Council
30	31						

Date	IDP	Budget	SDF	Performance Management	Legal Reference
27 Jul				Submit copies of the performance agreements to Council	MFMA Section 53(3)(b): Copies of such performance agreements must be submitted to the council and the MEC for local government in the province
27Jul				Submit Section 52 Report to Council	MFMA Section 52(d): The mayor must, within 30 days of the end of each quarter , submit a report to the council on the implementation of the budget and the financial state of affairs of the municipality
31 Jul				Submit Section 52 Report to the National Treasury and the relevant provincial treasury	MBRR Regulation 31(1)(c): The mayor's quarterly report on the implementation of the budget and the financial state of affairs of the municipality must be submitted to the National Treasury and the relevant

Date	IDP	Budget	SDF	Performance Management	Legal Reference
					provincial treasury <i>within five days of tabling of the report in the council.</i>



Verslag ♦ Ingxelo ♦ Report

Kantoor van die Direkteur: Ontwikkelingsdienste
Afdeling : Bou-Omgewing
5 August 2022

15/1/4/1
WYK: 1-12

ITEM 7.4 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE VERGADERING WAT GEHOU SAL WORD OP 17 AUGUSTUS 2022

SUBJECT: AMENDMENT OF THE MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK

1. AGTERGROND/BEREDENERING / BACKGROUND/DISCUSSION

The Swartland Municipality :Land Use Planning By-law prescribes procedures to be followed to amend the municipal spatial development framework.

The By-law in terms of section 3(1) stipulates that Council must –

- (a) Establish an intergovernmental steering committee to compile or amend its municipal spatial development framework; or
- (b) Refer its draft municipal spatial development framework or draft amendment of its municipal spatial development framework to the Provincial Minister for comment.

The By-law in terms of section 3(2) stipulates the Municipality must –

- (a) Publish a notice in two of the official languages of the Province most spoken in the area in two newspapers circulating in the area concerned of-

- (i) The intention to compile or amend the municipal spatial development framework; and
 - (ii) The process to be followed, in accordance with section 28(3) and 29 of Municipal Systems Act;

- (b) Inform the Provincial Minister in writing of –

- (i) The intention to compile or amend the municipal spatial development framework
 - (ii) Its decision in terms of subsection (1)(a) or (b); and
 - (iii) The process to be followed to compile or amend the municipal spatial development framework, including the process contemplated in subsection (2)(a)(ii).

- (c) Register relevant stakeholders, who must be invited to comment on the draft municipal spatial development framework or draft amendment of the municipal spatial development framework as part of the process contemplated in subsection (2)(a)(ii).

The By-law further in terms of section 4 refers to the establishment of a project committee.

The project committee must consist of the municipal manager or a municipal employee designated by the municipal manager and municipal employees appointed by the municipal manager from the following departments :

- Integrated Development Planning
- Spatial Planning
- Engineering
- Local Economic Development
- Housing

3. **ALIGNMENT TO THE IDP**

The amendment to the Spatial Development Framework of Swartland Municipality is linked to strategic goal 3 : Quality and sustainable living environment.

The SDF and IDP compilation processes will run concurrently between September 2022 and May 2023. Both processes will be included in the process plan that will be submitted to Council by end of August 2022.

2. **AANBEVELING / RECOMMENDATION**

That Council approves the following steps for the amendment of municipal spatial development framework in terms of sections 3 and 4 of Swartland Municipality : Land Use Planning By-law as such:

1. Council refers its draft amendment of the municipal spatial development framework to the Provincial Minister for comment.
2. Swartland Municipality publishes a notice in two of the official languages of the Province most spoken in the area in two newspapers circulating in the area indicating their intention to amend the municipal spatial development framework and the process to be followed in accordance with section 28(3) and 29 of the Municipal Systems Act.
3. Swartland Municipality informs the Provincial Minister in writing of their intention to amend the municipal spatial development framework, that the draft amendment of our municipal spatial development be referred to the Provincial Minister for comments and that the process to be followed will be in accordance with section 28(3) and 29 of the Municipal Systems Act.
4. Swartland Municipality invites relevant stakeholders to register themselves to comment on the draft amendment of the municipal spatial development framework as part of the process as set out above.
5. Swartland Municipality establishes a project committee consisting of the following municipal employees from the relevant municipal departments namely :

Municipal Manager :	Joggie Scholtz
IDP :	Olivia Fransman
Spatial Planning :	Jo-Ann Krieger
	Alwyn Zaayman
	A J Burger
	Herman Olivier
	Annelie de Jager
Engineering :	Roelof du Toit
	Louis Zikmann
LED :	Hillary Balie
Housing :	Sylvester Arendse

MUNISIPALE BESTUURDER

AMZ/ds

ITEM 7.5 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE-VERGADERING WAT GEHOU SAL WORD OP 17 AUGUSTUS 2022

ONDERWERP: VOORLEGGING VAN KONSEP VERORDENING INSAKE BEHEER OOR ONDERNEMINGS WAT DRANK AAN DIE PUBLIEK VERKOOP
SUBJECT: TABLING OF DRAFT BY-LAW RELATING TO CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO THE PUBLIC

1. BACKGROUND

- 1.1 The Municipality's predecessors adopted by-laws to provide for the control of undertakings selling liquor to the public, and to provide for days and hours of trade in liquor by licensed undertakings and related matters. The first by-law was adopted and published in 2012 (Provincial Gazette No 6986 of 20 April 2012), which by-law was later repealed and replaced with the Swartland Municipality: By-law relating to Control of Undertakings that sell Liquor to the Public, published in Provincial Gazette No 7394 on 22 May 2015.
- 1.2 Following the unfortunate events in the country at both licensed and unlicensed premises in the recent past, it is deemed necessary that certain amendments be made to the existing by-law to ensure that it also regulates unlicensed premises, and provides for safety and security measures on all premises where liquor is sold to the public.
- 1.3 The following draft by-law is hereby submitted in terms of paragraphs 56 and 57 of the Swartland Municipality: By-Law relating to the Rules for the Conduct of Meetings as promulgated in Provincial Gazette Extraordinary, No. 7501 dated 2 October 2015 (in respect of which the replacement by-law has not yet been published):
 - Swartland Municipality: Draft By-law relating to Control of Undertakings that Sell Liquor to the Public

2. LEGISLATION

2.1 Empowering legislation to regulate premises selling liquor to the public

- 2.1.1 The Municipality, in terms of section 156(1)(a) read with Part B of Schedule 5 of the Constitution of the Republic of South Africa, 1996, has the power to regulate undertakings that sell liquor to the public.
- 2.1.2 Section 59 of the Western Cape Liquor Act, 2008 (Act 4 of 2008) that deals with trading hours, provides as follows:

Section 59(2): A municipality may by by-law determine different trading days and hours for licensed businesses selling liquor for consumption on the licensed premises and for those selling liquor for consumption off the licensed premises, but may not prescribe different trading days and hours for individual licensed businesses: Provided that the trading hours determined by the municipality may not exceed the trading hours set out in subsection (3)(a) and (b);

Section 59(3)(a): Subject to conditions imposed by the Liquor Licensing Tribunal in terms of subsection (1), if the municipality has not determined the trading days and hours as provided for in subsection (2), a licensee of premises in which liquor may be sold for consumption off the licensed premises may sell liquor on any day between 09:00 and 18:00;

Section 59(3)(b): Subject to conditions imposed by the Liquor Licensing Tribunal in terms of subsection (1), if the municipality has not determined the trading days and hours as provided for in subsection (1), a licensee of premises on which liquor may be sold for consumption on the licensed premises may sell liquor on any day between 11:00 and 02:00 the next day.

2.2 Legislation regulating the making of by-laws by municipalities

2.2.1 National legislation

- (1) The Constitution, Municipal Structures Act and Municipal Systems Act set the framework in terms of which a municipal council must pass by-laws.
- (2) The Constitution sets two basic requirements for municipal law-making:
 - First, a by-law must have the support of the majority of all the councillors;
 - Second, the community must have enjoyed the opportunity to have its say with regard to that by-law.

2.2.2 Municipal legislation

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

“56. Submission of draft by-law

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

57. First submission to council

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

- (a) an executive summary of the by-law;*
- (b) the need to regulate the conduct addressed by the draft by-law;*
- (c) the content of the draft by-law;*
- (d) any other by-law that must be repealed or amended if the draft is adopted;*
- (e) any relevant comments or proposals; and*
- (f) a recommendation.*

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

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

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

		Proposed timeframes
Step 1	A draft by-law is prepared by a councillor or a Committee of the council and must be introduced in the council.	Executive Mayoral Committee Meeting of 17 August 2022, to be introduced in Council on 25 August 2022
Step 2	The council must consult with the community with regard to the draft by-law. It must at least publish the by-law for comment by the public. Note: the municipality may use the ward committees to discuss the merits of a draft by-law.	Placement of media advertisement on 31 August 2022. Period of comment until 23 September 2022.
Step 3	The by-law is introduced in and debated by the council. Before passing a by-law, a council that has an executive committee or executive mayor, must first require that committee or mayor to give a report and recommendation on the by-law.	To be tabled in Council on 27 October 2022, via Executive Mayoral Committee (meeting on 18 October 2022).
Step 4	The Municipal council votes on the by-law, which – in terms of the Constitution – is to be carried by the majority of all councillors.	Council meeting 27 October 2022
Step 5	If passed by council, the by-law is published in the Provincial Gazette and becomes law on that date or a later date set in the by-law.	By

3./...

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

3.1 Draft By-law relating to the Conduct of Meetings

(1) Executive summary of the by-law

The draft by-law is to provide for the control of undertakings selling liquor to the public, also including unlicensed premises, in order to ensure a safe and healthy environment in the Swartland. Furthermore, to provide for days and hours of trade in liquor by licensed undertakings, and to provide for matters related thereto.

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

The by-law gives effect to the Municipality's mandate as explained in paragraph 2.1 above. Following recent events implying the improper control of undertakings that sell liquor outlets, especially on consumption premises, it is deemed essential to amend the existing by-law to also regulate all premises that sell liquor, especially in terms of safety measures.

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

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

Upon publication in the Provincial Gazette, the existing Swartland Municipality: By-law relating to Control of Undertakings that sell Liquor to the Public, as promulgated in Provincial Gazette No 7394 of 22 May 2015 will be repealed and replaced with the new by-law.

(5) Any relevant comments or proposals

None

(6) Recommendation: - refer paragraph 4 below

4. RECOMMENDATION

(a) That approval be granted for the following draft by-law to be submitted in Council on 25 August 2022 for adoption in principle:

- Swartland Municipality: By-law relating to Control of Undertakings that sell Liquor to the Public

(b) That, following on in principle approval by the Council, the draft by-law be published for public comment in terms of section 12(3)(b) of the Systems Act, 2000 in both the local media and on the municipal website.

AANBEVELING

(a) Dat goedkeuring verleen word dat die volgende konsepverordening op 26 Mei 2022 aan die Raad voorgelê word vir aanvaarding in beginsel:

- Swartland Munisipaliteit: Verordening insake Beheer oor Ondernemings wat Drank aan die Publiek verkoop

(b) Dat, na beginselgoedkeuring deur die Raad, die konsep verordening vir publieke kommentaar geadverteer word in terme van artikel 12(3)(b) van die Stelselwet, 2000, in die plaaslike media sowel as op die munisipale webtuiste.

(get) M S Terblanche

MUNISIPALE BESTUURDER

Mst/raadsitems, SM5/Augustus 2022 Voorlegging van konsepverordening insake drankhandel

SWARTLAND MUNISIPALITEIT

KONSEPVERORDENING INSAKE BEHEER OOR ONDERNEMINGS WAT DRANK AAN DIE PUBLIEK VERKOOP

Kragtens die bepalings van artikel 156 van die Grondwet van die Republiek van Suid-Afrika, 1996, bepaal Swartland Munisipaliteit as volg:-

Inhoud

1. Woordomskrywing
2. Doel van verordening en toepassing
3. Handelsdae en -ure vir verkoop en verbruik van drank op gelisensieerde persele
4. Handelsdae en -ure vir verkoop van drank vir verbruik buite gelisensieerde persele.
5. Handelsdae en -ure vir die verkoop en verbruik van drank op en weg van gelisensieerde persele
6. Spesiale geleenthede en tydelike lisensies
7. Aanstelling van gemagtigde beamptes
8. Bepaling van tipe gelisensieerde perseel
9. Nakoming en afdwinging
10. Aansoek om verlengde handelsure
11. Voorkoming van onwettige drankverkope, en beslaglegging op drank
12. Vertoon van naamborde, en ander verpligtinge van lisensiehouer
13. Veiligheid en sekuriteit
14. Drankpersele moet wapenvry wees
15. Stoornisse
16. Beswaar teen hernuwing van lisensies
17. Appèl
18. Oortredings en boetes
19. Herroeping
20. Kort titel en inwerkingtrede

1. Woordomskrywing

In hierdie verordening, geniet die Engelse teks voorrang in die geval van 'n teenstrydigheid tussen die verskillende tekste, en tensy dit uit die samehang anders blyk, het die volgende woorde die volgende betekenisse-

“algemene sakegebied” 'n gebied hoofsaaklik gesoneer as algemene sake of enige ander ekwivalente gebruik, met die doel om ekonomiese aktiwiteit in 'n sakegebied en ontwikkelingskorridor te bevorder, en sluit 'n wye reeks grondgebruike soos sake-, residensiële en gemeenskapsgebruike in;

“die Wet” die Wes-Kaapse Drankwet, 2008 (Wet No. 4 van 2008), soos gewysig, saamgelees met relevante Regulasies;

“drank” drank soos gedefinieer in artikel 1 van die Wet;

“gelisensieerde” enige persoon wat gelisensieer is om drank ingevolge die Wet te verkoop en sluit enige gelisensieerde perseel, sakeonderneming, afsetpunt of grondgebruiksaktiwiteit van waar drank verkoop word, in;

“gelisensieerde perseel” ’n plek, grond, gebou of deel van ’n gebou ten opsigte waarvan ’n lisensie om drank te verkoop ingevolge die Wet uitgereik is en sluit ’n voertuig of vaartuig wat hoofsaaklik vir die vervoer van toeriste of passasiers gebruik word in;

“geslote dae” Kersdag en Goeie Vrydag;

“hotel” ’n eiendom gebruik as tydelike residensiële huisvesting vir verbygaande gaste waar verblyf of maaltye teen vergoeding verskaf word, en sluit in–

- (a) ’n restaurant of restaurante wat deel uitmaak van die hotel;
- (b) konferensie- en vermaakfasiliteite wat ondergeskik is aan en bykomstig is tot die hoofgebruik van die perseel as ’n hotel;
- (c) persele wat gelisensieer is om alkoholiese drank te verkoop vir verbruik op die eiendom,

maar sluit ’n buiteverbruikfasiliteit, instelling vir gaste-akkommodasie, woonhuis of wooneenheid uit;

“instelling vir gaste-akkommodasie” perseel gebruik as tydelike residensiële huisvesting vir, en sluit die voorsiening van maaltye aan, verbygaande gaste teen vergoeding in, en sluit ’n oorblyplek vir rugsakstappers, ’n bed-en-ontbyt-instelling, gastehuis en gasteplaas of lodge, asook fasiliteite vir besigheidsvergaderings, konferensies, byeenkomste of opleidingssessies van inwonende gaste in, maar sluit ’n hotel uit;

“kleinhoewe” ’n gebied hoofsaaklik as landelik gesoneer of enige ander ekwivalente sonering, met die doel om kleiner landelike eiendomme wat vir landboudoeleindes gebruik kan word te akkommodeer;

“landbougebied” ’n gebied hoofsaaklik vir landbou gesoneer of enige ander ekwivalente gebruik, met die doel om landbou aktiwiteit op ’n plaas as ’n belangrike ekonomiese, omgewings- en kulturele hulpbron te bevorder en te beskerm, waar beperkte voorsiening gemaak word vir nie-landbougebruike om aan eienaars ’n geleentheid te bied om die ekonomiese potensiaal van hulle eiendomme te vergroot, sonder om ’n beduidend negatiewe uitwerking op die primêre landbouhulpbron te veroorsaak;

“nywerheidsgebied” ’n gebied hoofsaaklik gesoneer as algemene nywerheid of enige ander ekwivalente gebruik, met die doel om alle vorme van nywerheid te huisves met inbegrip van vervaardiging en verwante verwerking, maar sluit skadelike of gevaarlike risiko-aktiwiteit uit;

“oorlas” enige handeling, versuim of toestand op ’n perseel, openbare plek of straat met inbegrip van enige gebou, struktuur, voertuig of vaartuig wat aanstootlik of gevaarlik is of wat inbreuk maak op die gewone gerief, gemak of vrede van ander persone of wat die veiligheid of gerief van persone nadelig kan beïnvloed;

”Owerheid” die Wes-Kaapse Drankowerheid ingestel ingevolge die Wet;

“residensiële gebied” ’n gebied hoofsaaklik gesoneer as residensieel of algemene residensiële of enige ander ekwivalente gebruik, met die doel om hoofsaaklik enkelgesin woonhuise in lae- tot mediumdigtheidsbuurte te huisves, asook woongebiede van hoër digtheid en wat insluit beheerde geleenthede vir werkverskaffing van die huis af, addisionele wonings en gemengde gebruiksonwikkeling van lae intensiteit;

“sakeperseel” ’n gebou of eiendom vanwaar sake bedryf word en sluit dit ’n winkel, supermark, restaurant, kantoor, finansiële instelling en geboue vir dergelike gebruike in, maar nie ’n plek van samekoms, plek van vermaak, inrigting, diensstasie, openbare garage, nywerheid, nywerheidskorf, hinderbedryf, risiko-aktiwiteit, volwassevermaaklikheidsbedryf of drankwinkel in nie;

“sonering” wanneer dit as ’n selfstandige naamwoord gebruik word, ’n kategorie van riglyne wat die ontwikkeling van grond reguleer en wat die doel waarvoor die grond gebruik mag word en die grondgebruike of ontwikkelingsbestuurbepalings wat van toepassing is op die gemelde kategorie van riglyne, soos deur die Soneringskema bepaal word, uiteensit;

“soneringskema” ’n soneringskema wat ingevolge die Grondgebruikordonnansie 15 van 1985 Swartland Munisipaliteit: Verordening insake Munisipale Grondgebruikbeplanning, soos gepubliseer in Provinsiale Kennisgewing No. 8226 van 2020 goedgekeur is asook die soneringskaart en register;

“spesiale geleentheid” ’n fondsinsamelingsgeleentheid ten bate van ’n opvoedkundige- of welsynsorganisasie, enige vertoning, sportbyeenkoms, kulturele byeenkoms of kunsuitvoering;

“sport- en gemeenskapsklub” ’n perseel of ’n fasiliteit gebruik vir die byeenkom van gemeenskaps- of burgerlike organisasies of verenigings, sportklubs of ander sosiale of ontspanningsklubs wat meestal nie vir wins bedryf word nie en gemeenskapsdiensklubs en gemeenskapsentrums of soortgelyke geriefsfasiliteite kan insluit, maar ’n nagklub uitsluit;

“Swartland Munisipaliteit” die Swartland Munisipaliteit gestig deur die Instellingskennisgewing gepubliseer in Provinsiale Kennisgewing No. 5589 van 2000, soos gewysig, en **“Munisipaliteit”** het ’n ooreenstemmende betekenis;

“tydelike lisensie” ’n tydelike lisensie wat deur die Owerheid uitgereik word aan-

- (a) die houer van 'n binneverbruiklisensie; of
- (b) in buitengewone omstandighede, aan die houer van 'n lisensie vir verbruik op en weg van die perseel;

“vermaaklikheidsplek” 'n plek hoofsaaklik gebruik vir kommersiële vermaak wat moontlik 'n relatief groot aantal mense kan lok, buite normale sake-ure bedryf word of op 'n gereelde grondslag musiek speel of joligheid veroorsaak, en sluit in 'n bioskoop, teater, pretpark, danssaal, gimnasium, totalisator of fasiliteit vir weddenskappe, dobbelsaal, karaoke-kroeg en nagklub;

“vonkelwyn” 'n bruiswyn verkry deur die gis van druiwe, hetsy deur natuurlike of kunsmatige proses, en wat sjampanje insluit;

“weeksdag” 'n dag van die week, uitgesonderd Saterdag en Sondag;

“woonbuurt sakegebied” 'n gebied hoofsaaklik gesoneer as plaaslike sake of gemengde gebruik of enige ander ekwivalente gebruik, met die doel om kommersiële en gemengde gebruiksontwikkeling van lae intensiteit te akkommodeer wat in plaaslike behoeftes aan geriefsgoedere, persoonlike diens of klein sakeondernemings voorsien of as 'n koppelvlak tussen algemene sakeonderneming, aanliggende residensiële gebied dien;

“wynmakery” sluit in persele of fasiliteite wat gebruik word by die vervaardiging van wyn en sodanige persele of fasiliteite sluit in fasiliteite vir die pars van druiwe en gis en veroudering van wyn, wynverkope en proelokale, vat- en stoorkamers, botteleerlokale, tenklokale, laboratoriums of kantore en ander bykomende of bykomstige fasiliteite verbonde aan die vervaardiging van wyn, wat kan insluit –

- (a) restaurante en ander voedseldienste; of
- (b) ondergeskikte handelsfasiliteite vir toergroepe of besoekers.

“wynwinkel” 'n plek waar verpakte drank verkoop word vir verbruik van die perseel af.

2. Doel van verordening en toepassing

(1) Om voorsiening te maak vir die beheer van ondernemings wat drank aan die publiek verkoop ten einde 'n veilige en gesonde omgewing in die Swartland te verseker; om voorsiening te maak vir dae en ure vir drankhandel deur gelisensieerde ondernemings wat drank aan die publiek verkoop; en om voorsiening te maak vir sake wat daarmee verband hou.

