

MINUTES FOR **CONFIRMATION**

1. Minutes of a Mayoral Committee meeting held on Wednesday,
23 October 2024. Pg.1 - 23

MAYORAL COMMITTEE MEETING MINUTES



**MINUTES OF THE MAYORAL COMMITTEE MEETING
HELD ON WEDNESDAY, 23 OCTOBER 2024 AT 09:21 AT
THE ARCHBISHOP DESMOND TUTU LIBRARY,
SWELLENDAM.**

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Yours sincerely.

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

DATE

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4. SPEECHES AND SUBMISSIONS

None

5. CONFIRMATION OF MINUTES

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

RESOLVED:

- 5.1 that the minutes of an ordinary meeting of the Mayoral Committee held on Wednesday, 18 September 2024 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

6.1 **Matters arising from the minutes of the Mayoral Committee meeting held on Wednesday, 18 September 2024:**

Kabeljoubank Viewing Deck and Stairs: Infanta

In response to a question raised by the Executive Mayor, the Municipal Manager responded that the community has requested a different layout for the pathway. The cost was estimated at around R100 000.

She said that the community expressed their willingness to build it if the necessary material was provided to them. She shared that Kabeljoubank Viewing Desk and Stairs was on Erf 141, Infanta and was privately owned. Vehicular access to the viewing desk is directly off Main Road 268 across Erf 201 and then across Erf 141. The road was privately owned and was very likely to have vested by prescription as it has been in continuous public use for in excess of 30 years. She added that the Kabeljoubank Viewing Desk and Stairs together with the part of Malgas (Erf 420) and the Public Launch Sites at Moddergat and Infanta, were the only existing access points to coastal public property for a distance of 50km. The Municipality recently proclaimed its By-Law on Coastal Access Land which serves as a mechanism to generate guaranteed access to coastal property by all members of the public.

She added that the Manager Town Planning and Building Control has pointed out that the stated purpose of the Coastal Access By-Law was as follows:

“To provide for the procedure to designate land as coastal access land and to provide for the amendment or withdrawal of such designation; to promote, regulate and control public access to coastal public property; and to provide for matters incidental thereto.

Section 7(1) of the By-law makes provision for a coastal access audit. See below.

7. (1) *The municipal manager must ensure that a coastal access audit is prepared for the purpose of identifying:*

- (a) historic points of access to coastal public property;*
- (b) existing points of access to coastal public property;*
- (c) areas where there is a need and desire of the public to access coastal public property;*
- (d) areas of conflict pertaining to accessing coastal public property;*
- (e) potential land to facilitate access to coastal public property;*
- (f) the nature and type of coastal access at the historic, existing and potential access sites."*

She shared the Manager Town Planning's view that given that the 4 existing access points were very clearly existing, historic, and where the public have demonstrated its need and desire to access coastal public property, they will likely be picked up on in the stated audit. Following on from this, of the areas may be designated as coastal access land – ito. Section 7(6)(b)(i). However, it may well also be found that it is not necessary to specifically designate such areas, as per Section 7(6)(b)(ii), in which case those areas simply continue to be used as coastal access land – such as in the case of the Kabeljoubank Viewing Deck and Stairs. To date the property owner is very amenable to the continued use of the facility by the public, and has even offered to assist with its repair and maintenance.

She further shared the Manager Town Planning's view:

"Section 11 makes specific provision for the Municipality to upgrade, maintain and / or provide facilities at any coastal public land access sites, which do not require specific designation, but which are or can be used for public access. See below.

(11) The Municipality may, having regard to the recommendations contemplated in subsection (8), upgrade, maintain and provide facilities at any access sites which do not require designation, but which are or can be used and managed for public access as contemplated in subsection (6)(b)(ii).

The Kabeljoubank Viewing Deck and Stairs falls squarely in under Section 7(6)(b)(ii) of the By-Law, thus providing the Municipality with a clear mandate to expend monies to assist with the requisite upgrade and maintenance functions which the facility currently needs."

SASRIA Claim

The Executive Mayor enquired about progress in this regard. The Director Financial Services said she would follow it up with the PMU Manager. She said there was a suitable person on the panel and the PMU Manager was in talks with Province in this regard as well. The Director Community Services, Mr K. Stuurman said that Mr Braam Verwey has agreed to assist with designs for the Thusong Building.

