



MINUTES OF A MEETING OF THE EXECUTIVE MAYORAL COMMITTEE HELD IN THE COUNCIL CHAMBER, MALMESBURY ON WEDNESDAY, 21 MAY 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
Ald T van Essen
Cllr A K Warnick

Officials:

Municipal Manager, mr J J Scholtz
Director: Financial Services, mr M Bolton
Director: Electrical Engineering Services, mr T Möller
Director: Protection Services, mr P A C Humphreys
Director: Civil Engineering Services, mr L D Zikmann
Director: Development Services, ms J S Krieger
Director: Corporate Services, ms M S Terblanche
Manager: Secretariat and Records Services, ms N Brand

1. OPENING

The Chairperson welcomed members and requested cllr A K Warnick to open the meeting with prayer.

2. APOLOGIES

That note be taken of the apology received from the Speaker, ald M A Rangasamy.

3. PRESENTATIONS/DEPUTATIONS/SPEECHES

3.1 NOTICES BY THE MUNICIPAL MANAGER

The Municipal Manager mentioned the following important matters receiving attention:

- (1) All comments/inputs were sought on the petition received in relation to the taxi matters, amongst others, from the Western Cape Provincial Regulation Entity and the Malmesbury Taxi Association.
- (2) Notice has been received from the Council Attorney and Advocate Pillay in that an error occurred in the hearing today, of the courtcase in respect of Silvertown and that the case was postponed to 15, 16 or 17 September. The Municipal Manager confirms that the risk has been pointed out that R6 million will be forfeited, as it cannot be rolled over for a second time. The further R8.2 million may possibly rolled over, as this will be the first request for rollover.
- (3) Theft at the head office lately, amounting to ±R250 000 worth of cables and other facilities. A plan of action has been put in place in an attempt to apprehend the perpetrators.

4. MINUTES

4.1 MINUTES OF AN ORDINARY EXECUTIVE MAYORAL COMMITTEE MEETING HELD ON 16 APRIL 2025

Resolution/...

4.1/...

RESOLUTION

(proposed by cllr N Smit, seconded by ald T van Essen)

That the minutes of an Ordinary Executive Mayoral Committee meeting held on 16 April 2025 are approved and to be signed by the Executive Mayor.

5. CONSIDERATION OF RECOMMENDATIONS FROM THE MINUTES

5.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING HELD ON 14 MAY 2025

5.1.1 MUNICIPAL MANAGEMENT, ADMINISTRATION AND FINANCE

RESOLUTION

(proposed by ald T van Essen, seconded by cllr N Smit)

That the Executive Mayor ratifies the recommendations in the relevant minutes.

5.1.2 CIVIL AND ELECTRICAL SERVICES

RESOLUTION

(proposed by ald T van Essen, seconded by cllr N Smit)

That the Executive Mayor ratifies the recommendations in the relevant minutes.

5.1.3 DEVELOPMENT SERVICES

RESOLUTION

(proposed by ald T van Essen, seconded by cllr N Smit)

That the Executive Mayor ratifies the recommendations in the relevant minutes.

5.1.4 PROTECTION SERVICES

RESOLUTION

(proposed by ald T van Essen, seconded by cllr N Smit)

That the Executive Mayor ratifies the recommendations in the relevant minutes.

6. MATTERS ARISING FROM THE MINUTES

None.

7. NEW MATTERS

7.1 2025 AMENDMENT INTEGRATED DEVELOPMENT PLAN (IDP) AND AREA PLANS (2/1/4/4/1)

The Integrated Development Plan (IDP) of a municipality serves as the main strategic plan which deals with the most critical development needs in the municipal area (external focus), as well as the most critical management needs of the organisation (internal focus).

The review of the IDP and associated process is governed by various legislative requirements.

The inputs/comments received from the public and during the Executive Mayor's Deliberation Meeting on 16 April 2025, as circulated with the agenda, business list, were carefully considered in the preparation of the comments thereon.

RESOLUTION (for submission to Council on 29 May 2025)

(proposed by cllr D G Bess, seconded by ald T van Essen)

- (a) That the 2025 Amended Integrated Development Plan (IDP) for the Swartland municipal area, as well as the five Area Plans for 2025/2026, be recommended for approval by Council in terms of Chapter 5 of the Municipal Systems Act No 32 of 2000;

- (b) That the comments and inputs received during 30 April 2025 (including the SIME comments) be dealt with in accordance with **ANNEXURES 3 and 4**; and
- (c) That the legal process, as prescribed in the Municipal Systems Act No 32 of 2000, Municipal Finance Management Act No 56 of 2003 and the Municipal Budget and Reporting Regulations, 2009, be completed after approval of the IDP by Council.

7.2 AMENDMENT OF MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK (15/1/4/1)

[Documents circulated separately]

The amendment to the Municipal Spatial Development Framework (ROR) aims to bring about proposals for the towns of Malmesbury, Darling and Riebeek Kasteel.

The public participation process coincided with the amendment of the IDP and inputs/comments received, were carefully considered and the appropriate adjustments were made where necessary.

RESOLUTION (for submission to Council on 29 May 2025)
(proposed by cllr A K Warnick, seconded by cllr D G Bess)

Council adopts the amendments of the Swartland Municipality Municipal Spatial Development Framework for the towns of Malmesbury, Darling and Riebeek Kasteel taking into account the Capital Expenditure Framework in terms of section 7(3) of the Land Use Planning By-Law (PN 8226 of 25 March 2020) subject to the following:

- (a) The Council resolution must within 14 days of decision making give notice of its decision in the media and Provincial Gazette;
- (b) Any stakeholder competing in the public participation process be informed of Council's decision and reaction;
- (c) All future development proposals be evaluated in accordance with the principles as set in the Municipal Spatial Development Framework;
- (d) Action plans within Municipal Spatial Development Framework annually be submitted via the IDP process for budgeting;
- (e) Special attempts be made annually to address action plans within the Municipal Spatial Development Framework;
- (f) That this amendment currently makes no proposal regarding an alternative access from Rie-beek Kasteel, east of the railway line to the R46;
- (g) That this amendment accommodates the urban edge amendment to Riverlands as received during the public participation process;
- (h) The final maps for Malmesbury, Darling, Riebeek Kasteel and Riverlands hereby included to the amended Municipal Spatial Development Framework: 2023-2027.

7.3 BUDGET STEERING COMMITTEE TECHNICAL RECOMMENDATIONS FOR THE MULTI-YEAR CAPITAL AND OPERATING BUDGETS, AMENDED BUDGET AND RELATED POLICIES, PROPERTY RATES, TARIFFS AND OTHER CHARGES FOR 2025/2026, 2026/2027 AND 2027/2028 (5/1/1/1, 5/1/1/2)

[Documents circulated separately]

The Executive Mayor gave an opportunity to the Director: Financial Services to point out the most important aspects in the budget documents.

