



Rustenburg Swimming Club

P.O Box 1357
Rustenburg
0300
Fax: 086 559 3233
E-mail: rene@ffprok.co.za
Josey Harris 082 920 1142

28 February 2022

Attention: Mrs Nellie Rampete
Director of Community Development
Rustenburg Local Municipality
By email: nrampete@rustenburg.gov.za

INDEPENDENT AND DIRECT APPLICATION

APPLICATION TO RENT, MANAGE AND MAINTAIN THE RUSTENBURG MUNICIPAL SWIMMING POOL - MARAIS STREET

The RUSTENBURG SWIMMING CLUB herewith applies independently and directly to the Director of Community Development of the Rustenburg Local Municipality to rent, manage and maintain the Rustenburg Municipal Swimming Pool – Marais Street, together with all the facilities, equipment, buildings including the Harry Wulfse hall at the site thereof (hereinafter collectively referred to as **THE POOL**).

This Application is supported by the reasons and the contents of this document.



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

INDEX

1) Index	Page 1
2) Background of Rustenburg Swimming Club	Page 2
3) Contact details of Rustenburg Swimming Club	Page 3
4) General Information of Rustenburg Swimming Club	Page 4
5) Rustenburg Swimming Club as ambassador	Page 5
6) Usage of the Pool facilities	Page 6
7) Condition of the Pools at Marais Street, Rustenburg	Page 8
8) Upgrade/Development of the Pool facilities	Page 10
9) Cash flow and affordability of this tender to Rustenburg Swimming Club	Page 12
10) Term of recovery of costs	Page 13
11) Offer/Proposed rental payable to the RLM	Page 14
12) Public Liability Insurance	Page 15
13) Quotation repairs and monthly maintenance	Annexure A
14) Confirmatory Letter from Northwest Swimming (NWS)	Annexure B
15) Confirmatory Letter from Swimming South Africa (SSA)	Annexure C



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

2. BACKGROUND OF RSC

- Rustenburg Swimming Club is a Non Profitable Sport Club, which is run and managed by an independently elected Management Committee.
- Rustenburg Swimming Club is currently in the process of registration as an officially Non Profitable Organization (NPO).
- Rustenburg Swimming Club already came to life during 1963 and is currently in existence for **59 years**.
- Rustenburg Swimming Club became the recognized official swimming club of the city of Rustenburg and was as such a registered member of the erstwhile Rustenburg Sports Forum since the early 1980's.
- Rustenburg Swimming Club is registered with Northwest Swim (NWS) as well as with Swim South Africa (SSA). See annexures "B" & "C" attached hereto.
- Rustenburg Swimming Club has since 1963 provided life skills (swimming) to the Community of the city of Rustenburg.
- Rustenburg Swimming Club does not differentiate or discriminate between age, sex, culture, race or religion and teach young and old to swim. **Each and every person interested in the sport of swimming is welcome to join Rustenburg Swimming Club.**
- Rustenburg Swimming Club teaches from the very early stages of "Learn to swim" right up to the prestigious levels of participation in National and International Gala events.
- Rustenburg Swimming Club as a non-profitable sports club keeps its monthly fees to the bare minimum, to only cover running costs and expenses of the club.
- Rustenburg Swimming Club's low monthly fees furthermore encourage participation by all members of the Rustenburg community in the technique and the sport of swimming.



Rustenburg Swimming Club

P.O Box 1357
Rustenburg
0300

Fax: 086 559 3233
E-mail: rene@ffprok.co.za
Josey Harris 082 920 1142

- Rustenburg Swimming Club has always, as a contribution to the Rustenburg community and with its service delivery to the members of the public, taught swimming skills to the members of the Rustenburg Police force, free of charge.
- Rustenburg Swimming Club even taught a member of the Rustenburg Police force to be a qualified, skilled Police diver, free of charge.
- Rustenburg Swimming Club has, for the previous five years, been running a swim awareness and splash polo holiday swim program, free of charge, for the members of the Community of Rustenburg, during the December school holidays.
- Rustenburg Swimming Club teaches Learn to swim, Stroke development, Gala swimming as well as Adult lessons, to learners aged between 5 and 80 years of age.
- The ratio of swimmers for the previous swimming season was: white 35%, black 49% and colored 16%.

3. CONTACT DETAILS OF RSC

- RSC uses as contact details:
 - Address: 219 Beyers Naude Avenue, Rustenburg, 0299
 - Postal: P.O. Box 8210, Rustenburg, 0300
 - Tel: 014 592 5675/9
 - Cell: 083 651 2254
 - Contact: Fanie van der Walt
 - Designation: Chairman



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

4. GENERAL INFORMATION OF RSC

- Rustenburg Swimming Club is governed by an independent elected governing body, which currently consists of:
 - L Lephoi - Marketing
 - N Mkandla - National representative and Coach
 - W Hautman - Vice Chairman and Coach
 - M Hautman - Coach
 - R van der Walt - Secretary, Treasurer and Gala Organizer
 - F van der Walt - Chairman
- Rustenburg Swimming Club makes use of the expertise of the following swimming Instructors/Coaches:
 - Ntandoyenkosi Mkandla (cell: 078 536 7673), a qualified SSA (Swim South Africa) Learn to Swim Instructor as well as a qualified Level One Gala Coach. Mrs Mkandla also serves on the Northwest Provincial Swimming Board as provincial committee member; and
 - Megan Hautmann (cell: 073 556 6429), a qualified SSA (Swim South Africa) Learn to Swim Instructor as well as a qualified Baby Swimming Instructor; and
 - Werner Hautmann, (tel:014 569 6624), a qualified SSA (Swim South Africa) Level One Gala Coach



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

- All three Instructors/Coaches of the Rustenburg Swimming Club are SSA (Swim South Africa) trained and registered. All three Instructors/Coaches furthermore obtained the following qualifications and certificates as stipulated by Swim South Africa:
 - First Aid Certificate, CPR (adults, children and infants)
 - Police Clearance Certificate
 - Child Protection Certificate
 - Long Term Development Participation Certificate

5. RUSTENBURG SWIMMING CLUB AS AMBASSADOR

Rustenburg Swimming Club is a true ambassador of the city of Rustenburg with its steadfast commitment to the furtherance of this sport for its community members. The swimmers of the Rustenburg Swimming Club always act with dignity and respect whilst representing the city of Rustenburg's name at the following top events all over South Africa and abroad:

- Inter Provincial Gala events; and
- National Gala events, Level One; and
- National Gala events, Level Two; and
- National Gala events, Level Three; and
- National Gala events, Nationals (the highest level to achieve in SA!!); and
- International Gala Events



Rustenburg Swimming Club

P.O Box 1357
Rustenburg
0300

Fax: 086 559 3233
E-mail: rene@ffprok.co.za
Josey Harris 082 920 1142

Rustenburg Swimming Club acts as a noble and noteworthy force to be reckoned with on all levels of swimming. Kindly note that Rustenburg Swimming Club has always been fully backed by and held in high esteem by both Northwest Swim (NWS) as well as Swim South Africa (SSA). NWS is the official swimming body of the province of Northwest and SSA is the official and governing swimming body of the Republic of South Africa!

Kindly find attached hereto (annexures "B" & "C"), the Confirmatory Letters from both Northwest Swim as well as Swim South Africa in support of Rustenburg Swimming Club.

6. USAGE OF THE POOL FACILITIES

Rustenburg Swimming Club has had free usage of the municipal pool facilities at Marais Street for the first two decades of its existence and thereafter paid monthly rent to the Rustenburg Local Municipality for the past three decades for the usage of the pools.

The clubhouse at the Marais Street municipal pool had been built by Anglo American as a sponsorship to Rustenburg Swimming Club several decades ago.

Rustenburg Swimming Club and its management is the best possible candidate for renting, maintaining and developing the pool facilities at Marais Street, Rustenburg!



Rustenburg Swimming Club

P.O Box 1357
Rustenburg
0300

Fax: 086 559 3233
E-mail: rene@ffprok.co.za
Josey Harris 082 920 1142

Rustenburg Swimming Club will use and maintain the swimming pools and other facilities at Marais Street for the furtherance of the sport as well as for the leisure of swimming for the benefit of the community of the city of Rustenburg at large. Rustenburg Swimming Club has the goodwill and support of Northwest Swim (NWS) as well as Swim South Africa (SSA) in this regard.

