



MINUTES OF A MEETING OF THE EXECUTIVE MAYORAL COMMITTEE HELD IN THE COUNCIL CHAMBER, MALMESBURY ON THURSDAY, 17 JULY 2025 AT 10:00

PRESENT:

Executive Mayor, ald J H Cleophas (Chairperson)
Executive Deputy Mayor, ald J M de Beer

Members of the Mayoral Committee:

Cllr D G Bess
Cllr N Smit
Cllr A K Warnick

Officials:

Municipal Manager, mr J J Scholtz
Director: Financial Services, mr M A C Bolton
Director: Electrical Engineering Services, mr T Möller
Director: Development Services, ms J S Krieger
Director: Corporate Services, ms M S Terblanche
Senior Manager: Traffic and Law Enforcement Services, mr R Steyn
Manager: Secretariate and Records Services, ms N Brand

1. OPENING

The Chairperson welcomed members and requested ald J M de Beer to open the meeting with prayer.

2. LEAVE OF ABSENCE

Apologies from ald T van Essen, cllr A K Warnick, Director: Civil Engineering Services and the Speaker, ald M A Rangasamy were noted.

3. PRESENTATIONS / DEPUTATIONS / SPEECHES

None.

4. MINUTES

4.1 MINUTES OF AN EXECUTIVE MAYORAL COMMITTEE MEETING HELD ON 18 JUNE 2025

RESOLUTION

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

That the minutes of an Executive Mayoral Committee meeting held on 18 June 2025 be approved and signed by the Executive Mayor.

5. MATTERS ARISING FROM THE MINUTES

5.1 MINUTES OF AN EXECUTIVE MAYORAL COMMITTEE HELD ON 18 JUNE 2025

5.1.1 ITEM 7.11: ACTUAL AMOUNT WRITTEN OFF WITH REGARDS TO INDIGENT HOUSEHOLDS AND OTHER IRRECOVERABLE DEBTS (5/7/3)

5.1.1/...

The Executive Mayoral Committee approved in principle the writing off of bad debts on 18 June 2025, subject to the presentation of actual amounts following the completion of all actions.

RESOLUTION

- (a) That cognizance is taken that the actual amount written off in respect of indigent households amounted to **R 4 850 207.60** and in respect of other irrecoverable debt amounted to **R 923 175.44**;
- (b) That further cognizance is taken that Swartland Municipality reserves the right to do a reversal of any amount that was written off to the relevant debtor and that all necessary steps will be taken to recover the debt, if it comes to light after the date of this approval that -
 - (i) a household did not comply with the indigent criteria (as determined in Chapter 7: of the Indigent Policy); or
 - (ii) a portion of, or the total debt of a debtor was not correct; or
 - (iii) information came forth that was not known to the Executive Mayoral Committee when the writing off was considered, that would have influenced the decision of the committee;
- (c) That cognizance is taken that if the property is alienated in any way; Swartland Municipality reserves the right to refuse clearance on the property in question in order to first recover the amounts written off. A register is kept in this regard at the Property Rates Division in order to determine if any amounts was written off for the previous two years, in order to recover the write-off amount before clearance is given.

6. MONTHLY REPORT: MAY 2025

[Note: The performance and financial information in respect of Term 4 is included in the Section 52-MFMA report which will be tabled in Council on 31 July 2025, therefore the tabling of only the additional reports as applicable to the relevant directorates.]

6.1 CIVIL ENGINEERING SERVICES (7/1/2/2-4)

The monthly report of the Directorate: Civil Engineering Services for the month of May 2025 was tabled.

RESOLUTION

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

That note be taken of the contents of the monthly report of the Directorate: Civil Engineering Services in respect of May 2025.

6.2 ELECTRICAL ENGINEERING SERVICES (7/1/2/2-6)

The monthly report of the Directorate: Electrical Engineering Services for the month of May 2025 was tabled.