The Director: Financial Services requested that approval be granted to highlight the effect of the restructuring by Eskom of the bulk tariffs at which electricity is purchased, namely an increase of 15.28% amounting to ±R11 million. It is unfair to pass this burden on to the consumers of Swartland, and the increase in electricity tariffs for municipal consumers amounts to ±12.72%.

The Director: Financial Services/...

7.3/...

The Director: Financial Services mentioned the input/comments received from the public and organisations during the public participation and the process followed in terms of Section 23 of the Local Government: Municipal Finance Management, Act 56 of 2003 (MFMA).

RESOLUTION (for submission to Council on 29 May 2025)
(proposed by cllr N Smit, seconded by cllr D G Bess)

- (a) That having considered all of the representations (**Annexure A, Inputs received on Draft Budget**) received by 30 April 2025, including the inputs made during the Mayoral Consultative Forum meeting held on 16 April 2025, in its entirety, the following amendments to the draft budget are made:
 - The rebate of R300 000 to increase to R400 000;
 - Increased financial assistance to the registered old age care facilities in Swartland by having reduced their charges for water;
 - Income threshold for qualifying indigent households increases to R4 660.00;
 - The CFO be tasked with financing the around R2 million in additional expenditure to give effect to the above;
 - That council approve the final amendments to the Indigent-, Municipal Property Rates-, Funding & Reserves and the Budget Implementation & Monitoring Policies, occasioned by the suggestions/ input considered during the meeting of the 16th of April 2025 and or other input, read together with recommendation (r);
- (b) That no further amendments be made to the council's MTREF, given council's longer term vision to ensure a high standard of sustainable service delivery, the need for massive investment in water and sewerage infrastructure starting from year 3, without placing an additional burden on paying public (**Annexure A, Inputs received on Draft Budget**);
- (c) That cognisance be taken of the inputs received from Provincial Treasury (SIME report) (**Annexure A, Inputs received on Draft Budget**);
- (d) That council takes note that the costs as envisaged by Section 19 (2)(a)(b) were derived after consultation with the respective director(s) who has confirmed the costs as per (**Annexure B: 2025/2026 – 2027/2028 Final Budget and Tariff File**) and consider same;
- (e) That council prior to approving the capital projects above R50 million as listed in (**Annexure C: 2025/2026 – 2027/2028 Capital Projects ito Sec 19**), first consider the projected cost covering all financial years until the project is operational and the future operational costs and revenue on the project, including municipal tax and tariff implications;
- (f) That council deemed it appropriate to consider the entire capital program excluding the 4 contractually combined projects above R50 million as the aforementioned capital program's operational cost, inclusive of future costs will be covered by the rates regime and the normal cost centres found in the operational budget;
- (g) That council approves the additional R5.1 million required for the Highlands Landfill: Security Wall due to the initial cost estimate that was done during August 2024 for a 2.4m high concrete palisades at R4.5 million, having the impact of higher maintenance and security costs on the operational account, taking the cost to R9.6m. Council to note that the external loan financing source was replaced with CRR funding for the Highlands New Landfill site Cell;
- (h) That council considers the funding sources linked to council's capital program and take note that these funding sources are available and have not been committed for other purposes;

7.3/...

FINANCING SOURCES	FINAL BUDGET 2025/26	FINAL BUDGET 2026/27	FINAL BUDGET 2027/28
Capital Replacement Reserve (CRR)	R 143 511 923	R 138 083 611	R 156 818 041
External Loans	R 30 000 000	R -	R -
Municipal Infrastructure Grant (MIG)	R 25 405 000	R 27 293 000	R 28 388 000
Dept. of Infrastructure	R 58 112 132	R 38 657 000	R 103 110 672
Integrated National Electrification Programme (INEP)	R 17 821 124	R 20 868 000	R 21 811 000
Water Services Infrastructure Grant	R 17 044 000	R -	R -
Regional Socio-economic Projects	R 78 261	R -	R -
Fire Service Capacity Support Grant	R 478 261	R -	R -
Water Resilience Grant	R 1 304 348	R -	R -
Dept. Cultural Affairs and Sport	R 43 478	R 43 478	R 43 478
GRAND TOTAL	R 293 798 527	R 224 945 089	R 310 171 191

- (i) That council approves the capital projects as part of its consolidated capital program as per **(Annexure B: 2025/2026 – 2027/2028 Final Budget and Tariff File)**;
- (j) That council approves the raising of an external loan to the amount of R30 million for the new 2025/26 MTREF for the partial financing of the 132/11kV Eskom Schoonspruit Substation capital project, by means of testing the market as envisaged by MFMA section 46, requesting tenders from the financial institutions;
- (k) That the following total expenditure by vote (per directorate) be approved, which includes both operating and capital expenditure per directorate(VOTE), in order that departments pro-actively prevent unauthorised expenditure;

2025/26 MTREF	Capital Expenditure by Vote			Operating Expenditure by Vote			Total Expenditure by Vote		
R thousands	2025/26	2026/27	2027/28	2025/26	2026/27	2027/28	2025/26	2026/27	2027/28
Vote 1 - Corporate Services	573	575	577	49 233	52 164	55 536	49 807	52 739	56 113
Vote 2 - Civil Services	143 991	116 213	145 139	431 330	451 042	472 550	575 321	567 255	617 690
Vote 3 - Council	12	12	12	25 469	26 504	27 629	25 481	26 516	27 641
Vote 4 - Electricity Services	88 166	62 174	59 942	559 645	599 564	643 261	647 810	661 737	703 203
Vote 5 - Financial Services	168	76	672	84 577	90 928	97 432	84 745	91 003	98 104
Vote 6 - Development Services	59 076	44 747	103 205	172 555	212 688	170 291	231 632	257 435	273 496
Vote 7 - Municipal Manager	12	12	12	11 298	11 910	12 679	11 310	11 922	12 691
Vote 8 - Protection Services	1 800	1 136	612	124 701	131 430	138 699	126 501	132 566	139 311
Grand Total	293 799	224 945	310 171	1 458 809	1 576 229	1 618 077	1 752 608	1 801 174	1 928 248

- (l) That the final high-level multi-year Capital and Operating budgets in respect of the **2025/2026 – 2027/2028** financial years, be approved as final, in accordance with sections 16, 17 and 19 of the MFMA;

	Original Budget 2024/25	Adjustments Budget 2024/25	Final Budget 2025/26	Final Budget 2026/27	Final Budget 2027/28
Capital budget	376 477 670	325 809 079	293 798 527	224 945 089	310 171 191
Operating Expenditure	1 189 045 717	1 210 970 777	1 458 809 231	1 576 228 890	1 618 076 969
Operating Revenue	1 458 996 894	1 485 060 204	1 606 490 727	1 676 968 153	1 777 306 422
Budgeted (Surplus)/ Deficit	(269 951 177)	(274 089 427)	(147 681 496)	(100 739 263)	(159 229 452)
Less: Capital Grants & Contributions	246 062 275	247 277 010	120 565 734	86 861 478	153 353 150
(Surplus)/ Deficit	(23 888 902)	(26 812 417)	(27 115 762)	(13 877 785)	(5 876 302)

7.3/...