The 50m gala pool at Marais Street is currently only one of two of the remaining 50m gala pools in the province of Northwest, the other being at Potchefstroom. The 50m gala pool at Marais Street however, is the only 50m gala pool in the Northwest province in full compliance with international regulations regarding the accommodation of touchpad timing facilities for the hosting of official National Gala events.

The gala pool facilities at Marais Street were built to world class specifications and should be cared for and maintained as the jewel that it indeed is!

The 25m diving and leisure pool, the kiddies splash pool as well as the kiosk, washing- and changing rooms, toilets, gardens, the Harry Wulfse hall and the rest of the amenities is indeed also suitable to offer top class leisure and enjoyment to the community of the city of Rustenburg at large.

Rustenburg Swimming Club aims at promoting and further developing these world class facilities to its full potential and for the benefit of the community of Rustenburg.

Rustenburg Swim Club will furthermore host provincial as well as national galas in its quest to further develop the sport as well as to give the city of Rustenburg exposure to these prestigious events.



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

7. CONDITION AND MAINTENANCE OF THE POOLS AT MARAIS STREET, RUSTENBURG

1. 50 METER GALA POOL

- 1.1. This pool has recently developed a critical structural crack underneath its tiles and in its concrete sub-structure. This pool needs urgent but costly repairs done to its structure to save the facility.
- 1.2. The starting blocks of this pool are also in need of urgent repairs/replacement.
- 1.3. This pool needs urgent attention to its chlorine gas as well as circulation equipment (pump house).
- 1.4. To accommodate provincial and national gala events the spotlight system also needs to be repaired and upgraded.

2. 25 METER DIVING POOL

- 2.1. This pool needs costly repairs to its circulation equipment (pump house) as well as to the underwater pool surface.
- 2.2. Month to month maintenance of the mechanical equipment was mostly done by Rustenburg Swimming Club during the last 6 (six) months and at the expense of RSC.

3. CHANGING ROOMS AND TOILETS

- 3.1. Only needs minor repairs.

-8-



Rustenburg Swimming Club

P.O Box 1357
Rustenburg
0300

Fax: 086 559 3233
E-mail: rene@ffprok.co.za
Josey Harris 082 920 1142

4. HARRY WULFSE HALL

This hall needs costly repairs to its rotten and broken wooden floor.

5. FUTURE MAINTENANCE

All facilities at THE POOL premises require fixed monthly maintenance, ie chemicals for the PH balance of the water, gardening, cleaning, etc.

6. COSTS OF REPAIRS AND MAINTENANCE

- 6.1 Rustenburg Swimming Club has obtained a quotation for the urgent repairs mentioned in 1 and 2 above, as well as for the fixed monthly maintenance mentioned in 4 above. The quotation is attached hereto as annexure "A".
- 6.2 The urgent outstanding and immediate repairs to the pools amount to **R 3 662 338-80 (THREE MILLION SIX HUNDRED AND SIXTY TWO THOUSAND THREE HUNDRED AND THIRTY EIGHT RAND AND EIGHTY CENTS).**
- 6.3 The recurring maintenance amounts to **R 62 050-00 (SIXTY TWO THOUSAND AND FIFTY RANDS)** per month.



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

8. UPGRADING/DEVELOPMENT OF THE POOL FACILITIES

It is the mission and vision of Rustenburg Swimming Club to upgrade/develop the pool facilities and amenities to the world class standard that it once was and again can be.

Rustenburg swimming club will do this upgrade/development to the benefit of the community of the city of Rustenburg at large.

Rustenburg Swimming Club will see to the full monthly maintenance of the facilities, inclusive of grass cutting, tree pruning and garden maintenance.

Rustenburg Swimming Club will see to all repairs of damages to the facilities.

Rustenburg Swimming Club will be responsible for event management and will host world class Provincial as well as National swimming galas.

Rustenburg Swimming Club will also promote and develop the sport of swimming as well as to do Safety Awareness programs and create sporting and business opportunities for the community of Rustenburg.

Rustenburg Swimming Club will see to the complete interior/exterior finishes and equipment.



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

Rustenburg Swimming Club will involve key role players, such as national corporate sponsors as well as the official governing bodies of Northwest Swim (NWS) and Swim South Africa (SSA) in its strive to achieve its intended goals. Rustenburg Swimming Club as NPO will also qualify for government funding, ie LOTTO, etc.

Rustenburg Swimming Club will generate its income to achieve the abovementioned goals through:

- a. Usage of the Harry Wulfse Hall
- b. Hosting of local, provincial and national gala events
- c. Membership fees
- d. Corporate NPO donations
- e. LOTTO funding

Rustenburg Swimming Club has 59 years' experience in this field and is best equipped to rent, manage and maintain this sport facility of the municipal pool at Marais Street, Rustenburg.



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

9. CASH FLOW AND AFFORDABILITY OF THIS RENTAL TO RUSTENBURG SWIMMING CLUB

Although Rustenburg Swimming Club is a non-profitable sports club, as a 59-year-old prestigious club its finances and cash flow is sound.

As the official registered swimming club of the city of Rustenburg, Rustenburg Swimming Club furthermore receives financial support from both Northwest Swim (NWS), the official swimming governing body of the province of Northwest, as well as from Swim South Africa (SSA), the official National swimming governing body of the Republic of South Africa.

Rustenburg Swimming Club will also generate its own income by the hosting of Local, Provincial as well as National swimming galas.

Rustenburg Swimming Club will furthermore generate a steady stream of income from the entrance fees payable at the gates of the pool facilities.

Rustenburg Swimming Club is also in good standing and receives donations from local as well as national corporate entities.

Rustenburg Swimming Club will also be eligible for state funding through LOTTO.

Rustenburg Swimming Club will generate income through the usage of the Harry Wulfse Hall.

Rustenburg Swimming Club will in the above premises be able to afford the maintenance and upkeep of the Sport Facility of the municipal pool at Marais Street, Rustenburg.



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

10. TERM OF RECOVERY OF COSTS

The immediate expenses to the pool facilities is R 3 662 338-80 (**THREE MILLION SIX HUNDRED AND SIXTY TWO THOUSAND THREE HUNDRED AND THIRTY EIGHT RAND AND EIGHTY CENTS**) as can be seen from page "S", attached hereto, excluding the repairs at the Harry Wulfse Hall.

The fixed monthly maintenance of the facilities is R 62 050-00 (**SIXTY TWO THOUSAND AND FIFTY RANDS**) as can be seen from annexure "A", attached hereto.

With the huge expenses mentioned above as well as the fact that outdoor swimming is in essence a summer season sport, it is estimated that the recovery time of the mentioned costs will be a long-term project and might easily be in the region of twenty or more years.

It is therefore essential that the rental of THE POOL be awarded to Rustenburg Swimming Club for a long and extended period.



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

11. OFFER/PROPOSED RENTAL PAYABLE TO THE RLM

Seen in the light that:

1. The immediate expense of several millions of rands to this facility is necessary;
and
2. That the RLM will be absolved from the expense of future monthly maintenance of the sport facility and associated salaries; and
3. That the Rustenburg Swimming Club takes full responsibility for the full fixed monthly maintenance cost of the facility; and
4. That the Rustenburg Swimming Club takes full responsibility for the cost of repairs of future damages; and
5. That the Rustenburg Swimming Club will uplift/upgrade/develop the sports facility to the benefit of the community of the city of Rustenburg, as well as to the benefit of the RLM (as the owner of the sports facility);



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

12. NOW THEREFOR RUSTENBURG SWIMMING CLUB PROPOSES AS FOLLOWS:

1. Rustenburg Swimming Club to enter into a rental agreement with the RLM for THE POOL for a period of 9 years and eleven months, subject to at least two further extension periods for equal durations; and
2. Rustenburg Swimming Club to bear the costs of all the repairs, maintenance and damages to THE POOL; and
3. Rustenburg Swimming Club to pay monthly rental of R100 (ONE HUNDRED RAND) to the RLM in lieu of THE POOL; and
4. Rustenburg Swimming Club to be absolved from any liability towards the Rustenburg Local Municipality (or any other body) of payment of any water, electricity and other taxes and fees applicable to the POOL facility.

13. PUBLIC LIABILITY INSURANCE

Upon conclusion of a successful rental agreement, the Rustenburg Swimming Club will take out public liability insurance and indemnify the RLM of public liability forthcoming from this Sports Facility.