RESOLUTION

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

That note be taken of the contents of the monthly report of the Directorate: Electrical Engineering Services in respect of May 2025.

6.3 DEVELOPMENT SERVICES (7/1/2/2-5)

The Director: Development Services provided feedback on the progress of the housing projects as contained in the monthly report.

6.3/...

RESOLUTION

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

That note be taken of the contents of the monthly report of the Directorate: Development Services in respect of May 2025.

6.4 PROTECTION SERVICES (7/1/2/2-3)

6.4.1 TRAFFIC AND LAW ENFORCEMENT SERVICES

6.4.2 FIRE SERVICES

The Senior Manager: Traffic and Law Enforcement Services mentioned that the drastic decline in the pass rate of learner's licences can be attributed to the new electronic system recently implemented by the Department of Mobility.

RESOLUTION

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

That note be taken of the contents of the monthly report of the Directorate: Protection Services in respect of May 2025.

7. NEW MATTERS

7.1 ANNUAL REPORT REGARDING THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY FOR THE FINANCIAL YEAR ENDED 30 JUNE 2025 (8/1/B/2)

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

The annual report for the period 1 July 2024 to 30 June 2025 was circulated with the Agenda.

RESOLUTION

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

- (a) That cognisance is taken of the Annual Report regarding the implementation of the Supply Chain Management Policy in accordance with section 6(2)(a)(i) of the Regulations, as well as reports on the Formal Tenders (Annexure A), Informal Tenders (Annexure B), and the Deviation Report (Annexure C & C.1);
- (b) That cognisance is taken of the services rendered for the period 1 April 2025 to 30 June 2025 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 2024/2025 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.

7.2 QUARTERLY REPORT ON THE PERFORMANCE OF CONTRACTORS (8/1/B/1)

The report in respect of the quarterly performance evaluation of contractors appointed in terms of the Supply Chain Management Policy was submitted in compliance with Section 116(2) of the MFMA and the core performance indicator of the Municipal Manager.

RESOLUTION

That cognisance be taken of the quarterly report regarding the performance of contractors for the period 1 April 2025 to 30 June 2025.

7.3 HUMAN RESOURCES: REVIEW OF T.A.S.K. JOB EVALUATION POLICY (4/2/B)

SALGA National made a decision not to renew the license of *Deloitte Consulting* for the evaluation of job descriptions. However, the municipalities in the Western Cape, in consultation with SALGA Western Cape, decided to renew the license of *Deloitte Consulting*, and SALGA Western Cape has consequently amended the T.A.S.K. Job Evaluation Policy accordingly.

The attached T.A.S.K. Job Evaluation Policy is aligned with that of SALGA Western Cape and was provided to the trade unions for comment. A workshop at the request of the unions took place on 17 June 2025 to explain the changes to the policy.

RESOLUTION

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

- (a) That the Executive Mayoral Committee approve the attached amended T.A.S.K. Job Evaluation Policy for implementation with effect from 1 August 2025;
- (b) That, with the adoption of the policy and specific reference to paragraph 7.6, the departmental KPIs of the Directors be adjusted in January 2026 to include the relevant KPI;
- (c) That the System of Delegations be adjusted with the responsibilities arising from the adoption of the policy.

7.4 RENEWAL OF LEASE OF MUNICIPAL BUILDING (FORMER LIBRARY) SITUATED ON ERF 3509, SENTRUM STREET TO KHETH'IMPILO AIDS FREE LIVING (12/1/3/1-9/1)

The NPO, Kheth'Impilo Aids Free Living has an agreement with the Department of Health to provide health care services to the community of Moorreesburg. These services include home care, family planning, dispensing of medication to patients, immunisation, etc. and is delivered daily from 07:30 to 16:00.

The lease term expires on 31 July 2025 and the organisation would like to continue to lease the municipal building on Erf 3509, Sentrum Street, Moorreesburg for the aforementioned purposes.

