

Kennis word hiermee gegee ingevolge Artikel 29(2) van die Plaaslike Regering: Munisipale Strukture Wet, 1998 (Wet 117 van 1998) soos gewysig, dat 'n **Gewone Raadsvergadering** van die Munisipaliteit Witzenberg gehou sal word op **Woensdag, 30 Oktober 2024** om **10:00** in die **Stadsaal, Voortrekkerstraat, Ceres.**

Notice is hereby given in terms of Section 29(2) of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) as amended, that an **Ordinary Council meeting** of the Witzenberg Municipality will be held in the **Town Hall, Voortrekker Street, Ceres** on **Wednesday, 30 October 2024 at 10:00.**

Raadslede en amptenare / Councillors and officials		
Councillor TE Abrahams (Executive Mayor)	Alderman K Adams	Councillor WJ Alexander
Councillor P Daniels	Councillor S de Bruin	Councillor GJ Franse
Councillor JP Fredericks	Councillor AL Gili	Councillor J Rooi
Councillor GG Laban	Councillor JS Mouton	Councillor MJ Ndaba
Councillor JF Nel (Executive Deputy Mayor)	Councillor N Nogcinisa	Councillor N Phatsoane
Councillor KA Robyn	Alderman HJ Smit	Alderman D Swart
Councillor IL Swartz	Alderman JJ Visagie	Councillor K Yisa
Councillor J Zalie		
Municipal Manager	Director: Finance	Director: Technical Services
Director: Corporate Services	Deputy Director: Finance	Chief Internal Audit Executive
Manager: Projects and Performance	Manager: Administration	IDP Manager
Senior Manager: Legal Services	Manager: Communication and Marketing	Chief Administrative Officer
Committee Clerk	Interpreter	

Agenda: Council meeting: 30 October 2024
Agenda: Raadsvergadering: 30 Oktober 2024

TER INLIGTING / FOR INFORMATION

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Chairperson: IMATU (Mr Loyiso Ntshanga)	Chairperson: SAMWU (Mr Christo Appolis)	
Bella Vista Library	John Steyn Library	Rietvallei Library
Montana Library, Wolseley	Wolseley Library	Tulbagh Library
Witzenville Library, Tulbagh	Op-die-Berg Library	Prince Alfred's Hamlet Library

By e-mail		
Alderlady MC du Toit E-mail: marina@destraadt.co.za	Alderlady JT Phungula E-mail: thembisaphungula@gmail.com	Alderman JW Schuurman E-mail: jws1350@gmail.com
Ceres Business Initiative Mr M de Villiers E-mail: manager@cerescbi.co.za		



ALDERLADY EM SIDEGO
SPEAKER

22.10.24

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A G E N D A

- 1. OPENING AND WELCOME / OPENING EN VERWELKOMING**

- 2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION**
 - 2.1 Consideration of application for leave of absence, if any
Aansoeke om verlof tot afwesigheid, indien enige
(3/1/2/1)**

*An Application for leave of absence form is attached as **annexure 2.1.***

NOTED
 - 2.2 Confidentiality and Conflict of Interest Declaration
Vertroulikheid en Botsing van Belange Verklaring
(3/2/1)**

The Confidentiality and Conflict of Interest Declaration is attached as **annexure 2.2.**

- 3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED
MEDEDELINGS, AANKONDIGINGS OF SAKE GEOPPER**
 - 3.1 Gratitude, Congratulations and Commiseration
Waardering, Gelukwensing en Meelewing
(11/4/3)**
 - 3.2 Matters raised by the Speaker / Sake deur die Speaker geopper
(09/1/1)**
 - 3.3 Matters raised by the Executive Mayor
Sake deur die Uitvoerende Burgemeester geopper
(09/1/1)**
 - 3.4 Matters raised by the Municipal Manager
Sake deur die Munisipale Bestuurder geopper**

4. MINUTES / NOTULES

4.1 Corrections to the minutes / Wysigings aan die notules (3/1/2/3)

RECOMMENDED

For consideration of corrections to the following minutes:

- (i) Council meeting, held on 23 February 2022.
- (ii) Council meeting, held on 26 October 2022.
- (iii) Council meeting, held on 9 November 2022.
- (iv) Council meeting, held on 29 November 2022.

4.2 Approval of minutes: February until November 2022 (3/1/2/3)

The following minutes are attached:

- (a) Council meeting, held on 23 February 2022: **Annexure 4.2(a).**
- (b) Council meeting, held on 26 October 2022: **Annexure 4.2(b).**
- (c) Council meeting, held on 9 November 2022: **Annexure 4.2(c).**
- (d) Council meeting, held on 29 November 2022: **Annexure 4.2(d).**

Council resolved on 30 March 2022:

- (a) that the approval of the minutes of the Council meeting, held on 23 February 2022, be held in abeyance.
- (b) that the correctness of the minutes be investigated in respect of the removal of the words of the Speaker: "The motion cannot carry."
- (c) that the Municipal Manager appoints an independent investigator in terms of the Municipal Supply Chain processes.

Council resolved on 28 March 2023:

- (a) that the following minutes be held in abeyance to be workshopped:
 - (i) Council meeting, held on 23 February 2022.
 - (ii) Council meeting, held on 26 October 2022.
 - (iii) Council meeting, held on 9 November 2022.
 - (iv) Council meeting, held on 29 November 2022.
- (b) that the ANC coalition provides extracts of the relevant matters of concern to be workshopped, by Monday, 3 April 2023.

RECOMMENDED

That the following minutes be approved and signed by the Speaker:

- (i) Council meeting, held on 23 February 2022.
- (ii) Council meeting, held on 26 October 2022.
- (iii) Council meeting, held on 9 November 2022.
- (iv) Council meeting, held on 29 November 2022.

4.3 Approval of minutes: 2023 until 2024 (3/1/2/3)

Council unanimously resolved on 26 July 2024 that the minutes of the Special Council meeting, held on 24 October 2023, be held in abeyance for deliberations due to the matter of the landfill site and the unauthorised expenditures.

The following minutes are attached:

- (a) Special Council meeting, held on 24 October 2023: **Annexure 4.3(a).**
- (b) Council meeting, held on 26 July 2024: **Annexure 4.3(b).**
- (c) Special Council meeting, held on 30 August 2024: **Annexure 4.3(c).**
- (d) Special Council meeting, held on 30 September 2024: **Annexure 4.3(d).**
- (e) Special Council meeting, held on 14 October 2024: **Annexure 4.3(e).**

RECOMMENDED

That the following minutes be approved and signed by the Speaker:

- (a) Special Council meeting, held on 24 October 2023.
- (b) Council meeting, held on 26 July 2024.
- (c) Special Council meeting, held on 30 August 2024.
- (d) Special Council meeting, held on 30 September 2024.
- (e) Special Council meeting, held on 14 October 2024.

**4.4 Outstanding matters / Uitstaande sake
(3/3/2)**

Number	File reference	Heading, item no. and date	Directorate	Action	Progress	Target date
4.4.1	7/1/4/1	8.3.4 of 21-06-2024 Tulbagh Feeding Scheme proposal	Community Services	that the matter in respect of the Tulbagh Feeding Scheme proposal be held in abeyance and a site visit be held.		30 Oct 2024

RECOMMENDED

that notice be taken of the outstanding matter.

**5. MOTIONS AND NOTICE OF SUGGESTIONS
MOSIES EN KENNISGEWING VAN VOORSTELLE**

**6. INTERVIEWS WITH DELEGATIONS
ONDERHOUDE MET AFVAARDIGINGS**

None / Geen

NOTED / AANGETEKEN

7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

7.1 Minutes: Committee meetings / Notules: Komiteevergaderings (3/3/2)

The minutes of the following meetings are attached:

- (a) Performance, Risk and Audit Committee, held on 3 November 2023: **Annexure 7.1(a).**
- (b) Municipal Public Accounts Committee, held on 9 November 2023: **Annexure 7.1(b).**
- (c) Performance, Risk and Audit Committee, held on 17 November 2023: **Annexure 7.1(c).**
- (d) Special Performance, Risk and Audit Committee, held on 13 December 2023: **Annexure 7.1(d).**
- (e) Municipal Public Accounts Committee, held on 15 January 2024: **Annexure 7.1(e).**
- (f) Executive Mayoral Committee, held on 19 February 2024: **Annexure 7.1(f).**
- (g) Executive Mayoral Committee, held on 26 March 2024: **Annexure 7.1(g).**
- (h) Committee for Technical Services, held on 9 April 2024: **Annexure 7.1(h).**
- (i) Executive Mayoral Committee, held on 18 June 2024: **Annexure 7.1(i).**
- (j) Executive Mayoral Committee, held on 21 June 2024: **Annexure 7.1(j).**
- (k) Committee for Housing Matters, held on 31 January 2024: **Annexure 7.1(k).**
- (l) Committee for Housing Matters, held on 12 February 2024: **Annexure 7.1(l) (Confidential).**
- (m) Special Committee for Housing Matters, held on 5 April 2024: **Annexure 7.1(m).**
- (n) Committee for Housing Matters, held on 26 April 2024: **Annexure 7.1(n).**
- (o) Special Committee for Housing Matters, held on 29 April 2024: **Annexure 7.1(o).**

- (p) Special Committee for Housing Matters, held on 16 May 2024:
Annexure 7.1(p).
- (q) Committee for Housing Matters, held on 3 June 2024:
Annexure 7.1(q).
- (r) Committee for Housing Matters, held on 28 June 2024:
Annexure 7.1(r).
- (s) Municipal Public Accounts Committee, held on 18 July 2024:
Annexure 7.1(s).
- (t) Executive Mayoral Committee, held on 23 July 2024:
Annexure 7.1(t).
- (u) Committee for Housing Matters, held on 1 August 2024:
Annexure 7.1(u).
- (v) Committee for Technical Services, held on 6 August 2024:
Annexure 7.1(v).
- (w) Committee for Corporate and Financial Services, held on 6 August 2024:
Annexure 7.1(w).

RECOMMENDED

that notice be taken of the minutes of the Committee meetings and same be accepted.

**7.2 Approval of minutes: Municipal Public Accounts Committee
9 November 2024
(3/1/2/3)**

The minutes of the Municipal Public Accounts Committee meeting, held on 9 November 2023, are attached as **annexure 7.2**.

The Municipal Public Accounts Committee resolved on 18 July 2024 that the matter relating to the approval of the minutes of the Municipal Public Accounts Committee meeting, held on 9 November 2023, be held in abeyance for inputs from committee members who attended the meeting.

The Municipal Public Accounts Committee resolved on 12 September 2024 that the minutes of the Municipal Public Accounts Committee meeting, held on 9 November 2023, be referred to Council for approval.

RECOMMENDED

that the minutes of the Municipal Public Accounts Committee meeting, held on 9 November 2023, be approved and signed by the Chairperson.

8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

8.1 Direktooraat Finansies / Directorate Finance

8.1.1 Section 71 Monthly Budget Statement Report: September 2024 (9/1/2/2)

The Section 71 Monthly Budget Statement Report of the Directorate Finance for September 2024 is attached as **annexure 8.1.1**.

RECOMMENDED

That the Executive Mayoral Committee recommends to Council:

- (i) that notice be taken of the Section 71 Monthly Budget Statement Report of the Directorate Finance for September 2024.*
- (ii) that the Section 71 Monthly Budget Statement Report of the Directorate Finance for September 2024 be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary.*

8.1.2 Supply Chain Management: Paragraph 7(4) Quarterly Report ending 31 March 2024: Implementation of Supply Chain Management Policy (9/1/2/2)

A memorandum from the Manager: Supply Chain, dated 4 April 2024, is attached as **annexure 8.1.2**.

The Committee for Corporate and Financial Services resolved on 6 August 2024 to recommend to the Executive Mayoral Committee and Council:

- (a) that notice be taken of the Supply Chain Management: Paragraph 7(4) Quarterly Report ending 31 March 2024.
- (b) that the report supra (a) be made available to the public in terms of Section 21A of the Municipal Systems Act (Act no. 32 of 2000) after it has been tabled to Council.

RECOMMENDED

That the Executive Mayoral Committee recommends to Council:

- (a) that notice be taken of the Supply Chain Management: Paragraph 7(4) Quarterly Report ending 31 March 2024.*

- (b) *that the report supra (a) be made available to the public in terms of Section 21A of the Municipal Systems Act (Act no. 32 of 2000) after it has been tabled to Council.*

8.2 Direktooraat Tegnieste Dienste / Directorate Technical Services

8.2.1 By-law for the deployment of electronic communications infrastructure: Witzenberg Municipality and Policy for work and the installation of services in the road reserve (Revision 2) (16/4/P)

The following documents are attached:

- (a) Report from Senior Manager: Streets and Storm Water, dated 5 December 2023: **Annexure 8.2.1(a).**
- (b) Draft Bylaw for Deployment of Electronic Communications Facilities: **Annexure 8.2.1(b).**
- (c) Schedule A: Framework Municipal Land Use Agreement: **Annexure 8.2.1(c).**
- (d) Schedule B: Electronic Communications Facilities Lease: **Annexure 8.2.1(d).**
- (e) Wayleave tariffs Witzenberg Municipality 2024/2025: **Annexure 8.2.1(e).**
- (f) Policy for work and installation of services in road reserve (Revision 2): **Annexure 8.2.1(f).**

The Committee for Technical Services resolved on 9 April 2024 that the item relating to By-law for the deployment of electronic communications infrastructure: Witzenberg Municipality and Policy for work and the installation of services in the road reserve be workshopped by Council.

The Committee for Technical Services resolved on 6 August 2024 to recommend to the Executive Mayoral Committee and Council:

- (a) that the draft By-law for the deployment of electronic communications infrastructure: Witzenberg Municipality be adopted.
- (b) that the draft By-law be advertised for public comments for at least 30 days.
- (c) that the proposals of the public be considered and incorporated as recommended by the Department Streets and Storm Water.
- (d) that the Municipal Manager as soon as possible after the closing date for public comments, submits a report to the Executive Mayoral Committee for a recommendation to Council.
- (e) that the Policy for work and the installation of services in the road reserve (Revision 2) be adopted.

RECOMMENDED

That the Executive Mayoral Committee recommends to Council:

- (a) that the draft By-law for the deployment of electronic communications infrastructure: Witzenberg Municipality be adopted.*
- (b) that the draft By-law be advertised for public comments for at least 30 days.*
- (c) that the proposals of the public be considered and incorporated as recommended by the Department Streets and Storm Water.*
- (d) that the Municipal Manager as soon as possible after the closing date for public comments, submits a report to the Executive Mayoral Committee for a recommendation to Council.*
- (e) that the Policy for work and the installation of services in the road reserve (Revision 2) be adopted.*

8.2.2 Pigeon Society Clubhouse: Erf 496, Stamper Street, Wolseley (15/4/R)

Memorandum from Senior Manager: Town Planning and Building Control, dated 21 August 2023:

"Background

The old clubhouse previously used by the Wolseley Pigeon Society is in a state of disrepair and is no longer fit for occupation.

Reasoning

Photos [attached as **annexure 8.2.2(a)**], taken during a site visit conducted by the Building Control Officer and Town Planner on 23 May 2023, show the state of the building.

There is free access to the building with no control over what happens there. The site visit confirmed that it has become a dumping place and could act as hiding place for vagrants.

Concerned residents previously complained about the state of the building and views it as dangerous and a nuisance.

In terms of the National Building Regulations there rests a duty on the local authority to order the demolition of dilapidated buildings.

Because the building is owned by the municipality, the Council as landowner needs to consent to the demolition."

The Executive Mayoral Committee decided that the Director: Technical Services obtains quotations for reparations to the building and the safeguarding thereof to determine the cost for maintaining the building.

The Executive Mayoral Committee will make a recommendation after that.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council that the Pigeon Society clubhouse located on erf 496, Stamper Street, Wolseley, is not needed to provide a minimum level of service and can be demolished.

The Executive Mayoral Committee resolved on 14 November 2023:

- (a) that the matter of the Pigeon Society Clubhouse: Erf 496, Stamper Street, Wolseley be held in abeyance until the next meeting.
- (b) that the Director: Technical Services obtains quotations for reparations and safeguarding of the building to determine the cost for maintaining the building.

Report from Director: Technical Services, dated 15 August 2024:

"A bill of quantities was compiled to repair the building to an acceptable standard. The estimated cost to repair the building is attached as **annexure 8.2.2(b)** and totals to R730 803-15 (VAT inclusive)."

The Committee for Technical Services resolved on 8 October 2024 to recommend to the Executive Mayoral Committee and Council:

- (a) that Council's intention to lease the Pigeon Society Clubhouse on erf 496, Stamper Street, Wolseley be advertised in the local newspaper.
- (b) that the repair and maintenance of the asset will be for the cost of the successful lessee or tenant.
- (c) that the asset is not needed in terms of Section 14(2)(a) of the Municipal Finance Management Act (Act 56 of 2003) to provide in the minimum level of basic municipal services.

RECOMMENDED

That the Executive Mayoral Committee recommends to Council:

- (a) *that Council's intention to lease the Pigeon Society Clubhouse on erf 496, Stamper Street, Wolseley be advertised in the local newspaper.*
- (b) *that the repair and maintenance of the asset will be for the cost of the successful lessee or tenant.*

- (c) *that the asset is not needed in terms of Section 14(2)(a) of the Municipal Finance Management Act (Act 56 of 2003) to provide in the minimum level of basic municipal services.*

8.2.3 Lease and operation of Material Recovery Facility (MRF): Erf 364/82, Ceres (17/3/2)

The following documents are attached:

- (a) Proposal from Unite the City: **Annexure 8.2.3(a)**.
- (b) Memorandum from Director: Technical Services, dated 4 September 2024: **Annexure 8.2.3(b)**.

The Committee for Technical Services resolved on 8 October 2024 to recommend to the Executive Mayoral Committee and Council:

- (a) that Section 110 of the Municipal Finance Management Act is not applicable.
- (b) that the company Unite the City signs an agreement to operate the Material Recovery Facility on a trial basis of three months.
- (c) that should the company be successful in the probation period of three months, the agreement be further extended with one (1) year.
- (d) that the Witzenberg Municipality employs the fifteen EPWP workers currently operating at the Material Recovery Facility, during the trial period to assist the mentioned company with the operation of the MRF, after which it will be the responsibility of Unite the City.
- (e) that an agreement be drawn up between the municipality and Unite the City regarding the operation and maintenance of the MRF.
- (f) that the Municipal Manager be authorised to sign the mentioned agreement.
- (g) that Council's intention to lease the Material Recovery Facility (MRF) on erf 364/82, Ceres be advertised in the local newspaper for inputs, comments and any objections.

RECOMMENDED

That the Executive Mayoral Committee recommends to Council:

- (a) *that Section 110 of the Municipal Finance Management Act is not applicable.*

- (b) *that the company Unite the City signs an agreement to operate the Material Recovery Facility on a trial basis of three months.*
- (c) *that should the company be successful in the probation period of three months, the agreement be further extended with one (1) year.*
- (d) *that the Witzenberg Municipality employs the fifteen EPWP workers currently operating at the Material Recovery Facility, during the trial period to assist the mentioned company with the operation of the MRF, after which it will be the responsibility of Unite the City.*
- (e) *that an agreement be drawn up between the municipality and Unite the City regarding the operation and maintenance of the MRF.*
- (f) *that the Municipal Manager be authorised to sign the mentioned agreement.*
- (g) *that Council's intention to lease the Material Recovery Facility (MRF) on erf 364/82, Ceres be advertised in the local newspaper for inputs, comments and any objections.*

8.2.4 Electricity: Eselfontein Boerdery (Edms) Bpk: Take-over of the municipal medium voltage infrastructure (16/3/3/1/1)

Councillor A Gili requested a caucus break on behalf of the ANC alliance from 10:52 until 11:21 before item 4.2.1 was being dealt with.

After the break Councillor Gili reported that the ANC alliance had expressed concerns that the members of the Committee for Technical Services, i.e. ANC and EFF had requested that the value of the assets which the municipality intends to transfer to the Eselfontein Boerdery (Edms) Bpk be made known, but to date such report had not been received. Councillor Gili proposed that the matter therefore be held in abeyance, which proposal was seconded by Councillor G Laban.

Alderman JJ Visagie requested a caucus break on behalf of the DA alliance from 11:23 until 11:39.

After the caucus break Councillor T Abrahams reported back that the Executive Mayoral Committee had endorsed the resolution of the Committee for Technical Services that the amount to be paid by the applicant for the municipal assets is R575 888-92. Alderman H Smit proposed and Alderman J Visagie seconded that the recommendations in the agenda be accepted.

Councillor Gili mentioned that the ANC alliance wants to compare the value of the municipal assets to be transferred to the applicant with the amount to be paid to the municipality by the applicant.

The Speaker called for a caucus meeting with all Chief Whips of the political parties from 11:53 until 12:00.

The Speaker reported back after the meeting that the Chief Whips had recommended to Council that the matter be held in abeyance and that an independent market valuator for the municipal assets be appointed to determine the market value of the assets.

The Committee for Technical Services resolved on 14 March 2023 that the matter in respect of the Electricity: Eselfontein Boerdery (Edms) Bpk: Take-over of the municipal medium voltage infrastructure be held in abeyance and referred to the Acting Senior Manager: Electro-Technical Services for further information.

The following documents are attached:

- (a) Memorandum from Senior Manager: Electro-Technical Services, dated 28 February 2024: **Annexure 8.2.4(a)**.
- (b) Letter from Eselfontein Boerdery, dated 16 September 2021: **Annexure 8.2.4(b)**.
- (c) Monthly report of May 2023 with Eselfontein SSEG application: **Annexure 8.2.4(c)**.

The Committee for Technical Services resolved on 9 April 2024 that the item relating to the Electricity: Eselfontein Boerdery (Edms) Bpk: Take-over of the municipal medium voltage infrastructure be held in abeyance to determine the financial impact from time of the installation of the Small Scale Embedded Generation (SSEG).

Comment from Senior Manager: Electro-Technical Services:

"Page 5 of annexure 8.2.2(a) shows the financial impact studied for Eselfontein in the graph format."

The Committee for Technical Services resolved on 6 August 2024 to recommend to the Executive Mayoral Committee and Council:

- (a) that the content of the memo and the request of the farm owner be noted.
- (b) that the advantages of this transaction for the municipality be noted.
- (c) that the request be supported and that the amount of R575 888-92 (VAT incl.) be paid by the applicant.
- (d) that the assets be transferred to Eselfontein Boerdery.
- (e) that a bulk metering unit be installed at the main intake point of Eselfontein at the cost of the customer.

- (f) that all the low voltage metering units be removed.
- (g) that the asset is not needed for service delivery to other consumers and that Witzenberg Municipality will continue to provide electricity to the purchaser in bulk.
- (h) that Council's intent to alienate the assets be advertised.

The Executive Mayoral Committee resolved on 26 September 2024 to recommend to Council:

- (a) that the content of the memo and the request of the farm owner be noted.
- (b) that the advantages of this transaction for the municipality be noted.
- (c) that the request be supported and that the amount of R575 888-92 (VAT incl.) be paid by the applicant.
- (d) that the assets be transferred to Eselfontein Boerdery.
- (e) that a bulk metering unit be installed at the main intake point of Eselfontein at the cost of the customer.
- (f) that all the low voltage metering units be removed.
- (g) that the asset is not needed for service delivery to other consumers and that Witzenberg Municipality will continue to provide electricity to the purchaser in bulk.
- (h) that Council's intent to alienate the assets be advertised.
- (i) that the land owner continues providing the farm workers with electricity on the farm.
- (j) that Council investigates the possibility of piloting a roll-out of free basic electricity in terms of Council's Indigent Policy to the households that are in need on the farm.

Council unanimously resolved on 30 September 2024 that the matter in respect of Eselfontein Boerdery (Edms) Bpk: Take-over of the municipal medium voltage infrastructure be held in abeyance and that an independent market valuator for the municipal assets be appointed to determine the market value of the assets.

RECOMMENDED

That the Executive Mayoral Committee recommends to Council:

- (a) that the content of the memo and the request of the farm owner be noted.*
- (b) that the advantages of this transaction for the municipality be noted.*
- (c) that the request be supported and that the amount of R575 888-92 (VAT incl.) be paid by the applicant.*
- (d) that the assets be transferred to Eselfontein Boerdery.*
- (e) that a bulk metering unit be installed at the main intake point of Eselfontein at the cost of the customer.*
- (f) that all the low voltage metering units be removed.*
- (g) that the asset is not needed for service delivery to other consumers and that Witzenberg Municipality will continue to provide electricity to the purchaser in bulk.*
- (h) that Council's intent to alienate the assets be advertised.*
- (i) that the land owner continues providing the farm workers with electricity on the farm.*
- (j) that Council investigates the possibility of piloting a roll-out of free basic electricity in terms of Council's Indigent Policy to the households that are in need on the farm.*

8.3 Direktoraat Gemeenskapsdienste / Directorate Community Services

8.3.1 Proposed By-law: Municipal parks and open spaces (1/3/R)

The following memorandum, dated 21 July 2021, was received from the Municipal Manager:

"Purpose

To consider the tabling of the proposed By-Law on Public Parks and Open Spaces and to approve that same be published for comments and public participation.

Background

Section 156 of the Constitution provides that a municipality has executive authority in respect of, and has the right to administer, local government matters listed in part B of schedule 4 and part B of schedule 5.

Part B of schedule 5 includes public places and municipal parks and recreation.

Section 151(3) provides that a municipality has the right to govern, on its own initiative, the local government affairs of its community, subject to national and provincial legislation, as provided for in the Constitution.

The said Constitution confers on the municipality the authority to regulate matters within its jurisdiction by way of by-laws. In recent times the municipality has received a lot of complaints of activities at its parks and open spaces. During a meeting with a delegation of Ward 5 it was brought to the attention of the municipality that play parks are being used for illegal activities such as drinking of alcohol, smoking of illegal substances, organised rugby, soccer and cricket events as well as playing of golf. Whenever the neighbouring residents engage with the users of the municipal parks there are various threats of violence, vandalism and/or intimidation. There are no municipal processes and/or by-laws in place that can adequately address the problems associated with the municipal parks.

A draft by-law, dealing with the problems associated with our municipal parks, have been prepared for Council's notice and public comments and participation. A copy of the draft by-law is attached as **annexure 8.3.1(a)**. The by-law will be translated in all three languages and the public will be invited to make comments for Council's consideration.

Legal implications

Law Enforcement can only effectively ensure compliance if there is a by-law in place, authorising them to impose fines and/or affect an arrest in the event of non-compliance. The Constitution and the Systems Act authorise the Council to pass a by-law after certain conditions are met.

Financial implications

None.”

The Executive Mayoral Committee resolved on 27 July 2021 to recommend to Council:

- (a) that notice be taken of the By-Law on Public Parks and Open Spaces.
- (b) that Council approves that the by-law be published for public comments and that same be referred back to Council for further consideration.

Council unanimously resolved on 25 August 2021:

- (a) that notice be taken of the By-Law on Public Parks and Open Spaces.
- (b) that Council approves that the by-law be published for public comments and that same be referred back to Council for further consideration.

The following documents are attached:

- (a) Public notice of meetings and attendance registers:
Annexure 8.3.1(b).
- (b) Letter from Mr PD September on behalf of Morrisdale residents, dated 28 October 2021: **Annexure 8.3.1(c).**

The final adoption of the by-law did not materialise, because of the pending Local Government elections of November 2021.

Council unanimously resolved on 26 July 2024 that the matter in respect of the proposed by-law on municipal parks and open spaces be held in abeyance and workshopped by Council.

RECOMMENDED

For consideration.

8.4 Direktooraat Korporatiewe Dienste / Directorate Corporate Services

8.4.1 Deed of Sale: Erf 919, Wolseley (7/1/4/1)

A memorandum from the Manager: Legal Service, dated 17 July 2024, is attached as **annexure 8.4.1**.

The Committee for Corporate and Financial Services resolved on 6 August 2024 to recommend to the Executive Mayoral Committee and Council:

- (a) that the old Deed of Sale with the old purchase price for erf 919, Wolseley be cancelled.
- (b) that a contract be entered into a new Deed of Sale for erf 919, Wolseley.
- (c) that in terms of Section 14(2) of the Municipal Finance Management Act (Act 56 of 2003) the asset, erf 919 Wolseley, be sold at a fair market related price of R73 000-00.
- (d) that in terms of Section 14(2) of the Municipal Finance Management Act (Act 56 of 2003) the asset, erf 919, Wolseley is not needed to provide the minimum level of basic municipal services.
- (e) that the proposed transaction be advertised in the local newspaper for public comment and/or any objections.

RECOMMENDED

That the Executive Mayoral Committee recommends to Council:

- (a) *that the old Deed of Sale with the old purchase price for erf 919, Wolseley be cancelled.*
- (b) *that a contract be entered into a new Deed of Sale for erf 919, Wolseley.*
- (c) *that in terms of Section 14(2) of the Municipal Finance Management Act (Act 56 of 2003) the asset, erf 919 Wolseley, be sold at a fair market related price of R73 000-00.*
- (d) *that in terms of Section 14(2) of the Municipal Finance Management Act (Act 56 of 2003) the asset, erf 919, Wolseley is not needed to provide the minimum level of basic municipal services.*
- (e) *that the proposed transaction be advertised in the local newspaper for public comment and/or any objections.*

8.4.2 Request to purchase erf 2997, Bella Vista, Ceres (7/1/4/1)

A memorandum from the Municipal Manager, dated 6 August 2024, is attached as **annexure 8.4.2**.

The Committee for Corporate and Financial Services resolved on 6 August 2024 to recommend to the Executive Mayoral Committee and Council:

- (a) that in the absence of a signed Deed of Sale a contract be entered into for a new Deed of Sale for erf 2997, Bella Vista, Ceres.
- (b) that in terms of Section 14(2) of the Municipal Finance Management Act (Act 56 of 2003) the asset, erf 2997, Bella Vista, Ceres is not needed to provide a minimum level of basic municipal services.
- (c) that in terms of Section 14(2) of the Municipal Finance Management Act (Act 56 of 2003) the asset, erf 2997, Bella Vista, Ceres be sold at a fair market related price of R99 000-00.
- (d) that the proposed transaction be advertised in the local newspaper for public comment and/or any objections.

RECOMMENDED

That the Executive Mayoral Committee recommends to Council:

- (a) *that in the absence of a signed Deed of Sale a contract be entered into for a new Deed of Sale for erf 2997, Bella Vista, Ceres.*
- (b) *that in terms of Section 14(2) of the Municipal Finance Management Act (Act 56 of 2003) the asset, erf 2997, Bella Vista, Ceres is not needed to provide the minimum level of basic municipal services.*
- (c) *that in terms of Section 14(2) of the Municipal Finance Management Act (Act 56 of 2003) the asset, erf 2997, Bella Vista, Ceres be sold at a fair market related price of R99 000-00.*
- (d) *that the proposed transaction be advertised in the local newspaper for public comment and/or any objections.*

8.4.3 Request to purchase Erf 218, Op-die-Berg (7/1/4/1)

A memorandum from the Municipal Manager, dated 6 August 2024, is attached as **annexure 8.4.3**.

The Committee for Corporate and Financial Services resolved on 6 August 2024 to recommend to the Executive Mayoral Committee and Council:

- (a) that the old Deed of Sale with the old purchase price for erf 218, Op-die-Berg be cancelled.
- (b) that a contract be entered into for a new Deed of Sale for erf 218, Op-die Berg.
- (c) that in terms of Section 14(2) of the Municipal Finance Management Act (Act 56 of 2003) the asset, erf 218, Op-die-Berg is not needed to provide the minimum level of basic municipal services.
- (d) that the proposed transaction be advertised in the local newspaper for public comment and/or any objections.
- (e) that in terms of Section 14(2) of the Municipal Finance Management Act (Act 56 of 2003) the asset, erf 218, Op-die-Berg be sold at a fair market related price of R54 000-00.

RECOMMENDED

That the Executive Mayoral Committee recommends to Council:

- (a) *that the old Deed of Sale with the old purchase price for erf 218, Op-die-Berg be cancelled.*
- (b) *that a contract be entered into for a new Deed of Sale for erf 218, Op-die Berg.*
- (c) *that in terms of Section 14(2) of the Municipal Finance Management Act (Act 56 of 2003) the asset, erf 218, Op-die-Berg is not needed to provide the minimum level of basic municipal services.*
- (d) *that the proposed transaction be advertised in the local newspaper for public comment and/or any objections.*
- (e) *that in terms of Section 14(2) of the Municipal Finance Management Act (Act 56 of 2003) the asset, erf 218, Op-die-Berg be sold at a fair market related price of R54 000-00.*

8.4.4 Request to purchase erf 769 (unregistered erf 870): Prince Alfred's Hamlet (7/1/4/2)

A memorandum from the Senior Manager: Legal Services, dated 1 October 2024, is attached as **annexure 8.4.4**.

RECOMMENDED

For consideration of the Executive Mayoral Committee's recommendation to Council.

**9. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA
DRINGENDE SAKE NA AFSENDING VAN DIE AGENDA**

**10. FORMAL AND STATUTORY MATTERS
FORMELE EN STATUTÊRE SAKE**

**10.1 Feedback on matters of outside bodies
Terugvoering oor sake van buite-organisasies
(3/R)**

**11. QUESTIONS and/or MATTERS RAISED by COUNCILLORS
VRAE en/of SAKE DEUR RAADSLEDE GEOPPER**

12. COUNCIL-in-COMMITTEE / RAAD-in-KOMITEE

These items are dealt with in the confidential agenda.

Verwysing / Reference: 3/1/2/1/

MUNISIPALITEIT WITZENBERG MUNICIPALITY

AANSOEK OM VERLOF TOT AFWESIGHEID / APPLICATION FOR LEAVE OF ABSENCE (Moet by kantoor van Munisipale Bestuurder ingedien word voor aanvang van vergadering / Must be handed in at office of Municipal Manager before commencement of meeting)

Naam van raadslid / Name of councillor: _____

Ek doen hiermee aansoek om verlof tot afwesigheid van / I hereby apply for leave of absence from:

VERGADERING / WERKSWINKEL / FORUM MEETING / WORKSHOP / FORUM	DATUM / DATE
Rede vir afwesigheid / Reason for absence:	

DATUM / DATE

HANDTEKENING / SIGNATURE



CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

Council meeting, held on Wednesday, 30 October 2024

I, the undersigned, hereby declare:

- That as a Councillor and a participant of this meeting, I shall maintain strict confidentiality in respect of any information of a confidential nature to which I may become privy at meetings of the Witzenberg Council and shall only disclose such information as may become necessary or required for the proper performance of my duties and functions.
- That as a Councillor and a participant of this meeting, I shall declare any conflict of interest that may arise at every meeting and remove myself from any proceedings, in relation to that matter, giving rise to that conflict.

COUNCILLORS

Surname	Initials	Signature
Abrahams	TE	
Adams	K	
Alexander	WJ	
Daniels	P	
De Bruin	S	
Franse	GJ	
Fredericks	JP	
Gili	AL	

Surname	Initials	Signature
Laban	GG	
Mouton	JS	
Ndaba	MJ	
Nel	JF	
Nogcinisa	N	
Phatsoane	N	
Robyn	KA	
Rooi	J	
Sidego	EM	
Smit	HJ	
Swart	D	
Swartz	IL	
Visagie	JJ	
Yisa	K	
Zalie	J	

**MINUTES OF THE COUNCIL MEETING OF WITZENBERG MUNICIPALITY,
HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON WEDNESDAY,
23 FEBRUARY 2022 AT 10:00**

PRESENT

Councillors

Councillor JS Mouton (Speaker) (ANC)
Alderman HJ Smit (Executive Mayor) (DA)
Councillor FE Klazen (Deputy Executive Mayor) (GOOD)
Alderman K Adams (DA)
Councillor S de Bruin (DA)
Councillor GJ Franse (DA)
Alderman BC Klaasen (DA)
Councillor EM Sidego (DA)
Councillor D Swart (DA)
Alderman JJ Visagie (DA)
Councillor AL Gili (ANC)
Councillor MJ Ndaba (ANC)
Councillor N Nogcinisa (ANC)
Councillor N Phatsoane (ANC)
Councillor K Yisa (ANC)
Councillor J Zalie (ANC)
Councillor J Cloete (PA)
Councillor JP Fredericks (FFP)
Councillor LA Hardnek (Witzenberg Party)
Councillor P Heradien (ICOSA)
Councillor GG Laban (Witzenberg Aksie)
Councillor IL Swartz (EFF)

Officials

Mr D Nasson (Municipal Manager)
Mr HJ Kritzinger (Director: Finance)
Mr J Barnard (Director: Technical Services)
Mr M Mpeluza (Director: Corporate Services)
Mr A Hofmeester (Manager: IDP)
Mr CG Wessels (Manager: Administration)
Ms R Hendricks (Manager: Communication and Marketing)
Ms M Arendse-Smith (Chief Administrative Officer)
Mr C Titus (Committee Clerk)
Ms MJ Prins (Word Processor Operator)
Mr R Rhode (ICT Administrator)
Mr J Pieterse (Senior ICT Officer)

1. OPENING AND WELCOME

The Speaker welcomed everyone after which she requested Councillor GJ Franse to open the meeting with a prayer.

The Speaker requested Council to stand for a moment of silence in honour of the relative of Councillor N Phatsoane who had drowned at the Pine Forest Resort as well as all loved ones who had passed on.

NOTED

2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

2.1 Consideration of application for leave of absence, if any (3/1/2/1)

None

NOTED

2.2 Confidentiality and Conflict of Interest Declaration (3/2/1)

The Confidentiality and Conflict of Interest Declaration was duly signed by all Councillors.

NOTED

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

3.1 Gratitude, Congratulations and Commiseration (11/4/3)

Council's congratulations were conveyed by Alderman K Adams to the following Councillors and spouses on their birthdays:

❖	Ms N Ndaba	3 February
❖	Councillor E Sidego	16 February
❖	Mr M Hardnek	18 February
❖	Alderman H Smit	25 February

NOTED

**3.2 Matters raised by the Speaker
(09/1/1)**

- (a) The Speaker informed Council that the serial killer of three (3) women in Wolseley had been found guilty. She thanked Councillor J Zalie for attending to the media.
- (b) The Speaker informed Council in respect of the bad situation at Ceres Secondary School, Ceres where overcrowded classes and a lack of adequate classrooms are experienced.

NOTED

**3.3 Matters raised by the Executive Mayor
(09/1/1)**

The Executive Mayor, Alderman HJ Smit, conveyed condolences on behalf of Council to the family of the child who had drowned in the swimming pool at the Pine Forest Resort, Ceres.

NOTED

3.4 Matters raised by the Municipal Manager

- (a) The Municipal Manager informed Council that a police inquest is undertaken to determine what has happened that a child drowned at the Pine Forest Resort. The municipality is also busy with an independent investigation.
- (b) The Municipal Manager informed Council that the Western Cape Government is still busy with a procurement process to make available the legislation libraries to all Councillors. It will be distributed as soon as received.

NOTED

4. MINUTES

4.1 Corrections to the minutes (3/1/2/3)

- (a) Minutes of Special Council meeting 15 December 2021

Item 6.3.2: Appointment of Section 80 Committees by Council

The name of Councillor AL Gili has been omitted as a committee member for the Committee for Technical Services.

The table to be changed to read:

Name of committee	Chairperson	Committee members
Committee for Housing Matters	Councillor EM Sidego	Councillor S de Bruin Councillor MJ Ndaba Councillor IL Swartz
Committee for Technical Services	Councillor K Robyn	Councillor D Swart Councillor GJ Franse Councillor AL Gili
Committee for Corporate and Financial Services	Councillor FE Klazen	Councillor J Zalie Councillor JJ Cloete Councillor P Heradien Councillor C Lottering
Committee for Community Development	Councillor JP Fredericks	Councillor K Yisa Alderman K Adams Councillor LA Hardnek
Committee for Local Economic Development and Tourism	Alderman JJ Visagie	Councillor GG Laban Councillor N Nogcinisa Councillor N Phatsoane

- (b) Minutes of Special Council meeting 7 February 2022

Item 3.1: Motion: Request for urgent meeting to table a motion of no confidence and to request the removal of the Speaker from office

Paragraph 5: Last sentence

That the sentence which reads "The motion cannot carry" be removed.

NOTED

4.2 Approval of minutes (3/1/2/3)

The following minutes are attached:

- (a) Special Council meeting, held on 15 December 2021: **Annexure 4.2(a).**
- (b) Council meeting, held on 26 January 2022: **Annexure 4.2(b).**
- (c) Special Council meeting, held on 7 February 2022: **Annexure 4.2(c).**

UNANIMOUSLY RESOLVED

That the following minutes be approved and signed by the Speaker:

- (i) Special Council meeting, held on 15 December 2021 (as amended).*
- (ii) Council meeting, held on 26 January 2022.*
- (iii) Special Council meeting, held on 7 February 2022 (as amended).*

EENPARIG BESLUIT

Dat die volgende notules goedgekeur en deur die Speaker onderteken word:

- (i) Spesiale Raadsvergadering, gehou op 15 Desember 2021 (soos gewysig).*
- (ii) Raadsvergadering, gehou op 26 Januarie 2022.*
- (iii) Spesiale Raadsvergadering, gehou op 7 Februarie 2022 (soos gewysig).*

5. MOTIONS AND NOTICE OF SUGGESTIONS

5.1 Motion: Compilation of Council: Mayoral Committee (3/1/1/4)

A letter from Councillor P Heradien (ICOSA), dated 7 December 2021, is attached as **annexure 5.1**.

Council unanimously resolved on 26 January 2022 that the matter in respect of the motion "Compilation of Council: Mayoral Committee" be held in abeyance and the applicable letter be translated to English.

Councillor P Heradien mentioned that the purpose of the motion was to investigate whether the Executive Mayor has appointed an MPAC Chairperson with a remuneration.

Alderman BC Klaasen proposed and Alderman JJ Visagie seconded that the motion be removed from the agenda.

Councillor P Heradien proposed and Councillor N Nogcinisa seconded that the motion stays on the agenda.

The Speaker informed Council that she had investigated the matter of receiving a remuneration and confirmed that Councillor LA Hardnek did not receive any remuneration.

The Speaker brought the matter to a vote and the outcomes were:

In favour of removal of motion:	12 votes
In favour that motion stays on agenda:	8 votes
Number of votes abstained	<u>1 vote</u>
Total	21 votes

Council resolved by majority of votes that the motion in respect of the compilation of Council be removed from the agenda.

RESOLVED

that the motion in respect of the compilation of Council: Mayoral Committee be removed from the agenda.

BESLUIT

dat die mosie rakende die samestelling van die Raad: Burgemeesterskomitee van die agenda verwyder word.

5.2 Motion: Request for urgent meeting to table a motion of no confidence and to request the removal of the Speaker from office (3/2/2)

The following documents are attached:

- (a) Motion from the DA coalition, dated 26 January 2022: **Annexure 5.2(a).**
- (b) Letter from Councillor IL Swartz, dated 6 February 2022: **Annexure 5.2(b).**

The Speaker informed Council that the matter in respect of a request for an urgent meeting to table a motion of no confidence and to request the removal of the Speaker from office be moved to item 9 on the agenda.

Alderman BC Klaasen responded that the matter must be dealt with since it is not an urgent matter. The Speaker also signed the agenda off and thus accepted the compilation of the items.

Councillor MJ Ndaba, on behalf of the ANC component, requested a caucus break from 10:55 until 11:12. Councillor Ndaba informed Council after the break that the ANC had accepted the moving of the item as indicated.

Alderman BC Klaasen, on behalf of the DA coalition, requested a caucus break from 11:13 until 11:19. Alderman Klaasen informed Council after the break that the Speaker is not complying with the Rules of Order for meetings. The Speaker breached her oath of office by misleading Council by indicating that she did not sign off the agenda. The DA coalition put thus on record that they do not have confidence in the Speaker and that the actions of the Speaker bring the office of Speaker at Witzenberg Municipality in disrepute. The Speaker indicated that the Municipal Manager had signed off the agenda, but it is clearly the Speaker self who had signed off the agenda. As such Council was misled.

The Speaker mentioned that she indeed signed off the agenda and did not deny it.

After enquires from Councillor GG Laban as well as Secretariat the Speaker mentioned that she made a ruling that the motion has been removed from the agenda.

NOTED

5.3 Election of a Speaker (03/1/1/4)

The Speaker made a ruling that the matter Election of a Speaker be removed from the agenda.

NOTED

5.4 Motion: Removal of Executive Mayor of Witzenberg municipal Council (3/2/2)

A letter from Councillor MJ Ndaba, dated 15 February 2022, is attached as **annexure 5.4**.

The Speaker read a letter/motion received from Councillor MJ Ndaba on behalf of the ANC component regarding the removal of the Executive Mayor.

Alderman JJ Visagie proposed and Councillor D Swart seconded that the motion be removed from the agenda, because the DA coalition has full confidence in the Executive Mayor.

Councillor MJ Ndaba proposed and Councillor AL Gili seconded that the motion not be removed from the agenda.

The ANC component requested a caucus break from 11:42 until 11:48 and requested the Speaker after the break to bring the matter to vote. The outcomes of the voting were:

Votes in favour that matter stays on agenda:	9
Votes in favour that matter be removed	12
Votes abstained from voting	<u>1</u>
Total	22 votes

The Speaker ruled that the matter be removed from the agenda.

RESOLVED

that the matter in respect of the Motion: Removal of Executive Mayor of Witzenberg municipal Council be removed from the agenda.

BESLUIT

dat die aangeleentheid rakende die Mosie: Verwydering van Uitvoerende Burgemeester van Witzenberg munisipale Raad van die agenda verwyder word.

5.5 Election of Executive Mayor (03/1/1/4)

This matter was removed from the agenda.

NOTED

5.6 Motion: Removal of Deputy Executive Mayor of Witzenberg municipal Council (3/2/2)

A letter from Councillor MJ Ndaba, dated 15 February 2022, is attached as **annexure 5.6**.

Councillor D Swart proposed and Alderman BC Klaasen seconded that the motion be removed from the agenda.

Councillor AL Gili proposed and Councillor MJ Ndaba seconded that the motion stays on the agenda.

The Speaker brought the matter to a vote and the outcomes were:

Votes in favour to remove item:	12
Votes in favour that item stays on agenda:	9
Votes abstained from voting	<u>1</u>
Total	22 votes

RESOLVED

that the matter in respect of the Motion: Removal of Deputy Executive Mayor of Witzenberg municipal Council be removed from the agenda.

BESLUIT

dat die aangeleentheid rakende die Mosie: Verwydering van Uitvoerende Onderburgemeester van die Witzenberg munisipale Raad van die agenda verwyder word.

5.7 Election of Deputy Executive Mayor (03/1/1/4)

This matter was removed from the agenda.

NOTED

6. INTERVIEWS WITH DELEGATIONS

None.

NOTED

7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

7.1 Minutes: Committee meetings (03/3/2)

The minutes of the following meetings are attached:

- (a) Executive Mayoral Committee meeting, held on 27 July 2021:
Annexure 7.1(a).
- (b) Performance, Risk and Audit Committee meeting, held on 30 July 2021:
Annexure 7.1(b).
- (c) Special Performance, Risk and Audit Committee meeting, held on
20 August 2021: **Annexure 7.1(c).**

UNANIMOUSLY RESOLVED

that notice be taken of the minutes of the Committee meetings and same be accepted.

EENPARIG BESLUIT

dat kennis geneem word van die notules van die Komiteevergaderings en genoemde aanvaar word.

8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

8.1 Direkoraat Finansies / Directorate Finance

8.1.1 Proposed revisions to Service Delivery and Budget Implementation Plan 2021/2022 as per Section 54(1)(C) of Municipal Finance Management Act (5/1/5/14)

A memorandum from the Manager: Projects and Performance, dated 1 February 2022, is attached as **annexure 8.1.1**.

UNANIMOUSLY RESOLVED

that notice be taken of the proposed revisions to the 2021/2022 Service Delivery and Budget Implementation Plan as per Section 54(1)(C) of the Municipal Finance Management Act and, after consideration, same be approved and accepted.

EENPARIG BESLUIT

dat kennis geneem word van die voorgestelde hersiening van die 2021/2022 Dienslewering- en Begrotingsimplementeringsplan ingevolge Artikel 54(1)(C) van die Wet op Munisipale Finansiële Bestuur en genoemde, na oorweging, goedgekeur en aanvaar word.

8.1.2 Finance: Adjustment budget 2021/2022 to 2023/2024 (5/1/1/20)

The following documents are attached:

- (a) Memorandum from Director: Finance, dated 16 February 2022: **Annexure 8.1.2(a)**.
- (b) Adjustment budget 2021/2022 to 2023/2024: **Annexure 8.1.2(b)**.

UNANIMOUSLY RESOLVED

that the adjustment budget of Witzenberg Municipality for the financial year 2021/2022 as set out in the budget documents be approved:

- (i) *Table B1: Budget summary;*
- (ii) *Table B2: Adjustments Budget Financial Performance (by standard classification);*
- (iii) *Table B3: Budgeted Financial performance (Revenue and Expenditure) by vote;*

- (iv) *Table B4: Adjustments Budget Financial Performance (revenue by source); and*
- (v) *Table B5: Budgeted Capital Expenditure by Vote, standard classification and funding.*

8.2 Direktooraat Tegnieuse Dienste / Directorate Technical Services

8.2.1 Spatial Development Framework: Ceres Priority Focus Area 1 / Ruimtelike Ontwikkelingsraamwerk: Ceres Prioriteitsfokusarea 1 (15/04/P)

The following documents are attached:

- (a) Memorandum from the Senior Manager: Town Planning and Building Control, dated 10 March 2021: **Annexure 8.2.1(a)**.
- (b) Draft of the plan for Spatial Development Framework: Ceres Priority Focus Area 1, dated 1 December 2020: **Annexure 8.2.1(b)**.

UNANIMOUSLY RESOLVED

that the matter in respect of the Spatial Development Framework: Ceres Priority Focus Area 1 be held in abeyance for clarification reasons until the next meeting.

EENPARIG BESLUIT

dat die aangeleentheid aangaande die Ruimtelike Ontwikkelingsraamwerk: Ceres Prioriteitsfokusarea 1 oorstaan vir uitklaring tot die volgende vergadering.

8.2.2 Small Scale Embedded Generation (SSEG) Policy: Methodology, allowable limit and motivation of renewable tariff (16/3/P)

The following documents are attached:

- (a) Memorandum from Senior Manager: Electro-Technical Services, dated 30 November 2021: **Annexure 8.2.2(a)**.
- (b) Review and Strategic Input report: **Annexure 8.2.2(b)**.

UNANIMOUSLY RESOLVED

That the matter "Small Scale Embedded Generation (SSEG) Policy: Methodology, allowable limit and motivation of renewable tariff" be held in abeyance and be workshopped by Council.

8.3 Direktooraat Gemeenskapsdienste / Directorate Community Services

8.3.1 Presentation: Vredebes Incremental Housing Voorlegging: Vredebes Inkrementele Behuising (17/04/1/1/1)

Ms Karen Siebrits from Messrs ASLA made a presentation in respect of incremental housing, which is attached as **annexure 8.3.1(a)**.

Messrs Devco and ASLA, represented by Mr Pierre Blaauw and Ms Karen Siebrits, made a presentation in respect of the Vredebes Incremental Housing, attached as **annexure 8.3.1(b)**.

UNANIMOUSLY RESOLVED

that the matter in respect of the Vredebes Incremental Housing be held in abeyance until the next meeting.

EENPARIG BESLUIT

dat die aangeleentheid aangaande die Vredebes Inkrementele Behuising oorstaan tot 'n volgende vergadering.

8.3.2 Housing: Witzenberg Municipality: Housing Administration Policy/ Behuising: Munisipaliteit Witzenberg: Behuisingsadministrasie Beleid (17/4/P)

The Housing Administration Policy for Witzenberg Municipality, received from the Municipal Manager, dated 18 February 2020, is attached as **annexure 8.3.2**.

UNANIMOUSLY RESOLVED

that the matter in respect of the Housing Administration Policy be held in abeyance until the next meeting.

EENPARIG BESLUIT

dat die aangeleentheid aangaande die Behuisingsadministrasiebeleid tot die volgende vergadering oorstaan.

8.4 Direktooraat Korporatiewe Dienste / Directorate Corporate Services

8.4.1 Appointment of Section 79 Committees by Council Aanstelling van Artikel 79 Komitees deur die Raad (03/3/1/1)

UNANIMOUSLY RESOLVED

- (a) *that a Municipal Public Accounts Committee (MPAC) be established.*
- (b) *that the Municipal Public Accounts Committee consists of the following members:*
 - (i) *Councillor LA Hardnek (WP): Chairperson*
 - (ii) *Councillor GJ Franse (DA)*
 - (iii) *Councillor J Cloete (PA)*
 - (iv) *Councillor IL Swartz (EFF)*
 - (v) *Councillor K Yisa (ANC)*

EENPARIG BESLUIT

- (a) *dat 'n Munisipale Publieke Rekeninge Komitee gestig word.*
- (b) *dat die Munisipale Publieke Rekeninge Komitee uit die volgende lede bestaan:*
 - (i) *Raadslid LA Hardnek (WP): Voorsitter*
 - (ii) *Raadslid GJ Franse (DA)*
 - (iii) *Raadslid J Cloete (PA)*
 - (iv) *Raadslid IL Swartz (EFF)*
 - (v) *Raadslid K Yisa (ANC)*

8.4.2 Council's representatives on outside bodies / Raad se verteenwoordigers op buite-organisasies (3/1/1/5)

A list of outside bodies for which Council must appoint representatives, is attached as **annexure 8.4.2**.

UNANIMOUSLY RESOLVED

that the matter in respect of Council's representatives on outside bodies be held in abeyance until the next meeting and that all political parties submit their members' names for the respective bodies.

EENPARIG BESLUIT

dat die aangeleentheid aangaande die Raad se verteenwoordigers op buite-organisasies tot die volgende vergadering oorstaan en dat alle politieke partye hul lede se name vir die onderskeie liggame indien.

8.4.3 Proposed establishment of Ward Committees: 2022 until 2027 / Voorgestelde stigting van Wykskomitees: 2022 tot 2027 (3/3/1/5)

A report from the Manager: Integrated Development Planning, dated 25 November 2021, is attached as **annexure 8.4.3**.

UNANIMOUSLY RESOLVED

- (a) that the Municipal Manager informs the MEC for Local Government that the establishment of Ward Committees for Witzenberg Municipality will run late.*
- (b) that the Office of the Speaker will determine the date by when Ward Committees must be established and communicates same with the Ward Councillors.*

BESLUIT

- (a) dat die Munisipale Bestuurder die LUR vir Plaaslike Regering in kennis stel dat die stigting van Wykskomitees vir Munisipaliteit Witzenberg laat sal wees.*
- (b) dat die Kantoor van die Speaker die datum waarop Wykskomitees gestig moet wees, vasstel en dienoreenkomstig aan Wyksraadslede meedeel.*

8.4.4 Proposed Council meeting program: January until June 2022
Voorgestelde Raadsvergaderingsprogram: Januarie tot Junie 2022
(3/1/2/3)

The Council meeting program and meeting schedule for January until June 2022 is attached as **annexure 8.4.4(a)**. The Western Cape Government meetings calendar for 2022 is attached as **annexure 8.4.4(b)**.

UNANIMOUSLY RESOLVED

that the proposed Council meeting program for January until June 2022 be approved.

EENPARIG BESLUIT

dat die voorgestelde vergaderingsprogram van die Raad vir Januarie tot Junie 2022 goedgekeur word.

8.4.5 Rules of order for conducting of meetings
Ordereëls vir die hou van vergaderings
(1/3/1/25)

The By-law on the Rules of Order regulating the conduct of meetings of the Witzenberg Municipality is attached as **annexure 8.4.5**.

UNANIMOUSLY RESOLVED

that the matter in respect of the Rules of order for the conducting of meetings be held in abeyance and be workshopped by Council.

EENPARIG BESLUIT

dat die aangeleentheid aangaande die Ordereëls vir die hou van vergaderings tot die volgende vergadering oorstaan en op 'n werkswinkel deur die Raad bespreek word.

9. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA / DRINGENDE SAKE NA AFSENDING VAN DIE AGENDA

9.1 SALGA National Conference: 2 until 4 March 2022
SALGA Nasionale Konferensie: 2 tot 4 Maart 2022
(12/1/1/11)

A circular from SALGA, dated 14 February 2022, is attached as **annexure 9.1**.

UNANIMOUSLY RESOLVED

that Councillor JS Mouton, Alderman HJ Smit and Councillor FE Klazen be mandated to represent Witzenberg Municipality at the SALGA National Conference from 2 until 4 March 2022.

EENPARIG BESLUIT

dat raadslid JS Mouton, raadsheer HJ Smit en raadslid FE Klazen gemagtig word om Munisipaliteit Witzenberg vanaf 2 tot 4 Maart 2022 op die SALGA Nasionale Konferensie te verteenwoordig.

**10. FORMAL AND STATUTORY MATTERS
FORMELE EN STATUTÊRE AANGELEENTHEDE****10.1 Feedback on matters of outside bodies
Terugvoering oor aangeleenthede van buite-organisasies
(3/R)**

None

NOTED

11. QUESTIONS and/or MATTERS RAISED by COUNCILLORS

None

NOTED

12. ADJOURNMENT / VERDAGING

The meeting adjourned at 13:36.
Die vergadering verdaag om 13:36.

Approved on _____ with / without amendments.

COUNCILLOR JS MOUTON
SPEAKER

/MJ Prins

**MINUTES OF THE COUNCIL MEETING OF WITZENBERG MUNICIPALITY,
HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON WEDNESDAY,
26 OCTOBER 2022 AT 10:00**

PRESENT

Councillors

Councillor EM Sidego (Speaker) (DA)
Alderman HJ Smit (Executive Mayor) (DA)
Councillor FE Klazen (Deputy Executive Mayor) (GOOD)
Alderman K Adams (DA)
Alderman BC Klaasen (DA)
Councillor P Daniels (DA)
Councillor S de Bruin (DA)
Councillor G Franse (DA)
Councillor D Swart (DA)
Alderman JJ Visagie (DA)
Councillor AL Gili (ANC)
Councillor JS Mouton (ANC)
Councillor N Nogcinisa (ANC)
Councillor N Phatsoane (ANC)
Councillor K Yisa (ANC)
Councillor J Zalie (ANC)
Councillor J Cloete (PA)
Councillor JP Fredericks (FF Plus)
Councillor LA Hardnek (Witzenberg Party)
Councillor P Heradien (ICOSA)
Councillor GG Laban (Witzenberg Aksie)
Councillor IL Swartz (EFF)

Officials

Mr D Nasson (Municipal Manager)
Mr HJ Kritzinger (Director: Finance)
Mr J Barnard (Director: Technical Services)
Mr M Mpeluza (Director: Corporate Services)
Ms L Nieuwenhuis (Manager: Legal Services)
Mr A Hofmeester (Manager: IDP)
Ms R Hendricks (Manager: Communication and Marketing)
Mr CG Wessels (Manager: Administration)
Ms M Arendse-Smith (Chief Administrative Officer)
Mr C Titus (Committee Clerk)
Mr R Rhode (ICT Administrator)
Mr J Pieterse (Senior ICT Officer)
Mr M Njokweni (Interpreter)
Ms MJ Prins (Word Processor Operator)

1. OPENING AND WELCOME

The Speaker welcomed everyone present and thereafter requested Councillor AL Gili to open the meeting with a prayer.

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

2.1 Consideration of application for leave of absence, if any (3/1/2/1)

An *Application for leave of absence* form is attached as **annexure 2.1**.

There were no applications for leave of absence.

NOTED / AANGETEKEN / IGQALIWE

2.2 Confidentiality and Conflict of Interest Declaration (3/2/1)

The Confidentiality and Conflict of Interest Declaration is attached as **annexure 2.2**.

The Confidentiality and Conflict of Interest Declaration was in the process of being signed when the meeting was adjourned due to chaos. However, all Councillors verbally declared that none had any interest to declare.

NOTED / AANGETEKEN / IGQALIWE

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

3.1 Gratitude, Congratulations and Commiseration Waardering, Gelukwensing en Meelewing (11/4/3)

Council's congratulations were conveyed by Councillor JP Fredericks to the following Councillors and spouses on their birthdays:

❖	Councillor J Mouton	8 September
❖	Ms C Laban	12 September
❖	Ms L Smit (Visagie)	24 September
❖	Councillor D Swart	30 September

❖	Mr C Klazen	10 October
❖	Councillor L Hardnek	19 October
❖	Ms K Swart	20 October

NOTED / AANGETEKEN / IGQALIWE

**3.2 Matters raised by the Speaker
(09/1/1)**

- (a) The Speaker informed Council that load shedding was scheduled for 12:00. If the meeting was not finished by then it would be postponed.
- (b) The Speaker informed Ward Councillors that a complaint was lodged that some Councillors had completed and submitted only attendance registers, but no minutes of the Ward Committee meetings. The matter, if found guilty to the practice, can have serious consequences for a Councillor.

NOTED / AANGETEKEN / IGQALIWE

**3.3 Matters raised by the Executive Mayor
(09/1/1)**

- (a) The Executive Mayor expressed best wishes to all matriculants in the Witzenberg municipal area with their final examinations.
- (b) The Executive Mayor expressed condolences to the family of Lorenzo Fransman (15), a grade 7 learner at Mooi-Uitsig Primary School, Bella Vista, Ceres who had committed suicide.
- (c) The Executive Mayor gave a follow-up report in respect of the Mayoral visit to Essen, Belgium. The report is attached as **annexure 3.3**.

NOTED / AANGETEKEN / IGQALIWE

3.4 Matters raised by the Municipal Manager

The Municipal Manager informed Council that the Public Participation Process in drafting of Council's reviewed Integrated Development Plan and Budget 2023/2024 will be held from Wednesday, 2 November 2022 until Tuesday, 15 November 2022 in all towns.

NOTED / AANGETEKEN / IGQALIWE

4. MINUTES

4.1 Corrections to the minutes (3/1/2/3)

This item was not discussed.

NOTED / AANGETEKEN / IGQALIWE

4.2 Approval of minutes (3/1/2/3)

This item was not discussed.

NOTED / AANGETEKEN / IGQALIWE

4.3 Outstanding matters (3/3/2)

Number	File reference	Heading, item no. and date	Directorate	Action	Progress	Target date
4.3.1	17/7/5	Item 11.4 of 24-08-2022 Complaint against Witzenberg Mun: Non-compliance of PSIRA	Corporate Services	That the matter be held in abeyance pending reports from PSIRA.		31-10-2022

UNANIMOUSLY RESOLVED

that notice be taken of the outstanding matter.

EENPARIG BESLUIT

dat kennis geneem word van die uitstaande saak.

The Speaker announced that the following items will be discussed later:

- Item 4 Minutes
- Item 4.1 Corrections to the minutes
- Item 4.2 Approval of minutes
- Item 5 Motions and notice of suggestions
- Item 5.1 Motion: Correctness of minutes of Council meeting 23 March 2022
- Item 6 Interviews

5. MOTIONS AND NOTICE OF SUGGESTIONS

This item was not discussed.

NOTED / AANGETEKEN / IGQALIWE

6. INTERVIEWS WITH DELEGATIONS

This item was not discussed.

NOTED / AANGETEKEN / IGQALIWE

7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

**7.1 Minutes: Committee meetings / Notules: Komiteevergaderings
(03/3/2)**

A discussion followed, which lasted for a long time and became chaotic, in respect of the placement of item 7.1(a) in the agenda.

The Speaker adjourned the meeting due to the chaos.

NOTED / AANGETEKEN / IGQALIWE

8. ADJOURNMENT

The meeting adjourned at 10:32.

Approved on _____ with / without amendments.

**COUNCILLOR EM SIDEGO
CHAIRPERSON**

MJ Prins

**MINUTES OF THE COUNCIL MEETING OF WITZENBERG MUNICIPALITY
(CONTINUATION OF 26 OCTOBER 2022), HELD IN THE TOWN HALL,
VOORTREKKER STREET, CERES ON WEDNESDAY, 9 NOVEMBER 2022 AT
10:00**

PRESENT

Councillors

Councillor EM Sidego (Speaker) (DA)
Alderman HJ Smit (Executive Mayor) (DA)
Councillor FE Klazen (Deputy Executive Mayor) (GOOD)
Alderman K Adams (DA)
Alderman BC Klaasen (DA)
Councillor P Daniels (DA)
Councillor S de Bruin (DA)
Councillor G Franse (DA)
Councillor D Swart (DA)
Alderman JJ Visagie (DA)
Councillor AL Gili (ANC)
Councillor JS Mouton (ANC)
Councillor MJ Ndaba (ANC)
Councillor N Nogcinisa (ANC)
Councillor N Phatsoane (ANC)
Councillor K Yisa (ANC)
Councillor J Zalie (ANC)
Councillor J Cloete (PA)
Councillor JP Fredericks (FF Plus)
Councillor LA Hardnek (Witzenberg Party)
Councillor P Heradien (ICOSA)
Councillor GG Laban (Witzenberg Aksie)
Councillor IL Swartz (EFF)

Officials

Mr D Nasson (Municipal Manager)
Mr HJ Kritzinger (Director: Finance)
Mr J Barnard (Director: Technical Services)
Mr M Mpeluza (Director: Corporate Services)
Ms L Nieuwenhuis (Manager: Legal Services)
Mr A Hofmeester (Manager: IDP)
Ms R Hendricks (Manager: Communication and Marketing)
Mr CG Wessels (Manager: Administration)
Ms M Arendse-Smith (Chief Administrative Officer)
Mr CJ Titus (Committee Clerk)
Ms MJ Prins (Word Processor Operator)
Mr R Rhode (ICT Administrator)
Mr J Pieterse (Senior ICT Officer)
Mr M Njokweni (Interpreter)

1. OPENING AND WELCOME

The Speaker welcomed everyone present and requested Councillor G Laban to open the meeting with a prayer.

The Speaker announced that the meeting is a continuation of the meeting held on 26 October 2022 and that the matters will be dealt with from item 4 on the agenda.

NOTED

2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

2.1 Consideration of application for leave of absence, if any (3/1/2/1)

An *Application for leave of absence* form is attached as **annexure 2.1**.

There were no applications for leave of absence.

NOTED / AANGETEKEN / IGQALIWE

2.2 Confidentiality and Conflict of Interest Declaration (3/2/1)

The Confidentiality and Conflict of Interest Declaration is attached as **annexure 2.2**.

The Confidentiality and Conflict of Interest Declaration was duly signed by all Councillors.

NOTED / AANGETEKEN / IGQALIWE

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

3.1 Gratitude, Congratulations and Commiseration Waardering, Gelukwensing en Meelewing (11/4/3)

This item was dealt with at the meeting of 26 October 2022.

NOTED / AANGETEKEN / IGQALIWE

**3.2 Matters raised by the Speaker
(09/1/1)**

- (a) The Speaker mentioned that she had notice that three (3) Portfolio Committee meetings were not held during October 2022 due to the lack of a quorum. The Speaker requested Councillors to attend Council meetings at all times.
- (b) The Speaker informed Council that a Whippery System will be in place in future at Council meetings to streamline meetings.

NOTED / AANGETEKEN / IGQALIWE

**3.3 Matters raised by the Executive Mayor
(09/1/1)**

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

3.4 Matters raised by the Municipal Manager

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

4. MINUTES

**4.1 Corrections to the minutes
(3/1/2/3)**

Councillor AL Gili enquired with regard to the approval of the minutes of the Council meeting held on 30 March 2022. The Municipal Manager clarified the matter, on which the said Councillor enquired why the minutes of 23 February 2022 are not approved. The Speaker responded that Councillor Gili had submitted a motion at the previous meeting in respect of the matter of corrections to the applicable minutes. Council also workshopped the minutes of 23 February 2022, but still the matter goes forward and back. Councillor N Phatsoane joined the discussion in support of Councillor Gili.

