

MINUTES FOR **COGNISANCE**

The following minutes are distributed for cognisance:

- 10.1** Minutes of an Ordinary Mayoral Committee meeting held on Wednesday, 22 November 2023.
- 10.2** Minutes of a Special Mayoral Committee meeting held on Thursday, 07 December 2023.

MAYORAL COMMITTEE MEETING MINUTES



**MINUTES OF THE MAYORAL COMMITTEE MEETING
HELD ON WEDNESDAY, 22 NOVEMBER 2023 AT 14:00
IN THE COMMITTEE ROOM, 1 LOURENS STREET,
SWELLEN DAM.**

**PLEASE RETAIN THIS DOCUMENT FOR RECORD
PURPOSES AS IT WILL NOT BE CIRCULATED AGAIN.**

Yours sincerely.

**H.F. DU RAND
EXECUTIVE MAYOR**

24-01-2024.
DATE

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MINUTES OF AN ORDINARY MEETING OF THE MAYORAL COMMITTEE OF SWELLENDAM MUNICIPALITY HELD ON WEDNESDAY, 22 NOVEMBER 2023 AT 14:00 IN THE COMMITTEE ROOM, 1 LOURENS STREET, SWELLENDAM.

PRESENT:	Councillor	H.F. Du Rand E. Lamprecht F. Kees	Executive Mayor Member Member
IN ATTENDANCE:		A. Vorster J. De Jager J. Etzebeth	(Municipal Manager) (Acting: Director Financial Services) (Manager: Administrative Support Services)

SECRETARIAT:

K. Uys

RECORDING OFFICER:

K. Uys

1. OPENING AND WELCOME

At 14:00 the Executive Mayor, Councillor H.F. Du Rand welcomed everyone at the Mayoral Committee meeting and declared the meeting duly constituted with a quorum present. Councillor F. Kees rendered an opening prayer.

2. ELECTION OF CHAIRPERSON, IF NECESSARY

None

3. APPLICATION FOR LEAVE OF ABSENCE
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RESOLVED:

that leave of absence from the Mayoral Committee meeting held on Wednesday, 22 November 2023 be granted to the Acting Director Infrastructure Services, Mr W. Treurnicht, the Director Community Services, Mr K. Stuurman and the Director Financial Services, Ms E. Wassermann.

4. SPEECHES AND SUBMISSIONS

None

5. CONFIRMATION OF MINUTES

Proposer: Councillor F. Kees
Seconder: Councillor E. J. Lamprecht

RESOLVED:

- 5.1** that the minutes of the Mayoral Committee meeting held on Wednesday, 25 October 2023 copies of which were circulated prior to the meeting, be taken as read and be hereby confirmed.

6. MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING

None

7. STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR

None

8. DISCLOSURE OF INTERESTS BY COUNCILLORS

None

9. FINANCIAL REPORTING

9.1 Section 71 Report for October 2023:

RESOLVED

9.1.1 that cognisance be taken of the Section 71 Report for October 2023.

DISCUSSION

The Manager, Budgeting and Reporting, Mr J. de Jager reported that revenue was currently on 27.69% and operating expenditure on 22.68%. He said that it was difficult to make a prorata calculation because while the report would contain all the reasons for underspending, many recorded statements only happen at the end of the financial year and certain aspects would play a big role in the low percentage especially with transfers, when no expenditure has taken place.

Mr de Jager reported that the capital expenditure was on 14.54% but said that it was important to note that the municipality had commitments of R3.5 million. He said that the Director of Financial Services, Ms E. Wassermann had a meeting with all Directors and Managers with regard to the implementation of the procurement plan to ensure that the capital budget will be spent.

He added that the different departments reported that they were on track with the SCM processes in terms of their commitments.

He said that with regard to the debtors report, for end October 2023, the payment rate was on 96,4% which was an indication that there has been improvement in the payment rate due to the successful relocation of the credit control division.

Mr de Jager reported that with regard to the application for the roll-over of unspent funding, all the grants the municipality applied for in July/August 2023 were approved except for the Municipal Replacement Fund of R600 000 for further expansion at the new library.

The Municipal Manager, Mrs A. Vorster said that there was a concern about the interpretation of the Auditor General and SARS on the payment of VAT on grants which would have a huge impact on the financial sustainability of the municipality if the municipality had to pay VAT on grant funding for up to 5 years back.

Mr de Jager said that a lot of emergency expenses had to be incurred which will have a significant impact on the February Adjustments Budget. The Municipal Manager added that the next budget process will be a huge challenge and Council should consider to adjust its public consultation approach to make use of smaller audiences.

In response to a question raised by the Executive Mayor, Councillor H.F. Du Rand with regard to the cashflow of the municipality, Mr de Jager reported that between the municipality's two accounts there was about R102 million. The Executive Mayor requested that his frustration with the deliberate spreading of misleading information in this regard, be recorded.

10	MATTERS FOR CONSIDERATION
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10.1 Items submitted by officials of the Council

10.1.1

Item number A177. 22.11.2023

PROPOSED REGIONAL WASTE TO ENERGY FACILITY IN SWELLENDAM

Report by the Manager, Solid Waste and Environment, Mr J. van Niekerk

Department	Community Services
Section	Solid Waste and Environment
File Number	16/5/1/1

PURPOSE OF THE REPORT

The purpose of this report is to propose a Solid Waste solution for Swellendam and possibly surrounding municipalities (Cape Agulhas, Langeberg, Theewaterskloof and Hessequa) through a central Waste to Energy (W2E) Plant located at Bontebok Landfill Site. In previous council reports of February 2023 "State of Bontebok Landfill Site" and March 23 "Waste to Energy (W2E) – Expression of interest" it was agreed that W2E would be a desired solution for Swellendam's waste and that we could do so at a no - low cost to municipality model. W2E is a viable solution but the minimum daily tonnage needed exceeds our production, therefore we need our neighbouring municipalities to provide the extra tonnage to make a W2E plant a viable solution.

FACTS AND BACKGROUND

- Airspace (available landfill space left) for the Bontebok Landfill site is approximately 12-23 months depending on waste minimisation and landfill compaction
- Creation of a new cell which will allow another +-20 years of landfill use = R62 - 90M
- Cost to transport to Karwyderskraal = R22M - R42M per year depending on a short- or long-term option
- Cost of a W2E solution has been proposed at zero cost to the municipality but will incur small partnership costs
 - Cape Agulhas, Theewaterskloof, Langeberg and Hessequa have shown in principle interest in this model
- We have 16 W2E companies that have shown interest in Swellendam all with a zero cost to municipality proposal
- W2E can produce syngas or euro 4 diesel both of which can be converted to electricity
- A W2E plant requires 100+ tons per day to make it viable over a 10-year amortisation period
- Swellendam produces 25 tons per day

If Bontebok reaches its airspace limit, costs ranging from a tariff increase of between R111,78 and R163,13 per household per month and a minimum capital cost of R21,970,000 (present-day estimate) will be necessary if we follow a new landfill or delivery model.

The current situation is that all general waste that is not diverted is dumped at the Bontebok Landfill and covered with covering material.

What is being done to reduce waste at the Bontebok Landfill

- Organic Waste Diversion through our new compost site
- Builders rubble diversion
- Recycling initiatives in Swellendam
- Waste minimisation marketing and awareness building at all levels of society

These initiatives are not enough, we will run out of landfill space in the next 24 months according to Ducharme Consulting in their "Cost provisions for the closure and rehabilitation of existing landfill sites 30 June 2023", report the airspace calculation suggests that the remaining useful life of the Bontebok Landfill will reach capacity in 2025



The options are

- Apply to **increase landfill airspace**
 - o This is not being allowed for landfill sites that do not have liners. Bontebok Landfill site does not have a liner.
 - According to Jan Palm's report (Western Cape Governmental Department of Environmental Affairs and Development Planning, *Assessment of the Municipal Integrated Waste Management Infrastructure Oct 2016*) if Bontebok runs out of airspace, the cost of a **new waste cell** would be **R62 - 90M**

- o This does not include the cost of site closure for the existing site
- o This is not an environmentally conscious solution. Burying waste is not a good financial solution as all waste has value. It is not a good environmental solution as it adds to hazardous gasses and ground leachate. It is not a good solution for the municipality as we are spending money without a return.
- Costs for **transport to Karwyderskraal** based on Jan Palm's report (Overberg District Municipality, Karwyderskraal Regional Waste Disposal Facility Transport Options for Swellendam Municipality Sep 2020) describes numerous scenarios that will occur if Bontebok reaches its airspace ranging from a **tariff increase of between R111,78 and R163,13 and a capital cost of a minimum of R22M and a top end of R42M**. A short-term delivery solution to Karwyderskraal could be done for approximately **R22M which includes 3 new compactor trucks** to deliver to Riviersonderend transfer station.
- o This is also not an environmentally conscious solution. Transporting waste is not a good financial solution as it costs fuel and we are giving waste away that has a potential worth **200-500 KWh per ton**. It is not a good environmental solution as transport adds to global warming. It is not a good solution for the municipality as we are spending money without a return.
- **Waste to energy solution (already accepted by Council)**
- o A W2E solution would reduce our general waste by up to 95%, the remaining waste is carbon-rich inert ash that has many useful purposes.
- o W2E would convert waste to heat and specific gasses which could be used to create electricity, diesel, ethanol or various other forms of energy
- o W2E could produce approximately 60KW/t of waste depending on its calorific value
- o We have had 7 companies express interest in a no-cost or a low cost to Municipality option where we supply the fuel and they sell the product
- o A W2E solution would take a minimum of 12 months to capacitate

DISCUSSION

Council has already concluded that W2E is the preferred direction for Swellendam given the situation we face. The limiting factor is that Swellendam does not produce enough waste for this to be an option as 100 tons per day is needed to make a W2E plant financially viable in under 10 years. If less than 100 tons per day is processed then the amortisation period becomes longer than 10 years and financing become difficult from the W2E companies' side.