Rustenburg Swimming Club

P.O Box 1357
Rustenburg
0300

Fax: 086 559 3233
E-mail: rene@ffprok.co.za
Josey Harris 082 920 1142

Yours Truly

A handwritten signature in black ink, appearing to read 'Fanie vd Walt', written over a horizontal line.

Mr. Fanie vd Walt
CHAIRMAN: RSC (cell:083 651 2254)

RJN Maintenance, Services and Repairs

Quotation

Date : 29/06/2021

QO No. 384/2021

Order Number: COD

Client Rustenburg swimming Club

P.O. Box 8210

Rustenburg, 0300

Plot 173, Rhenosterfontein

Rustenburg

(COD Client)

Tel : 0617995208

Item	Description	Qty	Unit Price	Total Value
001	Repair pump station at Olympic Pool	1	R 881 845,90	R 881 845,90
002	Repair pump station at Diving Pool	1	R 559 172,90	R 559 172,90
003	Repair and line olympic pool with new fibre lining	1	R 1 360 000,00	R 1 360 000,00
004	Refurbish starting blocks at Olympic pool	1	R 8 640,00	R 8 640,00
005	Repair and line diving pool with new fibre lining	1	R 739 500,00	R 739 500,00
006	Upgrade existing spotlights around pool areas	1	R 113 180,00	R 113 180,00
007	Monthly landscaping maintenance	1	R 11 050,00	R 11 050,00
008	Monthly pool maintenance on Olympic pool	1	R 34 000,00	R 34 000,00
009	Monthly pool maintenance on Diving pool	1	R 17 000,00	R 17 000,00

Sub Total R 3 724 388,80

Deposit Paid R 0,00

Amount Payable R 3 724 388,80

PAYMENTS OPTIONS :

Cash Payments /EFT

EFT Payments

RJN Maintenance

Capitec Bank

Savings Acc. : 1506823597

Received By : _____(Name)

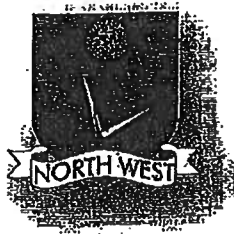
Date : __/__/2020

Signature : _____

* Please note a 70 % Deposit is required

* This quote is valid for 30 days

* Electrical equipment pricing may be affected with price increases on confirmation of order prices will be confirmed



NORTH WEST SWIMMING

(AFFILIATED TO SWIMMING SOUTH AFRICA)

P.O. Box 20691, Noordbrug, 2522

Tel: 083 781 3607

Email: sec@nwswimming.org.za



"B"

08 July 2021

To Whom It may concern

Good Day

Affiliation to North West Swimming

We hereby wish to confirm that Rustenburg Swimming Club is affiliated to the North West Swimming Association, which is in turn affiliated to the South African Swimming Association

We have had an exceptionally long-standing association with the Club, and it is in good standing with us. The pool has been used for many years when North West Age Group Galas and North West Swimming Championships have been hosted by the Rustenburg Club. It is a much sought after venue for these events

Trusting you find this in order

Yours faithfully

Erica Cole
Secretary
North West Swimming



AGENDA: SPECIAL COUNCIL: 21 SEPTEMBER 2023



T +27 11 404 2480
F +27 11 402 2486
P.O. Box 17008, Doornfontein, Johannesburg, 2028, RSA
124 Van Beek Street, North Wing, Ground Floor Johannesburg Stadium, New Doornfontein
www.swimsa.org

08 July 2021

To Whom It May Concern.

RE: CONFIRMATION OF MEMBERSHIP

This letter serves to confirm that Rustenburg Swimming club is an affiliated member of North West Swimming, who is affiliated to Swimming South Africa, and are in good standing with the federation.

Yours sincerely,

A handwritten signature in black ink, which appears to read "Shaun Adriaanse".

Shaun Adriaanse
Chief Executive Officer

President: A. Fritz Vice Presidents Z. Molusi & J. Naidoo
P. Thompson; Treasurer: J. Ellis
Members: L. Bonga, E. Van
Veenhuysen, N. Raphulu, R. Andrews, P. Heyns; Chief Executive Officer: S. Adriaanse;
Hon. Life Presidents S. Ramsamy & G. Sam

AGENDA: SPECIAL COUNCIL: 21 SEPTEMBER 2023



OPTI PROPERTY CONSULTANTS

Reg. No: 2003/000817/23 - VAT No: 4770207654

PO BOX 13834, Norkem Park, 1631

Fax: +27 (011) 976 5003 / +27 (086) 650 5708

Cell No: 083 305 0869 / 082 491 3474

Email: kele@optiprop.co.za; maqau@optiprop.co.za; sapem@optiprop.co.za

25 July 2022

DETERMINATION OF MARKET RENTAL IN RESPECT OF MARAIS SWIMMING POOL RUSTENBURG – ERF 1488

Your instruction to provide market evidence in respect of property used for sports and recreation facilities refers.

1. Purpose of valuation

To determine a fair and reasonable market related rental and rates for community halls and swimming pools within Rustenburg Local Municipality.

Market related rental rates were obtained from the commercial market in Rustenburg and adjusted according to the location and highest and best use of this properties.

Enquiries and consultations with superintendent of similar facilities in and around neighbouring towns e.g. Brits and Pretoria have indicated the rates as shown in the tables below, moreover In view of information obtained we are of the opinion that a fair and reasonable rates are as follows:

Swimming Pools Rates

Adults (18 Years and older)	R20 – 25 Per day
Children (3 – 18 Years)	R10 – 12 Per day R6 – 8 Per day (During holidays)

Hall Rates

1 hour	2 hours	3 hours	4 hours	5 hours	6 hours	7 hours	8 hours
R1 900	R2 500	R 3 000	R 3 600	R 4 500	R 5 300	R 6 000	R 6 800

AGENDA: SPECIAL COUNCIL: 21 SEPTEMBER 2023

Hall Monthly Rental Rate

In view of the current condition of the halls we are of the opinion that market rentals of between R12/m² and R16/m² is achievable.

2. Definition of Market Value

"Market value" is defined as the probable price that a property will achieve at the date of valuation, given a willing and informed buyer and seller and a reasonable period of exposure to the open market.

a. Date of inspection

1st of July 2022

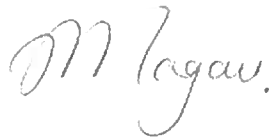
b. Date of valuation

1st of July 2022

Property descriptions

COMMON NAME	PROPERTY DESCRIPTION
Marais Swimming Pool	Erf 1488 Rustenburg

Signed at **Rustenburg** on the this 5th day of July 2022.



S. S. Magau
Professional Valuer
Registration Number 3495

AGENDA: SPECIAL COUNCIL: 21 SEPTEMBER 2023

Photographs

Marais Swimming pool



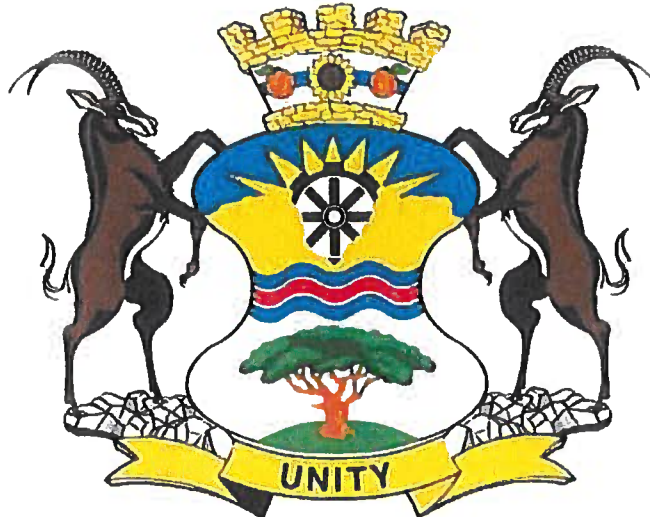


AGENDA: SPECIAL COUNCIL: 21 SEPTEMBER 2023



SERVICE LEVEL AGREEMENT

Entered into by and between



RUSTENBURG LOCAL MUNICIPALITY

(Herein represented by in his capacity as Municipal Manager, duly authorized hereto

(RLM)

AND

THE RUSTENBURG SWIMMING CLUB

(Herein represented by Mr Fanie van der Walt in his capacity as Chairman, duly authorized hereto

(RSC)

(Collectively the "Parties")

AGENDA: SPECIAL COUNCIL: 21 SEPTEMBER 2023

PREAMBLE

WHEREAS the Parties have realized a need to work together for the purpose of developing a co-operative relationship with regard to sport development within the city;

WHEREAS the Parties in compliance with the requirement of intergovernmental framework intends to forge a sustainable working relationship based on co-operative governance;

WHEREAS the Parties shares a mission to build a lasting and beneficial relationship that will enable greater co-operation and sharing of resources for the benefit of both organizations in educational, community and youth development programs; and

WHEREAS the Parties wish to assist each other in trying to improve the lives of the people in its area of jurisdiction.