- (m) That council approves the notice given in terms of section 14(1) and (2) of the Local Government: Municipal Property Rates Act, 2004, to levy the final property tax rates (cent in the rand amount), exemptions and rebates on property reflected in the schedule below and in the property rates policy for the 2025/26 financial year with effect from 1 July 2025;

Category of property	Rate ratio	Cent amount in the Rand rate determined for the relevant property category
Residential properties	1: 1	0.005623
Business and Commercial properties	1: 1,6671	0.009374
Industrial properties	1: 1,6671	0.009374
Agricultural properties	1: 0,25	0.001406
Mining properties	1: 1,6671	0.009374
Public Service Infrastructure	1: 0,25	0.001406
Properties owned by an organ of state and used for public service purposes	1: 1,6671	0.009374
Public Benefit Organizations	1: 0	0.000000
Vacant properties	1: 1,4965	0.008415
Municipal properties	1: 0	0.000000
Conservation Areas	1: 0	0.000000
Protected Areas	1: 0	0.000000
National Monuments	1: 0	0.000000
Informal Settlements	1: 0	0.000000

Exemptions and Reductions

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

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

- **Indigent owners:** 100 per cent rebate will be granted to registered indigents in terms of the Indigent Policy to a maximum valuation of R105 000;
- **Qualifying senior citizens and disabled persons:** A rebate to an amount equal to the rates payable on the first amount of the valuation of such property to a limit of R300 000. The rebate will increase to R400 000 as it relates to the 2025/2026 policy effective for the 2026/2027 financial year.

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

- (n) That council approve the final property tax rates, tariff structures and charges for water, refuse removal, sewerage, electricity and other sundry charges as set out in **(Annexure B: 2025/2026 – 2027/2028 Final Budget and Tariff File)**;
- (o) That council approve the electricity tariffs for the 2025/2026 financial year, **bearing in mind that it is still subject to NERSA's final approval**;
- (p) That the phasing in of the restructured electricity tariffs, per the cost of supply study, are planned for implementation in 2026/27;
- (q) That the annual budget tables as required by the Budget and Reporting Regulations be approved as set out in **(Annexure D: Budget Report and A-Schedules 2025/2026 – 2027/2028)**;

7.3/...

- (r) That the **amendments** to the budget and related policies as set out in (**Annexure E: Final Amended Budget & Related Policies 2025/2026**) hereto, be approved as final;
- (s) That council takes note that any changes to budget related policies insofar as it relates to the delegations, will be amended after the final budget adoption;
- (t) That the training budget of R1 782 533 for the 2025/2026 financial year be approved as final;
- (u) That Council takes note of the increases of the Directors that are contractually linked to the other personnel, which is negotiated and determined at a national level:
 - In respect of all personnel, an increase of **5.01%** for 2025/2026; **5.25%** for 2026/2027 and **5.75%** for the 2027/2028 financial years, excluding the increase in other benefits that are applicable and the annual 2.415% notch increase where applicable;
 - All salary adjustments are adequately budgeted for;
 - Provision has been made for a **3%** increase for political office bearers which is within the mid band of the inflation targets set by the South African Reserve Bank (SARB);
- (v) That Council takes note of the budgeted operating surpluses and that the budget is “cash-funded” as a result of cash reserves in table A8, the total expenditure growth of **20.5%** from the current to the new financial year and the revenue streams with growth in revenue of **8.2% (20% excluding capital grant income)** for the MTREF period as well as the cash flow statement as per (**A-schedule A7**) for the next three financial years:
 - the budgeted risk factor for cash coverage for operating expenses are **9.2 months** for 2025/26, **8.9 months** for 2026/27 and **8.9 months** for 2027/28;
 - the net operating surpluses **excluding capital grant income** decreased compared to the draft budget as a result of allocations from the Provincial Department of Infrastructure relating to Proclaimed roads for which the municipality must contribute 20%, increasing the draft expenditure appropriation;
 - over the next three financial years the planning is such that net operating surpluses (**excluding capital grant income**) are envisaged for 2025/26 to an amount of **R 27 115 762**, for 2026/27 an amount of **R 13 877 785** and for 2027/28 an amount of **R 5 876 302** which is well **below the NT guideline of at least a surplus of 5%**. (At this juncture it is appropriate to emphasize that the aforementioned net surpluses is the more appropriate measurement of budgeted surpluses/deficits from a budgeted cash flow perspective);
- (w) That council takes note that the extensive revenue modelling exercise, includes a proportion for growth, given the trend of increased household consumption and services connection growth;
- (x) That the Director: Financial Services adhere to the requirements of the Budget Circulars and Budget Reforms in the context of the reporting requirements to Provincial and National Treasury;
- (y) That Council take note that the budget was prepared in the new mSCOA Version 6.9 as required by National Treasury.

[For completeness and implementation, the English version of the recommendations will be relied upon.]

7.4 TABLING FOR THE ADOPTION OF THE TARIFF BY-LAW (1/1)

The draft Tariff By-law was submitted to Council on 31 March 2025 and was approved to go through the public participation process. No input/comments were received thereon by the deadline of 9 May 2025.

RESOLUTION (for submission to Council on 29 May 2025)
(proposed by cllr A K Warnick, seconded by cllr N Smit)

- (a) That the Swartland Municipality: Tariff By-law be adopted by Council and promulgated in the Provincial Gazette to take effect on 1 July 2025;
- (b) That fines for offences of the by-law be determined by the Department of Justice.

7.5 AMENDMENT OF THE PERFORMANCE MANAGEMENT AND DEVELOPMENT POLICY (2/4/2)

The Performance Management and Development Policies are reviewed on a regular basis to ensure compliance with legislative requirements and to improve the efficiency and integrity of the Municipality's performance management system.

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

That the Swartland Municipality Performance Management and Development Policy be approved.

7.6 SWARTLAND ECONOMIC DEVELOPMENT PLAN (2/1/4/5)

The objective of the Swartland Economic Development Plan is to enable the Municipality to attract investments, to build strategic partnerships and to contribute to the broad economic development goals.

The policy provides a framework for focused interventions, effective public/private collaboration, and inclusive and sustainable growth.

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

That the Swartland Municipality Economic Development Plan be approved.