Our solution is to accept waste from other sources, for example

• SDM MSW	+ - 25t/d	
• SDM Sewage sludge	+ - 3t/d	
• Langeberg	+ - 60t/d	In principle they are interested
• Theewaterskloof	? t/d	Not viable in terms of transport
• Cape Agulhas	+ - 60t/d	In principle they are interested
• Hessequa	? t/d	In principle they are interested
• Swellendam abattoir	+ - 7t/d	In principle they are interested
• SOILL	+ - 2t/d	In principle they are interested
• Tyres	? t/d	This is a near limitless resource
• Possible Total	145 + tons per day	

If we set up agreements with local business and neighbouring municipalities, we will have excess material to justify a W2E solution that will not only get rid of our unwanted waste but will also produce significant electricity and or diesel that we would be able to purchase at a preferable rate at a predictable increase per year.

LEGAL IMPLICATIONS

- Provincial Organic Waste Strategy (2020)
- Swellendam Municipality waste licence for Bontebok Landfill
- Western Cape Government: Climate Change Response Strategy (2014)
- Constitution of the Republic of South Africa, 1996
- National Environmental Management Act 107 of 1998
- Western Cape Government: Climate Change Response Strategy (2014)
- National Norms and Standards for Disposal of Waste to Landfill GN 636 of 2013
- Circular economy in line with EPR, NWMS, SWM, NEMWA
- Agreements with neighbouring municipalities guaranteeing delivery of waste and a possible purchase of the resultant energy (electricity or diesel) from those municipalities.

FINANCIAL IMPLICATIONS

- **Until W2E is active**
 - Temporary delivery to Karwyderskraal could make use of the newly built Riviersonderend Transfer Station which would put enormous pressure on our waste compactor trucks that range from 14-27 years old (the maximum recommended age for a compactor truck is 7 years) but would cost an estimated R22M/y which is four times as much as the current cost of running the Bontebok Landfill Site. This will occur from the time our landfill site is at capacity which could be between 24-36 months depending waste minimisation and compaction and effective management of the Bontebok Landfill Site.
- **Once W2E is set up**
 - Removing the necessity to build another cell at R62-90M
 - After W2E is active there would still be a need for basic waste management at the Bontebok Landfill but significantly less than currently. From 85-95% less waste
 - The cost saving of buying electricity and diesel at a preferred rate and predictable yearly increase has yet to be determined.
 - Job creation
 - W2E at Bontebok Landfill will cost Swellendam Municipality in:
 - Installing electrical infrastructure if electricity is produced

- Installing a water line for basic consumption at the Bontebok Landfill Site
- Use of Bontebok Landfill site for the W2E plant = no cost
- **If W2E route is not followed**
 - Permanent setup and delivery to Karwyderskraal is R42M for the first year and around half that for the following years
 - Bontebok Landfill closure and rehabilitation costs to be determined

PERSONNEL IMPLICATIONS

COMMUNICATION IMPLICATIONS

COMMENTS FROM DEPARTMENTS

Director: Corporate Services

None

Director: Community Services

None

Director: Financial Services

None

Director: Infrastructure Services

None

Municipal Manager

None

RECOMMENDED TO MAYCO

1. For Swellendam to continue with stage 2 of the W2E tender it is needed to secure the necessary offtake from our neighbouring municipalities to make the project viable.
2. Senior Management approaches neighbouring municipalities and local business and agrees in principle the solution is desirable and viable.
 - Secure a predictable tonnage delivered to Bontebok Landfill per day, week or month
 - Agree that the same amount will be delivered for the next 10 years (increased amounts will be negotiable with the W2E service provider)

- Negotiate if the resultant product (diesel, electricity, syngas etc) is part of the agreement
- 3. Swellendam prepares for delivery to Karwyderskraal to cater for the time from when Bontebok Landfill Site reaches maximum airspace and when W2E comes into effect.
 - 3 New 21m³ refuse compactor trucks to be given maximum priority in the event of this delivery to Riviersonderend Transfer Station
 - Costs will be incurred at the Riviersonderend Transfer Station as well as transport costs from Riviersonderend to Karwyderskraal and gate fees at Karwyderskraal.
- 4. Swellendam continues with radical waste minimisation activities
 - Composting all possible organic material and giving municipal aid to organisations that compost
 - Recycling all that can profitably be recycled and giving municipal aid to organisations that recycle

DISCUSSION

In response to a question raised by the Executive Mayor, Councillor H.F. Du Rand with regard to why the municipality was now only at phase 2 of the W2E tender, the Municipal Manager, Mrs A. Vorster said that the municipality was in discussion with municipalities in the surrounding area and has to formally formalise the process. She said that there has been a delay in the advertisement of the tender due to the recent challenges but will be placed by the end of November 2023. She added that there has been challenges with the specifications but that it has finally been submitted to the Bid Specification Committee.

Mrs Vorster suggested that Council took cognizance of the report at this stage and that APAC and MPAC conduct a thorough evaluation of the service for submission to Council. She said that this process would take the municipality at least two and a half years to implement.

Mrs Vorster suggested that the Committee granted the administration approval to formally enter into agreements with other surrounding municipalities and took note of the need to buy new vehicles as it would also become a problem with the 950 houses that will be built.

The Executive Mayor indicated that he was in support of the suggestion by the Municipal Manager.

RECOMMENDED TO COUNCIL

1. that cognizance be taken of the report on the proposed Regional Waste to Energy facility in Swellendam at this stage and it be noted that the process would take up to two and a half years for the municipality to implement.
2. that Council approves that formal in-principle agreements with surrounding municipalities and businesses to collect waste, be entered into.
3. that the APAC and MPAC conduct a thorough evaluation of the service and submit a report for submission to Council.
4. that Council takes note of the need to buy more vehicles for waste removal to accommodate the 950 houses of the new housing project in Railton.

10.1.2

Item number A178. 22.11.2023

SUPPLY CHAIN MANAGEMENT MONTHLY REPORT – OCTOBER 2023

Report by the Director Financial Services:	Ms. E Wasserman
Department	Financial Services
Section	Supply Chain Management
File number	9/2/1/5

PURPOSE OF REPORT

The SCM monthly report is prepared to inform Council on key SCM monthly activities and adhere to the reporting requirements in terms of the Legislative Framework.

FACTS AND BACKGROUND

In terms of section 6 of the Supply Chain Management Regulations, Council has a responsibility to maintain oversight over the implementation of the Supply Chain Management Policy.

Section 36(2) of the Supply Chain Management Regulation requires that the accounting officer must record the reasons for any deviation from the procurement process and report it to the next council meeting.

DISCUSSION

The SCM monthly report for October 2023 is attached **on pages 1 to 7 of the Annexures** to enable the council to fulfil its oversight role. The report informs on the following matters:

- Procurement Statistics for the month
- Awards made above R 100 000 which was reported to National Treasury
- SCM deviations

There are no material problems with the implementation of SCM policy.

LEGAL IMPLICATIONS

- Municipal Finance Management Act, 2003
- Municipal Supply Chain Management Regulation, 2005
- Municipal Supply Chain Management Policy, 2022

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Director: Corporate Services

None

Director: Community Services

None

Director: Financial Services

None

Director: Infrastructure Services

None

Municipal Manager

None

RECOMMENDED TO MAYCO

1. that Council takes cognisance of the Supply Chain Management Report for October 2023 attached **on pages 1 to 7 of the Annexures**

RECOMMENDED TO COUNCIL

1. that Council takes cognisance of the Supply Chain Management Report for October 2023 attached **on pages 1 to 7 of the Annexures**

10.1.3

Item number A179. 22.11.2023

TENDER NO: SMT22/19/20 – AMENDMENT OF AGREEMENT_SUPPLY, DELIVERY AND ADMINISTRATIVE SUPPORT SERVICES OF A FINE COLLECTION SYSTEM AND CAMERA EQUIPMENT WITH THE RELATED OPERATIONAL SUPPORT

Report by the Director Financial Services:	Ms. E. Wasserman
Department	Financial Services
Section	Supply Chain Management
File number	8/2

PURPOSE OF REPORT

To inform Council in terms of a proposed amendment of the existing agreement between Swellendam Municipality and TMT Services and Supplies (Pty) Ltd.