(2) Hierdie verordening is van toepassing op alle ~~gelisensieerde persele binne die jurisdiksie van die munisipaliteit.~~ persele wat binne die regsgebied van die munisipaliteit geleë is en waarop 'n drankhandelonderneming bedryf word, wat insluit:

- (a) ondernemings wat drank aan die publiek verkoop vir verbruik op die gelisensieerde perseel;

- (b) ondernemings wat drank aan die publiek verkoop vir verbruik weg van die gelisensieerde perseel; en
- (c) ondernemings wat drank aan die publiek verkoop vir verbruik op en weg van die gelisensieerde perseel.

3. Handelsdae en -ure vir verkoop en verbruik van drank op gelisensieerde persele

(1) 'n Gelisensieerde mag drank vir verbruik op die gelisensieerde perseel op die onderstaande dae en ure verkoop-

- (a) op enige dag van die week; en
- (b) gedurende die handelsure soos in die Bylae uiteengesit

(2) Ondanks subartikel (1), mag 'n hotel of instelling vir gaste-akkommodasie wat gelisensieer is om drank te verkoop, 'n kamerdiensfasiliteit te enige tyd van die dag aanbied.

(3) Ondanks die bepalings van hierdie verordening, mag 'n gelisensieerde soos bedoel in subartikel (1), vonkelwyn bedien –

- (a) van 08:00 vir sewe dae per week;
- (b) as deel van 'n maaltyd; en
- (c) aan gaste wat deel uitmaak van 'n georganiseerde funksie waar toegang beheer word.

(4) 'n Lisensiehouer wat drank vir verbruik op die gelisensieerde perseel verkoop, mag nie enige drankverbruik op die gelisensieerde perseel toelaat gedurende die tye wat drankverkope verbode is nie.

4. Handelsdae en -ure vir verkoop van drank vir verbruik buite weg van gelisensieerde persele

(1) 'n Gelisensieerde, met die uitsondering van wynmakerye en wynwinkels, mag drank vir verbruik buite die gelisensieerde perseel verkoop vanaf Maandag tot Saterdag vanaf 09h00 tot 20h00, maar nie op Sondag en geslote dae nie.

(1) Gelisensieerde wynmakerye en wynwinkels mag drank vir verbruik buite die perseel op die onderstaande dae en ure verkoop-

- (a) vanaf Maandag tot Saterdag vanaf 09:00 tot 20:00; en
- (b) op Sondag vanaf 09:00 tot 17:00, maar nie op geslote dae nie.

5. Handelsdae en –ure vir die verkoop en verbruik van drank op en weg van gelisensieerde persele

'n Lisensiehouer van 'n perseel waar drank vir verbruik op en weg van die gelisensieerde perseel verkoop mag word, mag drank gedurende die handelsure in artikel (3) en (4) verkoop.

56. Spesiale geleenthere en tydelike lisensies

Waar die Owerheid 'n aansoek om 'n spesiale geleentheidslisensie of 'n tydelike lisensie ingevolge artikel 48 van die Wet na die munisipaliteit verwys vir kommentaar of aanbeveling, mag die munisipaliteit 'n afwyking van die handelsure soos bepaal in die Bylae tot hierdie verordening, aanbeveel.

67. Aanstelling van gemagtigde beamptes

Die munisipaliteit mag enige beampte aanstel om die bepalings van hierdie verordening te implementeer en af te dwing.

78. Bepaling van tipe gelisensieerde perseel

Waar die definisie of kategorie van enige gelisensieerde perseeltipe, soos weerspieël in items 1 tot 6 van die Bylae tot hierdie verordening, onseker is of moeilik bepaal kan word, mag 'n gemagtigde beampte, soos bedoel in artikel 6, die definisie daarvan bepaal ten einde die handelsure wat daarop van toepassing is, te bepaal.

89. Nakoming en afdwinging

(1) 'n Gemagtigde beampte mag, vir die doeleindes om nakoming te verseker van die handelsure soos bepaal in hierdie verordening, op redelike tye enige gelisensieerde perseel of enige perseel ten opsigte waarvan 'n aansoek ingevolge hierdie verordening ingedien is, betree.

(2) Wanneer die gemagtigde beampte 'n perseel ingevolge hierdie artikel binnegaan, moet hy of sy hom- of haarself aan die persoon in beheer van die perseel identifiseer.

(3) 'n Gemagtigde beampte mag 'n voldoeningskennisgewing aan die gelisensieerde of enige persoon in beheer van 'n gelisensieerde of ongelisensieerde perseel bedien en 'n beroep op sodanige persoon doen om die bepalings van hierdie verordening na te kom.

(4) 'n Voldoeningskennisgewing moet die volgende stipuleer-

- (a) die bepalings van die verordening wat oortree word;
- (b) die handeling of versuim wat op nie-nakoming neerkom;
- (c) die stappe wat geneem moet word om die bepalings na te kom;
- (d) die datum of tyd waarop die bepalings nagekom moet word, waar van toepassing; en
- (e) die moontlike gevolge van nie-nakoming.

910. Aansoek om verlengde handelsure

(1) Ondanks die bepalings van artikel 3, mag die houer van 'n binneverbruiklisensie teen betaling van die voorgeskrewe fooi by die munisipaliteit aansoek doen om op 'n weeksdag (wat 'n publieke vakansiedag voorafgaan, uitgesonderd geslote dae) handel te dryf gedurende die ure soos neergelê in die Bylae vir 'n Vrydag en 'n Saterdag.

- (2) Die bepalings van subartikel (1) is nie van toepassing op houers van binneverbruik lisensies op persele in kategorieë 1 en 2 van die Bylae nie;
- (3) Aansoeke moet op die voorgeskrewe wyse ingedien word en moet ten minste 14 dae voor die datum waarop verlengde ure benodig word, ingedien word. Laat aansoeke sal nie oorweeg word nie.
- (4) Hoogstens drie aansoeke om verlengde handelsure sal per perseel per kalenderjaar sal oorweeg word.
- (5) Geen aansoek ingevolge subartikel (1) sal oorweeg of geprosesseer word gedurende die tydperk 1 Desember tot 15 Januarie van die volgende jaar nie.
- (6) Geen regte word verkry deur die gelisensieerde wat aansoek gedoen het om verlengde handelsure alvorens skriftelike goedkeuring deur hom of haar ontvang is nie.
- (7) Die munisipaliteit moet tydens oorweging van 'n aansoek vir verlengde handelsure oorweging skenk aan tersaaklike faktore wat die volgende mag insluit-
- (a) die geldigheid van die dranklisensie;
 - (b) waar van toepassing, die geldigheid van 'n besigheidslisensie wat ingevolge die Wet op Besighede van 1991 (Wet 71 van 1991) uitgereik is;
 - (c) liggingskategorie volgens die Bylae;
 - (d) vorige rekords van klagtes wat ondersoek en bevestig is ten opsigte van die twaalf maande wat 'n aansoek vir verlenging voorafgaan;
 - (e) die nabyheid van die gelisensieerde perseel aan omliggende residensieel-gesoneerde areas, kulturele-, godsdienstige- en opvoedkundige fasiliteite;
 - (f) die potensiële impak op die omliggende omgewing;
 - (g) of dit in die openbare belang is om 'n verlenging van handelsure goed te keur;
 - (h) 'n motivering van die aansoeker wat aandui –
 - (i) die moontlike risiko's vir die omliggende gemeenskap en die veroorsaking van geraas en ander oorlaste;
 - (ii) maatreëls om moontlike risiko's en oorlaste te beheer of te verminder; en
 - (iii) moontlike voordele wat verlengde handelsure vir die omliggende gemeenskap mag inhou;
- (8) By oorweging van die aansoek bedoel in subartikel (1) mag die munisipaliteit insette verkry vanaf-
- (i) die betrokke wykskomitee;
 - (ii) omliggende inwoners wat geaffekteer mag word;
 - (iii) die plaaslike Gemeenskapspolisiëringsforum;
 - (iv) die aangewese drankoffisier van die S.A. Polisiediens; en
 - (v) enige gemeenskapsorganisasie soos kerkgroepe, belastingbetalers-, of sakeforums.
- (9) Die munisipaliteit mag 'n goedkeuring vir verlengde handelsure goedkeur onderhewig aan voorwaardes en die grondslag van en beweegrede vir alle besluitneming moet genotuleer word.

11. Voorkoming van onwettige drankverkope, en beslaglegging op drank

(1) 'n Gemagtigde beampte kan die onwettige verkoop van drank voorkom of op drank beslag lê:

- (a) waar drank verkoop word vanaf 'n perseel waar drankverkope nie ingevolge die munisipale soneringskema toegelaat word nie; of
- (b) waar drank in stryd met hierdie verordening verkoop word; of
- (c) waar drank verkoop word buite die ure en dae wat in hierdie verordening neergelê word, of in stryd met die voorwaardes wat die Wes-Kaapse Drankowerheid of die munisipaliteit met betrekking tot daardie onderneming vasgestel het; en
- (d) deur die tydelike sluiting van die perseel en/of beslaglegging op enige drank op die perseel ingevolge die munisipaliteit se standaardbedryfsprosedure vir beslaglegging en die bepalinge oor deursoeking en beslaglegging in die Strafproseswet, 1977 (Wet 51 van 1977).

(2) Waar die verkoop van drank voorkom word en daar beslag gelê word op drank ingevolge subartikel (1), kan die munisipaliteit enige koste wat die munisipaliteit hiervoor moes aangaan, van die lisensiehouer of persoon in beheer van die perseel verhaal.

12. Vertoon van naamborde, en ander verpligtinge van lisensiehouer

(1) Die lisensiehouer of persoon in beheer moet toesien dat 'n sertifikaat wat deur die munisipaliteit uitgereik is en wat die sonering of grondgebruik vir die doeleinde van hierdie verordening sowel as die goedgekeurde handelsure bepaal, op 'n opvallende plek binne-in die onderneming en tot bevrediging van die munisipaliteit vertoon word.

(2) Die lisensiehouer of persoon in beheer moet toesien dat die volgende opvallend en in letters van minstens vyf sentimeter hoog buite die perseel op die voordeur of –venster vertoon word, tot die bevrediging van die munisipaliteit:

- (i) die handelsure van die onderneming, soos wat die Munisipaliteit dit goedgekeur het; en
- (ii) die dranklisensienommer waaronder die onderneming handel dryf

13. Veiligheid en sekuriteit

(1) Lisensiehouers moet toesien dat die gelisensieerde perseel aan alle omgewings-, beplannings- en veiligheidswette voldoen en dat die voorwaardes wat die munisipaliteit neerlê, nagekom word.

(2) Die lisensiehouer of persoon in beheer moet toesien dat redelike en voldoende veiligheid- en sekuriteitsmaatreëls getref word vir die beskerming van die publiek/klante van die betrokke perseel, deur onder meer te verseker dat:

- (a) die berging van goedere en toerusting en die toestand van die perseel en enige struktuur daarop nie 'n gevaar vir die veiligheid van klante binne die perseel inhou nie;
- (b) die perseel voldoen aan die vereistes van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet 103 van 1977) en enige ander toestemming of verordening wat die Munisipaliteit toestaan of uitvaardig; en
- (c) daar voldoende verligting buite die perseel is waar die publiek/klante en personeel die gelisensieerde perseel binnegaan of verlaat.

14. Drankpersele moet wapenvry wees

Die reg van toegang tot drankpersele word voorbehou, en enige wapens of skerp voorwerpe is verbode op binneverbruikpersele. 'n Kluis behoort te alle tyd beskikbaar te wees op binneverbruikpersele indien persone wat in besit is van wapens of skerp voorwerpe toegang tot die perseel moet verkry.

15. Stoornisse

(1) Enige persoon wat drank aan die publiek verkoop, moet alle redelike stappe doen om toe te sien dat geraas vanaf die drankperseel te alle tye binne die mure van sodanige drankperseel bly.

(2) Enige persoon wat drank aan die publiek verkoop, moet redelike stappe doen om toe te sien dat geraas of ander stoornisse vanaf die perseel nie die inwoners van die omliggende gemeenskap op onredelike wyse raak en verontrief nie.

(3) Die lisensiehouer bly aanspreeklik en verantwoordelik vir alle grondbesoedeling en rommelstrooiing binne die drankperseel. Die lisensiehouer is ook verantwoordelik vir alle grondbesoedeling en rommelstrooiing buite die drankperseel wat uit die gelisensieerde perseel spruit. Die drankperseel en omliggende gebiede moet te alle tye skoongehou word.

(4) Die lisensiehouer is verantwoordelik om toe te sien dat geen klante buite die drankperseel rondhang nie en dat drankverkope en drankverbruik tot die drankperseel beperk word.

1016. Beswaar teen hernuwing van lisensies

(1) Die munisipaliteit, of enige van die instansies of persone vermeld in artikel 9(9), sal die reg hê om verhoë te rig teen die outomatiese hernuwing van 'n dranklisensie binne sy jurisdiksiegebied-

- (a) waar die gelisensieerde perseel nie gesoneer is vir sodanige gebruik ingevolge die munisipaliteit se soneringskema-regulasies nie; of

- (b) waar die gelisensieerde perseel, sedert die laaste hernuwing van sodanige lisensie, die onderwerp was van 'n klagte of klagtes wat deur die munisipaliteit ontvang is.

(2) Die munisipale bestuurder moet die vertoë voor 31 Julie van die jaar voor die jaar ten opsigte waarvan die hernuwing van toepassing sal wees, skriftelik by die Owerheid indien.

1117. Appèl

'n Persoon of regsentiteit wie se regte deur 'n besluit van die munisipaliteit ingevolge 'n gedelegeerde gesag geraak word, mag appèl aanteken teen daardie besluit deur binne 21 dae van die datum van kennisgewing van die besluit skriftelik aan die munisipale bestuurder kennis te gee van die appèl en die redes daarvoor ingevolge artikel 62 van die Wet op Plaaslike Regering: Munisipale Strukture, Wet 32 van 2000.

1218. Oortredings en boetes

- (1) 'n Gelisensieerde wat artikel 3, 4 of 5 van hierdie verordening oortree, of versuim om te voldoen aan 'n kennisgewing uitgereik ingevolge artikel 9, pleeg 'n misdryf.
- (2) 'n Persoon wat 'n gemagtigde beampte in die uitvoering van pligte verhinder of belemmer, pleeg 'n misdryf.
- (3) Enige persoon wat die bepalings van hierdie verordening oortree, sal by skuldigbevinding blootgestel wees aan-
 - (a) 'n boete of gevangenisstraf, of aan òf sodanige boete òf gevangenisstraf, of aan sodanige boete sowel as sodanige gevangenisstraf;
 - (b) in die geval van 'n voortgaande oortreding, aan 'n addisionele boete of aan 'n addisionele tydperk van gevangenisstraf of aan sodanige addisionele gevangenisstraf sonder die opsie van 'n boete, of aan sodanige addisionele boete en gevangenisstraf vir elke dag waarop sodanige oortreding voortgaan; en
 - (c) 'n verdere bedrag gelyk aan enige kostes en uitgawes wat deur die munisipaliteit aangegaan is as gevolg van sodanige oortreding of versuim.

1319. Herroeping

Die Verordening insake Beheer oor Ondernemings wat Drank aan die Publiek verkoop soos gepubliseer in Provinsiale Koerant No. ~~6986 op 20 April 2012~~ 7394 op 22 Mei 2015 word hiermee herroep.

1420. Kort titel

Hierdie Verordening word genoem die Swartland Munisipaliteit se Verordening insake Beheer oor Ondernemings wat Drank aan die Publiek verkoop en neem 'n aanvang op die datum van publikasie hiervan in die Provinsiale Koerant.

BYLAE

Handelsure vir verbruik van drank op gelisensieerde perseel

Liggingskategorie & tipe gelisensieerde perseel	Maksimum toegelate handelsure
1. Residensiële gebied	
Instelling vir gaste-akkommodasie	Maandag – Donderdag : 09h00 – 23h00 Vrydag – Saterdag : 09h00 – 24h00 Sondag : 11h00 -23h00
Sakeperseel	
Sport- en gemeenskapsklub met die uitsondering van spesiale geleenthede	
2. Woonbuurtsakegebied met inbegrip van gemengde gebruiksareas	
Instelling vir gaste-akkommodasie	09h00 – 24h00
Sakeperseel	
Vermaaklikheidsplek	
Sport- en gemeenskapsklub met die uitsondering van spesiale geleenthede	
3. Algemene sakegebied	
Instelling vir gaste-akkommodasie	Maandag – Donderdag : 09h00 -24h00 Vrydag – Saterdag : 09h00 -02h00 volgende dag Sondag : 09h00 – 24h00
Sakeperseel	
Vermaaklikheidsplek	
Sport en gemeenskapsklub met die uitsondering van spesiale geleenthede	
Hotel	
4. Nywerheidsgebied	
Sakeperseel	Maandag – Donderdag : 09h00 -24h00 Vrydag – Saterdag : 09h00 - 02h00 volgende dag Sondag : 09h00 – 24h00
Vermaaklikheidsplek	
Sport en gemeenskapsklub met die uitsondering van spesiale geleenthede	
5. Landbougebied / Kleinhoewes	
Instelling vir gaste-akkommodasie	09h00 – 02h00 volgende dag
Vermaaklikheidsplek	
Sport- en gemeenskapsklub met die uitsondering van spesiale geleenthede	
Wynmakery	
Hotel	
6. Ander ad hoc-liggings	
Voertuie of mobiele ondernemings gebruik vir toeriste of vermaak of ontspanningsdoeleindes ooreenkomstig die definisie van ‘perseel’ in artikel 1 van die Wet, tensy enige ander Verordening van die	09h00 – 24h00

Swartland Munisipaliteit anders bepaal	
Spesiale geleenthede of tydelike lisensies	Soos bepaal ingevolge die goedkeuring uitgereik deur die Owerheid in terme van artikel 48 van die Wet na oorlegpleging met die munisipaliteit

SWARTLAND MUNICIPALITY

DRAFT BY-LAW RELATING TO CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO THE PUBLIC

Under section 156 of the Constitution of the Republic of South Africa, 1996, the Swartland Municipality enacts as follows:-

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13. Safety and security
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1. Definitions

In this by-law, the English text shall prevail in the event of an inconsistency between the different texts, and unless the context indicates otherwise—

“agricultural area” means an area predominantly zoned agriculture or any other equivalent use, with the purpose to promote and protect agricultural activity on a farm as an important economic, environmental and cultural resource, where limited provision is made for non-agricultural uses to provide owners with an opportunity to increase the economic potential of their properties, without causing a significant negative impact on the primary agricultural resource;

“Authority” means the Western Cape Liquor Authority established in terms of the Act;

“business premises” means a building or land from which business is conducted and includes a shop, supermarket, restaurant, office, financial institution and buildings for

similar uses, but does not include a place of assembly, place of entertainment, institution, service station, motor repair garage, industry, industrial hive, noxious trade, risk activity, adult entertainment or bottle store;

“closed days” means Christmas Day and Good Friday;

“general business area” means an area predominantly zoned general business or any other equivalent use, with the purpose to promote economic activity in a business district and development corridor, and includes a wide range of land uses such as business, residential and community uses;

“guest accommodation establishment” means premises used as temporary residential accommodation for, and includes the provision of meals to, transient guests for compensation and includes a backpacker’s lodge, a bed-and-breakfast establishment, guest house and guest farm or lodge, as well as facilities for business meetings, conferences, events or training sessions of resident guests, but excludes a hotel;

“hotel” means a property used as a temporary residential accommodation for transient guests where lodging or meals are provided for compensation, and includes –

- (a) a restaurant or restaurants forming part of the hotel;
- (b) conference and entertainment facilities that are subservient and ancillary to the dominant use of the premises as a hotel;
- (c) premises which are licensed to sell alcoholic beverages for consumption on the property,

but excludes an off-consumption facility, guest accommodation establishment, dwelling house or dwelling unit;

“industrial area” means an area predominantly zoned general industry or any other equivalent use, with the purpose to accommodate all forms of industry including manufacturing and related processing, but excludes noxious or hazardous risk activity;

“licensee” means any person who is licensed to sell liquor in terms of the Act and includes any licensed premises, business, outlet or land use activity from which liquor is sold;

“licensed premises” means any place, land, building or part of a building in respect of which a license has been issued by the Authority in terms of the Act and includes a vehicle or vessel which is mainly used for the conveyance of tourists or passengers;

“liquor” means liquor as defined in section 1 of the Act;

“neighbourhood business area” means an area predominantly zoned neighbourhood business or mixed use or any other equivalent use, with the purpose to accommodate low intensity commercial and mixed use development serving local needs of convenience goods, personal service or small scale business nature or serve as an interface between general business, industrial and adjacent residential area;

“nuisance” means any act or omission or condition on any premises, vehicle, street or public place, including any building, structure, vehicle or vessel which is offensive or dangerous, or which interferes with the ordinary comfort, convenience, peace or quiet of other people or which may adversely affect the safety or comfort of people;

“place of entertainment” means a place used predominantly for commercial entertainment which may attract relatively large numbers of people, operate outside normal business hours or generate noise from music or revelry on a regular basis, and includes a cinema, theatre, amusement park, dance hall, gymnasium, totalisator or facility for betting, gambling hall, karaoke bar and nightclub;

“residential area” means an area predominantly zoned residential or general residential or any other equivalent use, with the purpose to accommodate predominantly single-family dwelling houses in low to medium density neighbourhoods, as well as higher density living accommodation and which includes controlled opportunities for home employment, additional dwellings and low intensity mixed use development;

“small holding” means an area predominantly zoned rural or any other equivalent zoning, with the purpose to accommodate smaller rural properties that may be used for agricultural purposes;

“sparkling wine” means an effervescent wine resulting from the fermentation of grapes, whether by natural or artificial process, and includes champagne;

“special event” means a fundraising event in aid of an educational or welfare organisation, any exhibition, sports meeting, cultural meeting or artistic performance;

“sports and community club” means premises or a facility used for the gathering of community or civic organisations or associations, sports clubs or other social or recreation clubs run mostly not for profit and may include community service clubs and community centres or similar amenity facilities, but excludes a night club;

“temporary license” means a temporary license issued by the Authority to-

- (a) the holder of an on consumption license; or
- (b) in exceptional circumstances, the holder of an on and off consumption license;

“Swartland Municipality” means the Swartland Municipality established by the Establish Notice published in Provincial Notice No. 5589 of 2000, as amended, and **“Municipality”** has a corresponding meaning;

“the Act” means the Western Cape Liquor Act, 2008 (Act No. 4 of 2008), as amended, read together with relevant Regulations;

“weekday” a day of the week, excluding Saturday and Sunday;

“winery” includes premises or facilities which are used in the production of wine and such premises or facilities include facilities for crushing grapes and fermentation and aging of wine, wine sales and tasting rooms, barrel and storage rooms, bottling rooms, tank rooms, laboratories or offices and other accessory or ancillary facilities incidental to the production of wine, which may include –

- (a) restaurants and other food services; or
- (b) subsidiary retail facilities to tours or visitors

“wine shop” means a place to sell packaged liquor for consumption off the premises;

“zoning”, when used as a noun, means a category of directions regulating the development of land and setting out the purposes for which the land may be used and the land use or land use provisions applicable in respect of the said category of directions, as determined by the Zoning Scheme;

“zoning scheme” means zoning scheme regulations which have been approved in terms of the Landuse Planning Ordinance, Ordinance 15 of 1985 Swartland Municipality: Land Use Planning By-law published in Provincial Notice Nr. 8226 of 2020 ~~and the zoning map and register.~~

2. Purpose of by-law and application

(1) To provide for the control of undertakings selling liquor to the public in order to ensure a safe and healthy environment in the Swartland; to provide for days and hours of trade in liquor by licensed undertakings that sell liquor to the public; and to provide for matters related thereto.