7.7 SWARTLAND DRAFT WHEELING FRAMEWORK (16/2/B)

The national trend is that there is an increase in entering into toll power agreements that mainly make use of the Eskom distribution network. There are also municipalities that are making use of toll power on a smaller scale, among others, the City of Cape Town has implemented a pilot programme that can be expanded if the results are favourable. Swartland Municipality has also received several enquiries regarding toll power, but no agreement has yet been entered into in this regard.

After an extensive consultation process, NERSA published the following document, namely the *"Regulatory rules on network charges for third-party tolling of energy"*.

The Swartland Toll Power Framework has been adapted to include the aforementioned requirements of NERSA and also now provides for toll power provision via from/to the Eskom distribution network.

RESOLUTION
(proposed by ald T van Essen, seconded by cllr A K Warnick)

- (a) That the Executive Mayoral Committee (EMC) Support the Revised Swartland Draft Wheeling Framework;
- (b) That the EMC mandates the implementation of the framework on a Pilot basis and that a financial evaluation be done per application for consideration by the EMC prior to signing a wheeling agreement with the applicant;
- (c) That the Electrical Engineering Directorate be mandated to update the framework should it become necessary, based on learning, applications received and industry developments;

- (d) That wheeling to/from the Eskom network be supported on condition that Swartland is not put in a worse off financial position;
- (e) That preference will be given to Swartland's own plans to implement or purchase renewable energy ahead of external wheeling arrangements;
- (f) That any proposed wheeling agreement lasting longer than 36 months needs to follow the Section 33 Process.

7.8 APPROVAL OF THE SMART CITY FRAMEWORK FOR SWARTLAND MUNICIPALITY (2/1/4/5)

(Documents circulated separately)

The Department of Cooperative Governance (DCoG), in collaboration with Pegasys Global Consulting, has selected Swartland Municipality as one of five municipalities to participate in the Smart City programme.

The aim of this programme is to support municipalities in developing strategic frameworks for the application of Smart City principles to improve service delivery, management and innovation.

RESOLUTION

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

- (a) That it be noted that Swartland Municipality has been selected as one of five municipalities participating in the pilot Smart Cities Support Programme spearheaded by the Department of Cooperative Governance (DCoG);
- (b) That the Smart City Readiness framework be approved.

7.9 PROPOSAL FOR EXPANDING AND INNOVATING COMMUNICATION PLATFORMS TO ENGAGE RESIDENTS AND BUSINESSES (6/2/2/1)

Several platforms are already being used to successfully communicate with residents, but gaps have been identified. Access to municipal information should not be hampered by cost or connectivity barriers and low- to free communication options should be explored to ensure inclusivity.

The Communications Officer, ms M Haasbroek is thanked for her hard work in bringing about an enormous improvement in communication with residents since her appointment.

RESOLUTION

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

- (a) That the current and proposed communication methods be noted;
- (b) That the investigation into expanding underutilised platforms such as community radio, WhatsApp two-way communication, and the Collab App be supported;
- (c) That future budget allocations for multimedia equipment, software and staff training to improve digital content creation and production, be considered;
- (d) That a cross-departmental advisory committee be established to:
 - (i) review the feasibility of the proposed measures;
 - (ii) prioritise implementation based on community needs and budget availability;
 - (iii) align recommendations with the revised IDP and budget process.

7.10 IMPLEMENTATION OF SMARTPHONE APPLICATION (6/2/2/1)

A key performance indicator (KPI) is a development for the implementation of a smartphone app to promote active citizenship, to improve service delivery, and to apply the Smart City principles.

The Collab Citizen smartphone app, a developed by Business Engineering, was subsequently rolled out to the broader public of Swartland on 22 January 2025 and is already being used by 1352 residents. A major attraction of the app is that taxpayers can receive the

municipal bill via the app on their mobile phone.

RESOLUTION

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

- (a) That the successful implementation of the Collab Citizen smartphone application in Swartland Municipality be noted;
- (b) That cognizance be taken of the ongoing steps to improve and expand the functionality of the application, i.e.
 - (i) Ongoing user education campaigns in all wards;
 - (ii) Periodic reviews of app performance and user feedback;
 - (iii) Integration of additional services (e.g. meter reading functions, expanding the number of services available on the app);
- (c) That the benefits realised for community engagement, transparency, and service delivery efficiency be acknowledged;
- (d) That the continued promotion, monitoring, and enhancement of the platform in line with municipal strategic objectives be supported.

7.11 REVISION OF SYSTEM OF DELEGATIONS (2/5/1, 2/5/2)

Section 59 of the Municipal Systems Act stipulates that a Council must develop and maintain a System of Delegations (SOD) which optimises administrative and operational efficiency.

The annexures to the agenda comprise the fourth revision of the System of Delegations adopted by Council on 16 November 2021.

RESOLUTION (for submission to Council on 29 May 2025)

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

- (a) That the proposed amendments to Council's System of Delegation (4th revision) as per Annexures B and C be approved, and changes to job titles and incumbents be noted with reference to Annexure A;
- (b) That changes made to the Systems of Delegation of to the Executive Mayor, Municipal Manager and the Chief Financial Officer be noted with reference to Annexure A;
- (c) That cognizance be taken that no amendments were effected to the Section 53 Role Demarcation of political structures, political office bearers and the Municipal Manager, which document forms part of the System of Delegation;
- (d) That approval be granted by Council for its System of Delegation to be amended in order to make provision for changes/new delegations which may arise from amendments to budget-related policies as dealt with elsewhere in the agenda, for implementation with immediate effect.

7.12 HUMAN RESOURCE MANAGEMENT: WORKPLACE SKILLS PLAN (WSP) (4/2/B)

The Workplace Skills Plan was compiled in terms of the Skills Development Act (Act 97 of 1998) and describes the developmental needs of the organisations and the training interventions required to address those needs.

The draft Workplace Skills Plan was submitted to the Skills Development Committee and both unions in April 2025 for sign-off of the plan.

RESOLUTION

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

- (a) That the content of the report be noted;
- (b) That the annual training report for the 2024/2025 financial year be noted;
- (c) That the workplace skills plan for 2025/2026, as summarised in the report, be approved for implementation.

7.13 REVIEW OF SHIFT SYSTEM: TRAFFIC AND LAW ENFORCEMENT (17/5/3/B)

A new shift system for the Traffic and Law Enforcement Services was submitted to the Executive Mayoral Committee for implementation on 1 May 2025.

However, the cost calculations of the new shift system resulted in a slight saving on overtime accomplished and the Municipal Manager instructed to have the shift system reviewed.

The amended shift system was submitted to the unions in May and discussed with the affected officials on 13 May 2025.

RESOLUTION

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

That the Executive Mayoral Committee approve the amended proposal of the Shifts for Traffic and Law Enforcement Operations with effect from 1 June 2025.

7.14 SONDEZA AFRI-YOUTH INITIATIVE: EVALUATION REPORT 2024 (17/2/2/1)

The 19th Sondeza Afri-Youth Initiative was hosted at Ganzekraal from 4 to 13 December 2024 and was attended by five countries.