FACTS AND BACKGROUND

TMT Services and Supplies (Pty) Ltd was appointed through a competitive bidding process on 16 March 2020 for the Supply, Delivery, and Administrative Support Services of a Fine Collection System and Camera Equipment with Related Operational Support for the period from 01 July 2020 to 30 June 2023 at an estimated contract value of R6 989 881,19 (incl. VAT).

The agreement was amended for a further 3-month period from 01 July 2023 to 31 October r 2023 in terms of MFMA Circular 62 at an estimated value of R1 048 800 000,00 (incl. VAT), which represents 14,49% of the original contract value.

A tender process could not be concluded due to the uncertainties surrounding the implementation of the AARTO legislation.

LEGAL IMPLICATIONS

In terms of section 116(3) of the Municipal Finance Management Act the following needs to be followed when amending a contract that was procured through a supply chain management policy:

A contract or agreement procured through the supply chain management policy of the municipality or municipal entity may be amended by the parties, but only after—

(a) the reasons for the proposed amendment have been tabled in the council of the municipality or, in the case of a municipal entity, in the council of its parent municipality; and

(b) the local community—

(i) has been given reasonable notice of the intention to amend the contract or agreement; and

(ii) has been invited to submit representations to the municipality or municipal entity.

Notices about the proposed amendment were placed in the Langeberg Bulletin and on the municipal website on Thursday, 28 September 2023. To date, no representations have been received. Please note that the closing date and time were **Friday, 20 October 2023 at noon.**

FINANCIAL IMPLICATIONS

The total estimated cost for this amendment is R 2,000,000.00 (incl. VAT).

COMMUNICATIONS IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Director: Corporate Services

None

Director: Community Services

None

Director: Financial Services

The finance department has unofficially partnered with two other municipalities with a consultant at no cost to the municipality to prepare a tender document in line with the new AARTO legislation. By sharing ideas, the council will benefit from a newly drafted tender document and some protection for council revenue loss due to AARTO implementation.

Director: Infrastructure Services

None

Municipal Manager

None

RECOMMENDED TO MAYCO

1. that the proposed amendment of the agreement between Swellendam Municipality and TMT Services and Supplies (Pty) Ltd for the Supply, Delivery, and Administrative Support Services of a Fine Collection System and Camera Equipment with The Related Operational Support for the period 01 November 2023 to 30 June 2024 to the estimated amount of R 2,000,000.00 (incl. VAT), be noted by Council.

DISCUSSION

The Executive Mayor, Councillor H.F. Du Rand enquired what would happen with the municipality's staff members when AARTO eventually takes over the service.

The Municipal Manager Mrs A. Vorster said that the Director of Community Services, Mr K. Stuurman was tasked to draft a full impact study on the anticipated impact of AARTO on the municipality for submission to Council.

RECOMMENDED TO COUNCIL

1. that the proposed amendment of the agreement between Swellendam Municipality and TMT Services and Supplies (Pty) Ltd for the Supply, Delivery, and Administrative Support Services of a Fine Collection System and Camera Equipment with The Related Operational Support for the period 01 November 2023 to 30 June 2024 to the estimated amount of R 2,000,000.00 (incl. VAT), be noted by Council.

10.1.4

Item number A180. 22.11.2023

RESUBMISSION: ALIENATION OF TWO PORTIONS OF MUNICIPAL LAND TO THE WESTERN CAPE GOVERNMENT FOR THE EXPANSION OF THE RAILTON CLINIC PROPERTY (ERF 7296)

Municipal Manager:	A. Vorster
Department	Municipal Manager
Section	Property Management
File number	7/2/R

PURPOSE OF REPORT

To submit a request from the Western Cape Government regarding the purchase price of the mentioned municipal property.

FACTS AND BACKGROUND

EXTRACT COUNCIL MINUTES: 08 MAY 2023

UNANIMOUSLY RESOLVED

Item A52/08/05/2023

1. "That portion of Erf 2063 {proposed Erf 8493 (350 square metres)}, and portion of Erf 8498 {proposed Erf 8496 (+/-120 square metres)} are not needed to provide the minimum level of basic municipal services;
2. That the portions (as mentioned in above) can be alienated to the Western Cape Government at a market-related value, as determined by the average of two market value reports;
3. That the principle to sell the mentioned properties, be advertised for public comments;
4. That the mentioned portions be simultaneously consolidated with Erf 7296, Railton, to form part of the Railton Clinic property;
5. That the Western Cape Government be responsible for the costs relating to the land use planning applications such as subdivision, rezoning and consolidation;
6. That the Western Cape Government be responsible for the costs in determining the market value, advertising of the alienation and the Transfer Agreement, as drafted by Council's Attorney;
7. That the Western Cape Government be responsible for the extension or replacement of the current fence surrounding the Railton Clinic, after the land use planning applications are finalized and registration has taken place;
8. That the Western Cape Government be responsible for the funding of a motorised gate for the entrance to the Community Hall;
9. That should any objections be received in respect of this application, the matter be referred back to the Mayoral Committee, for consideration;

10. *That should no objection be received, the Municipal Manager be mandated to sign the Transfer Agreement, according to her delegated powers."*

DISCUSSION

Notice V4/2023 was placed in the local newspaper and distributed for public comments, but no feedback was received by 11 August 2023.

Two valuation reports were received from Council's valuers with the following values:

Proposed erf 8498 (350 square metres in size) – R3.00 / R5.00 per square metres – average: **R4.00 per square metre, excluding VAT;**

Proposed erf 8493 (120 square metres in size) – R8.00 / R10.00 per square metres – average: **R9.00 per square metre, excluding VAT.**

Find the notice and valuation reports attached **on pages 8 to 9 of the Annexures.**

The following feedback was received from the Western Cape Government regarding the conditions as stipulated in the Council resolution of item A152 of 8 May 2023:

"PROPOSED ACQUISITION OF UNREGISTERED ERVEN 8493 & 8498, SWELLENDAM

Your email correspondence on the 6 August 2023 with the council resolution Item A52/08/2023 has reference.

Following the email correspondence received from Swellendam Local Municipality on the 20 September 2023 as well as additional information received from internal departments of the Western Cape Government (WCG), the WCG accepts the following council conditions:

1. Condition 5: The WCG takes note that the cost for the consolidation and rezoning will be for the WCG. It must also be noted that no sub-division is required on the erven that is to be acquired.

2. Condition 7: The WCG be responsible for the extension or replacement of the current fence surrounding the Railton Clinic, after the land-use planning applications are finalized and registration has taken place.

3. Condition 8: The WCG be responsible for the funding of a motorised gate for the entrance to the Community Hall.

As the future intent of the subject properties will be used by the WCG to render public health services to the Railton Community, and application is thus made to Swellendam Local Municipality to acquire Unregistered Erven 8493 & 8498 at 25% of the market value(s). The application is made in light of budgetary constraints faced by all departments of the WCG.

It should be noted that the amount payable for the 470m² is R2 480.00.

LEGAL IMPLICATIONS

The following legislation regulates property management:

- The stipulations of Section 14 of the Municipal Finance Management Act, 2003, (Act 56 of 2003) (MFMA);

- The By-Law relating to the Management and Administration of Immovable Property, 2005.
- The Asset Transfer Regulations, 2008.
- Land Disposal Policy, 2018

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None.

COMMENTS FROM DEPARTMENTS

Corporate Services

Manager: Town Planning & Building Control

No further comments.

Director: Community Services

No further comments.

Director: Financial Services

No further comments.

Director: Infrastructure Services

No further comments.

Municipal Manager

No further comments.

RECOMMENDED TO MAYCO

1. that Council considers the request from the Western Cape Government to only pay 25% of the market price of R2 480.00 (VAT excluded) for a portion of Erven 8493 and 8498 Railton, in addition to all land use, surveying cost, advertisement cost etc.
2. that all the cost incurred by the municipality and the total cost payable by the Western Cape Government be included in the item.

DISCUSSION

The Executive Mayor, Councillor H.F. Du Rand said that he was not in favour of approving the 25% payment of the market price of R2 480.00 (Vat excluded) by the Western Cape Department.

RECOMMENDED TO COUNCIL

1. that the request from the Western Cape Government to only pay 25% of the market price of R2 480.00 (VAT excluded) for a portion of Erven 8493 and 8498 Railton, in addition to all land use, surveying cost, advertisement cost etc, be not granted.

10.1.5

Item number A181. 22.11.2023

ALIENATION OF A RESIDENTIAL PROPERTY, ERF 4624 IN RAILTON – OUT OF HAND

Municipal Manager

A Vorster

Department

Municipal Manager

Section

Property Management

File Number

7/2/R

PURPOSE OF REPORT

To consider selling a municipal property out of hand, after a tender process was followed and no tenders were received.