(2) This by-law applies to all ~~licensed premises within the jurisdiction of the municipality~~ premises, situated within the area of jurisdiction of the municipality, on which a business trading in liquor is operated, including:

- (a) undertakings selling liquor to the public for consumption on the licenced premises;
- (b) undertakings selling liquor to the public for consumption off the licensed premises;
- (c) undertakings selling liquor to the public for consumption on and off the licensed premises.

3. Trading days and hours for sale and consumption of liquor on licensed premises

(1) A licensee may sell liquor for consumption on the licensed premises on the following days and hours:

- (a) on any day of the week; and
- (b) during the hours of trade as set out in the Schedule.

(2) Despite subsection (1), a hotel or guest accommodation establishment licensed to sell liquor may offer a room service facility at any time of the day.

(3) Despite the provisions of this by-law, a licensee as contemplated in subsection (1), may serve sparkling wine –

- (a) from 08:00 for seven days a week;
- (b) as part of a meal; and
- (c) to guests who are part of an organised function where admittance is controlled.

(4) A licensee who sells liquor for consumption on licensed premises may not allow any consumption of liquor on the licensed premises at a time when the sale of liquor is not permitted.

4. Trading days and hours for sale of liquor and consumption off licensed premises

(1) A licensee, excluding wineries and wine shops, may sell liquor for consumption off the licensed premises from Monday to Saturday from 09:00 to 20:00, but not on Sundays and closed days.

(2) Licensed wineries and wine shops may sell liquor for consumption off the premises on the following days and hours:

- (a) from Monday to Saturday from 09:00 to 20:00; and
- (b) on Sundays from 09:00 to 17:00, but not on closed days.

5. Trading days and hours for sale and consumption on and off the licensed premises

A licensee of premises upon which liquor may be sold for consumption on and off the licensed premises may sell liquor in terms of the trading hours prescribed in section 4 and 5.

56. Special events and temporary licenses

Where the Authority refers an application for a special events license or a temporary license in terms of section 48 of the Act to the municipality for comments or recommendation, the municipality may recommend a deviation from the trading hours as determined in the Schedule to this by-law.

67. Appointment of authorised officials

The municipality may appoint any official to implement and enforce the provisions of this by-law.

78. Determination of licensed premises type

Where the definition or category of any licensed premises type as reflected in items 1 to 6 of the Schedule to this by-law is uncertain or difficult to determine, an authorised official as contemplated in section 6 may determine the definition thereof in order to determine the trading hours applicable thereto.

89. Compliance and enforcement

(1) An authorised official may, for the purposes of ensuring compliance with the trading hours determined in terms of this by-law, at reasonable times enter any licensed premises or any premises in respect of which an application in terms of this by-law has been submitted;

(2) When entering premises in terms of this section, the authorised official must identify himself or herself to the person in charge of the premises.

(3) An authorised official may issue and serve a notice of compliance on the licensee or any person in control of licensed or unlicensed premises, calling upon such person to comply with the provisions of this by-law.

(4) A compliance notice must stipulate-

- (a) the provisions of the by-law that is contravened;
- (b) the act or omission constituting non-compliance;
- (c) the measures which must be taken to comply;
- (d) the date or time by which compliance must be achieved, where applicable; and
- (e) the possible consequences of non-compliance.

910. Application for extended trading hours

(1) Notwithstanding the provisions of sections 3, the holder of an on-consumption license may, upon payment of the required fee, apply to the municipality to trade on weekdays preceding a public holiday, excluding closed days, during the hours set in the Schedule for trading on a Friday and a Saturday.

(2) The provisions of subsection (1) shall not apply to holders of on-consumption licenses on premises located in categories 1 en 2 of the Schedule.

(3) Applications must be made in the prescribed manner and must be submitted at least fourteen days prior to the date on which extended hours are needed. Late applications shall not be considered.

(5) Applications for extended trading hours shall be restricted to a maximum of three per premises per calendar year.

(6) No application in terms of sub section (1) shall be considered or processed during the period 1 December and 15 January of the following year.

(6) No rights shall accrue to any licensee who has submitted an application for extension of trading hours before the written proof approval is received from the municipality by such licensee.

(7) The municipality must, when considering an application for the extension of trading hours, consider applicable factors which may include –

- (a) the validity of the liquor licence;
- (b) where applicable, the validity of a business licence issued in terms of the Businesses Act of 1991 (Act No. 71 of 1991);
- (c) location category as per the Schedule;
- (d) previous records of complaints in respect of the twelve months preceding the application for extension of hours;
- (e) the proximity of the licensed premises to surrounding residential zoned area, cultural, religious and educational facilities;
- (f) the potential impact on the surrounding environment;
- (g) whether it is in the public interest to approve and grant an extension of trading hours;
- (h) a motivation from the applicant dealing with–
 - (i) the possible risks to the surrounding community and the creation of noise or other nuisances ;
 - (ii) measures to control or alleviate possible risks and nuisances; and
 - (iii) possible benefits of extended liquor trading hours on the surrounding community.

(8) The municipality, in considering the application, may request input from –

- (a) the relevant ward committee;
- (b) adjacent residents which may be affected;
- (c) the local Community Policing Forum;
- (d) the designated liquor officer of the S A Police Service; and
- (e) any relevant community organisation such as church groups, ratepayers or business forums’

(9) The municipality may issue an approval for extended trading hours subject to any conditions and the basis and rational behind all decision-making must be recorded.

11. Prevention of illegal sale of liquor and seizure of liquor

(1) An authorized official may prevent or seize the illegal sale of liquor –

- (a) where liquor is sold from a premises where the sale of liquor is not permitted in terms of the municipal zoning scheme; or
- (b) where liquor is sold in contravention of this By-law;

- (c) where liquor is sold outside the hours and days as specified by this By-law or the conditions, imposed by the Western Cape Liquor Authority of the municipality, in respect of that business; and
- (d) cause the temporary closure of the premises and/or seize any liquor on the premises in accordance with the Standard Operating Procedure on Impoundment of the municipality and the Search and Seizure provisions as contemplated in the Criminal Procedure Act, 1977 (Act No. 51 of 1977).

(2) Where the sale of liquor is prevented and liquor is seized as contemplated in subsection (1), the municipality may recover any costs incurred by the municipality from the licensee or person in control of the premises.

12. Display of signage and other obligations of the licensee

(1) The licensee or person in charge must ensure that inside the business, to the satisfaction of the municipality, a certificate issued by the municipality stating the zoning or land use for purposes of this By-law and stating the approved hours of trade, are prominently displayed.

(2) The licensee or person in charge must ensure that on the outside of the business, to the satisfaction of the municipality, the following are prominently displayed on the front door or window of the premises in characters not less than five centimeters in height;

- (i) the hours of trade of the business as approved by the municipality; and
- (ii) the liquor license number under which the business trade.

13. Safety and security

(1) Licensees must ensure that the licensed premises meets and complies with all environmental, planning and safety laws and that the conditions imposed by the municipality are adhered to.

(2) The licensee or person in charge must ensure that reasonable and adequate safety and security measures are in place for the protection of the public/clients of the likened premises by ensuring, amongst others but not limited to, that –

- (a) the storage of goods and equipment and the condition of the premises and any structure thereon do not cause a danger to the safety of patrons inside the premises;
- (b) the premises adheres to the requirements of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), and any other permission granted or by-law promulgated by the municipality; and
- (c) there is adequate lighting on the outside of the premises where the public/clients and staff access and exit the licensed premises.

14. Liquor premises must be weapon free

Right of admission to liquor premises is reserved and no weapons or sharp objects are permitted inside on consumption liquor premises. A safe should be available at all times on on consumption liquor premises in case persons in possession of guns or sharp objects need access to the premises.

15. Nuisances

(1) Any person selling liquor to the public must take all reasonable steps to ensure that noise from the liquor premises remain within the walls of such liquor premises at all times.

(2) Any person selling liquor to the public must take reasonable steps to ensure that the residents of the surrounding community are not unreasonable affected and inconvenienced by noise or other nuisances emanating from the premises.

(3) The licensee remains liable and responsible for all land pollution and littering within the liquor premises. The licensee is also responsible for all land pollution and littering outside the liquor premises flowing from the licensed premises. The liquor premises and surrounding areas must be kept clean at all times.

(4) The licensee is responsible to ensure that there shall be no loitering by patrons outside the liquor premises and that all sales and consumption of liquor shall be confined to the liquor premises.

~~10~~16. Objection against renewal of licenses

(1) The municipality or any of the institutions or persons contemplated in section 9(9) shall have the right to lodge representations against the automatic renewal of a liquor license within its jurisdictional area-

- (a) where the licensed premises is not zoned for such use in terms of the municipality's town planning scheme regulations; or
- (b) where the licensed premises has, since the last renewal of such license, been the subject of a complaint or complaints received by the municipality.

(2) The municipal manager must lodge such representations in writing with the Authority before 31 July of the year preceding the year in respect of which the renewal will apply.

~~11~~17. Appeal

A person or judicial entity whose rights are affected by a decision of the municipality in terms of delegated authority may appeal against that decision by giving written notice of the appeal and the reasons therefore in terms of section 62 of the Local Government: Municipal Systems Act, Act 32 of 2000 to the municipal manager within 21 days of the date of the notification of the decision.

1218. Offences and penalties

- (1) A licensee who contravenes sections 3, 4 or 5 of this by-law or fails to comply with a notice issued in term of section 89, commits an offence.
- (2) A person who hinders or obstructs an authorised official in the execution of his or her duties commits an offence.
- (3) Any person contravening the provisions of this by-law shall upon conviction be liable to-
 - (a) a fine or imprisonment, or either such fine or imprisonment or to both such fine and such imprisonment;
 - (b) in the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued; and
 - (c) a further amount equal to any costs and expenses that have been incurred by the municipality as result of such contravention or failure.

1319. Repeal

The By-law relating to Control of Undertakings that sell Liquor to the Public as published in Provincial Gazette No ~~6986 on 20 April 2012~~ 7394 on 22 May 2015 is hereby repealed.

1420. Short title

This by-law shall be known as the Swartland Municipality By-law Relating to the Control of Undertakings that sell Liquor to the Public and shall come into operation on the date of publication hereof in the Provincial Gazette.

SCHEDULE

Trading hours for consumption of liquor on licensed premises

Location category & licensed premises type	Maximum permitted trading hours
1. Residential area	
Guest accommodation establishment	Monday – Thursday : 09h00 – 23h00
Business premises	Friday – Saturday : 09h00 – 24h00
Sports and community club excluding special events	Sunday : 11h00 – 23h00
2. Neighbourhood business area including mixed use areas	
Guest accommodation establishment	09h00 – 24h00
Business premises	
Place of entertainment	
Sports and community club excluding special events	
3. General business area	
Guest accommodation establishment	Monday – Thursday : 09h00 – 24h00 Friday – Saturday : 09h00 – 02h00 next day Sunday : 09h00 – 24h00
Business premises	
Place of entertainment	
Sports and community club excluding special events	
Hotel	
4. Industrial area	
Business premises	Monday – Thursday : 09h00 – 24h00
Place of entertainment	Friday – Saturday : 09h00 – 02h00 next day
Sports and community club excluding special events	Sunday : 09h00 – 24h00
5. Agricultural area / Small holdings	
Guest accommodation establishment	09h00 – 02h00 next day
Place of entertainment	
Sports and community club excluding special events	
Winery	
Hotel	
6. Other ad-hoc locations	
Vehicles or mobile undertakings used for tourist or entertainment or recreational purposes as per definition of ‘premises’ in section 1 of the Act, except where any other Swartland Municipality By-law determines otherwise	09h00 – 24h00

Special events or temporary licenses	As determined by the authorisation issued by the Authority in terms of section 48 of the Act after consultation with the municipality.
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ITEM 7.6 OF THE AGENDA OF AN EXECUTIVE MAYORAL COMMITTEE MEETING TO BE HELD ON 17 AUGUST 2022

SUBJECT: AMENDMENT OF THE PERFORMANCE MANAGEMENT AND DEVELOPMENT POLICY

1. BACKGROUND

The existing Performance Management and Development Policy was approved by the Mayoral Committee on 19 May 2022.

The appointment of the new Director Electrical Engineering Services requires a minor amendment of the policy. Part 2 Paragraph 10 (Performance bonuses) needs to be amended by adding the underlined portion:

The Municipality however has decided not to pay any performance bonuses, with the exception of the Municipal Manager and Director Electrical Engineering Services who will be eligible for a performance bonus according to the calculation table in ANNEXURE A up to a maximum of 14%.

The Performance Management and Development Policy is available at the office of the Manager: Strategic Services.

2. LEGISLATION

Municipal Systems Act No 32 of 2000

Municipal Finance Management Act No 56 of 2003

Municipal Planning and Performance Management Regulations, 2001

Municipal Performance Regulations for Municipal Managers and Managers directly accountable to Municipal Managers, 2006

Regulations on Appointment and Conditions of Employment of Senior Managers, 2014

3. KOPPELING AAN DIE GOP

Die GOP en prestasie-meting is aan mekaar gekoppel deurdat die KPI's en teikens in Hoofstuk 7 van die GOP deur middel van die prestasiebestuurstelsel gemonitor word.

4. AANBEVELING / RECOMMENDATION

Dat die Beleid vir Prestasiebestuur en -Ontwikkeling met ingang van 1 Augustus 2022 gewysig word deur die byvoeging van die onderstreepte gedeelte in Gedeelte 2 Paragraaf 10 (Prestasie bonusse) - hieronder in Engels aangehaal.

That the Performance Management and Development Policy be amended with effect from 1 August 2022 by the addition of the underlined portion in Part 2 Paragraph 10 (Performance bonuses) - quoted below.

"The Municipality however has decided not to pay any performance bonuses, with the exception of the Municipal Manager and Director Electrical Engineering Services who will be eligible for a performance bonus according to the calculation table in ANNEXURE A up to a maximum of 14%."

**MUNISIPALE BESTUURDER
MUNICIPAL MANAGER**



Verslag Φ Ingxelo Φ Report

Departement van die Direkteur: Korporatiewe Dienste

21 Julie 2022

4/2/B

ITEM 7.7 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEEVERGADERING WAT GEHOU SAL WORD OP 17 AUGUSTUS 2022

ONDERWERP: MENSLIKE HULPBRONNE: NUWE BELEIDE EN HERSIENING VAN BESTAANDE BELEID
SUBJECT: HUMAN RESOURCES: NEW POLICIES AND REVIEW OF EXISTING POLICY

1. BACKGROUND/DISCUSSION

- 1.1 The implementation of the new Municipal Staff Regulations as promulgated in Government Gazette no. 45181 dated 20 September 2021, necessitates the compilation of a number of new policies as well as the review of existing policies in order to meet the requirements as stated in the regulations.
- 1.2 The policies indicated in this report were submitted to the Local Labour Forum on 23 June 2022 for discussion and all stakeholders, including SAMWU and IMATU, were requested to provide inputs on the policies by 5 July 2022. Inputs were received and processed and the final drafts of the following policies were submitted to the Local Labour Forum on 21 July 2022 for recommendation.
 - 1.2.1 Change Management Strategy for the Implementation of the Municipal Staff Regulations
 - 1.2.2 Recruitment and Selection Policy (review of existing policy)
 - 1.2.3 Probationary Period Policy (new)
 - 1.2.4 Retention Policy (new)
- 1.3 During the meeting of the Local Labour Forum held on 21 July 2022 the policies were discussed and both IMATU and SAMWU recommended the policies for approval by the Executive Mayoral Committee.
- 1.4 The policies concerned are attached and any amendments are indicated in bold italics.

2. LEGISLATION

Local Government: Municipal Staff Regulations as promulgated in Government Gazette no. 45181

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

The new and reviewed existing policies have no financial implication for Swartland Municipality.

5. RECOMMENDATION

- a) Dat die Uitvoerende Burgemeesterskomitee die aangehegte Veranderingsbestuurstrategie vir die implementering van die Munisipale Personeelregulasies goedkeur met ingang van 1 September 2022;

That the Executive Mayoral Committee approve the attached Change Management Strategy for the implementation of the Municipal Staff Regulations with effect from 1 September 2022;

5./...

- b) Dat die Uitvoerende Burgemeesterskomitee die aangehegte gewysigde Werwing en Keuringsbeleid goedkeur met ingang van 1 September 2022;

That the Executive Mayoral Committee approve the attached amended Recruitment and Selection Policy with effect from 1 September 2022;

- c) Dat die Uitvoerende Burgemeesterskomitee die aangehegte nuwe Proeftydperkbeleid goedkeur met ingang van 1 September 2022;

That the Executive Mayoral Committee approve the attached new Probationary Period Policy with effect from 1 September 2022;

- d) Dat die Uitvoerende Burgemeesterskomitee die aangehegte nuwe Retensiebeleid goedkeur met ingang van 1 September 2022;

That the Executive Mayoral Committee approve the attached new Retention Policy with effect from 1 September 2022;

- e) Dat kennis geneem word dat die delegasies voortspruitend uit die betrokke beleide voorgelê sal word aan die Raad aan die einde van Mei 2023 as deel van die Delegasiestelsel.

That cognisance is taken that the delegations arising from the policies concerned will be submitted to Council at the end of May 2023 as part of the System of Delegation.

(get) M S Terblanche

MUNICIPAL MANAGER

ITEM 7.8 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE VERGADERING WAT GEHOU SAL WORD OP 17 AUGUSTUS 2022

ONDERWERP:	VERSLAG OOR GEMEENSAP ONTWIKKELING PROJEKTE 2021-2022 UITKOMSTE EN IMPAK
SUBJECT:	REPORT ON COMMUNITY DEVELOPMENT PROJECTS 2021-2022 OUTCOMES AND IMPACT

1. BACKGROUND

The Executive Mayoral Committee made the decision on 8 August 2017 that the Community Development Division must report yearly by August on the outcome and impact of community development projects of the previous financial year.

Measurement of the outcome of community development projects are complex, because results are not always concrete. The SMME capacity building was part of our planning 2021/2022 financial year. Social Development and Economic development is very important for sustainable development, therefore the Community Development division will ensure that access to the economy given to entrepreneurs and businesses. The current report includes the outcomes and impact of projects of the 2021/2022 financial year that aligned with the following six focus areas according to the **Swarthland Municipal Social Development Policy and Strategy**:

1. Promote the legalisation of Early Childhood facilities and Early Childhood Development (Aged 0-6) *Children's Act 38 of 2005 123(6); Constitution of the RSA 1996 Schedule 4B*
2. Promote child development (aged 7-14)
Children's Act 38 of 2005 123(6); Constitution of the RSA 1996 Schedule 4B; National Education Policy Act, 1996 (No 27 of 1996) paragraph 23
3. Promote youth development (aged 14-35)
Prevention of Substance Abuse Act 70 of 2008; SA Constitution Schedule 5B
4. Promote collaboration and co-ordination
Systems Act 2000 Chapter 4; SA Constitution Section 41(h)
5. Facilitate access to the economy
SA Constitution Section 152
6. Lobbying for the vulnerable
SA Constitution Section 153, Schedules 4B and 5

(See attached the summary Annexure A summary of a Swarthland Municipal Social Development Policy and Strategy of 2017).

The current performance management system and monthly report only measures the inputs and sometimes the outputs of projects. It only measures what is more or less in the staff's control for example how many workshops presented and how many people attended the events. Staff be not accountable for outcomes, which they have less control over, although it is still important to know what the outcomes and impact are in order to plan for improvement of projects. The impact contributed to the joint impact of the municipality together with other stakeholders.