Councillor Gili mentioned that he had requested a sound recording and photocopies of the minutes of 30 March 2022 and was requested to pay for it. A lengthy discussion, which included Councillors P Heradien, K Yisa and Alderman BC Klaasen, followed on the matter.

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Councillor Gili referred to matters in item 5.1: Motion in respect of verbatim words of the former Speaker, Councillor J Mouton, i.e. "The motion cannot carry" and mentioned that the minutes of the meeting are incorrect. The Speaker advised that Council will listen to the recordings of the minutes again. A loud discussion took place between the Speaker and Councillors A Gili and K Yisa in respect of the correctness of the minutes.

Alderman JJ Visagie proposed and Alderman K Adams seconded that Council workshop the applicable minutes by sound recording and resolve on the correctness thereof. Councillors MJ Ndaba and N Phatsoane mentioned that although some minutes are approved by Council there are still matters outstanding which must be attended to i.e. the matter of an investigation. Councillor Phatsoane proposed that matters under investigation must be put on Outstanding Matters and cannot disappear due to minutes be approved. No seconder was available.

Councillor AL Gili proposed and Councillor MJ Ndaba seconded that the meeting continue with the matter of the correction of the minutes.

Councillor AL Gili requested that a secret ballot be held, which was declined by the Speaker. Councillors J Mouton and A Gili requested that a vote by hands not be held.

The Speaker called for a vote in respect of a workshop being held and the outcomes were 12 votes.

The following Councillors mentioned that they abstain from voting:

- Councillor P Heradien (ICOSA)
- Councillor J Cloete (PA)
- Councillor IL Swartz (EFF)
- Councillor GG Laban (Witzenberg Aksie)

On request of the Speaker for a vote on the proposal that the meeting continue with the matter of the correction of minutes, the ANC abstained to vote.

On grounds of the majority vote the Speaker declared that the matter was dealt with.

RESOLVED

that the matter in respect of the corrections to the following minutes be held in abeyance and be workshopped by Council:

- (i) *Council meeting, held on 23 February 2022.*
- (ii) *Special Council meeting, held on 23 March 2022.*
- (iii) *Special Council meeting, held on 24 May 2022.*
- (iv) *Special Council meeting, held on 30 May 2022.*
- (v) *Special Council meeting, held on 22 June 2022.*
- (vi) *Special Council meeting, held on 10 August 2022.*

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- (vii) *Council meeting, held on 24 August 2022.*
 (viii) *Special Council meeting, held on 23 September 2022.*

BESLUIT

dat die aangeleentheid rakende die regstelling van die volgende notules oorstaan en deur die Raad op 'n werkswinkel behandel word:

- (i) *Raadsvergadering, gehou op 23 Februarie 2022.*
 (ii) *Spesiale Raadsvergadering, gehou op 23 Maart 2022.*
 (iii) *Spesiale Raadsvergadering, gehou op 24 Mei 2022.*
 (iv) *Spesiale Raadsvergadering, gehou op 30 Mei 2022.*
 (v) *Spesiale Raadsvergadering, gehou op 22 Junie 2022.*
 (vi) *Spesiale Raadsvergadering, gehou op 10 Augustus 2022.*
 (vii) *Raadsvergadering, gehou op 24 Augustus 2022.*
 (viii) *Spesiale Raadsvergadering, gehou op 23 September 2022.*

ISIGQIBO

Ukuba lombu urhoxiswe ngenxa yezilungiso zalemizuzu ilandelayo kwaye ucweywe liBhunga:

- (i) *Intlanganiso yeBhunga ebibanjwe ngomhla wama 23 kweyoMdumba 2022.*
- (ii) *Intlanganiso ekhethekileyo eyayibanjwe ngomhla wama 23 kweyoKwindla 2022.*
- (iii) *Intlanganiso ekhethekileyo eyayibanjwe ngomhla wama 24 kwekaCanzibe 2022.*
- (iv) *Intlanganiso ekhethekileyo yeBhunga eyayibanjwe ngomhla wama 30 kwekaCanzibe 2022.*
- (v) *Intlanganiso ekhethekileyo yeBhunga eyayibanjwe ngomhla wama 22 kweyeSilimela 2022.*
- (vi) *Intlanganiso yeBhunga ekhethekileyo eyayibanjwe ngomhla we 10 kweyeThupha 2022.*
- (vii) *Intlanganiso yeBhunga eyayibanjwe ngomhla wama 24 kweyeThupha 2022.*
- (viii) *Intlanganiso yeBhunga ekhethekileyo eyayibanjwe ngomhla wama 23 kweyoMsintsi 2022.*

Minutes: Council meeting (Continuation of 26 October 2022)
Notule: Raadsvergadering (Voortsetting van 26 Oktober 2022)
9 November 2022

**4.2 Approval of minutes
(3/1/2/3)**

The following minutes are attached:

- (a) Council meeting, held on 23 February 2022: **Annexure 4.2(a).**
- (b) Special Council meeting, held on 23 March 2022: **Annexure 4.2(b).**
- (c) Special Council meeting, held on 24 May 2022: **Annexure 4.2(c).**
- (d) Special Council meeting, held on 30 May 2022: **Annexure 4.2(d).**
- (e) Special Council meeting, held on 22 June 2022: **Annexure 4.2(e).**
- (f) Special Council meeting, held on 10 August 2022: **Annexure 4.2(f).**
- (g) Council meeting, held on 24 August 2022: **Annexure 4.2(g).**
- (h) Special Council meeting, held on 23 September 2022: **Annexure 4.2(h).**

RESOLVED

that the matter in respect of the approval of the following minutes be held in abeyance until after the workshop about the correction of the minutes:

- (i) Council meeting, held on 23 February 2022.
- (ii) Special Council meeting, held on 23 March 2022.
- (iii) Special Council meeting, held on 24 May 2022.
- (iv) Special Council meeting, held on 30 May 2022.
- (v) Special Council meeting, held on 22 June 2022.
- (vi) Special Council meeting, held on 10 August 2022.
- (vii) Council meeting, held on 24 August 2022.
- (viii) Special Council meeting, held on 23 September 2022.

BESLUIT

dat die aangeleentheid rakende die goedkeuring van die volgende notules oorstaan tot na afloop van die werkswinkel rakende die regstelling van die notules:

- (i) Raadsvergadering, gehou op 23 Februarie 2022.
- (ii) Spesiale Raadsvergadering, gehou op 23 Maart 2022.
- (iii) Spesiale Raadsvergadering, gehou op 24 Mei 2022.
- (iv) Spesiale Raadsvergadering, gehou op 30 Mei 2022.
- (v) Spesiale Raadsvergadering, gehou op 22 Junie 2022.
- (vi) Spesiale Raadsvergadering, gehou op 10 Augustus 2022.
- (vii) Raadsvergadering, gehou op 24 Augustus 2022.
- (viii) Spesiale Raadsvergadering, gehou op 23 September 2022.

Minutes: Council meeting (Continuation of 26 October 2022)
Notule: Raadsvergadering (Voortsetting van 26 Oktober 2022)
9 November 2022

ISIGQIBO

Ukuba lombela urhoxiswe ngenxa yezilungiso zalemizuzu ilandelayo kwaye ucweywe liBhunga:

- (i) *Intlanganiso yeBhunga ebibanjwe ngomhla wama 23 kweyoMdumba 2022.*
- (ii) *Intlanganiso ekhethekileyo eyayibanjwe ngomhla wama 23 kweyoKwindla 2022.*
- (iii) *Intlanganiso ekhethekileyo eyayibanjwe ngomhla wama 24 kwekaCanzibe 2022.*
- (iv) *Intlanganiso ekhethekileyo yeBhunga eyayibanjwe ngomhla wama 30 kwekaCanzibe 2022.*
- (v) *Intlanganiso ekhethekileyo yeBhunga eyayibanjwe ngomhla wama 22 kweyeSilimela 2022.*
- (vi) *Intlanganiso yeBhunga ekhethekileyo eyayibanjwe ngomhla we 10 kweyeThupha 2022.*
- (vii) *Intlanganiso yeBhunga eyayibanjwe ngomhla wama 24 kweyeThupha 2022*
- (viii) *Intlanganiso yeBhunga ekhethekileyo eyayibanjwe ngomhla wama 23 kweyoMsintsi 2022*

4.3 Outstanding matters (3/3/2)

Number	File reference	Heading, item no. and date	Directorate	Action	Progress	Target date
4.3.1	17/7/5	Item 11.4 of 24-08-2022 Complaint against Witzenberg Mun: Non-compliance of PSIRA	Corporate Services	That the matter be held in abeyance pending reports from PSIRA.		31-10-2022

4.3.1 Complaint against Witzenberg Municipality: Non-compliance of PSIRA

The Municipal Manager mentioned that he will follow up on the matter to obtain an answer from PSIRA.

UNANIMOUSLY RESOLVED

that notice be taken of the outstanding matter.

EENPARIG BESLUIT

dat kennis geneem word van die uitstaande saak.

ISIGQIBO SABUCALA

Ukuba kugqalwe imiba engashukuxwanga.

5. MOTIONS AND NOTICE OF SUGGESTIONS

5.1 Motion: Correctness of minutes of Council meeting 23 March 2022 (3/1/2/3)

A motion from the ANC coalition, dated 18 October 2022, is attached as **annexure 5.1**.

UNANIMOUSLY RESOLVED

that the matter in respect of the correctness of the minutes of the Council meeting held on 23 March 2022 be held in abeyance and be workshopped by Council.

EENPARIG BESLUIT

dat die aangeleentheid rakende die korrektheid van die notule van die Raadsvergadering gehou op 23 Maart 2022 oorstaan en deur die Raad op 'n werkswinkel behandel word.

ISIGQIBO SABUCALA

Ukuba imizuzu yentlanganiso yeBhunga ibibanjwe ngomhla wama 23 kweyoKwindla 2022 ilungiswe kwaye irhoxiselwe uCweyo lweBhunga.

6. INTERVIEWS WITH DELEGATIONS

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

7.1 Minutes: Committee meetings / Notules: Komiteevergaderings (03/3/2)

The minutes of the following meetings are attached:

- (a) Committee for Housing Matters, held on 21 September 2021: **Annexure 7.1(a).**
- (b) Committee for Housing Matters, held on 30 September 2021: **Annexure 7.1(b).**
- (c) Committee for Housing Matters, held on 7 April 2022: **Annexure 7.1(c).**
- (d) Executive Mayoral Committee meeting, held on 26 May 2022: **Annexure 7.1(d).**
- (e) Executive Mayoral Committee meeting, held on 20 June 2022: **Annexure 7.1(e).**

Alderman JJ Visagie proposed and Alderman K Adams seconded that the recommendation in the agenda be accepted.

The following recommendation was tabled to the meeting:

that notice be taken of the minutes of the Committee meetings and same be accepted.

Councillor P Heradien objected against the acceptance of the following minutes:

- (a) Committee for Housing Matters, held on 21 September 2021 and
- (b) Committee for Housing Matters, held on 30 September 2021.

His reason being that both meetings were held in the previous term.

Councillor AL Gili requested a caucus break on behalf of the ANC from 11:48 until 11:58.

After the caucus break Councillor Gili reported that the ANC coalition had requested that the said committee minutes supra be workshopped.

The Speaker postponed the meeting due to the load shedding and no resolution was taken on the matter.

NOTED / AANGETEKEN / IGQALIWE

Minutes: Council meeting (Continuation of 26 October 2022)
Notule: Raadsvergadering (Voortsetting van 26 Oktober 2022)
9 November 2022

8. ADJOURNMENT

The meeting adjourned at 12:10 and will commence on 29 November 2022 at 10:00 in the Town Hall, Ceres.

Approved on _____ with / without amendments.

COUNCILLOR EM SIDEGO
SPEAKER

MJ Prins

**MINUTES OF THE COUNCIL MEETING OF WITZENBERG MUNICIPALITY
(CONTINUATION OF 9 NOVEMBER 2022), HELD IN THE TOWN HALL,
VOORTREKKER STREET, CERES ON TUESDAY, 29 NOVEMBER 2022 AT 10:00**

PRESENT

Councillors

Councillor EM Sidego (Speaker) (DA)
Alderman HJ Smit (Executive Mayor) (DA)
Councillor FE Klazen (Deputy Executive Mayor) (GOOD)
Alderman K Adams (DA)
Alderman BC Klaasen (DA)
Councillor P Daniels (DA)
Councillor S de Bruin (DA)
Councillor G Franse (DA)
Councillor D Swart (DA)
Alderman JJ Visagie (DA)
Councillor AL Gili (ANC)
Councillor JS Mouton (ANC)
Councillor MJ Ndaba (ANC)
Councillor N Nogcinisa (ANC)
Councillor K Yisa (ANC)
Councillor J Zalie (ANC)
Councillor JP Fredericks (FF Plus)
Councillor LA Hardnek (Witzenberg Party)
Councillor P Heradien (ICOSA)
Councillor GG Laban (Witzenberg Aksie)
Councillor IL Swartz (EFF)

Officials

Mr D Nasson (Municipal Manager)
Mr HJ Kritzinger (Director: Finance)
Mr M Mpeluza (Director: Corporate Services)
Mr A Hofmeester (Manager: IDP)
Ms L Nieuwenhuis (Manager: Legal Services)
Ms R Hendricks (Manager: Communication and Marketing)
Mr CG Wessels (Manager: Administration)
Ms M Arendse-Smith (Chief Administrative Officer)
Mr R Rhode (ICT Administrator)
Mr J Pieterse (Senior ICT Officer)
Mr C Titus (Committee Clerk)
Mr M Njokweni (Interpreter)
Ms MJ Prins (Word Processor Operator)

1. OPENING AND WELCOME

The Speaker welcomed everyone present and requested Alderman BC Klaasen to open the meeting with prayer.

NOTED

2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

2.1 Consideration of application for leave of absence, if any (3/1/2/1)

An *Application for leave of absence* form is attached as **annexure 2.1**.

- (a) Applications for leave of absence from the meeting were received from Councillors JJ Cloete and N Phatsoane, both for being hospitalised.
- (b) Apologies for absence from the meeting were received from the Director: Technical Services and the Manager: Projects and Performance.

UNANIMOUSLY RESOLVED

- (a) *that the applications for leave of absence from the meeting, received from Councillors JJ Cloete and N Phatsoane, be approved and accepted.*
- (b) *that notice be taken of the apologies for absence from the meeting, received from the Director: Technical Services and the Manager: Projects and Performance, and same be accepted.*

EENPARIG BESLUIT

- (a) *dat die aansoeke om verlof tot afwesigheid van die vergadering, ontvang vanaf raadslede JJ Cloete en N Phatsoane, goedgekeur en aanvaar word.*
- (b) *dat kennis geneem word van die verskonings vir afwesigheid van die vergadering, ontvang vanaf die Direkteur: Tegniese Dienste en die Bestuurder: Projekte en Prestasie, en genoemde aanvaar word.*

ISIGQIBO SABUCALA

- (a) *Ukuba isicelo sekhefu lokungazimasi intlanganiso sika Ceba uJJ Cloete kunye no-N Phatsoane, siphunyezwe kwaye samnkelwe.*
- (b) *Ukuba isingxengxezo sokungazimasi intlanganiso soMlawuli: kwezoBuchwepheshe kunye noMphathi: kwezeProjekithi nendlela yokusebenza, nazo zamnkelwe.*

2.2 Confidentiality and Conflict of Interest Declaration (3/2/1)

The Confidentiality and Conflict of Interest Declaration is attached as **annexure 2.2**.

The Confidentiality and Conflict of Interest Declaration was duly signed by all Councillors. No conflict of interest was declared.

NOTED

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

3.1 Gratitude, Congratulations and Commiseration Waardering, Gelukwensing en Meelewing (11/4/3)

This item has been dealt with at the meeting of 26 October 2022.

NOTED / AANGETEKEN / IGQALIWE

3.2 Matters raised by the Speaker (09/1/1)

- (a) Speaker conveyed condolences on behalf of Council to Councillor N Nogcinisa and her family with the passing of her father and pray for comfort during their time of bereavement.
- (b) Speaker informed Council of the hospitalisation of Councillor J Cloete and that she and the Executive Mayor had visited the Councillor whilst in hospital.
- (c) Speaker informed Council that the *16 Days of Activism for no Violence against Women and Children* campaign commenced on 25 November 2022 and continues until 10 December 2022.
- (d) Speaker mentioned that the Training Policy had been workshopped and Councillors are to make appointments with Speaker in order to complete their respective Personal Development Plans.

NOTED

3.3 Matters raised by the Executive Mayor (09/1/1)

- (a) Executive Mayor, on behalf of Council, wished both Councillor Cloete and Councillor Phatsoane a speedy recovery from their ill-health.
- (b) Executive Mayor informed Council that the Bella Vista Rugby Club will be playing in the Boland Rugby Union Top 12 tournament this weekend and that Council wishes them well for the game.

NOTED

3.4 Matters raised by the Municipal Manager

None

NOTED

4. MINUTES

4.1 Corrections to the minutes (3/1/2/3)

4.2 Approval of minutes (3/1/2/3)

The following minutes are attached:

- (a) Council meeting, held on 23 February 2022: **Annexure 4.2(a).**
- (b) Special Council meeting, held on 23 March 2022: **Annexure 4.2(b).**
- (c) Special Council meeting, held on 24 May 2022: **Annexure 4.2(c).**
- (d) Special Council meeting, held on 30 May 2022: **Annexure 4.2(d).**
- (e) Special Council meeting, held on 22 June 2022: **Annexure 4.2(e).**
- (f) Special Council meeting, held on 10 August 2022: **Annexure 4.2(f).**
- (g) Council meeting, held on 24 August 2022: **Annexure 4.2(g).**
- (h) Special Council meeting, held on 23 September 2022: **Annexure 4.2(h).**

RESOLVED

- (a) *that the approval of the minutes of the Council meeting, held on 23 February 2022, be held in abeyance and be workshopped by Council.*
- (b) *That the following minutes be approved and signed by the Speaker:*
- (i) *Special Council meeting, held on 23 March 2022.*
 - (ii) *Special Council meeting, held on 24 May 2022.*
 - (iii) *Special Council meeting, held on 30 May 2022.*
 - (iv) *Special Council meeting, held on 22 June 2022.*
 - (v) *Special Council meeting, held on 10 August 2022.*
 - (vi) *Council meeting, held on 24 August 2022.*
 - (vii) *Special Council meeting, held on 23 September 2022.*

4.3 Outstanding matters (3/3/2)

Number	File reference	Heading, item no. and date	Directorate	Action	Progress	Target date
4.3.1	17/7/5	Item 11.4 of 24-08-2022 Complaint against Witzenberg Mun: Non-compliance of PSIRA	Corporate Services	That the matter be held in abeyance pending reports from PSIRA.		31-10-2022

This item has been dealt with at the meeting of 9 November 2022.

NOTED / AANGETEKEN / IGQALIWE

5. MOTIONS AND NOTICE OF SUGGESTIONS

5.1 Motion: Correctness of minutes of Council meeting 23 March 2022 (3/1/2/3)

A motion from the ANC coalition, dated 18 October 2022, is attached as **annexure 5.1**.

The Speaker informed the meeting that the correctness of the minutes can be made, but the Speaker cannot make a ruling for an investigation. The matter must be tabled to Council and Council must make a decision on the matter.

RESOLVED

- (a) *that notice be taken of the motion regarding the correctness of the minutes of the Council meeting held on 23 March 2022 and that the minutes be amended to include the following:*

"I need to ask the MM to excuse himself as the legal advisor for today due to an incident that occurred in my office last week and I also request Liza-Mari to be my legal advisor only for today, and as the Speaker of this Council I want to ask a full investigation on the matter that occurred in my office, I will inform the Council on a later stage on this matter, but for now I do not want to compromise the process of the investigation on this matter."

- (b) *that the request for investigation into what transpired in the office of the former Speaker be tabled before Council for further deliberations.*

6. INTERVIEWS WITH DELEGATIONS

None

NOTED

7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

7.1 Minutes: Committee meetings / Notules: Komiteevergaderings (03/3/2)

The minutes of the following meetings are attached:

- (a) Committee for Housing Matters, held on 21 September 2021:
Annexure 7.1(a).
- (b) Committee for Housing Matters, held on 30 September 2021:
Annexure 7.1(b).
- (c) Committee for Housing Matters, held on 7 April 2022:
Annexure 7.1(c).
- (d) Executive Mayoral Committee meeting, held on 26 May 2022:
Annexure 7.1(d).
- (e) Executive Mayoral Committee meeting, held on 20 June 2022:
Annexure 7.1(e).

The following recommendation was tabled to Council:

that notice be taken of the minutes of the Committee meetings and same be accepted.

The Speaker informed the meeting that item 7.1 had been dealt with at the meeting of 9 November 2022.

RESOLVED

that notice be taken of the minutes of the Committee meetings and same be accepted.

BESLUIT

dat kennis geneem word van die notules van die Komiteevergaderings en genoemde aanvaar word.

ISIGQIBO

Ukuba kugqalwe imizuzu yeeNtlanganiso zeKomiti kwaye yamkelwe.

8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

8.1 Direktooraat Finansies / Directorate Finance

8.1.1 Witzenberg Municipality: Municipal Public Accounts (MPAC): Annual Work Plan 2022/2023 (2/2/2)

The Head: Internal Audit submitted the Municipal Public Accounts Committee (MPAC): Annual Work Plan for 2022/2023, attached as **annexure 8.1.1**. The following matter was highlighted:

- The Municipal Public Accounts Committee requested that the outstanding matter in respect of the Koekedouw Dam Irrigation Project be submitted to the Municipal Public Accounts Committee at the next meeting.

The Municipal Public Accounts Committee resolved on 9 June 2022 to recommend to Council that notice be taken of the MPAC Annual Work Plan for 2022/2023 and same be accepted.

UNANIMOUSLY RESOLVED

that notice be taken of the MPAC Annual Work Plan for 2022/2023 and same be accepted.

8.1.2 Witzenberg Whistleblowing Policy (2/12/P)

The Whistleblowing Policy for Witzenberg Municipality is attached as **annexure 8.1.2**.

The Performance, Risk and Audit Committee resolved on 24 June 2022 to recommend to Council:

- that notice be taken of the Witzenberg Whistleblowing Policy and, after consideration, same be approved.
- that the municipality approaches other municipalities to determine their experience and evaluation to outsource fraud and corruption hotlines.
- that the Head: Internal Audit performs an analysis on the National Fraud and Corruption Hotline to determine the benefit for the municipality.

The following recommendation was tabled to Council:

- that notice be taken of the Witzenberg Whistleblowing Policy and, after consideration, same be approved.

- (b) that the municipality approaches other municipalities to determine their experience and evaluation to outsource fraud and corruption hotlines.
- (c) that the Head: Internal Audit performs an analysis on the National Fraud and Corruption Hotline to determine the benefit for the municipality.

UNANIMOUSLY RESOLVED

that the matter regarding the Witzenberg Whistleblowing Policy be held in abeyance to be workshopped by Council.

**8.1.3 Witzenberg Fraud and Corruption Prevention Policy and Response Plan
(2/12/P)**

The Fraud and Corruption Prevention Policy and Response Plan for Witzenberg Municipality is attached as **annexure 8.1.3**.

The Performance, Risk and Audit Committee resolved on 24 June 2022 to recommend to Council that notice be taken of the Witzenberg Fraud and Corruption Prevention Policy and Response Plan and, after consideration, same be approved.

UNANIMOUSLY RESOLVED

that notice be taken of the Witzenberg Fraud and Corruption Prevention Policy and Response Plan and, after consideration, same be approved.

**8.1.4 Witzenberg Fraud and Corruption Prevention Strategy
(2/12/P)**

The Fraud and Corruption Prevention Strategy for Witzenberg Municipality is attached as **annexure 8.1.4**.

The Performance, Risk and Audit Committee resolved on 24 June 2022 to recommend to Council that notice be taken of the Witzenberg Fraud and Corruption Prevention Strategy and, after consideration, same be approved.

UNANIMOUSLY RESOLVED

that notice be taken of the Witzenberg Fraud and Corruption Prevention Strategy and, after consideration, same be approved.

8.2 Direktooraat Tegnieuse Dienste / Directorate Technical Services

8.2.1 Padsluiting: Huis Disa, Tulbagh Closure of road: Disa Home, Tulbagh (16/4/2)

A memorandum from the Manager: Town Planning and Building Control, dated 26 May 2022, is attached as **annexure 8.2.1**.

The Executive Mayoral Committee resolved on 24 October 2022 to recommend to Council that the 11.02 meter (34 feet) wide road, located along Huis Disa's northern boundary as shown in Figure 1, is not required for basic service delivery and may be closed, subject to the formal town planning process which involves public advertising.

Councillor AL Gili proposed and Councillor JS Mouton seconded that the matter be held in abeyance.

Councillor JP Fredericks proposed and Alderman K Adams seconded that the recommendation as in the Council agenda be accepted.

The Speaker called for a vote and the outcomes were:

- | | |
|-------------------------------|----------------|
| • Matter held in abeyance | 9 votes |
| • In favour of recommendation | 12 votes |
| • Councillors abstained | <u>2</u> votes |

TOTAL	23 votes
-------	----------

RESOLVED

that the 11.02 meter (34 feet) wide road, located along Huis Disa's northern boundary as shown in Figure 1, is not required for basic service delivery and may be closed, subject to the formal town planning process which involves public advertising.

BESLUIT

dat die pad met wydte 11.02 meter (34 voet), geleë langs Huis Disa se noordgrens soos aangetoon deur Figuur 1, nie benodig word vir basiese dienslewering nie en gesluit kan word, onderhewig aan die formele stadsbeplanningsproses wat publieke advertering insluit.

ISIGQIBO

Ukuba imitsi/mitha engu 11.02 (imitsi engama 34) ububanzi bendlela, ezinzecebukuhle kwindlu iDisa kumantla nanjengokuba kudakanciwe ku (Figure 1) kwaye ayifuni unikezelo lweenkonzo kwaye ingavalwa, kambe oku kuyaku-xhomekake kwinkqubo yezicwangciso zeDolphu ezisemthethweni equka uku-Papashwa kuwonkewonke.

8.3 Direktooraat Gemeenskapsdienste / Directorate Community Services

8.3.1 Proposed erf 2622 for Schoonvlei SMME Business HUB: Corner of Bank and Forel Streets, Bella Vista, Ceres (7/1/4/1)

Council resolved per item 8.3.1 of 28 January 2020:

- (a) that Council takes notice of the approved funding application from Witzenberg Municipality for the development of an SMME Small Business HUB in the Schoonvlei industrial area located in Bella Vista, Ceres.
- (b) that Council, after consideration, approved to develop a Small Business HUB in Schoonvlei industrial area on erf 2622 on the corner of Bank and Forel Streets, Bella Vista, Ceres.

Report from Municipal Manager, dated 19 October 2022:

"Background

The subdivision of erf 2622, Schoonvlei, Ceres was approved subject to certain conditions. In terms of Council's policy on the contribution of bulk levies (development charge per service) any potential buyer will have to pay the bulk contribution cost as set out in **annexure 8.3.1(a)**. The minimum cost in terms of the industrial zoning of the erf will be R681 578-07 per unit. This excludes the market related cost of the erf. The market related cost of the subdivided erven is attached as **annexure 8.3.1(b)**. When Council deliberated on the matter the idea was to empower the previously disadvantaged sector of our community who has not benefited from any land acquisition in the past. Council also wanted to cater for the small business people within the Schoonvlei industrial park. The payment of the development cost makes it economically unviable and unaffordable for any small business person to purchase the property from Council. Council is requested to consider to waive the development charges for upcoming and small business entrepreneurs from the previously disadvantaged communities.

Legal implications

These subdivided erven is not required for basic service delivery as envisaged by Section 40 of the Municipal Finance Management Act. The property will be sold in terms of Council's Supply Chain Policy to meet the requirement of the constitution of being fair, transparent and equitable.

Financial implications

Council will not receive any development charges income in terms of Council's policy if the cost is waived. If the property is sold it will be sold at market related price and Council's income will be from the services delivered at the erven as well as future rates."

The Executive Mayoral Committee resolved on 24 October 2022 to recommend to Council that the matter in respect of the proposed erf 2622 for Schoonvlei Small Medium Micro Business HUB, corner of Bank and Forel Street, Bella Vista, Ceres be held in abeyance and further information be obtained.

UNANIMOUSLY RESOLVED

that the matter in respect of the proposed erf 2622 for Schoonvlei Small Medium Micro Business HUB, corner of Bank and Forel Street, Bella Vista, Ceres be held in abeyance and further information be obtained.

EENPARIG BESLUIT

dat die aangeleentheid rakende die voorgestelde erf 2622 vir Schoonvlei Klein Medium Mikro Besigheidsentrum, hoek van Bank- en Forelstraat, Bella Vista, Ceres oorstaan en dat verdere inligting bekom word.

ISIGQIBO SABUCALA

Ukuba umba ophathelene nendawo (erf 2622) kulungiselelwa amashishini asakhasayo eSchoonvlei, kwidolo leBhanki kunye nesiTalato iForel Street, Bella Vista, Ceres koko iinkcukacha ezithe vetshe zide zifumaneka.

8.4 Direktooraat Korporatiewe Dienste / Directorate Corporate Services

8.4.1 Witzenberg Municipality Training and Development Policy (4/4/P)

The Training and Development Policy for Witzenberg Municipality is attached as **annexure 8.4.1**.

The Executive Mayoral Committee resolved on 24 October 2022 to recommend to Council that the Witzenberg Training and Development Policy, after consideration, be approved and accepted subject to the decision taken at the Council workshop.

UNANIMOUSLY RESOLVED

that the Witzenberg Training and Development Policy, after consideration, be approved and accepted.

EENPARIG BESLUIT

dat die Witzenberg Opleiding- en Ontwikkelingsbeleid, na oorweging, goedgekeur en aanvaar word.

ISIPHAKAMISO

Ukuba umgaqo-nkqubo woqeqesho noPhuhliso, emveni kokuba uthathelwe ingqalelo, uphunyezwe kwaye wamkelwe.

8.4.2 Publication of Class 1 Municipal Boundary Re-determinations (3/1/1/2)

Circular 3/2022 from the Municipal Demarcation Board, dated 4 October 2022, is attached as **annexure 8.4.2**.

UNANIMOUSLY RESOLVED

that notice be taken of the contents of the circular from the Demarcation Board.

EENPARIG BESLUIT

dat kennis geneem word van die inhoud van die omsendskrywe vanaf die Afbakeningsraad.

ISIGQIBO SABUCALA

Ukuba kugqalwe umxholo wesaziso malunga neBhodi yosiko mida.

8.4.3 Council matters: Chronological order of losing the Mayoral chain (3/R & 6/1/R)

Report from Manager: Administration, dated 12 October 2022:

1. Purpose

To inform the Executive Mayoral Committee and Council that the Mayoral chain has been lost and the current police investigation in this regard.

2. Discussion and deliberation

Herewith a chronological account of how the Mayoral chain was lost and the current police investigation into the matter.

- 2.1 On Friday, 4 December 2020, Alderman BC Klaasen, at that time Executive Mayor of Witzenberg Municipality, pitched at 16:00 at the office of the Department Administration.
- 2.2 The Mayoral Chain was locked in the safe.
- 2.3 All staff members present were ready to leave the office since it was the end of the working day and the week.
- 2.4 Alderman Klaasen stood in the middle of the door opening and nobody could exit the room.
- 2.5 Alderman Klaasen was visibly in a hurry and also mentioned that he was in a hurry and had come to fetch the Mayoral chain.
- 2.6 The Manager: Administration was aware that the Mayor had to make a speech at the St Andrews Anglican Church in Ceres on Sunday, 6 December 2020.

The reasons for this knowledge were:

- 2.6.1 As a member of the said church the Manager: Administration knew that it was the 160 year's celebration of the church that weekend.
- 2.6.2 The Manager: Administration was also aware that the Mayoral speech for this event had been prepared by the Department Communication.
- 2.7 The Manager: Administration handed over the Mayoral chain to the Mayor in the presence of the following officials, who witnessed the handover:
 - (a) Mariaan Prins
 - (b) Elana Lewis
 - (c) Christo Titus
 - (d) Wilma Roode

(e) Lulama Ngwane

- 2.8 Alderman Klaasen mentioned that the chain would be returned on Monday, 7 December 2020.
- 2.9 The chain was not returned as promised, which was not found strange, because over many years it was sometimes kept by various Mayors of the municipality in the office of the Executive Mayor. Alderman Klaasen also did this from time to time.
- 2.10 Since January 2021, and thereafter, it was noted by the Manager: Administration that the Mayor was not wearing the chain at official functions.
- 2.11 Alderman Klaasen never requested the chain from Department Administration again after Friday, 4 December 2020 and the Manager: Administration assumed that he preferred not to wear the chain.
- 2.12 During February 2021 the Manager: Administration enquired from the Mayor, as well as his personal assistant, about the chain.
- 2.13 The Mayor mentioned in an aggressive way that the chain had already been returned to the Department Administration. However, neither the Mayor nor his assistant could indicate who had returned the chain and who had received it at Department Administration.
- 2.14 The Manager: Administration started searching after and enquiring about the chain at several sites and with several employees who could possibly have information about the whereabouts of the chain. All offices in the Department Administration, the safe as well as the offices of the Council component, which include the office of the Mayor, were thoroughly searched. However, the chain could not be found.
- 2.15 The assistance of Alderman Klaasen was again requested to also have a look at his home, but the effort for support was in vain and he responded in anger.
- 2.16 The Manager: Administration informed the Municipal Manager about the missing chain and requested him to discuss the matter with Alderman Klaasen.
- 2.17 The Municipal Manager afterwards informed the Manager: Administration that his discussion with Alderman Klaasen was unsuccessful.
- 2.18 The Local Government Election was scheduled for 3 November 2021 and the logistics for a new incoming Council were made.
- 2.19 On instruction of the Municipal Manager a much cheaper chain was purchased in October 2021 to avoid embarrassment with the inauguration of the newly elected Mayor.

- 2.20 Proper supply chain processes were followed.
- 2.21 By the end of February 2022 the Manager: Administration was confidentially informed by a former employee of Council that the mayoral chain ended up in Durban and was not returned to Ceres.
- 2.22 This allegation was regarded as a rumour and hearsay, because there was always the believe that the chain was misplaced and will be found eventually.
- 2.23 Several efforts were made by the Manager: Administration and the Municipal Manager to obtain an affidavit from the said employee, but without any success.
- 2.24 On 22 September 2022 an affidavit was made with the South African Police Services that the chain was possibly stolen and a case for theft was opened.
- 2.25 The police investigation is currently ongoing and further affidavits were obtained.
- 2.26 Outcomes of the investigation are awaited."

The Executive Mayoral Committee resolved on 24 October 2022 to recommend to Council:

- (a) that an independent investigator be appointed in respect of the matter.
- (b) that the inputs of Alderman BC Klaasen in respect of the missing Mayoral chain be tested.
- (c) that during discussions of the matter by Council, Alderman B Klaasen be excused from the deliberations.

Council P Daniels proposed and Alderman K Adams seconded that recommendations (a) and (b) of the Executive Mayoral Committee be accepted and that (c) be declined.

Alderman BC Klaasen requested that it be minuted that at a meeting held between himself, the Speaker and the Executive Mayor he informed the said Councillors that the Mayoral chain was missing. Alderman Klaasen requested that an independent investigator be appointed to investigate the matter.

Councillor P Heradien, on behalf of ICOSA, raised concern that the Councillor implicated in the matter requested an independent investigator and mentioned that it is rather the prerogative of Council.

Councillor G Laban enquired from Speaker clarity on what and how Council will deal with the matter.

Councillor JS Mouton enquired in respect of the outcomes of the SAPS report. The Speaker responded that the police had investigated the whereabouts of the chain and not any specific person.

UNANIMOUSLY RESOLVED

that notice be taken of the matter in respect of the chronological order of losing the Mayoral chain and that a full report on the matter be tabled to Council.

8.4.4 Lease of old Post Office building: Tulbagh (Busy Bee) (7/1/4/1)

A development proposal for Tulbagh Tourism and De Oude Kerk Volksmuseum is attached as **annexure 8.4.4(a)**.

Council unanimously resolved on 24 August 2022 that the matter in respect of the old Post Office building in Tulbagh (Busy Bee) be held in abeyance to obtain further information and after that be submitted to Council.

A further proposal for the usage of the Busy Bee building was also received from the Tulbagh Community Development Forum, attached as **annexure 8.4.4(b)**.

The Executive Mayoral Committee resolved on 24 October 2022 to recommend to Council that the old Post Office building, Tulbagh (Busy Bee) be leased to Tulbagh Tourism and De Oude Kerk Volksmuseum.

UNANIMOUSLY RESOLVED

that the old Post Office building, Tulbagh (Busy Bee) be leased to Tulbagh Tourism and De Oude Kerk Volksmuseum.

EENPARIG BESLUIT

dat die ou Poskantoorgebou, Tulbagh (Busy Bee) aan Tulbagh Toerisme en De Oude Kerk Volksmuseum verhuur word.

ISIGQIBO SABUCALA

Ekubeni isakhiwo sasePosini eTulbagh(Busy bee) sidluliselwe kwiCandelo lezoKhenketho eTulbagh naseDe Oude Kerk Volksmuseum.

8.4.5 Performance, Risk and Audit Committee: Appointment of members (5/14/4)

A memorandum from the Head: Internal Audit, dated 19 October 2022, is attached as **annexure 8.4.5**.

The Executive Mayoral Committee resolved on 24 October 2022 to recommend to Council:

- (a) that appreciation be expressed towards Mr S Redelinghuys for the six years served on the Performance, Risk and Audit Committee and the contributions made.
- (b) that the appointment of Mr J George for a further one-year term be approved.
- (c) that the following three members be appointed:
 - (i) Jacobus Johannes Swarts
 - (ii) Rowan Graham Nicholls
 - (iii) Jacqueline Lapoorta

UNANIMOUSLY RESOLVED

- (a) *that appreciation be expressed towards Mr S Redelinghuys for the six years served on the Performance, Risk and Audit Committee and the contributions made.*
- (b) *that the appointment of Mr J George for a further one-year term be approved.*
- (c) *that the following three members be appointed:*
 - (i) *Jacobus Johannes Swarts*
 - (ii) *Rowan Graham Nicholls*
 - (iii) *Jacqueline Lapoorta*

EENPARIG BESLUIT

- (a) *dat waardering uitgespreek word teenoor mnr. S Redelinghuys vir die ses jaar wat hy op die Prestasie-, Risiko- en Ouditkomitee gedien het en vir die bydraes wat hy gemaak het.*
- (b) *dat die aanstelling van mnr. J George vir 'n verdere termyn van een jaar goedgekeur word.*
- (c) *dat die volgende drie lede aangestel word:*
 - (i) *Jacobus Johannes Swarts*
 - (ii) *Rowan Graham Nicholls*
 - (iii) *Jacqueline Lapoorta*

ISIGQIBO SABUCALA

- (a) *Ukuba kuboniswe umbulelo kuMnu S Redelinghuys kwiminyaka emithandathu athe wayisebenza kwikomiti yopicotho lendlela yokusebenza kunye nobungozi, kwanegxathu athe walithatha.*
- (b) *Ukuba uMnu J George aphinde aqashwe kangangonyaka omnye.*
- (c) *Ukuba lamalungu alandelayo mathathu aqashwe:*
 - (i) *Jacobus Johannes Swarts*
 - (ii) *Rowan Graham Nicholls*
 - (iii) *Jacqueline Lapoorta*

9. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA

9.1 Essential services: Water situation Witzenberg (16/2/1/1/1)

A memorandum from the Director: Technical Services, dated 24 October 2022, is attached as **annexure 9.1**.

UNANIMOUSLY RESOLVED

- (a) *Water supply Tulbagh*
 - (i) *that notice be taken that Level 2 water restrictions are in place since 22 April 2022.*
 - (ii) *that notice be taken that the projected (red line as per usage and future projections graph) based on past consumption figures and inflow, indicates a possibility that the dam may reach 14 % by end June 2023.*
 - (iii) *the minimum operating level (dotted blue line as per usage and future projections graph) is at 10 %, meaning we cannot supply any water to the community, once the dam level reaches 10 % .*
 - (iv) *That notice be taken that the dam level as on 21 October 2022 was at 75 % .*
 - (v) *That notice be taken of the drought mitigation measures that are being implemented to secure the medium and long term water availability in Tulbagh.*

- (b) *Water supply Ceres, Nduli, Bella Vista and Prince Alfred's Hamlet (excluding Tulbagh)*
- (i) *that notice be taken that no water restrictions are applicable and normal water supply applies.*
 - (ii) *that notice be taken that the projected (red line as per usage and future projections graph) based on past consumption figures and inflow indicates a possibility that the dam may reach 13 % by end June 2023 and a possibility of water restrictions by December 2022.*
 - (iii) *that notice be taken that the minimum operating level (dotted blue line as per usage and future projections graph) is at 10 %, meaning we cannot supply any water to the community once the dam level reaches 10 % .*
 - (iv) *that notice be taken that the dam level as on 21 October 2022 was at 70,2 % .*
 - (v) *that notice be taken of the drought mitigation measures that are being implemented to secure the medium and long term water availability in Ceres, Nduli, Bella Vista, Prince Alfred's Hamlet and other towns.*

9.2 Determination of upper limits of salaries, allowances and benefits of Councillors according to Government Gazette no. 47437 (5/11/1)

The following documents are attached:

- (a) Councillor's details: **Annexure 9.2(a).**
- (b) Government Gazette no. 47437 of 2 November 2022 (Amendment): **Annexure 9.2(b).**
- (c) Government Gazette no. 46470 of 2 June 2022 (Original): **Annexure 9.2(c).**

Memorandum from the Director: Finance, dated 8 November 2022:

"1. Purpose

The purpose of this report is to submit Government Gazette No 47437 dated 2 November 2022 "Remuneration of Public Office Bearers Act, 1998 (Act no 20 of 1998): Amendment of determination of upper limits of salaries, allowances and benefits of different members of municipal councils" for Council's consideration and resolution on the levels of remuneration that will apply in the Witzenberg Municipality.

2. Discussion

The Government Gazette is attached to this report with the watermark *Amendment* as well as the original Gazette with the watermark *Original Gazette*.

2.1 Grading of the municipality

The grading of the municipality is not affected.

2.2 Upper limits of remuneration

The upper limits of a Grade 4 municipality are not affected.

2.3 Upper limits of cell phone allowance

The following paragraph has been added:

'A councillor may, in addition to the annual total remuneration packages provided for in terms of items 5 and 8 respectively, be paid an allowance on the use of data bundles not exceeding R300.00 per month.'

2.4 Date of implementation

According to the Government Gazette No 46470 the effective date is 1 July 2021.

2.5 Affordability

Provision was made for an increase in Councillor allowances in the 2021/2022 operating budget with the result that the provision in the original budget for the increase is sufficient.

Annexure 9.2(a) sets out the increase as well as the affordability of the increases.

2.6 Concurrence of the Provincial Minister for Local Government

The Councillor allowances may only be implemented once the concurrence of the Provincial Minister for Local Government has been obtained."

The Municipal Manager informed the meeting that Councillors are entitled to data allowance and that the deductions made will be repaid to Councillors. It is also noted that the pay-outs will be retrospective from 1 July 2021 to date.

UNANIMOUSLY RESOLVED

That in respect of the determination of upper limits of salaries, allowances and benefits of different members of municipal Councils:

- (a) That Council notes the content of Government Gazette no. 46470.*
- (b) That sufficient funds are available to set the upward salary adjustment of Councillors with effect from 1 July 2021.*
- (c) That Council approves the data allowances for Councillors as determined in Government Gazette no. 47437 in the amount of R300-00 per month.*
- (d) That the increase of total remuneration be approved retrospectively from 1 July 2021 subject to the concurrence of the Provincial Minister for Local Government.*
- (e) That the Provincial Minister for Local Government notes that Council has not implemented the latest upward data allowance adjustment as yet.*

10. FORMAL AND STATUTORY MATTERS

10.1 Feedback on matters of outside bodies (3/R)

None

NOTED

11. QUESTIONS and/or MATTERS RAISED by COUNCILLORS

11.1 Various questions to Executive Mayor (3/R)

A letter from Councillor A Gili, dated 23 March 2022, is attached as **annexure 11.1(a)**.

Response by Executive Mayor, dated 19 October 2022:

"Further to the questions raised by Councillor Gili, I wish to respond thereto in the same sequence as set out in the letter:

1. The DA coalition was never involved in the appointment of any service provider of the municipality. All service providers are appointed in terms of Council's Supply Chain Policy. Exception is taken to the Councillor's reference of being a white apartheid beneficiary and the authorisation of any potential use of live ammunition for machine and shotguns. This allegation is defamatory and will possible options of criminal and civil liability action be considered and pursued.
2. The Council was extensively briefed on the situation in Prince Alfred's Hamlet. The issue of work permits for farmers was raised in a previous meeting where the Chief Whip of the ANC confirmed that the farmers were not anymore allowed to obtain work permits for seasonal workers outside of the boundaries of South Africa. That was further confirmed by the Department of Labour in a session with the Councillors and public in the Ceres town hall.
3. The service provider, Mafoko Company, was never paid to kill any citizen. A copy of the tender documentation is attached as **annexure 11.1(b)**. When the service provider was initially appointed they leased their own accommodation for which the municipality was invoiced. Management negotiated with the company to accommodate the service provider in two of the older unused and dilapidated buildings in the Pine Forest Resort to reduce the expenses for the municipality. Part of the agreement was also to assist with the security in the resort.
4. The land invasions continued all over Prince Alfred's Hamlet, Wolseley and Tulbagh. Councillor must provide proof of the Municipal Manager having a private army. This allegation is defamatory.
5. The Councillors must provide information about any unlawful action of the Municipal Manager as referred to. This allegation is defamatory.
6. This matter is still subject to police investigation and no evidence has been presented to the municipality to suggest that the firearms were stolen at a municipal facility. The Firearm Weapon Act is clear on the safety and storage of firearms."

Councillor G Laban posed follow-up questions to the Executive Mayor after which the Speaker informed Council that all follow-up questions are to be submitted in writing to the Speaker.

UNANIMOUSLY RESOLVED

that notice be taken of the response of the Executive Mayor to the questions.

EENPARIG BESLUIT

dat kennis geneem word van die kommentaar van die Uitvoerende Burgemeester op die vrae.

12. COUNCIL-IN-COMMITTEE

MINUTES OF THE SPECIAL COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON TUESDAY, 24 OCTOBER 2023 AT 10:00

PRESENT

Councillors

Councillor P Heradien (ICOSA) (Speaker)
 Councillor KA Robyn (GOOD) (Executive Mayor)
 Councillor GG Laban (Executive Deputy Mayor) (Witzenberg Aksie)
 Councillor TE Abrahams (DA)
 Alderman K Adams (DA)
 Councillor WJ Alexander (PA)
 Councillor P Daniels (DA)
 Councillor S de Bruin (DA)
 Councillor GJ Franse (DA)
 Councillor JP Fredericks (FF Plus)
 Councillor AL Gili (ANC)
 Councillor LA Hardnek (Witzenberg Party)
 Councillor JS Mouton (ANC)
 Councillor MJ Ndaba (ANC)
 Councillor N Nogcinisa (ANC)
 Councillor N Phatsoane (ANC)
 Councillor EM Sidego (DA)
 Alderman HJ Smit (DA)
 Councillor D Swart (DA)
 Councillor IL Swartz (EFF)
 Alderman JJ Visagie (DA)
 Councillor K Yisa (ANC)
 Councillor J Zalie (ANC)

Officials

Mr D Nasson (Municipal Manager)
 Mr HJ Kritzinger (Director: Finance)
 Ms K Dingilizwe (on behalf of Director: Technical Services)
 Mr M Mpeluzi (Director: Corporate Services)
 Mr J Kolkota (Deputy Director: Finance)
 Ms N Oerson (Chief Executive Internal Auditor)
 Ms L Nieuwenhuis (Manager: Legal Services)
 Ms R Hendricks (Manager: Communication and Marketing)
 Mr CG Wessels (Manager: Administration)
 Ms M Arendse-Smith (Chief Administrative Officer)
 Mr C Titus (Committee Clerk)
 Ms MJ Prins (Word Processor Operator)
 Mr J Pieterse (Senior ICT Officer)
 Mr M Njokweni (Interpreter)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Speaker welcomed everyone present and requested Councillor P Daniels after that to open the meeting with a prayer.

NOTED

2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

**2.1 Consideration of application for leave of absence, if any
Aansoeke om verlof tot afwesigheid, indien enige
(3/1/2/1)**

Councillor S de Bruin rendered an apology for being late due to a meeting at her work place, but will attend as soon as possible.

NOTED

**2.2 Confidentiality and Conflict of Interest Declaration
Vertroulikheid en Botsing van Belange Verklaring
(3/2/1)**

The Confidentiality and Conflict of Interest Declaration was duly signed by all Councillors. No conflict of interest was declared.

NOTED

3. MATTERS RAISED BY THE SPEAKER

3.1 Matters raised by the Speaker

The Speaker shared an inspirational and motivational Thought of the Day with Council with the theme and motto of working together for the benefit of the communities and never to be selfish.

NOTED

3.2 Matters raised by the Executive Mayor

- (a) The Executive Mayor conveyed sympathy to the family of Grayline Louw, a 14-year old child from Vredebes, Ceres, who drowned over the weekend.

- (b) The Executive Mayor encouraged all residents to save water, especially during the summer season.
- (c) The Executive Mayor announced the composition of the Mayoral Committee in terms of Section 60(2) of the Municipal Structures Act (117 of 1998) as follow:
 - (i) Councillor GG Laban (Deputy Executive Mayor) (Committee for Community Development)
 - (ii) Councillor IL Swartz (Committee for Housing Matters and Human Settlements)
 - (iii) Councillor WJ Alexander (Committee for Corporate and Financial Services)
 - (iv) Councillor JS Mouton (Committee for Technical Services)
 - (v) Councillor J Zalie (Committee for Local Economic Development and Tourism)
 - (vi) Councillor LA Hardnek (ex officio) (Chairperson: Municipal Public Accounts Committee)

NOTED

4. RESERVED POWERS

4.1 Section 79 and 80 Committees: Appointment of Executive Mayoral Committee / Chairpersons of Portfolio Committees (03/3/1/1)

A copy of Council's committee system is attached as **annexure 4.1**.

There has been a change in the political dispensation of Council and Council needs to appoint the members of the joint Section 79 and 80 Committees. The Executive Mayor is responsible for the appointment of the Chairpersons of the Section 79 and 80 Committees.

UNANIMOUSLY RESOLVED

- (a) *that the Chairpersons of the Portfolio Committees are:*
 - (i) *Councillor GG Laban (Deputy Executive Mayor) (Committee for Community Development)*
 - (ii) *Councillor IL Swartz (Committee for Housing Matters and Human Settlements)*
 - (iii) *Councillor WJ Alexander (Committee for Corporate and Financial Services)*
 - (iv) *Councillor JS Mouton (Committee for Technical Services)*
 - (v) *Councillor J Zalie (Committee for Local Economic Development and Tourism)*
 - (vi) *Councillor LA Hardnek (ex officio) (Chairperson: Municipal Public Accounts Committee)*
- (b) *that the members of all the Portfolio Committees be announced at a later stage.*
- (c) *that the Party Political Whips be requested that their respective nominees supra (b) be submitted to the Speaker.*
- (d) *that all other Section 79 Committees also be completed at a later stage, i.e. Local Labour Forum etc.*

Councillor P Daniels on behalf of the DA congratulated the newly appointed Portfolio Committee Chairpersons and wished them success.

4.2 Section 79 Committee: Composition of Municipal Public Accounts Committee (03/3/1/1)

Background

Council appointed the following members on the Municipal Public Accounts Committee as per Council resolution, dated 23 February 2022:

- (i) Councillor LA Hardnek (WP): Chairperson
- (ii) Councillor GJ Franse (DA)
- (iii) Councillor J Cloete (PA)
- (iv) Councillor IL Swartz (EFF)
- (v) Councillor K Yisa (ANC)

Councillor JJ Cloete has resigned and has since been replaced by Councillor W Alexander. Councillor IL Swartz is also automatically disqualified to be a member of the Municipal Public Accounts Committee after the announcement of the Executive Mayor that Councillor Swartz has been appointed as a member of the Executive Mayoral Committee.

A copy of the Municipal Public Accounts Committee Charter is attached as **annexure 4.2**.

Councillor WJ Warrick proposed the following changes to the current Municipal Public Accounts Committee:

- (a) that Councillor N Nogcinisa replaces former Councillor JJ Cloete.
- (b) that Councillor AL Gili replaces Councillor K Yisa.
- (c) that Councillor TE Abrahams replaced Councillor IL Swartz.

Alderman J Visagie raised objection against the proposal of Councillor TE Abrahams on grounds that the DA will decide themselves on their nominee and proposed Councillor EM Sidego.

Councillor WJ Alexander withdrew the proposal for Councillor TE Abrahams. All proposals were unanimously accepted.

UNANIMOUSLY RESOLVED

that the Municipal Public Accounts Committee will consist of:

- (i) Councillor LA Hardnek (Witzenberg Party) (Chairperson)
- (ii) Councillor N Nogcinisa (ANC)
- (iii) Councillor AL Gili (ANC)
- (iv) Councillor EM Sidego (DA)
- (v) Councillor GJ Franse (DA)

Councillor Hardnek thanked Council for the confidence in her as Chairperson of the Municipal Public Accounts Committee.

Councillor N Phatsoane requested a caucus break on behalf of the ANC alliance from 10:35 until 10:55.

4.3 Establishment of Ad hoc Committee: Possible unauthorised expenditure: Rehabilitation of landfill site (3/R)

Council resolution 8.1.7 of 28 March 2023 is attached as **annexure 4.3**.

Council unanimously resolved on 28 March 2023:

- (a) that Council established an Ad hoc Committee to investigate the possible unauthorised, irregular or fruitless and wasteful expenditure with regard to the rehabilitation of the landfill site.
- (b) that the Ad hoc Committee supra consists of:
 - (i) Councillor D Swart (DA)
 - (ii) Councillor P Daniels (DA)
 - (iii) Councillor J Mouton (ANC)
 - (iv) Councillor AL Gili (ANC)
 - (v) Councillor P Heradien (ICOSA)

Councillor P Heradien has since been elected as the Speaker of Council. In terms of the Structures Act: Roles and responsibilities of Speaker, the Speaker is not eligible to be a member of the abovementioned committee.

Councillor GG Laban mentioned that due to the election of Councillor P Heradien as Speaker a vacancy exists on the Ad hoc Committee which investigates the possible unauthorised, irregular or fruitless and wasteful expenditure with regard to the rehabilitation of the landfill site.

Councillor N Phatsoane accepted her nomination seconded by Councillor K Yisa.

Councillor GG Laban requested that the Ad hoc Committee determines a date to discuss all possible unauthorised, irregular or fruitless and wasteful expenditure. After this a long discussion followed on the matter with comments and inputs from various Councillors.

Councillor TE Abrahams mentioned that the purpose of the Ad hoc Committee was in terms of the Council resolution to investigate unauthorised, irregular or fruitless and wasteful expenditure with regard to the landfill site. The purpose of the resolution cannot be changed.

Councillor AL Gili was of the opinion that at a meeting Council was informed that there were unauthorised expenditures and Council resolved that all such unauthorised expenditures be investigated and not only the matter of the landfill site.

Councillor Abrahams mentioned that in the agenda Council dealt with the landfill site and not all matters of unauthorised expenditure.

Alderman Visagie confirmed that everyone in the DA alliance was in support of Councillor Abrahams.

Councillor Gili expressed concern that the DA alliance did not support investigation of all unauthorised expenditure, but only certain matters. On behalf of the ANC alliance the Councillor requested that the report which was submitted to National Treasury in respect of this matter be submitted to Council.

Councillor MJ Ndaba responded that everyone in the ANC alliance had requested that all unauthorised expenditure be investigated.

Councillor D Swart mentioned that if all unauthorised expenditures will be investigated, he removes himself from the Ad hoc Committee, because it fails the purpose for the establishment of the committee in terms of the Council resolution.

Alderman JJ Visagie argued that if other unauthorised expenditures must be investigated, then such an agenda item must be submitted to Council for discussion.

The Speaker requested a caucus break from 11:11 until 11:27 to consult the matter with the Chief Whips of the ANC and DA alliances.

After the caucus break Councillor MJ Ndaba proposed and Councillor GG Laban seconded that the Ad hoc Committee be authorised to investigate all unauthorised expenditure and submit a report to Council.

Alderman JJ Visagie proposed and Alderman K Adams seconded that only the unauthorised expenditure of the landfill site be investigated.

The Speaker called for a vote on the matter and the outcomes were:

Proposal	Votes in favour
(a) Only expenditure of landfill site	10 votes
(b) All unauthorised expenditures	12 votes
(c) Absentees	1 vote
Total votes	23

The Speaker declared in favour of the majority of votes that the Ad hoc Committee investigates all unauthorised expenditures.

RESOLVED

- (a) *that Councillor N Phatsoane be nominated to serve as a member of the Ad hoc Committee to investigate the possible unauthorised, irregular or fruitless and wasteful expenditure with regard to such expenditures and also replaced the newly elected Speaker, Councillor P Heradien.*
- (b) *that the established Ad hoc Committee be authorised by Council to investigate all unauthorised, irregular or fruitless and wasteful expenditure in the municipality and submits a report to Council.*

4.4 Council's representatives on outside bodies (3/1/1/5)

The following documents are attached:

- (a) E-mail from the Department of Health: Cape Winelands District Office, dated 12 September 2023: **Annexure 4.4(a)**.
- (b) Provincial Gazette Extraordinary, dated 5 July 2016: **Annexure 4.4(b)**.
- (c) Nomination form: **Annexure 4.4(c)**.
- (d) Council's representatives on outside bodies: **Annexure 4.4(d)**.

Councillor JS Mouton requested a caucus break from 11:40 until 11:55 for discussions with the ANC alliance.

UNANIMOUSLY RESOLVED

- (a) *that the following Councillors will represent the municipality on the SALGA Working Groups:*
 - (i) *Economic Development and Job Creation: Councillor J Zalie*
 - (ii) *Development Planning and Rural Development: Councillor J Zalie*
 - (iii) *Public Transport and Roads: Councillor J Mouton*
 - (iv) *Environmental Management and Climate Resilience: Executive Deputy Mayor, Councillor G Laban*
 - (v) *Municipal Capabilities and Institutional Resilience: Councillor W Alexander*
 - (vi) *Municipal Finance and Fiscal Policy: Councillor W Alexander*

- (vii) *Electricity and Energy and Public Works: Councillor J Mouton*
- (viii) *Water and Sanitation: Councillor J Mouton*
- (ix) *Community Development and Security: Executive Deputy Mayor, Councillor G Laban*
- (x) *Health: Executive Deputy Mayor, Councillor G Laban*
- (xi) *Emergency Services and Disaster Management: Executive Mayor, Councillor K Robyn
Executive Deputy Mayor, Councillor G Laban (Secundi)*
- (xii) *Governance and Intergovernmental Relations: Executive Mayor, Councillor K Robyn
Executive Deputy Mayor, Councillor G Laban (Secundi)*
- (b) *that nominations for all other outstanding bodies and SALGA Working Groups be held in abeyance until the next meeting.*

4.5 Municipal Cost Containment Policy (5/P)

The following documents are attached:

- (a) Cost Containment Policy: **Annexure 4.5(a).**
- (b) Cost Containment Regulations: **Annexure 4.5(b).**
- (c) National Treasury MFMA Circular no. 97: **Annexure 4.5(c).**

Council unanimously resolved on 11 December 2019 that the Municipal Cost Containment Policy Framework, after consideration, be approved, but that the policy framework be amended in future if necessary. A copy of the Government Gazette No 49142 dated 18 August 2023 "Remuneration of Public Office Bearers Act, 1998 (Act no 20 of 1998): Determination of upper limits of salaries, allowances and benefits of different members of municipal councils" is attached as **annexure 4.5(d)**, setting out the benefits that Councillors are entitled to.

UNANIMOUSLY RESOLVED

- (a) *that the matter in respect of the Municipal Cost Containment Policy be held in abeyance to be workshopped by Council and after that be tabled to Council again.*
- (b) *that the matter in respect of Powers and Functions of the Speaker and Executive Mayor, related to the Organogram, also be workshopped by Council and after that be tabled to Council.*

4.6 Approval of long-term contract: End-to-end voice over internet protocol and unified communication solution (Telephone system) (8/2/20/13)

The following documents are attached:

- (a) Memorandum from Director: Finance, dated 20 October 2023: **Annexure 4.6(a)**.
- (b) Advertisement and cost benefit analysis: **Annexure 4.6(b)**.
- (c) Proposed contract (**Confidential**): **Annexure 4.6(c)**.

UNANIMOUSLY RESOLVED

that Council approves the long-term contract for the supply, delivery installation, commissioning, and maintenance of an end-to-end voice over internet protocol and unified communication solution, including cabling, networking and connectivity for Witzenberg municipality for a period of five years, in terms of Section 33 of the Municipal Finance Management Act and authorises the Municipal Manager to sign the contract on behalf of the municipality.

4.7 Representatives on Cape Winelands District Municipality (3/1/1/5)

The election of the Witzenberg Municipal representatives to the Cape Winelands District Municipality was conducted by the IEC in terms of Schedule 2 of the Municipal Structures Act. In terms of the outcome of the elections the Democratic Alliance obtained two seats and the ANC one seat. Alderman K Adams and Councillor D Swart were elected as the DA representatives and Councillor N Phatsoane as the representative for the ANC.

The following documents are attached:

- (a) Copy of the Council minutes of 22 November 2021: **Annexure 4.7(a)**.
- (b) Directive for the election of representatives to the CWDM: **Annexure 4.7(b)**.

The newly elected Executive Mayor requested that the item be tabled to get clarity on whether the seats allocated to the parties can be changed.

A letter will be sent to the Provincial Electoral Officer to obtain clarity and will be tabled to Council at the meeting.

UNANIMOUSLY RESOLVED

that the matter in respect of representatives on the Cape Winelands District Municipality be held in abeyance pending a letter from the Independent Electoral Officer to obtain clarity.

5. ADJOURNMENT / VERDAGING

The meeting adjourned at 12:19.

Approved on _____ with / without amendments.

COUNCILLOR P HERADIEN
SPEAKER

**MINUTES OF THE COUNCIL MEETING OF WITZENBERG MUNICIPALITY,
HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON FRIDAY,
26 JULY 2024 AT 10:00**

PRESENT

Councillors

Alderlady EM Sidego (DA) (Speaker)
Councillor TE Abrahams (DA) (Executive Mayor)
Councillor JF Nel (ICOSA) (Executive Deputy Mayor)
Alderman K Adams (DA)
Councillor WJ Alexander (PA)
Councillor P Daniels (DA)
Councillor S de Bruin (DA)
Councillor GJ Franse (DA)
Councillor JP Fredericks (FF Plus)
Councillor AL Gili (ANC)
Councillor LA Hardnek (Witzenberg Party)
Councillor GG Laban (Witzenberg Aksie)
Councillor JS Mouton (ANC)
Councillor MJ Ndaba (ANC)
Councillor N Nogcinisa (ANC)
Councillor KA Robyn (GOOD)
Alderman HJ Smit (DA)
Alderman D Swart (DA)
Councillor IL Swartz (EFF)
Alderman JJ Visagie (DA)
Councillor K Yisa (ANC)

Officials

Mr D Nasson (Municipal Manager)
Mr HJ Kritzinger (Director: Finance)
Mr J Barnard (Director: Technical Services)
Mr M Mpeluza (Director: Corporate Services)
Ms N Oerson (Chief Internal Audit Executive)
Ms L Nieuwenhuis (Senior Manager: Legal Services)
Mr A Hofmeester (Manager: IDP)
Ms R Hendricks (Manager: Communication and Marketing)
Mr CG Wessels (Manager: Administration)
Ms M Arendse-Smith (Chief Administrative Officer)
Mr C Titus (Committee Clerk)
Mr R Rhode (ICT Administrator)
Mr M Njokweni (Interpreter)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Speaker welcomed everyone present and requested Councillor GG Laban to open the meeting with a prayer.

NOTED

2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

2.1 Consideration of application for leave of absence Aansoeke om verlof tot afwesigheid (3/1/2/1)

Applications for leave of absence from the meeting were received from Councillors J Zalie and N Phatsoane (ANC)

UNANIMOUSLY RESOLVED

that the applications for leave of absence from the meeting, received from Councillors J Zalie (hospitalised) and N Phatsoane (sick leave) be approved and accepted.

2.2 Confidentiality and Conflict of Interest Declaration Vertroulikheid en Botsing van Belange Verklaring (3/2/1)

The Confidentiality and Conflict of Interest Declaration was duly signed by all Councillors. No conflict of interest was declared.

NOTED

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED MEDEDELINGS, AANKONDIGINGS OF SAKE GEOPPER

3.1 Gratitude, Congratulations and Commiseration Waardering, Gelukwensing en Meelewing (11/4/3)

Council's congratulations were conveyed by Councillor J Mouton to the following Councillors on their birthdays:

- Councillor JP Fredericks 13 July
- Councillor IL Swartz 15 July

NOTED.

Councillor IL Swartz joined the meeting from 10:06.

**3.2 Matters raised by the Speaker / Sake deur die Speaker geopper
(09/1/1)**

- (a) The Speaker expressed the hope that all Councillors had a good rest during the recess and that all are afresh and positive for the new term.
- (b) The Speaker, on behalf of the Council, wished Councilor J Zalie who is in hospital a speedy recovery as well as Councillor N Phatsoane who is unwell.
- (c) The Speaker expressed gratitude to all Councillors and especially the Executive Mayor and Executive Deputy Mayor who took part in the search for the boy, Geraldo van Wyk, who fell into the river on the farm Dankbaar.
- (d) The Speaker mentioned that the Executive Mayor will be admitted to hospital on 28 July 2024 and will then be on sick leave for six weeks. She wished him on behalf of Council and the municipality best wishes and a speedy recovery.
- (e) The Speaker requested from all Ward Councillors the dates of their Ward Committee meetings for submission to the Department of Local Government for training purposes.
- (f) The Speaker requested Secretariat to schedule a meeting with the Ward Councillors to discuss the allocation of funds. The Municipal Manager was requested to attend the meeting and explain on how the said funds can be spent.

NOTED

**3.3 Matters raised by the Executive Mayor / Sake deur die Uitvoerende Burgemeester geopper
(09/1/1)**

- (a) The Executive Mayor expressed his gratitude to Administration and all Councillors for the improved relationship between the two components. He mentioned that major progress has been made from the previous situation and requested that further improvements would be appreciated.
- (b) The Executive Mayor mentioned that he will be admitted to hospital on 28 July 2024 and will then be on sick leave for six weeks. The Deputy Executive Mayor, Councillor JF Nel, will be the Acting Executive Mayor for the interim period. All necessary discussions between the two have taken place and he is confident that all will go well.

- (c) The Executive Mayor referred to the young boy, Geraldo van Wyk, who had drowned on the farm Dankbaar and on behalf of Council, expressed sympathy and condolences to the family.
- (d) The Executive Mayor mentioned that July is Mandela Month and requested that good work and deeds be continued.
- (e) The Executive Mayor mentioned that August is Women's Month and called on all men to treat women with dignity, patience and respect in all communities and especially the women who drive women matters.