RESOLUTION

That note be taken of the contents of the Evaluation Report of the Sondeza Afri Youth Initiative held from 4 to 13 December 2024, as prepared by the camp coordinator.

7.15 MEMORANDUM OF UNDERSTANDING: TWINNING AGREEMENT BETWEEN SWARTLAND MUNICIPALITY, WEST COAST DISTRICT MUNICIPALITY AND THE BUSINESS SCHOOL OF NETHERLANDS (10/3/4)

Swartland Municipality has entered into a cooperation agreement with the West Coast District Municipality and the Business School in the Netherlands. The outcomes are to promote innovation, cultural exchange, leadership development, and exchange of knowledge between the participating institutions.

RESOLUTION

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

- (a) That the formalisation of the Twinning Agreement as outlined in the attached Memorandum of Understanding be noted;
- (b) That the Municipal Manager be granted authority to appoint a Coordinator to represent Swartland Municipality;
- (c) That the Executive Mayor be authorized to appoint a committee to lead the review of all programs under the agreement;
- (d) Mandates that all relevant developments be reported to the Municipal Manager for oversight and alignment with municipal strategy and IDP priorities.

7.16 LEASE OF THE TENNIS CLUBHOUSE AND CONTAINER TO THE OMEGA PIGEON CLUB, SITUATED ON A PORTION OF ERF 13044, WESBANK SPORTS GROUNDS, MALMESBURY (17/9/2/2-8)

During discussions with the Omega Pigeon Club, it came to light that the space leased to the club at the West Bank Community Hall is no longer adequate, mainly due to the expansion of membership and clubs from Riebeeck Kasteel and Abbotsdale who from time to time participate in activities of the Omega Pigeon Club and the need for ablution facilities.

The tennis clubhouse at the West Bank Sports Grounds is currently not in use pending the upgrade of the tennis courts and provides a suitable space for the Omega Pigeon Club. There is also a cargo container available for storing equipment/pigeon baskets and from where activities can take place.

RESOLUTION

(proposed by ald J M de Beer, seconded by ald T van Essen)

- (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 lease of the tennis clubhouse and container, situated on a portion of Erf 13044 Malmesbury at the Wesbank Sportsgrounds, Alfa Street to the Omega Pigeon Club, subject to the standard conditions of lease and the following further conditions:
 - (i) That the lease will endure for a period of five months from 01 July 2025 to 30 November 2025;
 - (ii) That a once-off rental amount of R120.00 for abovementioned period, excluding VAT be payable by the lessee;
 - (iii) That no service consumption charges is payable;
 - (iv) That the clubhouse only be used for meetings and activities associated with the club and for no other purposes;
 - (v) That the tennis courts may not be utilised by the club for their club activities or pigeon basketing;
 - (vi) That the relocation of the container be arranged in conjunction with the Municipal Civil Engineering Services Department and be utilised as a storage facility for the baskets and other equipment used by the club;
 - (vii) That the minor and internal maintenance works and upkeeping be undertaken by and at the cost of the lessee;
 - (viii) That the larger maintenance works/upgrading of the facility be undertaken by and at the cost of the municipality;
- (b) That in terms of paragraph 13.1.3 of the Asset Transfer Policy, the Omega Pigeon Club will satisfy a priority need in the community by accommodating members of not only this club, but also two others to continue with practising the sport.

7.17 PROPOSED RENEWAL OF LEASE OF THE CLUBHOUSE SITUATED ON A PORTION OF ERF 1528, DEEP RIVER, MALMESBURY TO THE MALMESBURY PIGEON CLUB (17/9/2/2-8)

An application was received from the Malmesbury Pigeon Club to lease the clubhouse situated on a portion of Erf 1528 (Deep River Sports Grounds), Malmesbury for a further term of three years.

RESOLUTION

(proposed by ald J M de Beer, seconded by ald T van Essen)

- (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 lease of the clubhouse, situated on a portion of Erf 1528 (Dieprivier Sportsground), Voortrekker Road to the Malmesbury Pigeon Club, subject to the standard conditions of lease and the following further conditions:
 - (i) That the lease will endure for a period of three years from 01 July 2025 to 30 June 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 lessee be responsible for payment of service consumption charges in respect of water usage;
 - (iv) That the minor and internal maintenance works and upkeeping be undertaken by and at the cost of the lessee;

- (v) That the larger maintenance works/upgrading of the facility be undertaken by and at the cost of the Municipality;
- (b) That it be noted in terms of paragraph 13.1.1 of the Asset Transfer Policy, that the Malmesbury Pigeon Club previously leased the clubhouse and all obligations were met by the lessee.

7.18 FORMALISING NEW LEASE AGREEMENT: MALMESBURY SQUASH CLUB – LEASING OF A PORTION OF UNREGISTERED ERF 9463 FOR THE USE THEREOF AS A SQUASH FACILITY (17/9/2/2-8)

In 1993 a lease agreement was entered into between Malmesbury Squash Club and the former Malmesbury Transitional Council of which the lease term was indefinite. However, a record of the lease agreement could not be traced.

The submission of the report involves the formalisation of a new lease agreement with Malmesbury Squash Club for the lease of a portion of unregistered Erf 9463, Malmesbury for use as a squash facility for a period of three years.

RESOLUTION

(proposed by ald T van Essen, seconded by ald J M de Beer)

- (a) That, in terms of Regulation 34 of the Municipal Asset Transfer Regulations (MATR), read with the Municipal Asset Transfer Policy (2014), approval be granted for the formalising of the lease agreement with the Malmesbury Squash Club in respect to the lease of municipal building, situated on a portion of Erf 9463 Malmesbury, measuring approximately 600m² in extent, subject to the standard lease conditions and the following further conditions:
 - (i) That the sport facility be leased for a lease term of three years from 01 July 2025 until 30 June 2028;
 - (ii) That an amount of R120.00 per annum (VAT excl.) be levied in respect of year 1, subject to escalation based on the Consumer Price Index (CPI) from year 2;
 - (iii) That the lessee be responsible for payment of service consumption.
- (b) That, in terms of paragraphs 13.1.1 and 13.1.3 of the Municipal Asset Transfer Policy, it be noted that the club previously leased and is still leasing the property as a squash facility and all obligations were met by the lessee. Further, that the lease will fulfil in the needs of the community concerned to continue with the practicing of the sport.

7.19 RENEWAL OF LEASE OF A PORTION OF ERF 483, MALMESBURY FROM THE SOUTH AFRICAN POST OFFICE (SAPO) FOR PARKING PURPOSES (12/1/2-6/2)

The agreement with the South African Post Office for the lease of 11 parking spaces expires on 30 June 2025. The need still exists to make parking spaces available for officials of the engineering departments housed in the PEP building.