2. DISCUSSION

Here follows the results from the 2021-2022 projects according to the six focus areas and the Key Performance Indicators (KPI):

Focus area 1: Promote the legalisation of Early Childhood facilities and Early Child Development (0-6)

KPI - ph-09-0114 (1): Promote the development of child facilities (Capacity Building Sessions)				
1. Number of capacity building sessions with ECD organisations in the Swartland Municipal area. Target (10 for the year)				
Goal	Outcome planned	Outcome achieved	Impact planned	Impact achieved
To educate and capacitate the Non-Governmental Organisations that provides Early Childhood Development Services to become compliant in relation to the Children's Act 38 of 2005.	Capacitated and compliant ECD facilities with the Children's Act 38 of 2005 (10 capacity building sessions for the year)	Trainings/Workshops done for 2021-2022 (13 sessions concluded: NPO Session held with Ros-Me Special Care Centre- Chatsworth on 30 August 2021 (3 participants attended) NPO Follow Up session with Ros-Me Special Care Centre- Chatsworth on 15 September 2021 (4 participant attended) Swartland ECD Forum Management Training from 28-30 September 2021 (17 participants attended) Teachers Training held in Moorreesburg (11 participants attended) Capacity Building Session with Darling ECD facilities (4 participants attended) ICB Training Session held on 2&3 December 2021 (27 participants attended)	The planned NPO sessions was to capacitate organisations to become self-sufficient, able to plan effectively in terms of their objectives to be rolled out and strategically looking additional resources to help sustain their respective organisation. Developing an implementation plan for capacitating of personnel members; implementing activities to improve service delivery at the respective facilities. The role of each board member is critical for implementation and therefore continues capacity-building interventions be implemented. The ICB training streamlined not only capacitate the facility member running the facility, but to ensure that effective implementation	In total 13 capacities, building sessions held. Six (6) sessions held to assist, empower and to capacitate each organization to become compliant and self-reliant. Seven (7) additional sessions held to capacitate facilities to become self-sustainable. Capacity building sessions will continue in the 2021/2022 financial year and we have to implement new strategies to ensure ECD's and Afterschool Care facilities becomes capacitated effectively to register their facilities.

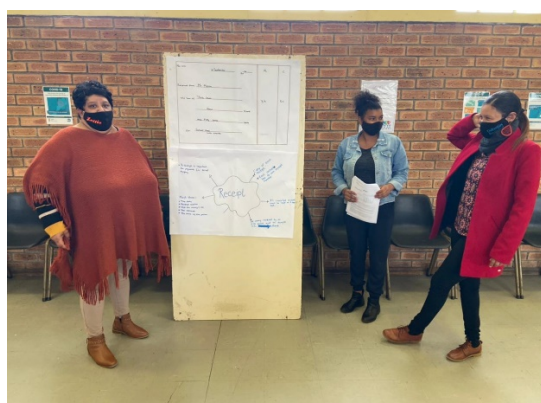
			and planning are included.	
		NPO Information session held on 8 January 2022- Malmesbury (3 participants attended) Swartland Kinderland Akademie Training Session held in Malmesbury on 29 January 2022 (53 participants attended) NPO Follow-up session with DAM on 14 February 2022- Riebeek Kasteel (3 people were present) Swartland ECD Forum Capacity Building Engagement held in Malmesbury on 12 March 2022 (94 participants was present) Kinderland Akademie Training Session nr.2 held on 23 April 2022 (47 participants attended) NPO follow up session on 26 April 2022 (5 participants was present) Swartland ECD Forum Labour Training held on 14&15 June 2022 (38 participants attended)	The different trainings are relevant to ensure that not only for sustainability but to ensure that the daily activities for implementation.	

KPI - ph-09-0114 (3): Promote the development of child facilities

3. Number of unregistered facilities assisted to register their facilities: 20 for the year

Goal	Outcome planned	Outcome achieved	Impact planned	Impact achieved
To assist capacitate and register the Non-Governmental Organisations that provides Early Childhood Development Services to become	Assistance and Capacitating 20 ECD facilities to become compliant with the Children's Act 38 of 2005.	Assisted 47 ECD / After School Care Centres with the registration process 5 ECD's/ 5 After Care Centres submissions of registration	ECD's/ After School Care centres to become compliant with Children's Act 38 of 2005, which entails having the following main regulations compliance in place such as:	10 ECD's centres are compliant and received registration. Registered ECD's / After School Care Centres: 2021-2022 – Chatsworth Pop Youth Centre (conditional registration)

compliant in relation to the Children's Act 38 of 2005; Swartland Municipal By-Laws; Building Regulations; West Coast District Municipality Health Regulations and Fire Regulations. Assistance to 20 ECD facilities for the year		documentations has been submitted, awaiting for their Registration certificates from the Department of Social Development-Cape Town (Total: 10 facilities)	Swartland Municipality's Planning By-Law; Building Regulations; West Coast District Municipality Health Regulations and Swartland Municipality Fire Regulations, SANS 10400.	– Riverlands Pop Youth Centre (Conditional registration) – Riebeek Wes Pop Youth Centre (conditional registration) – Koringberg Pop Youth Centre (conditional registration) – Elkana Riverlands Afterschool Care Centre (5yrs registration) – Onse Skool Paardeberg (5yrs registration) – Alexanderfontein kleuterskool (conditional registration) – Esterhof Kleuterskool (conditional registration) – Wingerdlooitjie kleuterskool (conditional registration) – Siphumeze Educare Centre (conditional registration)
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Teachers Training Moorreesburg 27 September 2022



Labour Training of 14&15 June 2022

Focus area 2: Promote Child Development (7-14)

ph-18-0002: Implementing Educational programmes

School Holiday Programmes within the Swartland Municipal Jurisdiction: **4 – 8 October 2021**

Goal	Outcome planned	Outcome achieved	Impact planned	Impact achieved/measured
Coordinate educational programmes such as school holiday programmes in collaboration with other stakeholders.	One educational programme implemented. To create a safe and healthy environment for all children.	Youth Office assisted the following towns to implement their educational programmes: 1. Chatsworth: 58 beneficiaries attended 2. Jeria Sending: 65 beneficiaries attended 3. Riverlands POP Centre: 66 beneficiaries attended 4. Darling Outreach Foundation: 189 beneficiaries attended 5. Kalbaskraal: 97 beneficiaries	Children actively busy with educational programmes that raise their awareness on safety and providing	2434 Children were safe were part of an educational programme during October school holidays.

		attended 6. Elkana Malmesbury: 53 beneficiaries attended 7. Abbotsdale NHW: 119 beneficiaries attended 8. Koringberg SHP: 318 beneficiaries attended for the week 9. Broodkraal SHP: 215 beneficiaries attended for the week 10. Moorreesburg SHP: 543 beneficiaries attended for the week 11. Riebeek Wes SHP: 446 beneficiaries attended for the week 12. Riebeek Kasteel: 265 beneficiaries attended for the week 4 – 8 October 2021 2434 Children who benefitted from the program. SUPPORTING OTHER PROGRAMMES: ELKANA Child and Youth care Centre: Personal hygiene and cleanliness: 07/03/2022: Malmesbury session 20 children attended Druwe Trossie Kleuterskool: New year resolution with aftercare 15/03/2022: Broodkraal session 28 children attended	them with life skills.	
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Abbotsdale NHW School Holiday Programme



Chatsworth School Holiday Programme



Kalbaskraal School Holiday Programme

YOUTH DEVELOPMENT: CAREER GUIDANCE

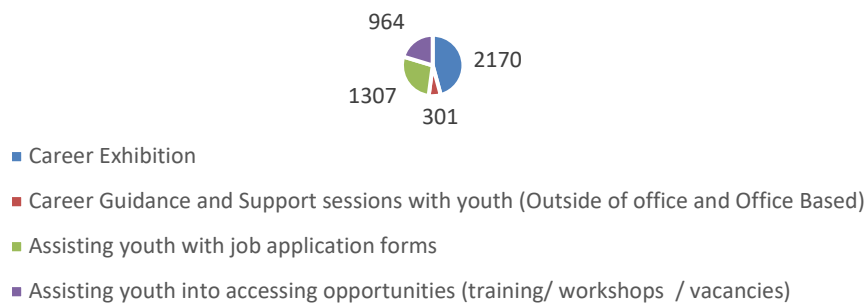
KPI - ph-09-0115: Promote the capacity of young adults

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

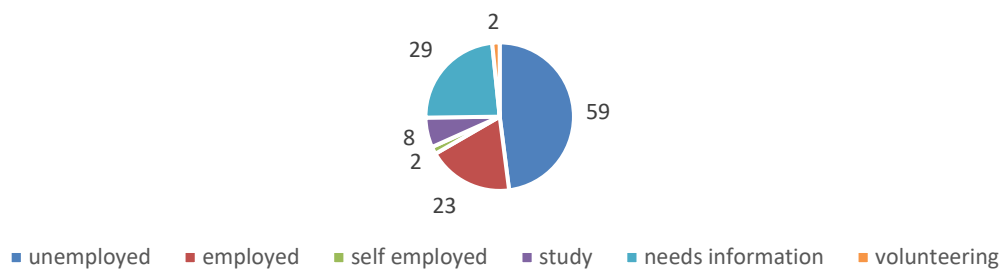
Goal	Outcome planned	Outcome achieved	Impact planned	Impact achieved
1. Number of people (including youths) assisted with career guidance and information about economic opportunities	2000 youth for the year Career exhibition.	Swartland Municipality Annual Career Exhibition from 9 – 10 March 2022. 2170 learners reached. Wesbank Secondary School: 578 (grade 12 and 11); Ilingeletu Secondary School: 255 (grade 12 and 11); Swartland High School: 435 (grade 9, 11 and 12); Schoonspruit Senior Secondary School: 902 (grade 11 and 12)	Youth receiving assistance from the youth office in career guidance and support	4742 number of people (including youths) assisted with career guidance and information about economic opportunities
	Career guidance and support sessions with youth.	Career guidance and support sessions with youth: 301 youth assisted in office and out of office with pace career test and online application opportunities.	Youth access to possible employment opportunities	
	Assisting youth with job application forms.	Assisting youth with job application forms: 1307 was distributed ; Swartland Municipality: 351; Swartland Municipality Database form: 516; Z83: 225;		

	Assisting youth into accessing opportunities (training/ workshops / vacancies)	West Coast District Municipality: 186; Other: 29 Assisting youth into accessing opportunities (training/ workshops / vacancies): 964 people assisted. Youth assisted with various opportunities (throughout the book year): 562 School Holiday Programme Youth Volunteers (4 – 8 October 2022): 67 SANRAL Information session Darling (27 January 2022): 126 SANRAL Information session Moorreesburg (27 January 2022): 106 Cleophas Construction CLO Induction Programme, Darling (13 January 2022): 21 Western Cape Government PAY Project Online Applications: 55 HWSETA Phlebotomy Learnership Interviews: 12 Samaai Construction Induction Programme at Chatsworth (15 March 2022): 15		
2. Number of youth from the whole of Swartland Community who entered into job opportunities with the assistance from the Youth Office	Youth and adult job placements 30 for the year	156 youth and adults were assisted to enter into job opportunities	Youth Employment	156 Youth employed and have an income on a monthly basis.
3. Number of training, internships and Learner ships opportunities in collaboration with other Departments with assistance from the Youth Office	Youth entered into learner ships, internships and trainings and enhance 10 for the year	98 youth was placed in 13 different institutions	Youth enrolled in learner ships, internships and trainings.	The Youth Office collaborated with 13 different institutions / departments / skills programmes and assisted 98 youth within these skills programmes

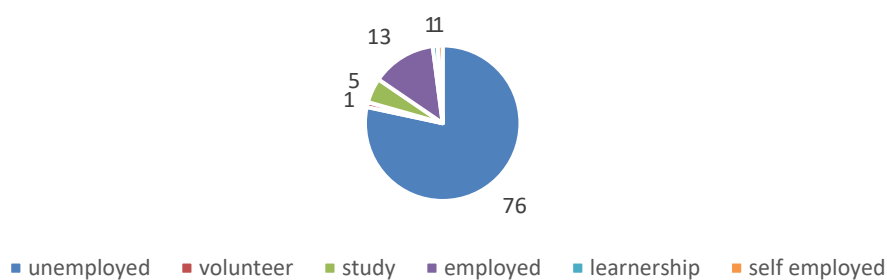
KPI 1 Number of people (including youths) assisted with career guidance and information about economic opportunities



Job Applications findings 308 was contacted 214 was unrespondent 94 was interviewed

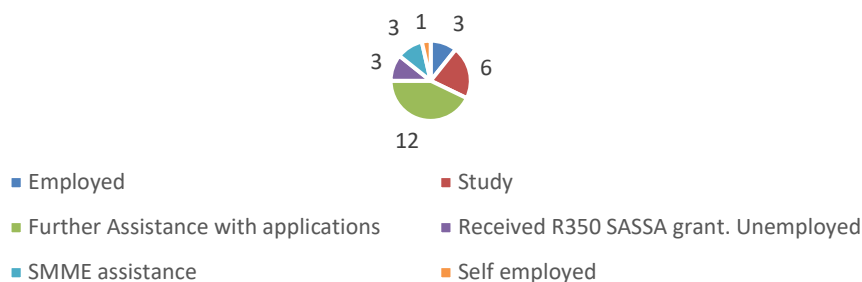


Opportunities (workshops / vacancies / trainings) findings 214 was contacted 157 was unrespondent 57 was interviewed



Career Guidance and Support findings

85 was contacted
57 was unrespondent
28 was interviewed



Swartland High School Career Exhibition



Schoonspruit Senior Secondary School Career Exhibition

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

KPI 4: Number of life skills programmes

Impact measured/achieved

Active Citizenship Arts and Culture Workshop

11/09/2021: Riebeeck Kasteel: 42 attended

18/09/2021: Moorreesburg: 23 attended

02/10/2021: Darling: 17 attended

09/10/2021: Malmesbury: 20 attended

16/10/2021: Broodkraal: 25 attended

23/10/2021: Abbotsdale: 25 attended

What did you learn during the workshop	What do you want to know less of	Any other feedback / suggestions
ACTIVE CITIZENSHIP AND PERFORMING ARTS WORKSHOPS 152 Beneficiaries attended these workshops 32 was contacted 27 was non respondent 5 completed the interview questions		
Cannot remember so well. How youth must take part in the community/community projects. Adults do not want to give youth a chance and make youth feel out of place.	None	Make Morreesburg more active in the community (Swartland). Give our youth opportunities as well

I am not someone who can work in a group and the workshop taught me how and how to deal with stress or negative feedback.	Would like to work more with these type of stuff	None
How to work with people and act in front of people. Helped me to build up confidence	None	No feedback. I like doing these things.
A lot about Municipalities and how it works	None	No. Workshop was perfect.
What it is to be an active citizen.	None	Not at the moment

Department of Labour: Career Guidance and Support, Job Preparedness sessions (270 people):

02/02/2022: Malmesbury session 49 youth attended
15/02/2022: Chatsworth session 36 youth attended
22/02/2022: Riverlands session 29 youth attended
02/03/2022: Malmesbury session 22 youth attended
04/03/2022: Abbotsdale session 31 youth attended
10/03/2022: Moorreesburg session 64 youth attended
28/03/2022: Ilangelethu/Saamstaan session 39 youth attended

NYDA: Career Guidance and Support, Job Preparedness session (76 people):

03/03/2022: Kalbaskraal session 45 youth attended
16/05/2022: Broodkraal session 22 youth attended
20/05/2022: Withoogte session 9 youth attended

Swartland Municipality Youth Office: Career Guidance and Support, Job Preparedness session

14/03/2022: Koringberg session 31 youth attended

West Coast Community Foundation: Preparedness session:

28/02/2022: Malmesbury session 17 youth attended

What did you learn during the workshop	What do you want to know less of	Any other feedback / suggestions
CAREER GUIDANCE AND SUPPORT JOB PREPAREDNESS SESSIONS 394 Beneficiaries 61 was contacted 36 was non respondent 7 can't remember the session 2 got employed after session 18 completed the interview questions		
At work		
Learned a lot	Can't remember anymore	
Workskills and life skills. Is you apply for a job? Do research so you know what the job is about. How to work with colleagues	None	None
How to create CV. Put in everything in what you do. Do not miss opportunities.	When can they get us a job? I left school in grade 8. I was in gangster activities that is why I left school.	

Learned a lot about myself. How to be in an interview, how to create a cv.	I want to know more about interviews	Session was very helpful and it helped me a lot.
Learned a lot.	None	None
Makes you ready to take on stuff, build your confidence	Not Really	Working at Jo Dolphin after that interview. Helped me to not be scared and take on opportunities. Keep up with these workshops it's something good. Would like to apply for admin courses.
How to prepare for an interview.	None	More sessions like this.
Can't remember but the session helped a lot	None	None
Learned a lot	None	Would like to go further in admin
About interview, how to create a cv, learn about being more prepared	None	None
Arrived late. Heard about the session late	None	Advertise better
Few stuff, how to move forward	None	None
How to be in an interview, how to create a cv.	None	Understood the session. Don't have any feedback at the moment
Learned about preparations, not to aim for the money.	None	Is there a place in government for our youth or work opportunities. Make people more aware of these sessions
Prepare for workplace, how to dress for an interview, how to sit, research you need to do	None	The session was good however, it was a bit long.
Work and what we do. I learned a lot	None	We have a shortage of services, no work, no transport
When you go for an interview, preparations	None	How to include other people in sessions

		Riebeek Kasteel Community Hall; 22 February 2022 - 19 people attended the training Business training hosted by SEDA in cooperation with Dept of Local Government on 11 March 2022 at Riebeek Kasteel Community Hall: 13 people attended SEDA and SARS workshop on 31 May 2022 at Town Hall, Malmesbury: 29 people attended	s that will be further assisted.	
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SMME Beneficiaries, which attended the Roadshows and Trainings:

- ✓ 47 was phoned
- ✓ 37 was non respondent due to various reasons
- ✓ 10 was interviewed

Beneficiary	You attended a programme for SEDA, what did you learn?	Were you able to apply the information given to you?	Has SEDA made contact with you?/Do you need assistance with anything
1	About Business Management. How to handle finances.	We sat in the programme. Received booklets	Need assistance with media certificate. Business very slow. Material that I never received(from Basil)
2	We received ingredients. We are a small business. It wasn't an information/learning session		
3	Basic stuff about business etiquette, what you need for business registration	There wasn't much that I could apply, was mostly for new businesses	Yes, they sent an email to invite me to a seminar but I couldn't attend
4	About finances and how you can apply	Did not do anything yet. I work from home.	No feedback. Still need to register but I do not have time.
5	Learned about bookkeeping. How to work out sales and orders. How to make a successful business	We already applied stuff in my business. I am just applying it more than I was before the programme. Keep record of finances	Invited people who want to register business. Had contact with Michael of SEDA after that day.
6	That the government give aid to start a business	Too many contributing factors. Lots of conflict of interest. Had problems with suppliers. Foreigners make contact with suppliers to ensure you receive product.	Not even worth it to open a shop anymore. Foreigners is taking over in the community.
7	Very valuable information	We started our business. We want to be on the database for Swartland Muni but we are waiting for our tax certificate.	Yes. Had a few appointments with Michael Fourie of SEDA.
8	We were there for an application.		
9	Financing, How to budget for your business. More for small businesses.	I learned a lot. Especially with the finances that I could apply to my own business	None

10	Learned a lot, how to help less fortunate people to get a job.	I passed the information to my worker/ Finances is a big problem	Haven't made any contact with me
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Malmesbury RSEP Entrepreneurial Hub:

Questions	Didi's Hairsalon	Mzondi's Tuck Shop	Joan's Clothing	Ntombi's Take Aways
1) When did you start operating and what is your hours of operation	Started business after launch in May 2021. Operating from Mondays-Sundays open from 7h00-18h00, but on Sundays will see how many clients they have	Started the business at the hub after the launch in May 2021. Operating hours Mondays-Saturdays from 7h00 – 16h00	Started the business at the hub after the launch in May 2021. Operating hours Mondays-Saturdays from 9h00-17h00	Started the business at the hub after the launch in May 2021. Operating hours from Mondays-Saturdays 6h00-17h00
2) How many customers do you have since opening the business at the Entrepreneurial Hub?	Has more than 60 clients in a month	Has more than 100 customers per month	Has more than 60 customers per month and received contracts to do schools curtains	Has more than 100 customers per month and sometimes doing catering jobs for companies
3) Do you think your business improved at the current location?	Business has definitely improved, employed 2 people	Business has improved, but did not employ people yet	Business has improved, employed 1 lady	Business has improved, employed 2 ladies
4) Did SEDA support you?	Yes	Yes	Yes	Yes
5) Type of Support from SEDA	Business Cards, Marketing board	Business Cards, Marketing board	Business Cards, Marketing board	Business Cards, Marketing board
6) Are you registered and all documentation is place eg. Business Account?	Yes, business is registered and have a business Account, Have tax clearance certificate	Yes, business is registered and have a business Account, Have tax clearance certificate	Yes, business is registered and have a business Account, Have tax clearance certificate	Yes, business is registered and have a business Account, Have tax clearance certificate
7) What Challenges do you experience at the Entrepreneurial Hub?	Vandalism of community and Taxi's that park in front of the container	Vandalism, problem with veranda that cannot close properly, rain comes into container	Vandalism and Lighting in front of the container	Need a sit down place for customers and need further training for staff as management



Focus Area 4: Promote Coordination and Collaboration

KPI -ph-13-0004: Promote the coordination social development

FORUMS:

SSDF/LDAC AND RSEP

Goal	Outcome planned	Outcomes achieved	Impact planned	Impact measured/achieved
Swartland Local Drug Action Committee (LDAC) To give effect to the NDMP and to create a Mini drug master plan (guidelines / policy) that will be incorporated within the IDP to address the substance abuse challenge.	Capacity building sessions with the LDAC, monthly meetings, monthly executive meetings, implementing action plan	LDAC monthly meetings: 16/02/2022 23/03/2022 25/05/2022 22/06/2022 LDAC executive meetings: 23 February 2022 13 April 2022 11 May 2022 8 June 2022 Capacity Building Sessions: 22/09/2021: LDAC Aftercare training in Malmesbury: 27 attended 14/10/2021: LDAC 12-steps recovering training activation session: 39 attended 27/10/2021: LDAC Gender Based Violence workshop: 33 attended 16/02/2022: Swartland Local Drug Action Committee Strategic Planning Session: 38 LDAC Committee Members	LDAC members did receive various requested capacity building sessions. Capacity building sessions held during LDAC meetings. LDAC Executive also met on a monthly basis.	LDAC members been capacitated on various requested themes. During the new book year the LDAC will focus on: Capacity building sessions regarding aftercare / families / Getting NGO complaint to tap into funding opportunities Focussing on implementing the action plan by refining the action plan into quarterly activity sheets

Number of Meetings with the Social Development Forum	Quarterly meetings to review the implementation of planned projects/ programmes from the respective organisations and government departments	25/05/2022 Swartland LDAC NPO toolkit and funding procedures training at the Town Hall, Malmesbury attended by 29 attendees 22/06/2022 Swartland LDAC Reaffirmation Pledge Ceremony at the Town Hall, Malmesbury attended by 66 attendees Supporting awareness programmes: Smile of a Child & Revelation Helping Hand- GBV Awareness Campaign- Abbotsdale; Total Attendees: 161 Chatsworth POP Centre and various stakeholders hosted a Youth Day Modelling / Talent show at Chatsworth on 16 June 2022 attended by 52 beneficiaries SSDF Meetings: 16 September 2021 ABT Social Development Meeting in October 2021 29 March 2022 28 June 2022	Meetings been held to address the four focus areas of the SSDF. Focus Areas: -Child Protection -School Drop Outs -Substance Abuse -Victim Empowerment	During the new book year the SSDF will focus on: Capacity building sessions regarding the four focus areas. Focussing on implementing the action plan by refining the action plan into quarterly activity sheets through the SSDF Strategic Planning.
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LDAC GBV training



LDAC Reaffirmation Pledge Ceremony



Focus Area 6: Lobbying for the Vulnerable

Ph-090116:4 Promote access to social development services for vulnerable people

Gender Based Violence Programme

Goal	Outcome planned	Outcome achieved	Impact planned	Impact achieved/ measured
Gender Based Induction Programme- 21 May 2022	To endorse the Terms of Reference for the GBV Ambassadors To provide a platform for the GBV Ambassadors to share ideas on GBV Strengths, Weakness, Opportunities and Threads in their Wards To set clear Goals and Objectives towards attainment of the Swartland GBV Ambassador's Program To have initial engagements regarding the Training Needs	27 people attended the induction programme	The Department Community Development will compiled documentation on the SWOT Analysis and the Training needs questionnaire. Secondly, will consult with the Department of Social Development to assist in conducting a training on 11 June 2022. The Department Community Development will be responsible for the Logistical Arrangements.	Information captured in order for a follow-up training scheduled for 11 June 2022.
Gender Based Violence Training- 11 June 2022	Overview of Gender Based Violence Child-care and Protection Older Persons Abuse	25 people attended the training programme	Understanding the different aspects pertaining to	Information captured and planning been drafted for September 2022- June 2023 of continuous support and training initiatives.

	Referral Pathway & Roles of stakeholders Services in West Coast		Gender Based Violence. Utilizing the methods provided to capacitate GBV Ambassadors, Council members, Ward committees & communities	
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Gender Based Violence Induction Programme
- 21 May 2022



Gender Based Violence Training- 11 June 2022

Focus Area 6: Lobbying for the Vulnerable

Ph-090116:4 Promote access to social development services for vulnerable people
THUSONG MOBILE OUTREACHES

Goal	Outcome planned	Outcome achieved	Impact planned	Impact measured
Conduct Local mini-Thusong mobiles in Swartland municipal area within 2021/2022 in order for people to have access to government services.	People have access to government services and services in terms of their needs. (5 Thusong Mobile Outreaches for the whole of the Swartland Municipal Area)	Five Swartland Mobile Outreaches were held: September 2021: Riebeek -West :Outreach (376 Beneficiaries) 19 November 2022 Kalbaskraal Outreach (311 Beneficiaries) 24 November 2022: Chatsworth Outreach (336 people benefitted).	People assisted and accessed services according to their needs	Responses from beneficiaries of services: Respondent A: She went to Department of Health, and she was very much impressed from the people served her due to her previous experience at the Health Service Centre(Hospital).She is a young female person with a need of any kind of job where can she learn and practically exercise her knowledge. She had to find out from the officials of the department on how the people employed there because she applied and never get any

		December 2021; Moorreesburg Outreach (73 people benefited from services) May 2022: Moorreesburg Outreach due to low numbers reached in December 2021 another outreach was scheduled for Moorreesburg (533 Beneficiaries)	response from the department, and then she got clarity on that. Respondant B: GOVERNMENT DEPARTMENTS: “He went to Transport and Public Works Department to find out about EPWP because they see a need of it in the area, but he never got any feedback as people promised to come back to him. He notice the need can be considered by a community as a whole for the unused building of Swartland Municipality just stands in the area of Kalbaskraal where can Municipality assist in upgrading the building for community hall or multi-purpose centre to render youth programmes. Respondant C: She went to Legal Aid to find out basically on the solution where there is a person rented out her property but the person do not want to move out as their contract ended. The advice she got did assist her, but she need assistance also to get SARS Tax Clearance Certificate Respondant D: She went to several departments like SEDA (to get knowledge about business start-up), Sinethemba, Legal Aid, Agriculture, and Labour that saw it as a need for a community, so that she can be able to assist people as well and was not only for her own benefit. Her reasons are on different needs, 1. Youth Outreach Centre, Business Hubs and Swartland Municipality is not effective for LED establishment because there is high employment rate and there is no assistant from Swartland
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				Municipality. There are many outsiders occupied local business places. There is a need of Public Toilets because the one behind the police station is not healthy, is not properly cleaned Moorreesburg is not convenient due to people kept away from development as compared to other Swartland Areas, and there is no land accessible for people to build their own residential houses. She see a challenge where Anchor departments are not featuring in the outreaches where people have to hike and suffer to get to Malmesbury for SASSA, Home Affairs, SARS as the main demand and it is high risk and therefore number to served is limited.
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Riebeek-West Outreach-September 2021



Kalbaskraal-November 2021

3. LEGAL MANDATE

One of the aims of local government is to promote social development (The Constitution of RSA1996 152 (1)c). This report indicates how Development Services: Community Development Division executed the aim of local government by promoting social development in communities through trainings, workshops, capacity building sessions and skills development.

4. LINK WITH THE IDP

The Swartland Social Development Policy and Strategy is one of the sectoral plans that links with the Strategic Goal 1 of the IDP 2017-2022: *PEOPLE – IMPROVED QUALITY OF LIFE FOR CITIZENS*". Strategic actions and initiatives are linked to the KPI's of the Community Development Division

5. FINANCIAL IMPLICATION

Thorough evaluation of programmes will ensure that programmes could be refined to have a higher impact and therefore would ensure a better use of municipal funds.

6. CONCLUSION

The main challenge in Monitoring and Evaluating community development programmes is to get and stay in touch with participants. Phone numbers change and it is difficult to get feedback from all.

7. RECOMMENDATION

- *That the Executive Mayoral Committee takes cognizance of the outcomes and impacts measured of the Community Development projects of 2021-2022.*
- *That the Community Development Division report yearly by August on the outcome and impact of community development projects of the previous financial year.*

(get) J S Krieger

MUNISIPALE BESTUURDER

/hb



Verslag ♦ Ingxelo ♦ Report

Kantoor van die Direkteur: Korporatiewe Dienste
11 Augustus 2022

17/13/1

ITEM 7.9 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE-VERGADERING WAT GEHOU SAL WORD OP 17 AUGUSTUS 2022

ONDERWERP: VERSKUIWING VAN VOC SEINKANON, MOORREESBURG SUBJECT: RELOCATION OF VOC SIGNAL CANON, MOORREESBURG

1. BACKGROUND

- 1.1 During January 2020 the Municipality received an application as per **ANNEXURE A** from Mr Johann Mostert, acting on behalf of the farm owner, for one of the two canons that are presently located in front of the Town Hall in Moorreesburg, to be relocated to its original signal station on the Farm Kanonberg, 12 km South East of Moorreesburg. The canon concerned was indicated to be one of twelve signal guns on the Swartland/Winelands route, the last of which being located on the farm Neulfontein near Moorreesburg.
- 1.2 According to information found on the VOC Foundation's website, the VOC implemented the signaling system from 1734 *"to call up citizens for the Cape's defence. When the gun was heard, men of a military age had to arm themselves and ride to Cape Town on horseback to assemble under their banners. The guns were placed on hills and mountains in four different areas, sounding the alarm across the Swartland/Sandveld, towards the Olifants River/Witzenberg, Karoo and Overberg/Southern Cape. There were 35 signal stations; the signalmen were the farmers and their servants."*
- 1.3 In the events following the above application, a dispute arose as to the ownership of the canon, which was initially thought to be an artefact under the custodianship of the provincial Wheat Industry Museum. However, during a meeting held on 19 July 2022 with the applicant, representatives of the VOC Foundation and the South African Heritage Resources Agency (SAHRA), the curator of the museum confirmed that no records could be found of any canons having been donated to the museum. Although the canon is located on municipal land and was apparently donated by the previous farm owner to the Municipality, it was decided that further engagement was to take place between the parties, also including the Canon Association of South Africa (CAOSA), to gather as much information possible about the canon in question.
- 1.4 During a site visit on 6 August 2022, it was indeed confirmed by the COASA that the canon barrel was the one located on the farm Kanonberg, used as part of the signaling system referred to. A letter to this effect dated 6 August 2022 was submitted to the Municipality, and is hereto appended as **ANNEXURE B**.
- 1.5 Further appended hereto is **ANNEXURE C**, being a letter from the VOC Foundation in support of the relocation of the canon to its original position, and also regarding the intended future use of the canon.
- 1.6 Attempts are presently underway that, in the event that the Municipality grants permission for the relocation of the canon, the latter would be replaced with a similar canon, most probably a barrel similar to the second canon in front of the town hall.

2. LEGISLATION

- 2.1 The National Heritage Resources Act, Act 25 of 1999 states in section 37 i.r.o. **Public monuments and memorials**:-
"Public monuments and memorials must, without the need to publish a notice to this effect, be protected in the same manner as places which are entered in a heritage register referred to in section 30."

- 2.2 Although the canon was not included in the *Swartland Heritage Rural Survey* of 2014 an argument for its protection does exist because of its historical significance under sections 30 and 37 of the act.
- 2.3 Heritage Western Cape has a document '*Guidelines for Public Monuments and Memorials*' which prescribes the process to be followed for the relocation of monuments and memorials. These guidelines require that the responsible local authority (Swartland Municipality) must be notified, and a public participation be followed. Given the heritage nature of this artefact, it is recommended that a similar public participation process in this instance also be followed, including placement of a notice in the local newspapers, posting of notices at the site and by using social media. A period of 30 days will be allowed for comments and objections, of a heritage nature only.

3. **FINANCIAL IMPLICATION**

The relocation of the canon is to be undertaken from private funds. Costs pertaining to public participation, i.e. placement of notices, will be for the Municipality's account.

4. **AANBEVELING**

- 4.1 Dat toestemming verleen word aan Mnr Johann Mostert van die VOC Stigting vir die verskuiwing van die VOC-kanon voor die Moorreesburg stadsaal na sy oorspronklike posisie op die plaas Kanonberg, Moorreesburg;
- 4.2 Dat publieke kommentaar, van 'n erfenisaard alleenlik, ingewin word by wyse van kennisgewings in die plaaslike media, kennisgewings op perseel, asook via die toepaslike wykskomitees en sosiale media;
- 4.3 Dat enige besware ontvang na hierdie komitee verwys sal word vir oorweging;
- 4.4 Dat die aansoeker ook verantwoordelik sal wees vir die vervanging van die bestaande kanon met 'n soortgelyke artefak.

RECOMMENDATION

- 4.1 That permission be granted to Mr Johann Mostert of the VOC Foundation for the relocation of the VOC canon in front of the Moorreesburg town hall to its original position on the farm Kanonberg, Moorreesburg;
- 4.2 That public comment, of a heritage nature only, be invited by means of notices in the local media, notices on site, as well as via the applicable ward committees and social media;
- 4.3 That any objections received be referred to this committee for consideration;
- 4.4 That the applicant shall be responsible for the replacement of the existing canon with a similar artefact.

(get) M S Terblanche

MUNISIPALE BESTUURDER

Mst/raadsitems, SM5/Augustus 2022/Relocation of VOC canon, Moorreesburg

Maandag, 13 Januarie, 2020

Die Munisipale Bestuurder

Swartland Munisipaliteit

Privaatsak X1, Malmesbury 7299

Insake terugplasing van VOC Seinkanon : Kanonberg, Mooresburg

Graag wil ek aan u agtergrond inligting verskaf tov bg. aangeleentheid.

Die VOC het in 1672 'n seinkanon stelsel in werking gestel. Die kanonne is gebruik om **oorlogsalarms** te skiet, om die burgers op te roep om die Kaap te help verdedig wanneer vyandelike skepe voor die kus gesien is. Die geskiedenis van die Kompanjie se seinstelsel vind in S.A. Muller: Die VOC se seinstel aan die Kaap. (MA -verhandeling, Universiteit van Stellenbosch.) Die seinkanonstelsel het uit 'n totaal van 12 kanonne bestaan wat op 'n roete geplaas is en dan van kanon tot kanon deurgesein is. Die laaste kanon op die Swartland/Wynland roete staan op die plaas Neulfontein naby Moorreesburg.

Hierdie betrokke skrywe gaan oor die terugplasing van die laaste "vermiste" kanon wat ons graag op sy historiese oorspronklike plek wil terugplaas. Versoeke van die huidige grondeienaar dateer terug uit die sewentig en tagtiger jare maar almal was onsuksesvol. Huidiglik staan daar 2 kanonne voor die Stadsaal op Moorreesburg waarvan die een kanon die oorspronklike is wat van Kanonberg verwyder is in 1963 deur die vorige grondeienaar en aan die Munisipaliteit op Moorreesburg geskenk is. Die 2de kanon was 'n skenking vanaf die Kasteel in Kaapstad (ou herwinde skeepskanon).

Graag wil ons u hiermee versoek om die kanon aan die Stigting VOC beskikbaar te stel om die historiese kanon roete te voltooi. Die Kanonberg kanon is die laaste kanon wat kort om die seinroete te voltooi.

Die beplanning is om die historiese perseel waarvandaan die kanon afgevuur is te restoreer, die kanon op sy oorspronklik en histories korrekte voetstuk of slee terug te plaas en oop te stel vir toeriste wat die historiese sein kanon roete wil volg. Ons glo dat dit ook sal bydra om toesime na ons Swartland streek te bevorder.

Aangeheg is 'n brief van die VOC stigting (onderteken deur die bekende historikus en skrywer Dr Dan Sleight), wat ons voornemende aksie ondersteun.

Graag verneem ons van u in hierdie verband.

Die uwe.

J A Mostert (nms. huidige grondeienaar DB Koch)

Wethmarstraat 18, Malmesbury 7300

Tel 022 4822371 / 0824584742

CANNON ASSOCIATION OF SOUTH AFRICA

SAPS Registration number 28/1/3/8/2/1 23704

info@caosa.org.za



M.C.B. Venter
Telephone: 0835987665

148 Glen Road
Glencairn
7975
06 August 2022

Alex Giardini

REGARDS "KANONBERG" CANNON

I was invited by Mr Alex Giardini and Mr Johann Mostert to identify the cannon barrel that used to be on "Kanonberg", 12 km South East of Moorreesberg, and part of the Dutch "Call Up" gun signal system.

As indicated I found two barrels mounted in front of Moorreesberg, Municipal building. I measured both barrels carefully according to the records in my possession and established that the barrel on the left, (as per attached photo, circled barrel) fits the description in our DURR record as the barrel being donated to Moorreesberg Municipality by Mr J.P. Bester of the farm "Kanonberg" some years back.

Upon inspecting the barrel on the right, it is clear that this barrel was either very close to sea water or might even be rescued from the sea due to the bad corrosion and deterioration of the metal unlike the barrel on the left in very good condition suiting a barrel which was used inland and away from sea air or water.

I hereby attach photos taken on the 06 August 2022 at Moorreesberg Municipality building, and our DURR record as proof.

(M.C.B. VENTER)

CANNON ASSOCIATION OF SOUTH AFRICA: MASTER GUNNER

info@caosa.org.za

www.caosa.org.za



Cannon Association of South Africa (CAOSA)



c.a.o.s.a

Committee: Martin Venter (Chairman), Nadine Sheffield (Treasurer/Secretary),
Theo van der Merwe (Member), Frikkie Conradie (Member)

GUN NO	BORE	CAL	TYPE	COUNTRY	DATE	FOUNDER - MAKE/MARK	B/R	LENGTH	WEIGHT	POSITION
935		[4] Pdr	I	Dut		Finbanker				Langebaan Army Base
936			Brass			Home made to no particular design.				Langebaan Army Base
10	6 Pdr		I	Fre	c1778	INDRET & Fleur de Lis	408	2228		Lion Battery
11	18 Pdr		I	Eng	1793	W Co - KG III - Sn 321	499	2736	41-1-7	Lion Battery
37	7 in RML		I	Eng	1866	Royal Gun Factory - RGF Sn 72 Mk I(C)			6-9-1-14	Lion Battery
38	6.3 in RML		I	Eng	1867	Royal Gun Factory - RGF Sn 26"			64-1-0	Lion Battery
195	24 Pdr		I	[Swe]		Chase & muzzle only				Lion Battery
260	[12 Pdr]		I	Swe		Chase & muzzle only - Exploded?				Chavonne Battery
288			I			Very corroded - unidentifiable				Lion Battery
297	6 Pdr		I	Swe	c1750	Finbanker style (No trunnions)	336	1960		Lion Battery
298	3 Pdr		I	Swe		Broken muzzle	315			Lion Battery
299	8 Pdr		I	Swe		Broken muzzle	433			Lion Battery
307	3 Pdr		I	Swe		Very corroded - unidentifiable		1760		Lion Battery
312	3 Pdr		I			Unidentifiably corroded				Lion Battery
395	24 Pdr		I	Fre	1788	Crown over "L"	516	2610		Lion Battery
36	18 Pdr		I	Eng	1794	W Co - KG III - Sn 330	503	2708	[42 cwt]	Lion Battery (Noon Gun)
35	18 Pdr		I	Eng	1794	W Co - KG III - Sn 249	503	2708	41-3-7	Lion Battery (Noon Gun)
241	24 Pdr		I	Swe	1755	Stafsjö - "VB"	570	3055		Lion Battery (V & A Loan)
247	24 Pdr		I		c1700	Saint Gervais - "SG" (Cut off at 1st reinforce)				Lion Battery (V & A Loan)
248	36 Pdr		I	Swe			615	3280		Lion Battery (V & A Loan)
511	18 Pdr		I	Swe	c1780	Finspång - "F" AAE	510	Cut Off		Lion Battery (V & A Loan)
283	6 Pdr		I	Swe		Finspång - "F"	425	2112		Lion Battery, Military Museum
17	95 6 Pdr		I	Eng	c1770	Gordon & Stanley - "GS" + KG III (6ft)	388	1840	16.5 cwt	Lion's Head (slopes)
18	95 6 Pdr		I	Eng	c1770	Gordon & Stanley - "GS" + KG III (6ft)	388	1840	16.5 cwt	Lion's Head (slopes)
723			I		[c1780]	Probably from GROSVENOR				Lusikisiki
790	[4 Pdr] Gunade		I			No legible markings - very corroded - not permitted to measure				Lutzville Hotel
758	4 Pdr Gunade		I	Eng	c1820	Crown and "ROGERS"			[3-5-9]	Lydenberg Library
272	9 Pdr		I	Eng		Armstrong pattern - "H" & faint crest oblit	423	2740		Macassar, Sheik Yussuf Kramat
273	18 Pdr		I	Eng		"B" & AAE (Cast in England for Dutch use)	506	2880		Macassar, Sheik Yussuf Kramat
274	18 Pdr		I	Swe	c1760	Aker Werke - "AW" & VOC(H)	510	2880		Macassar, Sheik Yussuf Kramat
275	18 Pdr		I	Swe	c1760	Aker Werke - "AW" & VOC(H)	510	2800		Macassar, Sheik Yussuf Kramat
276	18 Pdr		I	Eng		"B" & AAE (Cast in England for Dutch use)	508	2830		Macassar, Sheik Yussuf Kramat
277	6 Pdr		I	Eng	1787	"H" - Civil gun (87 on trunnion)	380	1725		Macassar, Sheik Yussuf Kramat
278	24 Pdr		I	[Swe]		Buried breech down				Macassar, Sheik Yussuf Kramat
664	96 6 Pdr		I	Eng	c1830	Bailey Pegg & Co - BP & Co Sn 416	313	1365	8-2-10	Mafikeng Museum
665	76 7 Pdr RML		I	Eng	1876	Royal Gun Factory - RGF No 279 Mk IV	173	946	1-3-4	Mafikeng Museum
666	76 7 Pdr RML		I	Eng	1873	Royal Gun Factory - RGF No 71 Mk IV	174	945	1-3-4	Mafikeng Museum
667	RML (Hex)		I	Eng	1866	Whitworth Co. No 439	171	1540	4-0-19	Mafikeng Museum
546	6 Pdr		I	Swe		Replacement for 463	377	2255		Maitland, Cannon Bridge
463	[6 Pdr]		I	Swe		Gun stolen in Jan 1996				Maitland, Cannon Bridge (Missing)
830	6 Pdr		I	Swe			360	2530		Malmesbury, Hero's Acre
365	8 Pdr		I	Swe		Finspång - "F" & MVOC(Z)	416	2195	2172 A	Malmesbury, Tweekuil Farm
500	[3 Pdr] BL		B	Dut	c1730	VOC(E) - Swivel gun	[220]	1050		Margate, Private
512			B				142	758		Marina da Gama, Private
291	8 Pdr		I	Swe	c1740	Finspång - "F" - Trunnions covered	442	2330		Melkbosstrand
854			I	Eng		[Off GROSVENER]				Mkambati
745			I			Very badly corroded (salvaged)	[370]	[2130]		Montagu
349	6 Pdr		I	Swe			382	2190		Moorreesburg Municipal Offices
350	6 Pdr		I			[Eng or Fre] for Dutch use	360	2255	1742 A	Moorreesburg Municipal Offices

Gun 294 was apparently removed from a hill or mountain in the Stellenbosch area many years ago.