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. PURPOSE AND SCOPE: -

The main purpose and scope of this agreement is to:

- 1.1 Forge a working relationship in mutual trust and good faith facilitating effective and efficient sport development and implementation of swimming programmes;
- 1.2 Foster and maintain a spirit that guides genuine cooperation and mutual support for the benefit of the communities;

2. REPRESENTATIVES OF THE PARTIES

Each party shall appoint a person to serve as the official contact and facilitator for the co-ordination of all the activities to this SLA:

2.1 RUSTENBURG SWIMMING CLUB

Mr Fanie van der Walt in his capacity as the Chairman of the Rustenburg Swimming Club;

And

2.2 RLM

Mr in his capacity as Municipal Manager of Rustenburg Local Municipality

AGENDA: SPECIAL COUNCIL: 21 SEPTEMBER 2023

4. DURATION OF THIS AGREEMENT

- 4.1 The duration of this agreement is for a period of five years from the effective date of this agreement and may be extended upon written mutual agreement by the Parties.

5. GOODFAITH

- 5.1 This SLA is entered by the parties within acceptable norms of intergovernmental relations as dictated by the principles of good faith;
- 5.2 The SLA constitutes the sole record of the agreement between the Parties. Neither Party shall be bound by any express, tacit or implied term, representation, warranty, promise or the like not recorded herein;
- 5.3 No addition to, variation, or agreed cancellation of any provision of this SLA shall be binding upon the Parties unless reduced to writing and signed by the Parties;

6. REVIEW OF AGREEMENT

- 6.1 This agreement may be reviewed or amended by the parties as when necessary. No amendments shall be effected on this SLA except done in writing and signed by all the Parties.
- 6.2 The Parties acknowledge that neither of the Parties has any authority whatsoever to represent or to bind the other Party in any capacity whatsoever. In particular, but without limiting the generality of the foregoing, neither Party shall be entitled to conclude any contract or sign any document on behalf of the other Party, or in any way bind the other Party's performance, variation, release or discharge of any obligation, except where provided for in this SLA.

7. TERMINATION OF AGREEMENT

- 7.1 Either party may terminate this agreement at any time by giving the other party a period of sixty (60) days written notice.

8. DOMICILE

The Parties choose the following domicile for all notices:-

- 8.1 RLM
Municipal Offices
C/o Nelson Mandela and Beyers Naude Drive
Rustenburg
0300

AGENDA: SPECIAL COUNCIL: 21 SEPTEMBER 2023

8.2 RUSTENBURG SWIMMING CLUB

P O BOX 1357
Rustenburg
0300

9. SIGNATURES

**THUS DONE AND SIGNED AT RUSTENBURG ON THE _____ DAY OF _____
IN THE PRESENCE OF THE UNDERSIGNED WITNESSES**

Witness 1

Full Names _____

Signature _____

Witness 2

Full Names _____

Signature _____ **Mr F v/d Walt**
RUSTENBURG SWIMMING CLUB

**THUS DONE AND SIGNED AT RUSTENBURG ON THE _____ DAY OF _____ IN THE _____
PRESENCE OF THE UNDERSIGNED WITNESSES**

Witness 1

Full Names _____

Signature _____

Witness 2

Full Names _____

Signature _____

Mr R J Mosiane
Acting Municipal
Manager

AGENDA: SPECIAL COUNCIL: 21 SEPTEMBER 2023

199. **REQUEST COUNCIL APPROVAL FOR FULL OR PARTIAL LEASE AGREEMENT WITH THE RUSTENBURG SWIMMING CLUB**

(Directorate: Community Development)

11/1/4/1 (0012475)

(LGJ/cb)

1. **STRATEGIC THRUST**

The Rustenburg Local Municipality has adopted, amongst others, the following key priority areas:

- Efficient provision of quality basic services and infrastructure within a well-planned spatial structure
- Drive diversified economic growth and job creation
- Ensure municipal financial viability and management

2. **PURPOSE OF THE REPORT**

The purpose of this report is to request Council to approve a service level agreement with the Rustenburg Swimming Club for a period of five years.

3. **EXECUTIVE SUMMARY**

This item was to serve at the Directorate: Community Development Portfolio Committee of 7 January 2023 which did not quorate, and the decision taken was that the item will serve at the next Mayoral Committee sitting.

--- The Rustenburg Swimming Club has been in existence for almost sixty (60) years. They are registered with North-West Swimming and Swimming South Africa. They are a non-profitable sport club (Registration details attached as **Annexure A**) teaching swimming from an early age up to National and International swimming gala competitions.

A tender advert was published RLM/DCD/0093/20/21 during June 2020, for interested parties / individuals to submit proposals for the management and maintenance of various sports and recreation facilities which included the Marais Street Swimming Pool. The closing date for submissions was on 05 July 2020. The Rustenburg Swimming Club submitted a proposal, but it was unfortunately declined during the evaluation process due to non-submission of some administration documents.

--- The Rustenburg Swimming Club submitted another proposal to the Municipality during March 2022 (**Annexure B**), requesting co-management of the Marais Street Swimming Pool. The Marais Street Pool also known as the Town Pool, is the only facility with an Olympic size gala pool which complies to National Swimming Standards in the North-West Province as outlined by Swimming South Africa. The Olympic pool has been out of order for over a year due to a major leak. The Rustenburg Swimming Club has offered support to get the pool repaired by exploring various sponsors and donors. The valuation report of the facility is attached as **Annexure C**.

The Directorate had another discussion with the Swimming Club to present a second option of a partnership agreement and both options are discussed below.

AGENDA: SPECIAL COUNCIL: 21 SEPTEMBER 2023

4. Discussion

4.1 Option 1: SLA for a Portion of the Pool Area

--- Service Level Agreement: Annexure D

The option under discussion is to lease a portion of the facility to the Rustenburg Swimming Club. This includes the Olympic pool, clubhouse and adjacent parking bay. This option gives the municipality complete access to the other half of the facility which can be used and enjoyed by the public. This option will also present an opportunity for other swimmers from other clubs to partner with the Rustenburg Swimming Club in using this facility.

The Club will also be responsible for all the repairs and maintenance of the portion allocated to them including payment of a pre-determined monthly rate, municipal services and waiving of monthly rental fees in lieu of maintenance undertaken on the municipal infrastructure.

There will be a separate entrance gate controlled by the club's own security. They will collect entrance fees from patrons accessing and utilising the portion allocated to them and will take full responsibility of their safety. The club will also expand services at the facility by including underwater hockey, splash polo and water aerobics and undertaking internal company adverts as a fundraising option.

4.2 Option 2: SLA for the Entire Facility

The Rustenburg Swimming Club first preference is to have a lease agreement for the entire swimming pool facility situated at Marais Street. This includes the Olympic pool, diving pool, baby pool, club house and parking areas. The Olympic pool is currently out of order due to a major water leak, and it also requires new grouting of the entire bath tiles.

To ensure that the needs of the Community are not compromised and due to the valuation amount on the Pool, the Directorate is of the opinion that this option is not preferable as it might be unaffordable for the Club.

The Club, with option 2, will be responsible for all repairs and maintenance, they will pay a valuation determined monthly rental fee and pay for municipal services. In order to sustain themselves they will in return collect gate takings and funds generated through competitions and swimming gala's. They will expand services at the facility by including underwater hockey, splash polo and water aerobics. With this option the current RLM workforce at this pool will have to be transferred to other pools within the Municipality.

5. FINANCIAL COMMENTS

In terms of the Municipal Finance Management Act no 56 of 2003, Section 15, a Municipality may incur expenditure only in terms of an approved budget.