FACTS AND BACKGROUND

Extract Council minutes: 31 May 2023

UNANIMOUSLY RESOLVED

Item A63/31/05/2023

1. that Erf 4624, Railton, is not needed to provide the minimum level of basic municipal services;
2. that Council in principle has no objection to alienating the land described in (1) above by way of a competitive bidding process, led by the Supply Chain Management Unit, based on a fair market value, as determined by an average of two valuation reports;
3. that the reserve price for erf 4624 Swellendam be set as the average of the two official valuation reports;
4. that the decision of Council, to alienate Erf 4624, Railton, be advertised for public comments;
5. that should any objections be received in respect of this application, the matter be referred back to the Mayoral Committee, for consideration;
6. that should no objection be received; the Municipal Manager be mandated to commence with the Supply Chain Process.

DISCUSSION

Erf 4624, Railton was put on tender (SMQ14/23/24) for alienation, but no tenders were received.

See map attached **on page 10 of the Annexures.**

LEGAL IMPLICATIONS

The following legislation regulates property management:

- The stipulations of Section 14 of the Municipal Management Act, 2003, (Act 56 of 2003) (MFMA);
- The By-Law relating to the Management and Administration of Immovable Property, 2018.

- The Asset Transfer Regulations, 2008.
- Land Disposal Policy, 2018

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Corporate Services

Town Planning & Building Control – Mr R. Brunings

No further comments.

Director: Community Services

No further comments.

Director: Financial Services

No further comments.

Director: Infrastructure Services

No further comments.

Municipal Manager

No further comments.

RECOMMENDED TO MAYCO

1. that cognizance be taken that no tenders were received for the alienation of Erf 4624, Railton, during a tender process;
2. that Erf 4624, Railton is still not needed to provide the minimum level of basic municipal services;
3. that Erf 4624, Railton, forms part of the municipal inventory of land that can be alienated out of hand, on a first-come-first-serve basis;
4. that Council's attorney be delegated to draft the applicable documents for the transfer;

5. that the Municipal Manager be mandated to sign the Transfer Agreement, according to her delegated powers.

The Mayoral Committee was in support of the recommendation as-is.

RECOMMEDED TO COUNCIL

1. that cognizance be taken that no tenders were received for the alienation of Erf 4624, Railton, during a tender process;
2. that Erf 4624, Railton is still not needed to provide the minimum level of basic municipal services;
3. that Erf 4624, Railton, forms part of the municipal inventory of land that can be alienated out of hand, on a first-come-first-serve basis;
4. that Council's attorney be delegated to draft the applicable documents for the transfer;
5. that the Municipal Manager be mandated to sign the Transfer Agreement, according to her delegated powers.

10.1.6

Item number A182. 22.11.2023

DONATION OF FIRE HYDRANTS AND FIRE TRUCK: SWELLENDAM HERITAGE ASSOCIATION

Municipal Manager

A. Vorster

Department

Municipal Manager

Section

Property Management

File Number

5/16/1/1

PURPOSE OF REPORT

To consider the donation of antique fire hydrants and fire truck to the Swellendam Heritage Association.

FACTS AND BACKGROUND

Swellendam Municipality received an application from the Swellendam Heritage Association for the following donation:

"The Swellendam Heritage Association writes to you and the town council to request permission to remove and relocate the antique fire engine currently on display at in front of the old library building in Voortrek street.

It is the association's intention to relocate this rare exhibit to an area where it will receive far more exposure to the public, both local and tourist. We are currently liaising with Messrs Boshoff Visser to place the exhibit either at Aan De Eike or Die Wagenweg shopping complex (previously Die Groen Padda) both in the popular tourist area in Swellengrebel Street. BVSA are most keen to host this exhibition and a site meeting between the association and BVSA is in the offing to decide which of the two sites would be best suited.

It is the association's intention to fund the removal and relocation of this exhibit. Therefore it will not be at the municipality's cost. The exhibit will remain the property of the municipality and the Swellendam Heritage Association will remain custodian as it is at present.

We also recently made application to the municipality through the office of Mr Bartho Burger to take possession of the two antique fire hydrants currently in the municipal stores (similar to the one outside the old P&A Shop). These hydrants are incomplete and will never be serviceable again. They would however, once restored, make wonderful companion pieces to the old fire engine exhibit. We have not as yet had a reply to this request and wonder if you would perhaps entertain these two request (the fire engine and fire hydrants) together, as per this letter. Again, the restoration and relocation would be for our association's cost.

Given the recent damage to the fire engine display and the fact that the library has been relocated, we sincerely hope the board will see its way clear to approve our request which is aimed at a more advantageous display of the items as well as them being better protected."

DISCUSSION

The structure that houses the antique fire engine displayed in front of the old library building in Voortrek Street, Swellendam was damaged during the riots of 16 August 2023.

According to the Spatial Development Framework of Swellendam the Swellengrebel area is to be developed as a tourist attraction and thus the relocation of the old fire truck and even the two fire hydrants fit in with confirming this area as a historic tourist area.

The Municipality does not need these assets for the provision of municipal services.

It is, however, suggested that, should Council decide to donate the old fire truck and two fire hydrants to the Swellendam Heritage Association, the placement of the exhibits be liaised with the Aesthetics and Conservation Committee, as it concerns the historic conservation area.

LEGAL IMPLICATIONS

- The stipulations of Section 14 of the Municipal Management Act, 2003, (Act 56 of 2003) (MFMA);

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Corporate Services

Town Planning & Building Control – Mr R. Brunings

No further comments.

Director: Community Services

No further comments.

Director: Financial Services

No further comments.

Director: Infrastructure Services

No further comments.

Municipal Manager

No further comments.

RECOMMENDED TO MAYCO

1. that cognizance be taken that the Municipality does not require the antique fire truck currently on display in front of the old library building and two historic fire hydrants at the municipal stores for the provision of essential services.
2. that the Municipality obtain an appraisal for the antique fire truck and fire hydrants from an antique dealer, and advertise its intention, to donate the items to the Swellendam Heritage Association for public comment before a final decision be made by Council.

DISCUSSION

The Executive Mayor, Councillor H.F. Du Rand said that the Committee was of the opinion that the antique fire truck be lent to the Swellendam Heritage Association to be kept safe in their possession and not be donated to them.

The Municipal Manager, Mrs A. Vorster said that the antique fire truck and two historic fire hydrants could then be made available for exhibition.

RECOMMENDED TO COUNCIL

1. that cognizance be taken that the Municipality does not require the antique fire truck currently on display in front of the old library building and two historic fire hydrants at the municipal stores for the provision of essential services.
2. that it be approved that the antique fire truck and fire hydrants be lent to the Swellendam Heritage Association for exhibition and safekeeping.

10.1.7

Item number A183. 22.11.2023

SCHEDULE OF DATES FOR COUNCIL AND COMMITTEE MEETINGS - PROGRAMME FOR 2024

Report of the Director Corporate Services: Mrs A Vorster

Department	Corporate Services
Section	Administrative Support
File number	3/3/2/1

PURPOSE OF REPORT

The purpose of this report is to set dates for meetings for the Council, Mayoral and Portfolio Committees for 2024 taking key dates in terms of MFMA compliance into account.

FACTS AND BACKGROUND

The Local Government: Municipal Financial Management Act 2003 (Act 56 of 2003) and the Local Government: Municipal Systems Act 2000 (Act 32 of 2000) stipulates certain dates on which key decisions need to be taken by Council. In terms of section 29 of the Local Government: Municipal Structures Act 1998 (Act 117 of 1998) the Speaker decides when and where the Council meets. In terms of section 18(2) of the Act a municipal council must meet at least quarterly. The Mayoral Committee reports to the Executive Mayor and it is therefore the Executive Mayor's decision on when and where the Mayoral Committee meets. The Portfolio Committees are chaired by members of the Mayoral Committee and it is the prerogative of the chairpersons to decide when and where the Portfolio Committees meet.