Housing

The Executive Mayor referred to the flailing FLISP programme and cited 1100 empty houses in Mossel Bay as an example. He said that the approach to the Railton CBD should be reviewed to consider the possibility of rather selling serviced sites. The Municipal Manager, Mrs A. Vorster commented that the development should be included in the Small Town Regeneration project.

TID Progress

The Executive Mayor enquired about progress in this regard. The Director Financial Services, Ms E. Wassermann said that 5168 meters were converted. She added that the owners of 1183 meters did not buy pre-paid electricity as yet and they would have to be convinced to buy electricity to enable her to establish tendency. She shared that the immediate risk was the 248 meters that had to be replaced and the supply of new meters was only expected during the second week of November.

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 September 2024.

RESOLVED

9.1.1 that cognisance be taken of the Section 71 Report for September 2024.

10 MATTERS FOR CONSIDERATION

10.1 Items submitted by officials of the Council

10.1.1

Item number A164. 23.10.2024

SUPPLY CHAIN MANAGEMENT MONTHLY REPORT – SEPTEMBER 2024

Report by the Director Financial Services: Ms. E Wassermann

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.

The SCM monthly report for September 2024 **is attached as A.1 to A.2 of the Annexures.**

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 September 2024 is attached as Annexure A 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, 2024

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 Corporate and Financial Services Portfolio Committee meeting held on Monday, 14 October 2024.

RECOMMENDED

1. that Council takes cognisance of the Supply Chain Management Report for September 2024 attached as Annexure.

RECOMMENDED TO COUNCIL

Item A164/23/10/2024

1. that Council takes cognisance of the Supply Chain Management Report for September 2024 attached as Annexure.

10.1.2

Item number A165. 23.10.2024

CLOSING OF MUNICIPAL OFFICES FOR DECEMBER 2024

Report by the Senior Manager – Human Resources: Mr P. Le Roux

Department	Municipal Manager
Section	Human Resources
File number	2/5

PURPOSE OF REPORT

The purpose of the report is to consider the closing of the municipal offices between Christmas and New Year.

FACTS AND BACKGROUND

Traditionally the municipal offices close between Christmas and New Year subject to the condition that employees must take leave for this period. Provision is made in the leave regulations for such closure. The closing of the offices does not affect essential and/or standby services.

DISCUSSION

None

LEGAL IMPLICATIONS

None

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

Employees who would normally be on duty take leave for 3 (three) days;
Sufficient staff to be placed on standby duty to perform essential services.

COMMUNICATIONS IMPLICATIONS

The closing of the offices to be widely communicated to the public by means of advertisements in the local newspapers, social media platforms, the website and notices on notice boards along with a list of contact numbers for standby services.

COMMENTS FROM DEPARTMENTS

Director: Community Services

None

Director: Financial Services

None

Acting Director: Infrastructure Service

None

Municipal Manager

Recommendation is supported.

This item served on the Corporate

This item served on the Corporate- and Financial Services Portfolio Committee meeting held on Monday, 14 October 2024.

RECOMMENDED

1. that approval be granted for the closing of the municipal offices (excluding pay points / cashier's offices) for the period **27 - 31 December 2024**, on condition that all employees who would normally be on duty for the said period take **leave for 3 (three) days**.
2. that employees who perform essential services continue with their work and that sufficient staff be placed on standby duty for the said period.
3. that all **pay points / cashier's** offices be **open** for services on 27, 30 and 31 December 2024 from **08:00 to 12:00** daily.
4. that all municipal offices **close at 12:00 on Tuesday, 24 December 2024**.
5. that **salaries** be paid on **Wednesday, 18 December 2024**.
6. that the closing of the offices be widely communicated to the public by means of advertisements in the local newspapers, notices on notice boards and social media platforms along with a list of contact numbers for standby services.

RECOMMENDED TO COUNCIL

Item A165/23/10/2024

1. that approval be granted for the closing of the municipal offices (excluding pay points / cashier's offices) for the period **27 - 31 December 2024**, on condition that all employees who would normally be on duty for the said period take **leave for 3 (three) days**.
2. that employees who perform essential services continue with their work and that sufficient staff be placed on standby duty for the said period.
3. that all **pay points / cashier's** offices be **open** for services on 27, 30 and 31 December 2024 from **08:00 to 12:00** daily.
4. that all municipal offices **close at 12:00 on Tuesday, 24 December 2024**.
5. that **salaries** be paid on **Wednesday, 18 December 2024**.