A portion of the building will be used by ms T Williams for hosting ABET classes from Mondays to Thursdays between 08:00 and 12:00. Ms Williams previously provided the services from the Old Kommando building.

RESOLUTION

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

- (a) That, in terms of Regulation 34 of the Municipal Asset Transfer Regulations (MATR), read together with the Municipal Asset Transfer Policy (2014), approval be granted for the renewal of lease of the municipal building situated on Erf 3509, Sentrum Street, Moorreesburg, approximately 809.5m² in extent to Kheth'Impilo AIDS Free Living 070-577-NPO subject to the standard lease conditions and the following further conditions:
 - (i) That the lease be renewed for a further period of one (1) year as from 01 August 2025 to 31 July 2026;
 - (ii) That a rental amount of R120.00 (VAT excl.) per annum be payable;
 - (iii) That service consumption charges be payable; and
 - (iv) That the portion of the building be utilised by Kheth'Impilo AIDS Free Living NPO for the provision of health care services and the remaining portion be utilised by Ms T Williams for the provision of ABET classes only;
- (b) That, in terms of paragraphs 13.1.1 of the Municipal Asset Transfer Policy, it be noted that the lease is by way of direct negotiations, given that the tenant was granted a historic property right by the Municipality for the use of same as a

7.4(b)/...

healthcare facility, and the tenant has since fulfilled all responsibilities and obligations in terms of the agreement.

7.5 FORMALISATION OF LEASE AGREEMENT BETWEEN THE DARLING TRUST AND THE MUNICIPALITY IN RESPECT OF MUNICIPAL BUILDING SITUATED ON A PORTION OF ERF 1399, DARLING FOR EDUCATIONAL PURPOSES (12/1/3/1-3/1)

The existing lease agreement with Darling Trust which operates facilities from Erf 1399, Darling does not include the Early Childhood Development Centre (ECD Centre). The ECD Centre consists of two classrooms and accommodates 64 learners.

There is no possibility for further expansion of the ECD Centre on Erf 1399, Darling and on 31 May 2025 the Council approved the alienation of the adjacent property, Erf 1400 to Darling Trust. Once the ECD Centre on Erf 1400 has been developed, the classrooms on Erf 1399 will be operated as an aftercare facility.

RESOLUTION

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

- (a) That, in terms of Regulation 34 of the Municipal Asset Transfer Regulations (MATR), read together with the Municipal Asset Transfer Policy (2014), approval be granted for the formalisation of the lease of the municipal building situated on a portion of Erf 1399, Fabriek Street, Darling, measuring approximately 500m² in extent, to The Darling Trust (IT 2598/2003), subject to the standard conditions of lease and the following further conditions:
 - (i) That the lease period will endure for a period of three years, from 01 August 2025 to 31 July 2028;
 - (ii) That a lease amounting to R120.00 per annum, excluding VAT be levied in respect of year 1, subject to escalation based on the Consumer Price Index (CPI) from year 2;
 - (iii) That the property be used only for educational purposes and for no other purpose; and
 - (iv) That all administrative, technical and legal requirements be adhered to;
- (b) That, in terms of paragraphs 13.1.1 of the Municipal Asset Transfer Policy, it be noted that the lease is by way of direct negotiations, given that the tenant was granted a historic property right by the Municipality from 2009/2010 for use as an early childhood development centre, and the tenant has since fulfilled all responsibilities and obligations in terms of the agreement.

7.6 LEASE OF CONTAINER NO. 1 SITUATED ON A PORTION OF ERF 7516, JAKARANDA STREET (ENTREPRENEURIAL HUB), MALMESBURY (12/1/3/1-1/1)

The trading space on Erf 7516, Jakaranda Street consists of four cargo containers, one of which has become vacant. A competitive process was followed for the leasing of the space, during which six qualifying applications were received.

Interviews were arranged with the successful applicants (one applicant did not show up) and from the evaluation of the business model and interview, Ogungu (Pty) Ltd t/a Liyo's Beauty Palace was determined with the highest mark.