DISCUSSION

Although the various political-office bearers have a prerogative to decide on the meeting dates of the bodies as specified, it is advisable to preset dates. Furthermore, it is impossible for the Council to meet only quarterly due to the following key dates in respect of which compliance issues of the MFMA need to be considered:

<u>Month</u>	<u>Compliance</u>	
January	Midyear report and draft Annual report	Mid-Year performance- section 72 report; Annual report and Section 52 report Section 72 (1) (a) The MM to assess the performance for the first half of the year the 25 th of January Section 72 (1) (b) Submit the midyear report to the Mayor; NT an PT by the 25 th of January (refer also to Regulation 35 of the municipal budget and reporting regulations) Regulation 34 of the municipal budget and reporting regulations the midyear report to be made public within 5 working days of the 25 th of January

	S52 MFMA report Supply Chain Management Regulations: Monthly SCM report Quarterly SCM report	Section 54 (1) (f) the Mayor to submit the midyear report to council by 31st of January. Section 127(2) of the MFMA stipulates that the annual report must be tabled in the municipal council within seven months after the end of the financial year. Quarterly report to be tabled within 30 days after the end of the quarter. Council has a responsibility to maintain oversight over the implementation of the SCM Policy. The Accounting Officer must record the reasons for any deviation from the procurement process and report it to the next council meeting.
February	Adjustments budget Monthly SCM report	An adjustments budget as per MFMA section 28 (2) (g) may only authorize unauthorized expenditure as anticipated by section 32 (2) (a) (i) of the MFMA, and must deal with – A special adjustments budget tabled in the municipal council when the mayor tables the annual report in terms of section 127 (2) of the Act, which may only deal with unauthorized expenditure from the previous financial year which the council is being requested to authorize in terms of section 32 (2) (a) (i) of the MFMA.
March	Annual report and oversight report and draft IDP and draft budget Monthly SCM report	Section 129 of the MFMA requires the council to consider the annual report within two months after it was tabled in the Council and to adopt an oversight report containing the council's comments on the annual report. Section 22 read with Section 24 of the MFMA deals with the budget and IDP process
April	S52 MFMA report Monthly SCM report Quarterly SCM report	Quarterly report to be tabled within 30 days after the end of the quarter.
May	IDP Section Budget Section 16 of the MFMA Monthly SCM report	The IDP and budget must be approved by the Council before the start of the new financial year.

June	Possible adjustments budget Monthly SCM report	In terms of Section 28 of the MFMA, the following circumstances may necessitate an adjustments budget, namely: Under-collection of revenue; when additional revenues has become available; unforeseen unavoidable expenditure; utilisation of projected savings in one vote towards spending under another vote; spending of funds that were unspent at the end of a financial year; correction of errors in the annual budget; Emergency or other exceptional circumstance.
July	S52 MFMA report Monthly SCM report Quarterly SCM report	Quarterly report to be tabled within 30 days after the end of the quarter.
August	Process plan S21(1)b MFMA Roll over budget S52 MFMA report Monthly SCM report	Process plan to be tabled 10 months before the start of the financial year. Unspent grant funding to be rolled over to new financial year Quarterly report to be tabled within 30 days after the end of the quarter
September	Monthly SCM report	
October	S52 MFMA report Monthly SCM report Quarterly SCM report	Quarterly report to be tabled within 30 days after the end of the quarter.
November	S52 MFMA report Monthly SCM report	
December	Monthly SCM report	

The programme is suggested for approval with the proviso that any changes to any of the dates can be made by the relevant political office-bearer as and when needed and such changes will be communicated timeously. **The programme is attached on pages 11 to 12 of the Annexures.**

LEGAL IMPLICATIONS

The Local Government: Municipal Financial Management Act 2003 (Act 56 of 2003) and the Local Government: Municipal Systems Act 2000 (Act 32 of 2000) stipulates certain dates on which key decisions need to be taken by Council.

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATION

Council meetings must be made public in terms of section 19 of the Systems Act.

COMMENTS FROM DEPARTMENTS

Director: Corporate Services

None

Director: Community Services

None

Director: Financial Services

None

Director: Infrastructure Services

None

Municipal Manager

None

RECOMMENDED TO MAYCO

1. that with the proviso that the Speaker in the case of Council meetings, the Executive Mayor in the case of Mayoral Committee meetings and the Chairperson in the case of Portfolio Committee meetings can make changes if required, the schedule of dates for Council, Mayoral Committee and Portfolio Committee meetings for the 2024 calendar year be approved and that any changes to the schedule, be communicated timeously;
2. that changes to the schedule only be made if circumstances beyond control so demand.

The Mayoral Committee was in support of the recommendation as-is.

RECOMMENDED TO COUNCIL

1. that with the proviso that the Speaker in the case of Council meetings, the Executive Mayor in the case of Mayoral Committee meetings and the Chairperson in the case of Portfolio Committee meetings can make changes if required, the schedule of dates for Council, Mayoral Committee and Portfolio Committee meetings for the 2024 calendar year be approved and that any changes to the schedule, be communicated timeously;
2. that changes to the schedule only be made if circumstances beyond control so demand.

10.1.8

Item number A184. 22.11.2023

COUNCIL IN RECESS: PERIOD 11 DECEMBER 2023 UNTIL 12 JANUARY 2024

Report of the Director Corporate Services: Mrs A Vorster

Department	Corporate Services
Section	Administrative Support
File number	3/3/2/1

PURPOSE OF THE REPORT

To obtain confirmation of Council's recess from 11 December 2023 to 12 January 2024.

FACTS AND BACKGROUND

Councillors may wish to have a much-deserved break during the festive season and the report is submitted to obtain a Council resolution in this regard.

The proposed dates for the recess have been determined taking into account the coastal cluster school calendar for 2023/2024 with schools closing on 13 December 2023 and re-opening on (15*) 17 January 2024. (* For educators.)

The mid-year budget and performance assessment is due by the 25th of January each year and as such it is proposed that Council's programme resumes on 15 January 2024 to allow sufficient time to facilitate the scheduling of the Mayoral Committee and Council meetings to consider this report.

During the proposed recess, all urgent matters shall be dealt with by the Executive Mayor in consultation with the Municipal Manager, if and when required in terms of the delegations per Resolution A2374 taken on 5 June 2013, which reads as follows:

RESOLVED:

1. *That during periods of recess the Executive Mayor be delegated to exercise any power of the Council and/or its political structures, as well as designated powers, in consultation with the Municipal Manager or if the Municipal Manager is not available, the Acting Municipal Manager, Provided that:*
 - (b) the failure to exercise such power as a matter of urgency would have a substantial detrimental impact on the municipality and/or its services; and/or its people;*
 - (c) the delegation excludes the exercise of all powers reserved for Council in terms of Section 160 of the Constitution: Passing of By-Laws, Approval of Budget, Imposition of rates and taxes, Levies and Duties, raising of loans*
 - (d) where the public interest so demands, this power be exercised after consultation with as many members of the Mayoral Committee as reasonably possible.*

2. *"Recess" means the period determined by Council resolution when all councillors shall be on official leave and such period shall commence at 17h00 and shall terminate at 08h00 on the dates determined.*
3. *All resolutions taken by the EM during recess must be tabled at the next meeting of the Council for ratification.*

LEGAL IMPLICATIONS

Constitution of the Republic of South Africa, 1996
Local Government Municipal Structures Act, 117 of 1998
Local Government Municipal Systems Act, 32 of 2000
Local Government Municipal Finance Management Act, 56 of 2003
The delegations as per resolution A2374 dated 5 June 2013.

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Director: Corporate Services

None

Director: Community Services

None

Director: Financial Services

None

Director: Infrastructure Services

None

Municipal Manager

None

RECOMMENDED TO MAYCO

that it be confirmed that Council will be in recess from 11 December 2023 until 12 January 2024 and that during this period all urgent matters, if and when required, shall be dealt with by the Executive

Mayor in consultation with the Municipal Manager in terms of the delegations per Resolution A2374 dated 5 June 2013.

The Mayoral Committee was in support of the recommendation as-is.

RECOMMENDED TO COUNCIL

that it be confirmed that Council will be in recess from 11 December 2023 until 12 January 2024 and that during this period all urgent matters, if and when required, shall be dealt with by the Executive Mayor in consultation with the Municipal Manager in terms of the delegations per Resolution A2374 dated 5 June 2013.

10.1.9

Item number A185. 22.11.2023

COMMUNITY SERVICES: RESUBMISSION: ALLOCATION OF STREET NAMES: SWELLENDAM, RAILTON HOUSING PROJECT

Report by the Manager Human Settlements, Mr J. Engel.

Department	Community Services
Section	Human Settlements
File Number	17/6/1

PURPOSE OF REPORT

To submit the proposed street names for Swellendam, Railton Housing Project for reconsideration after the matter was referred back by the Mayoral Committee meeting held on 25 October 2023.

FACTS AND BACKGROUND

With the Housing Development in Railton, ten (10) new streets have been developed that need to be named. **(Attached approved Layout on page 13 of the Annexures)** The naming of streets is of utmost importance to the municipality to ensure the delivery of services, billing and also for emergency services. Naming must be dealt with in such a way that it binds the community in the area together rather than creating separation.

During a Housing Community meeting held on 29 November 2022 the Community was informed of the process of naming the ten (10) new streets. A suggestion form was developed and placed at the municipal offices and libraries it was also advertised in the Langeberg Bulletin per notices G12023 to the community to make an input.

NAMING: CRITERIA FOR EVALUATION (Policy for the naming of streets, public places, natural areas, artefacts and council-owned buildings and facilities)

The following criteria in ranked order are to be used to assist determining the suitability of a name (of a new street). Any submission must therefore make a strong case, which motivation should be based on the following:

- a) Must not be offensive or insensitive;
- b) Must promote goodwill and reconciliation;
- c) Will assist in building a sense of ownership, identity and community in a changing society;
- d) Where there is a strong degree of community participation and support;
- e) Should increase the marketing potential and investment attractiveness of an area;
- f) Honour and commemorate noteworthy persons associated with the municipal area. Any such submission or petition to name a feature after people must be accompanied by a detailed motivation, profile of the person and indication why the specific person is worthy of the honour;

- g) Commemorate local, national or international history, places, events, memories or culture of relevance to the people within the municipal area;
- h) Recognize indigenous and international flora, fauna and natural environment relevant to the municipal area;
- i) Recognize the cultural diversity of the municipal area; and
- j) Promote improved place orientation and recognition.