NOTED

**3.4 Matters raised by the Municipal Manager
Sake deur die Munisipale Bestuurder geopper**

None

NOTED

4. MINUTES / NOTULES

**4.1 Corrections to the minutes / Wysigings aan die notules
(3/1/2/3)**

RESOLVED

That the corrections to the following minutes be held in abeyance until the next meeting:

- (i) Council meeting, held on 23 February 2022.
- (ii) Council meeting, held on 26 October 2022.
- (iii) Council meeting, held on 9 November 2022.
- (iv) Council meeting, held on 29 November 2022.

**4.2 Approval of minutes: February until November 2022
(3/1/2/3)**

The following minutes are attached:

- (a) Council meeting, held on 23 February 2022: **Annexure 4.2(a).**
- (b) Council meeting, held on 26 October 2022: **Annexure 4.2(b).**
- (c) Council meeting, held on 9 November 2022: **Annexure 4.2(c).**
- (d) Council meeting, held on 29 November 2022: **Annexure 4.2(d).**

Council resolved on 30 March 2022:

- (a) that the approval of the minutes of the Council meeting, held on 23 February 2022, be held in abeyance.
- (b) that the correctness of the minutes be investigated in respect of the removal of the words of the Speaker: "The motion cannot carry."
- (c) that the Municipal Manager appoints an independent investigator in terms of the Municipal Supply Chain processes.

Council resolved on 28 March 2023:

- (a) that the following minutes be held in abeyance to be workshopped:
 - (i) Council meeting, held on 23 February 2022.
 - (ii) Council meeting, held on 26 October 2022.
 - (iii) Council meeting, held on 9 November 2022.
 - (iv) Council meeting, held on 29 November 2022.
- (b) that the ANC coalition provides extracts of the relevant matters of concern to be workshopped, by Monday, 3 April 2023.

UNANIMOUSLY RESOLVED

That the matter in respect of the approval of the following minutes be held in abeyance until the next meeting:

- (i) Council meeting, held on 23 February 2022.*
- (ii) Council meeting, held on 26 October 2022.*
- (iii) Council meeting, held on 9 November 2022.*
- (iv) Council meeting, held on 29 November 2022.*

4.3 Approval of minutes: 2023 until 2024 (3/1/2/3)

The following minutes are attached:

- (a) Council meeting, held on 30 May 2023: **Annexure 4.3(a).**
- (b) Special Council meeting, held on 6 June 2023: **Annexure 4.3(b).**
- (c) Special Council meeting, held on 24 July 2023: **Annexure 4.3(c).**
- (d) Council meeting, held on 25 August 2023: **Annexure 4.3(d).**
- (e) Special Council meeting, held on 17 October 2023: **Annexure 4.3(e).**
- (f) Special Council meeting, held on 24 October 2023: **Annexure 4.3(f).**

- (g) Special Council meeting, held on 14 December 2023: **Annexure 4.3(g).**
- (h) Special Council meeting, held on 20 December 2023: **Annexure 4.3(h).**
- (i) Council meeting, held on 24 January 2024: **Annexure 4.3(i).**
- (j) Council meeting, held on 23 February 2024: **Annexure 4.3(j).**
- (k) Special Council meeting, held on 20 March 2024: **Annexure 4.3(k).**
- (l) Special Council meeting, held on 27 March 2024: **Annexure 4.3(l).**
- (m) Council meeting, held on 12 April 2024: **Annexure 4.3(m).**
- (n) Special Council meeting, held on 18 April 2024: **Annexure 4.3(n).**
- (o) Council meeting, held on 16 May 2024: **Annexure 4.3(o).**
- (p) Council meeting, held on 21 June 2024: **Annexure 4.3(p).**

UNANIMOUSLY RESOLVED

- (a) *That the following minutes be approved and signed by the Speaker:*
 - (i) *Council meeting, held on 30 May 2023.*
 - (ii) *Special Council meeting, held on 6 June 2023.*
 - (iii) *Special Council meeting, held on 24 July 2023.*
 - (iv) *Council meeting, held on 25 August 2023.*
 - (v) *Special Council meeting, held on 17 October 2023.*
 - (vi) *Special Council meeting, held on 14 December 2023.*
 - (vii) *Special Council meeting, held on 20 December 2023.*
 - (viii) *Council meeting, held on 24 January 2024.*
 - (ix) *Council meeting, held on 23 February 2024.*
 - (x) *Special Council meeting, held on 20 March 2024.*
 - (xi) *Special Council meeting, held on 27 March 2024.*
 - (xii) *Council meeting, held on 12 April 2024.*
 - (xiii) *Special Council meeting, held on 18 April 2024.*
 - (xiv) *Council meeting, held on 16 May 2024.*
 - (xv) *Council meeting, held on 21 June 2024.*
- (b) *That the minutes of the Special Council meeting, held on 24 October 2023, be held in abeyance for deliberations due to the matter of the landfill site and the unauthorised expenditures.*

4.4 Outstanding matters / Uitstaande sake (3/3/2)

Number	File reference	Heading, item no. and date	Directorate	Action	Progress	Target date
4.4.1	7/1/4/1	8.3.4 of 21-06-2024 Tulbagh Feeding Scheme proposal	Community Services	that the matter in respect of the Tulbagh Feeding Scheme proposal be held in abeyance and a site visit be held.		21 Aug 2024

UNANIMOUSLY RESOLVED

that notice be taken of the outstanding matter.

5. MOTIONS AND NOTICE OF SUGGESTIONS MOSIES EN KENNISGEWING VAN VOORSTELLE

None

NOTED

6. INTERVIEWS WITH DELEGATIONS ONDERHOUDE MET AFVAARDIGINGS

None

NOTED

7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

7.1 Minutes: Committee meetings / Notules: Komiteevergaderings (03/3/2)

The minutes of the following meetings are attached:

- (a) Executive Mayoral Committee meeting, held on 19 February 2024:
Annexure 7.1(a).
- (b) Executive Mayoral Committee meeting, held on 26 March 2024:
Annexure 7.1(b).

UNANIMOUSLY RESOLVED

that notice be taken of the minutes of the Executive Mayoral Committee meetings and same be accepted.

EENPARIG BESLUIT

dat kennis geneem word van die notules van die Uitvoerende Burgemeesterskomitee vergaderings en genoemde aanvaar word.

8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

8.1 Direktooraat Finansies / Directorate Finance

8.1.1 Section 71 Monthly Budget Statement Reports of the Directorate Finance: May and June 2024 (9/1/2/2)

The following Section 71 Monthly Budget Statement Reports of the Directorate Finance are attached:

- (a) May 2024: **Annexure 8.1.1(a).**
- (b) June 2024: **Annexure 8.1.1(b).**

The Executive Mayoral Committee resolved on 23 July 2024 to recommend to Council:

- (a) that notice be taken of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for May and June 2024.
- (b) that the Section 71 Monthly Budget Statement Reports of the Directorate Finance for May and June 2024 be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary.

UNANIMOUSLY RESOLVED

- (a) that notice be taken of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for May and June 2024.*
- (b) that the Section 71 Monthly Budget Statement Reports of the Directorate Finance for May and June 2024 be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary.*

8.1.2 Service Delivery and Budget Implementation Plan (SDBIP) 2024/2025 (05/1/5/17)

The Top Layer Service Delivery and Budget Implementation Plan for 2024/2025, as approved by the Executive Mayor, is attached as **annexure 8.1.2.**

UNANIMOUSLY RESOLVED

that notice be taken of the Top Layer Service Delivery and Budget Implementation Plan (SDIP) for 2024/2025.

8.1.3 Draft IDP and Budget Process Plan for 2025/2026 (2/2/1)

In terms of Section 28 of the Municipal Systems Act (Act 32 of 2000), Council must adopt an IDP and Budget Process Plan. The Municipal Finance Management Act (Act 56 of 2003) further stipulates that at least ten months before the start of the budget year, the Executive Mayor should table a time schedule outlining key deadlines in respect of the IDP/Budgetary process.

Section 29 of the Municipal Systems Act (Act 32 of 2000), specifies that such a Process Plan must include:

- Programs that set out timeframes for the different planning steps;
- Appropriate mechanisms, processes and procedures for consultation with:
 - Local communities, both in terms of needs and priorities as well as consultation during development;
 - Organs of state, traditional authorities, and other role-players in the drafting process; and
- Binding plans and planning requirements, i.e. policy and legislation.

National Treasury has provided further guidance by the issuing of MFMA Circular 10. That circular provides specific guidance with regard to six distinct steps in compilation of the IDP and the annual Budget. The table below highlights these steps, with a brief description of each step:

Steps		Process
1	Planning	Schedule dates, establish consultation forums, review previous processes
2	Strategi- zing	Review IDP, set service delivery objectives for next 3 years, consult on tariffs, indigents, credit control, free basic services etc., and consider local-, provincial- and national issues, the previous year's performance and current economic and demographic trends etc.
3	Preparing	Prepare Budget, revenue and expenditure projections; draft Budget policies; consult and consider local-, provincial- and national priorities
4	Tabling	Table draft Budget, draft IDP and Budget-related policies before council; consult and consider local-, provincial- and national inputs or responses
5	Approving	Council approves the IDP, the Budget and related policies
6	Finalising	Publish the IDP, Budget and approve the SDBIP and performance targets

In capturing the above steps, this IDP & Budget Process Plan seeks to address, *inter alia*, the:

- Identification of areas requiring additional attention in terms of legislative requirements, proper planning processes and sound financial management;
- Inclusion of the most current Census and own statistical data;

- Consideration and review of any other relevant and new information;
- Addressing comments received from the various role-players;
- Factor-in the shortcomings and weaknesses identified through self-assessment;
- Preparation and review of sector plans and its alignment with the IDP;
- Preparation and review of the Performance Management System (PMS);
- Updating of the 5-year Financial Plan; and
- Finalisation of the annual Budget and IDP in terms of the relevant legislation.

Pursuant to the above statutory requirements, a Draft IDP and Budget Process Plan for the 2025/2026 cycle is attached as **annexure 8.1.3**.

UNANIMOUSLY RESOLVED

- (a) *that notice be taken of the Draft IDP and Budget Process Plan for 2025/2026.*
- (b) *that the Draft IDP and Budget Process Plan for 2025/2026 be published for public comments and inputs.*

Councillor S de Bruin left the meeting with approval at 10:10.

8.2 Direktooraat Tegniese Dienste / Directorate Technical Services

8.2.1 Electricity: Request to adopt wheeling of electricity as a service in Witzenberg Municipality (16/3/3/1/1)

The following documents are attached:

- (a) Memorandum from Senior Manager: Electro-Technical Services: **Annexure 8.2.1(a)**.
- (b) Enpower Trading proposal for Pepsico: **Annexure 8.2.1(b)**.
- (c) Wheeling guideline for Witzenberg Municipality: **Annexure 8.2.1(c)**.
- (d) SALGA status report on wheeling in SA municipalities: **Annexure 8.2.1(d)**.
- (e) Attendance register of Enpower Trading workshop: **Annexure 8.2.1(e)**.

The Committee for Technical Services resolved on 23 November 2023:

- (a) that the Chairperson engages with the Speaker whether the matter be tabled to Council or be workshopped prior the Council meeting.
- (b) that the Chairperson informs the committee members of the outcomes of supra (a) engagement.

The Committee for Technical Services resolved on 9 April 2024 that the item relating to Electricity: Request to adopt wheeling of electricity as a service in Witzenberg Municipality be workshopped by Council.

The matter was workshopped by Council on 18 June 2024.

The Executive Mayoral Committee resolved on 23 July 2024 to recommend to Council:

- (a) that Council notes the content of this memorandum and the request of Pepsico, through Enpower Trading.
- (b) that Council notes the revenue neutral impact of adopting wheeling as an electricity service.
- (c) that the request be supported and wheeling is adopted through the wheeling guideline developed and tailored by Sustainable Energy Africa in conjunction with SALGA and Western Cape Government for the application of wheeling by municipalities.

- (d) that wheeling is implemented through the implementation process detailed above.
- (e) that any amendments to the ERA with respect to wheeling automatically be included in the wheeling guideline.
- (f) that when the national wheeling framework is developed, it is presented to Council for approval as the preceding wheeling framework.

Councillor AL Gili proposed and Councillor K Yisa seconded that the matter in respect of Electricity: Request to adopt wheeling of electricity as a service in Witzenberg Municipality be held in abeyance.

Alderman HJ Smit proposed and Alderman D Swart seconded that the recommendations (a) to (f) in the agenda be accepted.

Councillor S de Bruin rejoined the meeting at 10:56.

The Speaker called for a vote on the matter and the outcomes were:

• Proposal: Matter to be held in abeyance (Councillors A Gili and K Yisa)	9
• Proposal: Recommendations to be accepted (Aldermen H Smit and D Swart)	12
• Votes abstained	0
• Absentees	<u>2</u>
TOTAL	23

The Speaker ruled in favour of the majority of votes that the recommendations be accepted.

RESOLVED

- (a) *that Council notes the content of this memorandum and the request of Pepsico, through Enpower Trading.*
- (b) *that Council notes the revenue neutral impact of adopting wheeling as an electricity service.*
- (c) *that the request be supported and wheeling is adopted through the wheeling guideline developed and tailored by Sustainable Energy Africa in conjunction with SALGA and Western Cape Government for the application of wheeling by municipalities.*
- (d) *that wheeling is implemented through the implementation process detailed above.*
- (e) *that any amendments to the ERA with respect to wheeling automatically be included in the wheeling guideline.*

- (f) *that when the national wheeling framework is developed, it is presented to Council for approval as the preceding wheeling framework.*

8.2.2 Lease of erf 23, Tulbagh to Tulbagh Recycling (7/1/4/1 & 17/19/1)

A memorandum from the Director: Technical Services, dated 24 May 2023, is attached as **annexure 8.2.2**.

The Executive Mayoral Committee resolved on 14 November 2023 that the matter in respect of the lease of erf 23, Tulbagh to Tulbagh Recycling be held in abeyance until the next meeting and that the Director: Technical Services determines whether other parties are interested.

Follow-up report from the Director: Technical Services, dated 15 February 2024:

“Background

The abovementioned item from the Executive Mayoral Committee meeting, held on 14 November 2023.

Discussion

Investigation into whether there are other parties interested, had the following outcome:

There were no parties that indicated an interest, but the following persons are enthusiastic and promote recycling in Tulbagh, on their respective platforms, i.e:

Charlotte Steyn – Care 4 Tulbagh
Rev. Dawid Botha – Church / Community Leader

Recommendation

That further consideration be given to grant permission for the applicant to lease a portion of erf 23, Tulbagh to Tulbagh Recycling, as per the initial memorandum from the Director: Technical Services, dated 24 May 2023.”

The Committee for Technical Services resolved on 9 April 2024 to recommend to the Executive Mayoral Committee and Council:

that a portion of erf 23, Tulbagh, as indicated on the attached report, be leased to Jan Lambert for a period of five years on the following conditions:

- (i) That a departure application be submitted by the tenant for the use of the property zoned as authority, for the purposes of a recycling facility.
- (ii) Lease will be "voetstoots", leased as it is.
- (iii) Security will be for the account of the lessee.
- (iv) Council to consider exemption of rental charges, on condition that we lease the building as it is, and that the lessee do all repair work to the building.
- (v) Public participation process to be followed. Advertise for public comment and/or objections.
- (vi) Should the second part of the premises not have an electrical installation, an electrical contractor should be appointed by the tenant to do the electrical installation and issue a Certificate of Compliance after the completion of electrical work.
- (vii) The applicant will be responsible for the costs of any electrical upgrading, including electrical installation if required.

The Executive Mayoral Committee unanimously resolved on 18 June 2024 to recommend to Council:

that a portion of erf 23, Tulbagh, as indicated on the attached report, be leased to Jan Lambert for a period of five years on the following conditions:

- (i) That a departure application be submitted by the tenant for the use of the property zoned as authority, for the purposes of a recycling facility.
- (ii) Lease will be "voetstoots", leased as it is.
- (iii) Security will be for the account of the lessee.
- (iv) Council to consider exemption of rental charges, on condition that we lease the building as it is, and that the lessee do all repair work to the building.
- (v) Public participation process to be followed. Advertise for public comment and/or objections.
- (vi) Should the second part of the premises not have an electrical installation, an electrical contractor should be appointed by the tenant to do the electrical installation and issue a Certificate of Compliance after the completion of electrical work.
- (vii) The applicant will be responsible for the costs of any electrical upgrading, including electrical installation if required.

Council unanimously resolved on 21 June 2024 that the matter be held in abeyance.

UNANIMOUSLY RESOLVED

that the matter in respect of the lease of erf 23, Tulbagh to Tulbagh Recycling be held in abeyance until the next meeting.

8.3 Direktooraat Gemeenskapsdienste / Directorate Community Services

8.3.1 International municipal relations: Work visit to Essen, Belgium: 19 until 24 August 2024 (10/2/3)

Memorandum from Acting Manager: Socio-Economic Development, dated 16 July 2024:

"1. Background

Witzenberg Municipality has a multi-year joint collaboration with Essen Gemeente, a municipality in Essen, Belgium. The 2024 to 2026 Partnership Agreement between Witzenberg Municipality and Essen Gemeente for the multi-annual programme is for Youth Sports and Waste Management. The programme is indirectly funded by the Flemish Government through the approval of the BBC of Essen.

The general objective is to create an enabling environment for sports and waste management, focused on bilateral learning and knowledge sharing. The agreement includes funding for approved Youth Sports programmes and Waste Management programmes that is to be implemented in the Witzenberg municipal area. In the agreement both Essen and Witzenberg have committed to a working visit in both countries which aim to contribute to the implementation, monitoring and evaluation of the programme.

2. Witzenberg Municipality working visit in Essen, Belgium

Essen Municipality invited Witzenberg Municipality to send a delegation, consisting of three individuals, for a work visit from 19th August 2024 until 24th August 2024. The focus of the working visit will be on the Youth Sports Programme and the Waste Management programme.

The following three representatives are requested to attend:

- A municipal representative of the Youth Sports Programme.
- A municipal representative of the Waste Management Programme.
- A political representative of the partnership between both municipalities.

The invitation letter and program, providing more detail, is attached as **annexure 8.3.1."**

The Executive Mayoral Committee resolved on 23 July 2024 to recommend to Council:

- (a) that approval of the working visit to Essen, Belgium be considered.

- (b) that the following representatives be approved:
 - (i) A municipal representative of the Youth Sports Programme: Acting Manager: Socio-Economic Development (Mr Riaan Fick).
 - (ii) A municipal representative of the Waste Management Programme: Director: Technical Services (Mr J Barnard).
 - (iii) A political representative of the partnership between both municipalities: Alderman H Smit or alternatively, if necessary, Councillor P Daniels or Councillor J Nel.
- (c) that the municipality prepare a video recorded message of the Executive Mayor conveying his greetings and clarifying his absence.
- (d) that the delegation submit a detailed report to Council upon their return, depicting insight into the fruitful engagements with the objective of a deeper and stronger bond between the two municipalities.
- (e) that Council will have an evaluation discussion of the report supra (d).
- (f) that the Youth report encompass lessons learnt in Belgium and depicts objectives which could be implemented in Witzenberg.

A lengthy discussion was held on the matter of the work visit to Essen, Belgium. Various proposals were made as follows:

- (a) Councillor T Abrahams proposed and Alderman K Adams seconded that the recommendations in the agenda be accepted.
- (b) Councillor A Gili proposed and Councillor K Yisa seconded that Councillors P Daniels and G Laban be added to the delegation.
- (c) Councillor J Mouton proposed and Councillor M Ndaba seconded that Councillors A Gili and K Yisa be added to the delegation.
- (d) Councillor IL Swartz proposed and Councillor G Laban seconded that Councillors A Gili, K Yisa and G Laban be added to the delegation.

The Speaker called for a vote on the matter and the outcomes were:

Proposal	Votes casted
(a) Cllr T Abrahams (Proposed) and Alderman K Adams (Seconded): That recommendations in agenda be accepted.	12
(b) Cllrs A Gili (Proposed) and K Yisa (Seconded): That Cllrs P Daniels and G Laban be added to the delegation.	1
(c) Cllrs J Mouton (Proposed) and M Ndaba (Seconded): That Cllrs A Gili and K Yisa be added to the delegation.	4

(d)	Cllrs I Swartz (Proposed) and G Laban (Seconded): That Cllrs A Gili, K Yisa and G Laban be added to the delegation.	4
	Abstained	0
	Absent	2
	Total	23

The Speaker ruled in favour of the majority votes.

RESOLVED

- (a) *that approval of the working visit to Essen, Belgium be approved.*
- (b) *that the following representatives be approved:*
 - (i) *A municipal representative of the Youth Sports Programme: Acting Manager: Socio-Economic Development (Mr Riaan Fick).*
 - (ii) *A municipal representative of the Waste Management Programme: Director: Technical Services (Mr J Barnard).*
 - (iii) *A political representative of the partnership between both municipalities: Alderman H Smit or alternatively, if necessary, Councillor P Daniels or Councillor J Nel.*
- (c) *that the municipality prepare a video recorded message of the Executive Mayor conveying his greetings and clarifying his absence.*
- (d) *that the delegation submit a detailed report to Council upon their return, depicting insight into the fruitful engagements with the objective of a deeper and stronger bond between the two municipalities.*
- (e) *that Council will have an evaluation discussion of the report supra (d).*
- (f) *that the Youth report encompass lessons learnt in Belgium and depicts objectives which could be implemented in Witzenberg.*

8.3.2 Environmental affairs: Climate Change Needs Assessment and Response Plan (17/1/4/8)

Report from Municipal Manager, dated 18 July 2024:

“Purpose

To obtain Council’s approval for the Climate Change Needs Assessment and Response Plan.

Background

The Democracy Works Foundation obtained funding from the European Union to assist Witzenberg Municipality with a Climate Change Needs Assessment and Response Plan, which informs the development of a comprehensive action plan that will ensure the municipality to effectively deal and address climate change challenges and build long-term resilience. The needs assessment has identified climate change risk and vulnerabilities. It focuses on adaptive capacity and aims to prioritise climate change actions and climate action planning. Democracy Works Foundation has drafted the Needs Assessment and Response Plan for the municipality for Council's approval. The document is attached as **annexure 8.3.2**.

The report outlines measures to mitigate the impact of climate change and to enhance resilience at both municipal and settlement levels. The detailed strategies and actions are designed to align with the principles and guidelines set out in the report to ensure an evidence based and collaborative approach to climate change adaption. The report further provides a comprehensive evaluation of the region's vulnerabilities to climate change and measures to mitigate and adapt to these impacts."

The Executive Mayoral Committee resolved on 23 July 2024 to recommend to Council that the Climate Change Needs Assessment and Response Plan be workshopped by Council and tabled to Council for consideration.

UNANIMOUSLY RESOLVED

that the Climate Change Needs Assessment and Response Plan be adopted and approved.

8.3.3 Proposed By-law: Municipal parks and open spaces (1/3/R)

The following memorandum, dated 21 July 2021, was received from the Municipal Manager:

"Purpose

To consider the tabling of the proposed By-Law on Public Parks and Open Spaces and to approve that same be published for comments and public participation.

Background

Section 156 of the Constitution provides that a municipality has executive authority in respect of, and has the right to administer, local government matters listed in part B of schedule 4 and part B of schedule 5.

Part B of schedule 5 includes public places and municipal parks and recreation.

Section 151(3) provides that a municipality has the right to govern, on its own initiative, the local government affairs of its community, subject to national and provincial legislation, as provided for in the Constitution.

The said Constitution confers on the municipality the authority to regulate matters within its jurisdiction by way of by-laws. In recent times the municipality has received a lot of complaints of activities at its parks and open spaces. During a meeting with a delegation of Ward 5 it was brought to the attention of the municipality that play parks are being used for illegal activities such as drinking of alcohol, smoking of illegal substances, organised rugby, soccer and cricket events as well as playing of golf. Whenever the neighbouring residents engage with the users of the municipal parks there are various threats of violence, vandalism and/or intimidation. There are no municipal processes and/or by-laws in place that can adequately address the problems associated with the municipal parks.

A draft by-law, dealing with the problems associated with our municipal parks, have been prepared for Council's notice and public comments and participation. A copy of the draft by-law is attached as **annexure 8.3.3(a)**. The by-law will be translated in all three languages and the public will be invited to make comments for Council's consideration.

Legal implications

Law Enforcement can only effectively ensure compliance if there is a by-law in place, authorising them to impose fines and/or affect an arrest in the event of non-compliance. The Constitution and the Systems Act authorise the Council to pass a by-law after certain conditions are met.

Financial implications

None."

The Executive Mayoral Committee resolved on 27 July 2021 to recommend to Council:

- (a) that notice be taken of the By-Law on Public Parks and Open Spaces.
- (b) that Council approves that the by-law be published for public comments and that same be referred back to Council for further consideration.

Council unanimously resolved on 25 August 2021:

- (a) that notice be taken of the By-Law on Public Parks and Open Spaces.
- (b) that Council approves that the by-law be published for public comments and that same be referred back to Council for further consideration.

The following documents are attached:

- (a) Public notice of meetings and attendance registers:
Annexure 8.3.3(b).
- (b) Letter from Mr PD September on behalf of Morrisdale residents, dated 28 October 2021: **Annexure 8.3.3(c).**

The final adoption of the by-law did not materialise, because of the pending Local Government elections of November 2021.

UNANIMOUSLY RESOLVED

that the matter in respect of the proposed by-law on municipal parks and open spaces be held in abeyance and workshopped by Council.

8.4 Direktooraat Korporatiewe Dienste / Directorate Corporate Services

8.4.1 Review and approval of Human Relations policies (1/3/1/32)

The following Human Relations policies are attached:

- (a) Performance Management Policy 2022: **Annexure 8.4.1(a).**
- (b) Occupational Health and Safety Policy 2022: **Annexure 8.4.1(b).**
- (c) Probation Policy 2022: **Annexure 8.4.1(c).**
- (d) Skills Development Policy 2022: **Annexure 8.4.1(d).**
- (e) TASK Job Evaluation Policy 2022: **Annexure 8.4.1(e).**
- (f) Staff Establishment Policy 2022: **Annexure 8.4.1(f).**
- (g) Recruitment and Selection Policy 2022: **Annexure 8.4.1(g).**
- (h) Employment Equity Policy 2022: **Annexure 8.4.1(h).**

The Executive Mayoral Committee resolved on 23 July 2024 to recommend to Council that the following Human Relations Policies be workshopped by Council and tabled to Council for consideration:

- (i) Performance Management Policy 2022.
- (ii) Occupational Health and Safety Policy 2022.
- (iii) Probation Policy 2022.
- (iv) Skills Development Policy 2022.
- (v) TASK Job Evaluation Policy 2022.
- (vi) Staff Establishment Policy 2022.
- (vii) Recruitment and Selection Policy 2022.
- (viii) Employment Equity Policy 2022.

Council resolved at its workshop on 24 July 2024 that the review and approval of the following Human Resources policies be referred to the Local Labour Forum for further deliberations and recommendation to Council for approval:

- (a) Performance Management Policy 2022.
- (b) Occupational Health and Safety Policy 2022.
- (c) Probation Policy 2022.
- (d) Skills Development Policy 2022.
- (e) TASK Job Evaluation Policy 2022.
- (f) Staff Establishment Policy 2022.
- (g) Recruitment and Selection Policy 2022.
- (h) Employment Equity Policy 2022.

UNANIMOUSLY RESOLVED

that the matter in respect of the review and approval of Human Resources policies be referred to the Local Labour Forum for discussions and inputs, if deemed necessary, and after that be tabled to Council for approval.

8.4.2 Proposed sale of municipal land: Portion of erf 2622, Skoonvlei, Ceres (adjacent to Bella Frutta pack house) (7/1/4/2)

The following documents are attached:

- (a) Memorandum from Manager: Legal Services, dated 12 June 2024: **Annexure 8.4.2(a)**.
- (b) Council resolution of 26 March 2014: **Annexure 8.4.2(b)**.
- (c) Letter from Bella Frutta Pack House, dated 28 March 2024: **Annexure 8.4.2(c)**.

The Executive Mayoral Committee resolved on 23 July 2024 to recommend to Council:

- (a) that the municipal property, a portion of erf 2622, Skoonvlei, Ceres (adjacent to Bella Frutta pack house) be alienated in favour of Bella Frutta.
- (b) that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), the portion of erf 2622, Skoonvlei, Ceres is not required for the provision of the minimum level of basic services.
- (c) that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), the portion of erf 2622, Skoonvlei, Ceres be sold at market related price.
- (d) that the potential sale be advertised in the local newspaper for public comment and/or any objections.
- (e) that the Municipal Manager be mandated to sign all documentation to effect the transfer of the property to Bella Frutta.

UNANIMOUSLY RESOLVED

- (a) *that the municipal property, a portion of erf 2622, Skoonvlei, Ceres (adjacent to Bella Frutta pack house) be alienated in favour of Bella Frutta.*
- (b) *that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), the portion of erf 2622, Skoonvlei, Ceres is not required for the provision of the minimum level of basic services.*
- (c) *that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), the portion of erf 2622, Skoonvlei, Ceres be sold at market related price.*

- (d) *that the potential sale be advertised in the local newspaper for public comment and/or any objections.*
- (e) *that the Municipal Manager be mandated to sign all documentation to effect the transfer of the property to Bella Frutta.*
- (f) *that the proceeds of the sale be used for the bulk services that are required to service the erven at Schoonvlei, Ceres that have been set aside for the previously disadvantaged community.*

9. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA
DRINGENDE SAKE NA AFSENDING VAN DIE AGENDA

None

NOTED

10. FORMAL AND STATUTORY MATTERS
FORMELE EN STATUTÊRE SAKE

10.1 Feedback on matters of outside bodies
Terugvoering oor sake van buite-organisasies

10.1.1 Report on SALGA Working Group Emergency Services and Disaster Management meeting
(3/R)

A report from the Executive Mayor on the meeting of the SALGA Working Group Emergency Services and Disaster Management, dated 14 June 2024, is attached as **annexure 10.1.1**.

UNANIMOUSLY RESOLVED

that notice be taken of the report of the Executive Mayor on the SALGA Working Group Emergency Services and Disaster Management meeting.

10.1.2 Report on site visit: Projects of the Directorate Technical Services
(3/R)

A report from the Chairperson of the Committee for Technical Services, Alderman HJ Smit, on a site visit of projects of the Directorate Technical Services, dated 18 June 2024, is attached as **annexure 10.1.2**.

UNANIMOUSLY RESOLVED

that notice be taken of the report of Alderman HJ Smit on the site visit of projects of the Directorate Technical Services.

**11. QUESTIONS and/or MATTERS RAISED by COUNCILLORS
VRAE en/of SAKE DEUR RAADSLEDE GEOPPER**

The Speaker requested Council that all questions be submitted to her office in good time in order to be taken up in the agenda for discussions.

NOTED

12. COUNCIL-in-COMMITTEE / RAAD-in-KOMITEE

These items are dealt with in the confidential agenda.

MINUTES OF THE SPECIAL COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD VIRTUALLY (MICROSOFT TEAMS) ON FRIDAY, 30 AUGUST 2024 AT 09:00

PRESENT

Councillors

Alderlady EM Sidego (DA) (Speaker)
 Councillor TE Abrahams (DA) (Executive Mayor)
 Councillor JF Nel (ICOSA) (Executive Deputy Mayor)
 Alderman K Adams (DA)
 Councillor WJ Alexander (PA)
 Councillor P Daniels (DA)
 Councillor S de Bruin (DA)
 Councillor GJ Franse (DA)
 Councillor JP Fredericks (FF Plus)
 Councillor AL Gili (ANC)
 Councillor LA Hardnek (Witzenberg Party)
 Councillor GG Laban (Witzenberg Aksie)
 Councillor JS Mouton (ANC)
 Councillor MJ Ndaba (ANC)
 Councillor N Nogcinisa (ANC)
 Councillor N Phatsoane (ANC)
 Councillor KA Robyn (GOOD)
 Alderman HJ Smit (DA)
 Alderman D Swart (DA)
 Councillor IL Swartz (EFF)
 Alderman JJ Visagie (DA)
 Councillor K Yisa (ANC)
 Councillor J Zalie (ANC)

Officials

Mr D Nasson (Municipal Manager)
 Mr HJ Kritzinger (Director: Finance)
 Mr J Barnard (Director: Technical Services)
 Mr M Mpeluza (Director: Corporate Services)
 Ms L Nieuwenhuis (Senior Manager: Legal Services)
 Mr A Hofmeester (Manager: IDP)
 Mr CG Wessels (Manager: Administration)
 Mr C Titus (Committee Clerk)
 Mr R Rhode (ICT Administrator)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Speaker welcomed everyone present and requested Councillor J Fredericks to open the meeting with prayer.

NOTED

2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

2.1 Consideration of application for leave of absence Aansoeke om verlof tot afwesigheid (3/1/2/1)

Apologies for absence from the meeting were received from the Manager: Projects and Performance, the Deputy Director: Finance and the Chief Administrative Officer.

UNANIMOUSLY RESOLVED

that notice be taken of the apologies for absence from the meeting, received from the Manager: Projects and Performance, the Deputy Director: Finance and the Chief Administrative Officer, and same be accepted.

EENPARIG BESLUIT

dat kennis geneem word van die verskonings vir afwesigheid van die vergadering, ontvang vanaf die Bestuurder: Projekte en Prestasie, die Adjunk-direkteur: Finansies en die Senior Administratiewe Beampte, en genoemde aanvaar word.

2.2 Confidentiality and Conflict of Interest Declaration Vertroulikheid en Botsing van Belange Verklaring (3/2/1)

The Confidentiality and Conflict of Interest Declaration is attached as **annexure 2.2**.

No conflict of interest was declared.

NOTED

3. MATTERS RAISED BY THE SPEAKER / SAKE DEUR DIE SPEAKER GEOPPER (09/1/1)

None / Geen

NOTED / AANGETEKEN

4. IDP AND BUDGET PROCESS PLAN FOR 2025/2026 (2/2/1)

In terms of Section 28 of the Municipal Systems Act (Act 32 of 2000), Council must adopt an IDP and Budget Process Plan. The Municipal Finance Management Act (Act 56 of 2003) further stipulates that at least ten months before the start of the budget year, the Executive Mayor should table a time schedule outlining key deadlines in respect of the IDP/Budgetary process.

Section 29 of the Municipal Systems Act (Act 32 of 2000), specifies that such a Process Plan must include:

- Programs that set out timeframes for the different planning steps;
- Appropriate mechanisms, processes and procedures for consultation with:
 - Local communities, both in terms of needs and priorities as well as consultation during development;
 - Organs of state, traditional authorities, and other role-players in the drafting process; and
- Binding plans and planning requirements, i.e. policy and legislation.

National Treasury has provided further guidance by the issuing of MFMA Circular 10. That circular provides specific guidance with regard to six distinct steps in compilation of the IDP and the annual Budget. The table below highlights these steps, with a brief description of each step:

Steps		Process
1	Planning	Schedule dates, establish consultation forums, review previous processes
2	Strategi- zing	Review IDP, set service delivery objectives for next 3 years, consult on tariffs, indigents, credit control, free basic services etc., and consider local-, provincial- and national issues, the previous year's performance and current economic and demographic trends etc.
3	Preparing	Prepare Budget, revenue and expenditure projections; draft Budget policies; consult and consider local-, provincial- and national priorities
4	Tabling	Table draft Budget, draft IDP and Budget-related policies before council; consult and consider local-, provincial- and national inputs or responses
5	Approving	Council approves the IDP, the Budget and related policies
6	Finalising	Publish the IDP, Budget and approve the SDBIP and performance targets

In capturing the above steps, this IDP & Budget Process Plan seeks to address, *inter alia*, the:

- Identification of areas requiring additional attention in terms of legislative requirements, proper planning processes and sound financial management;
- Inclusion of the most current Census and own statistical data;

- Consideration and review of any other relevant and new information;
- Addressing comments received from the various role-players;
- Factor-in the shortcomings and weaknesses identified through self-assessment;
- Preparation and review of sector plans and its alignment with the IDP;
- Preparation and review of the Performance Management System (PMS);
- Updating of the 5-year Financial Plan; and
- Finalisation of the annual Budget and IDP in terms of the relevant legislation.

Pursuant to the above statutory requirements, an IDP and Budget Process Plan for the 2025/2026 cycle is attached as **annexure 4**.

UNANIMOUSLY RESOLVED

- (a) *that the Reviewed IDP and Budget Process Plan for 2025/2026 be approved.*
- (b) *that in the event of any changes with regard to the dates of the Process Plan, the Municipal Manager be mandated to change same after consultation with the Executive Mayor.*

5. ADJOURNMENT / VERDAGING

The meeting adjourned at 09:22.

Approved on _____ with / without amendments.

ALDERLADY EM SIDEGO
SPEAKER

MJ Prins

MINUTES OF THE SPECIAL COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD HYBRID (MICROSOFT TEAMS) AND IN THE TOWN HALL, VOORTREKKER STREET, CERES ON MONDAY, 30 SEPTEMBER 2024 AT 10:00

PRESENT

Councillors

Alderlady EM Sidego (DA) (Speaker)
 Councillor TE Abrahams (DA) (Executive Mayor)
 Councillor JF Nel (ICOSA) (Executive Deputy Mayor)
 Alderman K Adams (DA) (Virtual attendance)
 Councillor WJ Alexander (PA)
 Councillor P Daniels (DA)
 Councillor S de Bruin (DA)
 Councillor GJ Franse (DA)
 Councillor JP Fredericks (FF Plus)
 Councillor AL Gili (ANC)
 Councillor LA Hardnek (Witzenberg Party)
 Councillor GG Laban (Witzenberg Aksie)
 Councillor JS Mouton (ANC)
 Councillor MJ Ndaba (ANC)
 Councillor N Nogcinisa (ANC) (Virtual attendance)
 Councillor N Phatsoane (ANC)
 Councillor KA Robyn (GOOD)
 Alderman HJ Smit (DA)
 Alderman D Swart (DA)
 Councillor IL Swartz (EFF)
 Alderman JJ Visagie (DA)
 Councillor K Yisa (ANC) (Virtual attendance)
 Councillor J Zalie (ANC)

Officials

Mr D Nasson (Municipal Manager)
 Mr HJ Kritzinger (Director: Finance)
 Mr J Barnard (Director: Technical Services)
 Mr M Mpeluza (Director: Corporate Services)
 Ms N Oerson (Chief Internal Audit Executive)
 Ms L Nieuwenhuis (Senior Manager: Legal Services)
 Mr A Hofmeester (Manager: IDP)
 Ms R Hendricks (Manager: Communication and Marketing)
 Mr CG Wessels (Manager: Administration)
 Mr C Titus (Committee Clerk)
 Mr J Pieterse (Senior ICT Officer)
 Ms MJ Prins (Word Processor Operator)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Speaker welcomed everyone and requested Councillor N Phatsoane to open the meeting with a prayer.

NOTED

2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

2.1 Consideration of application for leave of absence, if any
Aansoeke om verlof tot afwesigheid, indien enige
(3/1/2/1)

None

NOTED

2.2 Confidentiality and Conflict of Interest Declaration
Vertroulikheid en Botsing van Belange Verklaring
(3/2/1)

The Confidentiality and Conflict of Interest Declaration is attached as **annexure 2.2**. The declaration was duly signed by all Councillors.

Councillor P Daniels, on behalf of the DA, declared a conflict of interest with regard to item 4.2.2. The DA is currently leasing office space from Nunes Property Development, a company with interest in erf 8127 (portion of erf 1001), Ceres (old *jukskeibaan*). Council declined the declaration due to the fact that the DA Councillors were not personally in a conflict of interest, but only the Democratic Alliance.

NOTED

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED
MEDEDELINGS, AANKONDIGINGS OF SAKE GEOPPER

3.1 Gratitude, Congratulations and Commiseration
Waardering, Gelukwensing en Meelewing
(11/4/3)

Council's congratulations were conveyed by Councillor S de Bruin to the following Councillors and spouses on their birthdays:

Minutes: Special Council meeting
Notule: Spesiale Raadsvergadering
30 September 2024

- Councillor K Yisa 7 August
- Councillor J Mouton 8 September
- Ms S Nel 8 September
- Ms C Laban 12 September
- Ms L Smit-Visagie 24 September
- Alderman D Swart 30 September
- Councillor T Abrahams 6 October
- Councillor L Hardnek 19 October
- Ms K Swart 20 October

NOTED.

**3.2 Matters raised by the Speaker / Sake deur die Speaker geopper
(09/1/1)**

- (a) The Speaker requested a standing moment of silence from Council for loved one's in the Witzenberg area who had passed on.
- (b) The Speaker expressed her gratitude to all Councillors who had celebrated Heritage Day and their contributions made.
- (c) The Speaker congratulated the newly elected Tulbagh Tourism Management Team and wished them success in their future endeavours.
- (d) The Speaker mentioned that at the workshop of the SALGA Governance Conference the organisation had requested that all Councillors attending SALGA meetings must provide feedback to their respective Councils.
- (e) The Speaker requested Administration to ensure that the item *Feedback on matters of outside bodies* be placed on future Council agendas.
- (f) Councillor K Yisa expressed gratitude towards Administration and everyone who had assisted with a successful Heritage Day function in Nduli, Ceres.
- (g) Councillor J Mouton conveyed condolences on behalf of the ANC to the families of the well-known comrades Messrs Nicolas Koopman and Arthur de Bruyn on their passing on.
- (h) Councillor Mouton reminded Council that on this day, 29 September 2024, it was the 55th commemoration of the 1969 earthquake in the Witzenberg municipal area.

- (i) Councillor AL Gili expressed concern that Councillors simply do not attend Council meetings and are linked online for the meeting. The Speaker mentioned that Alderman K Adams and Councillor N Nogcinisa were attending the Integrated Councillor Induction Programme Level 3 workshop of the Cape Winelands District Municipality from 30 September until 4 October 2024 in Stellenbosch. Councillor K Yisa had also applied for same, however Speaker was not sure whether such application had been approved. However, it is a Councillor's right to request a virtual link to attend a Council meeting.

NOTED

3.3 Matters raised by the Executive Mayor
Sake deur die Uitvoerende Burgemeester geopper
(09/1/1)

The Executive Mayor reminded Council that at a previous meeting Councillors and Administration were requested to work together in collaboration. The Executive Mayor said that he had observed with gratitude that since his inauguration a year ago, the situation did improve. However, the Executive Mayor mentioned that he was concerned how the 1994 democracy in South Africa did not play so well out in the Witzenberg area. This is especially with regard to the experiences of the residents in Witzenberg in respect of democracy in the way the Council delivers services to them. Our residents are frustrated with the way democracy plays out and therefore as Mayor I need to reflect on it. The Executive Mayor referred to the seven principles of democracy which are internationally embraced and accepted. The engagement between the residents of Witzenberg and Council should be in a perfect balance. Thus the principles guide Council and residents from:

- From cynicism to engagement
- From polarisation to trust
- From complacency to citizenship
- From exclusion to inclusion
- From corruption to transparency
- From self-interest to solidarity
- From inequality to dignity

The Executive Mayor urged Council to roll out the principles of democracy to the citizens of Witzenberg. Councillors were requested not to wait for another Councillor to do it, but to start themselves immediately. Councillors must not underestimate their powers and the responsibility invested in them.

The Executive Mayor read a passage from the book *Human kind. A hopeful history* by author Rutger Bregman and published by Bloomsbury Publishing, London, 2020. An extract from the book (pages 300 to 302) with the subject *This is wat democracy looks like* is attached as **annexure 3.3**.

NOTED

3.4 Matters raised by the Municipal Manager
Sake deur die Munisipale Bestuurder geopper

None

NOTED

4. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

4.1 Direktooraat Finansies / Directorate Finance

**4.1.1 Section 71 Monthly Budget Statement Reports of the Directorate Finance: July and August 2024
(9/1/2/2)**

The following Section 71 Monthly Budget Statement Reports of the Directorate Finance are attached:

- (a) July 2024 **Annexure 4.1.1(a)**
- (b) August 2024 **Annexure 4.1.1(b)**

The Executive Mayoral Committee resolved on 26 September 2024 to recommend to Council:

- (a) that notice be taken of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for July and August 2024.
- (b) that the Section 71 Monthly Budget Statement Reports of the Directorate Finance for July and August 2024 be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary.

UNANIMOUSLY RESOLVED

- (a) that notice be taken of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for July and August 2024.*
- (b) that the Section 71 Monthly Budget Statement Reports of the Directorate Finance for July and August 2024 be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary.*

**4.1.2 Quarterly Budget Statement [Section 52(d)] Report: 4th Quarter 2023/2024 (April until June 2024)
(9/1/1 & 9/1/2/2)**

The Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2023/2024 is attached as **annexure 4.1.2**.

The Executive Mayoral Committee resolved on 26 September 2024:

- (a) that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2023/2024.

- (b) that the report supra (a) be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee as well as the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary.

UNANIMOUSLY RESOLVED

- (a) *that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2023/2024.*
- (b) *that the report supra (a) be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee as well as the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary.*

**4.1.3 PRAC Charter with effect from 1 July 2024
(5/14/4)**

The Performance, Risk and Audit Committee Charter with effect from 1 July 2024 is attached as **annexure 4.1.3**.

The Performance, Risk and Audit Committee resolved on 19 July 2024:

- (a) that notice is taken of the Performance, Risk and Audit Committee Charter with effect from 1 July 2024.
- (b) that the Performance, Risk and Audit Committee recommends to Council:

that notice be taken of the Performance, Risk and Audit Committee Charter with effect from 1 July 2024 and, after consideration, same be approved.

UNANIMOUSLY RESOLVED

that notice be taken of the Performance, Risk and Audit Committee Charter with effect from 1 July 2024 and, after consideration, same be approved.

**4.1.4 Internal Audit Charter with effect from 1 July 2024
(5/14/2)**

The Internal Audit Charter with effect from 1 July 2024 is attached as **annexure 4.1.4**.

The Performance, Risk and Audit Committee resolved on 19 July 2024:

- (a) that notice is taken of the Internal Audit Charter with effect from 1 July 2024.
- (b) that the Performance, Risk and Audit Committee recommends to Council:

that notice be taken of the Internal Audit Charter with effect from 1 July 2024 and, after consideration, same be approved.

UNANIMOUSLY RESOLVED

that notice be taken of the Internal Audit Charter with effect from 1 July 2024 and, after consideration, same be approved.

**4.1.5 MPAC Annual Work Plan: 2024/2025
(2/1/2)**

The Municipal Public Accounts Committee Annual Work Plan for July 2024 until June 2025 is attached as **annexure 4.1.5**.

The Municipal Public Accounts Committee resolved on 12 September 2024:

- (a) that the MPAC Work Plan for 2024/2025, after consideration, be approved.
- (b) that the Municipal Public Accounts Committee recommends to Council:

that the MPAC Work Plan for 2024/2025 be approved by Council.

UNANIMOUSLY RESOLVED

that the MPAC Work Plan for 2024/2025 be approved by Council.

4.2 Direktooraat Tegniese Dienste / Directorate Technical Services

4.2.1 Electricity: Eselfontein Boerdery (Edms) Bpk: Take-over of the municipal medium voltage infrastructure (16/3/3/1/1)

Councillor A Gili requested a caucus break on behalf of the ANC alliance from 10:52 until 11:21 before item 4.2.1 was being dealt with.

After the break Councillor Gili reported that the ANC alliance had expressed concerns that the members of the Committee for Technical Services, i.e. ANC and EFF had requested that the value of the assets which the municipality intends to transfer to the Eselfontein Boerdery (Edms) Bpk be made known, but to date such report had not been received. Councillor Gili proposed that the matter therefore be held in abeyance, which proposal was seconded by Councillor G Laban.

Alderman JJ Visagie requested a caucus break on behalf of the DA alliance from 11:23 until 11:39.

After the caucus break Councillor T Abrahams reported back that the Executive Mayoral Committee had endorsed the resolution of the Committee for Technical Services that the amount to be paid by the applicant for the municipal assets is R575 888-92. Alderman H Smit proposed and Alderman J Visagie seconded that the recommendations in the agenda be accepted.

Councillor Gili mentioned that the ANC alliance wants to compare the value of the municipal assets to be transferred to the applicant with the amount to be paid to the municipality by the applicant.

The Speaker called for a caucus meeting with all Chief Whips of the political parties from 11:53 until 12:00.

The Speaker reported back after the meeting that the Chief Whips had recommended to Council that the matter be held in abeyance and that an independent market valuator for the municipal assets be appointed to determine the market value of the assets.

The Committee for Technical Services resolved on 14 March 2023 that the matter in respect of the Electricity: Eselfontein Boerdery (Edms) Bpk: Take-over of the municipal medium voltage infrastructure be held in abeyance and referred to the Acting Senior Manager: Electro-Technical Services for further information.

The following documents are attached:

- (a) Memorandum from Senior Manager: Electro-Technical Services, dated 28 February 2024: **Annexure 4.2.1(a)**.

- (b) Letter from Eselfontein Boerdery, dated 16 September 2021:
Annexure 4.2.1(b).
- (c) Monthly report of May 2023 with Eselfontein SSEG application:
Annexure 4.2.1(c).

The Committee for Technical Services resolved on 9 April 2024 that the item relating to the Electricity: Eselfontein Boerdery (Edms) Bpk: Take-over of the municipal medium voltage infrastructure be held in abeyance to determine the financial impact from time of the installation of the Small Scale Embedded Generation (SSEG).

Comment from Senior Manager: Electro-Technical Services:

"Page 5 of annexure 8.2.2(a) shows the financial impact studied for Eselfontein in the graph format."

The Committee for Technical Services resolved on 6 August 2024 to recommend to the Executive Mayoral Committee and Council:

- (a) that the content of the memo and the request of the farm owner be noted.
- (b) that the advantages of this transaction for the municipality be noted.
- (c) that the request be supported and that the amount of R575 888-92 (VAT incl.) be paid by the applicant.
- (d) that the assets be transferred to Eselfontein Boerdery.
- (e) that a bulk metering unit be installed at the main intake point of Eselfontein at the cost of the customer.
- (f) that all the low voltage metering units be removed.
- (g) that the asset is not needed for service delivery to other consumers and that Witzenberg Municipality will continue to provide electricity to the purchaser in bulk.
- (h) that Council's intent to alienate the assets be advertised.

The Executive Mayoral Committee resolved on 26 September 2024 to recommend to Council:

- (a) that the content of the memo and the request of the farm owner be noted.
- (b) that the advantages of this transaction for the municipality be noted.

- (c) that the request be supported and that the amount of R575 888-92 (VAT incl.) be paid by the applicant.
- (d) that the assets be transferred to Eselfontein Boerdery.
- (e) that a bulk metering unit be installed at the main intake point of Eselfontein at the cost of the customer.
- (f) that all the low voltage metering units be removed.
- (g) that the asset is not needed for service delivery to other consumers and that Witzenberg Municipality will continue to provide electricity to the purchaser in bulk.
- (h) that Council's intent to alienate the assets be advertised.
- (i) that the land owner continues providing the farm workers with electricity on the farm.
- (j) that Council investigates the possibility of piloting a roll-out of free basic electricity in terms of Council's Indigent Policy to the households that are in need on the farm.

UNANIMOUSLY RESOLVED

that the matter in respect of Eselfontein Boerdery (Edms) Bpk: Take-over of the municipal medium voltage infrastructure be held in abeyance and that an independent market valuator for the municipal assets be appointed to determine the market value of the assets.

4.2.2 Lifting of restrictive condition: Erf 8127 (Portion of erf 1001), Ceres (old "jukskeibaan") (15/4/1/1/237)

Report from Municipal Manager, dated 19 September 2024:

"Purpose

To recommend to Council that a restrictive condition in Title Deed T3703/2008 be lifted.

Background

Erf 8127 (Portion of erf 1001) was sold to Par Chance Development Company by Witzenberg Municipality as part of the golf estate development.

In terms of the presentation made by the development company, Par Chance, they intended to build a hotel on the premises. Part of the agreement the golf estate and Par Chance is that they would make available an amount of R1,5 million for services that would enable Par Chance to start with the development. The development never took off because of various reasons, inter alia the decline of the economic conditions within South Africa. Par Chance has now agreed to sell the property to Nunes Property Development for purposes of constructing a boutique mall. Copies of architectural renderings of the proposed mall are attached as **annexure 4.2.2(a)**.

The Deed of Sale is subject to a suspensive condition that the rezoning of the aforesaid erf be approved to allow for the construction of the mall. There is a restrictive condition in the Title Deed which reads as follows:

- '2. Should any one of the properties hereby transferred not be developed or utilised for the purposes described in 1 above, such property or properties shall be transferred by the Transferee or its successors in title to the Municipality free of consideration at the Transferee or its successors in title's cost.'

A copy of an extract from the Title Deed with the restrictive conditions is attached as **annexure 4.2.2(b) (Confidential)**.

It was Council's intention that the erf be developed as a hotel site, hence the condition that if not so developed, then the property must fall back to the Council. The boutique mall is a deviation of the initial presentation to Council and it is now required that the restrictive clause be lifted and amended to bring it in line with the proposed new development.

Legal implications

There are no legal implications for Council.

Financial implications

None."

The Executive Mayoral Committee resolved on 26 September 2024 to recommend to Council that the restrictive condition to allow for only a hotel development be lifted and to grant permission that the Town Planning Department considers the rezoning application of erf 8127, Ceres.

Councillor A Gili requested that the Administration provides the original document of approval of the matter as well as the Council minutes of the meeting regarding the matter, held in 2003.

Councillor G Laban mentioned that new information in respect of the matter had come up, which Council needs to discuss. The Councillor requested that the matter be investigated.

Minutes: Special Council meeting
Notule: Spesiale Raadsvergadering
30 September 2024

Alderman H Smit proposed and Councillor J Nel seconded that the recommendations in the agenda be accepted.

Councillor A Gili proposed and Councillor J Mouton seconded that the matter be held in abeyance and the requested documents be submitted.

The Speaker called for a vote and the outcomes were as follow:

Proposal	Votes
Alderman Smit and Councillor Nel: Recommendations as in the agenda be accepted	12
Councillor Gili and Councillor Mouton: Matter to be held in abeyance	-
Abstained (All Councillors of the opposition abstained)	11
Total	23

The Speaker ruled in favour of the majority votes, i.e. that the recommendations as in the agenda be accepted.

RESOLVED

that the restrictive condition to allow for only a hotel development be lifted and to grant permission that the Town Planning Department considers the rezoning application of erf 8127, Ceres.

4.3 Direktooraat Gemeenskapsdienste / Directorate Community Services

4.3.1 Establishment of a municipal pound: Portion of erf 704, Tulbagh (Tulbagh showgrounds) (17/1/4/2 & 7/1/4/1)

Report from Municipal Manager, dated 18 September 2024:

"Purpose

To consider recommending to Council to enter into a lease agreement with the Tulbagh Skou for a certain portion of land and buildings at the Tulbagh Showgrounds for the purpose of establishing a municipal pound in terms of Council's By-law as published in the Western Cape Provincial Gazette 7404 of 19 June 2015.

Background

The Witzenberg Council approved a by-law relating to pounds which was published in the Western Cape Gazette as mentioned above. In terms of the by-law the municipality may establish a pound at any convenient place within its area of jurisdiction, provided that the municipality may enter into a service delivery agreement with an animal welfare organisation or institution or person mentioned in Section 76(b) of the Local Government: Municipal Systems Act 2000 (Act no. 32 of 2000) to provide for the establishment and operation of a pound to service its area of jurisdiction.

There has been a spate of incidents in recent times of stray animals encroaching on both private land and public roads. The municipality has a number of accidents registered where individuals have submitted civil claims as a result of damages to their vehicles because of collisions with stray animals. There has been an increased prevalence of such incidents, especially in the Tulbagh area which is creating tension amongst the landowners and agricultural farmers. Some of the farmers are also specialising in stock farming and they believe that the stray animals are a massive risk to their farming business. Various meetings were conducted with the small and commercial farmers to see a solution for the problem. Inadequate land and the number of animals seem to be the major problem in especially the Tulbagh area. The company Rhodes was approached to consider making land available for small farmers and they are still considering the municipal request. The services of both the state veterinarian and Stock Theft unit of SAPS were called in to assist the small farmers. Despite of the above the roaming around of animals, especially at night, is becoming a big problem and opens the municipality for civil liability in the event of further claims. After consultation with the Tulbagh Skou they have indicated that they are prepared to lease a portion of the Tulbagh showgrounds, as stated on the Google map, attached as **annexure 4.3.1**, for the amount of R5 500-00.

Financial implication

No budget was provided for in the 2024/2025 financial year. If Council approves of the lease it will be included in the adjustment budget of February 2025. Further provision will also have to be made for the cost of a person being in charge of the pound as well as the buying of animal feed in terms of the municipal by-law.

Legal implication

The municipal by-law relating to pounds will be applicable as well as the agricultural legislation and Animal Cruelty Act that may be applicable."

The Executive Mayoral Committee resolved on 26 September 2024 to recommend to Council:

- (a) that a portion of municipal property located at erf 704, Tulbagh (Tulbagh showgrounds) be leased from Tulbagh Skou for the purposes of establishing a municipal pound.
- (b) that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), portion of erf 704, Tulbagh be leased at an amount of R5 500 per month.
- (c) that funds be allocated during the February 2025 Adjustment Budget for the municipal pound project.
- (d) that provision for the costs of the person in charge of the pound and the costs of operations of the pound be budgeted for in the adjustment budget.
- (e) that Council's intention to lease the portion of erf 704, Tulbagh be advertised in terms of Council's Supply Chain Policy.

UNANIMOUSLY RESOLVED

- (a) *that a portion of municipal property located at erf 704, Tulbagh (Tulbagh showgrounds) be leased from Tulbagh Skou for the purposes of establishing a municipal pound.*
- (b) *that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), portion of erf 704, Tulbagh be leased at an amount of R5 500 per month.*
- (c) *that funds be allocated during the February 2025 Adjustment Budget for the municipal pound project.*

- (d) *that provision for the costs of the person in charge of the pound and the costs of operations of the pound be budgeted for in the adjustment budget.*
- (e) *that Council's intention to lease the portion of erf 704, Tulbagh be advertised in terms of Council's Supply Chain Policy.*

4.4 Direktoraat Korporatiewe Dienste / Directorate Corporate Services

4.4.1 Appointment of members: Disciplinary Board for Financial Misconduct (5/P)

A memorandum from the Chief Internal Audit Executive, dated 6 September 2024, is attached as **annexure 4.4.1**.

The Executive Mayoral Committee resolved on 26 September 2024 to recommend to Council:

- (a) That the following five members be appointed for a period of three years to the Disciplinary Board for Financial Misconduct from the date the resolution is taken:
 - (i) The Head of the Internal Audit unit within the municipality.
 - (ii) One member of the Audit Committee of the municipality.
 - (iii) A Senior Manager from the Legal Division in the municipality.
 - (iv) A representative of the Provincial Treasury.
 - (v) Any other person as may be determined by the municipal Council.
- (b) That the Board does not consist of more than five members, as stated in the Regulations.
- (c) That the Executive Mayoral Committee will have delegated powers to co-opt any person to the Board.

UNANIMOUSLY RESOLVED

- (a) *That the following five members be appointed for a period of three years to the Disciplinary Board for Financial Misconduct from the date the resolution is taken:*
 - (i) *The Head of the Internal Audit unit within the municipality.*
 - (ii) *One member of the Audit Committee of the municipality.*
 - (iii) *A Senior Manager from the Legal Division in the municipality.*
 - (iv) *A representative of the Provincial Treasury.*
 - (v) *Any other person as may be determined by the municipal Council.*

- (b) *That the Board does not consist of more than five members, as stated in the Regulations.*
- (c) *That the Executive Mayoral Committee will have delegated powers to co-opt any person to the Board.*

**4.4.2 International municipal relations: Combining work visit to Essen, Belgium (12 until 18 October 2024) with international conference (18 until 21 October 2024)
(10/2/3)**

Memorandum from Municipal Manager, dated 18 September 2024:

"Purpose

To consider substituting the Director: Technical Services with the Senior Manager: Solid Waste and Cleansing Services, Ms Patricia Claasen, and adding the Executive Mayor, Councillor Trevor Abrahams, as part of the official delegation to Essen, Belgium.

Background

Council resolved on 26 July 2024 per item 8.3.1 to approve a working visit of delegates to Essen, Belgium. The following representatives were approved as part of the delegation:

- (a) A municipal representative of the Youth Sports Programme: Acting Manager: Socio-Economic Development (Mr Riaan Fick).
- (b) A municipal representative of the Waste Management Programme: Director: Technical Services (Mr J Barnard).
- (c) A political representative of the partnership between both municipalities: Alderman H Smit or alternatively, if necessary, Councillor P Daniels or Councillor J Nel.

The working visit was initially scheduled for 19 until 24 August 2024, but was postponed to 12 October until 18 October 2024. The Director: Technical Services, Mr J Barnard, has since then resigned as an employee of the Witzenberg Municipality and it is recommended that he be substituted with Ms Patricia Claasen, the Senior Manager of Solid Waste and Cleansing Services, which will be a focused area of the future working agreement between the two municipalities.

Minutes: Special Council meeting
Notule: Spesiale Raadsvergadering
30 September 2024

Essen Municipality has further extended an invitation to the Executive Mayor to be part of the Peace and International Cooperation conference that will take place during the weekend of 18 until 21 October 2024. A copy of the invitation is attached as **annexure 4.4.2**. The Executive Mayor has indicated that he will be available, subject to Council's approval and if Council so approves, that he also forms part of the working visit delegation. The two officials will return on 18 October 2024 and it will only be the Executive Mayor and Alderman Smit who will stay on for the international conference.

Essen Municipality will carry the cost of meals and accommodation. The only additional cost will be the additional flight ticket for the Executive Mayor."

The Executive Mayoral Committee resolved on 26 September 2024 to recommend to Council:

- (a) that the Senior Manager: Solid Waste and Cleansing Services, Ms Patricia Claasen, and the Executive Mayor, Councillor T Abrahams, be included as part of the official delegation to Essen, Belgium.
- (b) that resolution 8.3.1(b)(ii) of the Council meeting, held on 26 July 2024, be rescinded.
- (c) that the delegates be paid a subsistence allowance in terms of Council's Subsistence and Travel Policy.

Councillor A Gili requested that the letter of invitation sent to the Executive Mayor to be part of the Peace and International Cooperation conference be submitted to Council. No such a letter is available and the invitation is fake. Councillor Gili proposed and Councillor N Phatsoane seconded that the Executive Mayor not be part of the delegation to Belgium.

The Executive Mayor responded that he had seen the invitation. Councillor J Fredericks proposed and Alderman D Swart seconded that the recommendation in the agenda be accepted.

The Speaker called for a vote and the outcomes were as follow:

Proposal	Votes
Councillor Gili and Councillor Phatsoane:	-
That the Executive Mayor not be part of the delegation to Belgium	
Councillor Fredericks and Alderman Swart:	12
Recommendations as in the agenda be accepted	
Abstained (All Councillors of the opposition abstained)	11
Total	23

The Speaker ruled in favour of the majority votes.

Minutes: Special Council meeting
Notule: Spesiale Raadsvergadering
30 September 2024

RESOLVED

- (a) *that the Senior Manager: Solid Waste and Cleansing Services, Ms Patricia Claasen, and the Executive Mayor, Councillor T Abrahams, be included as part of the official delegation to Essen, Belgium.*
- (b) *that resolution 8.3.1(b)(ii) of the Council meeting held on 26 July 2024, as quoted below, be rescinded:*

"(b) that the following representatives be approved:

(ii) A municipal representative of the Waste Management Programme: Director: Technical Services (Mr J Barnard)."
- (c) *that the delegates be paid a subsistence allowance in terms of Council's Subsistence and Travel Policy.*

5. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA
DRINGENDE SAKE NA AFSENDING VAN DIE AGENDA

5.1 Resignation as a Councillor and MPAC Chairperson: Councillor LA Hardnek (3/1/1/3)

Councillor LA Hardnek submitted her resignation letter as Councillor and Chairperson of MPAC to the Speaker. The letter is attached as **annexure 5.1**.

The Speaker thanked Councillor Hardnek for her services as a dedicated member of Council. The Speaker wished her a prosperous, healthy and successful journey further.

The following Councillors, on behalf of their political parties, conveyed best wishes toward Councillor Hardnek on her further endeavours:

- (a) Councillor WJ Alexander: PA
- (b) Councillor TE Abrahams: DA
- (c) Councillor JS Mouton: ANC
- (d) Councillor GG Laban: Witzenberg Aksie
- (e) Councillor IL Swartz: EFF
- (f) Councillor KA Robyn: GOOD

UNANIMOUSLY RESOLVED

that the resignation received from Councillor LA Hardnek as a Councillor and Municipal Public Accounts Committee Chairperson with effect from 1 October 2024 is accepted.

5.2 Finance: Proposal of Executive Mayor: Capital for municipal projects (5/1/1/23)

The Executive Mayor informed Council that he plans to embark on a mission to obtain capital from the Provincial Department to augment the municipal budget. Thus the Executive Mayor will forward a proposal to all Councillors with amounts needed and request that they add any project deemed necessary, but not listed in the proposal. Capital projects earmarked and monies needed are:

(a)	Regional cemetery	R16 million
(b)	Incremental housing	R17 million
(c)	Critical pipe replacement	R8 million
(d)	Sewerage pipes	R11 million
(e)	Electricity: Ceres/Nduli/Bella Vista	R290 million
(f)	Electricity: Wolseley/Tulbagh	R45 million
(g)	Communal facilities	R45 million
(h)	Soccer field: Prince Alfred's Hamlet	R11 million

UNANIMOUSLY RESOLVED

- (a) *that the Executive Mayor will forward a proposal to all Councillors in respect of a request to the Provincial Department to obtain capital for municipal projects.*
- (b) *that Councillors will add capital projects deemed necessary, but not listed in the proposal.*

6. COUNCIL-in-COMMITTEE / RAAD-in-KOMITEE

These items are dealt with in the confidential minutes.

MINUTES OF THE SPECIAL COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD VIRTUALLY ON MONDAY, 14 OCTOBER 2024 AT 10:00

PRESENT

Councillors

Alderlady EM Sidego (DA) (Speaker)
 Councillor TE Abrahams (DA) (Executive Mayor)
 Councillor JF Nel (ICOSA)
 Alderman K Adams (DA)
 Councillor WJ Alexander (PA)
 Councillor P Daniels (DA)
 Councillor S de Bruin (DA)
 Councillor G Franse (DA)
 Councillor JP Fredericks (FF Plus)
 Councillor AL Gili (ANC)
 Councillor JS Mouton (ANC)
 Councillor MJ Ndaba (ANC)
 Councillor N Nogcinisa (ANC)
 Councillor N Phatsoane (ANC)
 Councillor KA Robyn (GOOD)
 Councillor J Rooi (Witzenberg Party)
 Alderman HJ Smit (DA)
 Alderman D Swart (DA)
 Councillor IL Swartz (EFF)
 Alderman JJ Visagie (DA)
 Councillor K Yisa (ANC)
 Councillor J Zalie (ANC)

Officials

Mr D Nasson (Municipal Manager)
 Mr HJ Kritzing (Director: Finance)
 Mr J Barnard (Director: Technical Services)
 Mr M Mpeluza (Director: Corporate Services)
 Mr J Kolkota (Deputy Director: Finance)
 Mr JH Swanepoel (Manager: Projects and Performance)
 Ms N Oerson (Chief Internal Audit Executive)
 Ms L Nieuwenhuis (Senior Manager: Legal Services)
 Mr A Hofmeester (Manager: IDP)
 Ms R Hendricks (Manager: Communication and Marketing)
 Mr CG Wessels (Manager: Administration)
 Mr C Titus (Committee Clerk)
 Mr R Rhode (ICT Administrator)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Speaker welcomed everyone present.

NOTED

2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

**2.1 Consideration of application for leave of absence, if any
 Aansoeke om verlof tot afwesigheid, indien enige
 (3/1/2/1)**

An application for leave of absence from the meeting was received from Councillor GG Laban.