The Swimming Pools Section for the current financial year, has an amount of 403 321 for maintenance of all the municipal pools. These funds are to cater for repairs and

AGENDA: SPECIAL COUNCIL: 21 SEPTEMBER 2023

maintenance at all the municipal swimming pools. The operational expenses have always exceeded the revenue collected. We therefore as an alternative, must explore alternative ways of uplifting our facilities and ensuring that it remains accessible to the communities.

According to the 2021/2022 Asset register, the whole Marais Pool complex is valued at R 2.6 million having been acquired at R8.4 million.

The Municipality strives for efficient provision of quality basic services and infrastructure within a well-planned spatial structure with the objective to improve public amenities and good governance. Due to budget constraints, the MOU will see to it that the swimming pool is adequately serviced and thus continues to provide services to the community at large. A partnership with the Club will relieve the municipality financially of the responsibility of maintaining full or part of the facility.

6. **LEGAL COMMENTS**

Consideration should be made in terms of sub-regulation 34(1) of the **Municipal Asset Transfer Regulations (MATR)** which stipulates that the Municipality may grant a right to use, control or manage a capital asset only after the Accounting Officer has conducted a public participation process regarding the proposed granting of right and the municipal council has in principle, approved that the right be granted.

It is also important to establish both the **duration** of the proposed right and the **value** of the capital asset, as the municipal council ought to determine if the public participation process should be followed or not, as prescribed in sub regulation 34(2) Municipal Asset Transfer Regulations (MATR).

Subject to the above, sub regulation 34(3(b), provides that at an instance where the request for the public participation process is made to the council, such request should be accompanied by the statement asserting the reasons for the proposal to grant such a right; any expected benefits to the municipality arising from granting of such a right; any expected proceeds to be received by the municipality from granting such a right; and any expected gain or loss that will be realised or incurred by the municipality arising from the granting of such a right.

7. **CONCLUSION**

We welcome the proposal from the Rustenburg Swimming Club and the interest shown by them to uplift and co-manage the Town Pool. Their objective is in line with our objective, which is to renovate the facility and to create a safe place for its users and the community. We therefore present these options for consideration by Council.

AGENDA: SPECIAL COUNCIL: 21 SEPTEMBER 2023

The item served before the Mayoral Committee on the 17th March 2023 and the following recommendations were made:

RECOMMENDED:

ACTION

1. That Council takes note of the **REQUEST COUNCIL APPROVAL TO ENTER INTO A FULL OR PARTIAL LEASE AGREEMENT WITH THE RUSTENBURG SWIMMING CLUB;** CC
2. That Council approves OPTION 1: SLA FOR A PORTION OF THE POOL AREA as the preferred decision to go for Public Participation due to the value of the facility and the proposed agreement time period of five years; CC
DCD
OSP

AGENDA: SPECIAL COUNCIL: 21 SEPTEMBER 2023

social development
DEPARTMENT OF
SOCIAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Search NPO

Search

Search the NPO Register

Click on the organisation's name to view details of an organisation.

Edit Filter Filtered by: Rustenburg Swimming Club **Clear Filter**



Name	Province	Registration No	Date of Registrat	Registration St	Date Cancelled	FormOfCar
Rustenburg Swimming Club	North West	274-130 NPO	26/04/2022	Registered		
Page 1 of 1						
View 1 of 1						



Rustenburg Swimming Club

P.O Box 1357
Rustenburg
0300
Fax: 086 559 3233
E-mail: rene@ffprok.co.za
Josey Harris 082 920 1142

28 February 2022

Attention: Mrs Nellie Rampete
Director of Community Development
Rustenburg Local Municipality
By email: nrampete@rustenburg.gov.za

INDEPENDENT AND DIRECT APPLICATION

APPLICATION TO RENT, MANAGE AND MAINTAIN THE RUSTENBURG MUNICIPAL SWIMMING POOL - MARAIS STREET

The RUSTENBURG SWIMMING CLUB herewith applies independently and directly to the Director of Community Development of the Rustenburg Local Municipality to rent, manage and maintain the Rustenburg Municipal Swimming Pool – Marais Street, together with all the facilities, equipment, buildings including the Harry Wulfse hall at the site thereof (hereinafter collectively referred to as **THE POOL**).

This Application is supported by the reasons and the contents of this document.



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

INDEX

1) Index	Page 1
2) Background of Rustenburg Swimming Club	Page 2
3) Contact details of Rustenburg Swimming Club	Page 3
4) General Information of Rustenburg Swimming Club	Page 4
5) Rustenburg Swimming Club as ambassador	Page 5
6) Usage of the Pool facilities	Page 6
7) Condition of the Pools at Marais Street, Rustenburg	Page 8
8) Upgrade/Development of the Pool facilities	Page 10
9) Cash flow and affordability of this tender to Rustenburg Swimming Club	Page 12
10) Term of recovery of costs	Page 13
11) Offer/Proposed rental payable to the RLM	Page 14
12) Public Liability Insurance	Page 15
13) Quotation repairs and monthly maintenance	Annexure A
14) Confirmatory Letter from Northwest Swimming (NWS)	Annexure B
15) Confirmatory Letter from Swimming South Africa (SSA)	Annexure C



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

2. BACKGROUND OF RSC

- Rustenburg Swimming Club is a Non Profitable Sport Club, which is run and managed by an independently elected Management Committee.
- Rustenburg Swimming Club is currently in the process of registration as an officially Non Profitable Organization (NPO).
- Rustenburg Swimming Club already came to life during 1963 and is currently in existence for **59 years**.
- Rustenburg Swimming Club became the recognized official swimming club of the city of Rustenburg and was as such a registered member of the erstwhile Rustenburg Sports Forum since the early 1980's.
- Rustenburg Swimming Club is registered with Northwest Swim (NWS) as well as with Swim South Africa (SSA). See annexures "B" & "C" attached hereto.
- Rustenburg Swimming Club has since 1963 provided life skills (swimming) to the Community of the city of Rustenburg.
- Rustenburg Swimming Club does not differentiate or discriminate between age, sex, culture, race or religion and teach young and old to swim. **Each and every person interested in the sport of swimming is welcome to join Rustenburg Swimming Club.**
- Rustenburg Swimming Club teaches from the very early stages of "Learn to swim" right up to the prestigious levels of participation in National and International Gala events.
- Rustenburg Swimming Club as a non-profitable sports club keeps its monthly fees to the bare minimum, to only cover running costs and expenses of the club.
- Rustenburg Swimming Club's low monthly fees furthermore encourage participation by all members of the Rustenburg community in the technique and the sport of swimming.

-2-



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

- Rustenburg Swimming Club has always, as a contribution to the Rustenburg community and with its service delivery to the members of the public, taught swimming skills to the members of the Rustenburg Police force, free of charge.
- Rustenburg Swimming Club even taught a member of the Rustenburg Police force to be a qualified, skilled Police diver, free of charge.
- Rustenburg Swimming Club has, for the previous five years, been running a swim awareness and splash polo holiday swim program, free of charge, for the members of the Community of Rustenburg, during the December school holidays.
- Rustenburg Swimming Club teaches Learn to swim, Stroke development, Gala swimming as well as Adult lessons, to learners aged between 5 and 80 years of age.
- The ratio of swimmers for the previous swimming season was: white 35%, black 49% and colored 16%.

