



MINUTES OF A MEETING OF THE SWARTLAND MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, MALMESBURY ON THURSDAY, 25 JULY 2024 AT 10:00

PRESENT:

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

COUNCILLORS:

Bess, D G (DA)	Penxa, B J (ANC)
Booyesen, A M (VF+)	Pieters, C (ANC)
Fortuin, C (ANC)	Pypers, D C (DA)
Gaika, M F (EFF)	Smit, N (DA)
Jooste, R J (DA)	Soldaka, P E (ANC)
Le Minnie, I S (DA)	Van Essen, T (DA)
Nel, M (DA)	Vermeulen, G (VF+)
Ngozi, M (ANC)	White, G E (PA)
O'Kennedy, E C (DA)	Williams, A M (DA)
Papier, J R (GOOD)	Warnick, A K (DA)

Officials:

Municipal Manager, Mr J J Scholtz
Director: Civil Engineering Services, Mr L D Zikmann
Director: Electrical Engineering Services, Mr T Möller
Director: Protection Services, Mr P A C Humphreys
Director: Corporate Services, Ms M S Terblanche
Director: Development Services, Ms J S Krieger
Senior Manager: Budget Office, Ms H Papier
Manager: Secretarial and Records, Ms N Brand

1. OPENING

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

Cllr D C Pypers opened the meeting with a scripture reading and prayer at the invitation of the Speaker.

The Speaker congratulated councillors who had celebrated birthdays recently.

2. APOLOGIES

Apology received from the Director: Financial Services.

3. DEPUTATIONS/DECLARATIONS AND COMMUNICATIONS/SUBMISSIONS

None.

4. MINUTES FOR APPROVAL

4.1 MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 31 MAY 2024

4.1/...

RESOLUTION

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

That the minutes of an Ordinary Council Meeting held on 31 May 2024 are approved and signed by the Speaker.

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

RESOLUTION

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

5.1 MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYORAL COMMITTEE HELD ON 21 MAY 2024

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

RESOLUTION

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

6.1 MINUTES OF A MEETING OF THE TENDER AWARD COMMITTEE HELD ON 8 MAY 2024

6.2 MINUTES OF A MEETING OF THE TENDER AWARD COMMITTEE HELD ON 7 JUNE 2024

6.3 MINUTES OF A MEETING OF THE TENDER AWARD COMMITTEE HELD ON 13 JUNE 2024

6.4 MINUTES OF A MEETING OF THE TENDER AWARD COMMITTEE HELD ON 26 JUNE 2024

6.5 MINUTES OF A MEETING OF THE TENDER AWARD COMMITTEE HELD ON 7 JULY 2024

7. MATTERS ARISING FROM THE MINUTES

None.

8. MATTERS FOR DISCUSSION

8.1 SUBMISSION OF THE 2023/2024 PERFORMANCE AGREEMENT AND PLANS (2/4/2)

The performance agreements and plans for the 2024/2025 financial year were drawn up in accordance with Section 57 of the Local Government Act: Municipal Systems, 2000 (Act 32 of 2000) and serves as a replacement addendum to the appointment contracts of the Municipal Manager and directors.

RESOLUTION

(proposed by Cllr N Smit, seconded by Cllr A M Williams)

That the performance agreements and plans of the Municipal Manager and directors for the 2024/2025 financial year be noted.

8.2 QUARTERLY REPORT (SECTION 52 OF MFMA): APRIL TO JUNE 2024 (7/1/2/2-2)

The submission to the Council of the quarterly report is prescribed in Section 52(d) of the Local Government Act: Municipal Financial Management, Act 56 of 2003 (MFMA).

The Section 52/...

8.2/...

The Section 52 MFMA-quarterly report was considered by the MPAC on 23 July 2024 for recommendation to Council.

RESOLUTION

(proposed by Cllr E C O'Kennedy, seconded by Ald M Nel)

That cognisance be taken that the quarterly report was tabled at the MPAC on 23 July 2024 and that the MPAC, by way of reporting to the Council, recommends that the Council takes note of the quarterly report as required by Section 52 of the Municipal Finance Management Act, Act 56 of 2003 in respect of the implementation of the budget as well as the performance against the Top Layer Service Delivery and Budget Implementation Plan of the municipality for the period 1 April to 30 June 2024.

8.3 ANNUAL REPORT IN RESPECT OF THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY (8/1/B/2)

Regulation 6(2)(a)(i) of the *Municipal Supply Chain Management Regulations* stipulates that a report must be submitted annually to the Council in respect of the implementation of the Supply Chain Management Policy.