UNANIMOUSLY RESOLVED

that the application for leave of absence from the meeting, received from Councillor GG Laban, be approved and accepted.

**2.2 Confidentiality and Conflict of Interest Declaration
 Vertroulikheid en Botsing van Belange Verklaring
 (3/2/1)**

The Confidentiality and Conflict of Interest Declaration is attached as **annexure 2.2.**

No conflict of interest was declared.

NOTED

**3. INTRODUCTION AND WELCOMING OF COUNCILLOR J ROOI
 (WITZENBERG PARTY)
 (3/R)**

The Speaker welcomed and introduced the newly appointed Councillor J Rooi, who replaced the former Councillor L Hardnek, who had resigned.

After that the whips of the various political parties welcomed Councillor Rooi i.e. :

- (a) Councillor WJ Alexander (Patriotic Alliance)
- (b) Alderman JJ Visagie (Democratic Alliance)
- (c) Councillor MJ Ndaba (African National Congress)

- (d) Councillor KA Robyn (GOOD)
- (e) Councillor IL Swartz (Economic Freedom Fighters)
- (f) Councillor JF Nel (ICOSA)

Councillor J Rooi responded with gratitude on the congratulations and words of welcome from the various political parties. He mentioned that he was praising God to be back in his hometown and ensured Council that he will work well with everyone.

NOTED

4. POLITICAL STRUCTURE: MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC): APPOINTMENT OF CHAIRPERSON (3/3/1/1)

The position of Chairperson of the Municipal Public Accounts Committee has become vacant with the resignation of ex-Councillor LA Hardnek.

The KPI's of the Municipal Public Accounts Committee are as follow:

- Promote transparency and public accountability
- Evaluate, direct and supervise investigations into any matters within the scope of its roles and responsibilities as instructed by Council
- Increase Council and public awareness of financial and performance issues of municipality
- Perform oversight function on behalf of Council

The current members are Councillors WJ Alexander (PA), N Nogcinisa (ANC), KA Robyn (GOOD) and Alderman JJ Visagie (DA).

Councillor P Daniels proposed and Alderman K Adams seconded that Councillor J Rooi (Witzenberg Party) be appointed as the Chairperson of the Municipal Public Accounts Committee.

No further proposals were received.

UNANIMOUSLY RESOLVED

that Councillor J Rooi (Witzenberg Party) be appointed as the Chairperson of the Municipal Public Accounts Committee.

5. MATTERS NOT LISTED ON THE AGENDA RAISED BY COUNCILLORS

- The Speaker responded on an enquiry from Councillor P Daniels that all the matters raised by Councillors, but not listed on the agenda, are for information.

- Councillor IL Swartz enquired the reasons for the rush to appoint a Chairperson for the Municipal Public Accounts Committee.
- Councillor AL Gili enquired with regard to the proposed Special Council meeting to discuss the matter of a third taxi association.
- Councillor K Yisa requested that all Councillors receive training for online meetings.
- Councillor K Yisa enquired with regard to the future plans about dilapidated buildings in Nduli, Ceres.
- Alderman K Adams requested feedback in respect of the upper limits for Councillors.
- Councillor N Phatsoane congratulated Councillor J Rooi on behalf of the ANC, on his appointment as Chairperson of the Municipal Public Accounts Committee and requested that the Councillor will attend to the outstanding Council matters in respect of the investigations into wasteful expenditure.

NOTED

6. ADJOURNMENT

The meeting adjourned at 10:41.

Approved on _____ with / without amendments.

ALDERLADY EM SIDEGO
SPEAKER

MJ Prins

**MINUTES OF THE PERFORMANCE, RISK AND AUDIT COMMITTEE MEETING
OF WITZENBERG MUNICIPALITY, HELD VIRTUALLY (MICROSOFT TEAMS)
ON FRIDAY, 3 NOVEMBER 2023 AT 09:00**

PRESENT

Performance, Risk and Audit Committee

Mr J George (Chairperson)
Ms MC Fagan
Mr JJ Swarts

Officials

Mr D Nasson (Municipal Manager)
Mr HJ Kritzing (Director: Finance)
Mr J Kolkota (Deputy Director: Finance)
Mr G Louw (Head: Internal Audit)
Ms N Oerson (Chief Internal Audit Executive)
Ms C Ranna (Manager: Internal Audit)
Mr W Mars (Manager: Financial Administration)
Mr JH Swanepoel (Manager: Projects and Performance)
Mr CG Wessels (Manager: Administration)
Ms M Arendse-Smith (Chief Administrative Officer)

Other attendees

Mr Jansen van Rensburg (AGSA)

1. OPENING AND WELCOME

The Chairperson welcomed everyone present.

NOTED

**2. CONSIDERATION OF APPLICATIONS FOR LEAVE OF ABSENCE, IF ANY
(3/1/2/1)**

An application for leave of absence from the meeting was received from Ms J Lapoorta.

RESOLVED

that the application for leave of absence, received from Ms J Lapoorta, be approved and accepted.

3. CONFLICT OF INTEREST DECLARATION

The Chairperson requested PRAC members and participants of the meeting to declare on record any conflict of interest that may arise at this meeting and remove themselves from any proceedings, in relation to that matter, giving rise to that conflict.

No conflict of interest was declared.

NOTED

4. CONFIDENTIALITY DECLARATION AND ATTENDANCE REGISTER

The Chairperson informed PRAC members and participants of the meeting that by confirming attendance by voice, the attendee declares that he/she shall maintain strict confidentiality in respect of any information of a confidential nature to which he/she may become privy at this meeting of PRAC, and shall only disclose such information as may become necessary or required for the proper performance of his/her duties and functions.

NOTED

5. MINUTES**5.1 Corrections and matters from the minutes (3/1/2/3)**

(a) Minutes of PRAC meeting, held on 28 July 2023:

None

NOTED

(b) Minutes of Special PRAC meeting, held on 18 August 2023:

The Performance, Risk and Audit Committee enquired about the correct job title of Ms N Oerson.

RESOLVED

that the Municipal Manager confirms with the Department Human Resources the correct job title of Ms N Oerson and, if needed, same be corrected on the minutes of the Special Performance, Risk and Audit Committee meeting of 18 August 2023.

**5.2 Approval of minutes
(3/1/2/3)**

The following minutes are attached:

- (a) Performance, Risk and Audit Committee meeting, held on 28 July 2023: **Annexure 5.2(a)**.
- (b) Special Performance, Risk and Audit Committee meeting, held on 18 August 2023: **Annexure 5.2(b)**.

RESOLVED

That the following minutes be approved and signed by the Chairperson:

- (i) *Performance, Risk and Audit Committee meeting, held on 28 July 2023.*
- (ii) *Special Performance, Risk and Audit Committee meeting, held on 18 August 2023.*

**5.3 PRAC resolutions register
(5/14/4)**

- Status of the implementation of PRAC resolutions
- Feedback to PRAC regarding resolutions referred to Council.

The PRAC resolutions register, as at 26 October 2023, is attached as **annexure 5.3**.

The Head: Internal Audit submitted the PRAC resolutions register and reported the following:

Sequence 168

That the IT Report in respect of downtime and the cost thereof be included in the next agenda of the Performance, Risk and Audit Committee.

Sequence 170

That the matter in respect of the National Fraud Hotline was discussed with the Cape Winelands District Municipality. Three bidders were unsuccessful due to functionality points. Witzenberg Municipality has therefore still no hotline.

Some other municipalities have their own service providers at a cost of R12 000-00 per month. Cape Winelands District Municipality went out on another tender. The Head: Internal Audit will enquire about the way forward for Witzenberg Municipality at a Senior Management meeting to determine the best option.

The Performance, Risk and Audit Committee requested that the matter of ethics and language also be attended to.

Sequence 177

The Performance, Risk and Audit Committee took notice that the matter of the indigent and prescribed debt write-off 2021/2022 is completed.

Sequence 183

The Performance, Risk and Audit Committee took notice that the matter of the Internal Audit Report: Performance Management for the 4th Quarter of 2021/2022 is completed.

Sequence 185

The Performance, Risk and Audit Committee took notice that the matter in respect of the Internal Audit Report: Performance Management System for the 2nd Quarter of 2022/2023 is completed.

Sequence 189

The Performance, Risk and Audit Committee took notice that the matter in respect of the Internal Audit Report: Performance Management System for ICT Governance is completed.

RESOLVED

- (a) *that the outstanding report in respect of the IT downtime and cost thereof be included in the next agenda of the Performance, Risk and Audit Committee.*
- (b) *that notice be taken of the resolutions register and, after consideration, same be accepted.*

6. PRESENTATIONS

None

NOTED

7. PERFORMANCE MANAGEMENT**7.1 Internal Audit Report: Performance Management System:
3rd Quarter of 2022/2023
(5/14/3)**

The Internal Audit Report on the Performance Management System for the third quarter of 2022/2023, dated June 2023, is attached as **annexure 7.1**.

- Mr J Swart enquired with regard to the presentation of the Audit Strategy regarding AGSA fees. The document was not circulated to the Performance, Risk and Audit Committee. The matter seems to be a human error and not on purpose. AGSA will provide documentation for inputs of the Performance, Risk and Audit Committee and after that to AGSA again.
- AGSA reported that the audit status is quite far. Challenges experienced with assets with regard to the Asset Register; flag the big ones on revenue; supply chain matters take longer, however the team tries to come under budget. Finders are high level discussions, but no major irregularities.
- AGSA informed the Performance, Risk and Audit Committee that discussion were held with the Municipal Manager to start the audit process in 2024 by March/April with planning process in order to have more time.

The Head: Internal Audit tabled the report and highlighted the following:

- The Head: Internal Audit Reported concerns with regard to the reporting from SAMRAS. Completeness of testing is an issue, but Internal Audit attends to the matter.
- E-coli needs a number of tests. Re-sampling done until result is satisfactorily. Tests done by an independent service provider. Efforts made by the Manager: Projects and Performance to improve reporting. However, no contamination of e-coli was found in the water.
- Action plan to review the KPI System description to include re-sampling of E-coli tests is done.

RESOLVED

that the Performance, Risk and Audit Committee took notice of the Internal Audit Report on the Performance, Management System for the 3rd Quarter of 2022/2023 and recommends that same be tabled to the Municipal Public Accounts Committee for notice.

7.2 Internal Audit Report: Performance Management System: 4th Quarter of 2022/2023 (5/14/3)

The Internal Audit Report on the Performance Management System for the fourth quarter of 2022/2023, dated September 2023, is attached as **annexure 7.2**.

The Chief Internal Audit Executive tabled the Internal Audit Report on the Performance Management System for the fourth quarter of 2022/2023. The following were highlighted:

Five findings were identified:

- TecDir1: Inaccurate performance reported: Glitches/malfunction on the SAMRAS system in terms of actuals versus budget.
- TecDir 3: Inaccurate performance reported: Glitches/malfunction on the SAMRAS system in terms of actuals versus budget.
- TecSan13: Sanitation point not at original location as indicated on Portfolio of Evidence. Municipal Manager mentioned that people had moved the toilets. This is always the case with mobile toilets. The toilets are still inside the radius. The Chief Financial Officer confirmed that no unauthorised expenditure took place.
- TecWat22: Water points confirmed by Management could not be found. Water points were disconnected by residents and connected to pipes that were re-routed to individual informal structures. Water connection still exists, but taps have been removed.
- TecEl37: Inaccurate KPI reporting. Difference between the quantity of electricity supplied to the municipality's network and the metered quantity of electricity used by customers. Technical losses due to inadequate networks.

RESOLVED

that the Performance, Risk and Audit Committee took notice of the Internal Audit Report on the Performance Management System for the fourth quarter of 2022/2023 and recommended that same be tabled to the Municipal Public Accounts Committee for notice.

7.3 Performance, Risk and Audit Committee: 2nd Bi-Annual Report on Performance Management: 2022/2023 (5/14/4)

The Second Bi-Annual Report of the Performance, Risk and Audit Committee on Performance Management for 2022/2023, dated October 2023, is attached as **annexure 7.3**.

RESOLVED

- (a) *that the Performance, Risk and Audit Committee members send their inputs with regard to the Bi-Annual Report on Performance Management for 2022/2023 to the Chairperson by not later than Wednesday, 8 November 2023.*
- (b) *that the Chairperson of the Performance, Risk and Audit Committee, the Head: Internal Audit and the Chief Internal Audit Executive meet on Friday, 10 November 2023 and conclude the report supra (a).*

The Municipal Manager excused himself from the meeting at 11:03 to attend another meeting. His apology was accepted.

8. RISK MANAGEMENT**8.1 Annual Risk Assessment Report: 2023
(2/12/1)**

The Annual Risk Assessment Report for 2023, dated October 2023, is attached as **annexure 8.1**.

The Head: Internal Audit tabled the Annual Risk Assessment Report for 2023. The following were highlighted:

- That the strategic risks will be reviewed during the IDP Process.
- That procurement is a high inherent risk.
- The Head: Internal Audit clarified the matter of invalid and incorrect invoices are paid to the satisfaction of the Performance, Risk and Audit Committee.
- The Performance, Risk and Audit Committee enquired with regard to the lack of funding to rehabilitate landfill sites in Witzenberg. The Chief Financial Officer responded that the rehabilitation of landfill sites is expensive and that a district landfill site needs to be considered as a solution. Houses are erected and fencing tried in Tulbagh at the site.
- That safety and maintenance inspections are not performed due to a lack of senior personnel.
- The Head: Internal Audit clarified that the number of major unplanned, not disaster related interruptions to service delivery refers to payment issues. Controls need to be put in place.
- The Deputy Director: Finance mentioned that a tender for translations is in process. Legal translations are very difficult and efforts ongoing to obtain a professional translator. AGSA supported the Deputy Director: Finance and mentioned that in a cover letter no translations of AGSA are allowed to prevent misunderstandings.
- The Deputy Director: Finance explained the matter of money collected late, not collected daily and depositing late to the bank. The Performance, Risk and Audit Committee accepted the explanation.

- The Performance, Risk and Audit Committee requested that the risk title be rephrased to read better, because monies are not collected late, neither deposited in the bank late.
- AGSA mentioned that concerns were raised during audit with regard to the lack of electricity in the area. Questions posed were: What is the alternative? What is done by the municipality to mitigate the risk? The Head: Internal Audit responded that all comes down to the strategic risk of Eskom's inability to provide increased electricity supply to the municipal area.

RESOLVED

- (a) *that the Risk Titles be rephrased that read:*
- (i) *Money collected late for depositing to the bank.*
 - (ii) *Money not collected daily.*
- (b) *that the Performance, Risk and Audit Committee took notice of the Annual Risk Assessment Report for 2023.*
- (c) *that the Performance, Risk and Audit Committee recommends to Council:*

that notice be taken of the Performance, Risk and Audit Committee's Annual Risk Assessment Report for 2023 and, after consideration, same be accepted.

The Municipal Manager re-joined the meeting at 12:10.

9. AUDIT AND FINANCIAL MANAGEMENT**9.1 Section 71 Monthly Budget Statement Reports of the Directorate Finance: June, July, August and September 2023 (9/1/2/2)**

The following Section 71 Monthly Budget Statement Reports of the Directorate Finance are attached:

- | | | |
|-----|----------------|------------------------|
| (a) | June 2023 | Annexure 9.1(a) |
| (b) | July 2023 | Annexure 9.1(b) |
| (c) | August 2023 | Annexure 9.1(c) |
| (d) | September 2023 | Annexure 9.1(d) |

The Director: Finance tabled the Section 71 Monthly Budget Statement Reports for June, July, August and September 2023. The following matters were highlighted with the focus on the September 2023 report:

- The Chief Financial Officer referred to previous enquiries of the Performance, Risk and Audit Committee:

❖ The libraries' VAT issue

A lengthy discussion was held on the matter. The Chief Financial Officer shared the current status of the matter. That a meeting was held between Western Cape municipalities, SARS and Treasury, but without any solution. Various channels were explored by Witzenberg Municipality, but the matter is still a contingent liability with an amount of R6,5 million payable. AGSA mentioned that the VAT is currently still taxable and thus still a finding. However, AGSA is also awaiting on SARS for outcomes. Mr J van Rensburg clarified the position of AGSA with regard to the matter.

- The Chief Financial Officer referred to an amount of R8 million for properties sold in the previous financial year. The payment was only made in the current financial year; therefore the substantial amount in the cash flow.
- The Chief Financial Officer referred to the matter of R1,7 million for doing business with family members. The bidder declared it as consultancy work for electricity. The Performance, Risk and Audit Committee accepted the clarification.
- The municipality currently has R120 million in its primary bank account and R140 million on investment. The bank balance at the end of the previous month was R110 million and R140 million on investment.
- The accumulated debtor's collection for the year is 94 % and the actual accumulated year-to-date debtor's collection is 75 % in comparison to a rate of 85 % for the same month in the previous year. The low collection rate is due to the annual property rates which were billed during July, but which were due for payment at the end of September.
- The unwillingness of government departments to pay their municipal accounts was a concern. However, the departments started to pay. The debt is in excess of R8,5 million in comparison to the prior month's figure of R7,9 million.
- The Chief Financial Officer clarified in terms of the provision of Online Electronic CIPC (Companies and Intellectual Property Commission) and Credit Search Services. The Performance, Risk and Audit Committee requested that more information be provided at the next meeting.
- The Chief Financial Officer responded satisfactorily on the Performance, Risk and Audit Committee's enquiries with regard to questions raised in respect of deviations and insurance claims.

RESOLVED

- (a) *That the Chief Financial Officer provides more information with regard to the purpose of Bid 08/2/20/68: Provision of online electronic CIPC (Companies and Intellectual Properties Commission) and Credit Search Services at the next meeting.*
- (b) *That notice be taken of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for June, July, August and September 2023.*

- (c) *That the Performance, Risk and Audit Committee recommends to Council:*

that notice be taken of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for June, July, August and September 2023 and, after consideration, same be accepted.

9.2 Internal Audit Report: Compliance with Division of Revenue Act (DORA): 2022 (5/14/2)

The Internal Audit Report on Compliance with the Division of Revenue Act (DORA) for 2022, dated October 2023, is attached as **annexure 9.2**.

RECOMMENDED

that the matter in respect of the Internal Audit Report: Compliance with Division of Revenue Act for 2022 be held in abeyance until the next meeting.

9.3 Quarterly Budget Statement [Section 52(d)] Report: 4th Quarter 2022/2023 (1 April 2023 to 30 June 2023) (9/1/1 & 9/1/2/2)

The Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2022/2023 is attached as **annexure 9.3**.

Council unanimously resolved on 25 August 2023:

- (a) that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2022/2023.
- (b) that the report supra (a) be referred to the Performance, Risk and Audit Committee as well as the Municipal Public Accounts Committee for their recommendations to Council.

RESOLVED

- (a) *That notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2022/2023.*
- (b) *That the Performance, Risk and Audit Committee recommends to Council:*

that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2022/2023 and, after consideration, same be accepted.

9.4 Witzenberg Risk-based Audit Plan (RBAP): July 2023 until June 2026 (5/14/2)

The Witzenberg Risk-based Audit Plan for July 2023 until June 2026, dated July 2023, is attached as **annexure 9.4**.

RESOLVED

that the matter in respect of the Witzenberg Risk-based Audit Plan for July 2023 until June 2026 be held in abeyance until the next meeting.

9.5 Internal Audit Report: Safeguarding of firearms (5/14/2)

The Internal Audit Report on the safeguarding of firearms, dated June 2023, is attached as **annexure 9.5**.

RESOLVED

that the matter in respect of the Internal Audit Report on the safeguarding of firearms be held in abeyance until the next meeting.

9.6 Internal Audit Report: Indigent and prescribed debt write-off: 2022/2023 (5/14/2)

An Internal Audit Report on indigent and prescribed debt write-off for 2022/2023, dated April 2023, is attached as **annexure 9.6**.

RESOLVED

that the matter in respect of the Internal Audit Report on indigent and prescribed debt write-off for 2022/2023 be held in abeyance until the next meeting.

9.7 Writing off of interest and arrears: Household debt and other irrecoverable outstanding amounts (5/12/1/3)

A memorandum from the Director: Finance, dated 27 October 2023, is attached as **annexure 9.7**.

RESOLVED

that the matter in respect of the Writing off of interest and arrears: Household debt and other irrecoverable outstanding amounts be held in abeyance until the next meeting.

10. OTHER MATTERS

None

NOTED**11. NEXT MEETING
(03/1/2/3)****RESOLVED**

that the next meeting of the Performance, Risk and Audit Committee be held virtually (Microsoft Teams) on 17 November 2023 at 08:00.

12. PRAC-in-COMMITTEE

MINUTES OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON THURSDAY, 9 NOVEMBER 2023 AT 10:00

PRESENT

Municipal Public Accounts Committee

Councillor L Hardnek (Chairperson) (WP)
Councillor GJ Franse (DA)
Councillor AL Gili (ANC)
Councillor EM Sidego (DA)

Officials

Mr D Nasson (Municipal Manager)
Mr J Kolkota (Deputy Director: Finance)
Mr G Louw (Head: Internal Audit)
Ms N Oerson (Chief Executive Internal Auditor)
Ms C Ranna (Manager: Internal Audit)
Mr C Wessels (Manager: Administration)
Ms M Arendse-Smith (Chief Administrative Officer)
Mr C Titus (Committee Clerk)

1. OPENING AND WELCOME

The Chairperson welcomed everyone present and opened the meeting with prayer.

NOTED.

2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY (3/1/2/1)

An application for leave of absence from the meeting was received from Councillor N Nogcinisa.

An apology for absence from the meeting was received from the Director: Finance and the Manager: Projects and Performance.

RESOLVED

- (a) *that the application for leave of absence from the meeting, received from Councillor N Nogcinisa, be approved and accepted.*
- (b) *that notice be taken of the apology for absence from the meeting, received from the Director: Finance and the Manager: Projects and Performance.*

BESLUIT

- (a) *dat die aansoek om verlof tot afwesigheid van die vergadering, ontvang vanaf raadslid N Nogcinisa, goedgekeur en aanvaar word.*
- (b) *dat kennis geneem word van die verskoning vir afwesigheid van die vergadering, ontvang vanaf die Direkteur: Finansies en die Bestuurder: Projekte en Prestasie.*

3. MINUTES**3.1 Matters from or corrections to the minutes
(3/1/2/3)**

For consideration of any discussions and/or corrections of the minutes.
Ter oorweging van besprekings en/of regstellings van die notule.

None / Geen

NOTED / AANGETEKEN**3.2 Approval of minutes
(3/1/2/3)**

The minutes of the Municipal Public Accounts Committee meeting, held on 31 August 2023, are attached as **annexure 3.2**.

Councillor A Gili raised a concern that as a newly elected member of the Municipal Public Accounts Committee, a brief background on the items are required and that for this reason, the Councillor is hesitant to take decisions. Furthermore, that if a background is not given, that Councillor A Gili withdraws himself from any discussions.

The Chairperson noted the concerns raised by Councillor A Gili and indicated that despite the withdrawal of Councillor A Gili, the meeting still had a quorum.

RESOLVED

that the minutes of the Municipal Public Accounts Committee meeting, held on 31 August 2023, be approved and signed by the Chairperson.

**3.3 MPAC resolutions register
(3/3/2)**

- Status of the implementation of MPAC resolutions.
- Feedback to MPAC regarding resolutions referred to Council.

The MPAC resolutions register, as at 22 September 2023, is attached as **annexure 3.3**.

RESOLVED

that notice be taken of the resolutions register and, after consideration, same be accepted.

4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY THE CHAIRPERSON

The Chairperson requested that committee members attend the Municipal Public Accounts Committee meetings due to its importance and that members be punctual.

None / Noted

NOTED / AANGETEKEN

5. INTERVIEWS WITH DELEGATIONS

None / Noted

NOTED / AANGETEKEN

6. DELEGATED POWERS

None / Geen

NOTED / AANGETEKEN

7. RESERVED POWERS

**7.1 MPAC Annual Work Plan: 2023/2024
(2/1/2)**

The Municipal Public Accounts Committee Annual Work Plan for July 2023 until June 2024 is attached as **annexure 7.1**.

RESOLVED

(a) that the MPAC Work Plan for 2023/2024, after consideration, be approved.

(b) *that the Municipal Public Accounts Committee recommends to Council:*

that the MPAC Work Plan for 2023/2024 be approved by Council.

7.2 Internal Audit: Follow-up report on implementation of previously reported internal audit findings: October 2022 (5/14/2)

The Follow-up report on the implementation of previously reported internal audit findings, dated October 2022, is attached as **annexure 7.2**.

The Performance, Risk and Audit Committee resolved on 28 July 2023 that notice be taken of the Follow-up report on the implementation of previously reported internal audit findings, dated October 2022 and that the said report be tabled to the Municipal Public Accounts Committee for notice.

Internal Audit indicated that one (1) of the action plans listed under the summary of results and audit outcomes is related to the Time and Attendance system for which Management decided to revisit the issue of the time and attendance system with the goal of finding a better product.

The following questions were posed by Councillors:

- Whether there were any shortfalls with the cash receipting process or subsequent losses suffered?
- Whether there is insurance coverage for when cash is in transit.

The Municipal Manager responded as follows:

- In the past there had been incidents of theft and criminal proceedings were ensued, but this matter is more related to procedures and the refining thereof.
- There were no shortfalls, but the concern relates to monies collected by the service provider and monies banked, which is not always the same day. This results in the risk being transferred to the municipality and the bank will not take responsibility for monies not received.
- The risk is with the company that collects the money. Once they deposit the money, the risk transfers. The Municipality, however, also has insurance coverage for this purpose.
- An item will be brought to Council to extend the Terms of Reference of the current service provider, SAMRAS as a financial system cannot be replaced without the permission of Treasury or without providing reasons.

RESOLVED

that notice be taken of the Follow-up report on the implementation of previously reported internal audit findings, dated October 2022.

7.3 Internal Audit Report: Compliance with Division of Revenue Act (DORA): 2021/2022 (5/14/2)

The Internal Audit Report on Compliance with the Division of Revenue Act (DORA) for 2021/2022, dated July 2022, is attached as **annexure 7.3**.

The Performance, Risk and Audit Committee resolved on 28 July 2023:

- (a) that notice be taken of the Internal Audit Report on the Compliance with Division of Revenue Act (DORA) for 2021/2022.
- (b) that the Internal Audit Report on the Compliance with Division of Revenue Act (DORA) for 2021/2022 be tabled to the Municipal Public Accounts Committee for notice.

RESOLVED

that notice be taken of the Internal Audit Report on the Compliance with Division of Revenue Act (DORA) for 2021/2022.

7.4 Internal Audit Report: Traffic cashiers: 2022/2023 (5/14/3)

The Internal Audit Report on Traffic Cashiers, dated February 2023, is attached as **annexure 7.4**.

The Performance, Risk and Audit Committee resolved on 28 July 2023:

- (a) that notice be taken of the Internal Audit Report on Traffic cashiers for 2022/2023.
- (b) that the Internal Audit Report on Traffic cashiers for 2022/2023 be tabled to the Municipal Public Accounts Committee for notice.

RESOLVED

that notice be taken of the Internal Audit Report on Traffic cashiers for 2022/2023.

**Minutes: Municipal Public Accounts Committee:
Notule: Munisipale Publieke Rekeninge Komitee:
9 November 2023**

8. URGENT MATTERS

8.1 Quarterly Budget Statement [Section 52(d)] Report: 4th Quarter 2022/2023 (1 April 2023 to 30 June 2023) (9/1/1 & 9/1/2/2)

The Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2022/2023 is attached as **annexure 8.1**.

Council unanimously resolved on 25 August 2023:

- (a) that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2022/2023.
- (b) that the report supra (a) be referred to the Performance, Risk and Audit Committee as well as the Municipal Public Accounts Committee for their recommendations to Council.

RESOLVED

that the matter related to the Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2022/2023 be held in abeyance until the next meeting.

9. QUESTIONS OR MATTERS RAISED BY COUNCILLORS

None / Geen

NOTED / AANGETEKEN

10. ADJOURNMENT

The meeting adjourned at 11:00.

Approved on _____ with / without amendments.

**COUNCILLOR LA HARDNEK
CHAIRPERSON**

**MINUTES OF THE PERFORMANCE, RISK AND AUDIT COMMITTEE MEETING
OF WITZENBERG MUNICIPALITY, HELD VIRTUALLY (MICROSOFT TEAMS)
ON FRIDAY, 17 NOVEMBER 2023 AT 08:00**

PRESENT

Performance, Risk and Audit Committee

Mr J George (Chairperson)
Ms J Lapoorta
Mr JJ Swarts

Officials

Mr HJ Kritzinger (Director: Finance)
Ms C Ranna (Manager: Internal Audit)
Mr JH Swanepoel (Manager: Projects and Performance)
Mr CG Wessels (Manager: Administration)
Ms M Arendse-Smith (Chief Administrative Officer)

1. OPENING AND WELCOME

The Chairperson welcomed everyone present.

NOTED

**2. CONSIDERATION OF APPLICATIONS FOR LEAVE OF ABSENCE
(3/1/2/1)**

An application for leave of absence from the meeting was received from Ms MC Fagan.

Apologies for absence from the meeting were received from the Municipal Manager and the Chief Internal Audit Executive.

RESOLVED

- (a) that the application for leave of absence from the meeting, received from Ms MC Fagan, be approved and accepted.*
- (b) that the apologies for absence from the meeting, received from the Municipal Manager and the Chief Internal Audit Executive, be accepted.*

3. CONFLICT OF INTEREST DECLARATION

The Chairperson requested PRAC members and participants of the meeting to declare on record any conflict of interest that may arise at this meeting and remove themselves from any proceedings, in relation to that matter, giving rise to that conflict.

No conflict of interest was declared.

NOTED

4. CONFIDENTIALITY DECLARATION AND ATTENDANCE REGISTER

The Chairperson informed PRAC members and participants of the meeting that by confirming attendance by voice, the attendee declares that he/she shall maintain strict confidentiality in respect of any information of a confidential nature to which he/she may become privy at this meeting of PRAC, and shall only disclose such information as may become necessary or required for the proper performance of his/her duties and functions.

NOTED

5. MINUTES

None

NOTED

6. PRESENTATIONS

None

NOTED

7. PERFORMANCE MANAGEMENT**7.1 Performance, Risk and Audit Committee: 2nd Bi-Annual Report on Performance Management: 2022/2023 (5/14/4)**

The Second Bi-Annual Report of the Performance, Risk and Audit Committee on Performance Management for 2022/2023, dated October 2023, is attached as **annexure 7.1**.

The Head: Internal Audit tabled the Second Bi-Annual Report of the Performance, Risk and Audit Committee on Performance Management for 2022/2023.

RESOLVED

that the Performance, Risk and Audit Committee takes notice of the Second Bi-Annual Report of the Performance, Risk and Audit Committee on Performance Management for 2022/2023 and forwards same to the Municipal Manager for tabling to Council and to be accepted after consideration.

8. RISK MANAGEMENT

None

NOTED**9. AUDIT AND FINANCIAL MANAGEMENT****9.1 Internal Audit Report: Compliance with Division of Revenue Act (DORA): 2022/2023 (5/14/2)**

The Internal Audit Report on Compliance with the Division of Revenue Act (DORA) for 2022/2023, dated October 2023, is attached as **annexure 9.1**.

The Head: Internal Audit tabled the Internal Audit Report on Compliance with the Division of Revenue Act (DORA) for 2022/2023. The following were highlighted:

- Explanation of different grants, the allocations for the year and the purpose of the grants.
- No findings made.

RESOLVED

- (a) *that, in terms of Section 166 of the Municipal Finance Management Act, notice be taken of the Internal Audit Report on Compliance with the Division of Revenue Act (DORA) for 2022/2023.*
- (b) *that the Internal Audit Report on the Compliance with Division of Revenue Act (DORA) for 2022/2023 and the recommendation of the Performance, Risk and Audit Committee be tabled to the Municipal Public Accounts Committee for notice.*

9.2 Witzenberg Risk-based Audit Plan (RBAP): July 2023 until June 2026 (5/14/2)

The Witzenberg Risk-based Audit Plan for July 2023 until June 2026, dated July 2023, is attached as **annexure 9.2**.

The Manager: Internal Audit tabled the Witzenberg Risk-based Audit Plan (RBAP) for July 2023 until June 2026. The following matters were highlighted:

- That the Internal Audit team is fully appointed.
- That the Manager: Internal Audit re-checks and reports back to the Performance, Risk and Audit Committee on the allocation of 232 hours for the Auditor in respect of continuous improvement training.
- That the 3-year Risk-based Audit Plan for 2023 until 2026 be discussed where the Municipal Manager and the Chief Internal Audit Executive are present.
- That the Combined Assurance be held in the Risk-based Audit Plan for 2023 until 2026 and the process be started.

RESOLVED

- (a) *that the Manager: Internal Audit re-checks and reports back to the Performance, Risk and Audit Committee on the allocation of 232 hours for the Auditor in respect of continuous improvement training.*
- (b) *that the 3-year Risk-based Audit Plan for 2023 until 2026 be discussed where the Municipal Manager and the Chief Internal Audit Executive are present.*
- (c) *that the Combined Assurance be held in the Risk-based Audit Plan for 2023 until 2026 and the process be started.*
- (d) *that notice be taken of the Witzenberg Risk-based Audit Plan (RBAP) for July 2023 until June 2026 as is and same be approved.*

9.3 Internal Audit Report: Safeguarding of firearms (5/14/2)

The Internal Audit Report on the safeguarding of firearms, dated June 2023, is attached as **annexure 9.3**.

The Head: Internal Audit tabled the Internal Audit Report on safeguarding of firearms. The following were highlighted:

- Finding 1: Firearms not signed in by the assigned responsible person upon return. Compliance inspection implemented.
- Finding 2: Weapons not recorded in SAMRAS Asset Register. The Authorised Possession of Firearms list be updated.
- Finding 3: Issue and Return Register format inadequate and not sequentially numbered. Proper capturing and listing of activities.

RESOLVED

- (a) *that notice be taken of the Internal Audit Report on the safeguarding of firearms.*
- (b) *that the Internal Audit Report on the safeguarding of firearms be tabled to the Municipal Public Accounts Committee for notice.*
- (c) *that the Department Internal Audit follows up on the matter.*

9.4 Internal Audit Report: Indigent and prescribed debt write-off: 2022/2023 (5/14/2)

An Internal Audit Report on indigent and prescribed debt write-off for 2022/2023, dated April 2023, is attached as **annexure 9.4**.

The Head: Internal Audit tabled the report on indigent and prescribed debt write-off for 2022/2023. The following were highlighted:

- High water consumption by indigent beneficiaries not regulated.
- Management will seek approval from Council to implement restrictive measures to reduce water consumption.

RESOLVED

- (a) *that notice be taken of the Internal Audit Report on indigent and prescribed debt write-off for 2022/2023.*
- (b) *that the Internal Audit Report on indigent and prescribed debt write-off for 2022/2023 be tabled to the Municipal Public Accounts Committee for notice.*

9.5 Writing off of interest and arrears: Household debt and other irrecoverable outstanding amounts (5/12/1/3)

A memorandum from the Director: Finance, dated 27 October 2023, is attached as **annexure 9.5**.

RESOLVED

That the Performance, Risk and Audit Committee recommends to Council:

- (a) that prescribed debt to the value of R129,853,263.04 be written off.*
- (b) that the indigent debt to the value of R43,765,510.01 be written off.*
- (c) that the debt that was not recoverable in terms of Section 118(1) of the Municipal Systems Act to the value of R233,510.36 be written off.*
- (d) that any interest or new debits raised on indigent accounts as per Section 2 and debt to be written off in terms of paragraph 118 of the Municipal Systems Act be written off as well.*
- (e) that the Municipality's Credit Control and Debt Collection Policy be implemented in respect of all debt incurred after the write-off even if the household is indigent.*

10. OTHER MATTERS

10.1 AGSA matters

- Extension to AGSA for the submission of the draft audit report.
- Municipality responded to AGSA's COMAF reports.
- VAT matter: A contingent liability. Further discussions needed.
- Transversal issue with the new procurement regulations. Minimum amount for points excluded AGSA of meaning that the points allocations for close quotations be used. The Chief Financial Officer was of the opinion that it was impractical and would make the supply chain process very difficult.

NOTED

**11. NEXT MEETING
(03/1/2/3)**

The next meeting of the Performance, Risk and Audit Committee will be held virtually (Microsoft Teams) on Tuesday, 28 November 2023 at 08:00.

NOTED

12. PRAC-in-COMMITTEE

MINUTES OF THE VIRTUAL (MICROSOFT TEAMS) SPECIAL PERFORMANCE, RISK AND AUDIT COMMITTEE MEETING OF WITZENBERG MUNICIPALITY, HELD ON WEDNESDAY, 13 DECEMBER 2023 AT 09:00

PRESENT

Performance, Risk and Audit Committee

Mr J George (Chairperson)
Ms J Lapoorta
Mr JJ Swarts

Officials

Mr D Nasson (Municipal Manager)
Mr HJ Kritzing (Director: Finance)
Mr G Louw (Head: Internal Audit)
Ms N Oerson (Chief Internal Audit Executive)
Ms C Ranna (Manager: Internal Audit)
Mr JH Swanepoel (Manager: Projects and Performance)
Mr CG Wessels (Manager: Administration)
Ms M Arendse-Smith (Chief Administrative Officer)

Other attendees

Mr J Jansen van Rensburg (AGSA)

1. OPENING AND WELCOME

The Chairperson welcomed everyone present.

NOTED

2. CONSIDERATION OF APPLICATIONS FOR LEAVE OF ABSENCE, IF ANY (3/1/2/1)

An application for leave of absence from the meeting was received from Ms MC Fagan.

RESOLVED

that the application for leave of absence from the meeting, received from Ms MC Fagan, be approved and accepted.

3. CONFLICT OF INTEREST DECLARATION

The Chairperson requested PRAC members and participants of the meeting to declare on record any conflict of interest that may arise at this meeting and remove themselves from any proceedings, in relation to that matter, giving rise to that conflict.

No conflict of interest was declared.

NOTED

4. CONFIDENTIALITY DECLARATION AND ATTENDANCE REGISTER

The Chairperson informed PRAC members and participants of the meeting that by confirming attendance by voice, the attendee declares that he/she shall maintain strict confidentiality in respect of any information of a confidential nature to which he/she may become privy at this meeting of PRAC, and shall only disclose such information as may become necessary or required for the proper performance of his/her duties and functions.

NOTED

5. PRESENTATIONS**5.1 AGSA Audit Report: 2022/2023
(5/14/1/20)**

The AGSA Audit Report for 2022/2023 is attached as **annexure 5.1**.

Mr J Jansen van Rensburg of AGSA made a presentation with regard to the AGSA Audit Report for 2022/2023. The following matters were highlighted:

- AGSA congratulated Witzenberg Municipality on achieving a clean audit opinion.
- No material irregularities were found.
- Material financial statements were corrected. Was due to Excel technology.
- Contingent asset of R13 million found, but was also corrected. Did not affect the audit outcome.
- On an enquiry from a PRAC member, AGSA mentioned that the numbering and page numbers will be corrected before tabling of the report.
- AGSA expressed appreciation for assistance of Municipal Manager, Chief Financial Officer and financial staff.
- Some challenges were experienced with regard to transfersal issues.
- Decrease in losses.
- Noted that Witzenberg Municipality does not make use of consultants.
- No matters of fraud risk.

- Internal Audit unit: Assistance on stock count.
- Concerns about assets. Various problems were picked up. AGSA recommended that the Chief Financial Officer pays strong attention to the Asset Register.
- Financial statements: Detailed findings available on request.
- VAT treatment on library function: Municipal Manager to keep AGSA informed.
- Long discussion with regard to library VAT issues. AGSA agreed that it seems all municipalities in South Africa are affected. Fight between municipalities and National Treasury.
- Witzenberg Municipality will consider to approach the court regarding this matter if a legal opinion indicates a possibility of success.
- The Performance, Risk and Audit Committee requested that the matter be left until the end of January 2024 to see developments.
- Way forward of the Audit:
 - Performance, Risk and Audit Committee wants to see COMAF's in order to advise Council in 2024.
 - AGSA requested to come in during March/April 2024. Matter will be discussed with Senior Management.
- The Chief Financial Officer mentioned that the Asset Register is on SAMRAS. It was picked up that not all information adds up to all financials. The matter will be one of the main focus areas for financial statements. Will also decrease on Supply Chain management meetings during August / September 2024.
- The Municipal Manager expressed gratitude towards AGSA with all the hard work to complete the audit.

RESOLVED

That the Performance, Risk and Audit Committee recommends to Council:

that notice be taken of the AGSA Audit Report for 2022/2023.

6. AUDIT AND FINANCIAL MANAGEMENT

6.1 Annual Financial Statements 2022/2023 – after COMAF's (5/3/1)

The Municipal Finance Management Act (no. 56 of 2003) Section 166(2)(b) states that:

- “(2) An audit committee is an independent advisory body which must –
- (b) review the annual financial statements to provide the council of the municipality with an authoritative and credible view of the financial position of the municipality, its efficiency and effectiveness and its overall level of compliance with this Act, the annual Division of Revenue Act and any other applicable legislation.”

The Annual Financial Statements for 2022/2023 (after COMAF's) are attached as **annexure 6.1**.

RESOLVED

(a) *that the Performance, Risk and Audit Committee takes notice of the Annual Financial Statements for 2022/2023 (after COMAF's) and accepts same.*

(b) *that the Performance, Risk and Audit Committee recommends to Council:*

that notice be taken of the Annual Financial Statements for 2022/2023 (after COMAF's) and same be considered.

6.2 Draft report of Performance, Risk and Audit Committee as at 30 June 2023 (annexure to Annual Report 2022/2023) (5/14/4)

The following documents are attached:

(a) Draft report of the Performance, Risk and Audit Committee as at 30 June 2023: **Annexure 6.2(a)**.

(b) PRAC resolutions register for the period ending 30 June 2023 (only for reference purposes): **Annexure 6.2(b)**.

RESOLVED

that the Performance, Risk and Audit Committee submits the signed report to the Municipal Manager for attachment to the final Annual Report of 2022/2023.

7. ADJOURNMENT

The meeting adjourned at 10:40.

Approved on 19 July 2024 with amendments.

J GEORGE
CHAIRPERSON

/MJ Prins

MINUTES OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS ON MONDAY, 15 JANUARY 2024 AT 10:00

PRESENT

Councillors

Councillor LA Hardnek (Witzenberg Party) (Chairperson)
Councillor JF Nel (ICOSA)
Alderman JJ Visagie (DA)

Councillor not on Committee

Councillor W Alexander (PA)

Officials

Mr D Nasson (Municipal Manager)
Mr HJ Kritzing (Director: Finance)
Ms N Oerson (Chief Internal Audit Executive)
Ms C Ranna (Manager: Internal Audit)
Mr JH Swanepoel (Manager: Projects and Performance)
Ms M Arendse-Smith (Chief Administrative Officer)
Mr CJ Titus (Committee Clerk)

1. OPENING AND WELCOME

The Chairperson welcomed everyone present and opened the meeting with prayer.

A special welcome was conveyed to the new members of the committee, namely Alderman JJ Visagie and Councillor JF Nel, as well as Councillor W Alexander who has joined the meeting today.

NOTED

2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY (3/1/2/1)

An application for leave of absence from the meeting was received from Councillor N Nogcinisa.

An apology for absence from the meeting was received from the Deputy Director: Finance.

RESOLVED

- (a) *That the application for leave of absence from the meeting, received from Councillor N Nogcinisa, be approved.*
- (b) *That notice be taken of the apology for absence from the meeting, received from the Deputy Director: Finance.*

3. MINUTES

3.1 Matters from or corrections to the minutes (3/1/2/3)

For consideration of any discussions and/or corrections of the minutes.
 Ter oorweging van besprekings en/of regstellings van die notule.

RESOLVED

That the matter relating to the corrections to the minutes be held in abeyance for the inputs of the committee members who attended the meeting.

3.2 Approval of minutes (3/1/2/3)

The following documents are attached:

- (a) Report of the Municipal Public Accounts Committee meeting, held on 12 October 2023: **Annexure 3.2(a)**.
- (b) Minutes of the Municipal Public Accounts Committee meeting, held on 9 November 2023: **Annexure 3.2(b)**.

RESOLVED

That the matter relating to the approval of the minutes be held in abeyance for the inputs of the committee members who attended the meeting.

3.3 MPAC resolutions register (3/3/2)

- Status of the implementation of MPAC resolutions.
- Feedback to MPAC regarding resolutions referred to Council.

The MPAC resolutions register, as at 8 January 2023, is attached as **annexure 3.3**.

RESOLVED

That notice be taken of the resolutions register and, after consideration, same be accepted.

4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY THE CHAIRPERSON

The Chairperson mentioned that the order of the items will be changed in order to deal with item 7.7 first, as it is an important item and that Alderman JJ Visagie will be excused from the meeting thereafter.

5. INTERVIEWS WITH DELEGATIONS

None / Geen

NOTED / AANGETEKEN

6. DELEGATED POWERS

None / Geen

NOTED / AANGETEKEN

7. RESERVED POWERS

7.1 Internal Audit Report: Performance Management System: 3rd Quarter of 2022/2023 (5/14/3)

The Internal Audit Report on the Performance Management System for the third quarter of 2022/2023, dated June 2023, is attached as **annexure 7.1**.

The Performance, Risk and Audit Committee resolved on 3 November 2023 that the Performance, Risk and Audit Committee took notice of the Internal Audit Report on the Performance, Management System for the 3rd Quarter of 2022/2023 and recommends that same be tabled to the Municipal Public Accounts Committee for notice.

RESOLVED

that the matter relating to the Internal Audit Report on the Performance, Management System for the 3rd Quarter of 2022/2023, be held in abeyance.

7.2 Internal Audit Report: Performance Management System: 4th Quarter of 2022/2023 (5/14/3)

The Internal Audit Report on the Performance Management System for the fourth quarter of 2022/2023, dated September 2023, is attached as **annexure 7.2**.

The Performance, Risk and Audit Committee resolved on 3 November 2023 that the Performance, Risk and Audit Committee took notice of the Internal Audit Report on the Performance Management System for the fourth quarter of 2022/2023 and recommended that same be tabled to the Municipal Public Accounts Committee for notice.

RESOLVED

that the matter relating to the Internal Audit Report on the Performance Management System for the fourth quarter of 2022/2023, be held in abeyance.

7.3 Quarterly Budget Statement [Section 52(d)] Report: 4th Quarter 2022/2023 (1 April 2023 to 30 June 2023) (9/1/1 & 9/1/2/2)

The Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2022/2023 is attached as **annexure 7.3**.

Council unanimously resolved on 25 August 2023:

- (a) that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2022/2023.
- (b) that the report supra (a) be referred to the Performance, Risk and Audit Committee as well as the Municipal Public Accounts Committee for their recommendations to Council.

RESOLVED

That the matter relating to the Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2022/2023, be held in abeyance.

7.4 Internal Audit Report: Compliance with Division of Revenue Act (DORA): 2022/2023 (5/14/2)

The Internal Audit Report on Compliance with the Division of Revenue Act (DORA) for 2022/2023, dated October 2023, is attached as **annexure 7.4**.

The Performance, Risk and Audit Committee resolved on 17 November 2023:

- (a) that, in terms of Section 166 of the Municipal Finance Management Act, notice be taken of the Internal Audit Report on Compliance with the Division of Revenue Act (DORA) for 2022/2023.
- (b) that the Internal Audit Report on the Compliance with Division of Revenue Act (DORA) for 2022/2023 and the recommendation of the Performance, Risk and Audit Committee be tabled to the Municipal Public Accounts Committee for notice.

RESOLVED

that the matter relating to the Internal Audit Report on the Compliance with Division of Revenue Act (DORA) for 2022/2023, be held in abeyance.

7.5 Internal Audit Report: Safeguarding of firearms (5/14/2)

The Internal Audit Report on the safeguarding of firearms, dated June 2023, is attached as **annexure 7.5**.

The Performance, Risk and Audit Committee resolved on 17 November 2023:

- (a) that notice be taken of the Internal Audit Report on the safeguarding of firearms.

- (b) that the Internal Audit Report on the safeguarding of firearms be tabled to the Municipal Public Accounts Committee for notice.
- (c) that the Department Internal Audit follows up on the matter.

RESOLVED

that the matter relating to the Internal Audit Report on the safeguarding of firearms be held in abeyance.

7.6 Internal Audit Report: Indigent and prescribed debt write-off: 2022/2023 (5/14/2)

An Internal Audit Report on indigent and prescribed debt write-off for 2022/2023, dated April 2023, is attached as **annexure 7.6**.

The Performance, Risk and Audit Committee resolved on 17 November 2023:

- (a) that notice be taken of the Internal Audit Report on indigent and prescribed debt write-off for 2022/2023.
- (b) that the Internal Audit Report on indigent and prescribed debt write-off for 2022/2023 be tabled to the Municipal Public Accounts Committee for notice.

RESOLVED

that the matter relating to the Internal Audit Report on indigent and prescribed debt write-off for 2022/2023 be held in abeyance.

7.7 Annual Report, Financial Statements and Oversight Report: 2022/2023 (9/1/1)

The Municipal Finance Management Act (Section 129(1)) states that:

"The council of a municipality must consider the annual report of the municipality and of any municipal entity under the municipality's sole or shared control, and by no later than two months from the date on which the annual report was tabled in the council in terms of section 127, adopt an oversight report containing the council's comments on the annual report, which must include a statement whether the council —

- (a) has approved the annual report with or without reservations;
- (b) has rejected the annual report; or
- (c) has referred the annual report back for revision of those components that can be revised."

In terms of the MPAC Charter, approved on 10 December 2014, Council has mandated MPAC to perform an oversight function on behalf of Council.

The Draft MPAC Oversight Report 2022/2023 will be compiled at the meeting.

The following documents are attached:

- (a) MPAC Oversight Report on Annual Report 2022/2023: **Annexure 7.7(a)**.
- (b) Annual Report 2022/2023: **Annexure 7.7(b)**.
- (c) Draft MPAC checklist for considering 2022/2023 Annual Report: **Annexure 7.7(c)**.

The Committee members questioned the credibility of the STATS SA Census as the listed outcomes do not seem to be accurate. Councillor W Alexander informed the meeting that many incidents took place during the time of the census, resulting in appointed workers not completing the census as well as the pre-populated tablets being stolen. Alderman JJ Visagie stated that the census should thus be contested.

The Committee further noted that the various references within the documents and page numberings were not very user friendly, which made the perusal thereof difficult.

RESOLVED

- (a) *that the MPAC considered and finalised the MPAC Oversight Report during the meeting and submitted the signed report to the Municipal Manager for attachment to the final 2022/2023 Annual Report.*
- (b) *that the Municipal Public Accounts Committee recommends to Council:*
 - (i) *that Council takes notice of the MPAC Oversight Report in the Annual Report 2022/2023 and, after consideration, accepts same.*
 - (ii) *that, having fully considered the 2022/2023 Annual Report of the Witzenberg Municipality, it is recommended that Council adopts the 2022/2023 Oversight Report and approves the 2022/2023 Annual Report without reservations.*
- (c) *that the cross-reference numbering of the agenda pack be more user friendly.*

Alderman JJ Visagie left the meeting at 11:25.

8. URGENT MATTERS

None / Geen

NOTED / AANGETEKEN

9. QUESTIONS OR MATTERS RAISED BY COUNCILLORS

None / Geen

NOTED / AANGETEKEN

10. ADJOURNMENT

The meeting adjourned at 11:30 due to lack of quorum.

Approved on 18 July 2024 without amendments.

COUNCILLOR LA HARDNEK
CHAIRPERSON

**MINUTES OF THE EXECUTIVE MAYORAL COMMITTEE MEETING OF
WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER
STREET, CERES ON MONDAY, 19 FEBRUARY 2024 AT 11:00**

PRESENT

Executive Mayoral Committee

Councillor TE Abrahams
Alderman K Adams
Councillor P Daniels
Councillor JP Fredericks
Alderman HJ Smit

Councillors not on Executive Mayoral Committee

Councillor EM Sidego (ex officio) (Speaker)
Councillor LA Hardnek (ex officio) (Chairperson: Municipal Public Accounts Committee)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Executive Mayor welcomed everyone and requested Councillor L Hardnek to open the meeting with a prayer.

NOTED

**2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY
OORWEGING VAN AANSOEK OM VERLOF TOT AFWESIGHEID, INDIEN
ENIGE
(3/1/2/1)**

None

NOTED

3. MINUTES / NOTULES

3.1 Corrections to the minutes / Regstellings aan die notules

None / Geen

NOTED / AANGETEKEN

3.2 Approval of minutes / Goedkeuring van notules (3/1/2/3)

The minutes of the Executive Mayoral Committee meeting, held on 22 January 2024, are attached as **annexure 3.2**.

RESOLVED

That the minutes of the Executive Mayoral Committee meeting, held on 22 January 2024, be approved and signed by the Executive Mayor.

BESLUIT

Dat die notule van die Uitvoerende Burgemeesterskomitee vergadering, gehou op 22 Januarie 2024, goedgekeur en deur die Uitvoerende Burgemeester onderteken word.

4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY EXECUTIVE MAYOR MEDEDELINGS, AANKONDIGINGS OF SAKE DEUR UITVOERENDE BURGEMEESTER GEOPPER (9/1/1)

The Executive Mayor mentioned that the stability of the municipality stands on three legs:

- (i) Political – that in South Africa political alliances play a major role.
- (ii) Administrative and
- (iii) Community stability i.e. if the community is unstable, the municipality also experiences instability.

The Mayoral Committee and Senior Management are the engine room of the municipality for stability. Therefore we have a huge responsibility on our shoulders as administration and politicians. We need to keep the community stable. There are rumours of efforts of instability planning against the municipality and it is evident that the community easily gets swayed by political activity. I am talking about this to ensure that all our functions work very well.

NOTED

**5. INTERVIEWS WITH DELEGATIONS
ONDERHOUDE MET AFVAARDIGINGS**

None / Geen

NOTED / AANGETEKEN

6. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

None / Geen

NOTED / AANGETEKEN

7. RESERVED POWERS / GERESERVEERDE BEVOEGDHEDE

7.1 Directorate Finance / Direktoraat Finansies

7.1.1 Section 71 Monthly Budget Statement Report of Directorate Finance: January 2024 (9/1/2/2)

The Section 71 Monthly Budget Statement Report of the Directorate Finance for January 2024 is attached as **annexure 7.1.1**.

RESOLVED

That the Executive Mayoral Committee recommends to Council:

- (i) that notice be taken of the Section 71 Monthly Budget Statement Report of the Directorate Finance for January 2024.*
- (ii) that the Section 71 Monthly Budget Statement Report of the Directorate Finance for January 2024 be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary.*

7.1.2 Proposed revisions to Service Delivery and Budget Implementation Plan 2023/2024 as per Section 54(1)(C) of Municipal Finance Management Act and relevant Senior Managers' Performance Contracts (5/1/5/16)

A memorandum from the Manager: Projects and Performance, dated 15 January 2024, is attached as **annexure 7.1.2**.

RESOLVED

That the Executive Mayoral Committee recommends to Council:

that the adjustments as proposed by the Manager: Projects and Performance, dated 15 January 2024, be approved.

7.1.3 Rebates granted during 2022/2023 financial year (5/12/1/7)

Memorandum from Director: Finance, dated 2 February 2024:

"1. Purpose

To table before Council a list of all exemptions, rebates and reductions, as prescribed by the Local Government Municipal Property Rates Act

Section 15(3)(a) of 2004: 'The Municipal Manager must annually table in the Council of the municipality a list of all exemptions, rebates and reductions granted by the municipality during the previous financial year'.

2. Background

In terms of Subsection 15(1) of the Municipal Property Rates Act (No. 6 of 2004) a municipality may in terms of the criteria set out in its Rates Policy:

- (a) Exempt a specific category of owners of properties, or the owners of a specific category of properties, from payment of a rate levied on their property; or
- (b) Grant to a specific category of owners of properties, or to the owners of a specific category of properties, a rebate on or a reduction in the rates payable in respect of their properties.

Subsection 15(3) notes that the Municipal Manager must annually table in the Council of the municipality a list of all exemptions, rebates and reductions granted by the municipality in terms of subsection 15(1) during the previous financial year.

The Council grants exemption on the first R120 000 property value of the following categories of property owners:

- Residential property
- Residential informal property
- Business/Commercial property
- Industrial property

In addition, Council also grants 50 % rebate to qualifying pensioners (persons older than 60 years old) on residential property rates.

3. Legislature framework

- Municipal Rates Policy
- Municipal Property Rates Act (no. 6 of 2004)

4. Financial implication

The total revenue forgone in respect of exemptions, reductions and rebates for the 2022/23 financial year in respect of property rates amounts to R10 418 986-44."

RESOLVED

That the Executive Mayoral Committee recommends to Council:

that notice be taken of the list of exemptions, rebates and reductions granted by the municipality during the 2022/2023 financial year.

7.1.4 Nomination of members to Valuation Appeal Board (5/2/5/1)

Memorandum from Director: Finance, dated 14 February 2024:

"1. Purpose

To recommend to Council to nominate members to the Witzenberg Valuation Appeal Board as well as the nomination for the position of Chairperson to the said committee for consideration by the MEC for Local Government Western Cape in terms of Section 56 of the Local Government Municipal Property Rates Act of 2004 (hereinafter referred to as the said Act).

2. Deliberation

The MEC for Local Government must, by Notice in the Provincial Gazette, establish as many Valuation Appeal Boards in the Province as may be necessary. In terms of Section 58 of the Act the Appeal Board will consist of a Chairperson, who must be a person with legal qualifications and sufficient experience in the administration of justice and not fewer than two (2) and not more than four (4) other members with sufficient knowledge of or experience in the valuation of property, of which at least one must be a professional valuer registered in terms of the Property Valuers Profession Act. Section 59 regulates the criteria of persons that are being disqualified from being members of an Appeal Board.

Section 60 of the said Act stipulates that the term of office of an Appeal Board is four (4) years, but current members are eligible to be reappointed if they avail themselves to serve a new term. The term of office for members of the Witzenberg Valuation Appeal Board expired on 30 November 2023.

The members confirmed their availability to be reappointed, namely Advocate Pierre van Tonder, the Chairperson, and the other members, Ms Cecilia Hall, Advocate Mandla Mdludlu and Mr Pierre-Jean Gerber.

Advocate Mdludlu also indicated his availability to be appointed as an alternate Chairperson. This is a position he holds at various municipalities and he does meet the criteria and experience to hold such position.

3. Financial implication

Due provision has been made for the remuneration of the members of the Valuation Appeal Board. The members will be remunerated per actual sitting and in accordance with the conditions of appointment and the directions of the MEC for Local Government Western Cape.

4. Legal implication

The appointment of the Chairperson and members of the Valuation Appeal Board is governed by the Municipal Property Rates Act No. 6 of 2004, as amended. The MEC for Local Government Environmental Affairs and Development Planning is the responsible authority that must appoint the Chairperson as well as the members of the Valuation Appeal Board.

Council may only nominate candidates as members of the Valuation Appeal Board."

RESOLVED

That the Executive Mayoral Committee recommends to Council:

That the following persons be nominated as members of the Valuation Appeal Board:

- (i) Advocate Pierre van Tonder (Chairperson)*
- (ii) Ms Cecilia Hall (Member/Valuer)*
- (iii) Mr Mandla Mdludlu (Member/Alternative Chairperson)*
- (iv) Mr Pierre-Jean Gerber (Member/Valuer)*

The term of office is four (4) years.

7.1.5 Finance: Adjustment budget 2023/2024 to 2025/2026 (5/1/1/22)

The following documents are attached:

- (a) Memorandum from Director: Finance, dated 15 February 2024: **Annexure 7.1.5(a).**
- (b) Adjustment budget 2023/2024 to 2025/2026: **Annexure 7.1.5(b).**
- (c) Budget schedules 2023/2024 to 2025/2026: **Annexure 7.1.5(c).**

RESOLVED

That the Executive Mayoral Committee recommends to Council:

That the adjustment budget of Witzenberg Municipality for the financial year 2023/2024 as set out in the budget documents be approved:

- (i) Table B1 - Budget summary*
- (ii) Table B2 Adjustments Budget Financial Performance (by standard classification)*

- (iii) *Table B3 – Budgeted Financial performance (Revenue and Expenditure) by Vote*
- (iv) *Table B4 Adjustments Budget Financial Performance (revenue by source) and*
- (v) *Table B5 – Budgeted Capital Expenditure by Vote, standard classification and funding.*

7.1.6 Consideration of approval of long-term contract: Extending current agreement with Solvem Consulting (5/8/3)

The following documents are attached:

- (a) Memorandum from Director: Finance, dated 8 August 2023: **Annexure 7.1.6(a).**
- (b) Advertisement: **Annexure 7.1.6(b).**
- (c) Due Diligence report: **Annexure 7.1.6(c).**
- (d) Master Service Agreement: **Annexure 7.1.6(d).**

RESOLVED

That the Executive Mayoral Committee recommends to Council:

That Council approves the long-term contract for the provision of an integrated financial management and internal control system for Local Government and to extend the current contract with Solvem Consulting (Pty) Ltd (including SAMRAS +), for a period of 5 (five) years with an option to extend for a further 5 (five) years, including current and future enhancements for Witzenberg Municipality, as required in terms of Sections 33 and 116 of the Municipal Finance Management Act.

7.2 Directorate Technical Services / Direktoraat Tegniese Dienste

7.2.1 Partnership agreement between Witzenberg Municipality and Essen Municipality for the multi-annual programme "Youth Sports and Waste Management": January 2024 until December 2026 (10/2/3)

Memorandum from Director: Technical Services, dated 23 January 2024:

"1. Purpose

To inform and obtain approval from Council for the suggested framework of the partnership agreement between the Municipality of Essen and Witzenberg Municipality.

2. Background

Within this framework Essen and Witzenberg are partners in the multi-annual programme 'Youth Sports and Waste Management' as one of the actions that realise the municipal plans of action to broaden and intensify the existing city-to-city link, mentioned in the Essen policy and management cycle (BBC) and mentioned in the Witzenberg IDP. The programme is indirectly funded by the Flemish Government through the approval of the BBC of Essen.

3. Discussion

The documented proposal is attached as **annexure 7.2.1** and contains:

Section 1: General provisions
 Section 2: Partnership Statement
 Section 3: Monitoring and evaluation
 Section 4: Funding and budgeting
 Section 5: Provisions regarding the sustainability of the programme
 Section 6: Final provisions."

RESOLVED

That the Executive Mayoral Committee recommends to Council:

that notice be taken of the attached submission and approval be granted for it to be signed off.

7.3 Directorate Community Services / Direktooraat Gemeenskapsdienste

None

NOTED

7.4 Directorate Corporate Services / Direktooraat Korporatiewe Dienste

7.4.1 Witzenberg Municipality: Language Policy 2023 - 2026 (02/P)

The Witzenberg Municipality Language Policy for 2023 until 2026 is attached as **annexure 7.4.1**.

The Committee for Corporate and Financial Services resolved on 21 November 2023 to recommend to the Executive Mayoral Committee and Council that the Committee for Corporate and Financial Services takes notice of the Witzenberg Municipality Language Policy 2023-2026 and, after consideration, recommend to Council that the policy be considered and thereafter be approved and accepted.

RESOLVED

That the Executive Mayoral Committee recommends to Council:

that the Witzenberg Language Policy 2023 – 2026, after consideration, be approved and accepted.

7.4.2 Council's representatives on outside bodies (3/1/1/5)

The following documents are attached:

- (a) E-mail from the Department of Health: Cape Winelands District Office, dated 12 September 2023: **Annexure 7.4.2(a)**.
- (b) Provincial Gazette Extraordinary, dated 5 July 2016: **Annexure 7.4.2(b)**.
- (c) Council's representatives on outside bodies: **Annexure 7.4.2(c)**.
- (d) Council's representatives on Clinic Committees: **Annexure 7.4.2(d)**.

RESOLVED

That the Executive Mayoral Committee recommends to Council:

that the Executive Mayor will serve an updated list of Council's representatives on outside bodies, the Section 79 Committees and the SALGA Working Groups at the Council meeting.

7.4.3 Appointment of Performance, Risk and Audit Committee member (5/14/4)

Memorandum from Chief Internal Audit Executive, dated 30 January 2024:

"Purpose

MFMA Section 166(5) states the members of an audit committee must be appointed by the Council of the municipality. The Committee must meet quarterly.

The purpose of this communication is for the Executive Mayoral Committee and Council to consider the extension of the term of office of the Chairperson.

Deliberation

The composition and term of office of the Performance, Risk and Audit Committee members are currently as follows:

Position	Name	Term
Chairperson	Mr Jonathan George	2 nd 3-year term, extension of 1 year
Member	Mr JJ Swarts	1 st 3-year term
Member	Ms Connie M Fagan	2 nd 3-year term
Member	Ms J Lapoorta	1 st 3-year term

It is best practice to maintain independent members and ensure continuity and stability within the Performance Risk and Audit Committee. To maintain independence, it is best practice that members should be appointed for a 3-year term with an option to extend the appointment for a future 3 years after which a 2-year cooling-off period should be applied.

The municipality has recently appointed a new Chief Internal Audit Executive and a new Manager: Internal Audit bringing about a significant change in the senior management of the Internal Audit Department. As the Chief Internal Audit Executive reports functionally to the Performance Risk and Audit Committee, the Chairperson of the PRAC plays a significant role in the work of the Internal Audit Department. As the leadership of the Internal Audit Department is new, established leadership is required on a functional basis to ensure that the Internal Audit Department is not compromised and is able to function effectively.

Mr J George has served on the PRAC for two terms and his term was extended during the previous financial year to ensure stability within the PRAC with the appointment of new members. Therefore, Mr J George has significant experience dealing with the Witzenberg Municipality and guiding its Internal Audit Department and would be of benefit to the new leadership of the Internal Audit Department.

To maintain the stability of the Internal Audit Department and provide guidance to its new leadership, it is recommended that Mr J George is appointed, as an interim measure, for a further year to ensure stability in the Internal Audit Department and the committee."

RESOLVED

That the Executive Mayoral Committee recommends to Council:

that the appointment of Mr J George on the Performance, Risk and Audit Committee for a further one-year term be approved.

8. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA DRINGENDE SAKE NA AFSENDING VAN DIE AGENDA

None / Geen

NOTED / AANGETEKEN

9. FORMAL AND STATUTORY MATTERS FORMELE EN STATUTÊRE SAKE

None / Geen

NOTED / AANGETEKEN

10. EXECUTIVE MAYORAL COMMITTEE-in-COMMITTEE

**MINUTES OF THE EXECUTIVE MAYORAL COMMITTEE MEETING OF
WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER
STREET, CERES ON TUESDAY, 26 MARCH 2024 AT 08:30**

PRESENT

Executive Mayoral Committee

Councillor TE Abrahams (Executive Mayor)
Alderman K Adams
Councillor P Daniels
Councillor JP Fredericks
Alderman HJ Smit

Councillors not on Executive Mayoral Committee

Councillor EM Sidego (Speaker) (ex officio)

Officials

Mr D Nasson (Municipal Manager)
Mr HJ Kritzinger (Director: Finance)
Mr J Barnard (Director: Technical Services)
Mr M Mpeluza (Director: Corporate Services)
Mr J Kolkota (Deputy Director: Finance)
Ms N Oerson (Chief Internal Audit Executive)
Mr A Hofmeester (Manager: IDP)
Mr CG Wessels (Manager: Administration)
Mr C Titus (Committee Clerk)
Mr M Njokweni (Interpreter)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Executive Mayor welcomed everyone and requested Councillor P Daniels to open the meeting with a prayer.