3. CONTACT DETAILS OF RSC

- RSC uses as contact details:

Address:	219 Beyers Naude Avenue, Rustenburg, 0299
Postal:	P.O. Box 8210, Rustenburg, 0300
Tel:	014 592 5675/9
Cell:	083 651 2254
Contact:	Fanie van der Walt
Designation:	Chairman



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

4. GENERAL INFORMATION OF RSC

- Rustenburg Swimming Club is governed by an independent elected governing body, which currently consists of:
 - L Lephoi - Marketing
 - N Mkandla - National representative and Coach
 - W Hautman - Vice Chairman and Coach
 - M Hautman - Coach
 - R van der Walt - Secretary, Treasurer and Gala Organizer
 - F van der Walt - Chairman
- Rustenburg Swimming Club makes use of the expertise of the following swimming Instructors/Coaches:
 - Ntandoyenkosi Mkandla (cell: 078 536 7673), a qualified SSA (Swim South Africa) Learn to Swim Instructor as well as a qualified Level One Gala Coach. Mrs Mkandla also serves on the Northwest Provincial Swimming Board as provincial committee member; and
 - Megan Hautmann (cell: 073 556 6429), a qualified SSA (Swim South Africa) Learn to Swim Instructor as well as a qualified Baby Swimming Instructor; and
 - Werner Hautmann, (tel:014 569 6624), a qualified SSA (Swim South Africa) Level One Gala Coach



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harri 082 920 1142

- All three Instructors/Coaches of the Rustenburg Swimming Club are SSA (Swim South Africa) trained and registered. All three Instructors/Coaches furthermore obtained the following qualifications and certificates as stipulated by Swim South Africa:
 - First Aid Certificate, CPR (adults, children and infants)
 - Police Clearance Certificate
 - Child Protection Certificate
 - Long Term Development Participation Certificate

5. RUSTENBURG SWIMMING CLUB AS AMBASSADOR

Rustenburg Swimming Club is a true ambassador of the city of Rustenburg with its steadfast commitment to the furtherance of this sport for its community members. The swimmers of the Rustenburg Swimming Club always act with dignity and respect whilst representing the city of Rustenburg's name at the following top events all over South Africa and abroad:

- Inter Provincial Gala events; and
- National Gala events, Level One; and
- National Gala events, Level Two; and
- National Gala events, Level Three; and
- National Gala events, Nationals (the highest level to achieve in SA!!); and
- International Gala Events



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

Rustenburg Swimming Club acts as a noble and noteworthy force to be reckoned with on all levels of swimming. Kindly note that Rustenburg Swimming Club has always been fully backed by and held in high esteem by both Northwest Swim (NWS) as well as Swim South Africa (SSA). NWS is the official swimming body of the province of Northwest and SSA is the official and governing swimming body of the Republic of South Africa!

Kindly find attached hereto (annexures "B" & "C"), the Confirmatory Letters from both Northwest Swim as well as Swim South Africa in support of Rustenburg Swimming Club.

6. USAGE OF THE POOL FACILITIES

Rustenburg Swimming Club has had free usage of the municipal pool facilities at Marais Street for the first two decades of its existence and thereafter paid monthly rent to the Rustenburg Local Municipality for the past three decades for the usage of the pools.

The clubhouse at the Marais Street municipal pool had been built by Anglo American as a sponsorship to Rustenburg Swimming Club several decades ago.

Rustenburg Swimming Club and its management is the best possible candidate for renting, maintaining and developing the pool facilities at Marais Street, Rustenburg!



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

Rustenburg Swimming Club will use and maintain the swimming pools and other facilities at Marais Street for the furtherance of the sport as well as for the leisure of swimming for the benefit of the community of the city of Rustenburg at large. Rustenburg Swimming Club has the goodwill and support of Northwest Swim (NWS) as well as Swim South Africa (SSA) in this regard.

The 50m gala pool at Marais Street is currently only one of two of the remaining 50m gala pools in the province of Northwest, the other being at Potchefstroom. The 50m gala pool at Marais Street however, is the only 50m gala pool in the Northwest province in full compliance with international regulations regarding the accommodation of touchpad timing facilities for the hosting of official National Gala events.

The gala pool facilities at Marais Street were built to world class specifications and should be cared for and maintained as the jewel that it indeed is!

The 25m diving and leisure pool, the kiddies splash pool as well as the kiosk, washing- and changing rooms, toilets, gardens, the Harry Wulfse hall and the rest of the amenities is indeed also suitable to offer top class leisure and enjoyment to the community of the city of Rustenburg at large.

Rustenburg Swimming Club aims at promoting and further developing these world class facilities to its full potential and for the benefit of the community of Rustenburg.

Rustenburg Swim Club will furthermore host provincial as well as national galas in its quest to further develop the sport as well as to give the city of Rustenburg exposure to these prestigious events.



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

7. CONDITION AND MAINTENANCE OF THE POOLS AT MARAIS STREET, RUSTENBURG

1. 50 METER GALA POOL

- 1.1. This pool has recently developed a critical structural crack underneath its tiles and in its concrete sub-structure. This pool needs urgent but costly repairs done to its structure to save the facility.
- 1.2. The starting blocks of this pool are also in need of urgent repairs/replacement.
- 1.3. This pool needs urgent attention to its chlorine gas as well as circulation equipment (pump house).
- 1.4. To accommodate provincial and national gala events the spotlight system also needs to be repaired and upgraded.

2. 25 METER DIVING POOL

- 2.1. This pool needs costly repairs to its circulation equipment (pump house) as well as to the underwater pool surface.
- 2.2. Month to month maintenance of the mechanical equipment was mostly done by Rustenburg Swimming Club during the last 6 (six) months and at the expense of RSC.

3. CHANGING ROOMS AND TOILETS

- 3.1. Only needs minor repairs.

-8-



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

4. HARRY WULFSE HALL

This hall needs costly repairs to its rotten and broken wooden floor.

5. FUTURE MAINTENANCE

All facilities at THE POOL premises require fixed monthly maintenance, ie chemicals for the PH balance of the water, gardening, cleaning, etc.

6. COSTS OF REPAIRS AND MAINTENANCE

- 6.1 Rustenburg Swimming Club has obtained a quotation for the urgent repairs mentioned in 1 and 2 above, as well as for the fixed monthly maintenance mentioned in 4 above. The quotation is attached hereto as annexure "A".
- 6.2 The urgent outstanding and immediate repairs to the pools amount to **R 3 662 338-80 (THREE MILLION SIX HUNDRED AND SIXTY TWO THOUSAND THREE HUNDRED AND THIRTY EIGHT RAND AND EIGHTY CENTS).**
- 6.3 The recurring maintenance amounts to **R 62 050-00 (SIXTY TWO THOUSAND AND FIFTY RANDS)** per month.



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harrls 082 920 1142

8. UPGRADING/DEVELOPMENT OF THE POOL FACILITIES

It is the mission and vision of Rustenburg Swimming Club to upgrade/develop the pool facilities and amenities to the world class standard that it once was and again can be.

Rustenburg swimming club will do this upgrade/development to the benefit of the community of the city of Rustenburg at large.

Rustenburg Swimming Club will see to the full monthly maintenance of the facilities, inclusive of grass cutting, tree pruning and garden maintenance.

Rustenburg Swimming Club will see to all repairs of damages to the facilities.

Rustenburg Swimming Club will be responsible for event management and will host world class Provincial as well as National swimming galas.

Rustenburg Swimming Club will also promote and develop the sport of swimming as well as to do Safety Awareness programs and create sporting and business opportunities for the community of Rustenburg.

Rustenburg Swimming Club will see to the complete interior/exterior finishes and equipment.



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

Rustenburg Swimming Club will involve key role players, such as national corporate sponsors as well as the official governing bodies of Northwest Swim (NWS) and Swim South Africa (SSA) in its strive to achieve its intended goals. Rustenburg Swimming Club as NPO will also qualify for government funding, ie LOTTO, etc.

Rustenburg Swimming Club will generate its income to achieve the abovementioned goals through:

- a. Usage of the Harry Wulfse Hall
- b. Hosting of local, provincial and national gala events
- c. Membership fees
- d. Corporate NPO donations
- e. LOTTO funding

Rustenburg Swimming Club has 59 years' experience in this field and is best equipped to rent, manage and maintain this sport facility of the municipal pool at Marais Street, Rustenburg.



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

9. CASH FLOW AND AFFORDABILITY OF THIS RENTAL TO RUSTENBURG SWIMMING CLUB

Although Rustenburg Swimming Club is a non-profitable sports club, as a 59-year-old prestigious club its finances and cash flow is sound.

As the official registered swimming club of the city of Rustenburg, Rustenburg Swimming Club furthermore receives financial support from both Northwest Swim (NWS), the official swimming governing body of the province of Northwest, as well as from Swim South Africa (SSA), the official National swimming governing body of the Republic of South Africa.

Rustenburg Swimming Club will also generate its own income by the hosting of Local, Provincial as well as National swimming galas.

Rustenburg Swimming Club will furthermore generate a steady stream of income from the entrance fees payable at the gates of the pool facilities.

Rustenburg Swimming Club is also in good standing and receives donations from local as well as national corporate entities.

Rustenburg Swimming Club will also be eligible for state funding through LOTTO.

Rustenburg Swimming Club will generate income through the usage of the Harry Wulfse Hall.