6. that the closing of the offices be widely communicated to the public by means of advertisements in the local newspapers, notices on notice boards and social media platforms along with a list of contact numbers for standby services.

10.1.3

Item number A166. 23.10.2024

SYSTEM OF DELEGATIONS

Report of the Municipal Manager: Ms. A. Vorster

Department Office of the Municipal Manager

File number 2/6/2

PURPOSE OF REPORT

The purpose of this report is to afford Council the opportunity to reconsider the delegation of powers to office bearers and officials as per a request received from the Speaker.

FACTS AND BACKGROUND

Council, during a which was held on 29 June 2023, has resolved as follows per Resolution A 105/29/6/2023:

UNANIMOUSLY RESOLVED

Item A105/29/6/2023

1. that the System of Delegations, attached on pages 1107 to 1269 of the Annexures, which was workshopped on 27 June 2023, be approved by Council with amendments made in workshop.
2. that all powers not reserved by law for full Council, be delegated to the Executive Mayor as per the System of Delegations.

DISCUSSION

Section 51(k) and (l) of the Systems Act provides that a municipality must within its administrative and financial capacity establish and organise its administration in a manner that would enable the municipality to, inter alia, delegate responsibility to the most effective level within the administration; and - involve staff in management decisions as far as is practicable.

Sections 59 – 65 of the abovementioned Act deals with delegations.

Section 59(1)(a) provides as follows:

“A municipal council must develop a system of delegations that will maximise administrative and operational efficiency and provide for adequate checks and balances, and, in accordance with that system, may delegate appropriate powers, excluding a power mentioned in section 160(2) of the Constitution and the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b) and to approve or amend the municipality’s integrated development plan, to any of the municipality’s other political structures political office bearers, councillors or staff members.”

Section 160(2) of the Constitution stipulates:

“The following functions may not be delegated by a municipal council:

- (a) the passing of by-laws;
- (b) the approval of budgets;
- (c) the imposition of rates and other taxes, levies and duties; and
- (d) the raising of loans.”

Section 60(3) of the Structures Act provides as follows:

"Those of the executive mayor's powers and functions as may be designated by the municipal council must be exercised and performed by the executive mayor together with the other members of the mayoral committee." This method of delegation, for technical and practical reasons, is not suggested."

Annexures are attached as A.3 and A.4.

Annexures: System of Delegations

LEGAL IMPLICATIONS

- Local Government: Municipal Systems Act, No 32 of 2000 (Systems Act)
- Section 160(2) of the Constitution of the Republic of South Africa, 1996 (Constitution)
- Section 60(3) of the Local Government: Municipal Structures Act, No 117 of 1998.

FINANCIAL IMPLICATIONS

None

PERSONNEL IMPLICATIONS

None

COMMUNICATION IMPLICATIONS

None

COMMENTS FROM DEPARTMENTS

Director: Community Services

None

Director: Financial Services

None

Director: Infrastructure Services

None

Municipal Manager

None

This item served on the Corporate- and Financial Services Portfolio Committee meeting held on Monday, 14 October 2024.

SUBMITTED FOR CONSIDERATION

RESOLVED:

Item A166/23/10/2024

Submitted for consideration.

10.1.4

Item number A167. 23.10.2024

SUPPLY CHAIN MANAGEMENT QUARTERLY REPORT – JULY - SEPT 2024

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

PURPOSE OF REPORT

The quarterly report for the Supply Chain Management (SCM) is prepared to update the Council on SCM's key activities for the quarter and to meet the reporting requirements of the Legislative Framework.

FACTS AND BACKGROUND

In terms of section 6 of the Supply Chain Management Regulations, the 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 attached **Annexure A.5** contains the SCM quarterly report for September 2024, which will help the council in its oversight role. The report covers the following: -

- Procurement statistics for the month -
- Awards above R 100 000 reported to National Treasury -
- SCM deviations -
- BBBE

There are no major problems with the implementation of the SCM policy. However, we are facing difficulties with the new preference point system, which is applied to all procurements above R2000. We are experiencing delayed implementation and reluctance from suppliers to quote for small amounts.