NOTED

**2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY
OORWEGING VAN AANSOEK OM VERLOF TOT AFWESIGHEID, INDIEN
ENIGE
(3/1/2/1)**

An application for leave of absence from the meeting was received from Councillor G Laban.

RESOLVED

that the application for leave of absence from the meeting, received from Councillor G Laban, be approved and accepted.

**3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY EXECUTIVE MAYOR
 MEDEDELINGS, AANKONDIGINGS OF SAKE DEUR UITVOERENDE BURGEMEESTER GEOPPER
 (9/1/1)**

- (a) The Executive Mayor thanked the Municipal Manager and Director: Finance for preparing the Draft Budget for 2024/2025.
- (b) The Executive Mayor conveyed congratulations towards the municipality for receiving a 2023 Under 10 Best Municipality Service Excellence Award (SEA).
- (c) The Executive Mayor mentioned that the Top 5 municipalities in respect of the awards above are invited to Johannesburg for a function and with a little bit harder work the Witzenberg Municipality can obtain such an invite.
- (d) The Executive Mayor enquired feedback from the Municipal Manager with regard to the impact of his speech on 29 January 2024 to senior and middle management on service delivery and functions of the municipality.

NOTED

4. RESERVED POWERS / GERESERVEERDE BEVOEGDHEDE

4.1 Directorate Finance / Direktoraat Finansies

**4.1.1 Finance: Draft Budget 2024/2025, Draft Review IDP 2024/2025 and Draft Top Layer SDBIP 2024/2025
 (5/1/1/23; 2/2/1 & 5/1/5/17)**

The following memorandum, dated 20 March 2024, was received from the Director: Finance:

"1. Purpose

The purpose of this report is to table the Draft Budget 2024/2025, Draft Review IDP 2024/2025 and Draft Top Layer SDBIP 2024/2025 to the Executive Mayor and Council.

2. Legal framework

Section 16 - 18 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) stipulates as follows:

'Annual budgets

16. (1) The council of a municipality must for each financial year approve an annual budget for the municipality before the start of that financial year.
- (2) In order for a municipality to comply with subsection (1), the mayor of the municipality must table the annual budget at a council meeting at least 90 days before the start of the budget year.
- (3) Subsection (1) does not preclude the appropriation of money for capital expenditure for a period not exceeding three financial years, provided a separate appropriation is made for each of those financial years.'

'Contents of annual budgets and supporting documents

17. (1) An annual budget of a municipality must be a schedule in the prescribed format –
 - (a) setting out realistically anticipated revenue for the budget year from each revenue source;
 - (b) appropriating expenditure for the budget year under the different votes of the municipality;
 - (c) setting out indicative revenue per revenue source and projected expenditure by vote for the two financial years following the budget year;
 - (d) setting out –
 - (i) estimated revenue and expenditure by vote for the current year; and
 - (ii) actual revenue and expenditure by vote for the financial year preceding the current year; and
 - (e) a statement containing any other information required by section 215(3) of the Constitution or as may be prescribed.
- (2) An annual budget must generally be divided into a capital and an operating budget in accordance with international best practice, as may be prescribed.
- (3) When an annual budget is tabled in terms of Section 16 (2), it must be accompanied by the following documents:
 - (a) draft resolutions –
 - (i) approving the budget of the municipality;
 - (ii) imposing any municipal tax and setting any municipal tariffs as may be required for the budget year;

- (iii) approving the budgets for the relevant financial year of each municipal entity under the sole or shared control of the municipality; and
 - (iv) approving any other matter that may be prescribed;
- (b) measurable performance objectives for each vote in the budget, taking into account the municipality's integrated development plan;
- (c) a projection of cash flow for the budget year by revenue source, broken down per month;
- (d) any proposed amendments to the municipality's integrated development plan following the annual review of the integrated development plan in terms of section 34 of the Municipal Systems Act;
- (e) any proposed amendments to the budget-related policies of the municipality;
- (f) particulars of the municipality's investments;
- (g) any prescribed budget information on municipal entities under the sole or shared control of the municipality;
- (h) particulars of all proposed new municipal entities which the municipality intends to establish or in which the municipality intends to participate;
- (i) particulars of any proposed service delivery agreements, including material amendments to existing service delivery agreements;
- (j) particulars of any proposed allocations or grants by the municipality to –
 - (i) other municipalities;
 - (ii) any municipal entities and other external mechanisms assisting the municipality in the exercise of its functions or powers;
 - (iii) any other organs of state;
 - (iv) any organisations or bodies referred to in Section 67(1);
- (k) the proposed cost to the municipality for the budget year of the salary, allowances and benefits of –
 - (i) each political office-bearer of the municipality;
 - (ii) councillors of the municipality; and
 - (iii) the municipal manager, the chief financial officer, each senior manager of the municipality and any other official of the municipality at a remuneration package at least equal to that of a senior manager;
- (l) the proposed cost for the budget year to a municipal entity under the sole or shared control of the municipality of the salary, allowances and benefits of –
 - (i) each member of the entity's board of directors; and

- (ii) the chief executive officer and each senior manager of the entity; and
- (m) any other supporting documentation as may be prescribed.'

'Funding of expenditures

18. (1) An annual budget may only be funded from –
 - (a) realistically anticipated revenues to be collected;
 - (b) cash-backed accumulated funds from previous years' surpluses not committed for other purposes; and
 - (c) borrowed funds, but only for the capital budget referred to in section 17 (2).
- (2) Revenue projections in the budget must be realistic, taking into account –
 - (a) projected revenue for the current year based on collection levels to date; and
 - (b) actual revenue collected in previous financial years.'

The following documents are attached:

- (a) Draft Top Layer SDBIP for 2024/2025: **Annexure 4.1.1(a).**
- (b) Draft Review IDP 2024/2025: **Annexure 4.1.1(b).**
- (c) Draft Budget: 2024/2025 – 2026/2027: **Annexure 4.1.1(c).**
- (d) Draft Budget Related Policies: 2024/2025: **Annexure 4.1.1(d).**
- (e) Draft Budget Schedules: 2024/2025 – 2026/2027: **Annexure 4.1.1(e).**

The Executive Mayor submitted the Draft Budget 2024/2025 for discussion and mentioned that the budget was workshopped by Council.

Councillor P Daniels enquired with regard to a difference in the IDP document in respect of the same information on female and male figures. The Municipal Manager responded that the sources for information are National Treasury and Stats South Africa and consequently the difference. The Manager: IDP referred to a note at the start of the document that some information is still outstanding and that the information will be corrected as released.

Alderman K Adams enquired how reliable the information of Stats SA is and the Municipal Manager mentioned that Local Government and all departments use Stats SA. It is driven by the Premier and in terms of protocol the municipality must use it.

RESOLVED

That the Executive Mayoral Committee recommends to Council:

- (a) that Council takes notice of the Draft Budget, the Draft Review IDP and the Draft Top Layer SDBIP of the Witzenberg Municipality for the financial year 2024/2025 and the indicative budget for the two years 2025/2026 and 2026/2027 that have been tabled by the Executive Mayor in Council.*
- (b) that the documents be advertised and made available at all libraries and municipal offices of Council.*
- (c) that public meetings be conducted as per the IDP Public Participation Programme.*

5. ADJOURNMENT

The meeting adjourned at 08:50.

Approved on 18 June 2024 without amendments.

COUNCILLOR TE ABRAHAMS
EXECUTIVE MAYOR

/MJ Prins

MINUTES OF THE MEETING OF THE COMMITTEE FOR TECHNICAL SERVICES OF WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON TUESDAY, 9 APRIL 2024 AT 14:00

PRESENT

Councillors

Alderman HJ Smit (Chairperson)
Councillor J Mouton
Councillor JF Nel
Councillor D Swart

Officials

Mr J Barnard (Director: Technical Services)
Mr H Taljaard (Senior Manager: Town Planning and Building Control)
Mr N Jacobs (Senior Manager: Water and Sewerage)
Ms K Dingilizwe (Senior Manager: Electro-Technical Services)
Mr O Gatyene (Manager: Fleet and Mechanical Workshop)
Ms P Claasen (Senior Manager: Solid Waste and Cleansing Services)
Ms M Arendse-Smith (Chief Administrative Officer)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Chairperson welcomed everyone present and requested Councillor J Mouton to open the meeting with prayer.

NOTED / AANGETEKEN

**2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY
OORWEGING VAN AANSOEKE OM VERLOF TOT AFWESIGHEID, INDIEN
ENIGE
(3/1/2/1)**

An application for leave of absence from the meeting was received from Councillor AL Gili.

RESOLVED

that the application for leave of absence from the meeting, received from Councillor AL Gili, be approved and accepted.

BESLUIT

dat die aansoek om verlof tot afwesigheid van die vergadering, ontvang vanaf Raadslid AL Gili (ANC), goedgekeur en aanvaar word.

ISIGQIBO

Ukuba isicelo sokungazimasi intlanganiso sikaCeba uGili samnkelwe kwaye siphunyezwe.

3. MINUTES / NOTULES

3.1 Matters / Corrections from the minutes

None / Geen/ Ayikho

NOTED / AANGETEKEN / IGQALIWE

3.2 Approval of minutes / Goedkeuring van notules (3/1/2/3)

The minutes of the meeting of the Committee for Technical Services, held on 13 February 2024, are attached as **annexure 3.2**.

Die notule van die vergadering van die Komitee vir Tegniese Dienste, gehou op 13 Februarie 2024, word ingebind as **bylae 3.2**.

RESOLVED

that the minutes of the meeting of the Committee for Technical Services, held on 13 February 2024, be approved and signed by the Chairperson.

BESLUIT

dat die notule van die vergadering van die Komitee vir Tegniese Dienste, gehou op 13 Februarie 2024, goedgekeur en deur die Voorsitter onderteken word.

ISIGQIBO

Ukuba imizuzu yentlanganiso yeKomiti yeeNkonzo zoBuchwepheshe eyayibanjwe ngomhla we-13 kweyoMdumba 2024, iphunyenze kwaye ityikitywe nguSihlalo.

3.3 Outstanding matters / Uitstaande sake (3/3/2)

None / Geen/ Ayikho

NOTED / AANGETEKEN/IGQALIWE

4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY CHAIRPERSON / VERKLARINGS, MEDEDELINGS OF SAKE INGEDIEN DEUR DIE VOORSITTER

None / Geen / Ayikho / Azikho/

NOTED / AANGETEKEN / IGQALIWE

5. INTERVIEWS WITH DELEGATIONS / ONDERHOUDE MET AFGEVAARDIGDES

None / Geen / Alukho

NOTED / AANGETEKEN / IGQALIWE

6. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

**6.1 Risk Management: Risk Management Report
(9/1/2/2)**

This is a quarterly item on the agenda. / Hierdie is 'n kwartaallikse item op die agenda.
/ Inqaku lekota elikwi-Ajenda.

NOTED / AANGETEKEN / IGQALIWE

**6.2 Monthly reports of the Electrical Department: January and February 2024
Maandverslae van die Departement Elektrisiteit: Januarie en Februarie 2024
(09/1/2/3)**

The following monthly reports of the Electrical Department are attached:

Die volgende maandverslae van die Departement Elektrisiteit word ingebind:

- | | |
|-------------------------------|--------------------------------|
| (a) January / Januarie 2024 | Annexure / Bylae 6.2(a) |
| (b) February / Februarie 2024 | Annexure / Bylae 6.2(b) |

RESOLVED

that the Committee for Technical Services, after consideration, takes notice of the content of the monthly reports of the Electrical Department for January and February 2024 and that same be accepted.

BESLUIT

dat die Komitee vir Tegniese Dienste, na oorweging, kennis neem van die inhoud van die maandverslae van die Afdeling Elektrisiteit vir Januarie en Februarie 2024 en dat die verslae aanvaar word.

ISIGQIBO

Ukuba iKomiti yeeNkonzo zoBuchwepheshe, emveni kokuthatha ingqalelo, igqale iingxelo zarhoqo ngenyanga zeSebe lezoMbane kwinyanga yoMqungu neyoMdumba 2024 ukuze yamnkelwe.

The Manager: Administration and Senior Manager: Electro-Technical Services joined the meeting at 14:14.

6.3 Monthly reports of the Department Town Planning and Building Control: January and February 2024
Maandverslae van die Departement Stadsbeplanning en Boubesheer: Januarie en Februarie 2024
(9/1/2/3)

The following monthly reports of the Department Town Planning and Building Control are attached:

Die volgende maandverslae van die Departement Stadsbeplanning en Boubesheer word ingebind:

- | | | |
|-----|---------------------------|--------------------------------|
| (a) | January / Januarie 2024 | Annexure / Bylae 6.3(a) |
| (b) | February / Februarie 2024 | Annexure / Bylae 6.3(b) |

RESOLVED

that the Committee for Technical Services, after consideration, takes notice of the content of the monthly reports of the Department Town Planning and Building Control for January and February 2024 and that same be accepted.

BESLUIT

dat die Komitee vir Tegniese Dienste, na oorweging, kennis neem van die inhoud van die maandverslae van die Departement Stadsbeplanning en Boubesheer vir Januarie en Februarie 2024 en dat die verslae aanvaar word.

ISIGQIBO

Ukuba iKomiti yeeNkonzo zoBuchwepheshe, emveni kokuthatha ingqalelo, igqale iingxelo zarhoqo ngenyanga zeCandelo lezicwangciso zeDolophu kunye nokuLawulwa kwezaKhiwo kwinyanga yoMqungu neyoMdumba 2024 kwaye yamnkelwe.

6.4 Monthly reports of the Department Water and Sewerage: January and February 2024
Maandverslae van die Departement Water en Riolering: Januarie en Februarie 2024
(9/1/2/3)

The following monthly reports of the Department Water and Sewerage are attached:

Die volgende maandverslae van die Departement Water en Riolering word ingebind:

- (a) January / Januarie 2024 **Annexure / Bylae 6.4(a)**
- (b) February / Februarie 2024 **Annexure / Bylae 6.4(b)**

RESOLVED

that the Committee for Technical Services, after consideration, takes notice of the content of the monthly reports of the Department Water and Sewerage for January and February 2024 and that same be accepted.

BESLUIT

dat die Komitee vir Tegniese Dienste, na oorweging, kennis neem van die inhoud van die maandverslae van die Departement Water en Riolering vir Januarie en Februarie 2024 en dat die verslae aanvaar word.

ISIGQIBO

Ukuba iKomiti yeeNkonzo zoBuchwepheshe, emveni kokuthatha ingqalelo igqale ingxelo yarhoqo ngenyanga yeeNkonzo zaManzi neMibhobho yelindle kwinyanga yoMqungu kunye neyoMdumba 2024 kwaye yamkelwe.

6.5 Monthly reports of the Department Streets and Storm Water: January and February 2024
Maandverslae van die Departement Strate en Stormwater: Januarie en Februarie 2024
(9/1/2/3)

The following monthly reports of the Department Streets and Storm Water are attached:

Die volgende maandverslae van die Departement Strate en Stormwater word ingebind:

- (a) January / Januarie 2024 **Annexure / Bylae 6.5(a)**
- (b) February / Februarie 2024 **Annexure / Bylae 6.5(b)**

RESOLVED

that the Committee for Technical Services, after consideration, takes notice of the content of the monthly reports of the Department Streets and Storm Water for January and February 2024 and that same be accepted.

BESLUIT

dat die Komitee vir Tegniese Dienste, na oorweging, kennis neem van die inhoud van die maandverslae van die Departement Strate en Stormwater vir Januarie en Februarie 2024 en dat die verslae aanvaar word.

ISIGQIBO

Ukuba iKomiti yeeNkonzo zobuchwepheshe, emveni kokuthatha ingqalelo, igqale iingxelo zarhoqo ngenyanga zeSeba leziTalato nempuphuma kwinyanga yoMqungu nayoMdumba 2024 kwaye yamkelwe.

6.6 Monthly reports of the Department Solid Waste and Cleansing Services: January and February 2024
Maandverslae van die Departement Vaste Afval en Reinigingsdienste: Januarie en Februarie 2024
(9/1/2/3)

The following monthly reports of the Department Solid Waste and Cleansing Services are attached:

Die volgende maandverslae van die Departement Vaste Afval en Reinigingsdienste word ingebind:

- | | | |
|-----|---------------------------|--------------------------------|
| (a) | January / Januarie 2024 | Annexure / Bylae 6.6(a) |
| (b) | February / Februarie 2024 | Annexure / Bylae 6.6(b) |

RESOLVED

that the Committee for Technical Services, after consideration, takes notice of the content of the monthly reports of the Department Solid Waste and Cleansing Services for January and February 2024 and that same be accepted.

BESLUIT

dat die Komitee vir Tegniese Dienste, na oorweging, kennis neem van die inhoud van die maandverslae van die Departement Vaste Afval en Reinigingsdienste vir Januarie en Februarie 2024 en dat die verslae aanvaar word.

ISIGQIBO

Ukuba iKomiti yeeNkonzo zoBuchwepheshe, emveni kokuthatha ingqalelo, igqale iingxelo zarhoqo ngenyanga zeSebe leNkunkuma neeNkonzo zoCoceko kwinyanga yoMqungu neyoMdumba 2024 kwaye yamkelwe.

6.7 Monthly reports of the Department Fleet and Mechanical Workshop: January and February 2024
Maandverslae van die Departement Vloot en Meganiese Werkswinkel: Januarie en Februarie 2024
(9/1/2/3)

The following monthly reports of the Department Fleet and Mechanical Workshop are attached:

Die volgende maandverslae van die Departement Vloot en Meganiese Werkswinkel word ingebind:

- | | | |
|-----|---------------------------|--------------------------------|
| (a) | January / Januarie 2024 | Annexure / Bylae 6.7(a) |
| (b) | February / Februarie 2024 | Annexure / Bylae 6.7(b) |

RESOLVED

that the Committee for Technical Services, after consideration, takes notice of the content of the monthly reports of the Department Fleet and Mechanical Workshop for January and February 2024 and that same be accepted.

BESLUIT

dat die Komitee vir Tegniese Dienste, na oorweging, kennis neem van die inhoud van die maandverslae van die Departement Vloot en Meganiese Werkswinkel vir Januarie en Februarie 2024 en dat die verslae aanvaar word.

ISIGQIBO

Ukuba iKomiti yeeNkonzo zoBuchwephashe, emveni kokuthatha ingqalelo, igqale iingxelo zarhoqo ngenyanga zeSebe leeNqwelo kunye nelakuKhandwa kwezithuthi kwinyanga yoMqungu neyoMdumba 2024 kwaye yamkelwe.

6.8 Ceres Koekedouw Management Committee: Meeting 7 November 2023
(12/1/2/5)

The minutes of a meeting of the Ceres Koekedouw Management Committee, held on 7 November 2023, are attached as **annexure 6.8**.

RESOLVED

that notice be taken of the minutes of a meeting of the Ceres Koekedouw Management Committee, held on 7 November 2023.

BESLUIT

dat kennis geneem word van die notule van die vergadering van die Ceres Koekedouw Bestuurskomitee, gehou op 7 November 2023.

ISIGQIBO

Ukuba kugqalwe imizuzu yentlanganiso malunga nedama lamanzi iKoekedouw eCeres eyayibanjwe yiKomiti yabaLawuli ngomhla wesi-07 kweyeNkanga 2023.

7. RESERVED POWERS / GERESERVEERDE BEVOEGDHEDE

7.1 Tulbagh conservation area: Establishment of Advisory Committee (12/1/2/13)

The Committee for Technical Services resolved on 14 March 2023 that the matter in respect of the Tulbagh conservation area: Establishment of Advisory Committee be held in abeyance until the next meeting pending a Public Participation Process.

The Committee requested that the matter be held in abeyance until the next meeting to obtain more information.

The Committee for Technical Services resolved on 21 September 2023:

- (a) that the matter in respect of the Tulbagh conservation area: Establishment of Advisory Committee be held in abeyance to obtain more information.
- (b) that the concerns of the Committee for Technical Services are noted.

The Senior Manager: Town Planning and Building Control informed the meeting regarding the following:

- that the Tulbagh conservation area: Establishment of Advisory Committee was advertised in the local newspaper.
- that three applications, which meet the required criteria, were received late for the inclusion of the agenda and therefore the Committee requested that the matter be held in abeyance.

The Committee for Technical Services resolved on 23 November 2023 and 13 February 2024 that the establishment of a Tulbagh Conservation Area Advisory Committee be held in abeyance until the next meeting.

An updated report from the Senior Manager: Town Planning and Building Control, dated 27 February 2024, is attached as **annexure 7.1**.

The following recommendation was tabled to the Committee for Technical Services:

That the Committee for Technical Services recommends to the Executive Mayoral Committee and Council:

- (a) that the establishment of a Tulbagh Conservation Area Advisory Committee be approved.
- (b) that the terms of reference of the Advisory Committee be approved.

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(c) That the Advisory Committee constitutes the following persons:

- (i) Jayson Clark
- (ii) Taariq Motala
- (iii) Shurine van Niekerk
- (iv) Jacques Steyn

RESOLVED

that the item relating to the Tulbagh conservation area: Establishment of Advisory Committee be held in abeyance.

BESLUIT

dat die item met betrekking tot die Tulbagh-bewaringsgebied: Stigting van Advieskomitee oorstaan.

**7.2 Lease of erf 23, Tulbagh to Tulbagh Recycling
(7/1/4/1 & 17/19/1)**

A memorandum from the Director: Technical Services, dated 24 May 2023, is attached as **annexure 7.2**.

The Executive Mayoral Committee resolved on 14 November 2023 that the matter in respect of the lease of erf 23, Tulbagh to Tulbagh Recycling be held in abeyance until the next meeting and that the Director: Technical Services determines whether other parties are interested.

Follow-up report from the Director: Technical Services, dated 15 February 2024:

"Background

The abovementioned item from the Executive Mayoral Committee meeting, held on 14 November 2023.

Discussion

Investigation into whether there are other parties interested, had the following outcome:

There were no parties that indicated an interest, but the following persons are enthusiastic and promote recycling in Tulbagh, on their respective platforms, i.e:

Charlotte Steyn – Care 4 Tulbagh
 Rev. Dawid Botha – Church / Community Leader

Recommendation

That further consideration be given to grant permission for the applicant to lease a portion of erf 23, Tulbagh to Tulbagh Recycling, as per the initial memorandum from the Director: Technical Services, dated 24 May 2023."

RESOLVED

That the Committee for Technical Services recommends to the Executive Mayoral Committee and Council:

that a portion of erf 23, Tulbagh, as indicated on the attached report, be leased to Jan Lambert for a period of five years on the following conditions:

- (i) That a departure application be submitted by the tenant for the use of the property zoned as authority, for the purposes of a recycling facility.*
- (ii) Lease will be "voetstoots", leased as it is.*
- (iii) Security will be for the account of the lessee.*
- (iv) Council to consider exemption of rental charges, on condition that we lease the building as it is, and that the lessee do all repair work to the building.*
- (v) Public participation process to be followed. Advertise for public comment and/or objections.*
- (vi) Should the second part of the premises not have an electrical installation, an electrical contractor should be appointed by the tenant to do the electrical installation and issue a Certificate of Compliance after the completion of electrical work.*
- (vii) The applicant will be responsible for the costs of any electrical upgrading, including electrical installation if required.*

7.3 Electricity: Eselfontein Boerdery (Edms) Bpk: Take-over of the municipal medium voltage infrastructure (16/3/3/1/1)

The Committee for Technical Services resolved on 14 March 2023 that the matter in respect of the Electricity: Eselfontein Boerdery (Edms) Bpk: Take-over of the municipal medium voltage infrastructure be held in abeyance and referred to the Acting Senior Manager: Electro-Technical Services for further information.

The following documents are attached:

- (a) Memorandum from Senior Manager: Electro-Technical Services, dated 28 February 2024: **Annexure 7.3(a)**.

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- (b) Letter from Eselfontein Boerdery, dated 16 September 2021: **Annexure 7.3(b).**
- (c) Monthly report of May 2023 with Eselfontein SSEG application: **Annexure 7.3(c).**

The following recommendation was tabled to the Committee for Technical Services

That the Committee for Technical Services recommends to the Executive Mayoral Committee and Council:

- (a) that the content of the memo and the request of the farm owner be noted.
- (b) that the advantages of this transaction for the municipality be noted.
- (c) that the request be supported and that the amount of R575 888-92 (VAT incl) be paid by the applicant.
- (d) that the assets be transferred to Eselfontein Boerdery.
- (e) that a bulk metering unit be installed at the main intake point of Eselfontein at the cost of the customer.
- (f) that all the low voltage metering units be removed.
- (g) that the asset is not needed for service delivery to other consumers and that Witzenberg Municipality will continue to provide electricity to the purchaser in bulk.
- (h) that Council's intent to alienate the assets be advertised.

RESOLVED

that the item relating to the Electricity: Eselfontein Boerdery (Edms) Bpk: Take-over of the municipal medium voltage infrastructure be held in abeyance to determine the financial impact from time of the installation of the Small Scale Embedded Generation (SSEG).

7.4 By-law for the deployment of electronic communications infrastructure: Witzenberg Municipality and Policy for work and the installation of services in the road reserve (Revision 2) (16/4/P)

The following documents are attached:

- (a) Report from Senior Manager: Streets and Storm Water, dated 5 December 2023: **Annexure 7.4(a).**

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- (b) Draft Bylaw for Deployment of Electronic Communications Facilities: **Annexure 7.4(b).**
- (c) Schedule A: Framework Municipal Land Use Agreement: **Annexure 7.4(c).**
- (d) Schedule B: Electronic Communications Facilities Lease: **Annexure 7.4(d).**
- (e) Wayleave tariffs Witzenberg Municipality 2024/2025: **Annexure 7.4(e).**
- (f) Policy for work and installation of services in road reserve (Revision 2): **Annexure 7.4(f).**

The following recommendation was tabled to the Committee for Technical Services:

That the Committee for Technical Services recommends to the Executive Mayoral Committee and Council:

- (a) that the draft By-law for the deployment of electronic communications infrastructure: Witzenberg Municipality be adopted.
- (b) that the draft By-law be advertised for public comments for at least 30 days.
- (c) that the proposals of the public be considered and incorporated as recommended by the Department Streets and Storm Water.
- (d) that the Municipal Manager as soon as possible after the closing date for public comments, submits a report to the Executive Mayoral Committee for a recommendation to Council.
- (e) that the Policy for work and the installation of services in the road reserve (Revision 2) be adopted.

RESOLVED

that the item relating to By-law for the deployment of electronic communications infrastructure: Witzenberg Municipality and Policy for work and the installation of services in the road reserve be workshopped by Council.

7.5 Electricity: Request to adopt wheeling of electricity as a service in Witzenberg Municipality (16/3/3/1/1)

The following documents are attached:

- (a) Memorandum from Senior Manager: Electro-Technical Services: **Annexure 7.5(a).**
- (b) Enpower Trading proposal for Pepsico: **Annexure 7.5(b).**

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- (c) Wheeling guideline for Witzenberg Municipality: **Annexure 7.5(c)**.
- (d) SALGA status report on wheeling in SA municipalities: **Annexure 7.5(d)**.
- (e) Attendance register of Enpower Trading workshop: **Annexure 7.5(e)**.

The Committee for Technical Services resolved on 23 November 2023:

- (a) that the Chairperson engages with the Speaker whether the matter be tabled to Council or be workshopped prior the Council meeting.
- (b) that the Chairperson informs the committee members of the outcomes of supra (a) engagement.

The following recommendation was tabled to the Committee for Technical Services:

That the Committee for Technical Services recommends to the Executive Mayoral Committee and Council:

- (a) that Council notes the content of this memorandum and the request of Pepsico, through Enpower Trading.
- (b) that Council notes the revenue neutral impact of adopting wheeling as an electricity service.
- (c) that the request be supported and wheeling is adopted through the wheeling guideline developed and tailored by Sustainable Energy Africa in conjunction with SALGA and Western Cape Government for the application of wheeling by municipalities.
- (d) that wheeling is implemented through the implementation process detailed above.
- (e) that any amendments to the ERA with respect to wheeling automatically be included in the wheeling guideline.
- (f) that when the national wheeling framework is developed, it is presented to Council for approval as the preceding wheeling framework.

RESOLVED

that the item relating to Electricity: Request to adopt wheeling of electricity as a service in Witzenberg Municipality be workshopped by Council.

8. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA / DRINGENDE SAKE NA AFSENDING VAN DIE AGENDA

Councillor J Mouton informed the meeting of a damaged water meter in Nduli, Ceres which was damaged a while ago and the water is running freely. Similarly there are lights which are not functioning, leaving certain areas in total darkness.

The abovementioned complaints will be submitted to the Director: Technical Services in writing.

NOTED / AANGETEKEN**9. QUESTIONS / REMARKS RAISED BY COMMITTEE MEMBERS
VRAE / OPMERKINGS GEOPPER DEUR KOMITEELEDE****9.1 Completion of Van Breda Bridge and overtime of officials
(8/2/17/51 & 4/5/1)**

The Chairperson requested that all questions be in writing and submitted timeously to the Chairperson in order to prepare and respond adequately.

Councillor J Mouton enquired about the following:

- (a) Whether there is a date for the completion of the Van Breda Bridge.
- (b) Whether there are any penalties if the contractor exceeds the deadline.

The Director: Technical Services responded that the Van Breda Bridge should be completed by the end of April 2024 and that the contract contains a penalty clause of about R5 000 per day if the deadline is not met.

Councillor J Mouton noted that the overtime expenditure is quite high and requested that the Director: Technical Services provides a breakdown of overtime for all sections within the Directorate Technical Services. Furthermore, an indication is required as to who is in control of vehicle records related to kilometres travelled. There is a great concern regarding the kilometres travelled during the day and correlation with subsequent overtime.

RESOLVED

- (a) *that all questions be submitted to the Chairperson timeously, prior to the committee meeting.*
- (b) *that the Director: Technical Services provides a breakdown of overtime for all sections within the Directorate Technical Services.*

BESLUIT

- (a) *dat alle vrae vroegtydig, voor die vergadering, by die Voorsitter ingedien word.*
- (b) *dat die Direkteur: Tegniese Dienste 'n uiteensetting van oortyd verskaf vir alle afdelings binne die Direktoraat Tegniese Dienste.*

ISIGQIBO

- (a) *Ukuba yonke imibuzo ifakwe kuSihlalo phambi kokuba kubanjwe intlanganiso.*
- (b) *Ukuba uMlawuli kwiNkonzo zoBuchwepheshe enze ulwamlalo-ntetho malunga nabo basebenza kwixesha elangezelelweyo.*

10. ADJOURNMENT / VERDAGING

The meeting adjourned at 14:30.
 Die vergadering verdaag om 14:30.
 Intlanganiso ichithwe ngo 14:30.

Approved on _____ with / without amendments.

ALDERMAN HJ SMIT
CHAIRPERSON

/MJ Prins

**MINUTES OF THE EXECUTIVE MAYORAL COMMITTEE MEETING OF
WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER
STREET, CERES ON TUESDAY, 18 JUNE 2024 AT 15:00**

PRESENT

Executive Mayoral Committee

Councillor TE Abrahams (DA) (Executive Mayor) (Chairperson)
Councillor JF Nel (ICOSA) (Executive Deputy Mayor)
Alderman K Adams (DA)
Councillor P Daniels (DA)
Alderman HJ Smit (DA)

Councillor not on Executive Mayoral Committee

Councillor LA Hardnek (ex officio) (Witzenberg Party) (Chairperson MPAC)

Officials

Mr D Nasson (Municipal Manager)
Mr HJ Kritzinger (Director: Finance)
Mr J Barnard (Director: Technical Services)
Mr M Mpeluza (Director: Corporate Services)
Ms N Oerson (Chief Internal Audit Executive)
Mr A Hofmeester (Manager: IDP)
Mr CG Wessels (Manager: Administration)
Ms M Arendse-Smith (Chief Administrative Officer)
Mr CJ Titus (Committee Clerk)
Mr M Njokweni (Interpreter)

Other attendees

Mr M de Villiers (Ceres Business Initiative)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Executive Mayor welcomed everyone present and opened the meeting with prayer.

NOTED

**2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY
OORWEGING VAN AANSOEK OM VERLOF TOT AFWESIGHEID, INDIEN
ENIGE
(3/1/2/1)**

An apology for absence from the meeting was received from the Deputy Director: Finance due to attending a Bid meeting.

UNANIMOUSLY RESOLVED

that the apology for absence from the meeting, received from the Deputy Director: Finance, be accepted.

3. MINUTES / NOTULES

3.1 Corrections to the minutes / Regstellings aan die notules

None / Geen

NOTED / AANGETEKEN

**3.2 Approval of minutes / Goedkeuring van notules
(3/1/2/3)**

The following minutes are attached:

- (a) Executive Mayoral Committee meeting, held on 19 February 2024:
Annexure 3.2(a).
- (b) Executive Mayoral Committee meeting, held on 26 March 2024:
Annexure 3.2(b).

UNANIMOUSLY RESOLVED

That the following minutes be approved and signed by the Executive Mayor:

- (a) *Executive Mayoral Committee meeting, held on 19 February 2024.*
- (b) *Executive Mayoral Committee meeting, held on 26 March 2024.*

**4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY EXECUTIVE
MAYOR
MEDEDELINGS, AANKONDIGINGS OF SAKE DEUR UITVOERENDE
BURGEMEESTER GEOPPER
(9/1/1)**

None / Geen

NOTED / AANGETEKEN

5. INTERVIEWS WITH DELEGATIONS / ONDERHOUDE MET AFVAARDIGINGS

None

NOTED

6. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

6.1 Appeal: Erf 2916: Corner of Vos and Reinecke Streets, Ceres: Application for the removal of restrictions and rezoning (15/4/1/1/229)

A memorandum from the Senior Town Planner, dated 17 May 2024, is attached as **annexure 6.1**.

The following recommendation was tabled to the Executive Mayoral Committee:

that the appeal of Mr and Mrs J & I Barnard and Mr and Mrs S & E Cardoso against the decision of the Witzenberg Planning Tribunal to approve the application for the removal of restrictions and rezoning of erf 2916 on the corner of Vos and Reinecke Streets, Ceres from Residential Zone I to Business Zone IV be dismissed and the decision of the Tribunal be confirmed.

UNANIMOUSLY RESOLVED

that the matter in respect of the Appeal: Erf 2916: Corner of Vos and Reinecke Streets, Ceres: Application for the removal of restrictions and rezoning be held in abeyance until the next meeting.

7. RESERVED POWERS / GERESERVEERDE BEVOEGDHEDE

7.1 Directorate Finance / Direktoraat Finansies

7.1.1 Section 71 Monthly Budget Statement Report of Directorate Finance: April 2024 (9/1/2/2)

The Section 71 Monthly Budget Statement Report of the Directorate Finance for April 2024 is attached as **annexure 7.1.1**.

UNANIMOUSLY RESOLVED

That the Executive Mayoral Committee recommends to Council:

- (i) that notice be taken of the Section 71 Monthly Budget Statement Report of the Directorate Finance for April 2024.*
- (ii) that the Section 71 Monthly Budget Statement Report of the Directorate Finance for April 2024 be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary.*

7.2 Directorate Technical Services / Direktooraat Tegniese Dienste

7.2.1 Essential services: Water supply: Approval of water safety plans (16/2/P)

Memorandum from Senior Manager: Water and Sewerage, dated 23 January 2024:

"A. Purpose

The purpose of this memorandum is to recommend to Council the approval of the updated Water Safety Plans for Witzenberg municipal area, including the towns of Ceres, Tulbagh, Wolseley, Prince Alfred's Hamlet and Op-die-Berg.

B. Discussion

- A Water Safety Plan (WSP) is a systematic approach that comprehensively assesses and manages risks throughout the water supply system. The WSP process covers all aspects of the water supply system, from catchment to consumer, and was developed by the World Health Organization (WHO) and International Water Association (IWA) (WHO 2009).
- In South Africa the national regulator, the Department of Water and Sanitation (DWS), requires all Water Service Authorities (WSA's) to develop and implement a WSP as described in the South African National Standard for drinking water quality (SANS 241). Drinking water quality is regulated via the DWS Blue Drop Certification process which also assesses the quality of the WSP.
- Provision of water services operates in a highly regulated environment consisting of interrelated and independent national Acts, including the National Water Act (Act 36 of 1998) and the Water Services Act (Act 108 of 1997). Compliance to these acts is a necessity.
- Climate change is expected to introduce changes in temporal and spatial distribution of climate and weather related events, as well as an increase in severe climate and weather related events such as droughts, floods, storms etc. This is expected to bring about challenges to water resources as well as the ability of water utilities to provide adequate safe drinking water to consumers. The updated WSP now includes consideration of climate change and the need for climate resilience to help ensure continued sustainability of safe drinking water under current and future climate conditions.

C. Attachments

- (a) Water Safety Plan Ceres: **Annexure 7.2.1(a).**
- (b) Water Safety Plan Tulbagh: **Annexure 7.2.1(b).**
- (c) Water Safety Plan Wolseley: **Annexure 7.2.1(c).**
- (d) Water Safety Plan Prince Alfred's Hamlet: **Annexure 7.2.1(d).**
- (e) Water Safety Plan Op-die-Berg: **Annexure 7.2.1(e)."**

The Committee for Technical Services resolved on 13 February 2024 to recommend to the Executive Mayoral Committee and Council:

- (a) that notice be taken of the Water Safety Plans submitted.
- (b) that Council approves the Water Safety Plans for the following towns for implementation and execution:
 - (i) Ceres Water Safety Plan
 - (ii) Tulbagh Water Safety Plan
 - (iii) Wolseley Water Safety Plan
 - (iv) Prince Alfred's Hamlet Water Safety Plan
 - (v) Op-die-Berg Water Safety Plan

UNANIMOUSLY RESOLVED

That the Executive Mayoral Committee recommends to Council:

- (a) *that notice be taken of the Water Safety Plans submitted.*
- (b) *that Council approves the Water Safety Plans for the following towns for implementation and execution:*
 - (i) *Ceres Water Safety Plan*
 - (ii) *Tulbagh Water Safety Plan*
 - (iii) *Wolseley Water Safety Plan*
 - (iv) *Prince Alfred's Hamlet Water Safety Plan*
 - (v) *Op-die-Berg Water Safety Plan*

7.2.2 Approval of Waste Water Risk Abatement Plans (W2RAP) (16/2/4)

Memorandum from Senior Manager: Water and Sewerage, dated 23 January 2024:

"A. Purpose

The purpose of this memorandum is to recommend to Council the approval of the updated Waste Water Risk Abatement Plans (W2RAP) for Witzenberg municipal area, including the towns of Ceres, Tulbagh, Wolseley and Op-die-Berg.

B. Discussion

- A W2RAP (Waste Water Risk Abatement Plan) provides a systematic approach towards assessing, managing, and monitoring risks throughout the sewage system. The development of the W2RAP in South Africa was undertaken collectively by DWS (Department of Water Affairs) and WRC (Water Research Commission). The W2RAP process covers all aspects from sanitation generation (e.g. toilet) to the waste's final use for agricultural purposes and/or disposal thereof. The W2RAP focuses on public health and natural resource protection and addresses the most eminent hazards, risks and controls that may apply along the value chain.
- DWS integrates risk analysis as part of the audit process with the aim of quantifying, prioritising and managing the risks to ensure targeted regulation of high-risk municipalities. The W2RAP is the tool whereby risks are identified and corrected, following a similar process of the reputed WSP (Water Safety Plan) (DWS, GreenDrop2022).
- The act of providing basic sanitation services is a basic right according to the Water Services Act 1997 and it is necessary to ensure that the environment is not harmful to the health and wellbeing of those living in and around it.
- Climate change is expected to introduce changes in temporal and spatial distribution of climate and weather related events as well as an increase in severe climate and weather related events (such as floods, droughts, storms, etc.). Witzenberg experiences cool wet winters while during the summertime it is quite the opposite as they have hot dry summers. The biggest implication with the summer weather is that there is a decreased water availability during this season. Consequently the W2RAP process has evolved and now also includes consideration of climate change and the need for climate resilience. The inclusion of climate resilience into the W2RAP process helps ensure continued sustainability of treating effluent and discharging into the receiving environment under current and future climate conditions.

C. Attachments

- (a) Ceres W2RAP: **Annexure 7.2.2(a).**
- (b) Tulbagh W2RAP: **Annexure 7.2.2(b).**
- (c) Wolseley W2RAP: **Annexure 7.2.2(c).**
- (d) Op-die-Berg W2RAP: **Annexure 7.2.2(d)."**

The Committee for Technical Services resolved on 13 February 2024 to recommend to the Executive Mayoral Committee and Council:

- (a) that notice be taken of the Waste Water Risk Abatement Plans submitted.

- (b) that Council approves the Waste Water Risk Abatement Plans as submitted for implementation and execution as follows:

- (i) Ceres W2RAP
- (ii) Tulbagh W2RAP
- (iii) Wolseley W2RAP
- (iv) Op-die-Berg W2RAP

UNANIMOUSLY RESOLVED

That the Executive Mayoral Committee recommends to Council:

- (a) *that notice be taken of the Waste Water Risk Abatement Plans submitted.*
- (b) *that Council approves the Waste Water Risk Abatement Plans as submitted for implementation and execution as follows:*

- (i) *Ceres W2RAP*
- (ii) *Tulbagh W2RAP*
- (iii) *Wolseley W2RAP*
- (iv) *Op-die-Berg W2RAP*

7.2.3 Lease of erf 23, Tulbagh to Tulbagh Recycling (7/1/4/1 & 17/19/1)

A memorandum from the Director: Technical Services, dated 24 May 2023, is attached as **annexure 7.2.3**.

The Executive Mayoral Committee resolved on 14 November 2023 that the matter in respect of the lease of erf 23, Tulbagh to Tulbagh Recycling be held in abeyance until the next meeting and that the Director: Technical Services determines whether other parties are interested.

Follow-up report from the Director: Technical Services, dated 15 February 2024:

“Background

The abovementioned item from the Executive Mayoral Committee meeting, held on 14 November 2023.

Discussion

Investigation into whether there are other parties interested, had the following outcome:

There were no parties that indicated an interest, but the following persons are enthusiastic and promote recycling in Tulbagh, on their respective platforms, i.e:

Charlotte Steyn – Care 4 Tulbagh
 Rev. Dawid Botha – Church / Community Leader

Recommendation

That further consideration be given to grant permission for the applicant to lease a portion of erf 23, Tulbagh to Tulbagh Recycling, as per the initial memorandum from the Director: Technical Services, dated 24 May 2023."

The Committee for Technical Services resolved on 9 April 2024 to recommend to the Executive Mayoral Committee and Council:

that a portion of erf 23, Tulbagh, as indicated on the attached report, be leased to Jan Lambert for a period of five years on the following conditions:

- (i) That a departure application be submitted by the tenant for the use of the property zoned as authority, for the purposes of a recycling facility.
- (ii) Lease will be "voetstoots", leased as it is.
- (iii) Security will be for the account of the lessee.
- (iv) Council to consider exemption of rental charges, on condition that we lease the building as it is, and that the lessee do all repair work to the building.
- (v) Public participation process to be followed. Advertise for public comment and/or objections.
- (vi) Should the second part of the premises not have an electrical installation, an electrical contractor should be appointed by the tenant to do the electrical installation and issue a Certificate of Compliance after the completion of electrical work.
- (vii) The applicant will be responsible for the costs of any electrical upgrading, including electrical installation if required.

UNANIMOUSLY RESOLVED

That the Executive Mayoral Committee recommends to Council:

that a portion of erf 23, Tulbagh, as indicated on the attached report, be leased to Jan Lambert for a period of five years on the following conditions:

- (i) That a departure application be submitted by the tenant for the use of the property zoned as authority, for the purposes of a recycling facility.*
- (ii) Lease will be "voetstoots", leased as it is.*

- (iii) *Security will be for the account of the lessee.*
- (iv) *Council to consider exemption of rental charges, on condition that we lease the building as it is, and that the lessee do all repair work to the building.*
- (v) *Public participation process to be followed. Advertise for public comment and/or objections.*
- (vi) *Should the second part of the premises not have an electrical installation, an electrical contractor should be appointed by the tenant to do the electrical installation and issue a Certificate of Compliance after the completion of electrical work.*
- (vii) *The applicant will be responsible for the costs of any electrical upgrading, including electrical installation if required.*

7.2.4 Replacement of sewer network: Fabriek Street, Ceres: Pipe cracking: Additional work order (8/2/10/4)

The following documents are attached:

- (a) Memorandum from Director: Technical Services, dated 7 February 2024: **Annexure 7.2.4(a).**
- (b) Letter from Trenchless Technologies, dated 7 February 2024: **Annexure 7.2.4(b).**

UNANIMOUSLY RESOLVED

That the Executive Mayoral Committee recommends to Council:

that the Accounting Officer approves additional works to the amount of R536 074-01 (excl. VAT).

7.2.5 Construction and refunding of external services: Ceres Mall: Erf 9602, Ceres (15/4/2/325)

The following documents are attached:

- (a) Memorandum from Director: Technical Services, dated 15 May 2024: **Annexure 7.2.5(a)**.
- (b) Letter from NAD, dated 8 April 2024: **Annexure 7.2.5(b)**.
- (c) Rezoning approval: **Annexure 7.2.5(c)**.
- (d) Detail of DC calculation: **Annexure 7.2.5(d)**.

UNANIMOUSLY RESOLVED

That the Executive Mayoral Committee recommends to Council:

- (a) *that the developer, NAD Property Income Fund, install all external bulk services, as per the approval letter dated 18 December 2023.*
- (b) *that the value of the external bulk services will be set off against the applicable development charges.*
- (c) *that a separate services agreement be drawn up to deal with installation of bulk services by the developer.*
- (d) *that a property rates credit be allowed against erf 9602, Ceres to NAD Property Income Fund equal to the amount of the external bulk services (R5 452 268-20 (incl. VAT), to be constructed by the developer.*

7.2.6 Pine Valley informal settlement: Request for supply of municipal services (17/4/1/2/2/2)

A memorandum from the Director: Technical Services, dated 12 April 2024, is attached as **annexure 7.2.6**.

UNANIMOUSLY RESOLVED

That the Executive Mayoral Committee recommends to Council:

As this is such a large scale and costly project the following is proposed:

- (i) *Application for funding from the Provincial Housing Department, as this is a function of the provincial department, for a UISP upgrade (Upgrade of informal settlements).*

- (ii) *The UISP programme facilitates the structured upgrading of informal settlements. It applies to in situ upgrading of informal settlements as well as where communities are to be relocated for a variety of reasons. The programme entails extensive community consultation and participation, emergency basic services provision, permanent services provision and security of tenure.*

7.2.7 Request: Lease of municipal water allocation from Koekedouw irrigation scheme: Nduli Pig Farming (16/2/1/3/2)

A letter from PALS, dated 8 March 2024, is attached as **annexure 7.2.7**.

Memorandum from the Senior Manager: Water and Sewerage, dated 29 February 2024:

"1. Purpose

The purpose of this memorandum is to inform the Municipal Manager regarding the above request from PALS for the usage of the Municipal water allocation for Vredebes farm, from the Koekedouw irrigation scheme.

2. Discussion

Witzenberg Municipality currently has an allocation of 15 ha irrigation water out of the Koekedouw irrigation scheme. This water is allocated to Vredebes farm for agricultural purposes. The farm has been rezoned and is currently developed as a low cost housing project. As this water is classified for agricultural use, the municipality has no use for it as we do not foresee any future farming activities on the land to which the water is allocated. Currently the municipality is paying for the allocation although not used as it is registered in the name of the municipality.

PALS has submitted a request to use a portion of the municipal allocation to Vredebes for their new pig farming initiative with the local Nduli Pig Farming Pty. (Ltd). This project entails the formalization of the existing pig farming activities into a commercial pig farming business and including the planting of cash crops and feed for the animals.

For this they need water and the portion of land earmarked for the project does not have any water rights. The request from the Nduli Pig Farming Pty. (Ltd) is the allocation of 7.5 ha water of the municipal allocation of 15 ha water for Vredebes to their project. Further to the above the Nduli Pig Farming Pty (Ltd) also enquired regarding the cost of service connections (water and sewer) to the property earmarked for their project.

3. Financial impact

Current cost to the municipality for the 15 ha water allocation is R33 750.00 (excluding VAT) per annum.

If the request is approved the Nduli Pig Farming Pty (Ltd) will be responsible for the cost of 7.5 ha water allocated to them, thus reducing expenditure for the municipality.

Cost of service connections:

- Water: R84 110.00 – 130m to nearest municipal point.
- Sewer: On-site (septic tank) – cost for applicant”

UNANIMOUSLY RESOLVED

That the Executive Mayoral Committee recommends to Council:

That the request/application of the Nduli Pig Farming be considered and approved, based on the following conditions:

- (i) that the Nduli Pig Farming Pty. (Ltd) be responsible for the cost associated with the allocation of 7.5 ha water to their project.*
- (ii) that the Nduli Pig Farming Pty. (Ltd) install a meter at own cost at the connection point to their property.*
- (iii) that the Nduli Pig Farming Pty. (Ltd) be responsible for all costs associated with the installation of service connections to their property.*
- (iv) that during periods of drought or severe water shortages, the allocation to the Nduli Pig Farming Pty (Ltd) will be subject to restrictions as implemented, notwithstanding any agreement in place.*
- (v) that a service level agreement be drawn up between Nduli Pig Farming Pty. (Ltd) and Witzenberg Municipality for the lease of 7.5 ha of the allotted 15 ha water of Witzenberg Municipality that is allocated to Vredebes Farm.*

7.3 Directorate Community Services / Direktooraat Gemeenskapsdienste

7.3.1 Op-die-Berg Informal Trader Premises (17/18/1)

A memorandum from the Acting Manager: Socio-Economic Development, dated 8 August 2023, is attached as **annexure 7.3.1(a)**.

The Committee for Local Economic Development and Tourism resolved on 19 September 2023:

- (a) that the Committee for Local Economic Development and Tourism provides inputs pertaining to the moving of the informal trader demarcated stands closer to shops where the business market is located (approximately 20 to 25 meters to the right of where the current stands are demarcated).
- (b) that the Committee for Local Economic Development advise the Acting Manager: Socio-Economic Development which of the following municipal departments, namely Town Planning; Water and Sewerage; Streets and Storm Water must do an investigation to determine whether the recommendation supra (a) can be implemented.
- (c) that the Acting Manager: Socio-Economic Development submits a report on supra (a) and (b) after the investigation has been done to the Committee for a recommendation to the Executive Mayoral Committee and Council.

A memorandum from the Acting Manager: Socio-Economic Development, dated 3 November 2023, is attached as **annexure 7.3.1(b)**.

The Committee for Local Economic Development and Tourism resolved on 11 April 2024:

- (a) that the Committee for Local Economic Development and Tourism takes notice of the inputs received from the various municipal departments.
- (b) that the Committee for Local Economic Development and Tourism recommends to the Executive Mayoral Committee and Council:

that the application for the movement of the informal traders demarcated stand closer to the shops, where the business market is located, be considered.

UNANIMOUSLY RESOLVED

That the Executive Mayoral Committee recommends to Council:

that the application for the relocation of the informal traders demarcated stands closer to the shops, where the business market is located, be considered and after that be approved.

7.3.2 Skoonvlei and Prince Alfred's Hamlet Business Hubs request for waiver of rental (7/1/4/1)

A memorandum from the Acting Manager: Socio-Economic Development, dated 5 April 2024, is attached as **annexure 7.3.2**.

The Committee for Local Economic Development and Tourism resolved on 11 April 2024 to recommend to the Executive Mayoral Committee and Council:

- (a) that the rent of new businesses moving into the two business hubs be waived for the first six (6) months.
- (b) that the rent of the current lessees be waived for six (6) months (either by way of writing off of existing bad rental debt or by waiving six (6) months future rent).

UNANIMOUSLY RESOLVED

That the Executive Mayoral Committee recommends to Council:

- (a) *that the rent of new businesses moving into the two business hubs be waived for the first six (6) months.*
- (b) *that the rent of the current lessees be waived for six (6) months [either by way of the writing off of existing bad rental debt or by waiving six (6) months' future rent].*

7.3.3 Tulbagh Feeding Scheme proposal (7/1/4/1)

A memorandum from the Acting Manager: Socio-Economic Development, dated 7 June 2024, is attached as **annexure 7.3.3**.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

- (a) That Council considers the approval of the proposal.
- (b) That, in the event of approval, Council considers the leasing of the building and the northwest corner of the waste division depot as "voetstoots" for a period of three (3) years, with the option of renewal for an additional three (3) years on discretion of Council.
- (c) That Council considers that the space of the property that is to be leased, is not required for the provision of the minimum level of basic services [MFMA Section 14.2(a)].

- (d) That the fair market value for rent is not applicable due to the economic and community value that are received in exchange for the lease of the asset [MFMA Section 14.2(a)]. Council to consider exemption of rental charges, on condition that the building is rented as it is and that the lessee carries out all maintenance work to the building, including fencing and changes needed for the development and repair of the severely vandalised building. All other costs related to the transaction will be for the account of the lessee, including municipal services.

UNANIMOUSLY RESOLVED

that the Executive Mayoral Committee recommends to Council:

that the matter in respect of the Tulbagh Feeding Scheme proposal be held in abeyance and a site visit be held.

**7.3.4 Establishing of Local Drug Action Committee (LDAC)
(12/1/2/11)**

A memorandum from the Acting Manager: Socio-Economic Development, dated 10 June 2024, is attached as **annexure 7.3.4**.

UNANIMOUSLY RESOLVED

That the Executive Mayoral Committee recommends to Council:

that the establishment of a Local Drug Action Committee be considered and after that be approved.

**7.3.5 Housing: Approval of street names for Vredebes Housing Project
(16/4/6)**

Council resolved on 30 September 2020:

- (a) that five streets of the Vredebes housing project, as indicated in colour on annexure 8.3.7(c) of the agenda, be named.
- (b) that flora names in terms of Council's policy be used as a criteria and the following names be approved as the official street names for the relevant streets in Vredebes: Protea, Viooltjie, Aalwyn, Polygala and Babrina.
- (c) that the naming of the remainder of the streets in the housing project be workshopped by Council.

The following documents are attached:

- (a) Memorandum from Manager: Housing with the proposed street names, dated 4 October 2019: **Annexure 7.3.5(a)**.
- (b) Policy: Naming and renaming of streets: **Annexure 7.3.5(b)**.
- (c) Street map of the Vredebes Housing Project: **Annexure 7.3.5(c)**.

Council unanimously resolved on 25 November 2020 that the matter in respect of the approval of street names for the Vredebes Housing Project be held in abeyance until the next meeting.

The Executive Mayor reminded the Executive Mayoral Committee that the matter in respect of the approval of street names for the Vredebes Housing Project was discussed at length at the Council workshop meeting. Various Councillors took part in the discussions with different views and opinions. A unanimous decision could not be reached at the Council workshop. The Executive Mayoral Committee referred the matter to Council for consideration.

UNANIMOUSLY RESOLVED

That the Executive Mayoral Committee recommends to Council:

that street names for the Vredebes Housing Project be considered and finalised.

7.4 Directorate Corporate Services / Direktooraat Korporatiewe Dienste

7.4.1 Council: Conferment of Alderman and Alderlady status: Councillors Dirk Swart and Elizabeth Sidego (3/P)

A memorandum from the Manager: Administration, dated 12 June 2024, is attached as **annexure 7.4.1**.

UNANIMOUSLY RESOLVED

That the Executive Mayoral Committee recommends to Council:

- (a) that in terms of the Witzenberg Municipal Council Policy, conferment of Alderman/Alderlady status be awarded to Councillors Dirk Swart and Elizabeth Sidego respectively.*
- (b) that the two Councillors be granted the benefits in terms of Council's policy, associated with the conferment of Alderman/Alderlady status.*

8. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA DRINGENDE SAKE NA AFSENDING VAN DIE AGENDA

None / Geen

NOTED / AANGETEKEN

9. FORMAL AND STATUTORY MATTERS FORMELE EN STATUTÊRE SAKE

None / Geen

NOTED / AANGETEKEN

10. EXECUTIVE MAYORAL COMMITTEE-in-COMMITTEE UITVOERENDE BURGEMEESTERSKOMITEE-in-KOMITEE

**MINUTES OF THE EXECUTIVE MAYORAL COMMITTEE MEETING OF
WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER
STREET, CERES ON FRIDAY, 21 JUNE 2024 AT 09:00**

PRESENT

Executive Mayoral Committee

Councillor TE Abrahams (DA) (Executive Mayor) (Chairperson)
Councillor JF Nel (ICOSA) (Executive Deputy Mayor)
Alderman K Adams (DA)
Councillor P Daniels (DA)
Alderman HJ Smit (DA)

Councillor not on Executive Mayoral Committee

Councillor LA Hardnek (Witzenberg Party) (ex officio) (Chairperson: MPAC)

Officials

Mr D Nasson (Municipal Manager)
Mr HJ Kritzinger (Director: Finance)
Mr R van der Merwe (Senior Town Planner)
Mr CG Wessels (Manager: Administration)
Mr CJ Titus (Committee Clerk)
Mr M Njokweni (Interpreter)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Executive Mayor welcomed everyone present and then himself opened the meeting with prayer.

NOTED

**2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY
OORWEGING VAN AANSOEK OM VERLOF TOT AFWESIGHEID, INDIEN
ENIGE
(3/1/2/1)**

- (a) An application for leave of absence from the meeting was received from Councillor JP Fredericks.
- (b) An apology for absence from the meeting was received from the Director: Corporate Services due to attending a meeting in Cape Town on behalf of the Municipal Manager.

UNANIMOUSLY RESOLVED

- (a) *that the application for leave of absence from the meeting, received from Councillor JP Fredericks, be accepted and approved.*
- (b) *that the apology for absence from the meeting, received from the Director: Corporate Services, be accepted.*

3. DELEGATED POWERS

3.1 Appeal: Erf 2916: Corner of Vos and Reinecke Streets, Ceres: Application for the removal of restrictions and rezoning (15/4/1/1/229)

A memorandum from the Senior Town Planner, dated 17 May 2024, is attached as **annexure 3.1**.

The Executive Mayoral Committee resolved on 18 June 2024 that the matter in respect of the Appeal: Erf 2916: Corner of Vos and Reinecke Streets, Ceres: Application for the removal of restrictions and rezoning be held in abeyance until the next meeting.

RESOLVED

that the appeal of Mr and Mrs J & I Barnard and Mr and Mrs S & E Cardoso against the decision of the Witzenberg Planning Tribunal to approve the application for the removal of restrictions and rezoning of erf 2916 on the corner of Vos and Reinecke Streets, Ceres from Residential Zone I to Business Zone IV be dismissed and the decision of the Tribunal be confirmed.

4. ADJOURNMENT

The meeting adjourned at 09:12.

Approved on 23 July 2024 without amendments.

COUNCILLOR TE ABRAHAMS
EXECUTIVE MAYOR

/MJ Prins

MINUTES OF THE MEETING OF THE COMMITTEE FOR HOUSING MATTERS OF WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON TUESDAY, 31 JANUARY 2024 AT 10:00

**NOTULE VAN DIE VERGADERING VAN DIE KOMITEE VIR BEHUISINGSAANGELEENTHEDE VAN DIE MUNISIPALITEIT WITZENBERG, GEHOUD OP DINSDAG, 31 JANUARIE 2024 OM 10:00 IN DIE STADSAAL, MUNISIPALE KANTORE, VOORTREKKERSTRAAT 50, CERES
PRESENT / TEENWOORDIG / ABABEZIMASILE**

Committee Members / Komiteelede / Amalungu eKomiti

Alderman / Raadsheer / Igqala lezoPolitiko K Adams (Chairperson / Voorsitter) (DA)
Councillor / Raadslid / uCeba S de Bruin (DA)
Councillor / Raadslid / uCeba N Phatsoane (ANC)
Councillor / Raadslid / uCeba IL Swart (EFF)

Non-Committee Member / Nie-Komiteelid / Ongelolungu

Councillor / Raadslid / uCeba E Sidego (Speaker) (DA)
Councillor / Raadslid / uCeba P Daniels (DA)

Officials/ AmaGosa

Ms / Me / Nkosk C Mackenzie (Manager: Housing / Bestuurder: Behuising)
Ms / Me / Nkosk C Stevens (Manager: Income / Bestuurder: Inkomste)
Mr / Mnr / Mnu T Plaatjies (Senior Housing Officer / Senior Behuisingsbeampte)
Ms / Me / Nkosk D Thomas (Housing Officer / Behuisingsbeampte)
Mr / Mnr / Mnu C Titus (Committee Clerk / Komiteeklerk)
Mr / Mnr M Njokweni (Interpreter / Tolk)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING / UKUVULWA NOLWAMNKELO

The Chairperson welcomed everyone present and requested Councillor IL Swartz to open the meeting with prayer.

Die Voorsitter heet almal teenwoordig welkom en versoek raadslid IL Swartz om die vergadering te open met gebed.

NOTED / AANGETEKEN

2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY / OORWEGING VAN AANSOEKE OM VERLOF TOT AFWESIGHEID, INDIEN ENIGE / UKUTHATHELWA INGQALELO KWEKHEFU LOKUNGAZIMASI INTLANGANISO (3/1/2/1)

Apologies for absence from the meeting were received from the Municipal Manager; Manager: Projects and Performance and Manager: Administration.

Verskonings vir afwesigheid van die vergadering was ontvang vanaf die Munisipale Bestuurder; Bestuurder: Projekte en Prestasie en Bestuurder: Administrasie.

RESOLVED

that notice be taken of the apologies for leave of absence from the meeting received from the Municipal Manager; Manager: Projects and Performance and Manager: Administration and same be accepted.

BESLUIT

dat kennis geneem word van die verskoning vir afwesigheid van die vergadering ontvang vanaf die Munisipale Bestuurder; Bestuurder: Projekte en Prestasie en Bestuurder: Administrasie en dat dit aanvaar word.

3. NOTULES

3.1 Matters / Corrections from the minutes / Imiba / Izilungiso zemizuzu

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

3.2 Approval of minutes / Goedkeuring van notules / Ukuphunyezwa kwemizuzu (3/1/2/3)

The following minutes are attached:

- (a) Committee for Housing Matters, held on 16 May 2023: **Annexure 3.2(a).**
- (b) Committee for Housing Matters, held on 28 September 2023: **Annexure 3.2(b).**
- (c) Committee for Participants of the Vredebes Project, held on 26 September 2023: **Annexure 3.2(c).**

Die volgende notules word aangeheg:

- (a) Komitee vir Behuisingsaangeleenthede, gehou op 16 Mei 2023: **Bylae 3.2(a).**
- (b) Komitee vir Behuisingsaangeleenthede, gehou op 28 September 2023: **Bylae 3.2(b).**
- (c) Deelnemerskomitee van die Vredebes Projek, gehou op 26 September 2023: **Bylae 3.2(b).**

RESOLVED

- (a) *that the minutes of the meeting of the Committee for Housing Matters, held on 16 May 2023, be approved and signed by the Chairperson.*
- (b) *that the minutes of the meeting of the Committee for Housing Matters, held on 28 September 2023, be approved and signed by the Chairperson.*
- (c) *that the Committee for Housing Matters takes note of the minutes of the Participants Committee meeting of the Vredebes Housing Project, held on 26 September 2023.*

BESLUIT

- (a) *dat die notule van die vergadering van die Komitee vir Behuisingsaangeleenthede, gehou op 16 Mei 2023, goedgekeur en deur die Voorsitter onderteken word.*
- (d) *dat die notule van die vergadering van die Komitee vir Behuisingsaangeleenthede, gehou op 28 September 2023, goedgekeur en deur die Voorsitter onderteken word.*
- (e) *dat die Komitee vir Behuisingsaangeleenthede kennis neem van die notule van die Deelnemerskomitee vergadering van die Vredebes Behuising Projek, gehou op 26 September 2023.*

ISIQQIBO

- (a) *Ukuba imizuzu yentlanganiso yeKomiti yezolwakhiwo eyayibanjwe ngomhla we-16 kwekaCanzibe 2023 iphunyezwe kwaye itikitywe nguSihlalo.*
- (b) *Ukuba imizuzu yentlanganiso yeKomiti yezolwakhiwo eyayibanjwe ngomhla wama 28 kweyoMsintsi 2023 iphunyezwe kwaye itikitywe nguSihlalo.*
- (c) *Ukuba iKomiti yezolwakhiwo igqale imizuzu yeKomiti ngokungqamene nabo babandakanyekayo kulwakhiwo eVredebes eyayibanjwe ngomhla wama 26 kweyoMsintsi 2023.*

3.3 Outstanding matters / Uitstaande sake / Imiba engakashukuxwa (3/3/2)

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY THE CHAIRPERSON / VERKLARINGS, MEDEDELINGS OF SAKE INGEDIEN DEUR DIE VOORSITTER / INGXELO, IZIBHENGEZO OKANYE IMIBA ETHE YAPHA KANYISWA NGUSIHLALO

The Chairperson conveyed the following:

- A special welcome to Councillors P Daniels and E Sidego for attending the Committee meeting as Ward Councillors of Ward 2 and 11 respectively.
- Thank you to Councillor IL Swartz for the heartfelt prayer for the people of Wolseley, Kluitjieskraal who were affected by the recent devastating fire.
- Requests have poured in from the affected communities for much needed donations.
- Donations such as blankets; clothing; hampers; etc. were delivered and made available at the Section: Fire and Disaster Management in Tulbagh.

NOTED / AANGETEKEN / IGQALIWE

5. INTERVIEWS WITH DELEGATIONS / ONDERHOUE MET AFGEVAARDIGDES / UDLIWANONDLIBE NEGQIZA

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

6. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS / AMAGUNYA ABAWAXAKATHISIWEYO

6.1 Monthly reports of the Section Housing: September, October, November and December 2023 / Maandverslag van die Afdeling Behuising: September, Oktober, November en Desember 2023 / (9/1/2/4)

The following monthly reports of the Section Housing are attached:

Die volgende maandverslae van die Afdeling Behuising word ingebind:

- | | | |
|-----|--------------------------|----------------------------------|
| (a) | September 2023 | Annexure / Bylae 06-01(a) |
| (b) | October / Oktober 2023 | Annexure / Bylae 06-01(b) |
| (c) | November 2023 | Annexure / Bylae 06-01(c) |
| (d) | December / Desember 2023 | Annexure / Bylae 06-01(d) |

RESOLVED

that the Committee for Housing Matters takes notice of the content of the monthly reports of the Section Housing for September; October; November and December 2023 and same be approved and accepted.

BESLUIT

dat die Komitee vir Behuisingsaangeleenthede kennis neem van die inhoud van die maandverslae van die Afdeling Behuising vir September; Oktober; November en Desember 2023 en dat die verslae goedgekeur en aanvaar word.

6.2 Risk Management Report: Department Housing / Risiko Bestuursverslag: Departement Behuising / Ukulawulwa kobungozi: Isebe lezoLwakhiwo (2/12/1)

This is a quarterly report. / Hierdie is 'n kwartaallikse verslag. / Le yingxelo yarhoqo ngenyenga.