NAMING RULES FOR SELECTION (Policy for the naming of streets, public places, natural areas, artefacts and council-owned buildings and facilities)

The following rules (along with the criteria contained under section 8 above) shall apply for the selection of names for features:

GENERAL

- a) There must be no duplication of names, similarly spelled or phonetically similar names within the previous municipal boundary of the town in which the feature is located (e.g. Barrydale) as well as within a 5 kilometer radius of the feature;
- b) The length of a name should preferably be limited to what can be practically accommodated on a nameboard and maps, which are no more than 20 characters including spaces;
- c) No names should be used which could be construed as commercial advertising; and
- d) Names that would generally improve the municipality's administration and provision of essential services are preferred.

The suggestions that came from the community are as follows:

1. Jan De Mingostraat	2. Tarentaalstraat	3. Rossstraat
4. Abrahamsstraat	5. Witbooistraat	6. Hendricksstraat
7. Lombaardstraat	8. Plaatjiesstraat	9. Moodiestraat
10. Martinstraat	11. At Laststraat	12. Laaste Uitwegstraat
13. Kawuki Laanstraat	14. Lank Gewagstraat	15. Kan jy nou meerstraat
16. Langastraat	17. Louisostraat	18. Wilde-Alsstraat
19. Buchustraat	20. Suurvytjiesstraat	21. Saliestraat
22. Knoffelstraat	23. Wynruitstraat	24. Kanniedoodstraat
25. Karmedipstraat	26. Willekeurstraat	27. Kraalbosstraat
28. Morcouchstraat	29. Barren Rooistraat	30. Mchorty groenstraat
31. Dhophronsostraat	32. Lawa khortelestraat	33. Allirkushenstraat
34. Murigankeleystraat	35. Tollanailstraat	36. Robreeusestraat
37. Godleweus straat	38. De Jonghstraat	39. Witbooistraat
40. Pietersstraat	41. Sonneblomstraat	42. Wildebeesstraat
43. Mandelastraat	44. Proteastraat	45. Springbokstraat
46. Jakkelsstraat	47. Pallangstraat	48. Dyersstraat
49. Mandelastraat	50. Spurstraat	51. Buisstraat
52. Chapendekstraat	53. Rainstraat	54. Tysstraat
55. Steunstraat	56. Bultstraat	57. Siyangenstraat
58. Mokatestraat	59. Martinstraat	60. Gertsestraat
61. Peukeurstraat	62. Gertsestraat	63. Thompsonstraat
64. Kokkewietstraat	65. Thompsonstraat	66. Patrysstraat
67. Michealsstraat	68. Gertsestraat	69. Du Randstraat
70. Herandienstraat	71. Frederick Pikestraat	72. Pietie Witbooi straat
73. Mannatjiesstraat	74. Geloogstraat	75. Hopestraat
76. Lovestraat	77. Gee omstraat	78. Together we canstraat

79. Never Give Upstraat	80. Survivestraat	81. Windvogelstraat
82. Gertsestraat	83. Witbooistraat	84. Ry Laanstraat
85. Tinktinkiestraat	86. Verbenastraat	87. Hoepoestraat
88. Katjepieringstraat	89. Roosmarynstraat	90. Wiele Waalstraat
91. Malvastraat	92. Suikerbekkiestraat	93. Bloekom Laanstraat
94. Dyersstraat	95. De Wetstraat	96. Plaatjiesstraat
97. Swartstraat	98. Jonasstraat	99. Persencestraat
100. Uysstraat	101. Van de Waltstraat	102. Melroosstraat
103. Vermeulenstraat	104. Bantomstraat	105. Lakeystraat
106. Mckechiniestraat	107. Minniesstraat	108. Gaffleystraat
109. Harrystraat	110. Zassstraat	111. Rudolphstraat
112. Platostraat	113. Barandstraat	114. Da Silvastraat
115. Andrewstraat	116. Matthysenstraat	117. Johannesstraat
118. Gertsestraat	119. Vaderstraat	120. Rhodesstraat
121. Jeffreystaat	122. Pepperstraat	123. Uegenestraat
124. Van Niekerkstraat	125. Terensstraat	126. Pietersenstraat
127. Pikkewynstraat	128. Kanariestraat	129. Tarentaalstraat
130. Poustraat	131. Duifstraat	132. Budjiestraat
133. Uilstraat	134. Kraaistraat	135. Volstruisstraat
136. Pelikaanstraat	136. Mossiestraat	137. Hoenderstraat
138. Patrysstraat	139. Swaanstraat	140. Arendstraat
141. Jan Frederikstraat	142. Kalkoenstraat	143. Aasvoëlstraat
144. Eendstraat	145. Pappegaaistraat	146. Zebrastreet
147. Luiperdstraat	148. Tingtinkiestraat	149. Rykkerstraat
150. Afrikanerstraat	151. Olyfstraat	152. Suiker kaanstraat
153. Olifantstraat	154. Loeiriestraat	155. Strawberrystraat

156.Swaeltjiesstraat	157. Flaminkstraat	158. Raspberrystraat
159. Bearberrystraat	160. Gooseberrystraat	161. Blueberrystraat
162. Blackberrystraat	163. Cranberrystraat	164. Wildberrystraat
165. Black currant berrystraat	166. Dewberrystraat	167. Black Ruby plumstreet
168. Black Beauty plumstreet	169.Black Amber plumsstreet	170. Santa Rosa plumstreet
171. Cherry plumstreet	172. French plumstreet	173. Olivestreet
174. Pearstreet	175. Plumstreet	176. Lemonstreet
177. Kiwi fruitstreet	178. Melonstreet	179. Papayastreet

LEGAL IMPLICATIONS

None

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Director: Corporate Services

None

Director: Community Services

None

Director: Financial Services

None

Director: Infrastructure Services

None

Municipal Manager

None

This item served on the Community Services and Housing Portfolio Committee meeting held on Tuesday, 17 October 2023

RECOMMENDED TO MAYCO

1. that the following street names for the new Housing Development in Railton be proposed for approval:

Cherry Street	French Plum Street	Olive Street
Pear Street	Plum Street	Lemon Street
Kiwi Street	Melon Street	Papaya Street
Landbou Street		

2. that the theme 'Die Boord' be proposed for the new Housing Development in Railton.

This item served on the Mayoral Committee meeting held on Wednesday, 25 October 2023 and was referred back to the Community Services and Housing Portfolio Committee with the request that all the names except Landboustraat depict a tree theme and that all the names be in Afrikaans.

RECOMMENDED TO MAYCO

1. that the following street names for the new Housing Development in Railton be proposed for approval:

Kersiestraat	Papajastraat	Olyfstraat
Peerstraat	Pruimstraat	Lemoenstraat
Kiwistraat	Suurlemoenstraat	Naartjiesstraat
Landboustraat		

2. that two more street names depicting a tree theme be selected.
3. that the theme "Die Boord" be proposed for the area.

DISCUSSION

The Executive Mayor, Councillor H.F. Du Rand shared that there was a woman in the Railton community who wanted to start a garden building competition which was a good initiative to get the funding to start with the planting of trees in the different streets of the new housing project.

The Mayoral Committee was in support of the recommendation as-is.

RECOMMENDED TO COUNCIL

1. that the following street names for the new Housing Development in Railton be proposed for approval:

Kersiestraat	Papajastraat	Olyfstraat
Peerstraat	Pruimstraat	Lemoenstraat
Kiwistraat	Suurlemoenstraat	Naartjiestraat
Landboustraat		

2. that the theme "Die Boord" be proposed for the area.

10.1.10

Item number A186. 22.11.2023

COMMUNITY SERVICES: RESEARCH ON HOUSING AND HEALTH BY STELLENBOSCH UNIVERSITY

Report by the Manager Human Settlements, Mr J. Engel.

Department	Community Services
Section	Housing
Proposed File number	17/4/1

PURPOSE OF THE REPORT

To submit the request from the Stellenbosch University to include the Railton Housing Project in the Building Healthier Communities Research Study for consideration.

FACTS AND BACKGROUND

Stellenbosch University motivates their request as follows. **Documentation in this regard appears on pages 14 to 34 of the Annexures.**

The Building Healthier Communities study investigates the relationship between health and housing among children and their caregivers. We do this by tracking their health as families move from informal to formal housing. We have funding from DG Murray Trust, National Research Foundation and the Medical Research Foundation for this work, and have assembled a network of work class researchers from many institutions in SA as well as the UK, US and Europe to collaborate on this study. We have signed an MOU with WC DHS, and see them as a strategic partner for this work. Our team is committed to advancing knowledge and contributing to scientific discoveries that have the potential to promote social justice & improve the lives of vulnerable individuals. We have been working with WCDHS for more than 10 years.