Gun 296 was unearthed by Council workers while digging a drainage ditch in Waterkant Street in about 1900. The owner's father was passing in his large wagon delivering liquor, he offered to remove it for them. It has been in the family ever since. The owner passed away in 1998 and the gun was moved from "The Meadows" in Camps Bay to a farm in Dutoitskloof.

Gun 297 was unearthed in North Camp, Wingfield during construction of the new prison. It is believed to have used for decoration by a military unit based there in the 1950's. It was donated to Lion Battery by Martin and East contractors.

Guns 298 & 299 Two broken guns recovered from the roads depot in Ebenezer Road Green Point. These two guns originally served as corner protectors at the steps in front of a building in Bree Street, Cape Town. There were originally four, but two were lost when they were moved. These guns may be returned to their original position in Bree Street in the near future.

Gun 300 Was removed from Mouille or Three Anchor Bay Battery as one of several guns used to mark a crude horse racing course on Green Point Common. Some of these guns were later used to decorate the headquarters of British regiments billeted in tents on the common during the Boer War.

Gun 307 was located in the Castle moat and was too corroded for any further use. It was moved to Lion Battery in around September 1997.

Gun 308 & 311 were found alongside Gun No. 307 in the Castle moat and moved to Lion Battery in September 1997. These guns were returned to the Castle as bollards in July 1998.

Gun 312 was found in the castle moat with Gun No. 307, this gun had already corroded into pieces when found. The gun broke further when moved to Lion Battery in September 1997.

Gun 316 was unearthed during demolition of the foundations of the old power station on the Foreshore in October 1996. The gun was found 11 metres deep, with many identical broken bottles, shards of Dutch china, large pieces of rotten wood and odd pieces of iron. The conclusion is that it was a ship which ran aground or sank in that position. This is where the beach was in the 18th century.

Guns 317 & 318 Both guns were missing their buttons and one had no trunnions when located in the Military Museum store at the Castle. They were exchanged for 283 and then used as bollards at the Castle.

Guns 334, 335 & 336 Salvaged from the wreck of the REIJGERSDAL which sank in 1747.

Gun 343 Salvaged off the "WILLEM DE SWIJGER" near Arniston.

Gun 345 This RML was unearthed during the construction of the workshop nearby in 1949. The Foreman of the workshop, Mr JL Capstick had the carriage built and the gun mounted in 1956.

Gun 346 was removed from the farm "Swartdam" near Riebeeck-Kasteel in 1938.

→ **Gun 350** This is a signal gun donated to Moorreesburg Municipality by Mr JP Bester of the farm "Kanonberg" 12 km SE of the town. It is possible that this gun was cast in England for the Dutch in c1775.

Guns 351 & 352 These two commercial guns were captured at Bagamoyo in German East Africa by the Royal Navy in 1916. (See Gun No. 227)

Gun 359 This signal gun was removed off the southern slopes of Piketberg. This gun was fired in 1902 when the first train arrived in Piketberg and again in 1927 when the first telephone system was set to work.

Gun 360 This was the signal gun on Heuningberg south west of Porterville.









Stigting VOC - VOC Foundation - Umbutho VOC

Die Stigting VOC het op 16 September 1995 tot stand gekom met Bewaring, Opvoeding en Kultuurtoerisme as doel. Dit is as sulks geregistreer by die stad Kaapstad, EWK en SAEHA en is die wettige eienaar van die historiese VOC-handelsmerk in Suid-Afrika.

The VOC Foundation was established on 16 September 1995 with Conservation, Education and Cultural Tourism as its aims. It is registered as such with the City of Cape Town, HWC and SAHRA and is the legal owner of the historic VOC trade mark in South Africa.

Internet: <https://www.voc-kaap.org>. **E-pos/Email:** info@voc-kaap.org **Kontak/Contact:** Sekr./Secr.: mnr. R. Rode rodecb@icloud.com
Finansies/Finance: mnr. C. Wessel callawes@gmail.com

Bank: Nedbank, Somerset-Wes, Rek.nr. 1145512305, Takkode/Branch Code 106012. Rekeningnaam: Stigting VOC

4 Augustus 2022

Me. Madeleine Terblanche
Direkteur: Korporatiewe Dienste
Swartland Munisipaliteit
Moorreesburg

Geagte Me. Terblanche

VOC Seinkanon

Die Stigting VOC se uitvoerende komitee ondersteun ons lid mnr J. Mostert se versoek dat die VOC seinkanon wat tans voor die munisipale gebou op Moorreesburg staan, op sy oorspronklike plek terug geplaas word, om die volgende redes:

Die kanon is 'n kultuurhistoriese artefakt, wat deel was van die VOC (1602-1795) se Kaapse seinstelsel. Histories is dit aan 'n spesifieke geografiese posisie gekoppel, en volgens die S.A. Nasionale Erfeniswet mag dit nie daarvandaan verwyder word nie.

As kultuurhistoriese artefakt behoort dit gebruik te word in die opvoeding en onderwys van korrekte streekgeskiedenis. As dit op sy oorspronklike plek, op 'n behoorlike, histories korrekte slee gemonteer, van sy historiese gereedskap vir laai en vuur voorsien, met 'n groot, permanente inligtingsbord waarop die verskillende seinroetes aangedui word, kan dit gebruik word om onderrig oor die doel en werking van die historiese seinstelsel waarby dit betrokke was, te verskaf. Die verwydering van die kanon uit die beboude gebied sal dit moontlik maak om dit af te vuur.

Ons is reeds betrokke by soortgelyke situasies, in 'n poging om al die seinkanonne op hul oorspronklike posisies terug te plaas. Ons ervaar entoesiasme by die publiek vir die proses en vind dat die afvuur van 'n voorlaaierkanon besonder gewild by toeriste is. Ons versoek dus u Raad om u leiding en steun te gee aan mnr Mostert se onderneming, wat tot die voordeel van u streek en sy inwoners kan wees.

Die uwe
D. Sleigh (Dr)
pp. Mnr A. Giardini
Voorsitter: Stigting VOC.

ITEM 7.10 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE-VERGADERING WAT GEHOU SAL WORD OP 17 AUGUSTUS 2022

ONDERWERP: AANSOEK OM VESTIGING VAN KREMATORIUM, DARLING
SUBJECT: APPLICATION FOR ESTABLISHMENT OF A CREMATORIUM, DARLING

1. AGTERGROND

- 1.1 Die Munisipaliteit het die aangehegte aansoek (**AANHANGSEL A**) ontvang van Mnr Christo Vermaak vir die verkryging van 'n gedeelte grond by die Darling-begraafplaas vir die vestiging van 'n krematorium. Hy benodig ongeveer 300 m² vir hierdie doel, soos aangedui op die uitlegplan hierby aangeheg, gemerk **AANHANGSEL B**.
- 1.2 Hierdie aangeleentheid is op bestuursvlak oorweeg, en die volgende voor- en nadele daaromtrent uitgelig:
- Die grond wat benodig word, sal die leeftyd van die begraafplaas met ongeveer ses maande (50 grafte) teen die huidige aanwas verkort;
 - Die voorgestelde gebruik sal (1) indien die grond verkoop word, vereis dat 'n onderverdelings- en hersoneringsproses deurloop moet word, of (2) indien dit verhuur word, 'n vergunningsgebruiksaansoek vereis ten opsigte van die *footprint* area van gebruik;
 - Daar potensieel heelwat teenkating vanaf die publiek mag wees teen die betrokke bedryf naby 'n residensiële gebied, as gevolg van reuk- of ander oorlaste;
 - Die tipe bedryf moontlik 'n omgewingsproses mag vereis, wat duur en tydrowend is;
 - Dit nie billik is teenoor ander kommersiële beleggers indien sekere individue bevoordeel word deur die proses te vergemaklik vir hulle om munisipale grond te bekom nie, terwyl daar in die algemeen van hierdie tipe belegger verwag sou word om grond in die nywerheidsgebied aan te koop en die nodige regte te bekom.
 - Die krematorium, wat skynbaar voltyds (24 uur) bedryf sal word, moontlik mag bydra tot die bekamping van vandalisme, asook (indien dit 'n voorwaarde van verkoop/verhuur gemaak sou word) die daarstel van toiletfasiliteite vir die begraafplaas deur die ontwikkelaar.

2. WETGEWING

- 2.1 Die vervreemding of verlening van langtermynregte in grond word gereguleer deur die Wet op Munisipale Finansiële Bestuur, Wet 56 van 2003, die *Municipal Asset Transfer Regulations*, 2008 sowel as die Raad se Verordening insake die Oordrag van Kapitale Bates, effektief vanaf 22 Mei 2015, wat vereis dat die prosesse daaromheen billik, regverdig, deursigtig en mededingend moet wees.
- 2.2 Die uit-die-hand vervreemding of verhuring van munisipale eiendom word slegs onder baie beperkte voorwaardes toegelaat, wat in hierdie geval nie ter sprake is nie. Gevolglik sal daar, indien die Raad in beginsel sou besluit om wel 'n gedeelte van die begraafplaasgrond vir 'n krematorium beskikbaar te stel, 'n publieke proses deurloop moet word om tenders met ontwikkelingsvoorstelle te in.

3. FINANSIËLE IMPLIKASIES

Daar sal volledig met hierdie aspekte gehandel word indien 'n verslag aan die Raad voorgehou word rakende die vervreemding of verhuring van die grond, hangende die besluit/aanbeveling van die burgemeesterskomitee.

Voorgelê vir oorweging.

(get) M S Terblanche
MUNISIPALE BESTUURDER

"A"

LEAN BUSINESS START UP PLAN

Name of business. Darling Crematorium.

Owner: Christo Adriaan Vermaak.

Physical Address and contact details: 31B Church street Darling 7345

Cell. 071 550 8243 Email. vermaakca1@gmail.com

Brief description of service.

My services will start by collecting human remains (in caskets/coffins) from funeral undertakers in and around the Swartland district and transporting them to my proposed premises in the Darling Industrial area .

This site will comprise of a building that will house a Human Cremator, also or better known as a RETORT. This retort is a big furnace built by an engineer specifically to cremate/dispose of a human body.

The overall dimensions of said "FURNACE" is 3000mm long, 1500mm wide and 2500mm high with a 400mm wide Flue stack of 15m. Overall weight is 6200 kg with Two (2) LPG gas burners, main burner being 350 kWatt and after burner 250 kWatt, thus disposing of a body in in more or less 90 minutes depending on size, weight or gender.

After the cooling off of the bones left in the retort they are then placed in a Cremulator on site in which it is then processed into what as known to the public as ashes. These ashes or cremulated remains will then be packaged and returned to the funeral undertaker to be collected by their loved ones.

Is there a need for the product/service and why?

There is an ABSOLUTE need for this service, especially in this area/district as there are only three (3) other crematoriums in the whole of the Western Cape with ridiculous turnover times and people having to wait weeks, sometimes months for the return of their loved ones .

Bodies are also stacking up at funeral undertakers and state mortuaries who then later don't know what to do with them. This can lead to health risks as some of these bodies was exposed to infectious diseases.

Also as we know that space is running out for the building of cemeteries and also with the crime rate being what it is less people are going to visit their family's graves as it is usually secluded and are prone to crimes being committed.

Cremation is also more environmentally friendly as tests are being performed on a regular basis in methods of isokinetic sampling to conform with regulations.

Aansoek nr 10902 :
Darling crematorium

MUNISIPALITEIT SWARTLAND			REG	
REK. No.	12/2/R	ROO. No.		
Verwys No.	Inlaaiing	Verlof	Afkeuring	Kom/Taar
DK				
cc Karin Smit				
Ander Opdrag:				
SPERDADUM:			(getuig)	

Oorhandig deur mr Vermaak op 7 Junie 2022;
na besker op 20 Junie
Opvolgbesoek mr Vermaak op 30 Junie → Louis Zilman

Who is the intended market for the product/service?

The intended market would be any legal funeral undertaker or director and their clients be it private funeral homes or state medico legal laboratories.

Who are your competitors and what do they offer?

As mentioned above these premises will be located in Darling Swartland district Western Cape and as to date there are only Three (3) other crematoriums in the whole of Western Cape situated in Maitland, Durbanville and Paarl (Klein Drakenstein) respectively.

Two of these offer chapel services which I might consider in the future but not as for now, whereas the third offer transport services of the deceased to and from the crematorium and the funeral undertakers as this will be one of my services too. For the rest all cremation services are more or less the same.

What is different (competitive advantage) about your product/service?

First and foremost the area where this business will be situated is non to beat as there are no other in a 60 to a 100km radius, there are an abundance of funeral homes in this area close to service eg. Atlantis, Malmesbury, Mooresburg, Vredenburg and all along the Westcoast.

The site premises itself leads to good traffic as well as local suppliers of gas and other logistical needs on a daily basis make ease of operations, the fact that there is an absolute need for transportation between funeral directors and myself is a given and this need will also be fulfilled.

What skills do you need for the business and do I have them?

I have honed my skills in the cremation industry for the past five (5) years. Technical skills in the operation of the systems in place with engineers that has been in the industry for more than 40 years, I have knowledge of this subject worldwide.

I also have the ability to transfer knowledge to employees in a timely fashion. More important than skills are the characteristics needed as a person in this industry as we are dealing with human beings, alive and deceased to morally have sympathy, empathy and the respect to do so to the best of our ability.

$\pm 1,000 \text{ m}^2 \rightarrow 130 \text{ m}^2$ (fasiliteit 100 m^2)
Darling begraafplaas
(oord)
(sonering)
 $\rightarrow$ uit die dorp
begravingplaas tans $10,000 \text{ m}^2$

$100 \text{ m}^2 + \text{afdek} +$
kombeis-afwastuurstelsel

grond onbruikbaar reeds
bestaan

24 h operasie: 12 meke
3 per skof



Companies and Intellectual
Property Commission
+ member of the dti group

COMPANIES AND INTELLECTUAL PROPERTY COMMISSION REPUBLIC OF SOUTH AFRICA

FORM COR 14.3 - REGISTRATION CERTIFICATE

Issue date: 20/05/2022
Print date: 20/05/2022
Customer code: RSSDCM
Tracking number: 9366318388

Concerning

DARLING KREMATORIUM (Pty) Ltd 2022/497933/07

The above company has been registered in terms of section 14 of the Companies Act, 2008.

In accordance with the Notice of Incorporation, the registration of the company takes effect on 20/05/2022.

In conjunction with this certificate, the Commission has not issued another notice contemplated in section 12 (3).

Commissioner: CIPC

About this Notice

This Notice is issued in terms of section 14 of the Companies Act, 2008, and Regulation 14 of the Companies Regulations, 2011. If the Commission has altered the name of the company, in terms of section 14 (2) (b), the company may file an amended Notice of Incorporation to change the name.

If the Commission has issued a Notice of a Potentially Contested Name in conjunction with the Certificate, the company must serve that Notice on each person identified in the Notice, and any such person has the right to challenge the use of the name, by the company.

The Companies and Intellectual Property Commission of South Africa
P.O. Box 428, Pretoria, 0001, Republic of South Africa
Docex 258, Pretoria
Contact centre 086 100 2472
www.cipc.co.za



**Certificate issued by the Companies and Intellectual Property Commission
on Friday, May 20, 2022 11:00
Registration Certificate**



Registration number	2022 / 497933 / 07
Enterprise name	DARLING KREMATORIUM (PTY) LTD
Enterprise shortened name	NOT APPLICABLE
Enterprise translated name	NOT APPLICABLE
Registration date	20/05/2022
Business start date	20/05/2022
Enterprise type	PRIVATE COMPANY
Enterprise status	IN BUSINESS
Financial year end	FEBRUARY
Type of MOI	STANDARD (COR15.1A)
Main business/main object	BUSINESS ACTIVITIES NOT RESTRICTED.
Postal address	31B KERK STREET DARLING DARLING WESTERN CAPE 7345
Address of registered office	31B KERK STREET DARLING DARLING WESTERN CAPE 7345

The Companies and Intellectual Property Commission of South Africa
P.O. Box 420, Pretoria, 0001, Republic of South Africa
Docex 256, Pretoria
Contact centre 086 100 2472
www.cipc.co.za



**Certificate issued by the Companies and Intellectual Property Commission
on Friday, May 20, 2022
Registration Certificate**



Registration number 2022/497933/07
Enterprise name DARLING KREMATORIUM (PTY) LTD

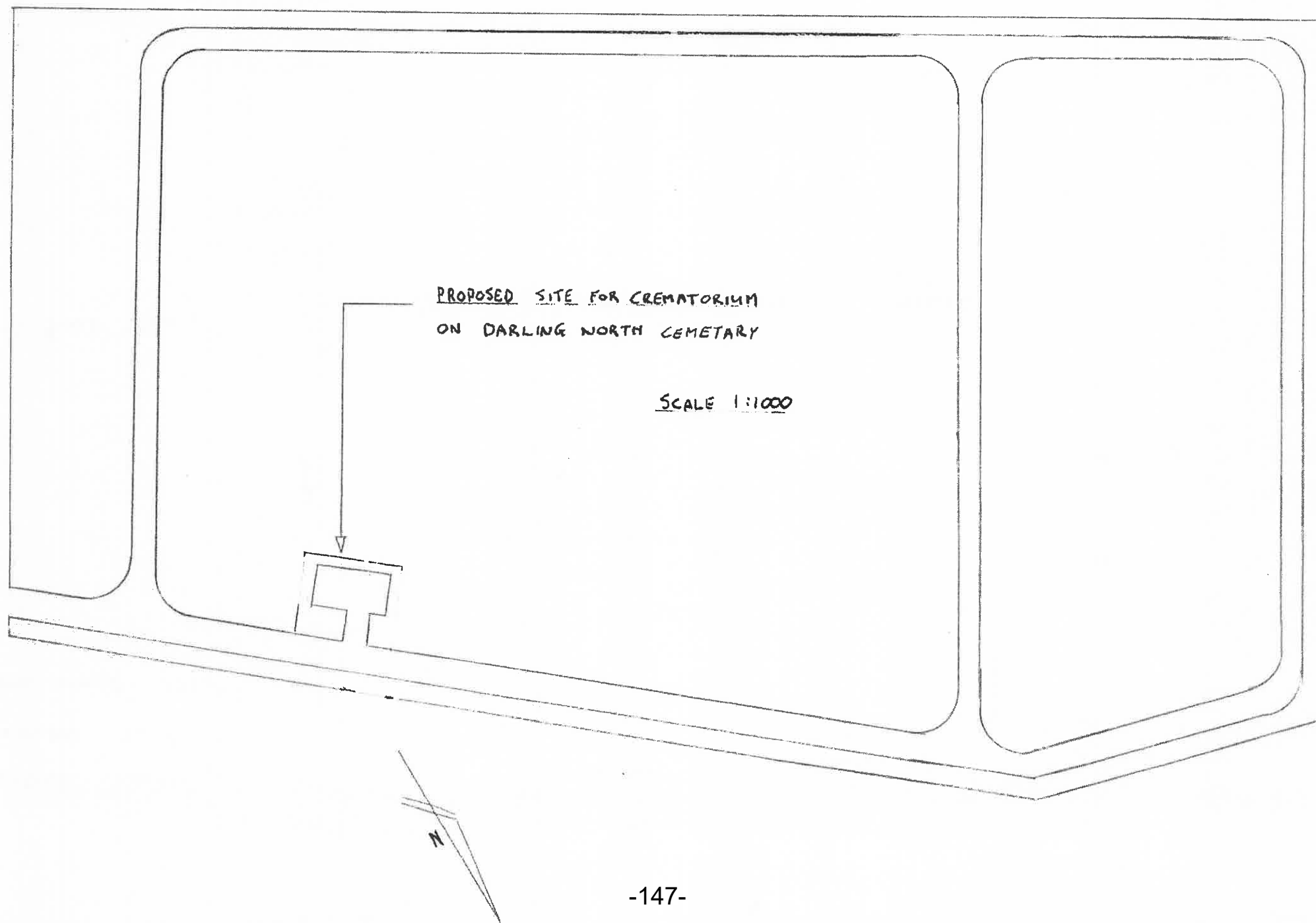
Auditors

Directors

Surname and first names	Status	ID number or date of birth	Director type	Appointment date	Addresses
VERMAAK, CHRISTO ADRIAAN	ACTIVE	7512275083083	DIRECTOR	20/05/2022	Postal 31B KERK STREET, DARLING, DARLING, WESTERN CAPE, 7345 Residential 31B KERK STREET, DARLING, DARLING, WESTERN CAPE, 7345