Rustenburg Swimming Club will in the above premises be able to afford the maintenance and upkeep of the Sport Facility of the municipal pool at Marais Street, Rustenburg.



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

10. TERM OF RECOVERY OF COSTS

The immediate expenses to the pool facilities is R 3 662 338-80 (**THREE MILLION SIX HUNDRED AND SIXTY TWO THOUSAND THREE HUNDRED AND THIRTY EIGHT RAND AND EIGHTY CENTS**) as can be seen from page "S", attached hereto, excluding the repairs at the Harry Wulfse Hall.

The fixed monthly maintenance of the facilities is R 62 050-00 (**SIXTY TWO THOUSAND AND FIFTY RANDS**) as can be seen from annexure "A", attached hereto.

With the huge expenses mentioned above as well as the fact that outdoor swimming is in essence a summer season sport, it is estimated that the recovery time of the mentioned costs will be a long-term project and might easily be in the region of twenty or more years.

It is therefore essential that the rental of THE POOL be awarded to Rustenburg Swimming Club for a long and extended period.



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

11. OFFER/PROPOSED RENTAL PAYABLE TO THE RLM

Seen in the light that:

1. The immediate expense of several millions of rands to this facility is necessary;
and
2. That the RLM will be absolved from the expense of future monthly maintenance of the sport facility and associated salaries; and
3. That the Rustenburg Swimming Club takes full responsibility for the full fixed monthly maintenance cost of the facility; and
4. That the Rustenburg Swimming Club takes full responsibility for the cost of repairs of future damages; and
5. That the Rustenburg Swimming Club will uplift/upgrade/develop the sports facility to the benefit of the community of the city of Rustenburg, as well as to the benefit of the RLM (as the owner of the sports facility);



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

12. NOW THEREFOR RUSTENBURG SWIMMING CLUB PROPOSES AS FOLLOWS:

1. Rustenburg Swimming Club to enter into a rental agreement with the RLM for THE POOL for a period of 9 years and eleven months, subject to at least two further extension periods for equal durations; and
2. Rustenburg Swimming Club to bear the costs of all the repairs, maintenance and damages to THE POOL; and
3. Rustenburg Swimming Club to pay monthly rental of R100 (ONE HUNDRED RAND) to the RLM in lieu of THE POOL; and
4. Rustenburg Swimming Club to be absolved from any liability towards the Rustenburg Local Municipality (or any other body) of payment of any water, electricity and other taxes and fees applicable to the POOL facility.

13. PUBLIC LIABILITY INSURANCE

Upon conclusion of a successful rental agreement, the Rustenburg Swimming Club will take out public liability insurance and indemnify the RLM of public liability forthcoming from this Sports Facility.



Rustenburg Swimming Club

P.O Box 1357

Rustenburg

0300

Fax: 086 559 3233

E-mail: rene@ffprok.co.za

Josey Harris 082 920 1142

Yours Truly

A handwritten signature in black ink, appearing to be 'Fanie vd Walt'. The signature is written in a cursive, flowing style.

Mr. Fanie vd Walt

CHAIRMAN: RSC (cell:083 651 2254)

RJN Maintenance, Services and Repairs

Quotation

Date : 29/06/2021

QO No. 384/2021

Order Number : COD

Client Rustenburg swimming Club

P.O. Box 8210

Rustenburg, 0300

Plot 173, Rhenosterfontein

Rustenburg

(COD Client)

Tel: 0617995208

Item	Description	Qty	Unit Price	Total Value
001	Repair pump station at Olympic Pool	1	R 881 845,90	R 881 845,90
002	Repair pump station at Diving Pool	1	R 559 172,90	R 559 172,90
003	Repair and line olympic pool with new fibre lining	1	R 1 360 000,00	R 1 360 000,00
004	Refurbish starting blocks at Olympic pool	1	R 8 640,00	R 8 640,00
005	Repair and line diving pool with new fibre lining	1	R 739 500,00	R 739 500,00
006	Upgrade existing spotlights around pool areas	1	R 113 180,00	R 113 180,00
007	Monthly landscaping maintenance	1	R 11 050,00	R 11 050,00
008	Monthly pool maintenance on Olympic pool	1	R 34 000,00	R 34 000,00
009	Monthly pool maintenance on Diving pool	1	R 17 000,00	R 17 000,00

Sub Total R 3 724 388,80

Deposit Paid R 0,00

Amount Payable R 3 724 388,80

PAYMENTS OPTIONS :

Cash Payments /EFT

EFT Payments

RJN Maintenance

Capitec Bank

Savings Acc. : 1506823597

Received By : _____ (Name)

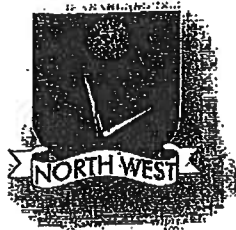
Date : ____/____/2020

Signature : _____

* Please note a 70 % Deposit is required

* This quote is valid for 30 days

* Electrical equipment pricing may be affected with price increases on confirmation of order prices will be confirmed



NORTH WEST SWIMMING

(AFFILIATED TO SWIMMING SOUTH AFRICA)

P.O. Box 20691, Noordbrug, 2522

Tel: 083 781 3607

Email: sec@nwswimming.org.za



"B"

08 July 2021

To Whom It may concern

Good Day

Affiliation to North West Swimming

We hereby wish to confirm that Rustenburg Swimming Club is affiliated to the North West Swimming Association, which is in turn affiliated to the South African Swimming Association

We have had an exceptionally long-standing association with the Club, and it is in good standing with us. The pool has been used for many years when North West Age Group Galas and North West Swimming Championships have been hosted by the Rustenburg Club. It is a much sought after venue for these events

Trusting you find this in order

Yours faithfully

Erica Cole
Secretary
North West Swimming



AGENDA: SPECIAL COUNCIL: 21 SEPTEMBER 2023



T +27 11 404 2480
F +27 11 402 2486
P.O. Box 17009, Doornfontein, Johannesburg, 2028, RSA
124 Van Beek Street, North Wing, Ground Floor Johannesburg Stadium, New Doornfontein
www.swimsa.org

08 July 2021

To Whom It May Concern.

RE: CONFIRMATION OF MEMBERSHIP

This letter serves to confirm that **Rustenburg Swimming club** is an affiliated member of **North West Swimming**, who is affiliated to **Swimming South Africa**, and are in good standing with the federation.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Shaun Adriaanse".

Shaun Adriaanse

Chief Executive Officer

President: A. Fritz Vice Presidents Z. Moloi & J. Naidoo
P. Thompson; Treasurer: J. Ellis
Members: L. Bignard, E. Van
Veenhuizen, N. Raphulu, R. Andrews, P. Heyns, Chief Executive Officer: S. Adriaanse;
Hon. Life Presidents S. Ramsamy & G. Sam



OPTI PROPERTY CONSULTANTS

Reg. No: 2003/000817/23 - VAT No: 4770207654

PO BOX 13834, Norkem Park, 1631

Fax: +27 (011) 976 5003 / +27 (086) 650 5708

Cell No: 083 305 0869 / 082 491 3474

Email: kele@optiprop.co.za; magau@optiprop.co.za; sapem@optiprop.co.za

25 July 2022

**DETERMINATION OF MARKET RENTAL IN RESPECT OF MARAIS SWIMMING
POOL RUSTENBURG – ERF 1488**

Your instruction to provide market evidence in respect of property used for sports and recreation facilities refers.

1. Purpose of valuation

To determine a fair and reasonable market related rental and rates for community halls and swimming pools within Rustenburg Local Municipality.

Market related rental rates were obtained from the commercial market in Rustenburg and adjusted according to the location and highest and best use of this properties.

Enquiries and consultations with superintendent of similar facilities in and around neighbouring towns e.g. Brits and Pretoria have indicated the rates as shown in the tables below, moreover In view of information obtained we are of the opinion that a fair and reasonable rates are as follows:

Swimming Pools Rates

Adults (18 Years and older)	R20 – 25 Per day
Children (3 – 18 Years)	R10 – 12 Per day R6 – 8 Per day (During holidays)

Hall Rates

1 hour	2 hours	3 hours	4 hours	5 hours	6 hours	7 hours	8 hours
R1 900	R2 500	R 3 000	R 3 600	R 4 500	R 5 300	R 6 000	R 6 800

AGENDA: SPECIAL COUNCIL: 21 SEPTEMBER 2023

Hall Monthly Rental Rate

In view of the current condition of the halls we are of the opinion that market rentals of between R12/m² and R16/m² is achievable.