By participating in this research study, your Municipality will benefit in the following ways:

- As a participant, you will have the opportunity to gain early insights into the research outcomes, which can enhance your organization's knowledge base and inform decision-making processes.
- Fieldworkers will go through a 10-days training course, earning a level NQF 5 certification from the university.
- The fieldworkers will be paid for the data they collect, and households will be paid for their participation

Comment from the Department of Human Settlements

Documentation in this regard appears on page 35 of the Annexures.

With this letter, the Western Cape Department of Human Settlements confirms its support and endorsement of Stellenbosch University's research project on Housing and Health. This research is well-aligned to the Western Cape Department of Human Settlement's policy priorities, focusing on the measurement and improvement of the inter-sectoral benefits of its large and long-running housing subsidy programme.

LEGAL IMPLICATIONS

None

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Director: Community Services

None

Director: Corporate Services

None

Director: Financial Services

None

Director: Infrastructure Services

None

Municipal Manager

None

RECOMMENDED TO MAYCO

that the inclusion of the Railton Housing Project in the Building Healthier Communities Research Study conducted by the Stellenbosch University, be endorsed by Council.

The Mayoral Committee was in support of the recommendation as-is.

RECOMMENDED TO COUNCIL

that the inclusion of the Railton Housing Project in the Building Healthier Communities Research Study conducted by the Stellenbosch University, be endorsed by Council.

10.1.11

Item number A187. 22.11.2023

MUNICIPAL MANAGER REPORT TO THE EXECUTIVE MAYOR FOR PERIOD OCTOBER TO NOVEMBER 2023

ECONOMIC DEVELOPMENT

The Municipal Manager attended the Overberg Growth for Jobs regional workshop in Caledon. The purpose of this workshop was to brainstorm how the Overberg can promote job creation by coordination, prioritising, planning and implementing the timeous delivery of relevant and smart infrastructural solutions (physical, digital and hybrid) to support break-out economic growth and a connected economy, providing flexible, resilient infrastructure that intelligently connects spaces, places, and people, transforms lives and delivers sustainable value to the economy and ecology of the Overberg and Western Cape. The Renewable Energy projects, national road upgrades, in migration, water security and tourism development were some of the issues raised by the Municipal Manager. The need to cultivate and support an entrepreneurial culture has been identified and prioritised.

As a result, the Municipal Manager contacted COBRA and negotiated that training sessions in basic plumbing will be hosted in Swellendam at the end of January 2024. The targeted audience will be victims of Gender Based Violence, early school drop outs and there will be an outreach to Buffeljags Correctional Services to host the same training in support of those soon to be released. Follow up trainings can be organised as well. The Municipal Manager requested that this training program also be rolled out to all other municipalities in the Overberg, and this was kindly agreed to by COBRA.

The annual financial allocation to the Agricultural Show was made in support of agricultural show activities. An allocation was also made to the Double Century to host the Double Century cycle event that annually brings over R20 million direct investment to the local economy in Swellendam.

Engagements took place with the Swellendam Business Chamber and the local museum around the facilitation of tourism development in the municipal area.

The Municipality secured marketing space to promote the Swellendam municipal area on four international tourism marketing shows on the following dates. Product owners are encouraged and invited to provide marketing material to promote on these international platforms.

Amsterdam (The Netherlands): 16 and 17 January 2024

Den Bosch (The Netherlands): 18 January 2024

Antwerp (Belgium): 19 January 2024

Brussels (Belgium): 21-24 January 2024

A compliance survey is currently being undertaken by the IDP and Law Enforcement division in the whole municipal area, around the operation of House Shops.

NATIONAL ROAD UPGRADES

An engagement took place with SANRAL on the future development of the N2 within the municipal area, including a second entrance to Railton.

The following planning proposals for the upgrade of the N2 is currently proposed by SANRAL.

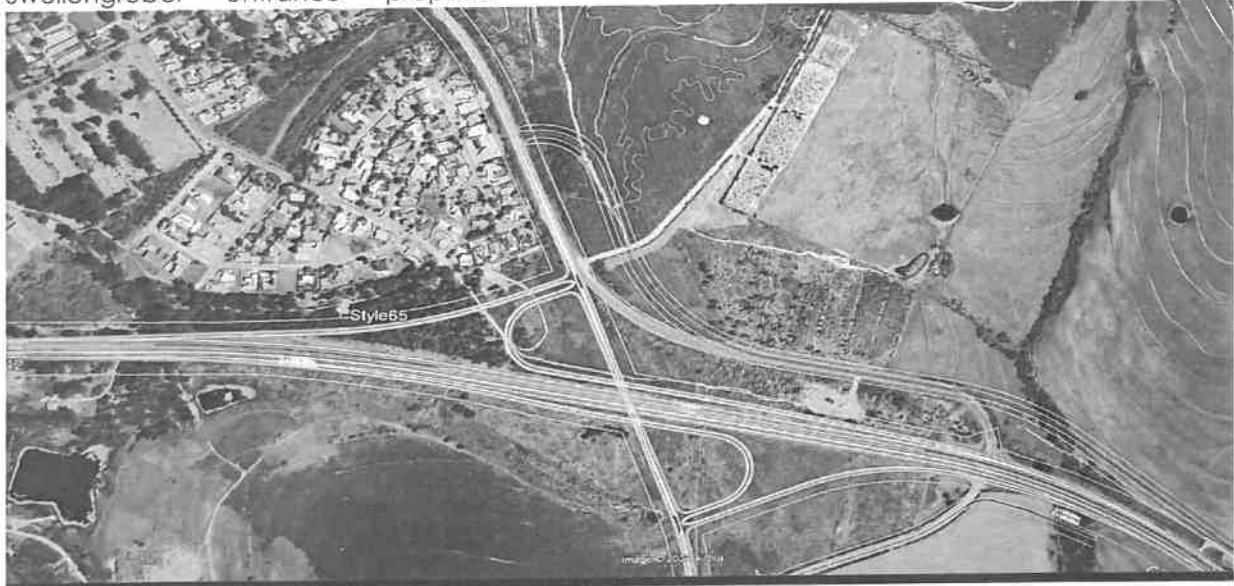
There will only be 2 entries to Swellendam, with all others being closed off. The proposed entrances will be at Swellengrebel and the R60 turn off. The current entry to Railton through the Station Street extension, the off-ramp at Tredici and the turn-off to the Industrial area will be closed. There will be two entrances to Railton, the one being at Swellengrebel and the other at the R60 area. This will mean that

the entry to Railton from the latter will have to be through Matjoks, which is not practical. Neither is it ideal to channel all traffic to Railton through the smaller neighbourhood roads in Railton. Closing off the existing turn-offs from the N2 to Swellendam, will have dire consequences for the local businesses along these routes and will have severe negative mobility implications. The closing off of the existing industrial area, will have severe detrimental effects on the agri-processing units in the industrial area.

There is also a proposal to divert the current N2 at Buffeljags and to move it back. Concern about the floodline and the need to divert the N2 in Buffeljags was raised, together with the impracticalities of the current proposals. Further discussions were requested.

The current proposals can be seen below:

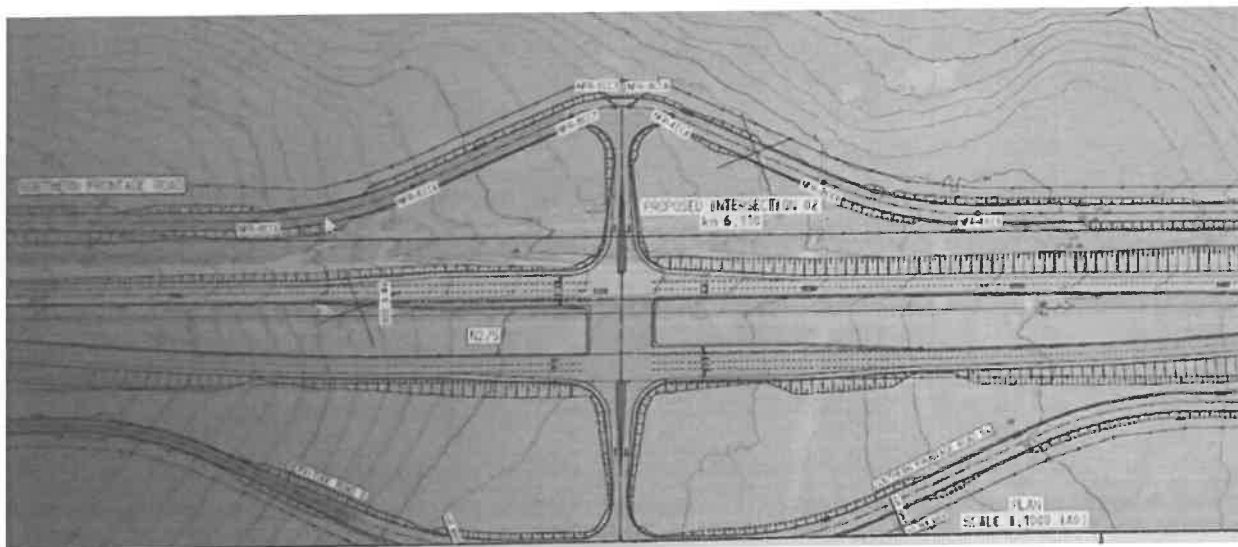
Swellengrebel entrance proposal to Swellendam Central and Railton entry 1.