The proposal is to enter into a lease agreement with the successful entrepreneur for the lease of the trading space for the period 1 August 2025 to 31 July 2027.

RESOLUTION

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

- (a) That, in terms of Regulation 34 of the Municipal Asset Transfer Regulations (MATR), read together with the Municipal Asset Transfer Policy (2014), approval be granted for the proposed lease of Container no. 1 situated at the

entrepreneurial hub, on a portion of Erf 7516, Jakaranda Street, Malmesbury, to Ogungu (Pty) Ltd t/a Liyo's Beauty Palace subject to the standard conditions of lease and the following further conditions:

- (i) That the lease will endure for a period of two (2) years from 01 August 2025 to 31 July 2027;
- (ii) That the lessee shall be responsible for payment of a monthly rental of R100.00, VAT excluded, as well as for payment for services consumption;
- (iii) That the unsuccessful applicants be informed in writing of the outcome of the evaluation process;
- (b) That, due to the fact that the proposed transaction forms part of the Municipality's strategic objectives to encourage economic transformation, the approval for the lease to the successful applicant be supported.

7.7 PROPOSED LEASE OF A PORTION OF ERF 806, CHATSWORTH (FORMER CLINIC) SITUATED ON THE C/O 1ST AND HUTCHINSON AVENUES TO THE UNITED NATIONS OF AFRICA FOUNDATION (12/1/3/1-3/1)

With the establishment of a new satellite clinic in Chatsworth, the building on Erf 806, Chatsworth from which the former health clinic was operating, became the property of the Council by way of a fallback clause.

Discussions were held with SASSA about possibly using the municipal building for their interactions with the public, but the latter confirmed that, due to financial constraints, this would not be possible.

Proposals were consequently requested from non-governmental institutions or other non-profit organisations for the management and operation of the municipal building.

RESOLUTION

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

- (a) That, in terms of Regulation 34 of the Municipal Asset Transfer Regulations (MATR), read together with the Municipal Asset Transfer Policy (2014), approval be granted for the proposed lease of the building situated on a portion of Erf 806, Chatsworth, on the corner of 1st – and Hutchison Avenue, measuring approximately 358m² in extent, voetstoots, to the United Nations of Africa Foundation NPO (015-438-NPO), subject to the standard conditions of lease and the following further conditions:
 - (i) That the lease period will endure for a period of three years, from 01 August 2025 to 31 July 2028;
 - (ii) That a lease amounting to R120.00 per annum, excluding VAT be levied in respect of year 1, subject to escalation based on the Consumer Price Index (CPI) from year 2;
 - (iii) That the property be used only for community development purposes and for no other purpose;
 - (iv) That the lessee accepts the responsibility for renovations to and maintenance of the building at own costs; and
 - (v) That all administrative, technical and legal requirements be adhered to.

7.8 OUTSTANDING DEBTORS: JUNE 2025 (5/7/1/1)

A full report of the state of outstanding debtors was circulated with the Agenda and the Director: Financial Services mentioned that the decrease in debt can be attributed to the write-offs in June and that the day-to-day management of debt remains a challenge for the Municipality.

RESOLUTION

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

7.8/...

That cognizance be taken of the report with reference to the state of the outstanding debtors of Swartland Municipality for June 2025.

7.9 PROGRESS: OUTSTANDING INSURANCE CLAIMS (5/14/3/5)

In terms of the Asset Management Policy, a monthly report must be made regarding outstanding insurance claims.

RESOLUTION

That cognizance be taken of the state of outstanding insurance claims up to and including 30 June 2025 as circulated with the agenda.

7.10 RESEALING OF ROADS PROGRAMME: 2025/2026 (16/5/5/1)

Council approved an amount of R15 500 000.00 during March 2025 for the resealing of roads as per the draft budget. The amount was increased to R20 500 000.00 with the final approval of the budget in May 2025.

The resealing programme has therefore been revised in accordance with the increased amount in the 2025/2026 financial year.