2. Definition of Market Value

"Market value" is defined as the probable price that a property will achieve at the date of valuation, given a willing and informed buyer and seller and a reasonable period of exposure to the open market.

a. Date of inspection

1st of July 2022

b. Date of valuation

1st of July 2022

Property descriptions

COMMON NAME	PROPERTY DESCRIPTION
Marais Swimming Pool	Erf 1488 Rustenburg

Signed at **Rustenburg** on the this 5th day of July 2022.



S. S. Magau
Professional Valuer
Registration Number 3495

Photographs

Marais Swimming pool

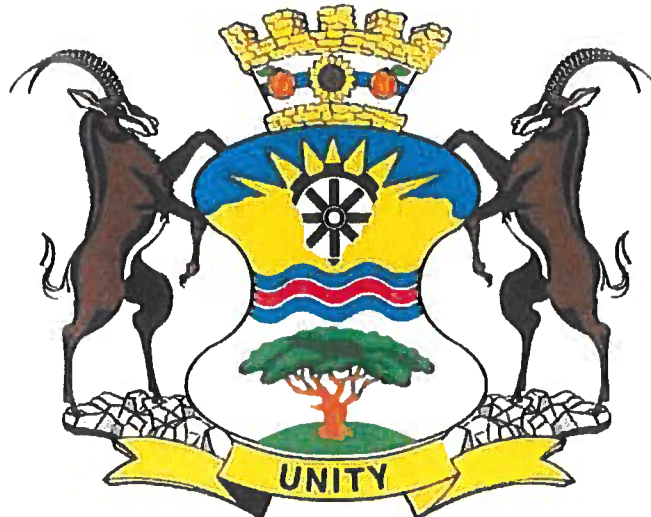






SERVICE LEVEL AGREEMENT

Entered into by and between



RUSTENBURG LOCAL MUNICIPALITY

(Herein represented by in his capacity as Municipal Manager, duly authorized hereto

(RLM)

AND

THE RUSTENBURG SWIMMING CLUB

(Herein represented by Mr Fanie van der Walt in his capacity as Chairman, duly authorized hereto

(RSC)

(Collectively the "Parties")

AGENDA: SPECIAL COUNCIL: 21 SEPTEMBER 2023

PREAMBLE

WHEREAS the Parties have realized a need to work together for the purpose of developing a co-operative relationship with regard to sport development within the city;

WHEREAS the Parties in compliance with the requirement of intergovernmental framework intends to forge a sustainable working relationship based on co-operative governance;

WHEREAS the Parties shares a mission to build a lasting and beneficial relationship that will enable greater co-operation and sharing of resources for the benefit of both organizations in educational, community and youth development programs; and

WHEREAS the Parties wish to assist each other in trying to improve the lives of the people in its area of jurisdiction.

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. PURPOSE AND SCOPE: -

The main purpose and scope of this agreement is to:

- 1.1 Forge a working relationship in mutual trust and good faith facilitating effective and efficient sport development and implementation of swimming programmes;
- 1.2 Foster and maintain a spirit that guides genuine cooperation and mutual support for the benefit of the communities;

2. REPRESENTATIVES OF THE PARTIES

Each party shall appoint a person to serve as the official contact and facilitator for the co-ordination of all the activities to this SLA:

2.1 RUSTENBURG SWIMMING CLUB

Mr Fanie van der Walt in his capacity as the Chairman of the Rustenburg Swimming Club;

And

2.2 RLM

Mr in his capacity as Municipal Manager of Rustenburg Local Municipality

AGENDA: SPECIAL COUNCIL: 21 SEPTEMBER 2023

3. RESPONSIBILITIES OF PARTIES

3.1 RUSTENBURG SWIMMING CLUB

The Club shall:-

- 3.1.1 Renovate and maintain the Olympic pool as agreed by both Parties;
- 3.1.2 Pay for municipal services;
- 3.1.3 Pay monthly rental fees;
- 3.1.4 To take responsibility for their own costs resulting from the implementation of this agreement;
- 3.1.5 Provide security to safeguard the well being of their employees, clients, physical resources and equipment;
- 3.1.6 Allow access to the general public as and when required during normal operating hours;
- 3.1.7 Develop and implement programmes and utilization schedules
- 3.1.8 Ensure regular updating to RLM on new developments and programmes that are taking place at the facility;
- 3.1.9 Submit quarterly reports outlining the activities, progress and challenges;
- 3.1.10 Assist RLM when required and requested by RLM; with programmes aimed at RLM staff development and capacity building; subject to the Supply Chain Policy and legislation of RLM;
- 3.1.11 Share and or exchange any information that may be relevant towards the successfulness of this SLA.

3.2 RUSTENBURG LOCAL MUNICIPALITY

The Municipality shall:-

- 3.2.1 Maintain the facility in accordance to budget provision and as may be agreed between the Parties from time to time;
- 3.2.2 Waive rental fees equivalent to the expenses incurred by the Lessor for renovations and repairs;
- 3.2.3 Provide access to the Clubhouse (or any other infrastructure space as agreed to by both Parties); to ensure day-to-day working environment that is compliant with Health and Safety regulations;
- 3.2.4 Where necessary, identify and extend invitation to other service providers to implement additional swimming and sports programmes including upliftment and promotion of the facility, as may be agreed between the Parties from time to time;
- 3.2.5 Inform the Rustenburg Swimming Club of any new community development programmes relevant to this agreement and of its IDP and other Projects as approved by the Council of the Rustenburg Local Municipality
- 3.2.6 Ensure coordination between all stakeholders including sports councils, sports forums and municipal departments;
- 3.2.7 Record and report events and programmes to all stakeholders;
- 3.2.8 Jointly assist and consult with all stakeholders to provide information as and when required;
- 3.2.9 Assist with access to facilities owned by the municipality for joint programmes;

4. DURATION OF THIS AGREEMENT

- 4.1 The duration of this agreement is for a period of five years from the effective date of this agreement and may be extended upon written mutual agreement by the Parties.

5. GOODFAITH

- 5.1 This SLA is entered by the parties within acceptable norms of intergovernmental relations as dictated by the principles of good faith;
- 5.2 The SLA constitutes the sole record of the agreement between the Parties. Neither Party shall be bound by any express, tacit or implied term, representation, warranty, promise or the like not recorded herein;
- 5.3 No addition to, variation, or agreed cancellation of any provision of this SLA shall be binding upon the Parties unless reduced to writing and signed by the Parties;

6. REVIEW OF AGREEMENT

- 6.1 This agreement may be reviewed or amended by the parties as when necessary. No amendments shall be effected on this SLA except done in writing and signed by all the Parties.
- 6.2 The Parties acknowledge that neither of the Parties has any authority whatsoever to represent or to bind the other Party in any capacity whatsoever. In particular, but without limiting the generality of the foregoing, neither Party shall be entitled to conclude any contract or sign any document on behalf of the other Party, or in any way bind the other Party's performance, variation, release or discharge of any obligation, except where provided for in this SLA.

7. TERMINATION OF AGREEMENT

- 7.1 Either party may terminate this agreement at any time by giving the other party a period of sixty (60) days written notice.

8. DOMICILE

The Parties choose the following domicile for all notices:-

8.1 RLM

Municipal Offices
C/o Nelson Mandela and Beyers Naude Drive
Rustenburg
0300

AGENDA: SPECIAL COUNCIL: 21 SEPTEMBER 2023

8.2 RUSTENBURG SWIMMING CLUB

P O BOX 1357
Rustenburg
0300

9. SIGNATURES

**THUS DONE AND SIGNED AT RUSTENBURG ON THE _____ DAY OF _____
IN THE PRESENCE OF THE UNDERSIGNED WITNESSES**

Witness 1

Full Names _____

Signature _____

Witness 2

Full Names _____

Signature _____

**Mr F v/d Walt
RUSTENBURG SWIMMING CLUB**

**THUS DONE AND SIGNED AT RUSTENBURG ON THE _____ DAY OF IN THE _____
PRESENCE OF THE UNDERSIGNED WITNESSES**

Witness 1

Full Names _____

Signature _____

Witness 2

Full Names _____

Signature _____

**Mr R J Mosiane
Acting Municipal
Manager**