RESOLUTION

(proposed by ald T van Essen, seconded by ald J M de Beer)

- (a) That approval be granted to exercise the option to renew the rental agreement with the South African Post Office (SAPO) for the use of a portion of Erf 483 Malmesbury for 11 parking bays, for a further period of three years as from 01 July 2025 to 30 June 2028;
- (b) That the administrative fees amounting to R575.00 (including VAT) including a top-up of the rental deposit of R1 556.19 (including VAT) be payable to SAPO as once-off payments be payable from vote number 9/204-787-2181 (Parking fees);
- (c) That a monthly rental of R3 564.07 (7% escalation per annum)(VAT excl.) be payable to SAPO from vote number 9/204-787-2181 (Parking fees);
- (d) That the existing conditions of lease remain unchanged.

7.20 RENEWAL OF LEASE OF BUILDING SITUATED ON A PORTION OF PORTION 3 OF FARM NO. 771 (ROZENBURG FARM), MALMESBURY (DRYDOCKS) FROM JR TRUST FOR OFFICE ACCOMMODATION FOR THE MUNICIPAL LAW ENFORCEMENT RESPONSE UNIT (12/1/2-8/8)

A building situated on the Rozenburg Farm, Malmesbury has been leased from JR Trust since 1 July 2022 for the accommodation of the Response Unit of the Law Enforcement Services. There are no alternative accommodation available and the building is considered suitable for operations of the response unit.

RESOLUTION

- (a) That approval be granted for the renewal of the rental agreement with JR Trust for the renting of a portion of Portion 3 of Farm No. 771 (Rozenburg Farm), measuring approximately 350m² in extent, for a further period of three years as from 01 July 2025 to 30 June 2028 for office accommodation for the Municipal Law Enforcement: Recreation Unit;
- (b) That a monthly rental of R16 500.00 (7% escalation per annum)(VAT excl.) be payable to JR Trust from vote number 9/233-1336-3418 (Rent offices: Reaction Unit);
- (c) That the existing conditions of lease remain unchanged;

FURTHER RESOLUTION

- (d) That, at the request of the Municipal Manager, a KPI should be considered for the investigation and planning of new office accommodation by 30 June 2027.

7.21 PROPOSED RENEWAL OF LEASE AT THE ILINGE LETHU THUSONG CENTRE, MALMESBURY SITUATED ON A PORTION OF ERF 7456 TO SASSA FOR OFFICE ACCOMMODATION (12/1/3/1-8/1)

A portion of the Thusong Centre at Ilinge Lethu, Malmesbury is being leased to the *South African Social Security Agency* (SASSA) for service delivery to the relevant community.

SASSA made application to lease the office space for a further term of three years.

RESOLUTION

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

- (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 renewal of lease of a portion of the Ilinge Lethu Thusong Centre, measuring approximately 110m² in extent, situated on a portion of Erf 7456 Malmesbury, subject to the standard conditions of lease and the following further conditions:
 - (i) That the lease will endure for a period of three years from 01 August 2025 until 31 July 2028;
 - (ii) That the lessee shall be responsible for payment of a monthly rental of an amount of R12 084.65 (VAT excluded), to escalate by 6% annually from year 2;
 - (iii) That the property only be used as office space by the lessee to serve the public in terms of the provision of social development services;
 - (iv) That the existing conditions of lease remain applicable.
- (b) That the lease be approved given that, in terms of paragraphs 13.1.1 and 13.1.4 of the Municipal Asset Transfer Policy, the lessee enjoyed a previous property right granted by the Municipality, has complied with all the obligations in terms of the previous lease agreement and due to the fact that SASSA provides a much needed service to the community within the area concerned.

7.22 RENEWAL OF LEASE OF THREE CONTAINERS SITUATED ON A PORTION OF ERF 7516, JACARANDA STREET, MALMESBURY (12/1/3/1-1/1)

In 2023 the Municipality established an entrepreneur centre/commercial spaces on a portion of Erf 7516, Jacaranda Street, Malmesbury. A public participation process was followed to identify entrepreneurs to operate their businesses from four efficient cargo containers. Lease agreements for a term of two years were entered into with the relevant entrepreneurs, of which one entrepreneur cancelled the lease.

The remaining three entrepreneurs indicated that they would like to lease the cargo containers from the Municipality for a further term.

RESOLUTION

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

- (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 renewal of leases with the following entrepreneurs
 - Mr X Mhlungwana for operation of a Tuckshop (Container 2)
 - Ms N Nomnga-Wotyana for operation of a Takeaways (Container 3)
 - Ms N Magaginxa for operation of a Barber/Hair Salon (Container 4)at the entrepreneurial hub, situated on Erf 7516, Jakaranda Street, Malmesbury, subject to the standard conditions of lease and the following further conditions:
 - (i) That the leases will endure for a period of two years from 01 April 2025 until 31 March 2027;
 - (ii) That the lessees shall be responsible for payment of a monthly rental to an amount of R100.00, VAT excluded, as well as for payment for services consumption;
- (b) That, due to the fact that the proposed transaction forms part of the Municipality's strategic objectives to encourage economic transformation, and the entrepreneurs showing commitment to operate their small businesses, the approval of the renewal for the leases of the containers be supported.

7.23 RENEWAL OF LEASE OF A PORTION OF THE SWARTBERG FARM, FARM NR 331, MOORREESBURG FROM SWARTBERG TRUST FOR PURPOSES OF ICT INFRASTRUCTURE (15/4/6)

[Report is withdrawn]

7.24 RENEWAL OF LEASE OF A PORTION OF MUNICIPAL BUILDING SITUATED ON A PORTION OF ERF 1217, ABBOTSDALE TO THE ABBOTSDALE NEIGHBOURHOOD WATCH FOR OFFICE ACCOMMODATION (12/1/3/1-1/1)

The Abbotsdale Neighbourhood Watch is currently leasing a portion of the building on Erf 1217 situated at Roosmaryn Street, Abbotsdale and has applied to extend the lease agreement for a further period.

RESOLUTION

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

- (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 one portion of the municipal building, situated on Erf 1217, Roosmaryn-/Sonneblom Street, Abbotsdale, for a further period of one (1) year with effect from 01 July 2025 at an amount of R120.00 per annum, VAT excluded, which amount shall be payable in advance;
- (b) That the current conditions of lease remain applicable, including that water and sewerage ser-vices be made available free of charge, considering that the neighbourhood watch renders a voluntary service to the community.

7.25 RENEWAL OF LEASE OF CONTAINER TO THE KALBASKRAAL NEIGHBOURHOOD WATCH SITUATED ON A PORTION OF ERF 824, RIVIER STREET (12/1/3/1-6/1)

The Municipality took a cargo container to Kalbaskraal for use by the Kalbaskraal Neighbourhood Watch for office accommodation.