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

7. RESERVED POWERS / GERESERVEERDE BEVOEGDHEDE/AMAGUNYA

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

8. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA / DRINGENDE SAKE NA AFSENDING VAN DIE AGENDA / IMIBA ENGXAMISEKILEYO ITHE YAPHAKANYISWA EMVENI KOKUBA KUGQITYIWE UKUSHUKUXWA OBEKUKWI-AGENDA

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

MINUTES OF THE MEETING OF THE SPECIAL COMMITTEE FOR HOUSING MATTERS OF WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON FRIDAY, 5 APRIL 2024 AT 10:00

NOTULE VAN DIE VERGADERING VAN DIE SPESIALE KOMITEE VIR BEHUISINGSAANGELEENTHEDE VAN DIE MUNISIPALITEIT WITZENBERG, GEHOUD OP VRYDAG, 5 APRIL 2024 OM 10:00 IN DIE RAADSAAL, MUNISIPALE KANTORE, VOORTREKKERSTRAAT 50, CERES

PRESENT / TEENWOORDIG / ABABEZIMASILE

Committee Members / Komiteelede / Amalungu eKomiti

Alderman / Raadsheer / Igqala lezoPolitiko K Adams (Chairperson / Voorsitter) (DA)
Councillor / Raadslid / uCeba S de Bruin (DA)
Councillor / Raadslid / uCeba N Phatsoane (ANC)
Councillor / Raadslid / uCeba D Swart (DA)

Officials/ Amptenare / AmaGosa

Ms / Me / Nkosk C Mackenzie (Manager: Housing / Bestuurder: Behuising)
Mr / Mnr C Wessels (Manager: Administration / Bestuurder: Administrasie)
Mr / Mnr / Mnu T Plaatjies (Senior Housing Officer / Senior Behuisingsbeampte)
Ms / Me / Nkosk D Thomas (Housing Officer / Behuisingsbeampte)
Ms / Me M Arendse-Smith (Chief Administration Officer / Hoof Administratiewe Beampte)
Mr / Mnr / Mnu C Titus (Committee Clerk / Komiteeklerk)
Mr / Mnr M Njokweni (Interpreter / Tolk)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING / UKUVULWA NOLWAMNKELO

The Chairperson welcomed everyone present and extended a warm welcome to the newly elected committee member, Councillor D Swart. Thereafter, Councillor D Swart was requested to open the meeting with prayer.

Die Voorsitter heet almal teenwoordig welkom, waarna hy die nuutverkose komiteelid, raadslid D Swart hartlik welkom en daarna versoek om die vergadering te open met gebed.

NOTED / AANGETEKEN

**2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY /
OORWEGING VAN AANSOEKE OM VERLOF TOT AFWESIGHEID, INDIEN
ENIGE
(3/1/2/1)**

An application for leave of absence from the meeting was received from Councillor I Swartz.

'n Aansoek om verlof tot afwesigheid van die vergadering is ontvang vanaf Raadslid I Swartz.

RESOLVED

that the application for leave of absence from the meeting received from Councillor I Swartz be approved and accepted.

BESLUIT

dat die aansoek om verlof van die vergadering ontvang vanaf Raadslid I Swartz goedgekeur en aanvaar word.

**3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY THE
CHAIRPERSON / VERKLARINGS, MEDEDELINGS OF SAKE INGEDIEN DEUR
DIE VOORSITTER**

None / Geen

NOTED / AANGETEKEN

4. COMMITTEE FOR HOUSING MATTERS-IN-COMMITTEE

MINUTES OF THE MEETING OF THE COMMITTEE FOR HOUSING MATTERS OF WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON FRIDAY, 26 APRIL 2024 AT 09:00

NOTULE VAN DIE VERGADERING VAN DIE KOMITEE VIR BEHUISINGSAANGELEENTHEDE VAN DIE MUNISIPALITEIT WITZENBERG, GEHOUD OP VRYDAG, 26 APRIL 2024 OM 09:00 IN DIE RAADSAAL, MUNISIPALE KANTORE, VOORTREKKERSTRAAT 50, CERES

IMIZUZU YENTLANGANISO YEKOMITI YEZOLWAKHIWO KAMASIPALA WASEWITZENBERG EYAYIBANJELWE KWITSHEMBA YEBHUNGA NGOMHLA WAMA 26 KWEKATSHAZIMPUNZI 2024 NGO 09:00 KULEDILESI 50 VOORTREKKERS STREET ECERES.

PRESENT / TEENWOORDIG / ABABEZIMASILE

Committee Members / Komiteelede / Amalungu eKomiti

Alderman / Raadsheer / Igqala lezoPolitiko K Adams (Chairperson / Voorsitter) (DA)
Councillor / Raadslid / uCeba S de Bruin (DA)
Councillor / Raadslid / uCeba N Phatsoane (ANC)
Councillor / Raadslid / uCeba D Swart (DA)

Officials/ Amptenare / AmaGosa

Mr / Mnr D Nasson (Municipal Manager / Munisipale Bestuurder)
Ms / Me C Mackenzie (Manager: Housing / Bestuurder: Behuising)
Mr / Mnr C Wessels (Manager: Administration / Bestuurder: Administrasie)
Ms / Me D Thomas (Housing Officer / Behuisingsbeampte)
Mr / Mnr C Titus (Committee Clerk / Komiteeklerk)
Mr / Mnr M Njokweni (Interpreter / Tolk)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING / UKUVULWA NOLWAMNKELO

The Chairperson welcomed everyone present and requested Councillor S de Bruin to open the meeting with prayer.

Die Voorsitter heet almal teenwoordig welkom en versoek Raadslid S de Bruin om die vergadering te open met gebed.

Usihlalo uye wamnkela bonke ababezimase lentlanganiso waza wacela uCeba S de Bruin ukuba avule ngomthandazo.

NOTED / AANGETEKEN/IGQALIWE

**2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY /
OORWEGING VAN AANSOEKE OM VERLOF TOT AFWESIGHEID, INDIEN
ENIGE /UKUGQALWA KWESICELO SOKUNGAZIMASI INTLANGANISO
(3/1/2/1)**

An application for leave of absence from the meeting was received from Councillor I Swartz.

'n Aansoek om verlof tot afwesigheid van die vergadering is ontvang vanaf Raadslid I Swartz.

Isicelo sokungazimasi intlanganiso sikaCeba u-I Swartz siye safakwa

RESOLVED

that the application for leave of absence from the meeting received from Councillor I Swartz be approved and accepted.

BESLUIT

dat die aansoek om verlof van die vergadering ontvang vanaf Raadslid I Swartz goedgekeur en aanvaar word.

ISIGQIBO

Ukuba isicelo sikungazimasi intlanganiso kukaCeba u-I Swartz samnkelwe kwaye sivunywe.

3. NOTULES

3.1 Matters / Corrections from the minutes / Imiba / Izilungiso zemizuzu

None / Noted/Igqaliwe

NOTED / AANGETEKEN / IGQALIWE

3.2 Approval of minutes / Goedkeuring van notules / Ukuphunyezwa kwemizuzu (3/1/2/3)

The following minutes are attached:

- (a) Committee for Housing Matters held on 31 January 2024: **Annexure 3.2(a).**
- (b) Special Committee for Housing Matters held on 12 February 2024: **Annexure 3.2(b).**
- (c) Special Committee for Housing Matters held on 5 April 2024: **Annexure 3.2(c).**

Die volgende notules word aangeheg:

- (a) Komitee vir Behuisingsaangeleenthede, gehou op 31 Januarie 2024: **Bylae 3.2(a).**
- (b) Spesiale Komitee vir Behuisingsaangeleenthede, gehou op 12 Februarie 2024: **Bylae 3.2(b).**
- (c) Spesiale Komitee vir Behuisingsaangeleenthede, gehou op 05 April 2024: **Byle 3.2(c).**

Le mizuzu ilandelayo iqhotyoshelwe kwizizhlomelo zisecaleni

- (a) Ikomiti yezoLwakhiwo, ebibanjwe ngomhla wama31 kweyoMqungu 2024: **Isihlomelo 3.2(a)**
- (b) Ikomiti ekhethekileyo emalunga nemiba yezoLwakhiwo, ngomhla we-12 kweyoMdumba: **Isihlomelo 3.2(b).**
- (c) Ikomiti ekhethekileyo emalunga nemiba yezoLwakhiwo, ngomhla we-05 kwekaTshazimpunzi: **Isihlomelo 3.2(c).**

RESOLVED

- (a) *that the minutes of the meeting of the Committee for Housing Matters, held on 31 January 2024, be approved and signed by the Chairperson.*
- (b) *that the minutes of the meeting of the Special Committee for Housing Matters, held on 12 February 2024, be approved and signed by the Chairperson.*
- (c) *that the minutes of the meeting of the Special Committee for Housing Matters, held on 05 April 2024, be approved and signed by the Chairperson.*

BESLUIT

- (a) *dat die notule van die vergadering van die Komitee vir Behuisingsaangeleenthede, gehou op 31 Januarie 2024, goedgekeur en deur die Voorsitter onderteken word.*
- (b) *dat die notule van die vergadering van die Komitee vir Behuisingsaangeleenthede, gehou op 12 Februarie 2024, goedgekeur en deur die Voorsitter onderteken word.*
- (c) *dat die notule van die vergadering van die Komitee vir Behuisingsaangeleenthede, gehou op 05 April 2024, goedgekeur en deur die Voorsitter onderteken word*

ISIQGIBO

- (a) *Ukuba imizuzu yentlanganiso yezoLwakhiwo eyayibanjwe ngomhla wama 31 kweyoMqungu 2024 iphunyezwe kwaye ityikitywe nguSihlalo.*
- (b) *Ukuba imizuzu yentlanganiso yeKomiti ekhethekileyo eyayibanjwe ngomhla we-12 kweyoMdumba 2024 iphunyezwe kwaye ityikitywe nguSihlalo*
- (c) *Ukuba imizuzu yentlanganiso yeKomiti ekhethekileyo eyayibanjwe ngomhla we-05 kwekaTshazimpunzi 2024 iphunyezwe kwaye ityikitywe nguSihlalo.*

4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY THE CHAIRPERSON / VERKLARINGS, MEDEDELINGS OF SAKE INGEDIEN DEUR DIE VOORSITTER / INGXELO, IZIBHENGEZO OKANYE IMIBA ETHE YAPHA KANYISWA NGUSIHLALO

The Chairperson mentioned the following:

- that houses need to be handed over in order to prevent vandalism and illegal occupation of the Vredebes 150 ABT Project.
- that the Ward Councillors of Wards 1 and 12 be involved in the matters to address the people who submitted the petition and establish calmness.

Councillor N Phatsoane mentioned the following:

- that the matter may escalate into violence, similar to the unrest in 2019 / 2020, where Council property was damaged.
- Councillors of Nduli must assist the municipality to prevent unrest and that the Ward Councillors of Wards 1 and 12 be invited to the Special Committee for Housing Matters on Monday, 29 April 2024 at 11:00 in the Town Hall, 50 Voortrekker Street, Ceres.

The Manager: Housing mentioned that the preparation on the administration side for handovers has been done and will take place on Tuesday, 30 April 2024 and Thursday, 2 May 2024 respectively.

The Municipal Manager mentioned the following:

- that engagements be held with those who signed the petition.
- that after the final inspection, ASLA will not be held accountable for vandalised or illegal occupation of houses as the accountability shifts to the municipality.
- that the Administration cannot be held accountable for vandalised or the illegal occupation of houses due to delays by the Committee for Housing Matters and Council.
- that the municipality allocate the first houses on a 20 / 20 split basis for the Community of Nduli and the rest from other areas as a courtesy of goodwill.

Councillor N Phatsoane enquired whether the municipality is ready to immediately demolish the shacks.

The Municipal Manager mentioned the illegal structures must be demolished simultaneously with the handover of the houses in Vredebes, Nduli.

NOTED / AANGETEKEN/IGQALIWE

5. INTERVIEWS WITH DELEGATIONS / ONDERHOUDE MET AFGEVAARDIGDES / UDLIWANONDLEBE NEGQIZA

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

6. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS / AMAGUNYA ABAWAXAKATHISIWEYO

**6.1 Monthly reports of the Section Housing: January; February and March 2024
Maandverslag van die Afdeling Behuising: Januarie; Februarie en Maart 2024**

**Iingxelo zarhoqo ngenyanga zeCandelo lezoLwakhiwo:
kweyoMqungu,eyoMdumba kunye neyoKwindla 2024
(9/1/2/4)**

The following monthly reports of the Section Housing are attached:

Die volgende maandverslae van die Afdeling Behuising word ingebind:

Ezingxelo zarhoqo ngenyanga zeCandelo lezoLwakhiwo ziqhotyoshelwe:

- | | | |
|-----|--|-------------------------|
| (a) | January / Januarie / eyoMqungu 2024
6.1(a) | Annexure / Bylae |
| (b) | February / Februarie / eyoMdumba 2024
6.1(b) | Annexure / Bylae |
| (c) | March / Maart / eyoKwindla 2024
6.1(c) | Annexure / Bylae |

RESOLVED

that the Committee for Housing Matters takes notice of the content of the monthly report of the Section Housing for January; February and March 2024 and same be approved and accepted.

BESLUIT

dat die Komitee vir Behuisingsaangeleenthede kennis neem van die inhoud van die maandverslae van die Afdeling Behuising vir Januarie; Februarie en Maart 2024 en dat die verslae goedgekeur en aanvaar word.

ISIQGIBO

Ukuba ikomiti yemiba yezoLwakhiwo igqale ingxelo yarhoqo ngenyanga yeCandelo lezoLwakhiwo kweyoMqungu ,eyoMdumba kunye neyoKwindla 2024 yamkelwe ize iphunyezwe

6.2 Risk Management Report: Department Housing / Risiko Bestuursverslag: Departement Behuising / Ukulawulwa kobungozi: Isebe lezoLwakhiwo (2/12/1)

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

7. RESERVED POWERS / GERESERVEERDE BEVOEGDHEDE/AMAGUNYA

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

8. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA / DRINGENDE SAKE NA AFSENDING VAN DIE AGENDA / IMIBA ENGXAMISEKILEYO ITHE YAPHAKANYISWA EMVENI KOKUBA KUGQITYIWE UKUSHUKUXWA OBEKUKWI-AGENDA

9. COMMITTEE FOR HOUSING MATTERS-in-COMMITTEE

These items are dealt with in the confidential agenda.

MINUTES OF THE MEETING OF THE SPECIAL COMMITTEE FOR HOUSING MATTERS OF WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON MONDAY, 29 APRIL 2024 AT 11:00

NOTULE VAN DIE VERGADERING VAN DIE SPESIALE KOMITEE VIR BEHUISINGSAANGELEENTHEDE VAN DIE MUNISIPALITEIT WITZENBERG, GEHOUD OP MAANDAG, 29 APRIL 2024 OM 11:00 IN DIE STADSAAL, VOORTREKKERSTRAAT, CERES

PRESENT / TEENWOORDIG / ABABEZIMASILE

Committee Members / Komiteelede / Amalungu eKomiti

Alderman / Raadsheer / Igqala lezoPolitiko K Adams (Chairperson / Voorsitter) (DA)
Councillor / Raadslid / uCeba N Phatsoane (ANC)
Councillor / Raadslid / uCeba D Swart (DA)

Non-Committee Members / Nie-Komitee lede

Councillor / Raadslid T Abrahams (Executive Mayor / Uitvoerende Burgemeester)
Councillor / Raadslid E Sidego (Speaker)

Officials/ Amptenare / AmaGosa

Ms / Me / Nkosk C Mackenzie (Manager: Housing / Bestuurder: Behuising)
Mr / Mnr / Mnu C Wessels (Manager: Administration / Bestuurder: Administrasie)
Mr / Mnr / Mnu T Plaatjies (Senior Housing Officer / Senior Behuisingsbeampte)
Ms / Me / Nkosk D Thomas (Housing Officer / Behuisingsbeampte)
Ms / Me / Nkosk M Arendse-Smith (Chief Administration Officer / Hoof Administratiewe Beampte)
Mr / Mnr / Mnu C Titus (Committee Clerk / Komiteeklerk)
Mr / Mnr / Mnu M Njokweni (Interpreter / Tolk)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING / UKUVULWA NOLWAMNKELO

The Chairperson welcomed everyone present and requested Councillor N Phatsoane to open the meeting with prayer.

Die Voorsitter heet almal teenwoordig welkom en versoek Raadslid N Phatsoane om die vergadering te open met gebed.

Usihlalo uye wamnkela bonke ababezimase lentlanganiso waza wacela uCeba N Phatsoane in ukuba avule ngomthandazo.

NOTED / AANGETEKEN/IGQALIWE

**2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY /
OORWEGING VAN AANSOEKE OM VERLOF TOT AFWESIGHEID, INDIEN
ENIGE /UKUGQALWA KWESICELO SOKUNGAZIMASI INTLANGANISO
(3/1/2/1)**

An application for leave of absence from the meeting was received from Councillor S de Bruin.

'n Aansoek om verlof tot afwesigheid van die vergadering is ontvang vanaf Raadslid S de Bruin.

Isicelo sokungazimasi intlanganiso uCeba S de Bruin siye safakwa.

The Chairperson noted that there is a tendency of non-attendance at the Committee for Housing Matters meetings after much efforts have been made to hold the meeting. The Executive Mayor and Speaker are therefore requested to investigate the absence of Councillors at meetings, as this directly affects service delivery. The Chairperson therefore does not accept any apologies tendered by Committee members or those Councillors invited to attend meeting.

RESOLVED

that the application for leave of absence from the meeting received from Councillor S de Bruin not be approved.

BESLUIT

dat die aansoek om verlof van die vergadering ontvang vanaf Raadslid S de Bruin nie goedgekeur word nie.

ISIGQIBO

Ukuba isicelo sikungazimasi intlanganiso uCeba S de Bruin samkelwe kwaye sivunywe.

**3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY THE
CHAIRPERSON / VERKLARINGS, MEDEDELINGS OF SAKE INGEDIEN DEUR
DIE VOORSITTER**

None / Noted / Igqaliwe

NOTED / AANGETEKEN / IGQALIWE

4. COMMITTEE FOR HOUSING MATTERS-IN-COMMITTEE

MINUTES OF THE MEETING OF THE SPECIAL COMMITTEE FOR HOUSING MATTERS OF WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON THURSDAY, 16 MAY 2024 AT 11:30

NOTULE VAN DIE VERGADERING VAN DIE SPESIALE KOMITEE VIR BEHUISINGSAANGELEENTHEDE VAN DIE MUNISIPALITEIT WITZENBERG, GEHOUD OP DONDERDAG, 16 MEI 2024 OM 11:30 IN DIE RAADSAAL, MUNISIPALE KANTORE, VOORTREKKERSTRAAT 50, CERES

PRESENT / TEENWOORDIG / ABABEZIMASILE

Committee Members / Komiteelede / Amalungu eKomiti

Alderman / Raadsheer / Igqala lezoPolitiko K Adams (Chairperson / Voorsitter) (DA)
 Councillor / Raadslid / uCeba S de Bruin (DA)
 Councillor / Raadslid / uCeba N Phatsoane (ANC)
 Councillor / Raadslid / uCeba D Swart (DA)

Officials/ Amptenare / AmaGosa

Ms / Me / Nkosk C Mackenzie (Manager: Housing / Bestuurder: Behuising)
 Ms / Me / Nkosk D Thomas (Housing Officer / Behuisingsbeampte)
 Ms / Me M Arendse-Smith (Chief Administration Officer / Hoof Administratiewe Beampte)
 Mr / Mnr / Mnu C Titus (Committee Clerk / Komiteeklerk)
 Mr / Mnr M Njokweni (Interpreter / Tolk)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING / UKUVULWA NOLWAMNKELO

The Chairperson welcomed everyone present and requested the Manager: Housing to open the meeting with prayer.

Die Voorsitter heet almal teenwoordig welkom en versoek die Bestuurder: Behuising om die vergadering te open met gebed.

NOTED / AANGETEKEN / IGQALIWE

2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

**2.1 Consideration of application for leave of absence, if any
Aansoeke om verlof tot afwesigheid, indien enige
(3/1/2/1)**

An application for leave of absence from the meeting was received from Councillor I Swartz.

'n Aansoek om verlof tot afwesigheid van die vergadering is ontvang vanaf Raadslid I Swartz.

RESOLVED

that the application for leave of absence from the meeting received from Councillor I Swartz be approved and accepted.

BESLUIT

dat die aansoek om verlof van die vergadering ontvang vanaf Raadslid I Swartz goedgekeur en aanvaar word.

**2.2 Confidentiality and Conflict of Interest Declaration
Vertroulikheid en Botsing van Belange Verklaring
(3/2/1)**

None / Geen

NOTED / AANGETEKEN / IGQALIWE

**3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY THE
CHAIRPERSON / VERKLARINGS, MEDEDELINGS OF SAKE INGEDIEN DEUR
DIE VOORSITTER**

None / Geen

NOTED / AANGETEKEN / IGQALIWE

4. COMMITTEE FOR HOUSING MATTERS-in-COMMITTEE

MINUTES OF THE MEETING OF THE COMMITTEE FOR HOUSING MATTERS OF WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, MUNICIPAL OFFICES, VOORTREKKER STREET, CERES ON MONDAY, 3 JUNE 2024 AT 09:15

NOTULE VAN DIE VERGADERING VAN DIE KOMITEE VIR BEHUISINGSAANGELEENTHEDE VAN DIE MUNISIPALITEIT WITZENBERG, GEHOUD OP MAANDAG, 3 JUNIE 2024 OM 09:15 IN DIE STADSAAL, MUNISIPALE KANTORE, VOORTREKKERSTRAAT, CERES

IMIZUZU YENTLANGANISO YEKOMITI YEZOLWAKHIWO KAMASIPALA WASEWITZENBERG EYAYIBANJELWE KWITSEMBA YEBHUNGA NGOMHLA WESI 03 KWEYESILIMELA 2024 NGO 09:00 KULEDILESI 50 VOORTREKKERS STREET ECERES.

PRESENT / TEENWOORDIG / ABABEZIMASILE

Committee Members / Komiteelede / Amalungu eKomiti

Alderman / Raadsheer / Igqala lezoPolitiko K Adams (Chairperson / Voorsitter) (DA)
Councillor / Raadslid / uCeba S de Bruin (DA)
Councillor / Raadslid / uCeba N Phatsoane (ANC)

Officials/ Amptenare / AmaGosa

Mr / Mnr D Nasson (Municipal Manager / Munisipale Bestuurder)
Ms / Me C Mackenzie (Manager: Housing / Bestuurder: Behuising)
Mr / Mnr C Wessels (Manager: Administration / Bestuurder: Administrasie)
Mr / Mnr T Plaatjies (Senior Housing Officer / Senior Behuisingsbeampte)
Ms / Me D Thomas (Housing Officer / Behuisingsbeampte)
Mr / Mnr C Titus (Committee Clerk / Komiteeklerk)
Mr / Mnr M Njokweni (Interpreter / Tolk)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING / UKUVULWA NOLWAMNKELO

The Chairperson welcomed everyone present and requested Councillor S de Bruin to open the meeting with prayer.

The Chairperson announced that a quorum is not present and adjourned the meeting for thirty (30) minutes to allow for a quorum to be present.

The meeting adjourned at 09:15 and resumed at 09:45 as a quorum was present.

NOTED / AANGTEKEN

2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

2.1 Consideration of application for leave of absence, if any Aansoeke om verlof tot afwesigheid, indien enige (3/1/2/1)

Applications for leave of absence from the meeting were received from Councillor D Swart (DA), due to commitments at Cape Wineland District Municipality, and Councillor IL Swartz (EFF), who departed from Limpopo Province late on Sunday, 02 June 2024.

RESOLVED

- (a) that the application for leave of absence received from Councillor D Swart be approved and accepted.*
- (b) that the application for leave of absence from the meeting received from Councillor IL Swartz (EFF) not be approved and that the non-attendance of Committee meetings by Councillor IL Swartz be referred to Speaker for her further attention.*

BESLUIT

- (a) dat die aansoek om verlof van die vergadering ontvang vanaf Raadslid D Swart (DA) goedgekeur en aanvaar word.*
- (b) dat die aansoek om verlof van die vergadering ontvang vanaf Raadslid IL Swartz (EFF) nie goedgekeur word nie en dat die nie-bywoning van die komiteevergaderings van Raadslid IL Swartz verwys word na die Speaker vir verdere aandag.*

ISIGQIBO

- (a) Ukuba isicelo sikaCeba uD Swartz (DA) sokungazimasi ntlanganiso siphunyezwe kwaye samkelwe.*
- (b) Ukuba isicelo sikaCeba uIL Swartz (EFF) sokungazimasi ntlanganiso ukuba singaphunyezwa nanjengokuba ziyintlaninge intlanganiso apho uCeba ebengazizimasi, koko lombu uyakuthi uthunyelwe kuSomlomo ukuze awuhle amahlongwane*

2.2 Confidentiality and Conflict of Interest Declaration Vertroulikheid en Botsing van Belange Verklaring (3/2/1)

The Confidentiality and Conflict of Interest Declaration is attached as **annexure 2.2**.

None / Geen/Ayikho

**3. NOTED / AANGETEKEN/IGQALIWE
NOTULES**

3.1 Matters / Corrections from the minutes / Imiba / Izilungiso zemizuzu

None / Geen. /Azikho

NOTED / AANGETEKEN / IGQALIWE

**3.2 Approval of minutes / Goedkeuring van notules / Ukuphunyezwa kwemizuzu
(3/1/2/3)**

The following minutes are attached:

- (a) Committee for Housing Matters held on 26 April 2024: **Annexure 3.2(a).**
- (b) Special Committee for Housing Matters held on 29 April 2024: **Annexure 3.2(b).**
- (c) Special Committee for Housing Matters held on 16 May 2024: **Annexure 3.2(c).**

Die volgende notules word aangeheg:

- (a) Komitee vir Behuisingsaangeleenthede, gehou op 26 April 2024: **Bylae 3.2(a).**
- (b) Spesiale Komitee vir Behuisingsaangeleenthede, gehou op 29 April 2024: **Bylae 3.2(b).**
- (c) Spesiale Komitee vir Behuisingsaangeleenthede, gehou op 16 Mei 2024: **Bylae 3.2(c).**

Le mizuzu ilandelayo iqhotyoshelwe kwizizihlomelo zisecaleni

- (a) Ikomiti yezolwakhiwo, ebibanjwe ngomhla wama-26 kwekaTshazimpunzi 2024: **Isihlomelo 3.2(a)**
- (b) Ikomiti ekhethekileyo emalunga nemiba yezolwakhiwo, ngomhla we-29 kwekaTshazimpunzi 2024: **Isihlomelo 3.2(b).**
- (c) Ikomiti ekhethekileyo emalunga nemiba yezolwakhiwo, ngomhla we-16 kwekaCanzibe 2024: **Isihlomelo 3.2(c).**

RESOLVED

- (a) *that the minutes of the meeting of the Committee for Housing Matters, held on 26 April 2024, be approved and signed by the Chairperson.*
- (b) *that the minutes of the meeting of the Special Committee for Housing Matters, held on 29 April 2024, be approved and signed by the Chairperson.*
- (c) *that the minutes of the meeting of the Special Committee for Housing Matters, held on 16 May 2024, be approved and signed by the Chairperson.*

BESLUIT

- (a) *dat die notule van die vergadering van die Komitee vir Behuisingsaangeleenthede, gehou op 26 April 2024, goedgekeur en deur die Voorsitter onderteken word.*
- (b) *dat die notule van die vergadering van die Komitee vir Behuisingsaangeleenthede, gehou op 29 April 2024, goedgekeur en deur die Voorsitter onderteken word.*
- (c) *dat die notule van die vergadering van die Komitee vir Behuisingsaangeleenthede, gehou op 16 Mei 2024, goedgekeur en deur die Voorsitter onderteken word.*

ISIPHAKAMISO

- (a) *Ukuba imizuzu yentlanganiso yezoLwakhiwo eyayibanjwe ngomhla wama 26 kwekaTshazimpunzi 2024 iphunyezwe kwaye ityikitywe nguSihlalo.*
- (b) *Ukuba imizuzu yentlanganiso yeKomiti ekhethekileyo eyayibanjwe ngomhla wama 29 kwekaTshazimpunzi 2024 iphunyezwe kwaye ityikitywe nguSihlalo.*
- (c) *Ukuba imizuzu yentlanganiso yeKomiti ekhethekileyo eyayibanjwe ngomhla we-16 kwekaCanzibe 2024 iphunyezwe kwaye ityikitywe nguSihlalo.*

3.3 Outstanding matters / Uitstaande sake / Imiba engakashukuxwa (3/3/2)

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY THE CHAIRPERSON / VERKLARINGS, MEDEDELINGS OF SAKE INGEDIEN DEUR DIE VOORSITTER / INGXELO, IZIBHENGESO OKANYE IMIBA ETHE YAPHAANYISWA NGUSIHLALO

None / Geen

NOTED / AANGETEKEN

5. INTERVIEWS WITH DELEGATIONS / ONDERHOUDE MET AFGEVAARDIGDES / UDLIWANONDLIBE NEGQIZA

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

6. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS / AMAGUNYA ABAWAXAKATHISIWEYO

**6.1 Monthly reports of the Section Housing: April 2024
Maandverslag van die Afdeling Behuising: April 2024
(9/1/2/4)**

The monthly report of the Section Housing for April 2024 is attached as **annexure 6.1.**

Die maandverslag van die Afdeling Behuising vir April 2024 word ingebind as **bylae 6.1.**

Ingxelo yarhoqo ngenyanga yeCandelo lezoLwakhiwo ka2024 kwekaTshazimpunzi iqhotyoshelwe **kwiSihlomelo 6.1.**

RESOLVED

that the Committee for Housing Matters takes notice of the content of the monthly report of the Section Housing for April 2024 and same be approved and accepted.

BESLUIT

dat die Komitee vir Behuisingsaangeleenthede kennis neem van die inhoud van die maandverslag van die Afdeling Behuising vir April 2024 en dat die verslag goedgekeur en aanvaar word.

ISIGQIBO

Ukuba ikomiti yemiba yezoLwakhiwo igqale ingxelo yarhoqo ngenyanga yeCandelo lezoLwakhiwo kwekaTshazimpunzi 2024 kwaye yamkelwe ize iphunyezwe

**6.2 Risk Management Report: Department Housing / Risiko Bestuursverslag:
Departement Behuising / Ukulawulwa kobungozi: Isebe lezoLwakhiwo
(2/12/1)**

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

7. RESERVED POWERS / GERESERVEERDE BEVOEGDHEDE/AMAGUNYA

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

**8. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA /
DRINGENDE SAKE NA AFSENDING VAN DIE AGENDA / IMIBA
ENGXAMISEKILEYO ITHE YAPHAKANYISWA EMVENI KOKUBA
KUGQITYIWE UKUSHUKUXWA OBEKUKWI-AGENDA**

None / Geen

NOTED / AANGETEKEN

9. COMMITTEE FOR HOUSING MATTERS-in-COMMITTEE

These items are dealt with in the confidential agenda.

MINUTES OF THE MEETING OF THE COMMITTEE FOR HOUSING MATTERS OF WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON FRIDAY, 28 JUNE 2024 AT 09:00

NOTULE VAN DIE VERGADERING VAN DIE KOMITEE VIR BEHUISINGSANGELEENTHEDE VAN DIE MUNISIPALITEIT WITZENBERG, GEHOUD OP VRYDAG, 28 JUNIE 2024 OM 09:00 IN DIE RAADSAAL, MUNISIPALE KANTORE, VOORTREKKERSTRAAT 50, CERES

PRESENT / TEENWOORDIG

Committee Members / Komiteelede / Amalungu eKomiti

Alderman / Raadsheer K Adams (Chairperson / Voorsitter) (DA)
Alderman / Raadsheer D Swart (DA)
Councillor / Raadslid N Phatsoane (ANC)

Officials/ Amptenare

Ms / Me C Mackenzie (Manager: Housing / Bestuurder: Behuising)
Mr / Mnr C Wessels (Manager: Administration / Bestuurder: Administrasie)
Mr / Mnr T Plaatjies (Senior Housing Officer / Senior Behuisingsbeampte)
Ms / Me D Thomas (Housing Officer / Behuisingsbeampte)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Chairperson welcomed everyone present and requested Manager: Housing to open the meeting with prayer.

Die Voorsitter heet almal teenwoordig welkom en versoek Bestuurder: Behuising om die vergadering met gebed te open.

NOTED / AANGTEKEN

2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

**2.1 Consideration of application for leave of absence, if any
Aansoeke om verlof tot afwesigheid, indien enige
(3/1/2/1)**

An apology for absence from the meeting was received from the Municipal Manager.

Applications for leave of absence from the meeting were received from Councillor S de Bruin (DA) and Councillor IL Swartz (EFF).

Aansoeke om verlof tot afwesigheid van die vergadering is ontvang vanaf Raadslid S de Bruin (DA) en Raadslid I Swartz (EFF).

RESOLVED

- (a) that notice be taken of the apology for leave of absence from the meeting received from the Municipal Manager.*
- (b) that the application for leave of absence received from Councillor S de Bruin be approved and accepted.*
- (c) that the application for leave of absence from the meeting received from Councillor IL Swartz (EFF) be declined due to the lack of written apologies for several prior meetings. The Committee for Housing Matters tabled urgent matters and absenteeism of committee members hinders the service delivery of the committee.*

BESLUIT

- (a) 'n Verskoning vir afwesigheid van die vergadering was ontvang vanaf die Munisipale Bestuurder.*
- (b) dat die aansoek om verlof tot afwesigheid tot die vergadering vanaf Raadslid S de Bruin (DA) goedgekeur en aanvaar word.*
- (c) dat die aansoek om verlof tot afwesigheid van die vergadering ontvang vanaf Raadslid IL Swartz (EFF) van die hand gewys word weens die gebrek aan skriftelike verskonings vir verskeie vorige vergaderings. Die Komitee vir Behuisingsaangeleenthede het dringende aangeleenthede gehad en afwesigheid van komitee lede belemmer die dienslewering van die komitee.*

2.2 Confidentiality and Conflict of Interest Declaration
Vertroulikheid en Botsing van Belange Verklaring
(3/2/1)

The Confidentiality and Conflict of Interest Declaration form is attached as **annexure 2.2.**

Die Vertroulikheid en Botsing van Belange Verklaring vorm word aangehed as **bylae 2.2.**

None / Geen

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY THE
CHAIRPERSON / VERKLARINGS, MEDEDELINGS OF SAKE INGEDIEN DEUR
DIE VOORSITTER

The Chairperson emphasized that the Committee for Housing Matters deals with urgent matters which effects the public and communities. Speaker is requested to deal with the matter of absenteeism in the Committee for Housing Matters.

RESOLVED

that the Speaker urgently deal with the matter of absenteeism of councillors in the Committee for Housing Matters.

BESLUIT

dat die Speaker dringend die aangeleentheid rakende afwesigheid van raadslede in die Komitee vir Behuisingsaangeleenthede hanteer.

4. COMMITTEE FOR HOUSING MATTERS-IN-COMMITTEE

MINUTES OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON THURSDAY, 18 JULY 2024 AT 10:00

PRESENT

Councillors

Councillor LA Hardnek (Chairperson)
Councillor W Alexander
Alderman JJ Visagie

Officials

Mr D Nasson (Municipal Manager)
Mr HJ Kritzinger (Director: Finance)
Ms N Oerson (Chief Internal Audit Executive)
Ms C Fortuin (Manager: Internal Audit)
Mr JH Swanepoel (Manager: Projects and Performance)
Mr CG Wessels (Manager: Administration)
Ms M Arendse-Smith (Chief Administrative Officer)

1. OPENING AND WELCOME

The Chairperson welcomed everyone present and requested the Municipal Manager to open the meeting with prayer.

**2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE
(3/1/2/1)**

An application for leave of absence from the meeting was received from Councillor N Nogcinisa.

The Chairperson informed the meeting that Councillor K Robyn was on her way to the meeting. In the event that Councillor Robyn was unable to attend the meeting due to severe weather conditions, a provisional apology was tendered.

An apology for absence from the meeting was received from the Deputy Director: Finance.

RESOLVED

- (a) *that the applications for leave of absence from the meeting, received from Councillors N Nogcinisa and K Robyn, be approved.*
- (b) *that notice be taken of the apology for absence from the meeting, received from the Deputy Director: Finance.*

3. MINUTES

3.1 Matters from or corrections to the minutes (3/1/2/3)

RESOLVED

- (a) that the report of the Municipal Public Accounts Committee meeting, held on 12 October 2024, need not be approved as there was no meeting.*
- (b) that the matter relating to the correctness of the minutes of the Municipal Public Accounts Committee meeting, held on 9 November 2023, be held in abeyance for inputs from committee members who attended the meeting.*
- (c) that the minutes of the Municipal Public Accounts Committee meeting, held on 15 January 2024, need not be corrected.*

3.2 Approval of minutes (3/1/2/3)

The following documents are attached:

- (a) Report of the Municipal Public Accounts Committee meeting, held on 12 October 2023: **Annexure 3.2(a)**.
- (b) Minutes of the Municipal Public Accounts Committee meeting, held on 9 November 2023: **Annexure 3.2(b)**.
- (c) Minutes of the Municipal Public Accounts Committee meeting, held on 15 January 2024: **Annexure 3.2(c)**.

The following recommendation was tabled to the Municipal Public Accounts Committee:

- (a) that notice be taken of the report of the Municipal Public Accounts Committee meeting, held on 12 October 2023.
- (b) that the minutes of the Municipal Public Accounts Committee meeting, held on 9 November 2023, be approved and signed by the Chairperson.
- (c) that the minutes of the Municipal Public Accounts Committee meeting, held on 15 January 2024, be approved and signed by the Chairperson.

RESOLVED

- (a) that the matter relating to the report of the Municipal Public Accounts Committee meeting, held on 12 October 2023, be removed from the agenda.*

- (b) *that the matter relating to the approval of the minutes of the Municipal Public Accounts Committee meeting, held on 9 November 2023, be held in abeyance for inputs from committee members who attended the meeting.*
- (c) *that the minutes of the Municipal Public Accounts Committee meeting, held on 15 January 2024, be approved and signed by the Chairperson.*

3.3 MPAC resolutions register (3/3/2)

- Status of the implementation of MPAC resolutions.
- Feedback to MPAC regarding resolutions referred to Council.

The MPAC resolutions register, as at 4 April 2024, is attached as **annexure 3.3**.

RESOLVED

That notice be taken of the resolutions register and, after consideration, same be accepted.

4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY THE CHAIRPERSON

None / Geen

NOTED / AANGETEKEN

5. INTERVIEWS WITH DELEGATIONS

None / Geen

NOTED / AANGETEKEN

6. DELEGATED POWERS

None / Geen

NOTED / AANGETEKEN

7. RESERVED POWERS

7.1 Internal Audit Report: Performance Management System: 3rd Quarter of 2022/2023 (5/14/3)

The Internal Audit Report on the Performance Management System for the third quarter of 2022/2023, dated June 2023, is attached as **annexure 7.1**.

The Performance, Risk and Audit Committee resolved on 3 November 2023 that the Performance, Risk and Audit Committee took notice of the Internal Audit Report on the Performance, Management System for the 3rd Quarter of 2022/2023 and recommends that same be tabled to the Municipal Public Accounts Committee for notice.

RESOLVED

that notice be taken of the Internal Audit Report on the Performance, Management System for the 3rd Quarter of 2022/2023.

7.2 Internal Audit Report: Performance Management System: 4th Quarter of 2022/2023 (5/14/3)

The Internal Audit Report on the Performance Management System for the fourth quarter of 2022/2023, dated September 2023, is attached as **annexure 7.2**.

The Performance, Risk and Audit Committee resolved on 3 November 2023 that the Performance, Risk and Audit Committee took notice of the Internal Audit Report on the Performance Management System for the fourth quarter of 2022/2023 and recommended that same be tabled to the Municipal Public Accounts Committee for notice.

RESOLVED

that notice be taken of the Internal Audit Report on the Performance Management System for the fourth quarter of 2022/2023.

7.3 Quarterly Budget Statement [Section 52(d)] Report: 4th Quarter 2022/2023 (1 April 2023 to 30 June 2023) (9/1/1 & 9/1/2/2)

The Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2022/2023 is attached as **annexure 7.3**.

Council unanimously resolved on 25 August 2023:

- (a) that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2022/2023.
- (b) that the report supra (a) be referred to the Performance, Risk and Audit Committee as well as the Municipal Public Accounts Committee for their recommendations to Council.

RESOLVED

that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2022/2023

7.4 Internal Audit Report: Compliance with Division of Revenue Act (DORA): 2022/2023 (5/14/2)

The Internal Audit Report on Compliance with the Division of Revenue Act (DORA) for 2022/2023, dated October 2023, is attached as **annexure 7.4**.

The Performance, Risk and Audit Committee resolved on 17 November 2023:

- (a) that, in terms of Section 166 of the Municipal Finance Management Act, notice be taken of the Internal Audit Report on Compliance with the Division of Revenue Act (DORA) for 2022/2023.
- (b) that the Internal Audit Report on the Compliance with Division of Revenue Act (DORA) for 2022/2023 and the recommendation of the Performance, Risk and Audit Committee be tabled to the Municipal Public Accounts Committee for notice.

RESOLVED

that notice be taken of the Internal Audit Report on the Compliance with Division of Revenue Act (DORA) for 2022/2023.

7.5 Internal Audit Report: Safeguarding of firearms (5/14/2)

The Internal Audit Report on the safeguarding of firearms, dated June 2023, is attached as **annexure 7.5**.

The Performance, Risk and Audit Committee resolved on 17 November 2023:

- (a) that notice be taken of the Internal Audit Report on the safeguarding of firearms.
- (b) that the Internal Audit Report on the safeguarding of firearms be tabled to the Municipal Public Accounts Committee for notice.
- (c) that the Department Internal Audit follows up on the matter.

The Chief Internal Audit Executive informed the meeting that follow-ups were made on the 2023/2024 findings and can confirm that relevant measures were implemented for the respective findings.

The following questions were posed by the committee:

- What is the timeframe/turnaround time to follow up on whether a firearm which has been booked out, has been booked back in.
- Whether the respective Traffic Officers responsible for firearm controls report to the Municipal Manager weekly.

The Municipal Manager responded with the following:

- That Traffic Officers are not allowed to go home with the firearm and that it must be booked back after the shift. It is noted that the Head does weekly checks to ensure compliance.
- The Traffic Officers responsible for firearms report to the Director: Corporate Services and the report is then submitted to the relevant committee.
- The Section Internal Audit was requested to do a follow-up in terms of the listed areas of concern within one year.

RESOLVED

- (a) *that notice be taken of the Internal Audit Report on the safeguarding of firearms.*
- (b) *that the Section Internal Audit do a follow-up in terms of the listed areas of concern within one year.*

7.6 Internal Audit Report: Indigent and prescribed debt write-off: 2022/2023 (5/14/2)

An Internal Audit Report on indigent and prescribed debt write-off for 2022/2023, dated April 2023, is attached as **annexure 7.6**.

The Performance, Risk and Audit Committee resolved on 17 November 2023:

- (a) that notice be taken of the Internal Audit Report on indigent and prescribed debt write-off for 2022/2023.

- (b) that the Internal Audit Report on indigent and prescribed debt write-off for 2022/2023 be tabled to the Municipal Public Accounts Committee for notice.

Alderman JJ Visagie enquired whether the writing off of prescribed debt has been implemented as community members have indicated that it has not occurred.

The Director: Finance indicated that a few people, who were not receiving the grant, have applied for the indigent grant and are therefore not part of the approved write-off. Furthermore, Council could either wait for the next write-off of prescribed debt or Council could be requested to approve the write-off in order for the new indigent applicants to benefit, as the debt that had been written off was debt of over five (5) years. Debt of three (3) years and less have not matured yet.

RESOLVED

that notice be taken of the Internal Audit Report on indigent and prescribed debt write-off for 2022/2023.

7.7 Quarterly Budget Statement [Section 52(d)] Report: 1st Quarter 2023/2024 (1 July 2023 until 30 September 2023) (9/1/1 & 9/1/2/2)

The Quarterly Budget Statement [Section 52(d)] Report for the 1st Quarter of 2023/2024 is attached as **annexure 7.7**.

Council unanimously resolved on 24 January 2024:

- (a) that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the 1st Quarter of 2023/2024.
- (b) that the report supra (a) be referred to the Performance, Risk and Audit Committee as well as the Municipal Public Accounts Committee for their recommendations to Council.

RESOLVED

that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the 1st Quarter of 2023/2024.

7.8 Quarterly Budget Statement [Section 52(d)] Report: 2nd Quarter 2023/2024 (1 October 2023 until 31 December 2023) (9/1/1 & 9/1/2/2)

The Quarterly Budget Statement [Section 52(d)] Report for the 2nd Quarter of 2023/2024 is attached as **annexure 7.8**.

Council unanimously resolved on 24 January 2024:

- (a) that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the 2nd Quarter of 2023/2024.
- (b) that the report supra (a) be referred to the Performance, Risk and Audit Committee as well as the Municipal Public Accounts Committee for their recommendations to Council.

RESOLVED

that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the 2nd Quarter of 2023/2024.

7.9 Quarterly Budget Statement [Section 52(d)] Report: 3rd Quarter 2023/2024 (January until March 2024) (9/1/1 & 9/1/2/2)

The Quarterly Budget Statement [Section 52(d)] Report for the 3rd Quarter of 2023/2024 is attached as **annexure 7.9**.

Council unanimously resolved on 16 May 2024:

- (a) that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the 3rd Quarter of 2023/2024.
- (b) that the report supra (a) be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee as well as the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary.

RESOLVED

that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the 3rd Quarter of 2023/2024.

7.10 Mid-year Budget Statement and Performance Assessment (Section 72) Report 2023/2024: 1 July 2023 until 31 December 2023 (9/1/1 & 5/1/5/16)

The following memorandum, dated 17 January 2024, was received from the Director: Finance:

"Purpose

The purpose of this report is to submit the 2022/2023 Section 72 Mid-year Budget and Performance Assessment Report for the period 1 July 2023 to 31 December 2023 to Council, for information.

Legislature framework

In terms of Section 72 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003):

- '(1) The accounting officer of a municipality must by 25 January of each year –
- (a) Assess the performance of the municipality during the first half of the financial year.
 - (b) Submit the report to the Mayor, National Treasury and Provincial Treasury.

The mayor must, in terms of Section 54(1)(f) of the act submit the report to the Council by 31 January of each year.

Discussion

The Mid-year report for 1 July 2023 until 31 December 2023 is attached as **annexure 7.10."**

Council unanimously resolved on 24 January 2024:

- (a) that notice be taken of the Mid-year Budget Statement and Performance Assessment (Section 72) Report for the period 1 July 2023 until 31 December 2023.
- (b) that the report supra (a) be referred to the Performance, Risk and Audit Committee and Municipal Public Accounts Committee for their recommendations to Council.

RESOLVED

that notice be taken of the Mid-year Budget Statement and Performance Assessment (Section 72) Report for the period 1 July 2023 until 31 December 2023.

7.11 Section 71 Monthly Budget Statement Reports of the Directorate Finance: January, February, March and April 2024 (9/1/2/2)

The following Section 71 Monthly Budget Statement Reports are attached:

- (a) January 2024: **Annexure 7.11(a).**

- (b) February 2024: **Annexure 7.11(b)**.
- (c) March 2024: **Annexure 7.11(c)**.
- (d) April 2024: **Annexure 7.11(d)**.

Council unanimously resolved on 12 April 2024:

- (a) that notice be taken of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for January and February 2024.
- (b) that the Section 71 Monthly Budget Statement Reports of the Directorate Finance for January and February 2024 be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary.

Council unanimously resolved on 16 May 2024:

- (a) that notice be taken of the Section 71 Monthly Budget Statement Report of the Directorate Finance for March 2024.
- (b) that the Section 71 Monthly Budget Statement Report of the Directorate Finance for March 2024 be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary.

Council unanimously resolved on 21 June 2024:

- (a) that notice be taken of the Section 71 Monthly Budget Statement Report of the Directorate Finance for April 2024.
- (b) that the Section 71 Monthly Budget Statement Report of the Directorate Finance for April 2024 be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary.

RESOLVED

that notice be taken of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for January, February, March and April 2024.

8. URGENT MATTERS

None

NOTED

9. QUESTIONS OR MATTERS RAISED BY COUNCILLORS

None

NOTED

10. ADJOURNMENT

The meeting adjourned at 10:47.

Approved on 12 September 2024 with amendments.

COUNCILLOR LA HARDNEK
CHAIRPERSON

/MJ Prins

MINUTES OF THE EXECUTIVE MAYORAL COMMITTEE MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON TUESDAY, 23 JULY 2024 AT 11:00

PRESENT

Executive Mayoral Committee

Councillor TE Abrahams (DA) (Executive Mayor)
 Councillor JF Nel (ICOSA) (Executive Deputy Mayor)
 Alderman K Adams (DA)
 Councillor P Daniels (DA)
 Councillor JP Fredericks (FF Plus)
 Alderman HJ Smit (DA)

Councillors not on Executive Mayoral Committee

Alderlady E M Sidego (DA) (Speaker) (ex officio)
 Councillor LA Hardnek (Witzenberg Party) (Chairperson MPAC)

Officials

Mr D Nasson (Municipal Manager)
 Mr HJ Kritzing (Director: Finance)
 Mr J Barnard (Director: Technical Services)
 Ms N Oerson (Chief Internal Audit Executive)
 Mr A Hofmeester (Manager: IDP)
 Ms A Lamprecht-Vertue (Manager: Fire, Rescue and Disaster Management Services)
 Ms L Nieuwenhuis (Senior Manager: Legal Services)
 Ms K Dingilizwe (Senior Manager: Electro-Technical Services)
 Mr CG Wessels (Manager: Administration)
 Ms M Arendse-Smith (Chief Administrative Officer)
 Mr M Njokweni (Interpreter)

Other attendees

Mr M de Villiers (Manager: Ceres Business Initiative)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Executive Mayor welcomed everyone present and opened the meeting with prayer.

NOTED

**2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY
 OORWEGING VAN AANSOEK OM VERLOF TOT AFWESIGHEID, INDIEN
 ENIGE
 (3/1/2/1)**

An apology for absence from the meeting was received from the Director: Corporate Services due to attendance of a disciplinary matter at Stellenbosch Municipality.

UNANIMOUSLY RESOLVED

that the apology for absence from the meeting, received from the Director: Corporate Services, be accepted.

3. MINUTES / NOTULES

3.1 Corrections to the minutes / Regstellings aan die notules

None / Geen

NOTED / AANGETEKEN

**3.2 Approval of minutes / Goedkeuring van notules
 (3/1/2/3)**

The following minutes are attached:

- (a) Executive Mayoral Committee meeting, held on 14 November 2023:
Annexure 3.2(a).
- (b) Executive Mayoral Committee meeting, held on 18 June 2024:
Annexure 3.2(b).
- (c) Executive Mayoral Committee meeting, held on 21 June 2024:
Annexure 3.2(c).

UNANIMOUSLY RESOLVED

- (a) *that notice be taken of the content of the minutes of the Executive Mayoral Committee meeting, held on 14 November 2023.*
- (b) *That the following minutes be approved and signed by the Executive Mayor:*
 - (i) *Executive Mayoral Committee meeting, held on 18 June 2024.*
 - (ii) *Executive Mayoral Committee meeting, held on 21 June 2024.*

EENPARIG BESLUIT

- (a) *dat kennis geneem word van die inhoud van die Uitvoerende Burgemeesterskomitee-vergadering, gehou op 14 November 2023, se notule.*
- (b) *dat die volgende notules goedgekeur en deur die Uitvoerende Burgemeester onderteken word:*
 - (i) *Uitvoerende Burgemeesterskomitee-vergadering, gehou op 18 Junie 2024.*
 - (ii) *Uitvoerende Burgemeesterskomitee-vergadering, gehou op 21 Junie 2024.*

4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY EXECUTIVE MAYOR MEDEDELINGS, AANKONDIGINGS OF SAKE DEUR UITVOERENDE BURGEMEESTER GEOPPER (9/1/1)

- (a) As Executive Mayor, I regularly consult my barometer to monitor and measure the relationship between the Mayoral Committee and the Administration and at present the relationship is very satisfactory. The turn-around time for issues received, is acceptable at this stage and I would like to use this opportunity to thank the Administration.

In terms of the Mayoral Committee, there have been quite a few changes to our operating system and the said programs are then submitted to the Municipal Manager every Monday to indicate the operations of the Mayoral Committee as well as fast tracking service delivery.

The reason for this is that since 2016 there were allegations that the gap between Administration and the Mayoral Committee is quite big. Therefore, with this operating system the Mayoral Committee is on the ground and visible among the people.

- (b) As Executive Mayor, I will not be available for the next six (6) weeks as I will be on sick leave after undergoing an operation that is scheduled for 29 July 2024. Therefore I request that the Mayoral Committee together with the Municipal Manager give their full support to Councillor JF Nel, who will be appointed as Acting Executive Mayor.
- (c) As Mayoral Committee, we are somewhat concerned that the initiative for a paperless environment/electronic system which had commenced, has fallen by the wayside. It is therefore requested that such a system be considered again as all documents received are quite substantial and it is not only easier on laptops/tablets but also more cost effective.

Councillor K Adams conveyed to the meeting that implementing a paperless environment is not a problem, but then the tablet devices must be upgraded, as one waits a while for the devices to start up due to its age.

The Municipal Manager thanked the Executive Mayor for what the Mayoral Committee aims to implement as there is a major cost implication involved in the printing of hard copies and it contributed to the depletion of the three (3) year tender prior to the contract termination date. It is requested that the Speaker also announces such intention at the Council meeting and if required, training could be arranged.

The Speaker mentioned that in essence, going paperless was not the problem, but the objection from Councillor AL Gili related to not possessing documented evidence of matters.

The Municipal Manager indicated that when the minutes are approved by Council, it is stored on the system and cannot be removed. Thereafter it is stored on Cloud and cannot be manipulated. Further to the above, the issue about the upgrading of laptops can be considered, but it remains the property of the Council as Council pays for it and therefore Councillors must take responsibility of the asset. However, there is the possibility that the municipality can purchase the laptops/tablets and the Councillors pay it off and the policy be tabled to Council accordingly.

The Executive Mayor informed that with reference to the discussions, it might be necessary to look at a hybrid system and that Councillors receive training.

AANGETEKEN / NOTED

Councillor P Daniels joined the meeting at 11:18.

5. INTERVIEWS WITH DELEGATIONS / ONDERHOUDE MET AFVAARDIGINGS

5.1 Disaster management: Disaster readiness (17/7/3/R)

A presentation was made by the Manager: Fire, Rescue and Disaster Management Services. The document is attached as **annexure 5.1**.

The following questions were raised by the Councillors:

- Whether the Deputy Mayor has the Disaster Management Plan, but more specifically, do all Mayoral Committee members have the said plan. In May 2023, the Executive Mayoral Committee was warned that Witzenberg is sitting on a ticking time bomb where disasters are concerned. Two weeks ago, Tulbagh endured floods and an earthquake, amidst storm water drains which were blocked as well as other concerns. It is requested that the Disaster Plan be prioritised and taken seriously.
- Whether Search and Rescue is part of the Disaster Plan, or how does it fit in as well as the previous Disaster Plan that was compiled.
- Whether the Section: Fire and Disaster Services has the capacity to deal with an event that entails more than a normal disaster.
- How prepared is Witzenberg Municipality for situations where the roof of a house blows off or uprooted trees fall on houses and what resources are available in those scenarios.
- Are there alternatives in place, such as helicopters that are on standby in nearby areas with quicker response times, in the event that Michell's Pass should close due to a natural disaster and have tents been considered for emergency situations.

The following responses were noted:

- Different role-players are involved in Search and Rescue, such as the division of the South African Police Services (SAPS) which include the diving teams and deals with recoveries. Where four-wheel drive vehicles are required, the matter is also escalated to Search and Rescue. In instances where rain and damage are not an automatic disaster, it must first be declared a disaster in order to activate/trigger certain procedures. Witzenberg Municipality is considering satellite phones which will be utilised when the networks are down. The more viable option will, however, be the radio's as satellite phones only have certain periods available.
- The Disaster Plan is reviewed every year in terms of the Integrated Development Plan (IDP).
- It is noted that Mr Topley did an in-depth investigation and in instances of earthquakes, the sports fields have been earmarked as evacuation sites. In light of the equipment purchased, a simulation could be arranged for Councillors to view response readiness.

- Disaster Management is the co-ordinating body, but we are fortunate to have someone that is purpose driven on disasters. Witzenberg Municipality on its own is, however, not capacitated to deal with major disasters.
- Consideration must be given to the implementation of policies to assist the community during disasters, whilst being mindful of the Municipal Finance Management Act. There is, however, an aspect which speaks to the Housing Section, but in essence Witzenberg Municipality is not prepared for major disasters. It is noted that the National Department is also prepared to assist Local Municipalities in such instances. The Manager: Housing will be requested to place the matter on the agenda of Province for further discussions and ensure readiness.

RESOLVED

- (a) *that notice be taken of the presentation, related to Disaster readiness, made by the Manager: Fire, Rescue and Disaster Management Services.*
- (b) *that the Manager: Fire, Rescue and Disaster Management Services arrange a Disaster readiness simulation.*
- (c) *that the Manager: Housing engage with the Provincial Department of Infrastructure to discuss disaster relief aid and readiness.*

5.2 Status of 2024/2025 Energy Efficiency Demand Side Management (EEDSM) Project (16/3/3/3)

A presentation was made by the Senior Manager: Electro-Technical Services in respect of the Status of the 2024/2025 Energy Efficiency Demand Side Management (EEDSM) Project. The document is attached as **annexure 5.2**.

The following matters were raised by Councillors:

- Despite no guarantees regarding load shedding and crime that is on the rise, should attention not be given to increased lighting in very dark areas in an attempt to decrease crime?
- Do the consultants benefit from the allocated funds and are the funds prescriptive with specific reference to vulnerable areas, such as Bella Vista which requires 10 solar lights versus municipal assets.
- Whether the submission of inputs for deciding on hotspot areas have closed and whether the EEDSM Project must be commenced in Ceres. Also, is there a possibility of a cherry picker in the application?

The following responses were obtained:

- That the project is aimed at the retrofitting of streetlights and does not include the provision of new lights in dark areas. If, however, there are surplus funds, the matter could be considered, but currently there are no internal funds available.

- Funding will be allocated to the requirements of the project which is dictated by project management, but most funds will be utilised for the procuring of lights. The Department of Mineral Resources and Energy is also trying to assist municipalities.
- Due to Ceres being the biggest town within the Witzenberg Municipal district, it requires the most lights. Tulbagh and Wolseley will, however, be joined.
- Data of the streetlights have already been obtained as it is earmarked for retrofitting . Any new requests will be treated as such and separately under another maintenance tender dealt with internally. Any savings will be deployed to the extended network.
- Unfortunately the EEDSM project does not make provision for a cherry picker.

RESOLVED

that notice be taken of the Status of the Energy Efficiency Demand Side Management (EEDSM) Project.

6. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

None

NOTED

7. RESERVED POWERS / GERESERVEERDE BEVOEGDHEDE

7.1 Directorate Finance / Direktoraat Finansies

7.1.1 Section 71 Monthly Budget Statement Reports of the Directorate Finance: May and June 2024 (9/1/2/2)

The following Section 71 Monthly Budget Statement Reports of the Directorate Finance are attached:

- (a) May 2024: **Annexure 7.1.1(a).**
- (b) June 2024: **Annexure 7.1.1(b).**

RESOLVED

That the Executive Mayoral Committee recommends to Council:

- (i) *that notice be taken of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for May and June 2024.*
- (ii) *that the Section 71 Monthly Budget Statement Reports of the Directorate Finance for May and June 2024 be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary.*

7.2 Directorate Technical Services / Direktoraat Tegniese Dienste

7.2.1 Electricity: Request to adopt wheeling of electricity as a service in Witzenberg Municipality (16/3/3/1/1)

The following documents are attached:

- (a) Memorandum from Senior Manager: Electro-Technical Services: **Annexure 7.2.1(a)**.
- (b) Enpower Trading proposal for Pepsico: **Annexure 7.2.1(b)**.
- (c) Wheeling guideline for Witzenberg Municipality: **Annexure 7.2.1(c)**.
- (d) SALGA status report on wheeling in SA municipalities: **Annexure 7.2.1(d)**.
- (e) Attendance register of Enpower Trading workshop: **Annexure 7.2.1(e)**.

The Committee for Technical Services resolved on 23 November 2023:

- (a) that the Chairperson engages with the Speaker whether the matter be tabled to Council or be workshopped prior the Council meeting.
- (b) that the Chairperson informs the committee members of the outcomes of supra (a) engagement.

The Committee for Technical Services resolved on 9 April 2024 that the item relating to Electricity: Request to adopt wheeling of electricity as a service in Witzenberg Municipality be workshopped by Council.

The matter was workshopped by Council on 18 June 2024.

RESOLVED

That the Executive Mayoral Committee recommends to Council:

- (a) *that Council notes the content of this memorandum and the request of Pepsico, through Enpower Trading.*
- (b) *that Council notes the revenue neutral impact of adopting wheeling as an electricity service.*
- (c) *that the request be supported and wheeling is adopted through the wheeling guideline developed and tailored by Sustainable Energy Africa in conjunction with SALGA and Western Cape Government for the application of wheeling by municipalities.*

- (d) *that wheeling is implemented through the implementation process detailed above.*
- (e) *that any amendments to the ERA with respect to wheeling automatically be included in the wheeling guideline.*
- (f) *that when the national wheeling framework is developed, it is presented to Council for approval as the preceding wheeling framework.*

7.3 Directorate Community Services / Direktoraat Gemeenskapsdienste

7.3.1 International municipal relations: Work visit to Essen, Belgium: 19 until 24 August 2024 (10/2/3)

Memorandum from Acting Manager: Socio-Economic Development, dated 16 July 2024:

"1. Background

Witzenberg Municipality has a multi-year joint collaboration with Essen Gemeente, a municipality in Essen, Belgium. The 2024 to 2026 Partnership Agreement between Witzenberg Municipality and Essen Gemeente for the multi-annual programme is for Youth Sports and Waste Management. The programme is indirectly funded by the Flemish Government through the approval of the BBC of Essen.

The general objective is to create an enabling environment for sports and waste management, focused on bilateral learning and knowledge sharing. The agreement includes funding for approved Youth Sports programmes and Waste Management programmes that is to be implemented in the Witzenberg municipal area. In the agreement both Essen and Witzenberg have committed to a working visit in both countries which aim to contribute to the implementation, monitoring and evaluation of the programme.

2. Witzenberg Municipality working visit in Essen, Belgium

Essen Municipality invited Witzenberg Municipality to send a delegation, consisting of three individuals, for a work visit from 19th August 2024 until 24th August 2024. The focus of the working visit will be on the Youth Sports Programme and the Waste Management programme.

The following three representatives are requested to attend:

- A municipal representative of the Youth Sports Programme.
- A municipal representative of the Waste Management Programme.
- A political representative of the partnership between both municipalities.

The invitation letter and program, providing more detail, is attached as **annexure 7.3.1."**

The Executive Mayor expressed his concern that international missions are undertaken, but after returning nothing is implemented at the workplace. The question then arises as to whether Witzenberg Municipality are fulfilling and executing their duties in terms of the Essen agreement.

It is also noted that the Essen agreement is the only agreement in place whilst other organisations have more than one agreement/working relationship, including African relations.

In terms of the working delegation, it is required that reports be submitted upon return, inclusive of evaluation aspects related to projects and programs as well as lessons learnt at Youth Sports Week, which could be implemented at Witzenberg Municipality.

Due to the unfortunate absence of the Executive Mayor from the Essen delegation, a video recorded message from the Executive Mayor will be made for inclusion at the engagement. Arrangements to be made for the applicable script and recording to take place during this week.

RESOLVED

That the Executive Mayoral Committee recommends to Council:

- (a) that approval of the working visit to Essen, Belgium be considered.*
- (b) that the following representatives be approved:*
 - (i) A municipal representative of the Youth Sports Programme: Acting Manager: Socio-Economic Development (Mr Riaan Fick).*
 - (ii) A municipal representative of the Waste Management Programme: Director: Technical Services (Mr J Barnard).*
 - (iii) A political representative of the partnership between both municipalities: Alderman H Smit or alternatively, if necessary, Councillor P Daniels or Councillor J Nel.*
- (c) that the municipality prepare a video recorded message of the Executive Mayor conveying his greetings and clarifying his absence.*
- (d) that the delegation submit a detailed report to Council upon their return, depicting insight into the fruitful engagements with the objective of a deeper and stronger bond between the two municipalities.*
- (e) that Council will have an evaluation discussion of the report supra (d).*
- (f) that the Youth report encompass lessons learnt in Belgium and depicts objectives which could be implemented in Witzenberg.*

7.3.2 Environmental affairs: Climate Change Needs Assessment and Response Plan (17/1/4/8)

Report from Municipal Manager, dated 18 July 2024:

"Purpose

To obtain Council's approval for the Climate Change Needs Assessment and Response Plan.

Background

The Democracy Works Foundation obtained funding from the European Union to assist Witzenberg Municipality with a Climate Change Needs Assessment and Response Plan, which informs the development of a comprehensive action plan that will ensure the municipality to effectively deal and address climate change challenges and build long-term resilience. The needs assessment has identified climate change risk and vulnerabilities. It focuses on adaptive capacity and aims to prioritise climate change actions and climate action planning. Democracy Works Foundation has drafted the Needs Assessment and Response Plan for the municipality for Council's approval. The document is attached as **annexure 7.3.2**.

The report outlines measures to mitigate the impact of climate change and to enhance resilience at both municipal and settlement levels. The detailed strategies and actions are designed to align with the principles and guidelines set out in the report to ensure an evidence based and collaborative approach to climate change adaption. The report further provides a comprehensive evaluation of the region's vulnerabilities to climate change and measures to mitigate and adapt to these impacts."

RESOLVED

That the Executive Mayoral Committee recommends to Council:

that the Climate Change Needs Assessment and Response Plan be workshopped by Council and tabled to Council for consideration.

7.4 Directorate Corporate Services / Direktoraat Korporatiewe Dienste

7.4.1 Review and approval of Human Relations policies (1/3/1/32)

The following Human Relations policies are attached:

- (a) Performance Management Policy 2022: **Annexure 7.4.1(a).**
- (b) Occupational Health and Safety Policy 2022: **Annexure 7.4.1(b).**
- (c) Probation Policy 2022: **Annexure 7.4.1(c).**
- (d) Skills Development Policy 2022: **Annexure 7.4.1(d).**
- (e) TASK Job Evaluation Policy 2022: **Annexure 7.4.1(e).**
- (f) Staff Establishment Policy 2022: **Annexure 7.4.1(f).**
- (g) Recruitment and Selection Policy 2022: **Annexure 7.4.1(g).**
- (h) Employment Equity Policy 2022: **Annexure 7.4.1(h).**

The Executive Mayor requested that a revision date for policies be implemented in order to workshop policies on a rotation program inclusive of a policy register containing all relevant information.

RESOLVED

That the Executive Mayoral Committee recommends to Council:

that the following Human Relations Policies be workshopped by Council and tabled to Council for consideration:

- (i) *Performance Management Policy 2022.*
- (ii) *Occupational Health and Safety Policy 2022.*
- (iii) *Probation Policy 2022.*
- (iv) *Skills Development Policy 2022.*
- (v) *TASK Job Evaluation Policy 2022.*
- (vi) *Staff Establishment Policy 2022.*
- (vii) *Recruitment and Selection Policy 2022.*
- (viii) *Employment Equity Policy 2022.*

7.4.2 Proposed sale of municipal land: Portion of erf 2622, Skoonvlei, Ceres (adjacent to Bella Frutta pack house) (7/1/4/2)

The following documents are attached:

- (a) Memorandum from Manager: Legal Services, dated 12 June 2024: **Annexure 7.4.2(a).**
- (b) Council resolution of 26 March 2014: **Annexure 7.4.2(b).**

- (c) Letter from Bella Frutta Pack House, dated 28 March 2024:
Annexure 7.4.2(c).