RESOLUTION

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

- (a) That the updated resealing programme be approved in accordance with the revised allocation of funds in the 2025/2026 financial year;
- (b) That it be noted that the attached resealing programme is provisional, as a downscaling of the programme may be brought about by expenses associated with preparatory work on the streets concerned.

7.11 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: PAYMENT OF TRANSPORT COSTS IN RESPECT OF YOUTH EXCHANGE PROGRAMME TO GERMANY (8/1/B/2)

The deviations regarding visa and flight costs for attending the Youth Exchange Programme in Germany served before the Executive Mayoral Committee in June 2025, and it was agreed that item number 9/201-1316-1512 (External Affairs) will be utilised for these purposes.

A locally based transport company in Sachsen-Anhalt has been arranged by Kies Landesverband for the transport of the Swartland Group between the airport and the campsite in Quedlinberg, the cost of which is R37 966.50.

RESOLUTION

- (a) That cognizance be taken that the acting Municipal Manager has approved the payment of transport costs (between the airport and the camp site) to Kiez Landesverband i.r.o the delegates who will be participating in the Youth Exchange Programme in Germany during July 2025, and for the procurement prescripts to be deviated from in terms of paragraph 36(1)(a)(v) of the Supply Chain Management Policy for the following reason:
 - (i) The transport of all the youth delegates between the airport and the camp site is administered/coordinated by Kiez Landesverband as the inviting organisation, and it is therefore impractical for the Municipality to obtain the services of a Germany-based contractor in terms of its Supply Chain Management prescripts;
- (b) That it be noted that the expenditure amounting to R37 966,50 was allocated to mSCOA vote: 9/201-1316-1512;
- (c) That the Senior Manager: Financial Statements and Asset Management be instructed to include the above reason as a note to the financial statements, when same are compiled.

7.12 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: TRAFFIC/LAW ENFORCEMENT OFFICERS TRAINING 2025: GENE LOUW TRAFFIC COLLEGE (8/1/B/2)

Gene Louw Traffic College, under the Department of Transport and Public Works (Western Cape) is the only accredited service provider that can offer the full range of training modules required for the optimal functioning of traffic and law enforcement officers.

RESOLUTION

- (a) That cognizance be taken that the Municipal Manager has granted approval for the appointment of Gene Louw Traffic College (Department of Transport and Public Works – Western Cape) as the service provider for the training interventions listed in this report, and for the procurement prescripts to be deviated from in terms of paragraph 36(1)(a)(v) of the Supply Chain Management Policy for the following reason:
 - (i) Training is required on an individual basis, as and when the operational need arises. Therefore, it is essential to appoint a service provider that can offer training aligned with the municipality's operational timeframes and on a per-employee basis. It would be impractical to engage multiple service providers for the training modules as outlined;
- (b) That it be noted that the expenditure is allocated to mSCOA vote: 9/213-1195-953 (Training: Efficiency Development);
- (c) That the Senior Manager: Financial Statements and Asset Management be instructed to include the above reason as a note to the financial statements, when same are compiled.

7.13 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: HUMAN RESOURCE MANAGEMENT SYSTEM AND PAYROLL SYSTEM TRAINING: PAYDAY SOFTWARE SYSTEMS (PTY) LTD (8/1/B/2)

The Human Resources and Payroll Administration divisions require targeted, client/system-specific training to ensure that officials are equipped to perform their functions efficiently and in line with the Municipality's operational standards.

RESOLUTION

- (a) That cognizance be taken that the Municipal Manager has granted approval for the appointment of PayDay Software Systems as the service provider for the training interventions listed in this report, and for the procurement prescripts to be deviated from in terms of paragraph 36(1)(a)(v) of the Supply Chain Management Policy for the following reason:
 - (i) The training is highly specialised and system-specific to the PayDay Software System currently in use by the municipality, and the nature of the training requires flexibility in scheduling and delivery, and it would therefore be impractical to follow a formal bidding process;
- (b) That it be noted that the expenditure is allocated to mSCOA vote: 9/213-1195-953 (Training: Efficiency Development);
- (c) That the Senior Manager: Financial Statements and Asset Management be instructed to include the above reason as a note to the financial statements, when same are compiled.