R60 entrance



Buffeljags proposal



BREEDE RIVER ESTUARY MUNICIPAL LIAISON COMMITTEE

A meeting was held on 16 November 2023 where discussions took place on the proposed extension of the Service Level Agreement with LBRCT, that will now be advertised. It should be noted that Hessequa Municipality still have to table their report to Council and that this item will only be tabled in January or February 2024. The need to review the Public Launch Site Management Plans were raised. It was agreed that the boat licensing tariff setting be engaged on with role players from an early date in 2024 and that there is a need to revisit the municipal by laws to strengthen enforcement.

It should further be noted that the Municipality was informed that there is a pending limitation claim against a portion of the remainder of erf 422 Malagas that is in the process of being registered in name of Swellendam Municipality after the expropriation claim by the Municipality. This portion of land is to be used as a Public Launch Site in future.

LITIGATION

The Executive Mayor provided approval for the appointment of a senior advocate to represent the Municipality in litigation instituted by Dynarc Capital (Pty) Ltd on development contributions pertaining erven 9886 and 9887 Swellendam. A report will be taken to Council in this respect.

BUSINESS RESILIENCE

Swellendam Municipality received furnishing donations from several Western Cape departments which are currently being utilised by staff members. The Municipality will be leasing offices at the Wolfaardt building in Station Street, Swellendam. This area will house administrative and financial staff members. Not everyone will be able to be accommodated at this premises and the Income division will remain at the Desmond Tutu Library, while Geodebt will remain at the side hall at the Town Hall, with paypoints at Pep Stores and the Post Office.

The insurers have now appointed structural engineers for the SASRIA claim assessment and will conduct their official valuation of the administrative building and the Thusong Centre on 23 November 2023.

ORGANISATIONAL DESIGN

The organisational design was discussed with all staff members in the office of the Municipal Manager. Consultation continues in this respect.

VACANCY: DIRECTOR

The applications to fill the vacancy of Director: Technical Engineering Services have closed and a long list is being compiled by the consultant to enable the Selection Panel to undertake shortlisting. The aim is to have a report to Council at the end of November 2023 on the filling of this vacancy.

The above matters are just a high-level overview of the activities in the office of the Municipal Manager.

Regards

A Vorster

MUNICIPAL MANAGER

DISCUSSION

The Municipal Manager, Mrs A. Vorster said that in terms of litigation, an updated report on the Swellengrebel Mall will be tabled to Council as the final Service Level Agreement has not been signed by the developers. She said that the problem was that the developers did not want to accept the municipality's proposal which led to senior counsel being appointed which could cost the municipality in excess of R27 500 per hour.

Referring to the engagement Senior Management had with SANRAL regarding the future development of the N2 within the municipal area, Mrs Vorster indicated that they did not agree with SANRAL's proposals and requested further discussion.

She said that she was bound by law to report on progress regarding the vacancy of the Director Infrastructure Services and said that it has been advertised again and in total four applications were received. The consultant was busy with verification of the applicants.

She said that she will ask Minister A. Bredell for a 3-month extension of the acting Director Infrastructure Services' contract of Mr W. Treurnicht.

RECOMMENDED TO COUNCIL

1. that cognisance be taken of the report of the Municipal Manager to the Executive Mayor for Period October to November 2023

10.2 Consideration of matters which require non-disclosure

None

10.3 Consideration of urgent matters

None

11 MINUTES OF THE PORTFOLIO COMMITTEES

RESOLVED:

that cognisance be taken of the following minutes:

- 11.1** Minutes of a Community Services and Housing Portfolio Committee meeting held on Tuesday, 17 October 2023.
- 11.2** Minutes of a Corporate and Financial Services Portfolio Committee meeting held on Tuesday, 17 October 2023.
- 11.3** Minutes of a Infrastructure Services Portfolio Committee meeting held on Tuesday, 17 October 2023.

12 GENERAL

13 CLOSURE

The Executive Mayor thanked everybody for their time and commitment to attend the meeting.

The meeting adjourned at 14:51.

SPECIAL MAYORAL COMMITTEE MEETING **MINUTES**



MINUTES OF A SPECIAL MAYORAL COMMITTEE MEETING HELD ON THURSDAY, 07 DECEMBER 2023 AT 11:12 IN THE COUNCIL CHAMBERS, RHENIUS STREET, SWELLEN DAM.

PLEASE RETAIN THIS DOCUMENT FOR RECORD PURPOSES AS IT WILL NOT BE CIRCULATED AGAIN.

Yours sincerely.

A handwritten signature in black ink, appearing to read "H.F. du Rand", is written over a horizontal line.

H.F. DU RAND
EXECUTIVE MAYOR

24-01-2024
DATE

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MINUTES OF SPECIAL MEETING OF THE MAYORAL COMMITTEE OF SWELLENDAM MUNICIPALITY HELD ON THURSDAY, 07 DECEMBER 2023 AT 11:12 IN THE COUNCIL CHAMBERS, RHENIUS STREET, SWELLENDAM.

PRESENT:	Councillor	H.F. Du Rand	Executive Mayor
		E. Lamprecht	Member
		F. Kees	Member

IN ATTENDANCE:	A. Vorster	(Municipal Manager)
	E. Wassermann	(Director: Financial Services)
	K. Stuurman	(Director: Community Services)
	W. Treurnicht	(Acting Director: Infrastructure Services)
	J. Etzebeth	(Manager: Administrative Support Services)

ALSO PRESENT

L. van Rooi (Intern: Committee Services)

SECRETARIAT:

K. Uys

RECORDING OFFICER:

K. Uys

1. OPENING AND WELCOME

At 11:12 the Executive Mayor, Councillor H.F. Du Rand welcomed everyone at the Mayoral Committee meeting and declared the meeting duly constituted with a quorum present.

2. ELECTION OF CHAIRPERSON, IF NECESSARY

None

3. APPLICATION FOR LEAVE OF ABSENCE
--

None

4. SPEECHES AND SUBMISSIONS

None

5. CONFIRMATION OF MINUTES

None

6. MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING

None

7. STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR

None

8. DISCLOSURE OF INTERESTS BY COUNCILLORS

None

9. FINANCIAL REPORTING

None

10. MATTERS FOR CONSIDERATION

10.1 Items submitted by officials of the Council

10.1.1

Item number B5. 07.12.2023

AMENDMENT OF LEASE: SWELLENDAM COMMONAGE: CAMP B: KOORNLANDSRIVER PIG FARMERS: CHANGE OF NAME

Report of the Director Community Services: Mr. K.D. Stuurman

Department Community Services

File number 7/2/3/1/1

PURPOSE OF THE REPORT

To inform the Mayoral Committee of the name change of Koornlandsriver Pig Farmers to the Swellendam Small Scale Farmers Primary Co-operative and get the necessary approval to change the signed lease agreement into the new name with the chairperson as signatory.

FACTS AND BACKGROUND

Camp 50 of the Swellendam Commonage was contracted to the Koornlandsriver Pig Farmers to manage. All the existing pig farmers on this agreed to the name change and change of management with Mr. Willem Pekeur as chairperson.

The entity is also registered at the Companies and Intellectual Property Commission (CIPC).

DISCUSSION

The agreement can be on the same conditions as the existing one and the time frames and lease amount remain the same.

LEGAL IMPLICATIONS

Municipal Finance Management Act, 2003

By-law relating to the management and administration of immovable property, 2018.

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Director: Corporate Services

Director: Community Services

Director: Financial Services

Director: Infrastructure Services

Municipal Manager

RECOMMENDED

that it be approved that the name of the lessee of Camp 50 of Swellendam Commonage land be changed from Koornlandsriver Pig Farmers to Swellendam Small Scale Farmers Primary Co-operative with the Chairperson Mr W. Pekeur as signatory and the existing lease agreement be amended accordingly.

The Mayoral Committee was in support of the recommendation as-is.

RESOLVED

Item B5/07/12/2023

that it be approved that the name of the lessee of Camp 50 of Swellendam Commonage land be changed from Koornlandsriver Pig Farmers to Swellendam Small Scale Farmers Primary Co-operative with the Chairperson Mr W. Pekeur as signatory and the existing lease agreement be amended accordingly.

10.2 Consideration of matters which require non-disclosure

None

10.3 Consideration of urgent matters

None

11. MINUTES OF THE PORTFOLIO COMMITTEES

None

12. GENERAL

None

13. CLOSURE

The Executive Mayor thanked everybody for their time and commitment to attend the meeting.

The meeting adjourned at 11.14.