The lease agreement expires on 30 June 2025 and the Kalbaskraal Neighbourhood Watch confirmed that they are eager to proceed with the renewal of the lease agreement.

RESOLUTION

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

- (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 container on a Portion of Erf 824, situated in Rivier Street, Kalbaskraal for a further period of one (1) year as from 01 July 2025 to 30 June 2026 to the Kalbaskraal Neighbourhood Watch, at the amount of R120.00 per annum, VAT exclusive;
- (b) That the Kalbaskraal Neighbourhood watch avail the container to the GBV Ambassador when required, for reporting of GBV cases.

7.26 CANCELLATION OF LEASE AND PROPOSED LEASING OF CONTAINERS SITUATED ON ERF 2183 (UNREGISTERED PORTION OF ERF 2110), CORNER OF CONIFFE JANUARY AND THOMAS BEUKES STREETS, RIEBEEK WEST (12/1/3/1-1/1)

PPC Riebeek donated two cargo for the operation of trading spaces on Erf 2183, c/o Coniffe January and Thomas Beukes Streets, Riebeek West.

A public participation process was followed to solicit proposals for the operation of small businesses from the caargo containers. Lease agreements have been signed with two entrepreneurs effective 1 August 2023, to 1 July 2025. In the interim, both entrepreneurs have cancelled the lease agreements and a process must be followed again to solicit proposals.

RESOLUTION

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

- (a) That cognisance be taken of the termination of the leases, due to expire on 31 July 2025, in respect of Ms S Daniels and Ms D Hendricks who respectively operated a bakery and cater-ing business from Erf 2183 (unregistered portion of Erf 2110), Riebeek West, provided that they pay all monies owed by them;
- (b) That, in terms of Regulation 34 of the Municipal Asset Transfer Regulations (MATR), read to-gether with the Municipal Asset Transfer Policy (2014), approval be granted for the proposed lease of the two vacant containers at the entrepreneurial hub, situated on Erf 2183 (unregis-tered Portion of Erf 2110), Riebeek West, corner of Coniffe- and Thomas Beukes Street, via a call for proposals process, subject to the standard conditions of lease and the following further conditions:
 - (i) That the call for proposals be advertised in the press, whereby interested entrepreneurs will have the opportunity to submit their proposals for business purposes;
 - (ii) That the proposals be evaluated in conjunction with the municipal Community Devel-opment Department, whereafter a report for final approval in respect of the allocation of the proposed lease, shall be submitted for consideration to the mayoral committee;
 - (iii) That the lease will endure for a period of two years;
 - (iv) That the successful applicants shall be responsible for payment of a monthly rental of an amount of R100.00, VAT excluded, as well as payment for service consumption;
- (c) That, due to the fact that the proposed transaction forms part of the Municipality's strategic objectives to encourage economic transformation, the container be leased to a successful applicant to operate a business from.

7.27 OUTSTANDING DEBTORS: APRIL 2025 (5/7/1/1)

A full report regarding the state of outstanding debtors was circulated with the agenda.

RESOLUTION

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

7.28 PROGRESS ON OUTSTANDING INSURANCE CLAIMS (5/14/3/5)

A monthly report regarding outstanding claims must be made in terms of the Asset Management Policy.

RESOLUTION

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

7.29 INVENTORY STOCK TAKE: 2025 (6/1/1)

The annual stock-take inventory survey takes place on 26 June 2025 at the Main Warehouse in Malmesbury and the Electrical Store in Moorreesburg. The purpose of the report is to nominate council members to observe the inventory survey.

RESOLUTION

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

- (a) That ald T van Essen and cllr A K Warnick (second, cllr D G Bess) be appointed for the inventory;
- (b) That the appointed councillors should take note that the Assistant Stock Controller will commence 09:00 with the stock taking at the main warehouse in Malmesbury.

7.30 DEVIATION FROM PRESCRIBED PROCUREMENT PROCEDURES: PROCESS TO APPOINTMENT OF ELEXPERT (PTY) LTD TO DO TARIFF INCREASE STUDY AND TO DETERMINE THE IMPACT OF THE NEW ESKOM TARIFFS ON THE MUNICIPAL BULK ACCOUNT (8/1/B/2)

In the past NERSA required that a cost-of-supply study be included in the annual submission of electricity tariffs for consideration in approving the tariffs.

At the time of writing the report, NERSA's requirements regarding the submission of tariffs for the 2025/2026 financial year were not yet known. NERSA however, did approve Eskom's rate increase of 11.32% for Local Government that will come into effect on 1 July 2025, as well as the Eskom's *Retail Tariff Structure Amendment (ERTSA)* which will have an effect on the municipality's bulk purchases.

Due to the limited time available to conduct a cost-of-supply study, taking into account the aforementioned information, Elexpert (Pty) Ltd was appointed to undertake the 2024/2025 study.

RESOLUTION

- (a) That cognizance be taken of the deviation from the prescribed procurement procedures in terms of Section 36 of the Supply Chain Management Policy;
- (b) That further notice be taken of the action of the Municipal Manager to approve the appointment of Elexpert (PTY) Ltd to the amount of R138 000.00 (Inc VAT);
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) The need to submit the annual tariff increase to NERSA during April 2025;
 - (ii) The restructuring of the Eskom tariff structure could have a huge impact on bulk purchases account if not analysed and interpreted correctly;

- (iii) That Elexpert conducted the CoS Study previously and already have access to a lot of the information;
- (iv) That it be noted that the expenditure was allocated to mSCOA vote 9/253-699-967 and that there was sufficient funding available for the order in the amount of R138 000.00 (Inc VAT);
- (d) That the Senior Manager Financial Statements be instructed to include the abovementioned reasons as a note to the financial statements.

7.31 DEVIATION FROM THE PRESCRIBED PROCUREMENT PROCEDURES: REPAIR AND TESTING OF CHERRY PICKER, CK 32334 (8/1/B/2)

Problems were experienced with the braking system of the Cherry Picker, CK 32334, USED by the Electrical Engineering Services in Malmesbury and urgent repairs is 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 further notice be taken of the action of the Municipal Manager to approve the repair of the Cherry Picker CK 42334 by Perdeberg Motors for the value of R59 195.34 (Incl VAT);
- (c) That the reasons for the deviation from the prescribed procurement process be recorded as follows:
 - (i) Due to the strip and quote basis, it is not reasonable to follow the normal procure-ment process;
 - (ii) The urgency to have the equipment repaired to ensure service delivery;
- (d) That it be noted that the expenditure was allocated to mSCOA vote 9/4-17-5 and that there was sufficient funding available for the order in the amount of R59 195.34 including VAT;
- (e) That the Senior Manager Financial Statements be instructed to include the abovementioned reasons as a note to the financial statements.