7.14 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: URGENT REPAIR WORK TO THE SUBMERSIBLE PUMP NO. 3 AT THE INLET WORKS OF THE MALMESBURY WWTW (8/1/B/2)

The optimal functioning of submersible pumps in the sewage treatment process is extremely important to ensure the flow of raw sewage into the system and to prevent raw sewage from flowing back into the distribution network and flooding at manholes. One of the submersible pumps at the Malmesbury WWTW gave problems and urgent

repairs were required.

RESOLUTION

- (a) That cognisance be taken of the deviation from the prescribed procurement procedures in terms of Section 36 of the Supply Chain Management Policy;
- (b) That cognisance be taken of the action of the Municipal Manager to approve the repair of the pump at the Malmesbury Wastewater Treatment Works by CAW for the amount of R 60,685.00 (excluding VAT);
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) The submersible pump would have been left out of service for an extended period of time following due process;
 - (ii) This would have resulted in treatment process failure, the flooding of the sewerage drainage system and an interruption in the sewerage service;
 - (iii) The repair work to the pump had therefore to be handled as an emergency;
- (d) That it be noted that the expenditure was allocated to mSCOA Code: 9/239-849-425 and that there is sufficient funding available for the quoted amount of R 60,685.00 excluding VAT;
- (e) That the Senior Manager: Financial Statements and Asset Management be instructed to include the above reason as a note to the financial statements, when same are compiled.

7.15 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: URGENT REPAIR WORK TO THE SUBMERSIBLE PUMP NO. 2 AT THE MADELIEFIE PUMP STATION, RIEBEEK KASTEEL (8/1/B/2)

The Madeliefie Pump Station is equipped with two submersible pumps which collect raw sewage from the residential areas and transport them to the Riebeek Kasteel WWTW. One of the pumps gave problems which gave rise to the overflow of raw sewage at the pump station.

RESOLUTION

- (a) That cognisance be taken of the deviation from the prescribed procurement procedures in terms of Section 36 of the Supply Chain Management Policy;
- (b) That cognisance be taken of the action of the Municipal Manager to approve the repair of the pump at the Madeliefie Pump station by CAW for the amount of R 34,650.00 (excluding VAT);
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) The submersible pump would have been left out of service for an extended period of time while following due process;
 - (ii) This would have resulted in the flooding of the sewerage pump station and an interruption in the sewerage service;
 - (iii) The repair work to the pump had therefore to be handled as an emergency;
- (d) That it be noted that the expenditure was allocated to mSCOA Code: 9/240-849-381 and that there is sufficient funding available for the quoted amount of R 34,650.00 (excluding VAT);
- (e) That the Senior Manager: Financial Statements and Asset Management be instructed to include the above reason as a note to the financial statements, when same are compiled.

7.16 CORRECTION OF APPROVED AMOUNT: DEVIATION FROM THE PRESCRIBED PROCUREMENT PROCEDURES: REPAIR WORK TO CATERPILLAR WHEELED LOADER, CK 43236 (8/1/B/2)

The report aims to correct the amount of R36 382.53 (including VAT) for the repairs to the Caterpillar Wheeled Loader, CK 43236, which was served before the Executive Mayoral Committee on 21 May 2025.

RESOLUTION

That it be noted that the amount mentioned in a report tabled at a meeting of the Executive Mayoral Committee held on 21 May 2025 under item 7.32 of the agenda was mistakenly indicated as VAT Exclusive while VAT was already including in the quoted amount of R36 382.53 of the OEM service and support agent, Barlow World Equipment.

(SIGNED) J H CLEOPHAS
EXECUTIVE MAYOR