RESOLVED

That the Executive Mayoral Committee recommends to Council:

- (a) *that the municipal property, a portion of erf 2622, Skoonvlei, Ceres (adjacent to Bella Frutta pack house) be alienated in favour of Bella Frutta.*
- (b) *that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), the portion of erf 2622, Skoonvlei, Ceres is not required for the provision of the minimum level of basic services.*
- (c) *that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), the portion of erf 2622, Skoonvlei, Ceres be sold at market related price.*
- (d) *that the potential sale be advertised in the local newspaper for public comment and/or any objections.*
- (e) *that the Municipal Manager be mandated to sign all documentation to effect the transfer of the property to Bella Frutta.*

**8. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA
 DRINGENDE SAKE NA AFSENDING VAN DIE AGENDA**

None

NOTED

**9. FORMAL AND STATUTORY MATTERS
 FORMELE EN STATUTÊRE SAKE**

None

NOTED

10. ADJOURNMENT / VERDAGING

The meeting adjourned at 13:05.

Approved on 26 September 2024 without amendments.

COUNCILLOR TE ABRAHAMS
EXECUTIVE MAYOR

/MJ Prins

MINUTES OF THE MEETING OF THE COMMITTEE FOR HOUSING MATTERS OF WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, MUNICIPAL OFFICES, VOORTREKKER STREET, CERES ON THURSDAY, 1 AUGUST 2024 AT 10:00

NOTULE VAN DIE VERGADERING VAN DIE KOMITEE VIR BEHUISINGSAANGELEENTHEDE VAN DIE MUNISIPALITEIT WITZENBERG, GEHOUD OP DONDERDAG, 1 AUGUSTUS 2024 OM 10:00 IN DIE STADSAAL, MUNISIPALE KANTORE, VOORTREKKERSTRAAT 50, CERES

PRESENT / TEENWOORDIG

Committee Members / Komiteelede

Alderman / Raadsheer K Adams (Chairperson / Voorsitter) (DA)
 Councillor / Raadslid S de Bruin (DA)
 Alderman / Raadsheer D Swart (DA)
 Councillor / Raadslid IL Swartz (EEF)

Non-Committee Members / Nie-Komiteelede

Councillor / Raadslid J Mouton
 Councillor / Raadslid A Gili

Officials/ Amptenare

Ms / Me C Mackenzie (Manager: Housing / Bestuurder: Behuising)
 Mr / Mnr C Titus (Committee Clerk / Komiteeklerk)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Chairperson welcomed everyone present and requested Alderman D Swart to open the meeting with prayer.

Die Voorsitter heet almal teenwoordig welkom en versoek Raadsheer D Swart om die vergadering te open met gebed.

NOTED / AANGETEKEN

2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

2.1 CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY / OORWEGING VAN AANSOEKE OM VERLOF TOT AFWESIGHEID, INDIEN (3/1/2/1)

- (a) An application for leave of absence from the meeting was received from Councillor N Phatsoane.
- (b) Apologies for absence from the meeting were received from the Senior Housing Officer and Housing Officer who is attending the handover of houses at the Vredebes Housing Project.
- (a) 'n Aansoek om verlof tot afwesigheid van die vergadering is ontvang vanaf Raadslid N Phatsoane.
- (b) Verskonings vir afwesigheid van die vergadering is ontvang vanaf die Senior Behuisingsbeampte en Behuisingsbeampte wie huise oorhandig as deel van die Vredebes Behuising Projek.

RESOLVED

- (a) *that the application for leave of absence from the meeting received from Councillor N Phatsoane be approved and accepted.*
- (b) *that notice be taken of the apologies for absence from the meeting received from the Senior Officer Housing and Housing Officer and same be accepted.*

BESLUIT

- (a) *dat die aansoek om verlof tot afwesigheid van die vergadering ontvang vanaf Raadslid N Phatsoane goedgekeur en aanvaar word.*
- (b) *dat kennis geneem word van die verskonings vir afwesigheid van die vergadering, ontvang vanaf die Senior Behuisingsbeampte en Behuisingsbeampte.*

**2.2 Confidentiality and Conflict of Interest Declaration
Vertroulikheid en Botsing van Belange Verklaring
(3/2/1)**

The Confidentiality and Conflict of Interest Declaration is attached as **annexure 2.2.**

NOTED

3. NOTULES

3.1 Matters / Corrections from the minutes / Imiba / Izilungiso zemizuzu

For consideration of any discussions and / or corrections of the minutes.

Ter oorweging van besprekings en / of regstellings van die notule.

Ukuthathelwa ingqalelo kwazo zonke iingxoxo /ukulungiswa kwemizuzu.

NOTED / AANGETEKEN / IGQALIWE

3.2 Approval of minutes / Goedkeuring van notules / Ukuphunyezwa kwemizuzu (3/1/2/3)

The following minutes are attached:

- (a) Committee for Housing Matters held on 3 June 2024: **Annexure 3.2(a).**
- (b) Special Committee for Housing Matters held on 28 June 2024: **Annexure 3.2(b).**
- (c) Housing Beneficiary Committee held on 18 July 2024: **Annexure 3.2(c)**

Die volgende notules word aangeheg:

- (a) Komitee vir Behuisingsaangeleenthede, gehou op 3 Junie 2024: **Bylae 3.2(a).**
- (b) Spesiale Komitee vir Behuisingsaangeleenthede, gehou op 28 Junie 2024: **Bylae 3.2(b).**
- (c) Behuisingsbegunstigdekomitee gehou op 18 Julie 2024: **Bylae 3.2(c).**

RESOLVED

- (a) *that the minutes of the meeting of the Committee for Housing Matters, held on 3 June 2024, be approved and signed by the Chairperson.*
- (b) *that the minutes of the meeting of the Special Committee for Housing Matters, held on 28 June 2024, be approved and signed by the Chairperson.*
- (c) *that the minutes of the meeting Housing Beneficiary Committee held on 18 July 2024, be approved and signed by the Chairperson.*

BESLUIT

- (a) *dat die notule van die vergadering van die Komitee vir Behuisingsaangeleenthede, gehou op 3 Junie 2024, goedgekeur en deur die Voorsitter onderteken word.*
- (b) *dat die notule van die vergadering van die Komitee vir Behuisingsaangeleenthede, gehou op 28 Junie 2024, goedgekeur en deur die Voorsitter onderteken word.*
- (c) *dat die notule van die vergadering van die Behuisingsbegunstigdekomitee gehou op 18 Julie 2024, goedgekeur en deur die Voorsitter onderteken word.*

3.3 Outstanding matters / Uitstaande sake / Imiba engakashukuxwa (3/3/2)

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY THE CHAIRPERSON / VERKLARINGS, MEDEDELINGS OF SAKE INGEDIEN DEUR DIE VOORSITTER / INGXELO, IZIBHENGESO OKANYE IMIBA ETHE YAPHAKANYISWA NGUSIHLALO

The Chairperson wished Councillor N Phatsoane well with her sickness and a speedy recovery. The Chairperson requested that the Manager: Administration arranged for a gift basket to be handed over to Councillor N Phatsoane.

NOTED / AANGETEKEN

5. INTERVIEWS WITH DELEGATIONS / ONDERHOUDE MET AFGEVAARDIGDES

None / Geen

NOTED / AANGETEKEN

6. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

6.1 Monthly reports of the Section Housing: May and June 2024
Maandverslag van die Afdeling Behuising: Mei en Junie 2024
(9/1/2/4)

The following monthly reports of the Section Housing are attached:

Die volgende maandverslae van die Afdeling Behuising word ingebind:

- | | | |
|-----|----------------|--------------------------------|
| (a) | May / Mei 2024 | Annexure / Bylae 6.1(a) |
| (b) | June / Junie | Annexure / Bylae 6.1(b) |

RESOLVED

that the Committee for Housing Matters takes notice of the content of the monthly reports of the Section Housing for May and June 2024, and same be approved and accepted.

BESLUIT

dat die Komitee vir Behuisingsaangeleenthede kennis neem van die inhoud van die maandverslae van die Afdeling Behuising vir Mei en Junie 2024, en dat die verslae goedgekeur en aanvaar word.

6.2 Risk Management Report: Department Housing / Risiko Bestuursverslag: Departement Behuising / Ukulawulwa kobungozi: Isebe lezoLwakhiwo (2/12/1)

This is a quarterly report. / Hierdie is 'n kwartaallikse verslag. / Le yingxelo yarhoqo ngenyenga.

None / Geen / Ayikho

NOTED / AANGETEKEN / IGQALIWE

7. RESERVED POWERS / GERESERVEERDE BEVOEGDHEDE

None / Geen

NOTED / AANGETEKEN

8. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA / DRINGENDE SAKE NA AFSENDING VAN DIE AGENDA

9. COMMITTEE FOR HOUSING MATTERS-in-COMMITTEE

These items are dealt with in the confidential agenda.

MINUTES OF THE MEETING OF THE COMMITTEE FOR TECHNICAL SERVICES OF WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON TUESDAY, 6 AUGUST 2024 AT 14:00

PRESENT

Councillors

Alderman HJ Smit (DA) (Chairperson)
Councillor AL Gili (ANC)
Councillor J Mouton (ANC)
Alderman D Swart (DA)

Councillors not on committee

Alderman JJ Visagie (DA)

Officials

Mr J Barnard (Director: Corporate Services)
Mr H Taljaard (Senior Manager: Town Planning and Building Control)
Mr N Jacobs (Senior Manager: Water and Sewerage)
Mr E Lintnaar (Senior Manager: Streets and Storm Water)
Ms K Dingilizwe (Senior Manager: Electro-Technical Services)
Mr O Gatyene (Manager: Fleet and Mechanical Workshop)
Ms P Claasen (Senior Manager: Solid Waste and Cleansing Services)
Mr CG Wessels (Manager: Administration)
Mr C Titus (Committee Clerk)
Mr M Njokweni (Interpreter)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Chairperson welcomed everyone present and requested Alderman D Swart to open the meeting with prayer.

NOTED

**2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE
OORWEGING VAN AANSOEKE OM VERLOF TOT AFWESIGHEID
(3/1/2/1)**

None / Geen

NOTED / AANGETEKEN

3. MINUTES / NOTULES

3.1 Matters / Corrections from the minutes

None / Geen

NOTED / AANGETEKEN

3.2 Approval of minutes / Goedkeuring van notules (3/1/2/3)

The minutes of the meeting of the Committee for Technical Services, held on 9 April 2024, are attached as **annexure 3.2**.

Die notule van die vergadering van die Komitee vir Tegniese Dienste, gehou op 9 April 2024, word ingebind as **bylae 3.2**.

RESOLVED

that the minutes of the meeting of the Committee for Technical Services, held on 9 April 2024, be approved and signed by the Chairperson.

BESLUIT

dat die notule van die vergadering van die Komitee vir Tegniese Dienste, gehou op 9 April 2024, goedgekeur en deur die Voorsitter onderteken word.

4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY CHAIRPERSON / VERKLARINGS, MEDEDELINGS OF SAKE INGEDIEN DEUR DIE VOORSITTER

None / Geen

NOTED / AANGETEKEN

5. INTERVIEWS WITH DELEGATIONS / ONDERHOUDE MET AFGEVAARDIGDES

None / Geen

NOTED / AANGETEKEN

6. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

6.1 Risk Management: Risk Management Report: Directorate Technical Services / Risikobestuur: Risikobestuursverslag: Direktooraat Tegniese Dienste (9/1/2/2)

This is a quarterly item on the agenda / Hierdie is 'n kwartaallikse item op die agenda.

NOTED / AANGETEKEN

6.2 Monthly reports of the Electrical Department: March, April, May and June 2024 Maandverslae van die Departement Elektrisiteit: Maart, April, Mei en Junie 2024 (09/1/2/3)

The following monthly reports of the Electrical Department are attached:

Die volgende maandverslae van die Departement Elektrisiteit word ingebind:

- (a) March / Maart 2024 **Annexure / Bylae 6.2(a)**
- (b) April 2024 **Annexure / Bylae 6.2(b)**
- (c) May / Mei 2024 **Annexure / Bylae 6.2(c)**
- (d) June / Junie 2024 **Annexure / Bylae 6.2(d)**

RESOLVED

that the Committee for Technical Services, after consideration, takes notice of the content of the monthly reports of the Electrical Department for March, April, May and June 2024 and that same be accepted.

BESLUIT

dat die Komitee vir Tegniese Dienste, na oorweging, kennis neem van die inhoud van die maandverslae van die Afdeling Elektrisiteit vir Maart, April, Mei en Junie 2024 en dat die verslae aanvaar word.

6.3 Monthly reports of the Department Town Planning and Building Control: March, April, May and June 2024 Maandverslae van die Departement Stadsbeplanning en Boubeheer: Maart, April, Mei en Junie 2024 (9/1/2/3)

The following monthly reports of the Department Town Planning and Building Control are attached:

Die volgende maandverslae van die Departement Stadsbeplanning en Boubeheer word ingebind:

- (a) March / Maart 2024 **Annexure / Bylae 6.3(a)**
- (b) April 2024 **Annexure / Bylae 6.3(b)**
- (c) May / Mei 2024 **Annexure / Bylae 6.3(c)**
- (d) June / Junie 2024 **Annexure / Bylae 6.3(d)**

RESOLVED

that the Committee for Technical Services, after consideration, takes notice of the content of the monthly reports of the Department Town Planning and Building Control for March, April, May and June 2024 and that same be accepted.

BESLUIT

dat die Komitee vir Tegniese Dienste, na oorweging, kennis neem van die inhoud van die maandverslae van die Departement Stadsbeplanning en Boubeheer vir Maart, April, Mei en Junie 2024 en dat die verslae aanvaar word.

6.4 Monthly reports of the Department Water and Sewerage: March, April, May and June 2024 **Maandverslae van die Departement Water en Riolering: Maart, April, Mei en Junie 2024** **(9/1/2/3)**

The following monthly reports of the Department Water and Sewerage are attached:

Die volgende maandverslae van die Departement Water en Riolering word ingebind:

- (a) March / Maart 2024 **Annexure / Bylae 6.4(a)**
- (b) April 2024 **Annexure / Bylae 6.4(b)**
- (c) May / Mei 2024 **Annexure / Bylae 6.4(c)**
- (d) June / Junie 2024 **Annexure / Bylae 6.4(d)**

RESOLVED

that the Committee for Technical Services, after consideration, takes notice of the content of the monthly reports of the Department Water and Sewerage for March, April, May and June 2024 and that same be accepted.

BESLUIT

dat die Komitee vir Tegniese Dienste, na oorweging, kennis neem van die inhoud van die maandverslae van die Departement Water en Riolering vir Maart, April, Mei en Junie 2024 en dat die verslae aanvaar word.

6.5 Monthly reports of the Department Streets and Storm Water: March, April, May and June 2024
Maandverslae van die Departement Strate en Stormwater: Maart, April, Mei en Junie 2024
(9/1/2/3)

The following monthly reports of the Department Streets and Storm Water are attached:

Die volgende maandverslae van die Departement Strate en Stormwater word ingebind:

- (a) March / Maart 2024 **Annexure / Bylae 6.5(a)**
- (b) April 2024 **Annexure / Bylae 6.5(b)**
- (c) May / Mei 2024 **Annexure / Bylae 6.5(c)**
- (d) June / Junie 2024 **Annexure / Bylae 6.5(d)**

RESOLVED

that the Committee for Technical Services, after consideration, takes notice of the content of the monthly reports of the Department Streets and Storm Water for March, April, May and June 2024 and that same be accepted.

BESLUIT

dat die Komitee vir Tegniese Dienste, na oorweging, kennis neem van die inhoud van die maandverslae van die Departement Strate en Stormwater vir Maart, April, Mei en Junie 2024 en dat die verslae aanvaar word.

6.6 Monthly reports of the Department Solid Waste and Cleansing Services: March, April, May and June 2024
Maandverslae van die Departement Vaste Afval- en Reinigingsdienste: Maart, April, Mei en Junie 2024
(9/1/2/3)

The following monthly reports of the Department Solid Waste and Cleansing Services are attached:

Die volgende maandverslae van die Departement Vaste Afval- en Reinigingsdienste word ingebind:

- (a) March / Maart 2024 **Annexure / Bylae 6.6(a)**
- (b) April 2024 **Annexure / Bylae 6.6(b)**
- (c) May / Mei 2024 **Annexure / Bylae 6.6(c)**
- (d) June / Junie 2024 **Annexure / Bylae 6.6(d)**

RESOLVED

that the Committee for Technical Services, after consideration, takes notice of the content of the monthly reports of the Department Solid Waste and Cleansing Services for March, April, May and June 2024 and that same be accepted.

BESLUIT

dat die Komitee vir Tegniese Dienste, na oorweging, kennis neem van die inhoud van die maandverslae van die Departement Vaste Afval en Reinigingsdienste vir Maart, April, Mei en Junie 2024 en dat die verslae aanvaar word.

6.7 Monthly reports of the Department Fleet and Mechanical Workshop: March, April, May and June 2024 Maandverslae van die Departement Vloot en Meganiese Werkswinkel: Maart, April, Mei en Junie 2024 (9/1/2/3)

The following monthly reports of the Department Fleet and Mechanical Workshop are attached:

Die volgende maandverslae van die Departement Vloot en Meganiese Werkswinkel word ingebind:

- | | | |
|-----|--------------------|--------------------------------|
| (a) | March / Maart 2024 | Annexure / Bylae 6.7(a) |
| (b) | April 2024 | Annexure / Bylae 6.7(b) |
| (c) | May / Mei 2024 | Annexure / Bylae 6.7(c) |
| (d) | June / Junie 2024 | Annexure / Bylae 6.7(d) |

RESOLVED

that the Committee for Technical Services, after consideration, takes notice of the content of the monthly reports of the Department Fleet and Mechanical Workshop for March, April, May and June 2024 and that same be accepted.

BESLUIT

dat die Komitee vir Tegniese Dienste, na oorweging, kennis neem van die inhoud van die maandverslae van die Departement Vloot en Meganiese Werkswinkel vir Maart, April, Mei en Junie 2024 en dat die verslae aanvaar word.

7. RESERVED POWERS / GERESERVEERDE BEVOEGDHEDE

7.1 Tulbagh conservation area: Establishment of Advisory Committee (12/1/2/13)

The Committee for Technical Services resolved on 14 March 2023 that the matter in respect of the Tulbagh conservation area: Establishment of Advisory Committee be held in abeyance until the next meeting pending a Public Participation Process.

The Committee requested that the matter be held in abeyance until the next meeting to obtain more information.

The Committee for Technical Services resolved on 21 September 2023:

- (a) that the matter in respect of the Tulbagh conservation area: Establishment of Advisory Committee be held in abeyance to obtain more information.
- (b) that the concerns of the Committee for Technical Services are noted.

The Senior Manager: Town Planning and Building Control informed the meeting regarding the following:

- that the Tulbagh conservation area: Establishment of Advisory Committee was advertised in the local newspaper.
- that three applications, which meet the required criteria, were received late for the inclusion of the agenda and therefore the Committee requested that the matter be held in abeyance.

The Committee for Technical Services resolved on 23 November 2023 and 13 February 2024 that the establishment of a Tulbagh Conservation Area Advisory Committee be held in abeyance until the next meeting.

An updated report from the Senior Manager: Town Planning and Building Control, dated 27 February 2024, is attached as **annexure 7.1**.

The Committee for Technical Services resolved on 9 April 2024 that the item relating to the Tulbagh conservation area: Establishment of Advisory Committee be held in abeyance.

The following recommendation was tabled to the Committee for Technical Services:

That the Committee for Technical Services recommends to the Executive Mayoral Committee and Council:

- (a) that the establishment of a Tulbagh Conservation Area Advisory Committee be approved.
- (b) that the terms of reference of the Advisory Committee be approved.

(c) That the Advisory Committee constitutes the following persons:

- (i) Jayson Clark
- (ii) Taariq Motala
- (iii) Shurine van Niekerk
- (iv) Jacques Steyn

RESOLVED

that the item relating to the Tulbagh conservation area: Establishment of Advisory Committee be held in abeyance until the next meeting.

7.2 Electricity: Eselfontein Boerdery (Edms) Bpk: Take-over of the municipal medium voltage infrastructure (16/3/3/1/1)

The Committee for Technical Services resolved on 14 March 2023 that the matter in respect of the Electricity: Eselfontein Boerdery (Edms) Bpk: Take-over of the municipal medium voltage infrastructure be held in abeyance and referred to the Acting Senior Manager: Electro-Technical Services for further information.

The following documents are attached:

- (a) Memorandum from Senior Manager: Electro-Technical Services, dated 28 February 2024: **Annexure 7.2(a)**.
- (b) Letter from Eselfontein Boerdery, dated 16 September 2021: **Annexure 7.2(b)**.
- (c) Monthly report of May 2023 with Eselfontein SSEG application: **Annexure 7.2(c)**.

The Committee for Technical Services resolved on 9 April 2024 that the item relating to the Electricity: Eselfontein Boerdery (Edms) Bpk: Take-over of the municipal medium voltage infrastructure be held in abeyance to determine the financial impact from time of the installation of the Small Scale Embedded Generation (SSEG).

Comment from Senior Manager: Electro-Technical Services:

"Page 5 of annexure 7.2(a) shows the financial impact studied for Eselfontein in the graph format."

RESOLVED

That the Committee for Technical Services recommends to the Executive Mayoral Committee and Council:

- (a) *that the content of the memo and the request of the farm owner be noted.*

- (b) *that the advantages of this transaction for the municipality be noted.*
- (c) *that the request be supported and that the amount of R575 888-92 (VAT incl.) be paid by the applicant.*
- (d) *that the assets be transferred to Eselfontein Boerdery.*
- (e) *that a bulk metering unit be installed at the main intake point of Eselfontein at the cost of the customer.*
- (f) *that all the low voltage metering units be removed.*
- (g) *that the asset is not needed for service delivery to other consumers and that Witzenberg Municipality will continue to provide electricity to the purchaser in bulk.*
- (h) *that Council's intent to alienate the assets be advertised.*

7.3 By-law for the deployment of electronic communications infrastructure: Witzenberg Municipality and Policy for work and the installation of services in the road reserve (Revision 2) (16/4/P)

The following documents are attached:

- (a) Report from Senior Manager: Streets and Storm Water, dated 5 December 2023: **Annexure 7.3(a).**
- (b) Draft Bylaw for Deployment of Electronic Communications Facilities: **Annexure 7.3(b).**
- (c) Schedule A: Framework Municipal Land Use Agreement: **Annexure 7.3(c).**
- (d) Schedule B: Electronic Communications Facilities Lease: **Annexure 7.3(d).**
- (e) Wayleave tariffs Witzenberg Municipality 2024/2025: **Annexure 7.3(e).**
- (f) Policy for work and installation of services in road reserve (Revision 2): **Annexure 7.3(f).**

The Committee for Technical Services resolved on 9 April 2024 that the item relating to By-law for the deployment of electronic communications infrastructure: Witzenberg Municipality and Policy for work and the installation of services in the road reserve be workshopped by Council.

RESOLVED

That the Committee for Technical Services recommends to the Executive Mayoral Committee and Council:

- (a) that the draft By-law for the deployment of electronic communications infrastructure: Witzenberg Municipality be adopted.*
- (b) that the draft By-law be advertised for public comments for at least 30 days.*
- (c) that the proposals of the public be considered and incorporated as recommended by the Department Streets and Storm Water.*
- (d) that the Municipal Manager as soon as possible after the closing date for public comments, submits a report to the Executive Mayoral Committee for a recommendation to Council.*
- (e) that the Policy for work and the installation of services in the road reserve (Revision 2) be adopted.*

8. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA / DRINGENDE SAKE NA AFSENDING VAN DIE AGENDA

None / Geen

NOTED / AANGETEKEN

9. QUESTIONS / REMARKS RAISED BY COMMITTEE MEMBERS VRAE / OPMERKINGS GEOPPER DEUR KOMITEELEDE

Councillor J Mouton enquired about the following matters:

- (a) The status quo of the vandalised Pigeon Society Clubhouse on erf 496, Stamper Street, Wolseley.
- (b) Wheel chair friendly access to the house of a community member, Mr Muller, at 32 Vos Street, Ceres.

The Director: Technical Services replied as follows:

- (a) That a report about the vandalised Pigeon Society Clubhouse in Wolseley will be tabled at the next meeting.
- (b) The cost implications of building a wheelchair ramp at Mr Muller's residence will be investigated and a report tabled at the next meeting.

NOTED

Councillor AL Gili joined the meeting at 14:14.

10. ADJOURNMENT / VERDAGING

The meeting adjourned at 14:18.

Approved on 8 October 2024 without amendments.

ALDERMAN HJ SMIT
CHAIRPERSON

/MJ Prins

MINUTES OF THE MEETING OF THE COMMITTEE FOR CORPORATE AND FINANCIAL SERVICES OF THE WITZENBERG MUNICIPALITY, HELD ON TUESDAY, 6 AUGUST 2024 AT 10:00 IN THE COUNCIL CHAMBERS, 50 VOORTREKKER STREET, CERES.

NOTULE VAN DIE VERGADERING VAN DIE KOMITEE VIR KORPORATIEWE EN FINANSIËLE DIENSTE VAN DIE MUNISIPALITEIT WITZENBERG, GEHOU OP DINSDAG, 6 AUGUSTUS 2024 OM 10:00 IN DIE RAADSAAL, VOORTREKKERSTRAAT 50, CERES

Councillors / Raadslede / ooCeba

JP Fredericks (Chariperson) (FFP)
WJ Alexander (PA)
N Nogcinisa (ANC)

Officials / Amptenare / Amagosa

Mr / Mnr D Nasson (Municipal Manager / Munisipale Bestuurder)
Mr / Mnr HJ Kritzinger (Director: Finance / Direkteur: Finansies)
Mr / Mnr M Mpeluza (Director: Corporate Services / Direkteur: Korporatiewe Dienste)
Mr / Mnr J Kolkota (Deputy Director: Finance / Adjunk Direkteur: Finansies)
Mr / Mnr A Hofmeester (Manager: IDP / Bestuurder: GOP)
Ms / Me I Barnard (Senior Manager: Human Resources / Senior Bestuurder: Menslike Hulpbronne)
Ms / Me R Hendricks (Manager: Marketing and Communication / Bestuurder: Bemarking en Kommunikasie)
Mr / Mnr M Frieslaar (Manager: Supply Chain / Bestuurder: Voorsieningskanaal)
Mr / Mnr A Hofmeester (Manager: IDP / Bestuurder: GOP)
Mr / Mnr CG Wessels (Manager: Administration / Bestuurder: Administrasie)
Ms / Me L Nieuwenhuis (Manager: Legal Services / Bestuurder: Regsdienste)
Mr / Mnr M Njokweni (Translator / Interpreter / Tolk)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING / UKUVULWA NOLWAMNKELO

The Chairperson welcomed everyone present and requested Manager: Administration to open the meeting with prayer.

Die Voorsitter verwelkom almal teenwoordig en versoek Bestuurder: Administrasie om die vergadering te open met gebed.

NOTED / AANGETEKEN / IGQALIWE

2. CONSIDERATION FOR ABSENCE OF LEAVE, IF ANY / OORWEGING VAN AANSOEKE OM VERLOF TOT AFWESIGHEID, INDIEN ENIGE / UKUTHATHELWA INGQALELO KWEKHEFU LOKUTSHUNGA EMSEBENZINI (3/1/2/1)

- (a) An application for leave of absence from the meeting was received from Alderman D Swart (attending MAYCO meeting at Cape Winelands District Municipality.
- (b) Apologies for leave of absence from the meeting from the meeting were received from Manager: Financial Administration (sick leave), Manager: Income (study leave) and Chief: Administrative Officer.
- (a) Aansoek om verlof tot afwesigheid van die vergadering is ontvang vanaf Raadsheer D Swart (woon MAYCO vergadering by van Kaapse Wynland Distrik Munisipaliteit)
- (b) Verskonings vir afwesigheid van die vergadering is ontvang vanaf die Bestuurder: Finansiële Administrasie (siek verlof), Bestuurder: Inkomste (studie verlof) en Hoof Administratiewe Beampte.

RESOLVED

- (a) *that the application for leave of absence from the meeting received from Alderman D Swart be approved and accepted.*
- (b) *that the apologies for leave of absence from the meeting received from Manager: Financial Administration, Manager: Income and Chief: Administrative Officer be approved.*

BESLUIT

- (a) *Dat die aansoek om verlof van die vergadering ontvang vanaf Raadsheer D Swart goedgekeur en aanvaar word.*
- (b) *Dat die verskonings vir afwesigheid van die vergadering, ontvang vanaf Bestuurder: Finansiële Administrasie, Bestuurder: Inkomste en Hoof Administratiewe Beampte goedgekeur word.*

3. MINUTES / NOTULES/IMIZUZU

**3.1 Matters / Corrections from the minutes
(3/1/2/3)**

For consideration of any discussions and / or corrections of the minutes.

Ter oorweging van besprekings en / of regstellings van die notule.

NOTED / AANGETEKEN

**3.2 APPROVAL OF MINUTES / GOEDKEURING VAN NOTULE
(3/1/2/3)**

The minutes of the meeting of the Committee for Corporate and Financial Services, held on 9 April 2024, are attached as **annexure 3.2**.

Die notule van 'n vergadering van die Komitee vir Korporatiewe en Finansiële Dienste, gehou op 9 April 2024, word ingebind as **bylae 3.2**.

RESOLVED

that the minutes of the meeting of the Committee for Corporate and Financial Services, held on 9 April 2024, be approved and signed by the Chairperson.

BESLUI

dat die notule van die vergadering van die Komitee vir Korporatiewe en Finansiële Dienste, gehou 9 April 2024, goedgekeur en deur die Voorsitter onderteken word.

**4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY THE CHAIRPERSON
/ VERKLARINGS, MEDEDELINGS OF SAKE INGEDIEN DEUR DIE VOORSITTER**

None / Geen

NOTED / AANGETEKEN

5. INTERVIEWS WITH DELEGATIONS / ONDERHOUDE MET AFGEVAARDIGDES

None /Geen

NOTED / AANGETEKEN

6. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

**6.1. Outstanding Matters / Uitstaande Sake /
(3/3/2)**

None / Geen.

NOTED / AANGETEKEN

**6.2 Monthly reports: Directorate: Corporate Services: March, April, May and June 2024 / Maandverslae: Direktoraat: Korporatiewe Dienste: Maart, April, Mei en Junie 2024
(09/1/2/1)**

The following monthly reports of the Directorate: Corporate Services are attached:

Die volgende maandverslae van die Direktoraat: Korporatiewe Dienste word ingebind:

- | | | |
|-----|--------------------|--------------------------------|
| (a) | March / Maart 2024 | Annexure / Bylae 6.2(a) |
| (b) | April 2024 | Annexure / Bylae 6.2(b) |
| (c) | May / Mei 2024 | Annexure / Bylae 6.2(c) |
| (d) | June / Junie 2024 | Annexure / Bylae 6.2(d) |

RESOLVED

that the Committee for Corporate and Financial Services, after consideration, takes notice of the content of the monthly reports of the Directorate: Corporate Services for March, April, May and June 2024 and same be approved and accepted.

BESLUIT

dat die Komitee vir Korporatiewe en Finansiële Dienste, na oorweging, kennis neem van die inhoud van die maandverslae van die Direktoraat: Korporatiewe Dienste vir Maart, April, Mei en Junie 2024 en dat die verslae goedgekeur en aanvaar word.

**6.3 Risk Management Report Committee for Corporate and Financial Services
(9/1/2/2)**

This is a standing quarterly item. / Hierdie is 'n staande kwartaallikse item

None / Geen

NOTED / AANGETEKEN

7. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

7.1 Directorate Finance / Direktooraat Finansies

**Section 71 Monthly Budget Statement Reports of Directorate Finance: March, April, May and June 2024 / Artikel 71 Maandelikse Begrotingsverslae van die Direktooraat Finansies: Maart, April, Mei en Junie 2024
(9/1/2/2)**

The following Section 71 Monthly Budget Statement Reports of the Directorate Finance are attached:

Die volgende Artikel 71 Maandelikse Begrotingsverslae van die Direktooraat Finansies word ingebind:

- | | | |
|-----|--------------------|--------------------------------|
| (a) | March / Maart 2024 | Annexure / Bylae 7.1(a) |
| (b) | April 2024 | Annexure / Bylae 7.1(b) |
| (c) | May / Mei 2024 | Annexure / Bylae 7.1(c) |
| (d) | June / Junie 2024 | Annexure / Bylae 7.1(d) |

Council unanimously resolved on 16 May 2024:

- "(a) that notice be taken of the Section 71 Monthly Budget Statement Report of the Directorate Finance for March 2024.
- (b) that the Section 71 Monthly Budget Statement Report of the Directorate Finance for March 2024 be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary."

Council unanimously resolved on 18 June 2024:

- "(a) that notice be taken of the Section 71 Monthly Budget Statement Report of the Directorate Finance for April 2024.
- (b) that the Section 71 Monthly Budget Statement Report of the Directorate Finance for April 2024 be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary."

Council unanimously resolved on 26 June 2024:

- “(a) that notice be taken of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for May and June 2024.
- (b) that the Section 71 Monthly Budget Statement Reports of the Directorate Finance for May and June 2024 be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary.”

RESOLVED

that after consideration, notice is taken of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for March, April, May and June 2024.

BESLUIT

dat na oorweging, kennis geneem van die Artikel 71 Maandelikse Begrotingsverslae van die Direktooraat Finansies vir Maart, April, Mei en Junie 2024.

7.2 Quarterly Budget Statement [Section 52(d)] Report: 3rd Quarter 2023/2024 (January until March 2024) / Kwartaallikse Begrotingsverslag [Artikel 52(d)]: 3de kwartaal 2023/2024 (Januarie tot Maart 2024) (9/1/1 & 9/1/2/2)

The Quarterly Budget Statement [Section 52(d)] Report for the 3rd Quarter of 2023/2024 is attached as **annexure 7.2**.

Die Kwartaallikse Begrotingsverslag [Artikel 52(d)] vir die 3de kwartaal van 2023/2024 is aangeheg as **bylae 7.2**.

Council unanimously resolved on 16 May 2024:

- (a) that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the 3rd Quarter of 2023/2024.
- (b) that the report supra (a) be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee as well as the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary.

RESOLVED

that after consideration, notice is take of the Quarterly Budget Statement [Section 52(d)] Report for the 3rd Quarter of 2023/2024.

BESLUIT

dat na oorweging, kennis geneem word van die Kwartaallikse Begrotingsverslag Artikel 52(d)] verslag vir die 3de kwartaal van 2023/2024.

7.3 Supply Chain Management: Paragraph 7(4) Quarterly Report ending 31 March 2024: Implementation of Supply Chain Management Policy (9/1/2/2)

A memorandum from the Manager: Supply Chain, dated 4 April 2024, is attached as **annexure 7.3**.

'n Memorandum ontvang vanaf die Bestuurder: Voorsieningskanaal, gedateer 4 April 2024, word ingebind as **bylae 7.3**.

RESOLVED

that the Committee for Corporate and Financial Services recommends to the Executive Mayoral Committee and Council:

- (a) that notice be taken of the Supply Chain Management: Paragraph 7(4) Quarterly Report ending 31 March 2024.*
- (b) that the report supra (a) be made available to the public in terms of Section 21A of the Municipal Systems Act (Act no. 32 of 2000) after it has been tabled to Council.*

BESLUIT

dat die Komitee vir Korporatiewe en Finansiële Dienste by die Uitvoerende Burgemeesterskomitee en Raad aanbeveel:

- (a) dat kennis geneem word van die Voorsieningskanaal Paragraaf 7(4) Kwartaalverslag geëindig op 31 Maart 2024.*
- (b) dat die verslag supra (a) aan die publiek beskikbaar gestel word ingevolge Artikel 21A van die Munisipale Stelselwet (Wet no. 32 van 2000) nadat dit aan die Raad ter tafel gelê is.*

**7.4 Deed of Sale – Erf 919, Wolseley / Koopkontrak Erf 919, Wolseley
(7/1/4/1)**

A memorandum from the Manager: Legal Service, dated 17 July 2024, is attached as **annexure 7.4.**

A memorandum from the Manager: Legal Services, dated 17 Julie 2024, is attached as **annexure 7.4.**

RESOLVED

To recommend to the Executive Mayoral Committee and Council:

- (a) that the old deed of sale with the old purchase price for erf 919, Wolseley be cancelled.*
- (b) that a contract be entered into a new deed of sale for erf 919, Wolseley .*
- (c) that in terms of Section 14(2) of the Municipal Finance Management Act (56 of 2003) the asset, erf 919 Wolseley, sold at a fair market related price of R 73 000-00.*
- (d) that in terms of Section 14(2) of the Municipal Finance Management Act (56 of 2003) the asset, erf 919, Wolseley is not needed to provide minimum level of basic municipal services.*
- (e) that the proposed transaction be advertised in the local newspaper for public comment and / or any objections.*

BESLUIT

Om aan die Uitvoeredende Burgemeesterskomitee en Raad aan te beveel:

- (a) dat die ou koopkontrak met die ou koopprys vir erf 919, Wolseley, gekanselleer word.*
- (c) dat 'n kontrak aangegaan word in 'n nuwe koopkontrak vir erf 919, Wolseley .*
- (d) dat die bate, erf 919 Wolseley, ingevolge Artikel 14(2) van die Wet op Munisipale Finansiële Bestuur (56 van 2003) teen 'n billike markverwante prys van R 73 000-00 verkoop word.*
- (e) dat ingevolge Artikel 14(2) van die Wet op Munisipale Finansiële Bestuur (56 van 2003) die bate, erf 919, Wolseley nie nodig is om die minimum vlak van basiese munisipale dienste te lewer nie.*
- (f) dat die voorgestelde transaksie in die plaaslike koerant geadverteer word vir openbare kommentaar en / of enige besware.*

**8. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA /
DRINGENDE SAKE NA AFSENDING VAN DIE AGENDA**

**8.1 Request to purchase a portion of Erf 1352, Tulbagh
(7/1/4/1)**

A memorandum from the Manager: Legal Service, dated 19 April 2024, is attached as **annexure 8.1.**

RESOLVED

that the matter in respect of the request to purchase a portion of erf 1352, Tulbagh be held in abeyance for further technical inputs by the Department: Technical Services as well as the Ward Committee of Ward 11 and the matter properly be investigated.

BESLUIT

dat die aangeleentheid rakende die versoek om 'n gedeelte van erf 1352, Tulbagh oorstaan vir verdere tegniese insette deur die Departement: Tegniese Dienste asook die Wykskomitee van Wyk 11 en die aangeleentheid behoorlik ondersoek word.

**8.2 Request to purchase Erf 2997, Bella Vista, Ceres
(7/1/4/1)**

A memorandum from the Municipal Manager, dated 6 August 2024, is attached as **annexure 8.2.**

RESOLVED

To recommend to the Executive Mayoral Committee and Council:

- (a) that in the absence of a signed deed of sale a contract be entered into for a new deed of sale for erf 2997, Bella Vista, Ceres.*
- (b) that in terms of Section 14(2) of the Municipal Finance Management Act (56 of 2003) the asset, erf 2997, Bella Vista, Ceres is not needed to provide a minimum level of basic municipal services.*
- (c) that in terms of Section 14(2) of the Municipal Finance Management Act (56 of 2003) the asset, erf 2997, Bella Vista, Ceres be sold at a fair market related price of R 99 000-00.*
- (d) that the proposed transaction be advertised in the local newspaper for public comment and / or any objections.*

BESLUIT

Om aan die Uitvoeredende Burgemeesterskomitee en Raad aan te beveel:

- (a) *dat in die afwesigheid van 'n getekende koopkontrak, 'n kontrak aangegaan word vir 'n nuwe akte vir erf 2997, Bella Vista, Ceres.*
- (c) *dat ingevolge Artikel 14(2) van die Wet op Munisipale Finansiële Bestuur (56 van 2003) die bate, erf 2997, Bella Vista, Ceres nie nodig is om 'n die minimum basiese munisipale dienste te lewer nie.*
- (d) *dat ingevolge Artikel 14(2) van die Wet op Munisipale Finansiële Bestuur (56 van 2003) die bate, erf 2997, Bella Vista, Ceres teen 'n billike markverwante prys van R 99 000-00 verkoop word.*
- (e) *dat die voorgestelde transaksie in die plaaslike koerant geadverteer word vir openbare kommentaar en / of enige besware.*

**8.3 Request to purchase Erf 218, Op-die-Berg
(7/1/4/1)**

A memorandum from the Municipal Manager, dated 6 August 2024, is attached as **annexure 8.3.**

RESOLVED

To recommend to the Executive Mayoral Committee and Council:

- (a) *that the old deed of sale with the old purchase price for erf 218, Op-die-Berg be cancelled.*
- (b) *that a contract be entered into for a new deed of sale for erf 218, Op-die-Berg.*
- (g) *that in terms of Section 14(2) of the Municipal Finance Management Act (56 of 2003) the asset, erf 218, Op-die-Berg is not needed to provide minimum level of basic municipal services.*
- (h) *that the proposed transaction be advertised in the local newspaper for public comment and / or any objections.*
- (i) *that in terms of Section 14(2) of the Municipal Finance Management Act (56 of 2003) the asset, erf 218, Op-die-Berg be sold at a fair market related price of R 54 000-00.*

BESLUIT

Om aan die Uitvoeredende Burgemeesterskomitee en Raad aan te beveel:

- (a) dat die ou koopkontrak met die ou koopprys vir erf 218, Op-die-Berg, gekanselleer word.*
- (b) dat 'n kontrak aangegaan word vir 'n nuwe akte vir erf 218, Op-die-Berg.*
- (c) dat ingevolge Artikel 14(2) van die Wet op Munisipale Finansiële Bestuur (56 van 2003) die bate, erf 218, Op-die-Berg nie nodig is om die minimum basiese munisipale dienste te lewer nie.*
- (d) dat die voorgestelde transaksie in die plaaslike koerant geadverteer word vir openbare kommentaar en / of enige besware.*
- (e) dat ingevolge Artikel 14(2) van die Wet op Munisipale Finansiële Bestuur (56 van 2003) die bate, erf 218, Op-die-Berg teen 'n billike markverwante prys van R 54 000-00 verkoop word.*

**9. COMMITTEE FOR CORPORATE AND FINANCIAL SERVICES-IN-COMMITTEE /
KOMITEE VIR KORPORATIEWE EN FINANSIËLE DIENSTE IN-KOMITEE**

MINUTES OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON THURSDAY, 9 NOVEMBER 2023 AT 10:00

PRESENT

Municipal Public Accounts Committee

Councillor L Hardnek (Chairperson) (WP)
Councillor GJ Franse (DA)
Councillor AL Gili (ANC)
Councillor EM Sidego (DA)

Officials

Mr D Nasson (Municipal Manager)
Mr J Kolkota (Deputy Director: Finance)
Mr G Louw (Head: Internal Audit)
Ms N Oerson (Chief Executive Internal Auditor)
Ms C Ranna (Manager: Internal Audit)
Mr C Wessels (Manager: Administration)
Ms M Arendse-Smith (Chief Administrative Officer)
Mr C Titus (Committee Clerk)

1. OPENING AND WELCOME

The Chairperson welcomed everyone present and opened the meeting with prayer.

NOTED.

2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY (3/1/2/1)

An application for leave of absence from the meeting was received from Councillor N Nogcinisa.

An apology for absence from the meeting was received from the Director: Finance and the Manager: Projects and Performance.

RESOLVED

- (a) *that the application for leave of absence from the meeting, received from Councillor N Nogcinisa, be approved and accepted.*
- (b) *that notice be taken of the apology for absence from the meeting, received from the Director: Finance and the Manager: Projects and Performance.*

BESLUIT

- (a) *dat die aansoek om verlof tot afwesigheid van die vergadering, ontvang vanaf raadslid N Nogcinisa, goedgekeur en aanvaar word.*
- (b) *dat kennis geneem word van die verskoning vir afwesigheid van die vergadering, ontvang vanaf die Direkteur: Finansies en die Bestuurder: Projekte en Prestasie.*

3. MINUTES**3.1 Matters from or corrections to the minutes
(3/1/2/3)**

For consideration of any discussions and/or corrections of the minutes.
Ter oorweging van besprekings en/of regstellings van die notule.

None / Geen

NOTED / AANGETEKEN**3.2 Approval of minutes
(3/1/2/3)**

The minutes of the Municipal Public Accounts Committee meeting, held on 31 August 2023, are attached as **annexure 3.2**.

Councillor A Gili raised a concern that as a newly elected member of the Municipal Public Accounts Committee, a brief background on the items are required and that for this reason, the Councillor is hesitant to take decisions. Furthermore, that if a background is not given, that Councillor A Gili withdraws himself from any discussions.

The Chairperson noted the concerns raised by Councillor A Gili and indicated that despite the withdrawal of Councillor A Gili, the meeting still had a quorum.

RESOLVED

that the minutes of the Municipal Public Accounts Committee meeting, held on 31 August 2023, be approved and signed by the Chairperson.

**3.3 MPAC resolutions register
(3/3/2)**

- Status of the implementation of MPAC resolutions.
- Feedback to MPAC regarding resolutions referred to Council.

The MPAC resolutions register, as at 22 September 2023, is attached as **annexure 3.3**.

RESOLVED

that notice be taken of the resolutions register and, after consideration, same be accepted.

4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY THE CHAIRPERSON

The Chairperson requested that committee members attend the Municipal Public Accounts Committee meetings due to its importance and that members be punctual.

None / Noted

NOTED / AANGETEKEN

5. INTERVIEWS WITH DELEGATIONS

None / Noted

NOTED / AANGETEKEN

6. DELEGATED POWERS

None / Geen

NOTED / AANGETEKEN

7. RESERVED POWERS

**7.1 MPAC Annual Work Plan: 2023/2024
(2/1/2)**

The Municipal Public Accounts Committee Annual Work Plan for July 2023 until June 2024 is attached as **annexure 7.1**.

RESOLVED

(a) that the MPAC Work Plan for 2023/2024, after consideration, be approved.

(b) *that the Municipal Public Accounts Committee recommends to Council:*

that the MPAC Work Plan for 2023/2024 be approved by Council.

7.2 Internal Audit: Follow-up report on implementation of previously reported internal audit findings: October 2022 (5/14/2)

The Follow-up report on the implementation of previously reported internal audit findings, dated October 2022, is attached as **annexure 7.2**.

The Performance, Risk and Audit Committee resolved on 28 July 2023 that notice be taken of the Follow-up report on the implementation of previously reported internal audit findings, dated October 2022 and that the said report be tabled to the Municipal Public Accounts Committee for notice.

Internal Audit indicated that one (1) of the action plans listed under the summary of results and audit outcomes is related to the Time and Attendance system for which Management decided to revisit the issue of the time and attendance system with the goal of finding a better product.

The following questions were posed by Councillors:

- Whether there were any shortfalls with the cash receipting process or subsequent losses suffered?
- Whether there is insurance coverage for when cash is in transit.

The Municipal Manager responded as follows:

- In the past there had been incidents of theft and criminal proceedings were ensued, but this matter is more related to procedures and the refining thereof.
- There were no shortfalls, but the concern relates to monies collected by the service provider and monies banked, which is not always the same day. This results in the risk being transferred to the municipality and the bank will not take responsibility for monies not received.
- The risk is with the company that collects the money. Once they deposit the money, the risk transfers. The Municipality, however, also has insurance coverage for this purpose.
- An item will be brought to Council to extend the Terms of Reference of the current service provider, SAMRAS as a financial system cannot be replaced without the permission of Treasury or without providing reasons.

RESOLVED

that notice be taken of the Follow-up report on the implementation of previously reported internal audit findings, dated October 2022.

**7.3 Internal Audit Report: Compliance with Division of Revenue Act (DORA):
2021/2022
(5/14/2)**

The Internal Audit Report on Compliance with the Division of Revenue Act (DORA) for 2021/2022, dated July 2022, is attached as **annexure 7.3**.

The Performance, Risk and Audit Committee resolved on 28 July 2023:

- (a) that notice be taken of the Internal Audit Report on the Compliance with Division of Revenue Act (DORA) for 2021/2022.
- (b) that the Internal Audit Report on the Compliance with Division of Revenue Act (DORA) for 2021/2022 be tabled to the Municipal Public Accounts Committee for notice.

RESOLVED

that notice be taken of the Internal Audit Report on the Compliance with Division of Revenue Act (DORA) for 2021/2022.

**7.4 Internal Audit Report: Traffic cashiers: 2022/2023
(5/14/3)**

The Internal Audit Report on Traffic Cashiers, dated February 2023, is attached as **annexure 7.4**.

The Performance, Risk and Audit Committee resolved on 28 July 2023:

- (a) that notice be taken of the Internal Audit Report on Traffic cashiers for 2022/2023.
- (b) that the Internal Audit Report on Traffic cashiers for 2022/2023 be tabled to the Municipal Public Accounts Committee for notice.

RESOLVED

that notice be taken of the Internal Audit Report on Traffic cashiers for 2022/2023.

**Minutes: Municipal Public Accounts Committee:
Notule: Munisipale Publieke Rekeninge Komitee:
9 November 2023**

8. URGENT MATTERS

8.1 Quarterly Budget Statement [Section 52(d)] Report: 4th Quarter 2022/2023 (1 April 2023 to 30 June 2023) (9/1/1 & 9/1/2/2)

The Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2022/2023 is attached as **annexure 8.1**.

Council unanimously resolved on 25 August 2023:

- (a) that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2022/2023.
- (b) that the report supra (a) be referred to the Performance, Risk and Audit Committee as well as the Municipal Public Accounts Committee for their recommendations to Council.

RESOLVED

that the matter related to the Quarterly Budget Statement [Section 52(d)] Report for the 4th Quarter of 2022/2023 be held in abeyance until the next meeting.

9. QUESTIONS OR MATTERS RAISED BY COUNCILLORS

None / Geen

NOTED / AANGETEKEN

10. ADJOURNMENT

The meeting adjourned at 11:00.

Approved on _____ with / without amendments.

**COUNCILLOR LA HARDNEK
CHAIRPERSON**



Monthly Budget Statement Report Section 71 for September 2024

**Financial data is in respect of the period
1 July 2024 to 30 September 2024**

Glossary

Adjustments Budgets – Prescribed in section 28 of the Municipal Finance Management Act. It is the formal means by which a municipality may revise its budget during a financial year.

Allocations – Money received from Provincial or National Government or other municipalities.

AFS – Annual Financial Statements

Budget – The financial plan of a municipality.

Budget related policy – Policy of a municipality affecting or affected by the budget.

Capital Expenditure – Spending on municipal assets such as land, buildings, distribution networks, treatment plants and vehicles. Any capital expenditure must be reflected as an asset on a municipality's balance sheet.

Cash Flow Statement – A statement showing when actual cash will be received and spent by the Municipality, and the month end balances of cash and short term investments. Cash receipts and payments do not always coincide with budgeted income and expenditure timings. For example, when an invoice is received by the Municipality it is shown as expenditure in the month that the services or goods are received, even though it may not be paid in the same period.

CFO – Chief Financial Officer / Director: Finance

DORA – Division of Revenue Act. An annual piece of legislation indicating the allocations from National Government to Local Government.

Equitable Share – A general grant paid to municipalities. It is predominantly targeted to assist with free basic services.

Fruitless and wasteful expenditure – Expenditure that was made in vain and would have been avoided had reasonable care been exercised.

GDFI - Gross Domestic Fixed Investment

GFS – Government Finance Statistics. An internationally recognised classification system that facilitates comparisons between municipalities.

GRAP – Generally Recognized Accounting Practice. The new standard for municipal accounting and basis upon which AFS are prepared.

IDP – Integrated Development Plan. The main strategic planning document of a municipality.

KPI's – Key Performance Indicators. Measures of service output and/or outcome.

MFMA – Municipal Finance Management Act (No 53 of 2003). The principle piece of legislation relating to municipal financial management.

Glossary (Continued)

MIG – Municipal Infrastructure Grant

MPRA – Municipal Property Rates Act (No 6 of 2004).

MTREF – Medium Term Revenue and Expenditure Framework as prescribed by the MFMA sets out indicative revenue and projected expenditure for the budget year plus two outer financial years to determine the affordability level. Also includes details of the previous three years and current years' financial position.

NT – National Treasury

Net Assets – Net assets are the residual interest in the assets of the entity after deducting all its liabilities. This means the net assets of the municipality equates to the "net wealth" of the municipality, after all assets were sold/recovered and all liabilities paid. Transactions which do not meet the definition of Revenue or Expenses, such as increases in values of Property, Plant and Equipment where there is no inflow or outflow of resources are accounted for in Net Assets.

Operating Expenditure – Spending on the day to day expenses of a municipality such as general expenses, salaries & wages and repairs & maintenance.

Rates – Local Government tax based on assessed valuation of a property. To determine the rates payable, the assessed rateable value is multiplied by the rate in the rand.

RBIG – Regional Bulk Infrastructure Grant

R&M – Repairs and maintenance on property, plant and equipment.

SCM – Supply Chain Management.

SDBIP – Service Delivery and Budget Implementation Plan. A detailed plan comprising quarterly performance targets and monthly budget estimates.

Strategic Objectives – The main priorities of a municipality as set out in the IDP Budgeted spending must contribute towards achievement of these strategic objectives.

TMA – Total Municipal Account

Unauthorised expenditure – Generally, spending without, or in excess of, an approved budget.

Virement – A transfer of budget.

Virement Policy - The policy that sets out the rules for budget transfers. Virements are normally allowed within a vote. Transfers between votes must be agreed by Council through an Adjustments Budget.

Vote – One of the main segments into which a budget is divided, usually at department level.

WM – Witzenberg Municipality

Legal requirements

2.3 Monthly budget statements

In terms of Section 71 of the MFMA the accounting officer must prepare monthly budget statements that comply with this section. This section read as follows:

"71. (1) The accounting officer of a municipality must by no later than 10 working days after the end of each month submit to the mayor of the municipality and the relevant provincial treasury a statement in the prescribed format on the state of the municipality's budget reflecting the following particulars for that month and for the financial year up to the end of that month:

- (a) Actual revenue, per revenue source;*
- (b) actual borrowings;*
- (c) actual expenditure, per vote;*
- (d) actual capital expenditure, per vote;*
- (e) the amount of any allocations received;*
- (f) actual expenditure on those allocations, excluding expenditure on—*
 - (i) its share of the local government equitable share; and*
 - (ii) allocations exempted by the annual Division of Revenue Act from compliance with this paragraph; and*
- (g) when necessary, an explanation of—*
 - (i) any material variances from the municipality's projected revenue by source, and from the municipality's expenditure projections per vote;*
 - (ii) any material variances from the service delivery and budget implementation plan; and*
 - (iii) any remedial or corrective steps taken or to be taken to ensure that projected revenue and expenditure remain within the municipality's approved budget.*

(2) The statement must include—

- (a) a projection of the relevant municipality's revenue and expenditure for the rest of the financial year, and any revisions from initial projections; and*
- (b) the prescribed information relating to the state of the budget of each municipal entity as provided to the municipality in terms of section 87(10).*

(3) The amounts reflected in the statement must in each case be compared with the corresponding amounts budgeted for in the municipality's approved budget.

(4) The statement to the provincial treasury must be in the format of a signed document and in electronic format.

(5) The accounting officer of a municipality which has received an allocation referred to in subsection (1)(e) during any particular month must, by no later than 10 working days after

2.3 Maandelikse begroting state

In terme van Artikel 71 van die MFMA die rekenpligtige beampte moet 'n maandelikse begroting state wat voldoen aan hierdie artikel. Hierdie artikel lees soos volg:

"71. (1) Die rekenpligtige beampte van 'n munisipaliteit moet nie later as 10 werk dae na die einde van elke maand aan die burgemeester van die munisipaliteit en die betrokke Provinsiale Tesourie 1 verklaring in die voorgeskrewe formaat oor die toestand van die munisipaliteit se begroting wat die volgende besonderhede vir die maand en vir die finansiële jaar tot die einde van die maand:

- (a) werklike inkomste per bron van inkomste;*
- (b) werklike lenings;*
- (c) die werklike uitgawes per stem;*
- (d) die werklike kapitaalbesteding, per stem;*
- (e) die bedrag van enige toekennings ontvang;*
- (f) die werklike uitgawes op daardie toekennings, uitgesluit besteding op*
 - (i) sy deel van die plaaslike regering billike deel;*
 - (ii) toekennings vrygestel is by die jaarlikse Verdeling van Inkomste van die nakoming van hierdie paragraaf, en*
 - (g) wanneer dit nodig is, 'n verduideliking van—*
 - (i) enige wesenlike afwykings van die munisipaliteit se geprojekteerde inkomste deur die bron, en van die munisipaliteit se uitgawe projeksies per stem;*
 - (ii) enige wesenlike afwykings van die dienslewering en begrotings implementeringsplan;*
 - (iii) enige remediërende of korrektiewe stappe geneem is of geneem word om te verseker dat die geprojekteerde inkomste en uitgawes in die munisipaliteit se goedgekeurde begroting bly.*

(2) Die staat moet die volgende insluit-

- (a) 'n projeksie van die betrokke munisipaliteit se inkomste en uitgawes vir die res van die finansiële jaar, en enige wysigings van die aanvanklike projeksies, en*
- (b) die voorgeskrewe inligting met betrekking tot die toestand van die begroting van elke munisipale entiteit wat aan die munisipaliteit in terme van artikel 87 (10).*

(3) die bedrae wat in die verklaring moet in elke geval in vergelyking met die ooreenstemmende bedrae begroot vir die munisipaliteit se goedgekeurde begroting.

(4) Die verklaring aan die provinsiale tesourie moet in die formaat van 'n getekende dokument en in elektroniese formaat.

(5) Die rekenpligtige beampte van 'n munisipaliteit wat 'n toekenning bedoel in subartikel (1)(e) gedurende 'n bepaalde maand ontvang het, moet nie later nie as 10 werksdae na die

the end of that month, submit that part of the statement reflecting the particulars referred to in subsection (1)(e) and (f) to the national or provincial organ of state or municipality which transferred the allocation.

einde van die maand, moet daardie deel van die verklaring wat die besonderhede bedoel in subartikel (1)(e) en (f) om die nasionale of provinsiale orgaan van die staat of munisipaliteit wat die toekenning oorgedra

(6) The provincial treasury must by no later than 22 working days after the end of each month submit to the National Treasury a consolidated statement in the prescribed format on the state of the municipalities' budgets, per municipality and per municipal entity.

(6) Die Provinsiale Tesourie moet nie later nie as 22 werksdae na die einde van elke maand aan die Nasionale Tesourie 'n gekonsolideerde staat in die voorgeskrewe formaat oor die stand van die munisipaliteite se begrotings, per munisipaliteit en per munisipale entiteit.

(7) The provincial treasury must, within 30 days after the end of each quarter, make public as may be prescribed, a consolidated statement in the prescribed format on the state of municipalities' budgets per municipality and per municipal entity. The MEC for finance must submit such consolidated statement to the provincial legislature no later than 45 days after the end of each quarter."

(7) Die Provinsiale Tesourie moet, binne 30 dae na die einde van elke kwartaal, openbaar te maak as wat voorgeskryf mag word, 'n gekonsolideerde staat in die voorgeskrewe formaat oor die stand van munisipaliteite se begrotings per munisipaliteit en per munisipale entiteit. Die LUR vir finansies moet so 'n gekonsolideerde staat nie later nie as 45 dae na die einde van elke kwartaal aan die provinsiale wetgewer dien."

A MAYOR'S REPORT

Credit control for various reasons remains a challenge for the municipality.

The monthly billing was also done as scheduled and during this process 20 856 accounts amounting to R48.5 million was printed and distributed to consumers. The prepaid electricity sales amounted to R7.2 million in comparison to a cost of R6.2 million for the same month during the prior financial year.

The indigent cost to the municipality for the month amounts to R 2.273 million in comparison to the prior month figure of R2.299 million

The accumulated debtor's collection target for the year is 94%, and the actual accumulated year to date debtor's collection is 62% in comparison to a rate of 76% for the same month in the previous year.

As an additional credit control mechanism the auxiliary of 30% was implemented from 20 December 2023. For September 2024 an amount of R382 200 was recovered on this basis.

The municipality issued orders to the value of R36.8 million of which R478 thousand was in terms of deviations.

The municipality currently has R59 million in its primary bank account and R150 million in investments. The bank balance at the end of the previous month was R83 million with R150 million in investments.

The calculated cost coverage ratio of the municipality as at the end of September 2024 is 2,66 months.

B RECOMMENDATION

It is recommended that council take cognisance of the monthly financial report and supporting documents of September 2024.

C EXECUTIVE SUMMARY

The following tables provides a summary of the financial information:

A BURGEMEESTERS VERSLAG

Kredietbeheer bly 'n uitdaging vir die munisipaliteit as gevolg van verskillende redes.

Die maandelikse rekeninge is ook gehef soos geskeduleer en tydens hierdie proses is 20 856 rekeninge ten bedrae van R48.5 miljoen gedruk en aan verbruikers versprei. Die voorafbetaalde elektrisiteit verkope beloop R7.2 miljoen en was R6.2 miljoen vir dieselfde maand gedurende die vorige finansiële jaar.

Die deernis subsidies vir die maand beloop R 2.273 miljoen in vergelyking met die vorige maand syfer van R2.299miljoen.

Die opgehoopte debiteure verhalings se teiken vir die jaar is 94%, en die werklike jaar tot op datum invordering is 62% in vergelyking met 76% vir dieselfde maand in die vorige finansiële jaar.

As 'n addisionele kredietbeheer meganisme is 'n aftrekking van 30% op alle voorafbetaalde krag aankope ten opsigte van agterstallige skuld vanaf 20 Desember 2023 geïmplementeer. Vir die maand van Augustus 2024 is 'n bedrag van R382 200 op hierdie wyse ingevorder.

Bestellings ter waarde van R36.8 miljoen uitgereik, waarvan R478 duisend ten opsigte van afwykings is.

Die munisipaliteit het R59 miljoen in die primêre bankrekening met R150 miljoen in beleggings. Die bankbalans aan die einde van die vorige maand was R83 miljoen met R150 miljoen in beleggings.

Die berekende koste dekking verhouding van die munisipaliteit soos aan die einde van September 2024 is 2,66 maande.

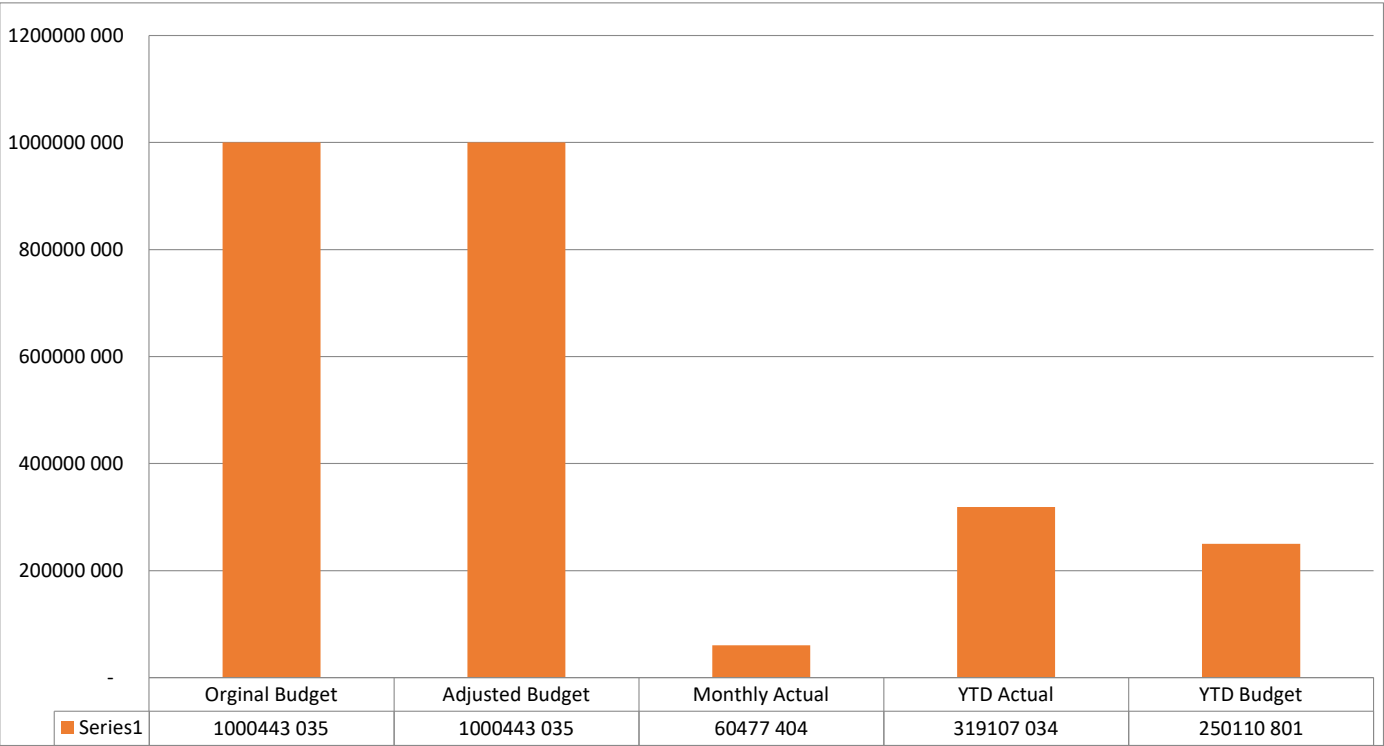
B AANBEVELING

Dit word aanbeveel dat die raad kennis neem van die finansiële maandverslag en ondersteunende dokumente vir September 2024.

C OPSOMMING

Die volgende tabelle voorsien 'n opsomming van die finansiële inligting:

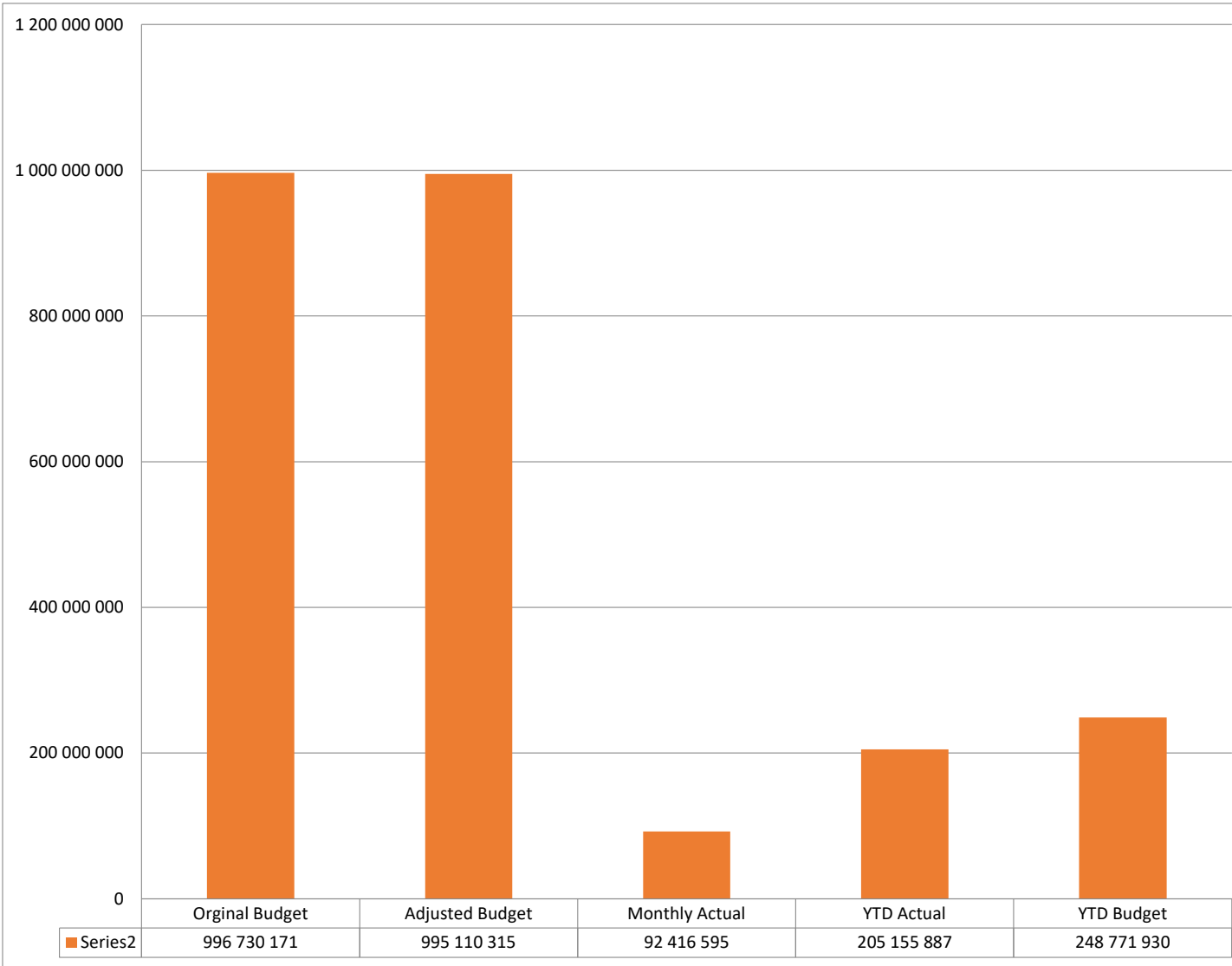
TOTAL OPERATIONAL REVENUE R'000



For the period 1 July 2023 to 30 September 2024, 31.90% of the budgeted operational revenue was raised.