The Speaker allowed for discussion on Cllr A M Booysen enquiring regarding the expenditure for the supply of refuse bags to equitable share households and, despite that, the illegal littering that is experienced. The following matters, among others, are listing as possible causes and possible solutions:

- Stray cats and dogs;
- Too many open spaces lying unused;
- Municipal refuse removal truck that does not pick up refuse if it is not placed in bags;
- Households that do not receive garbage bags use any other container. When the container is full, it is emptied on an illegal rubbish dump;
- Every household must be provided with a waste bin - not a wheely bin;
- A plan must be drawn up for each town regarding the use of open spaces.

The Municipal Manager stated that it must be accepted that the implementation of wheely bins is not the solution, as the pilot project on Darling was unsuccessful. The study further pointed out the financial and operational implications which are not feasible for the Municipality.

The Municipal Manager called on councillors to come forward if the main cause of illegal littering can be identified - must start with the "War against Waste".

The annual report for the period 1 July 2023 to 30 June 2024 was circulated with the agenda.

RESOLUTION

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

- (a) That cognisance be taken of the Annual Report regarding the implementation of the Supply Chain Management Policy during the 2023/2024 financial year in accordance with section 6(2)(a)(i) of the Regulations, as well as reports on the Formal Tenders (Annexure A), Informal Tenders (Annexure B), and the Deviation Report (Annexure C);
- (b) That cognisance is taken of the services rendered for the period 1 April 2024 to 30 June 2024 with reference to the exceptions where it is impractical to test the market and therefore justified a deviation from the procurement processes in terms of paragraph 2(6) of the Supply Chain Management Policy (Annexure D). It must be noted that payments must still be finalised for the 2023/2024 financial year. To comply with legislation in terms of quarter 4, any differences will be highlighted in the following SCM quarterly report, subject to figures/transactions that would have an impact on the completeness of the financial statements.

8.4 REVIEW OF THE RULES AND PROCEDURES OF WARD COMMITTEES (3/4/4/B)

Section 72 of the Local Government: Structures Act (Act 117 of 1998) determines that a Council must make rules regulating, amongst others, the frequency of meetings of ward committees.

RESOLUTION

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

- (a) That cognisance be taken that ward committee meetings will be held quarterly with effect from the 2024/2025 financial year;
- (b) That cognisance further be taken that ward committee members will be remunerated on the following basis:
 - (i) the payment of an attendance fee of R1000,00/quarterly meeting and R3,50/km if traveling more than 10 km to the meeting;
 - (ii) the payment of an additional attendance fee of R250,00/meeting and R3,50/km if traveling further than 10km to the venue for the attendance of block meetings and where the ward committee member is a representative of council, subject to the submission of the necessary evidence;
- (c) That the amendments to the Rules and Procedures for Ward Committees be approved accordingly with immediate effect.

8.5 2022-2027 WATER SERVICES DEVELOPMENT PLAN (16/1/18)

The Water Services Development Plan (WSDP) functions as a mechanism for planning to ensure the delivery of water service on an effective, affordable, economically and sustainable manner.

The draft 2022-2027 WSDP for Swartland Municipality was compiled according to the prescriptions of the Department of Water Affairs and Sanitation and was made public for inputs/comments. No inputs were received.

RESOLUTION

(proposed by Ald T van Essen, seconded by Cllr R Jooste)

That the Water Services Development Plan 2022-2027 in its current form and in its entirety be approved by Council.

8.6 REPORTING IN RESPECT OF SECTION 15(3) OF MUNICIPAL PROPERTY RATES AND TAXES ACT IN RESPECT OF TAX EXEMPTIONS, TAX REDUCTIONS AND REBATES AND "REVENUE FORGONE" FOR THE 2023/2024 FINANCIAL YEAR (5/3/1/3)

In accordance with section 15(3) of the Municipal Property Rates and Taxes Act (Act 6 of 2004) the Municipal Manager is obliged to report annually to the Council in respect of all taxation, exemptions, discounts and rebates which were conceded during the previous financial year.

The report in respect of the period 1 July 2023 to 30 June 2024 was circulated with the agenda.

RESOLUTION

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

That cognisance be taken of the municipal property tax rates exemptions to public benefit organisations/non-governmental organisations, discounts, rebates granted and revenue forgone as per the information substantiated in the report for the financial year ended 30 June 2024.

**SIGNED
SPEAKER**