To address these challenges, the SCM unit is working on a more strategic approach, which will be rolled out in the 2024/2025 financial year. The main areas of focus are: -

- Increasing space at municipal stores to enable more strategic procurement and improve the turnaround time for goods and services;
- Achieving cost savings through bulk procurement;
- Centralizing buying from all departments to SCM.

LEGAL IMPLICATIONS

- Municipal Finance Management Act, 2003
- Municipal Supply Chain Management Regulation, 2005
- Municipal Supply Chain Management Policy, 2024

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 Corporate- and Financial Services Portfolio Committee meeting held on Monday, 14 October 2024.

RECOMMENDED

1. that Council takes cognisance of the Supply Chain Management Quarterly Report for July to September 2024 attached as **Annexure A.5**.

DISCUSSION

The Executive Mayor enquired about procurement planning and asked if it was possible to have all the specification processes finalised by end of November 2024. The Director Financial Services responded that she would take stock of progress at the end of October. She added that the increasing number of objections received was becoming a substantial challenge and risk for progress. More funds would be required for payment of an Independent Reviewer.

The Municipal Manager said that the hard reality was that SCM processes should commence much sooner but capacity was a major problem. She said the solution could be to change

the organisational structure to expand the PMU Unit and move the maintenance of buildings to another section to enable the PMU Unit to focus on capital projects.

RECOMMENDED TO COUNCIL

Item A167/23/10/2024

1. that Council takes cognisance of the Supply Chain Management Quarterly Report for July to September 2024 attached as **Annexure A.5**.

10.1.5

Item number A168.

23.10.2024

MONTHLY REPORT OF MUNICIPAL MANAGER: OCTOBER 2024

The following report on activities for October 2024 is presented:

Barrydale Sportsfield Upgrade

The Barrydale Sports Community received a sponsorship totaling R50 000 from Mr John Dobson, John Maytham, Sir Simon and DHL for the upgrade of the Barrydale rugby field. The Sporting fraternity proposed upgrades of the Barrydale sports field with the assistance of Meyer Joubert and Potgietersbroers to bring the field up to match standards. The project is to commence from 12 October to 31 January and the Municipality will supply EPWP/CWP workers and water to the rugby field. The local sport clubs were contacted and informed that the field cannot be used during this time. This is an important collaboration with the community.

The Director Community Services indicated that sport forums in all towns have been established and that an umbrella Sport Forum for the whole municipal area is the next step.

Railton Sports Grounds

The Railton Sports Grounds have been vandalised and could not be repaired before the security has been upgraded. The latter upgrades will take place in October whereafter the ablutions will be upgraded and an agreement will be made with clubs that they will be responsible for any damage when they use the facilities. Challenges with public urination and defecation/indecency in the public area next to the sport field, opposite the liquor outlet are experienced. The Municipality performs clean ups in the area and have increased law enforcement in this area during matches.

Phelophepa Health Care Trains Operations

The Transnet Foundation, Phelophepa Health Care Trains Operations, expressed their thanks and appreciation to the Municipality the exemplary manner in which they received co-operation and assistance during the staging of the Phelophepa Health Care Train II at Swellendam Railway Station for the period 23 September until 04 October 2024.

Apologies were extended for the payment issues that were encountered. This has been addressed and everyone has been paid.

The Municipality was praised for the professional manner in which they performed their role. The cleaning of the station, the provision of municipal services and security as well as the constant interaction were complemented. The following staff made an exceptional contribution to the success of the initiative:

Doreen Jonas, Charlene Lottring, Gershan Jansen & Team, Louis Mralasi, Brian de Silva & Team, Li Ann Minnies and Christopher Jaftha.

The Municipality provided transport to the amount of R8 300.00.

The statistics for the visit are attached as A6 and A7 of the Annexures.

IDP MEETINGS

Swellendam Municipality is concluding its first round of public participation public meetings on the Integrated Development Plan (IDP) during October. On 2 October 2024 the Municipality met with SPARC management and on 9 October Management met with the Malgas Ratepayers Association to collate their input for the IDP.

Ward 5's IDP public participation meeting was on 17 October 2024.

The facilitating of inputs is a continuous process and will continue in the next months to enable the drafting of the draft IDP and budget in March 2025.