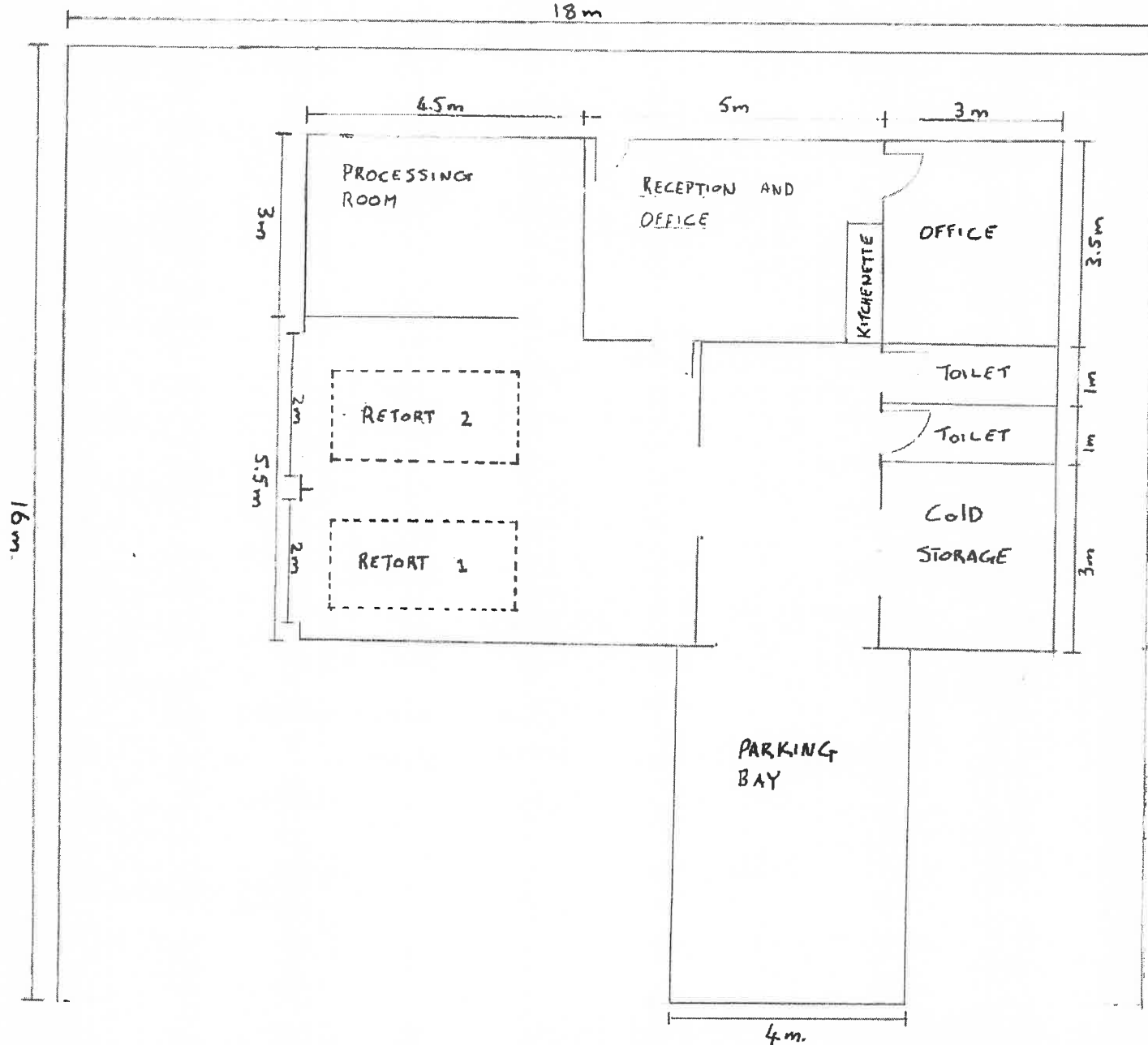
The Companies and Intellectual Property Commission of South Africa
P.O. Box 429, Pretoria, 0001, Republic of South Africa
Docex 256, Pretoria
Contact centre 086 100 2472
www.cipc.co.za





BUILDING: 106.25m^2
 PARKING BAY: 24m^2
 TOTAL GROUND: 288m^2

SCALE 1:100





Verslag ♦ Ingxelo ♦ Report

Kantoor van die Direkteur: Korporatiewe Dienste

11 Augustus 2022

15/4/6

ITEM 7.11 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE VERGADERING WAT GEHOU SAL WORD OP 17 AUGUSTUS 2022

ONDERWERP: HUUROOREENKOMS: W DUCKITT & SONS CC
SUBJECT: LEASE AGREEMENT: W DUCKITT & SONS CC

1. AGTERGROND

- 1.1 Die Raad huur 'n gedeelte (groot $\pm 300\text{m}^2$) van restant van gedeelte 8 van die plaas Oude Post 577, geleë in die omgewing van Darling, van die eienaars W Duckitt & Sons.
- 1.2 Die perseel is die gedeelte waarop die Raad se kabelvrye netwerkstasie opgerig is en waarvandaan die diens nog steeds bedryf word.
- 1.3 Die huidige huurooreenkoms waarvan die huurtermyn drie jaar beloop, verstryk op 30 September 2022, met die opsie om die ooreenkoms vir 'n verdere drie jaar te verleng.
- 1.4 Ons IKT-afdeling het aangedui dat die verlenging van die huurooreenkoms noodsaaklik is vir dienslewering in die betrokke area.
- 1.5 Die eienaars het hulself bereid verklaar om die huurtermyn te verleng, en het ingestem dat die ooreenkoms soos volg gesluit word:
 - 1.5.1 'n huurooreenkoms vir die tydperk 1 Oktober 2022 tot 30 September 2025 teen betaling van huurgeld van R2072,37, plus BTW, per maand en wat jaarliks met 8% eskaleer, asook 'n opsie om die huurooreenkoms daarna te mag hernu.

2. FINANSIËLE IMPLIKASIE

Huurgeld sal 'n bedrag van R2072,37 per maand beloop met 'n jaarlikse eskalasie van 8%, waar Swartland Munisipaliteit die opsie behou om die huurooreenkoms met drie maande kennisgewingstydperk te beëindig.

3. AANBEVELING

Dat die hernuwing van die huurooreenkoms met W Duckitt & Seuns vir die huur van 'n gedeelte (groot $\pm 300\text{m}^2$) van restant van gedeelte 8 van die plaas Oude Post 577 vir die voortgesette bedryf van die Munisipaliteit se kabelvrye netwerkstasie soos volg goedgekeur word:

- 3.1 'n huurooreenkoms vir die tydperk 1 Oktober 2022 tot 30 September 2025 teen betaling van huurgeld van R2072,37, plus BTW, per maand en wat jaarliks met 8% eskaleer, asook 'n opsie om verder te huur.

3. RECOMMENDATION

That the renewal of the lease agreement with W Duckitt and Sons for the rental of a portion (in extent $\pm 300\text{m}^2$) of the remainder of portion 8 of the Farm Oude Post 577 for the continuous operating of its cable free network station be approved as follows:

- 3.1 *a lease agreement for the period 1 October 2022 until 30 September 2025 at an amount of R2072.37,00, plus VAT, rental fee per month with a yearly escalation of 8%, as well as the option to renew the lease.*

(get) M S Terblanche

MUNISIPALE BESTUURDER
GS/

**ITEM 7.12 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE
VERGADERING WAT GEHOU SAL WORD OP 17 AUGUSTUS 2022**

**ONDERWERP: HUUROOREENKOMS: DARLING KLEINBOERE VERENIGING
SUBJECT: LEASE AGREEMENT: DARLING SMALL FARMERS ASSOCIATION**

1. AGTERGROND

- 1.1 Die Raad het 'n gedeelte (grootte ongeveer 68 hektaar) van erf 551, Darling, aan die Darling Kleinboere Vereniging verhuur, vir die tydperk vanaf 1 April 2008 tot en met 28 Februarie 2018.
- 1.2 Darling Kleinboere Vereniging het hul begeerte uitgespreek om hul hernuwingsopsie uit te oefen, maar die raad was nie daarmee geneë nie, weens die nie-nakoming van sekere bepalings in die oorspronklike ooreenkoms.
- 1.3 *Various interactions have since taken place between Council and the Darling Small Farmers Association, seeking an amenable solution to this situation.*
- 1.4 *On 24 June 2021 management recommended entering into a new lease agreement with the Small Farmers Association, after consideration was given to the commitments made by the Darling Small Farmers Association.*
- 1.5 *Since then the Darling Small Farmers Association has striven to address their internal issues and has now indicated their readiness to enter into a formal lease agreement.*
- 1.6 *Therefore it is now proposed that a formal lease agreement be entered into with the Darling Small Farmers Association for the lease of a portion of erf 551, Darling (±68 hectares in extent) for a period of 9 years and 11 months, subject to suspensive conditions and any other conditions deemed to be necessary.*

2. KOPPELING AAN DIE GEÏNTEGREERDE ONTWIKKELINGSPLAN

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

- Strategic Goal 2: Inclusive Economic Growth

3. FINANSIËLE IMPLIKASIE

Huurgeld sal 'n bedrag van R120,00 (plus BTW) per maand beloop. Geen munisipale dienste word verskaf nie.

4. AANBEVELING

- (a) Dat 'n gedeelte van erf 551 (grootte ±68 hektaar) te Darling, aan die Darling Kleinboere Vereniging verhuur word, vir 'n tydperk van 9 jaar en 11 maande;
- (b) Dat huurgeld vasgestel word op R120,00 plus BTW, per maand;
- (c) Dat die huurvoorwaardes deur die Direkteur: Korporatiewe Dienste, in oorleg met die Direkteur: Ontwikkelingsdienste bepaal word.

4. RECOMMENDATION

- (a) That a lease agreement be entered into with the Darling Small Farmers Association for the lease of a portion of erf 551, Darling (±68 hectares in extent) for a period of 9 years and 11 months;*
- (b) That the rental be determined at R120.00, plus VAT, per month;*
- (c) That the conditions of lease be determined by the Director: Corporate Services in conjunction with the Director: Development Services.*

(get) M S Terblanche

MUNISIPALE BESTUURDER

GS/



Verslag ♦ Ingxelo ♦ Report

Kantoor van die Direkteur: Korporatiewe Dienste

11 Augustus 2022

12/2/4-8/4

ITEM 7.13 VAN DIE AGENDA VAN 'N UITVOERENDE BURGEMEESTERSKOMITEE VERGADERING WAT GEHOU SAL WORD OP 17 AUGUSTUS 2022

**ONDERWERP: HUUR VAN MUNISIPALE MEENTGROND TE MALMESBURY / SWARTLAND
VOORTREKKERS**
**SUBJECT: LEASE OF MUNICIPAL COMMONAGE AT MALMESBURY / SWARTLAND
VOORTREKKERS**

1. AGTERGROND

- 1.1 Die Raad verhuur aan die Swartland Voortrekkers 'n gedeelte munisipale meentgrond, groot ± 2082m², geleë oorkant die Swartland Hoërskool te Malmesbury, wat gedeeltelik in die bestaande padreserwe val.
- 1.2 Die doel is uitsluitlik vir die gebruik deur die huurder vir die normale opvoedkundige doeleindes van die Voortrekkerbeweging.
- 1.3 *Rental is charged at R120.00, plus VAT, per annum.*
- 1.4 *The lease term commenced on 1 September 2021 and expires on 31 August 2022.*
- 1.5 *The Swartland Voortrekkers applied for the lease agreement to be renewed.*

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 verkooppryse 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 indirek aansluiting by

- *Strategic Goal 1: Improved quality of life for citizens, en*
- *Strategic Goal 3: Quality and sustainable living environment*

4. FINANSIËLE IMPLIKASIE

Geen uitgawes vir die munisipaliteit. Nominale huurgeld van R120,00, plus BTW, per jaar word gevorder.

5. AANBEVELING

- (a) Dat 'n gedeelte meentgrond (groot $\pm 2082\text{m}^2$) te Malmesbury, aan die Swartland Voortrekkerkommando verhuur word vir termyn van een (1) jaar m.i.v. 1 September 2022;
- (b) Dat huurgeld vasgestel word op R120,00 plus BTW, per jaar;
- (c) Dat die huurvoorwaardes onveranderd bly.

5. RECOMMENDATION

- (a) *That a lease agreement be entered into with the Swartland Voortrekkers for the lease of a portion of the commonage ($\pm 2082\text{m}^2$ in extent), for a period of one (1) year, commencing on 1 September 2022;*
- (b) *That the rental be determined at R120.00, plus VAT, per annum;*
- (c) *That the current conditions of lease remain applicable.*

(get) M S Terblanche

MUNISIPALE BESTUURDER
GS/

ITEM 7.14 ON THE AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE WHICH WILL BE HELD ON 17 AUGUST 2022

ONDERWERP: UITSTAANDE DEBITEURE – JULIE 2022
SUBJECT: OUTSTANDING DEBT – JULY 2022

1. AGTERGROND/BEREDENERING / BACKGROUND/DISCUSSION

Die bylae hierby aangeheg reflekteer die besonderhede van Swartland Munisipaliteit se uitstaande debiteure vir die tydperk Julie 2022 en is saamgestel uit die volgende verslae:-

The schedule attached hereto reflects the particulars of Swartland Municipality's outstanding debt for the period July 2022 and is composed of the following reports.

- a) Outstanding debt (before levy) Residential / Business / Government / Personnel / Council Members
- b) Outstanding debt (before levy) 150 days and older
- c) Outstanding debt (before levy) 150 days and older - Legal Suite
- d) Outstanding debt (before levy) 150 days and older - Collab
- e) Statistics Cut-Off List

2. WETGEWING / LEGISLATION

- 2.1 Wet op Plaaslike Regering: Munisipale Stelsels Wet 32 van 2000
- 2.2 Local Government: Municipal Finance Management Act 56 of 2003

3. KOPPELING AAN DIE GOP / ALIGNMENT TO THE IDP

For purposes of Revenue Protection with reference to Strategic Outcome 1: A Financial Sustainable Municipality with well Maintained Assets in terms of Chapter 7 of the IDP, more specifically Output 1.1.2 – Maintain and Improve on Debt Collection.

4. FINANSIËLE IMPLIKASIE / FINANCIAL IMPLICATION

- 4.1 Die uitstaande debiteure vir Junie 2021 het R29 710,711.67 beloop terwyl die uitstaande debiteure vir Julie 2021 R29 371,229.05 beloop het en was 'n vermindering van R339 412.62
- 4.2 Die uitstaande debiteure vir Junie 2022 het R35 198,805.52 beloop terwyl die uitstaande debiteure vir Julie 2022 R33 346,637.75 beloop - 'n vermindering van R1 852,167.77.
- 4.3 Die uitstaande debiteure vir Julie 2021 het R29 371,229.05 beloop terwyl die uitstaande debiteure vir Julie 2022 R33 346,637.75 beloop - 'n vermeerdering van R3 975,408.70 in uitstaande debiteure.
- 4.4 Die uitstaande debiteure vir Julie 2022 is 4.68% van die inkomste uit dienste voor die nuwe maand se heffing terwyl die uitstaande debiteure vir Julie 2021 4.46% 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 Julie 2022.

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

(get) M Bolton

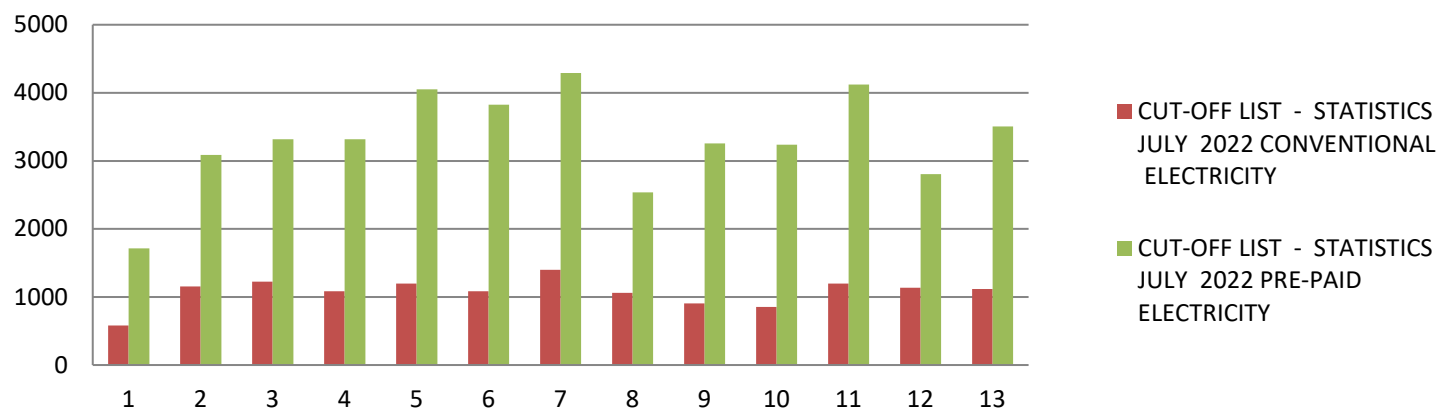
M BOLTON
DIREKTEUR: Finansiële Dienste

OUTSTANDING DEBTORS (FUTURE EXCLUDED)									2022/2023 OUTSTANDING DEBTORS AS % OF TOTAL BUDGETED SERVICE CHARGES	2021/2022 OUTSTANDING DEBTORS AS % OF TOTAL BUDGETED SERVICE CHARGES	2020/2021 OUTSTANDING DEBTORS AS % OF TOTAL BUDGETED SERVICE CHARGES
MONTH END RESIDENTIAL - BUSINESS - GOVERNMENT STAFF - COUNCILLORS JULY 2022											
Months	Deviation same month of corresponding months of the previous year. (-) is a positive number	Total Debt	Residential	Business	Government	Staff	Councillors	Comments	R 713 057 993	R 658 069 842	R 573 330 277
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%
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%
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%
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%
May-22	R 3 747 258	R 35 092 588	R 31 683 448	R 593 230	R 2 815 136	R 774	R -	EFT payments day after month end received amounted to R1 493,716,56 (OTM account) and R0.00 (Sundries account) The businesses outstanding amounted to R593,229,67 . Staff outstanding in the amount of R744,28 Two (2) Staff members have outstanding accounts (1 X Pre-paid electricity and 1X Conventional Electricity) The Government outstanding amounted to R2 815,135,71 as a result of annual rates. The amount of R2016,62 is added to the outstanding debtors because of property rates that changed on request from monthly to annually whose future has been cancelled.		5,33%	5,47%
June-22	R 5 488 094	R 35 198 806	R 30 088 519	R 2 411 046	R 2 697 612	R 1 629	R -	EFT payments day after month end received amounted to R2 336,797,15 (OTM account) and R0.00 (Sundries account) The businesses outstanding amounted to R2 411,045,65 Staff outstanding in the amount of R1 629,09 Three (3) Staff members have outstanding accounts (1 X Pre-paid electricity - 1X Conventional Electricity and 1x Eskom electricity) The Government outstanding amounted to R2 697,611,55 as a result of annual rates. The amount of R758 922,13 is added to the outstanding debtors because of property rates that changed on request from monthly to annually whose future has been cancelled.		5,35%	5,18%
July-22	R 3 975 409	R 33 346 638	R 30 797 319	R 1 193 799	R 1 354 961	R 559	R -	EFT payments day after month end received amounted to R2 712,574,75 (OTM account) and R0.00 (Sundries account) The businesses outstanding amounted to R1 193,799,27 Staff outstanding in the amount of R558,66 . Informed the relevant directors . Three (3) Staff members have outstanding accounts (2 X Pre-paid electricity and 1X Conventional Electricity) The Government outstanding amounted to R1 354,961,06 as a result of annual rates. The amount of R0,00 is added to the outstanding debtors because of property rates that changed on request from monthly to annually whose future has been cancelled.	4,68%	4,46%	5,05%

**CUT-OFF LIST - STATISTICS
JULY 2022**

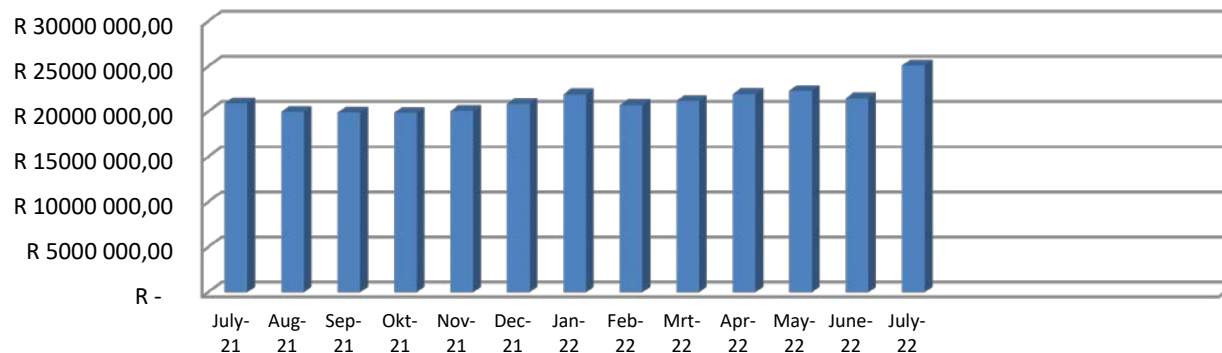
MONTHS	CONVENTIONAL ELECTRICITY	PRE-PAID ELECTRICITY	COMMENCEMENT DATE PHYSICAL CUT-OFF
July-21	580	1712	17 August 2021
Aug-21	1156	3088	8 September 2021
Sep-21	1227	3317	11 October 2021
Oct-21	1083	3316	8 November 2021
Nov-21	1196	4053	8 December 2021
Dec-21	1084	3823	11 January 2022
Jan-22	1397	4290	7 February 2022
Feb-22	1062	2539	9 Maart 2022
Mar-22	907	3257	11 April 2022
Apr-22	853	3237	9 May 2022
May-22	1195	4120	8 May 2022
June-22	1136	2804	11 July 2022
July-22	1115	3504	10 August 2022