7.32 DEVIATION FROM THE PRESCRIBED PROCUREMENT PROCEDURES: REPAIR WORK TO CATERPILLAR WHEELED LOADER, CK 43236 (8/1/B/2)

The braking system of the Caterpillar Wheeled Loader, CK 44346, used by the Streets and Stormwater Department, gave problems and urgent repair work is 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 further notice be taken of the action of the Municipal Manager to approved the repairs to the brakes of CK43246 for the amount of R36 382.53 excluding VAT by Barloworld Equipment;
- (c) That further cognisance be taken that in terms of paragraph 2(6) (g) of the SCM Policy a formal tender process was not followed as Barloworld Equipment is the agent for Caterpillar equipment;
- (d) That it be noted that the expenditure will be allocated to mSCOA Code: 9/7-13-5 and that there is sufficient funding available for the quoted amount of R36 382.53 excluding VAT;
- (e) That the Senior Manager Financial Statements be instructed to include the abovementioned reasons as a note to the financial statements.

7.33 DEVIATION FROM THE PRESCRIBED PROCUREMENT PROCEDURES: SERVICE TO WATER TRUCK, CK 47877 (8/1/B/2)

The deviation from the prescribed procurement procedures involves the service of the Water Truck, CK 47877 used by the Streets and Stormwater Department

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 further notice be taken of the action of the Municipal Manager to approved to do the service on CK47877 for R 41 480.15 excluding VAT by UD Trucks Malmesbury;
- (c) That cognisance be taken that in terms of paragraph 2(6)(g) of the SCM Policy a formal tender process was not followed as UD Trucks Malmesbury is the agent for UD Trucks;
- (d) That the expenditure will be allocated to mSCOA Code: 9/4-56-2 and that there is sufficient funding available for the quoted amount of R 41 480.15 excluding VAT;
- (e) That the Senior Manager Financial Statements be instructed to include the abovementioned reasons as a note to the financial statements.

7.34 DEVIATION FROM THE PRESCRIBED PROCUREMENT PROCEDURES: REPAIR WORK TO COMPACTOR TRUCK, CK 37359 (8/1/B/2)

Problems were experienced with the compacting of garbage by the Compacting Truck, CK 37359 used for garbage removal services in Malmesbury and urgent repairs are 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 further notice be taken of the action of the Municipal Manager to approved the replacement of the blade assembly of compactor truck CK 37359 for the amount of R 94,352.99 excluding VAT by Transtech;
- (c) That cognisance be taken that in terms of paragraph 2(6)(g) of the SCM Policy a formal tender process was not followed as Transtech is the support agent for Heil compactor bodies in the Western Cape;
- (d) That it be noted that the expenditure will be allocated mSCOA Code: 9/4-36-5 and that there is sufficient funding available for the quoted amount of R 94,352.99 excluding VAT;
- (e) That the Senior Manager Financial Statements be instructed to include the abovementioned reasons as a note to the financial statements.

7.35 DEVIATION FROM THE PRESCRIBED PROCUREMENT PROCEDURES: REPAIR WORK TO COMPACTOR TRUCK, CK 37359 (8/1/B/2)

During repair work to the Compactor Truck, CK 37359, of the compacting system (see item 7.34), further problems were identified which require urgent repairs to ensure the optimal functioning of the equipment.

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 further notice be taken of the action of the Municipal Manager has approved the repair of the ejector panel and replacement of shoe blocks and pins of compactor truck CK 37359 for the amount of R 51,083.98 excluding VAT by Transtech;

- (c) That cognisance be taken that in terms of paragraph 2(6)(g) of the SCM Policy a formal tender process was not followed as Transtech is the support agent for Heil compactor bodies in the Western Cape;
- (d) That it be noted that the expenditure will be allocated mSCOA Code: 9/4-36-5 and that there is sufficient funding available for the quoted amount of R 51,083.98 excluding VAT;
- (e) That the Senior Manager Financial Statements be instructed to include the abovementioned reasons as a note to the financial statements.

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

The optimal functioning of submersible pumps at the sewage treatment process is extremely important to ensure the flow of raw sewage to 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 repair work is 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 further notice 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 63,390.00 (excluding VAT);
- (c) That the reasons 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 the expenditure was allocated to mSCOA Code: 9/239-849-425 and that there is sufficient funding available for the quoted amount of R 63,390.00 excluding VAT;
- (e) That the Senior Manager Financial Statements be instructed to include the abovementioned reasons as a note to the financial statements.

7.37 DEVIATION FROM THE PRESCRIBED PROCUREMENT PROCEDURES: URGENT REPAIR WORK TO THE SUBMERSIBLE PUMP NO. 3 AT THE INLET WORKS OF RIEBEEK KASTEEL 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 Riebeek Kasteel WWTW gave problems and urgent repair work is needed.

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 further notice be taken of the action of the Municipal Manager to approve the repair of the pump at the Riebeek Kasteel Wastewater Treatment Works by CAW for the amount of R 44,055.00 (excluding VAT);
- (c) That the reasons 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: 9/240-849-381 and that there is sufficient funding available for the quoted amount of R 4,055.00 excluding VAT;
- (e) That the Senior Manager Financial Statements be instructed to include the abovementioned reasons as a note to the financial statements.

7.38 DEVIATION FROM THE PRESCRIBED PROCUREMENT PROCEDURES: REPAIR WORK TO THE COMPACTOR TRUCK, CK 44823 (8/1/B/2)

Problems were encountered with the compacting of garbage by the Compacting Truck, CK 44823 used for the refuse removal services in Yzerfontein and Darling and urgent repair work is required to the blade system.

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 further notice be taken of the action of the Municipal Manager to approved the replacement of the blade assembly of compactor truck CK 44823 for the amount of R 97,383.88 excluding VAT by Transtech;
- (c) That cognisance be taken that in terms of paragraph 2(6)(g) of the SCM Policy a formal tender process was not followed as Transtech is the support agent for Heil compactor bodies in the Western Cape;
- (d) That it be noted that the expenditure will be allocated mSCOA Code: 9/4-60-5 and that there is sufficient funding available for the quoted amount of R 97,383.88 excluding VAT;
- (e) That the Senior Manager Financial Statements be instructed to include the abovementioned reasons as a note to the financial statements.

7.39 REVIEW OF THE GRANT IN AID POLICY (12/2/5/5-9/2)

Section 67 of the Local Government: Municipal Finance Management (Act 56 of 2003) contains the requirements for the transfer of funds to organisations and bodies outside any sphere of government.

The implementation and enforcement of the Grant in Aid Policy ensures that funds are only transferred after confirmation of compliance with all the relevant legislative requirements and the following of the necessary approval processes.

RESOLUTION

(proposed by ald T van Essen, seconded by ald J M de Beer)

That the amendments to the Grants-in-Aid Policy be approved effective from the current financial year.

**(SIGNED) J H CLEOPHAS
EXECUTIVE MAYOR**