HUMAN RIGHTS COMMISSION: STORMSVLEI

The Municipal Manager held another meeting with the Office of the Human Rights Commission on the lack of services on a private farm in Stormsvlei. The Council resolution was conveyed to the Commission, but two political parties indicated that they will each donate a water tanker to the affected parties. This will be transported to the area to be identified by the Commission.

HOUSING PROJECT: SWELLENDAM

The next handover of houses to identified beneficiaries will be in the first and second week of November in a batch of 30 houses each. The wheelchair adapted houses do not form part of this allocation, but forms part of the next 100 houses that is currently nearing completion.

WATER RESTRICTIONS

Swellendam has three dams for storing raw water, with the main dam, Grootkloof 3, currently at 76% capacity. If no rain occurs, this water will last the Municipality for about three to four months.

The dams are replenished through a water channel from the mountain, which broke in March, stopping the inflow. Emergency repairs were completed, but formal repairs began in July and lasted six weeks, during which dam levels dropped to nearly 55%.

Given the hot and dry summer forecast, the Municipality has initiated a campaign to promote responsible water use. Level 1 water restrictions took effect on October 14, encouraging residents to use water wisely. There are no strict limits, but residents are asked to water their gardens every second day and fill swimming pools only once a week.

As always, water levels will be monitored throughout the summer, and residents are reminded to use water responsibly.

The water restrictions are attached for cognisance as A8 and A9 of the Annexures.

OVERBERG DISTRICT MUNICIPALITY TOURISM ENGAGEMENT

Swellendam Municipality met with Overberg District Municipality's newly appointed tourism official on 2 October to engage on collaboration and a collective tourism marketing strategy and economic development. The Overberg District's official was invited to join the Small-Town Regeneration Steering Committee. Once the ODM engaged with all B-municipalities, an Overberg LED forum will be established to enhance collaboration. A suggestion to develop an Overberg Tough initiative in Swellendam was discussed and is to be developed further.

ENERGY DISCUSSION

A meeting on possible wheeling initiatives as part of the Municipality's Renewable Energy Strategy was held on 2 October with Provincial officers in attendance. A Wheeling Policy will be drafted and tabled to Council. A follow-up meeting is scheduled for 25 October.

WEBSITE REVIEW

A meeting took place with a website developer that will develop a website for the Municipality free of charge as a pilot project. This initiative is being further investigated.

SILO WASTE WATER PUMP STATION

The site hand-over of the Silo Waste Water Pump Station took place on 11 October with the contractor doing site establishment within two weeks. The duration of this project is estimated at six months.

BARRYDALE WATER RESERVOIR

As part of the Municipality's initiative to ensure clean drinking water, the main reservoir in Barrydale was emptied and cleaned on 17 October 2024. The public was informed prior to the event and emergency water was made available during the water disruption.

TDI TURN OVER

The last batch of the TDI rollovers is in process. At this stage it seems that it is necessary to replace around 450 meters that are not compatible with the change over requirements. The Municipality have some meters in our stores as consumables and placed an additional order to address the shortfall. The lead time for delivery is 6-8 weeks.

To date 4386 meters have been changed, with 2300 remaining. The meter implementation is at 55%. A further 1 200 meters have been rolled out in the week of 14 October and is thus in process of change overs.

WHATSAPP FOR ENGINEERING COMPLAINTS

The Technical Department has a whatsapp number, 0609441339, that can be used, in addition to the Link App system to log water, electricity, sanitation, roads and stormwater complaints during working hours in the week. Councillors are requested to disseminate this information.

POPIA TRAINING

Internal Staff and Councillors underwent POPIA training via a virtual platform on 14 October 2024. The slides will be circulated once the presenter has sent it to us.

TRANSNET PROPERTY TRANSFER

The transfer cost payment towards the Transnet property in Swellendam has been made and the deed submitted for transfer.

The above is a summary of activities for the first two weeks of October 2024.



A Vorster
MUNICIPAL MANAGER

RECOMMENDED TO COUNCIL

Item A168/23/10/2024

that the contents of the Municipal Manager's monthly report for October 2024, be noted.

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 Monday, 09 September 2024.
- 11.2** Minutes of a Corporate and Financial Services Portfolio Committee meeting held on Thursday, 12 September 2024.
- 11.3** Minutes of an Infrastructure Services Portfolio Committee meeting as held on Wednesday, 11 September 2024.

12 GENERAL

None

13 CLOSURE

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

The meeting adjourned at 10:52