**CUT-OFF LIST - STATISTICS
JULY 2022**



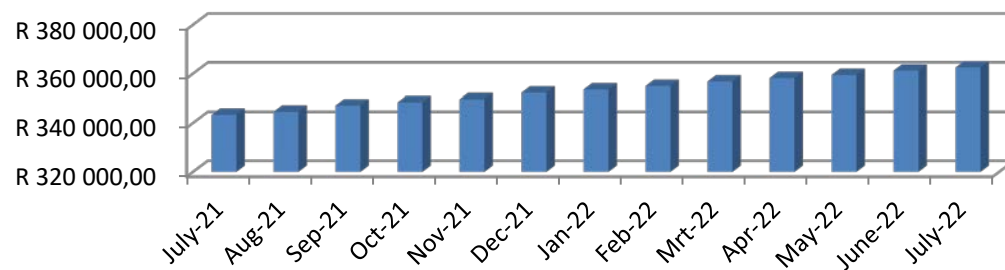
OUTSTANDING DEBT 150 DAYS & OLDER Before Levy (MONTH END) JULY 2022		Comparative Period 2021- 2022	
Month	Before Levy		
July-21	R 20 923 800,76	R	4 296 994,28
Aug-21	R 19 966 573,48	R	2 616 541,12
Sep-21	R 19 908 658,19	R	2 999 098,74
Okt-21	R 19 853 986,01	R	2 658 773,12
Nov-21	R 20 084 499,60	R	2 388 638,26
Dec-21	R 20 866 464,09	R	2 446 905,55
Jan-22	R 21 917 794,24	R	2 483 818,47
Feb-22	R 20 726 613,85	R	-1 438 747,40
Mrt-22	R 21 183 174,94	R	-1 731 362,35
Apr-22	R 21 937 941,09	R	-1 965 168,19
May-22	R 22 291 862,23	R	4 020 577,16
June-22	R 21 490 622,35	R	4 836 753,58
July-22	R 25 101 162,41	R	4 177 361,65

**OUTSTANDING DEBT
150 DAYS & OLDER
Before Levy(MONTH END)
JULY 2022**

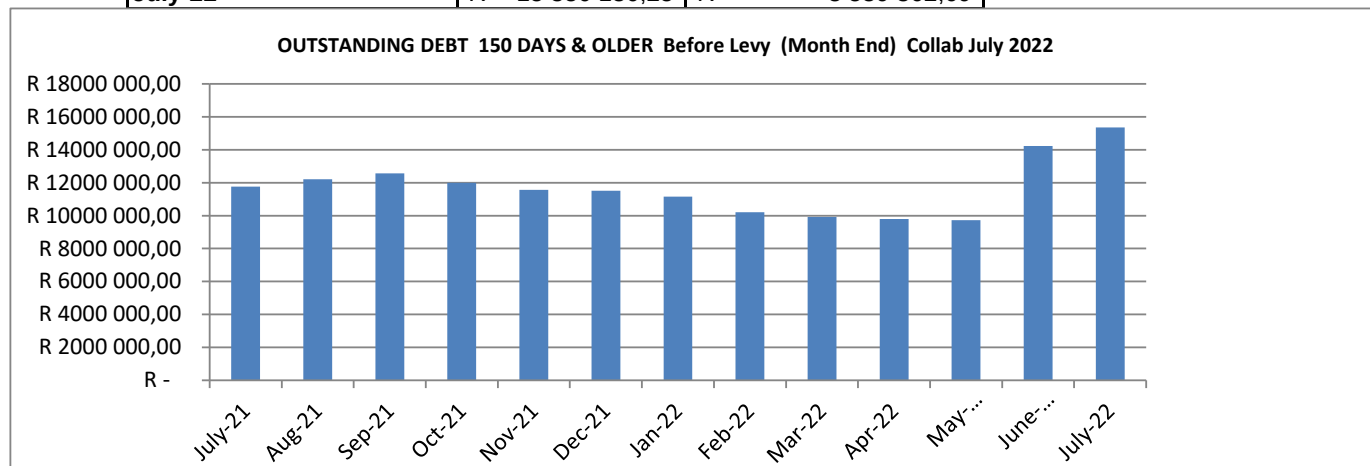


OUTSTANDING DEBT 150 DAYS & OLDER Before Levy (MONTH END) - Legal Suite JULY 2022		Comparative Period 2021-2022	
Month	Before Levy		
July-21	R 343 330,59	R	-179 951,88
Aug-21	R 344 574,10	R	-181 168,33
Sep-21	R 347 106,52	R	-181 334,19
Oct-21	R 348 349,94	R	-180 088,25
Nov-21	R 349 602,60	R	-183 531,80
Dec-21	R 352 261,84	R	-182 762,06
Jan-22	R 353 514,02	R	-183 820,41
Feb-22	R 354 951,12	R	-184 233,53
Mrt-22	R 356 799,06	R	-194 152,44
Apr-22	R 358 156,35	R	-200 465,69
May-22	R 359 422,48	R	22 188,26
June-22	R 361 211,91	R	19 082,67
July-22	R 362 518,56	R	19 187,97

**OUTSTANDING DEBT
150 DAYS & OLDER
Before Levy(MONTH END)
- Legal Suite
JULY 2022**



OUTSTANDING DEBT 150 DAYS & OLDER Before Levy (Month End) Collab JULY 2022		Comparative Period 2021 - 2022	
Month	Before levy		
July-21	R 11 760 817,56	R	3 694 873,05
Aug-21	R 12 215 709,12	R	4 078 471,77
Sep-21	R 12 563 120,61	R	4 558 677,36
Oct-21	R 11 995 030,50	R	4 110 825,53
Nov-21	R 11 566 035,99	R	1 413 830,35
Dec-21	R 11 507 219,77	R	1 205 785,91
Jan-22	R 11 150 473,54	R	598 011,87
Feb-22	R 10 211 399,53	R	-611 603,56
Mar-22	R 9 921 086,49	R	-464 947,57
Apr-22	R 9 798 783,55	R	-292 258,55
May-22	R 9 724 119,16	R	1 928 434,58
June-22	R 14 220 633,79	R	3 754 674,73
July-22	R 15 350 180,25	R	3 589 362,69



ITEM: 7.15 ON THE AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE WHICH WILL BE HELD ON 17 AUGUST 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 2022 – 31 July 2022	:R 5 000.00 (paid)
Excess	Outstanding claims	:R 128 647.18 (outstanding)

5. AANBEVELING / RECOMMENDATION

Voorgelê vir u kennisname/
Tabled for cognisance

.....
(Get) M BOLTON
DIREKTEUR: Finansiële Dienste

OUTSTANDING CLAIMS: COUNCIL

Reference Number	Claim number	Directorate	Date of Incident	Date of Claim Registered	Nature of Damage/ Loss	Amount of Claim	Excess Payment	Comments
2022/38	CLGRMUM-861619	Civil Services: <i>Refuse Removal</i>	17/02/2022	21/02/2022	Motor Damaged, CK27606	121 872,68	15 000,00	Whilst 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 sent to insurer on 11 March 2022 and an assessor was appointed on 25 March 2022 to investigate the claim. Guardrisk confirmed on 18 May 2022 that a new service provider will be appointed. Confirmation to repair vehicle was received on 31 May 2022. Invoice outstanding.
2022/45	CLGRMUM-862561	Civil Services: Sewerage	14/02/2022	15/03/2022	Property Loss: Stolen Fencing Malmesbury Sewerage	266 145,65	26 614,57	Upon inspection of the site, it was discovered that +/- 350 meter of fencing was stolen. Awaiting approval from insurers for the claim. We have requested feedback on 19 April and 30 May 2022. Guardrisk appointed an Assessor to assist with the assessment. Followed- up on claim 20 June 2022. Guardrisk have received the assessor report and settlement recommendations have been sent to management for approval on 29 June 2022. Confirmation outstanding. The plumber confirmed that the burst geyser was due to high water pressure.
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	Pending confirmation from insurers whether the claim has been approved or not. We have requested feedback on 19 April and 20 May 2022. Invoice outstanding. We have requested feedback on 19 July 2022. Invoice sent to Opulentia on 26 July 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 confirmed that the burst geyser was due to high water pressure. Pending confirmation from insurers whether the claim has been approved or not. We have requested feedback on 19 April and 20 May 2022. Invoice outstanding. We have requested feedback on 19 July 2022. Invoice sent to Opulentia on 26 July 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 confirmed that the burst geyser was due to high water pressure. Pending confirmation from insurers whether the claim has been approved or not. Guardrisk confirmed on 31 May 2022 that they have appointed a contractor to assess the loss. Invoice outstanding. We have requested feedback on 19 July 2022. Invoice sent to Opulentia on 26 July 2022.
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. Assessor assessment still outstanding.
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. Guardrisk has escalated the claim to management on 13 July 2022 for approval due to late submission.
2022/62	CLGRMUM-865648	Civil Services: Water	30/05/2022	01/06/2022	Property Loss: Burst Geyser, Multipurpose Centre	9 312,01	1 000,00	The plumber confirmed that the burst geyser was due to high water pressure. Geyser has been replaced. Invoice outstanding.
2022/65	SWA2021-22/SW/58/C	Civil Services: Sewerage	18/05/2022	13/06/2022	Property Loss: Moorreesburg Sewerage Plant	18 242,05	10 000,00	On 19 May 2022 the responsible official discovered that there was a break-in at the Moorreesburg Sewerage plant. Several items were stolen. Awaiting approval from insurers for the claim. The insurer is attending to the matter.
2023/01	CLGRMUM-867252	Traffic Department	15/06/2022	04/07/2022	Motor Damaged, CK41293	10 500,00	5 000,00	SASRIA claim was submitted after vehicle was damaged during a protest. Opulentia to give feedback on progress of claim.
2023/02	SWA2022-23/SW/01/C	Municipal Property	06/07/2022	07/07/2022	Property Loss: Burst Geyser, 24 Hill Street, Darling	10 077,91	1 000,00	The plumber confirmed that the burst geyser was due to high water pressure. Insurer confirmed on 19 July 2022 that we can proceed with emergency repair. Invoice outstanding.
2023/03	MUM2022-010	Traffic Department	30/06/2022	12/07/2022	Motorglass: CK49017	2 933,83	1 032,61	A stone reflected from a third party vehicle and hit the windscreen of CK49017. Confirmation from the insurer to replace the windscreen was received on 18 July 2022. Invoice outstanding.
2023/04	SWA2022-23/SW/02/M	Civil Services: Water	14/07/2022	15/07/2022	Motor Damaged: CK10564	16 671,78	5 000,00	Municipal vehicle (CK10654) was damaged after a third party collided with the vehicle, while stationary at the traffic signal. Awaiting approval from insurers for the claim.
2023/05	SWA2022-23/SW/03/C	Traffic Department	18/07/2022	20/07/2022	Property Loss: Geyser, Moorreesburg Traffic	18 911,75	1 000,00	Officials discovered that Moorreesburg Traffic Station had been broken into on the 19 July 2022. The Geyser was damaged. Awaiting approval from insurers for the claim.
2023/06	SWA2021-22/SW/60/M	Traffic Department	16/06/2022	21/07/2022	Motor Damaged: CK44780	7 550,00	5 000,00	SASRIA claim was submitted after vehicle was damaged during a protest. Opulentia to give feedback on progress of claim.
2023/07	SWA2022-23/SW/04/M	Civil Services: Water	06/07/2022	21/07/2022	Motor Damaged: CK53067	8 751,49	5 000,00	Municipal vehicle (CK53067) was damaged after a third party reversed into the parked vehicle. Await approval from insurers for the claim.

FINALISED CLAIMS

Number	Claim number	Directorate	Incident	Registered	Nature of Damage/ Loss	Amount of Claim	Excess Payment	Comments
2022/63	SWA2021-22/SW/55/AR	Civil Services: Parks and Recreational Areas	15/05/2022	13/06/2022	Property Loss: Darling Store	20 490,00	5 000,00	EFT Payment received on 21 July 2022. Receipt number 060576. Amount received R14 180,00.
						20 490,00	5 000,00	

REPUDIATE

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	second quote on March 27. Outstanding documents send to Marsh on 29 May 2020. The claim was closed by Sasria but no reason was given why. A dispute was submitted to Sasria on the 12 November 2020 requesting them to review the rejection. Followed up on claim 17 March 2021. We referred the claim to our broker on 6 April 2021 to investigate the matter and provide feedback. Documents were again send to Lion of Africa on 31 August 2021 for their final review. Digicall confirms on 15 October 2021 that they requested SASRIA to re-open the file and assist with the claim. Sasria still busy with claim. Followed up on claim 20 December 2021. Follow up made with Sasria on 26 January, 25 February 20 May and 30 May 2022. Await feedback SASRIA still to respond.Refer claim to our new brokers. Feedback received from broker:- SASRIA rejected the claim inclusive of the attempts made to appeal the rejection.
						11 173,99	5 000,00	



Verslag Φ Ingxelo Φ Report

Office of Directorate: Civil Engineering
3 August 2022

8/1/B/2

ITEM 7.16 FOR AGENDA OF EXECUTIVE MAYORAL COMMITTEE TO BE HELD ON 17 AUGUST 2022

SUBJECT: DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES : URGENT REPAIR WORK TO WASTE REMOVAL TRUCK CK38712
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1. BACKGROUND.

The Municipality deploys a compactor truck CK 38712 to deliver waste removal services. The truck is a 2012 model UD330.

It was noticed that the compaction unit blade was not working optimally, and given that Transtech is the agent and original supplier of the compactor unit, it was taken to their workshop for inspection. It was determined that the blade and a shaft bottle pin needed replacement. The Municipality was supplied with a quote of R 55 017.08 excluding VAT.

CK 38712 is a critical component in the solid waste department and taking it out of service impairs on the Municipality's capacity to deliver essential services. It is therefore important that the truck be repaired in the shortest possible time. Transtech has indicated a repair time of approximately one week. The solid waste department will be able to absorb the loss of the truck for that duration, but not for an extended period.

Currently the vehicle is scheduled for replacement in the 2023/2024 financial year and repair works are within allowable limits. It was therefore decided to have it repaired.

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 CK38712 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 vehicle repair expenditure was allocated to 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.
- 5.1 That cognisance be taken of the action of the Municipal Manager to approve the repair of the waste removal truck CK38712 BY Transtec.
- 5.2 That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - The truck would have been left out of service for an extended period of time;
 - This would have resulted 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 was allocated mSCOA Code: 9/241-1253-709 and that there is sufficient funding available for the quoted amount of R 55 017.08 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
PM/pm



Verslag Φ Ingxelo Φ Report

Office of Directorate: Civil Engineering
21 July 2022

8/1/B/2

ITEM 7.17 FOR AGENDA OF EXECUTIVE MAYORAL COMMITTEE TO BE HELD ON 17 AUGUST 2022

SUBJECT: DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: URGENT REPAIR WORK TO THE DRUMSCREEN AT THE INLET WORKS OF THE MALMESBURY WWTW

5. BACKGROUND

The inlet works at the Malmesbury Waste Water Treatment Works is equipped with two drum screens. The drum screens are part of the primary treatment process where foreign objects such as rags, motorcar engines, stones etc. are removed. The purpose of primary treatment is to protect downstream mechanical and electrical equipment and to enable biological treatment processes. One of the drum screens has suffered mechanical failure that had to be repaired as an emergency in order to prevent damages to downstream equipment.

A quotation was requested from GW Trautmann who is a reputable service provider with the required skills and equipment to execute the repairs. The quotation amounted to R 61,775.52 (excluding 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. However the Municipal Manager has approved that the repairs to the drum screen be handled as an emergency due to the inevitable damages to downstream mechanical equipment should the drum screen be out of service for an extended period.

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 was allocated to vote number 9/239-851-689 and there is sufficient funding available for the quoted amount.

4. ALIGNMENT WITH THE 2017-2022 INTEGRATED DEVELOPMENT FRAMEWORK

The operation of wastewater treatment works 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 to the drum screen at the inlet works of the Malmesbury Wastewater Treatment Works.
- 5.3 That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - The drum screen would have been left out of service for an extended period of time following due process;
 - This would have resulted in inevitable damages to downstream mechanical equipment; and
 - The repair work to the drum screen therefore had to be handled as an emergency.
- 5.4 That it be noted that the expenditure was allocated to mSCOA Code: 9/239-851-689 and that there is sufficient funding available for the quoted amount of R 61,775.72 excluding VAT.
- 5.5 That the Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when same are compiled.

(get) L D Zikmann

DIRECTOR: CIVIL ENGINEERING SERVICES

JB/jb



Verslag Φ Ingxelo Φ Report

Office of Directorate: Civil Engineering
22 July 2022

8/1/B/2

ITEM 7.18 FOR AGENDA OF EXECUTIVE MAYORAL COMMITTEE TO BE HELD ON 17 AUGUST 2022

SUBJECT: DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: REPAIR WORK TO THE DEZZI MOTORGRADER

1. BACKGROUND

The municipality deploys a Dezzi motorgrader in Darling for the maintenance of gravel roads. It was noted during normal operations that the blade was not functioning properly. The original equipment supplier and service agent for Dezzi equipment in the Western Cape, Cape Diggers, was requested to inspect and prepare a quotation for the required repairs. In order to do so considerable work had to be done as major components of the machine had to be stripped and removed to their workshop. The quotation was received which amounts to R32,126.00 (excluding VAT).

Considering the extent of work Cape Diggers has done to strip and inspect the faulty components in order to prepare the quotation and moreover the fact that they are the authorised service agents it would be impractical to follow the official procurement processes.

The Municipal Manager has therefore allowed forgoing with the official procurement process and allowed for the repairs to be done by Cape Diggers.

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 was allocated to vote number 9/7-22-5 and there is sufficient funding available for the quoted amount.

4. ALIGNMENT WITH THE 2017-2022 INTEGRATED DEVELOPMENT FRAMEWORK

The continues maintenance of gravel roads 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 to the Dezzi motograder by Cape Diggers.
- 5.3 That the reason for the deviation from the prescribed procurement process be recorded as follows:
- The extent of work Cape Diggers has done on the machine to be able to inspect the faulty components and prepare a quotation;
 - It would be impractical to follow the official procurement processes as it would require re-assembly and re-fitting of the faulty components; and
 - The fact that Cape Diggers is the authorised service agent for Dezzi equipment in the Western Cape.
- 5.3 That it be noted that the expenditure was allocated to mSCOA Code: 9/7-22-5 and that there is sufficient funding available for the quoted amount of R32,126.00 (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 same are compiled.

(get) L D Zikmann

DIRECTOR: CIVIL ENGINEERING SERVICES

JB/jb



Verslag♦Ingxelo♦ Report

Office of the Director: Protection Services
14 July 2022

8/1/B/2

ITEM: 7.19 ON THE AGENDA OF THE EXECUTIVE MAYORAL COMMITTEE WHICH WILL BE HELD ON 17 AUGUST 2022.

SUBJECT: DEVIATION FROM THE PRESCRIBED PROCUREMENT PROCEDURES: APPOINTMENT OF A SECURITY COMPANY FOR USE OF TWO (2) SECURITY GAURDS AND ONE(1)SECURITY DOG FOR SWARTLAND MUNICIPALITY , AT WESTBANK SPORTS FIELD

1. BACKGROUND

Accompanying is the item for the Executive Mayoral Committee meeting that will be held on 17 August 2022. Can you please consider the explanation in the report.

Wesbank Sports Ground is suffering from a wave of vandalism and theft, and as a result a lot of damage is being done to crucial infrastructure, for the purpose of stealing valuable items. Alarm systems are broken, power boxes and copper wires are damaged and stolen. Quotations was obtained from Dogs and All for two guards, one of whom is supported by a security dog. For the amount of R96,075,00 (exl. VAT)) for the period 14 July 2022 to 13 October 2022.

Dogs and All is the current appointed service provider for security services at Swartland Municipality

The recommendation is that we use Dogs & All to provide the following service on an urgent basis:

- 1 x Night Security Guard with K-9 security dog from 14 July 2022 to 13 October 2022.
- 1 x Night Security Guard from 14 July 2022 to 13 October 2022.

I hereby request your approval for departure from the Procurement Procedure for the emergency appointment of Dogs & All.

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 R96,075.00 (exl. VAT) be used against vote number **9/237-1017-1319**
There is sufficient funding available for the quoted amount.

Location	Vote number	Cost (exl VAT)
Westbank Sports Field Malmesbury	9/237-1017-1319	R96,075.00
		Total : R96,075.00

4. ALIGNMENT WITH THE 2017-2022 INTEGRATED DEVELOPMENT FRAMEWORK

This item is aligned to Strategic goal 3.6:

Enhance safe, healthy, liveable and sustainable communities and neighbourhoods

5. RECOMMENDATION

- 5.1 That the action of the Municipal Manager be condoned not to invite further tenders but to approve the acceptance of the quotation for the appointment of Dogs & All to install alarm systems for the amount of R96,075.00 (exl. VAT).
- 5.2 That the reasons for the deviation from the prescribed procurement process be recorded as:
 - The risk of burglaries and vandalism to the municipal assets will be of such a nature that Council needed to secure it against damage and vandalism.
 - The appointment is an emergency to safeguard municipal property against vandalism.
- 5.3 The expenditure be allocated against vote number 9/237-1017-1319 and that there is sufficient funding available.
- 5.4 That the Manager Financial Statements and Control be instructed to include the above mentioned reasons as a note to the financial statements.

(get) P A C Humphreys

MUNICIPAL MANAGER