Vir die periode 1 Julie 2023 tot 30 September 2024, is 31.90% van die begrote operasionele inkomste gehef.

TOTAL OPERATIONAL EXPENDITURE R'000



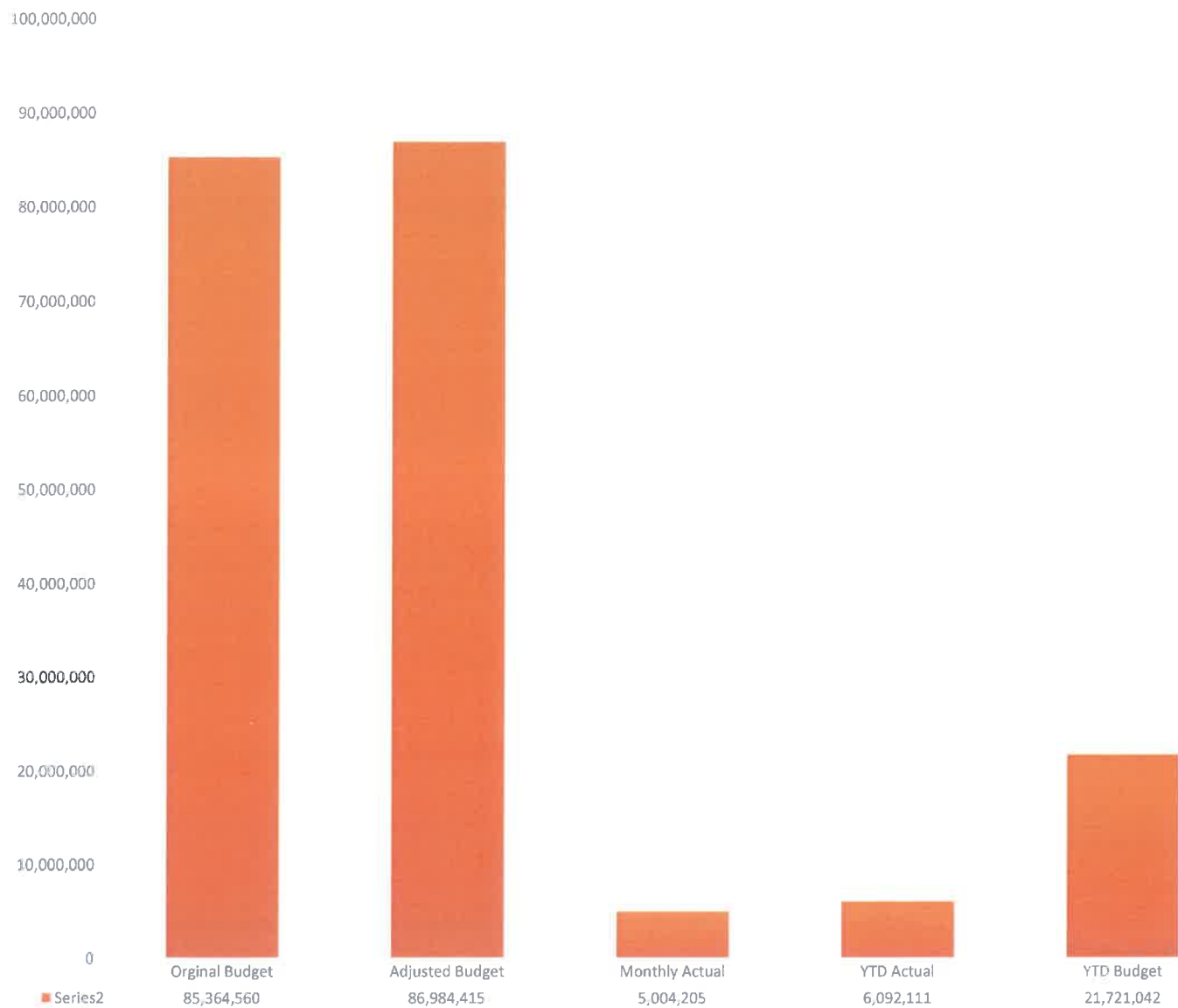
For the period 1 July 2023 to 30 September 2024, 20.62% of the budgeted operational expenditure was incurred.

Please refer to Supporting Table SC1 for explanations regarding expenditure variances.

Vir die periode 1 Julie 2023 tot 30 September 2024, is 20.62% van die begrote operasionele uitgawes aangegaan.

Verwys asb na "Supporting Table SC1" vir stawende redes met betrekking tot spandering afwykings.

CAPITAL EXPENDITURE R'000




For the period 1 July 2023 to 30 September, 7.00% of the budgeted capital expenditure was incurred.

Vir die periode 1 Julie 2023 tot 30 September 2024, is 7.00% van die begrote kapitale uitgawes aangegaan.

Please refer to Supporting Table SC1 for explanations regarding expenditure variances.

Verwys asb na "Supporting Table SC1" vir stawende redes met betrekking tot spandering afwykings.


COUNCILLOR JF NEL
ACTING EXECUTIVE MAYOR

WC022 Witzenberg - Table C1 Monthly Budget Statement Summary - M03 September

Description	2023/24	Budget Year 2024/25							
	Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance %	Full Year Forecast
R thousands									
Financial Performance									
Property rates	101,317	113,495	113,495	3,827	56,216	28,374	27,842	98%	113,495
Service charges	528,792	565,288	565,288	44,772	174,144	141,322	32,822	23%	565,288
Investment revenue	22,019	22,444	22,444	1,891	5,694	5,611	83	1%	22,444
Transfers and subsidies - Operational	179,020	196,213	196,213	592	63,975	49,053	14,922	30%	196,213
Other own revenue	93,594	67,446	67,446	9,395	19,077	16,862	2,216	13%	67,446
Total Revenue (excluding capital transfers and contributions)	924,741	964,887	964,887	60,477	319,107	241,222	77,885	32%	964,887
Employee costs	241,440	277,558	277,467	26,361	68,157	69,367	(1,210)	-2%	277,467
Remuneration of Councillors	11,447	12,311	12,311	951	2,853	3,078	(225)	-7%	12,311
Depreciation and amortisation	34,241	54,219	54,219	-	-	13,555	(13,555)	-100%	54,219
Interest	6,094	10,233	10,233	-	-	2,558	(2,558)	-100%	10,233
Inventory consumed and bulk purchases	347,330	401,186	400,829	43,100	94,307	100,201	(5,894)	-6%	400,829
Transfers and subsidies	36,338	37,116	37,126	144	5,533	9,281	(3,749)	-40%	37,126
Other expenditure	189,643	204,107	202,926	21,861	34,306	50,732	(16,426)	-32%	202,926
Total Expenditure	866,533	996,730	995,110	92,417	205,156	248,772	(43,616)	-18%	995,110
Surplus/(Deficit)	58,208	(31,844)	(30,224)	(31,939)	113,951	(7,550)	121,501	-1609%	(30,224)
Transfers and subsidies - capital (monetary allocations)	36,536	35,557	35,557	-	-	8,889	(8,889)	-100%	35,557
Transfers and subsidies - capital (in-kind)	-	-	-	-	-	-	-	-	-
Surplus/(Deficit) after capital transfers & contributions	94,744	3,713	5,333	(31,939)	113,951	1,339	112,612	8411%	5,333
Share of surplus/ (deficit) of associate	-	-	-	-	-	-	-	-	-
Intercompany/Parent subsidiary transactions	-	-	-	-	-	-	-	-	-
Surplus/ (Deficit) for the year	94,744	3,713	5,333	(31,939)	113,951	1,339	112,612	8411%	5,333
Capital expenditure & funds sources									
Capital expenditure	85,725	85,365	86,984	5,004	6,092	21,721	(15,629)	-72%	86,984
Capital transfers recognised	37,926	39,880	39,880	4,412	4,412	9,970	(5,558)	-56%	39,880
Borrowing	1,460	25,000	25,000	441	445	6,250	(5,805)	-93%	25,000
Internally generated funds	43,815	20,485	22,104	152	1,235	5,501	(4,266)	-78%	22,104
Total sources of capital funds	83,202	85,365	86,984	5,004	6,092	21,721	(15,629)	-72%	86,984
Financial position									
Total current assets	386,101	362,903	361,671		432,265				361,671
Total non current assets	1,100,577	1,138,148	1,139,768		1,098,075				1,139,768
Total current liabilities	137,064	186,734	185,472		185,786				185,472
Total non current liabilities	129,006	181,358	181,368		129,033				181,368
Community wealth/Equity	1,221,285	1,132,959	1,132,959		1,215,522				1,132,959
Cash flows									
Net cash from (used) operating	580,519	74,112	74,112	(19,301)	26,997	13,926	(13,070)	-94%	935,249
Net cash from (used) investing	(77,852)	(85,365)	(86,984)	(5,715)	(8,002)	21,721	29,723	137%	86,984
Net cash from (used) financing	(2,951)	25,000	25,000	55	127	6,250	6,123	98%	25,000
Cash/cash equivalents at the month/year end	775,917	231,342	229,722	-	206,356	259,492	53,136	20%	1,234,469
Debtors & creditors analysis									
	0-30 Days	31-60 Days	61-90 Days	91-120 Days	121-150 Dys	151-180 Dys	181 Dys-1 Yr	Over 1Yr	Total
Debtors Age Analysis									
Total By Income Source	71,730	45,823	6,210	6,125	5,758	5,006	28,139	219,248	388,039
Creditors Age Analysis									
Total Creditors	34,001	6,942	4,208	5	-	-	-	-	45,156

WC022 Witzenberg - Table C2 Monthly Budget Statement - Financial Performance (functional classification) - M03 September

Description	Ref	2023/24	Budget Year 2024/25							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD % Variance	Full Year Forecast
Revenue - Functional										
Governance and administration		150,655	153,789	153,789	7,223	65,232	38,447	26,785	70%	153,789
Executive and council		28	31	31	3	8	8	0	5%	31
Finance and administration		150,628	153,758	153,758	7,220	65,224	38,440	26,784	70%	153,758
Internal audit		-	-	-	-	-	-	-	-	-
Community and public safety		221,762	218,327	218,327	4,584	70,435	54,582	15,853	29%	218,327
Community and social services		149,009	158,917	158,917	1,060	64,133	39,729	24,404	61%	158,917
Sport and recreation		9,728	7,820	7,820	418	1,180	1,955	(775)	-40%	7,820
Public safety		24,388	16,654	16,654	3,079	5,047	4,163	883	21%	16,654
Housing		38,637	34,936	34,936	27	74	8,734	(8,660)	-99%	34,936
Health		-	-	-	-	-	-	-	-	-
Economic and environmental services		21,432	4,338	4,338	202	360	1,085	(724)	-67%	4,338
Planning and development		4,663	3,016	3,016	200	354	754	(400)	-53%	3,016
Road transport		15,837	1,311	1,311	2	6	328	(322)	-98%	1,311
Environmental protection		932	11	11	-	-	3	(3)	-100%	11
Trading services		567,329	623,849	623,849	48,463	182,986	155,962	27,024	17%	623,849
Energy sources		373,511	430,868	430,868	33,855	109,766	107,717	2,049	2%	430,868
Water management		66,833	95,225	95,225	7,036	17,073	23,806	(6,733)	-28%	95,225
Waste water management		83,087	56,602	56,602	4,195	45,799	14,151	31,649	224%	56,602
Waste management		43,898	41,154	41,154	3,377	10,348	10,288	59	1%	41,154
Other	4	100	139	139	6	94	35	59	169%	139
Total Revenue - Functional	2	961,278	1,000,443	1,000,443	60,477	319,107	250,111	68,996	28%	1,000,443
Expenditure - Functional										
Governance and administration		116,133	161,917	161,784	14,579	35,510	40,446	(4,937)	-12%	161,784
Executive and council		29,071	32,064	32,001	2,436	6,972	8,000	(1,028)	-13%	32,001
Finance and administration		83,060	124,776	124,706	11,854	27,588	31,176	(3,588)	-12%	124,706
Internal audit		4,002	5,078	5,078	289	950	1,270	(320)	-25%	5,078
Community and public safety		151,016	176,506	176,153	9,788	31,580	44,032	(12,452)	-28%	176,153
Community and social services		31,449	36,104	35,771	2,725	7,487	8,937	(1,450)	-16%	35,771
Sport and recreation		38,015	42,561	42,561	2,773	7,349	10,640	(3,291)	-31%	42,561
Public safety		42,724	56,942	56,892	3,806	10,363	14,223	(3,860)	-27%	56,892
Housing		38,829	40,899	40,929	484	6,381	10,232	(3,851)	-38%	40,929
Health		-	-	-	-	-	-	-	-	-
Economic and environmental services		39,351	51,243	51,243	2,614	7,126	12,811	(5,685)	-44%	51,243
Planning and development		13,433	16,351	16,394	1,275	3,461	4,098	(638)	-16%	16,394
Road transport		23,305	29,657	29,587	1,133	3,180	7,397	(4,217)	-57%	29,587
Environmental protection		2,613	5,235	5,261	206	486	1,315	(830)	-63%	5,261
Trading services		558,931	606,005	604,892	65,437	130,690	151,223	(20,533)	-14%	604,892
Energy sources		368,738	428,398	428,391	49,873	101,495	107,098	(5,603)	-5%	428,391
Water management		68,556	55,909	55,714	6,260	10,991	13,929	(2,937)	-21%	55,714
Waste water management		59,365	45,046	44,333	2,710	6,775	11,083	(4,308)	-39%	44,333
Waste management		62,272	76,652	76,454	6,593	11,429	19,113	(7,685)	-40%	76,454
Other		1,102	1,059	1,039	-	250	260	(10)	-4%	1,039
Total Expenditure - Functional	3	866,533	996,730	995,110	92,417	205,156	248,772	(43,616)	-18%	995,110
Surplus/ (Deficit) for the year		94,744	3,713	5,333	(31,939)	113,951	1,339	112,612	8411%	5,333

WC022 Witzenberg - Table C2 Monthly Budget Statement - Financial Performance (functional classification) - M03 September

Description	Ref	2023/24	Budget Year 2024/25						
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	Full Year Forecast
R thousands									
Revenue - Functional	1							%	
Municipal governance and administration		150,655	153,789	153,789	7,223	65,232	38,447	26,785	70%
Executive and council		28	31	31	3	8	8	0	0
Mayor and Council		28	31	31	3	8	8	0	0
Finance and administration		150,628	153,758	153,758	7,220	65,224	38,440	26,784	0
Administrative and Corporate Support		0	11	11	-	-	3	(3)	(0)
Finance		150,152	152,985	152,985	7,208	65,106	38,246	26,860	0
Human Resources		418	671	671	-	98	168	(70)	(0)
Marketing, Customer Relations, Publicity and Media		-	5	5	-	-	1	(1)	(0)
Supply Chain Management		57	86	86	12	20	21	(2)	(0)
Community and public safety		221,762	218,327	218,327	4,584	70,435	54,582	15,853	0
Community and social services		149,009	158,917	158,917	1,060	64,133	39,729	24,404	0
Aged Care		139,162	147,397	147,397	216	61,560	36,849	24,711	0
Cemeteries, Funeral Parlours and Crematoriums		142	266	266	14	38	67	(28)	(0)
Community Halls and Facilities		314	543	543	16	49	136	(87)	(0)
Libraries and Archives		9,390	10,710	10,710	814	2,486	2,678	(191)	(0)
Sport and recreation		9,728	7,820	7,820	418	1,180	1,955	(775)	(0)
Recreational Facilities		6,539	7,682	7,682	404	1,138	1,920	(782)	(0)
Sports Grounds and Stadiums		3,189	139	139	14	42	35	7	0
Public safety		24,388	16,654	16,654	3,079	5,047	4,163	883	0
Civil Defence		151	-	-	-	-	-	-	-
Fire Fighting and Protection		2,215	8	8	3	4	2	2	0
Police Forces, Traffic and Street Parking Control		22,023	16,646	16,646	3,076	5,043	4,162	881	0
Housing		38,637	34,936	34,936	27	74	8,734	(8,660)	(0)
Housing		38,637	34,936	34,936	27	74	8,734	(8,660)	(0)
Economic and environmental services		21,432	4,338	4,338	202	360	1,085	(724)	(0)
Planning and development		4,663	3,016	3,016	200	354	754	(400)	(0)
Economic Development/Planning		1,883	105	105	-	-	26	(26)	(0)
Town Planning, Building Regulations and		1,783	1,911	1,911	200	354	478	(124)	(0)
Project Management Unit		997	1,000	1,000	-	-	250	(250)	(0)
Road transport		15,837	1,311	1,311	2	6	328	(322)	(0)
Roads		15,837	1,311	1,311	2	6	328	(322)	(0)
Environmental protection		932	11	11	-	-	3	(3)	(0)
Biodiversity and Landscape		932	11	11	-	-	3	(3)	(0)
Trading services		567,329	623,849	623,849	48,463	182,986	155,962	27,024	0
Energy sources		373,511	430,868	430,868	33,855	109,766	107,717	2,049	0
Electricity		373,511	430,868	430,868	33,855	109,766	107,717	2,049	0
Water management		66,833	95,225	95,225	7,036	17,073	23,806	(6,733)	(0)
Water Distribution		62,297	82,182	82,182	7,036	17,073	20,545	(3,472)	(0)
Water Storage		4,536	13,043	13,043	-	-	3,261	(3,261)	(0)
Waste water management		83,087	56,602	56,602	4,195	45,799	14,151	31,649	0
Sewerage		83,087	56,602	56,602	4,195	45,799	14,151	31,649	0
Waste management		43,898	41,154	41,154	3,377	10,348	10,288	59	0
Solid Waste Removal		43,898	41,154	41,154	3,377	10,348	10,288	59	0

Description	Ref	2023/24	Budget Year 2024/25						
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	Full Year Forecast
R thousands									
Other		100	139	139	6	94	35	59	0
Licensing and Regulation		100	139	139	6	94	35	59	0
Total Revenue - Functional	2	961,278	1,000,443	1,000,443	60,477	319,107	250,111	68,996	0
Expenditure - Functional									
Municipal governance and administration		116,133	161,917	161,784	14,579	35,510	40,446	(4,937)	(0)
Executive and council		29,071	32,064	32,001	2,436	6,972	8,000	(1,028)	(0)
Mayor and Council		18,064	19,101	19,038	1,281	3,805	4,760	(954)	(0)
Municipal Manager, Town Secretary and Chief		11,007	12,962	12,962	1,155	3,166	3,241	(74)	(0)
Finance and administration		83,060	124,776	124,706	11,854	27,588	31,176	(3,588)	(0)
Administrative and Corporate Support		13,420	15,255	15,256	1,075	2,671	3,814	(1,143)	(0)
Asset Management		223	271	273	31	75	68	7	0
Finance		21,892	46,823	46,838	4,178	10,189	11,709	(1,520)	(0)
Fleet Management		4,351	4,221	4,221	385	955	1,055	(100)	(0)
Human Resources		21,175	30,941	30,928	4,575	9,267	7,732	1,535	0
Information Technology		4,553	5,493	5,483	140	399	1,371	(971)	(0)
Legal Services		2,311	3,254	3,254	136	475	814	(338)	(0)
Marketing, Customer Relations, Publicity and Media		4,125	4,980	4,965	413	1,110	1,241	(131)	(0)
Property Services		1,766	1,506	1,506	47	126	377	(251)	(0)
Supply Chain Management		8,444	10,268	10,268	826	2,186	2,567	(381)	(0)
Valuation Service		798	1,763	1,713	48	134	428	(294)	(0)
Internal audit		4,002	5,078	5,078	289	950	1,270	(320)	(0)
Governance Function		4,002	5,078	5,078	289	950	1,270	(320)	(0)
Community and public safety		151,016	176,506	176,153	9,788	31,580	44,032	(12,452)	(0)
Community and social services		31,449	36,104	35,771	2,725	7,487	8,937	(1,450)	(0)
Aged Care		8,100	7,179	6,847	537	1,720	1,706	15	0
Cemeteries, Funeral Parlours and Crematoriums		3,773	4,783	4,783	386	1,034	1,196	(162)	(0)
Child Care Facilities		89	99	99	-	-	25	(25)	(0)
Community Halls and Facilities		7,650	9,675	9,675	710	1,787	2,419	(631)	(0)
Disaster Management		13	76	76	-	2	19	(17)	(0)
Education		-	2	2	-	-	1	(1)	(0)
Libraries and Archives		11,823	14,289	14,289	1,091	2,942	3,572	(630)	(0)
Sport and recreation		38,015	42,561	42,561	2,773	7,349	10,640	(3,291)	(0)
Community Parks (including Nurseries)		11,558	14,625	14,625	886	2,493	3,656	(1,163)	(0)
Recreational Facilities		17,568	18,350	18,350	1,341	3,419	4,588	(1,169)	(0)
Sports Grounds and Stadiums		8,888	9,585	9,585	545	1,437	2,396	(959)	(0)
Public safety		42,724	56,942	56,892	3,806	10,363	14,223	(3,860)	(0)
Fire Fighting and Protection		10,643	12,931	12,941	941	2,531	3,235	(704)	(0)
Police Forces, Traffic and Street Parking Control		32,081	44,011	43,951	2,865	7,832	10,988	(3,156)	(0)
Housing		38,829	40,899	40,929	484	6,381	10,232	(3,851)	(0)
Housing		38,811	40,844	40,874	481	6,369	10,218	(3,849)	(0)
Informal Settlements		18	55	55	3	12	14	(2)	(0)
Economic and environmental services		39,351	51,243	51,243	2,614	7,126	12,811	(5,685)	(0)
Planning and development		13,433	16,351	16,394	1,275	3,461	4,098	(638)	(0)
Corporate Wide Strategic Planning (IDPs, LEDs)		2,847	3,639	3,649	275	640	912	(272)	(0)

Description	Ref	2023/24	Budget Year 2024/25						
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	Full Year Forecast
R thousands									
<i>Economic Development/Planning</i>		1,922	2,624	2,663	174	460	666	(206)	2,663
<i>Town Planning, Building Regulations and</i>		5,768	6,699	6,693	555	1,612	1,673	(61)	6,693
<i>Project Management Unit</i>		2,896	3,389	3,389	271	748	847	(99)	3,389
Road transport		23,305	29,657	29,587	1,133	3,180	7,397	(4,217)	29,587
<i>Roads</i>		23,305	29,657	29,587	1,133	3,180	7,397	(4,217)	29,587
Environmental protection		2,613	5,235	5,261	206	486	1,315	(830)	5,261
<i>Biodiversity and Landscape</i>		2,598	5,036	5,062	206	486	1,266	(780)	5,062
<i>Pollution Control</i>		15	199	199	–	–	50	(50)	199
Trading services		558,931	606,005	604,892	65,437	130,690	151,223	(20,533)	604,892
Energy sources		368,738	428,398	428,391	49,873	101,495	107,098	(5,603)	428,391
<i>Electricity</i>		364,073	423,090	423,090	49,791	101,284	105,772	(4,488)	423,090
<i>Street Lighting and Signal Systems</i>		4,665	5,308	5,301	82	211	1,325	(1,115)	5,301
Water management		68,556	55,909	55,714	6,260	10,991	13,929	(2,937)	55,714
<i>Water Treatment</i>		224	251	251	18	51	63	(11)	251
<i>Water Distribution</i>		65,432	51,504	51,309	6,191	9,116	12,827	(3,712)	51,309
<i>Water Storage</i>		2,901	4,155	4,155	51	1,824	1,039	786	4,155
Waste water management		59,365	45,046	44,333	2,710	6,775	11,083	(4,308)	44,333
<i>Public Toilets</i>		1,621	1,842	1,842	144	422	461	(38)	1,842
<i>Sewerage</i>		51,283	34,367	33,649	2,149	5,156	8,412	(3,257)	33,649
<i>Storm Water Management</i>		6,457	8,822	8,826	417	1,197	2,207	(1,010)	8,826
<i>Waste Water Treatment</i>		3	15	15	–	1	4	(3)	15
Waste management		62,272	76,652	76,454	6,593	11,429	19,113	(7,685)	76,454
<i>Solid Waste Disposal (Landfill Sites)</i>		7,872	32,050	31,977	359	617	7,994	(7,377)	31,977
<i>Solid Waste Removal</i>		54,372	44,521	44,395	6,230	10,805	11,099	(294)	44,395
<i>Street Cleaning</i>		28	82	82	5	7	20	(13)	82
Other		1,102	1,059	1,039	–	250	260	(10)	1,039
Licensing and Regulation		4	58	38	–	–	10	(10)	38
Tourism		1,098	1,000	1,000	–	250	250	(0)	1,000
Total Expenditure - Functional	3	866,533	996,730	995,110	92,417	205,156	248,772	(43,616)	995,110
Surplus/ (Deficit) for the year		94,744	3,713	5,333	(31,939)	113,951	1,339	112,612	5,333

WC022 Witzenberg - Table C3 Monthly Budget Statement - Financial Performance (revenue and expenditure by municipal vote) - M03 September

Vote Description	Ref	2023/24	Budget Year 2024/25							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance %	Full Year Forecast
R thousands										
Revenue by Vote	1									
Vote 1 - Financial Services		147,595	149,934	149,934	6,976	64,419	37,484	26,935	71.9%	149,934
Vote 2 - Community Services		202,772	201,946	201,946	1,529	65,531	50,486	15,044	29.8%	201,946
Vote 3 - Corporate Services		22,619	17,495	17,495	3,079	5,149	4,374	775	17.7%	17,495
Vote 4 - Technical Services		586,545	629,366	629,366	48,832	183,832	157,341	26,491	16.8%	629,366
Vote 5 - Municipal Manager		1,746	1,702	1,702	61	177	426	(249)	-58.4%	1,702
Total Revenue by Vote	2	961,278	1,000,443	1,000,443	60,477	319,107	250,111	68,996	27.6%	1,000,443
Expenditure by Vote	1									
Vote 1 - Financial Services		31,157	61,135	61,102	4,987	12,511	15,275	(2,764)	-18.1%	61,102
Vote 2 - Community Services		124,415	141,841	141,594	7,343	24,797	35,393	(10,596)	-29.9%	141,594
Vote 3 - Corporate Services		97,570	124,911	124,752	10,631	26,113	31,188	(5,075)	-16.3%	124,752
Vote 4 - Technical Services		596,308	649,300	648,111	68,021	137,720	162,028	(24,308)	-15.0%	648,111
Vote 5 - Municipal Manager		15,442	19,542	19,552	1,434	4,015	4,888	(873)	-17.9%	19,552
Total Expenditure by Vote	2	864,892	996,730	995,110	92,417	205,156	248,772	(43,616)	-17.5%	995,110
Surplus/ (Deficit) for the year	2	96,386	3,713	5,333	(31,939)	113,951	1,339	112,612	8411.0%	5,333

WC022 Witzenberg - Table C3 Monthly Budget Statement - Financial Performance (revenue and expenditure by municipal vote) - A - M03 September

Vote Description	Ref	2023/24	Budget Year 2024/25						
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance %
Revenue by Vote	1								
Vote 1 - Financial Services		147,595	149,934	149,934	6,976	64,419	37,484	26,935	72%
1.2 - Income		101,042	114,101	114,101	3,781	56,159	28,525	27,634	97%
1.3 - Financial Administration		46,497	35,464	35,464	3,183	8,240	8,866	(626)	-7%
1.4 - Credit Control		(1)	284	284	-	(0)	71	(71)	-101%
1.5 - Supply Chain & Expenditure		57	86	86	12	20	21	(2)	-7%
Vote 2 - Community Services		202,772	201,946	201,946	1,529	65,531	50,486	15,044	30%
2.2 - Cemeteries		142	266	266	14	38	67	(28)	-42%
2.3 - Housing		38,863	35,029	35,029	43	119	8,757	(8,638)	-99%
2.4 - Libraries		9,487	10,947	10,947	814	2,486	2,737	(251)	-9%
2.5 - Resorts & Swimming Pools		6,539	7,682	7,682	404	1,138	1,920	(782)	-41%
2.6 - Social Services		139,162	147,397	147,397	216	61,560	36,849	24,711	67%
2.7 - Fire Services & Disaster Management		2,215	8	8	3	4	2	2	126%
2.8 - Environment & Licensing		1,032	150	150	6	94	38	56	150%
2.9 - Community Halls and Amenities		3,449	362	362	29	90	90	(0)	0%
2.10 - Local Economic Development		1,883	105	105	-	-	26	(26)	-100%
Vote 3 - Corporate Services		22,619	17,495	17,495	3,079	5,149	4,374	775	18%
3.2 - Human Resources		418	671	671	-	98	168	(70)	-42%
3.3 - Administration		0	11	11	-	-	3	(3)	-100%
3.5 - Marketing & Communication		-	5	5	-	-	1	(1)	-100%
3.6 - Tusong Centre		-	130	130	-	-	33	(33)	-100%
3.7 - Traffic and Protection Services		22,174	16,646	16,646	3,076	5,043	4,162	881	21%
3.9 - Council Cost		28	31	31	3	8	8	0	5%
Vote 4 - Technical Services		586,545	629,366	629,366	48,832	183,832	157,341	26,491	17%
4.2 - Electro Technical Services		375,252	433,104	433,104	34,031	110,276	108,276	2,000	2%
4.3 - Water Storage & Distribution		66,833	95,225	95,225	7,036	17,073	23,806	(6,733)	-28%
4.4 - Waste Water Management		83,087	56,985	56,985	4,195	45,799	14,246	31,553	221%
4.5 - Waste Management		43,854	41,081	41,081	3,377	10,348	10,270	78	1%
4.6 - Roads		15,837	1,311	1,311	2	6	328	(322)	-98%
4.8 - Town Planning & Building Control		1,682	1,660	1,660	192	329	415	(86)	-21%
Vote 5 - Municipal Manager		1,746	1,702	1,702	61	177	426	(249)	-58%
5.2 - Performance & Project Management		997	1,000	1,000	-	-	250	(250)	-100%
5.3 - Property & Legal Services		749	702	702	61	177	176	1	1%
Total Revenue by Vote	2	961,278	1,000,443	1,000,443	60,477	319,107	250,111	68,996	28%
Expenditure by Vote	1								
Vote 1 - Financial Services		31,157	61,135	61,102	4,987	12,511	15,275	(2,764)	-18%
1.1 - Director: Finance		2,296	2,033	2,033	195	577	508	69	14%
1.2 - Income		(3,796)	18,980	18,990	544	1,375	4,748	(3,373)	-71%
1.3 - Financial Administration		13,227	17,127	17,084	2,386	5,720	4,271	1,449	34%
1.4 - Credit Control		10,841	12,593	12,593	1,008	2,593	3,148	(555)	-18%
1.5 - Supply Chain & Expenditure		8,589	10,401	10,401	853	2,246	2,600	(354)	-14%
Vote 2 - Community Services		124,415	141,841	141,594	7,343	24,797	35,393	(10,596)	-30%
2.1 - Director: Community Services		551	1,564	1,564	50	136	391	(255)	-65%
2.2 - Cemeteries		3,771	4,775	4,775	385	1,040	1,194	(153)	-13%
2.3 - Housing		39,236	40,899	40,929	484	6,381	10,232	(3,851)	-38%
2.4 - Libraries		14,594	17,487	17,487	1,227	3,278	4,372	(1,093)	-25%
2.5 - Resorts & Swimming Pools		14,771	15,153	15,153	1,206	3,083	3,788	(706)	-19%
2.6 - Social Services		8,045	6,999	6,666	537	1,720	1,661	60	4%
2.7 - Fire Services & Disaster Management		10,656	13,007	13,017	941	2,534	3,254	(720)	-22%
2.8 - Environment & Licensing		2,566	5,210	5,216	206	478	1,304	(826)	-63%
2.9 - Community Halls and Amenities		28,158	33,843	33,843	2,132	5,686	8,461	(2,774)	-33%
2.10 - Local Economic Development		2,066	2,906	2,945	174	460	736	(276)	-38%
Vote 3 - Corporate Services		97,570	124,911	124,752	10,631	26,113	31,188	(5,075)	-16%
3.1 - Director: Corporate Services		2,314	2,568	2,568	214	587	642	(56)	-9%
3.2 - Human Resources		21,256	30,941	30,928	4,585	9,293	7,732	1,561	20%
3.3 - Administration		13,465	15,891	15,892	1,077	2,675	3,973	(1,298)	-33%
3.4 - Information Technology		4,553	5,473	5,463	140	399	1,366	(966)	-71%
3.5 - Marketing & Communication		4,125	5,000	4,985	413	1,110	1,246	(136)	-11%
3.6 - Tusong Centre		616	926	926	57	162	231	(70)	-30%
3.7 - Traffic and Protection Services		32,081	44,011	43,951	2,865	7,832	10,988	(3,156)	-29%
3.8 - Tourism		1,098	1,000	1,000	-	250	250	(0)	0%
3.9 - Council Cost		18,064	19,101	19,038	1,281	3,805	4,760	(954)	-20%
Vote 4 - Technical Services		596,308	649,300	648,111	68,021	137,720	162,028	(24,308)	-15%
4.1 - Director: Technical Services		2,502	2,772	2,772	236	674	693	(19)	-3%
4.2 - Electro Technical Services		363,641	423,621	423,615	49,731	100,357	105,904	(5,547)	-5%
4.3 - Water Storage & Distribution		68,556	56,326	56,132	6,260	10,991	14,033	(3,042)	-22%
4.4 - Waste Water Management		55,903	38,686	37,969	2,292	6,291	9,492	(3,201)	-34%
4.5 - Waste Management		62,272	76,652	76,454	6,593	11,429	19,113	(7,685)	-40%
4.6 - Roads		23,305	29,657	29,587	1,133	3,180	7,397	(4,217)	-57%
4.7 - Storm Water Management		8,388	8,822	8,826	693	1,808	2,207	(398)	-18%
4.8 - Town Planning & Building Control		5,768	6,699	6,693	555	1,612	1,673	(61)	-4%
4.9 - Public Toilets		1,621	1,842	1,842	144	422	461	(38)	-8%
4.10 - Mechanical Workshop		4,351	4,221	4,221	385	955	1,055	(100)	-10%
Vote 5 - Municipal Manager		15,442	19,542	19,552	1,434	4,015	4,888	(873)	-18%
5.1 - Municipal Manager		3,385	4,058	4,058	463	1,201	1,014	187	18%
5.2 - Performance & Project Management		2,896	3,389	3,389	271	748	847	(99)	-12%
5.3 - Property & Legal Services		2,311	3,379	3,379	136	475	845	(370)	-44%
5.4 - Internal Audit		4,002	5,078	5,078	289	950	1,270	(320)	-25%
5.5 - IDP		2,847	3,639	3,649	275	640	912	(272)	-30%
Total Expenditure by Vote	2	864,892	996,730	995,110	92,417	205,156	248,772	(43,616)	(0)

Vote Description R thousand	Ref	2023/24	Budget Year 2024/25							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance %	Full Year Forecast
								-		
Surplus/ (Deficit) for the year	2	96,386	3,713	5,333	(31,939)	113,951	1,339	112,612	0	5,333

WC022 Witzenberg - Table C4 Monthly Budget Statement - Financial Performance (revenue and expenditure) - M03 September

Description	Ref	2023/24	Budget Year 2024/25							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance	Full Year Forecast
R thousands										
Revenue										
Exchange Revenue		606,675	629,318	629,318	52,112	192,370	157,330	35,040	22%	629,318
Service charges - Electricity		371,022	431,223	431,223	33,760	109,487	107,806	1,681	2%	431,223
Service charges - Water		48,337	49,359	49,359	5,624	13,529	12,340	1,189	10%	49,359
Service charges - Waste Water Management		75,250	50,932	50,932	2,516	42,261	12,733	29,528	232%	50,932
Service charges - Waste management		34,183	33,774	33,774	2,872	8,868	8,443	424	5%	33,774
Sale of Goods and Rendering of Services		14,484	5,536	5,536	1,078	1,630	1,384	246	18%	5,536
Agency services		4,739	4,684	4,684	290	1,058	1,171	(113)	-10%	4,684
Interest		-	11	11	-	-	3	(3)	-100%	11
Interest earned from Receivables		28,557	23,549	23,549	3,609	8,592	5,887	2,705	46%	23,549
Interest earned from Current and Non Current Assets		22,019	22,444	22,444	1,891	5,694	5,611	83	1%	22,444
Rent on Land		-	27	27	-	-	7	(7)	-100%	27
Rental from Fixed Assets		5,038	6,015	6,015	398	1,031	1,504	(473)	-31%	6,015
Operational Revenue		3,046	1,764	1,764	73	220	441	(221)	-50%	1,764
Non-Exchange Revenue		318,067	335,568	335,568	8,365	126,737	83,892	42,845	51%	335,568
Property rates		101,317	113,495	113,495	3,827	56,216	28,374	27,842	98%	113,495
Surcharges and Taxes		9,122	5,501	5,501	498	521	1,375	(855)	-62%	5,501
Fines, penalties and forfeits		20,634	11,254	11,254	2,815	3,801	2,813	988	35%	11,254
Licence and permits		1,183	2,444	2,444	(31)	268	611	(343)	-56%	2,444
Transfer and subsidies - Operational		179,020	196,213	196,213	592	63,975	49,053	14,922	30%	196,213
Interest		4,091	3,566	3,566	385	1,130	892	239	27%	3,566
Operational Revenue		2,991	3,095	3,095	280	826	774	52	7%	3,095
Gains on disposal of Assets		(291)	-	-	-	-	-	-	-	-
Total Revenue (excluding capital transfers and contributions)		924,741	964,887	964,887	60,477	319,107	241,222	77,885	32%	964,887
Expenditure By Type										
Employee related costs		241,440	277,558	277,467	26,361	68,157	69,367	(1,210)	-2%	277,467
Remuneration of councillors		11,447	12,311	12,311	951	2,853	3,078	(225)	-7%	12,311
Bulk purchases - electricity		324,086	375,258	375,258	41,966	89,898	93,814	(3,916)	-4%	375,258
Inventory consumed		23,245	25,929	25,571	1,134	4,409	6,387	(1,977)	-31%	25,571
Debt impairment		(75,887)	62,758	62,758	14,553	14,553	15,689	(1,136)	-7%	62,758
Depreciation and amortisation		34,241	54,219	54,219	-	-	13,555	(13,555)	-100%	54,219
Interest		6,094	10,233	10,233	-	-	2,558	(2,558)	-100%	10,233
Contracted services		55,684	75,234	74,525	3,063	7,779	18,631	(10,853)	-58%	74,525
Transfers and subsidies		36,338	37,116	37,126	144	5,533	9,281	(3,749)	-40%	37,126
Irrecoverable debts written off		159,168	2,131	2,131	2	16	533	(517)	-97%	2,131
Operational costs		49,986	60,487	60,016	4,242	11,958	15,004	(3,046)	-20%	60,016
Losses on Disposal of Assets		688	-	-	-	-	-	-	-	-
Other Losses		4	3,497	3,497	-	-	874	(874)	-100%	3,497
Total Expenditure		866,533	996,730	995,110	92,417	205,156	248,772	(43,616)	-18%	995,110
Surplus/(Deficit)		58,208	(31,844)	(30,224)	(31,939)	113,951	(7,550)	121,501	(0)	(30,224)
Transfers and subsidies - capital (monetary allocations)		36,536	35,557	35,557	-	-	8,889	(8,889)	(0)	35,557
Surplus/(Deficit) after capital transfers & contributions		94,744	3,713	5,333	(31,939)	113,951	1,339			5,333
Surplus/(Deficit) after income tax		94,744	3,713	5,333	(31,939)	113,951	1,339			5,333
Surplus/(Deficit) attributable to municipality		94,744	3,713	5,333	(31,939)	113,951	1,339			5,333
Surplus/ (Deficit) for the year		94,744	3,713	5,333	(31,939)	113,951	1,339			5,333

WC022 Witzenberg - Table C5 Monthly Budget Statement - Capital Expenditure (municipal vote, functional classification and funding) - M03 September

Vote Description	Ref	2023/24	Budget Year 2024/25							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance %	Full Year Forecast
R thousands	1									
Multi-Year expenditure appropriation	2									
Vote 1 - Financial Services		2,482	100	100	–	–	–	–		100
Vote 2 - Community Services		881	350	350	13	17	87	(71)	-81%	350
Vote 4 - Technical Services		32,776	18,937	19,358	1,482	1,734	4,840	(3,106)	-64%	19,358
Vote 5 - Municipal Manager		–	66	66	–	–	17	(17)	-100%	66
Total Capital Multi-year expenditure	4,7	36,138	19,453	19,875	1,495	1,751	4,944	(3,193)	-65%	19,875
Single Year expenditure appropriation	2									
Vote 1 - Financial Services		530	30	30	–	(0)	8	(8)	-101%	30
Vote 2 - Community Services		5,550	1,780	1,780	23	28	445	(417)	-94%	1,780
Vote 3 - Corporate Services		1,712	760	1,138	64	103	285	(182)	-64%	1,138
Vote 4 - Technical Services		41,795	63,311	64,132	3,421	4,211	16,033	(11,822)	-74%	64,132
Vote 5 - Municipal Manager		–	30	30	–	–	8	(8)	-100%	30
Total Capital single-year expenditure	4	49,587	65,911	67,110	3,509	4,341	16,777	(12,436)	-74%	67,110
Total Capital Expenditure	3	85,725	85,365	86,984	5,004	6,092	21,721	(15,629)	-72%	86,984
Capital Expenditure - Functional Classification										
Governance and administration		8,148	2,196	2,575	64	142	619	(477)	-77%	2,575
Executive and council		124	216	252	44	60	63	(2)	-4%	252
Finance and administration		8,024	1,980	2,323	21	81	556	(474)	-85%	2,323
Community and public safety		6,252	2,300	2,300	37	40	575	(535)	-93%	2,300
Community and social services		58	1,100	1,100	–	–	275	(275)	-100%	1,100
Sport and recreation		3,224	650	650	23	23	162	(139)	-86%	650
Public safety		2,838	550	550	13	17	137	(121)	-88%	550
Housing		132	–	–	–	–	–	–		–
Economic and environmental services		32,934	7,367	7,437	26	26	1,859	(1,834)	-99%	7,437
Planning and development		828	200	200	–	–	50	(50)	-100%	200
Road transport		32,107	7,167	7,237	26	26	1,809	(1,784)	-99%	7,237
Trading services		38,390	73,501	74,673	4,878	5,884	18,668	(12,784)	-68%	74,673
Energy sources		9,959	31,352	31,359	441	445	7,840	(7,394)	-94%	31,359
Water management		10,426	25,606	25,606	2,955	2,955	6,401	(3,446)	-54%	25,606
Waste water management		4,669	16,343	17,256	1,457	2,207	4,314	(2,107)	-49%	17,256
Waste management		13,337	200	453	25	277	113	164	145%	453
Total Capital Expenditure - Functional Classification	3	85,725	85,365	86,984	5,004	6,092	21,721	(15,629)	-72%	86,984
Funded by:										
National Government		21,847	37,504	37,504	4,412	4,412	9,376	(4,964)	-53%	37,504
Provincial Government		14,214	1,941	1,941	–	–	485	(485)	-100%	1,941
District Municipality		1,644	435	435	–	–	109	(109)	-100%	435
Transfers and subsidies - capital (monetary allocations) (Nat / Prov Departm Agencies, Households, Non-profit Institutions, Private Enterprises, Public Corporatons, Higher Educ Institutions)		222	–	–	–	–	–	–		–
Transfers recognised - capital		37,926	39,880	39,880	4,412	4,412	9,970	(5,558)	-56%	39,880
Borrowing	6	1,460	25,000	25,000	441	445	6,250	(5,805)	-93%	25,000
Internally generated funds		43,815	20,485	22,104	152	1,235	5,501	(4,266)	-78%	22,104
Total Capital Funding	7	83,202	85,365	86,984	5,004	6,092	21,721	(15,629)	-72%	86,984

WC022 Witzenberg - Table C5 Monthly Budget Statement - Capital Expenditure (municipal vote, functional classification and funding) - A - M03 September

Vote Description	Ref	Budget Year 2024/25							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance %
R thousand									
Capital expenditure - Municipal Vote									
Expenditure of multi-year capital appropriation	1								
Vote 1 - Financial Services		2,482	100	100	-	-	-	-	100
1.1 - Director: Finance		-	100	100	-	-	-	-	100
1.3 - Financial Administration		2,482	-	-	-	-	-	-	-
Vote 2 - Community Services		881	350	350	13	17	87	(71)	-81%
2.7 - Fire Services & Disaster Management		881	350	350	13	17	87	(71)	-81%
Vote 4 - Technical Services		32,776	18,937	19,358	1,482	1,734	4,840	(3,106)	-64%
4.2 - Electro Technical Services		6,693	5,593	5,600	-	-	1,400	(1,400)	-100%
4.3 - Water Storage & Distribution		2,857	200	200	-	-	50	(50)	-100%
4.4 - Waste Water Management		3,407	13,043	13,205	1,457	1,457	3,301	(1,845)	-56%
4.5 - Waste Management		1,685	100	353	25	277	88	189	214%
4.6 - Roads		18,133	-	-	-	-	-	-	-
Vote 5 - Municipal Manager		-	66	66	-	-	17	(17)	-100%
5.2 - Performance & Project Management		-	66	66	-	-	17	(17)	-100%
Total multi-year capital expenditure		36,138	19,453	19,875	1,495	1,751	4,944	(3,193)	-65%
Capital expenditure - Municipal Vote									
Expenditure of single-year capital appropriation	1								
Vote 1 - Financial Services		530	30	30	-	(0)	8	(8)	-101%
1.1 - Director: Finance		-	30	30	-	(0)	8	(8)	-101%
1.3 - Financial Administration		530	-	-	-	-	-	-	-
Vote 2 - Community Services		5,550	1,780	1,780	23	28	445	(417)	-94%
2.1 - Director: Community Services		94	30	30	-	5	8	(3)	-39%
2.2 - Cemeteries		-	100	100	-	-	25	(25)	-100%
2.3 - Housing		132	-	-	-	-	-	-	-
2.4 - Libraries		58	1,000	1,000	-	-	250	(250)	-100%
2.5 - Resorts & Swimming Pools		-	450	450	-	-	113	(113)	-100%
2.7 - Fire Services & Disaster Management		1,190	-	-	-	-	-	-	-
2.8 - Environment & Licensing		24	-	-	-	-	-	-	-
2.9 - Community Halls and Amenities		3,224	200	200	23	23	50	(27)	-53%
2.10 - Local Economic Development		828	-	-	-	-	-	-	-
Vote 3 - Corporate Services		1,712	760	1,138	64	103	285	(182)	-64%
3.1 - Director: Corporate Services		233	30	65	44	56	16	40	244%
3.2 - Human Resources		331	80	363	-	-	91	(91)	-100%
3.4 - Information Technology		270	350	410	21	47	102	(56)	-54%
3.5 - Marketing & Communication		110	100	100	-	-	25	(25)	-100%
3.7 - Traffic and Protection Services		767	200	200	-	-	50	(50)	-100%
Vote 4 - Technical Services		41,795	63,311	64,132	3,421	4,211	16,033	(11,822)	-74%
4.1 - Director: Technical Services		21	30	30	-	-	8	(8)	-100%
4.2 - Electro Technical Services		3,266	25,759	25,759	441	445	6,440	(5,994)	-93%
4.3 - Water Storage & Distribution		7,544	25,406	25,406	2,955	2,955	6,351	(3,396)	-53%
4.4 - Waste Water Management		1,262	2,850	3,600	-	750	900	(150)	-17%
4.5 - Waste Management		11,652	100	100	-	-	25	(25)	-100%
4.6 - Roads		13,973	7,167	7,237	26	26	1,809	(1,784)	-99%
4.7 - Storm Water Management		-	450	450	-	-	113	(113)	-100%
4.8 - Town Planning & Building Control		-	200	200	-	-	50	(50)	-100%
4.10 - Mechanical Workshop		4,076	1,350	1,350	-	34	337	(303)	-90%
Vote 5 - Municipal Manager		-	30	30	-	-	8	(8)	-100%
5.1 - Municipal Manager		-	30	30	-	-	8	(8)	-100%
Total single-year capital expenditure		49,587	65,911	67,110	3,509	4,341	16,777	(12,436)	(0)
Total Capital Expenditure		85,725	85,365	86,984	5,004	6,092	21,721	(15,629)	(0)

WC022 Witzenberg - Table C6 Monthly Budget Statement - Financial Position - M03 September

Description	Ref	2023/24	Budget Year 2024/25			
		Audited Outcome	Original Budget	Adjusted Budget	YearTD Actual	Full Year Forecast
R thousands						
ASSETS	1					
Current assets						
Cash and cash equivalents		187,245	227,306	225,686	206,356	225,686
Trade and other receivables from exchange transactions		111,342	68,636	68,636	26,822	68,636
Receivables from non-exchange transactions		36,119	49,234	49,234	58,118	49,234
Current portion of non-current receivables		-	-	-	-	-
Inventory		22,066	9,181	9,569	23,130	9,569
VAT		28,090	6,836	6,836	113,485	6,836
Other current assets		1,239	1,709	1,709	4,354	1,709
Total current assets		386,101	362,903	361,671	432,265	361,671
Non current assets						
Investments		-	-	-	-	-
Investment property		41,680	40,610	40,610	41,678	40,610
Property, plant and equipment		1,056,605	1,094,459	1,095,796	1,053,487	1,095,796
Biological assets		-	-	-	-	-
Living and non-living resources		-	-	-	-	-
Heritage assets		550	550	550	550	550
Intangible assets		1,741	2,529	2,812	2,360	2,812
Trade and other receivables from exchange transactions		-	-	-	-	-
Non-current receivables from non-exchange transactions		-	-	-	-	-
Other non-current assets		-	-	-	-	-
Total non current assets		1,100,577	1,138,148	1,139,768	1,098,075	1,139,768
TOTAL ASSETS		1,486,678	1,501,051	1,501,438	1,530,341	1,501,438
LIABILITIES						
Current liabilities						
Bank overdraft		-	-	-	-	-
Financial liabilities		59	(3,330)	(3,330)	36	(3,330)
Consumer deposits		9,742	12,158	12,158	13,672	12,158
Trade and other payables from exchange transactions		85,555	110,941	109,679	(17,481)	109,679
Trade and other payables from non-exchange transactions		(5,360)	3,129	3,129	60,386	3,129
Provision		31,782	45,567	45,567	33,386	45,567
VAT		15,287	18,269	18,269	95,789	18,269
Other current liabilities		-	-	-	-	-
Total current liabilities		137,064	186,734	185,472	185,786	185,472
Non current liabilities						
Financial liabilities		1,220	25,645	25,655	490	25,655
Provision		67,264	77,712	77,712	58,838	77,712
Long term portion of trade payables		-	-	-	-	-
Other non-current liabilities		60,522	78,001	78,001	69,705	78,001
Total non current liabilities		129,006	181,358	181,368	129,033	181,368
TOTAL LIABILITIES		266,070	368,091	366,839	314,819	366,839
NET ASSETS	2	1,220,608	1,132,959	1,134,599	1,215,522	1,134,599
COMMUNITY WEALTH/EQUITY						
Accumulated Surplus/(Deficit)		1,210,119	1,120,420	1,120,420	1,238,883	1,120,420
Reserves and funds		11,166	12,540	12,540	(23,362)	12,540
Other		-	-	-	-	-
TOTAL COMMUNITY WEALTH/EQUITY	2	1,221,285	1,132,959	1,132,959	1,215,522	1,132,959

WC022 Witzenberg - Table C7 Monthly Budget Statement - Cash Flow - M03 September

Description	Ref	2023/24	Budget Year 2024/25							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance %	Full Year Forecast
CASH FLOW FROM OPERATING ACTIVITIES	1									
Receipts										
Property rates		4,845	103,281	103,281	8,139	28,625	25,820	2,805	11%	103,281
Service charges		938,669	602,900	602,900	43,286	129,908	150,725	(20,817)	-14%	602,900
Other revenue		13,818	17,029	17,029	673	2,328	4,257	(1,929)	-45%	17,029
Transfers and Subsidies - Operational		187,598	194,392	194,392	132	78,186	45,046	33,140	74%	194,392
Transfers and Subsidies - Capital		37,757	46,362	46,362	-	6,000	10,541	(4,541)	-43%	46,362
Interest		9,769	49,570	49,570	758	3,049	12,393	(9,344)	-75%	49,570
Dividends		-	-	-	-	-	-	-	-	-
Payments										
Suppliers and employees		(611,936)	(939,422)	(939,422)	(72,144)	(220,526)	(234,855)	(14,330)	6%	(78,285)
Interest		-	-	-	-	(0)	-	0	0%	-
Transfers and Subsidies		-	-	-	(144)	(575)	-	575	0%	-
NET CASH FROM/(USED) OPERATING ACTIVITIES		580,519	74,112	74,112	(19,301)	26,997	13,926	(13,070)	-94%	935,249
CASH FLOWS FROM INVESTING ACTIVITIES										
Receipts										
Proceeds on disposal of PPE		-	-	-	-	-	-	-	-	-
Decrease (increase) in non-current receivables		-	-	-	-	-	-	-	-	-
Decrease (increase) in non-current investments		-	-	-	-	-	-	-	-	-
Payments										
Capital assets		(77,852)	(85,365)	(86,984)	(5,715)	(8,002)	21,721	29,723	137%	86,984
NET CASH FROM/(USED) INVESTING ACTIVITIES		(77,852)	(85,365)	(86,984)	(5,715)	(8,002)	21,721	29,723	137%	86,984
CASH FLOWS FROM FINANCING ACTIVITIES										
Receipts										
Short term loans		-	-	-	-	-	-	-	-	-
Borrowing long term/refinancing		-	25,000	25,000	-	-	6,250	(6,250)	-100%	25,000
Increase (decrease) in consumer deposits		(2,951)	-	-	55	127	-	127	0%	-
Payments										
Repayment of borrowing		-	-	-	-	-	-	-	-	-
NET CASH FROM/(USED) FINANCING ACTIVITIES		(2,951)	25,000	25,000	55	127	6,250	6,123	98%	25,000
NET INCREASE/ (DECREASE) IN CASH HELD		499,715	13,748	12,128	(24,961)	19,121	41,897			1,047,234
Cash/cash equivalents at beginning:		276,202	217,594	217,594		187,235	217,594			187,235
Cash/cash equivalents at month/year end:		775,917	231,342	229,722		206,356	259,492			1,234,469

WC022 Witzenberg - Supporting Table SC1 Material variance explanations - M03 September

Ref	Description	Variance	Reasons for material deviations	Remedial or corrective steps/remarks
1	Revenue			
	Service charges - Electricity	1,681	Peak of the High Demand Season for Electricity Usage is July-August.	
	Service charges - Water	1,189	Water usage to date more than anticipated.	
	Service charges - Waste Water Management	29,528	Industrial Effluent recognised	
	Service charges - Waste management	424	Immaterial Variance	
	Sale of Goods and Rendering of Services	246	Immaterial Variance	
	Agency services	(113)	Immaterial Variance	
	Interest	(3)	Immaterial Variance	
	Interest earned from Receivables	2,705	Year-to-date budget must be corrected to reflect expected impact of interest on property rates billed in July.	
	Interest earned from Current and Non Current Assets	63	Immaterial Variance	
	Dividends	-		
	Rent on Land	(7)	Immaterial Variance	
	Rental from Fixed Assets	(473)	Immaterial Variance	
	Licence and permits	-		
	Operational Revenue	(221)	Immaterial Variance	
	Non-Exchange Revenue			
	Property rates	27,842	Year-to-date budget must be corrected to include annual billing in July	
	Surcharges and Taxes	(855)	Immaterial Variance	
	Fines, penalties and forfeits	988	No Service provider in place.	
	Licence and permits	(343)	Immaterial Variance	
	Transfer and subsidies - Operational	14,922	First tranche of Equitable Share received during July.	
	Interest	239	Immaterial Variance	
	Fuel Levy	-		
	Operational Revenue	52	Immaterial Variance	
	Gains on disposal of Assets	-		
	Other Gains	-		
	Discontinued Operations	-		
2	Expenditure By Type			
	Employee related costs	(1,210)	Primarily due to the filling of vacancies	
	Remuneration of councillors	(225)	Immaterial Variance	
	Bulk purchases - electricity	(3,916)	Invoices received to date higher than anticipated - budget to date is for 3 months vs actuals to date which are only in respect of July-August (Sept invoice processed in following payment run)	
	Inventory consumed	(1,977)	Less inventory procured and consumed than expected.	
	Debt impairment	(1,136)	Immaterial Variance	
	Depreciation and amortisation	(13,555)	Depreciation run performed annually	
	Interest	(2,558)	Finance charges related to Landfill Sites recognised on an annual basis.	
	Contracted services	(10,853)	Dependant on the Roll Out of Contracts for Electrical, Road, Water & Sewer Maintenance	
	Transfers and subsidies	(3,749)	Housing Top Structure budget and actuals to be corrected during adjustment budget - reallocate to Contracted Services.	
	Irrecoverable debts written off	(517)	Transfer payments expected to increase when new educational year commences - financial aid to be provided to performing learners/students.	
	Operational costs	(3,046)	Immaterial Variance	
	Losses on Disposal of Assets	-	Low expenditure experienced for operational cost items.	
	Other Losses	(874)	Immaterial Variance	
3	Capital Expenditure			
	Total Capital Expenditure	(15,629)	Expenditure largely dependant on Competitive Bidding Process	
4	Financial Position			
5	Cash Flow			
6	Measureable performance			
7	Municipal Entities			

WC022 Witzenberg - Supporting Table SC2 Monthly Budget Statement - performance indicators - M03 September

Supporting Table to Monthly Budget Statement - Performance Indicators - Summary							
Description of financial indicator	Basis of calculation	Ref	2023/24	Budget Year 2024/25			
			Audited Outcome	Original Budget	Adjusted Budget	YearTD Actual	Full Year Forecast
<u>Borrowing Management</u>							
Capital Charges to Operating Expenditure	Interest & principal paid/Operating Expenditure		0.7%	6.5%	6.5%	0.0%	6.5%
Borrowed funding of 'own' capital expenditure	Borrowings/Capital expenditure excl. transfers and grants		1.7%	29.3%	28.7%	7.3%	28.7%
<u>Safety of Capital</u>							
Debt to Equity	Loans, Accounts Payable, Overdraft & Tax Provision/ Funds & Reserves		12.0%	16.4%	16.3%	4.3%	16.3%
Gearing	Long Term Borrowing/ Funds & Reserves		10.9%	204.5%	204.6%	-2.1%	204.6%
<u>Liquidity</u>							
Current Ratio	Current assets/current liabilities	1	281.7%	194.3%	195.0%	232.7%	195.0%
Liquidity Ratio	Monetary Assets/Current Liabilities		136.6%	121.7%	121.7%	111.1%	121.7%
<u>Revenue Management</u>							
Annual Debtors Collection Rate (Payment Level %)	Last 12 Mths Receipts/ Last 12 Mths Billing						
Outstanding Debtors to Revenue	Total Outstanding Debtors to Annual Revenue		16.1%	12.4%	12.4%	28.0%	12.4%
Longstanding Debtors Recovered	Debtors > 12 Mths Recovered/Total Debtors > 12 Months Old		0.0%	0.0%	0.0%	0.0%	0.0%
<u>Creditors Management</u>							
Creditors System Efficiency	% of Creditors Paid Within Terms (within MFMA s 65(e))		100.0%	100.0%	100.0%	100.0%	100.0%
<u>Funding of Provisions</u>							
Percentage Of Provisions Not Funded	Unfunded Provisions/Total Provisions						
<u>Other Indicators</u>							
Electricity Distribution Losses	% Volume (units purchased and generated less units sold)/units purchased and generated	2	11.0%	0.0%	0.0%	0.0%	0.0%
Water Distribution Losses	% Volume (units purchased and own source less units sold)/Total units purchased and own source	2	10.3%	0.0%	0.0%	0.0%	0.0%
Employee costs	Employee costs/Total Revenue - capital revenue		26.1%	28.8%	28.8%	21.4%	28.8%
Repairs & Maintenance	R&M/Total Revenue - capital revenue		2.5%	3.3%	3.1%	1.1%	3.1%
Interest & Depreciation	I&D/Total Revenue - capital revenue		4.4%	6.7%	6.7%	0.0%	6.7%
<u>IDP regulation financial viability indicators</u>							
i. Debt coverage	(Total Operating Revenue - Operating Grants)/Debt service payments due within financial year)						
ii. O/S Service Debtors to Revenue	Total outstanding service debtors/annual revenue received for services						
iii. Cost coverage	(Available cash + Investments)/monthly fixed operational expenditure						

WC022 Witzenberg - Supporting Table SC3 Monthly Budget Statement - aged debtors - M03 September

Description	NT Code	Budget Year 2024/25											
		0-30 Days	31-60 Days	61-90 Days	91-120 Days	121-150 Dys	151-180 Dys	181 Dys-1 Yr	Over 1Yr	Total	Total over 90 days	Actual Bad Debts Written Off against Debtors	Impairment - Bad Debts i.t.o Council Policy
R thousands													
Debtors Age Analysis By Income Source													
Trade and Other Receivables from Exchange Transactions - Water	1200	9,453	2,117	1,674	1,596	1,723	1,585	8,757	54,523	81,428	68,185	-	-
Trade and Other Receivables from Exchange Transactions - Electricity	1300	27,129	1,083	777	1,007	770	365	1,425	8,606	41,162	12,174	-	-
Receivables from Non-exchange Transactions - Property Rates	1400	27,396	1,503	801	683	596	545	2,749	30,755	65,026	35,327	-	-
Receivables from Exchange Transactions - Waste Water Management	1500	7,006	38,341	1,329	1,266	1,159	1,093	6,288	35,396	91,878	45,201	-	-
Receivables from Exchange Transactions - Waste Management	1600	7,618	1,483	1,317	1,226	1,130	1,046	5,975	32,897	52,692	42,273	-	-
Receivables from Exchange Transactions - Property Rental Debtors	1700	126	15	14	14	11	11	64	823	1,077	923	-	-
Interest on Arrear Debtor Accounts	1810	1,170	1,220	246	291	322	330	2,692	54,782	61,053	58,417	-	-
Recoverable unauthorised, irregular, fruitless and wasteful expenditure	1820	-	-	-	-	-	-	-	-	-	-	-	-
Other	1900	(8,167)	62	53	42	46	31	189	1,467	(6,277)	1,775	-	-
Total By Income Source	2000	71,730	45,823	6,210	6,125	5,758	5,006	28,139	219,248	388,039	264,276	-	-
2023/24 - totals only										-	-		
Debtors Age Analysis By Customer Group													
Organs of State	2200	10,546	1,143	516	423	383	359	1,036	7,236	21,641	9,437	-	-
Commercial	2300	27,191	38,884	765	1,046	757	368	2,162	26,596	97,768	30,928	-	-
Households	2400	32,369	5,596	4,733	4,458	4,416	4,080	23,740	175,611	255,003	212,306	-	-
Other	2500	1,625	200	197	198	202	199	1,201	9,806	13,628	11,606	-	-
Total By Customer Group	2600	71,730	45,823	6,210	6,125	5,758	5,006	28,139	219,248	388,039	264,276	-	-

WC022 Witzenberg - Supporting Table SC4 Monthly Budget Statement - aged creditors - M03 September

Description	NT Code	Budget Year 2024/25									Prior year totals for chart (same period)
		0 - 30 Days	31 - 60 Days	90 Days	61 91 - 120 Days	121 - 150 Days	151 - 180 Days	181 Days - 1 Year	Over 1 Year	Total	
R thousands											
Creditors Age Analysis By Customer Type											
Bulk Electricity	0100	-	-	-	-	-	-	-	-	-	-
Bulk Water	0200	-	-	-	-	-	-	-	-	-	-
PAYE deductions	0300	-	-	-	-	-	-	-	-	-	-
VAT (output less input)	0400	-	-	-	-	-	-	-	-	-	-
Pensions / Retirement deductions	0500	-	-	-	-	-	-	-	-	-	-
Loan repayments	0600	-	-	-	-	-	-	-	-	-	-
Trade Creditors	0700	32,513	6,942	4,208	5	-	-	-	-	43,668	-
Auditor General	0800	1,489	-	-	-	-	-	-	-	1,489	-
Other	0900	-	-	-	-	-	-	-	-	-	-
Total By Customer Type	1000	34,001	6,942	4,208	5	-	-	-	-	45,156	-

WC022 Witzenberg - Supporting Table SC5 Monthly Budget Statement - investment portfolio - M03 September

Investments by maturity Name of institution & investment ID	Ref	Period of Investment	Type of Investment	Capital Guarantee (Yes/ No)	Variable or Fixed interest rate	Interest Rate *	Commission Paid (Rands)	Commission Recipient	Expiry date of investment	Opening balance	Interest to be realised	Partial / Premature Withdrawal (4)	Investment Top Up	Closing Balance
R thousands		Yrs/Months												
Municipality														
ABSA Bank Ltd		7 Months	Call Investment	Yes	Yes	Yes	No	No	17/02/2025	45,000	-		-	45,000
First National Bank		3 Months	Call Investment	Yes	Yes	Yes	No	No	22/10/2024	25,000	-		-	25,000
Nedbank Ltd		4 Months	Call Investment	Yes	Yes	Yes	No	No	22/11/2024	40,000	-		-	40,000
Standard Bank of SA Ltd		4 Months	Call Investment	Yes	Yes	Yes	No	No	22/11/2024	40,000	-		-	40,000
-		-								-	-		-	-
-		-								-	-		-	-
-		-								-	-		-	-
-		-								-	-		-	-
-		-								-	-		-	-
-		-								-	-		-	-
Municipality sub-total										150,000	-		-	150,000
Entities														
-		-	-						-	-	-		-	-
-		-	-						-	-	-		-	-
-		-	-						-	-	-		-	-
-		-	-						-	-	-		-	-
-		-	-						-	-	-		-	-
-		-	-						-	-	-		-	-
-		-	-						-	-	-		-	-
-		-	-						-	-	-		-	-
-		-	-						-	-	-		-	-
Entities sub-total										-	-		-	-
TOTAL INVESTMENTS AND INTEREST	2									150,000	-		-	150,000

WC022 Witzenberg - Supporting Table SC6 Monthly Budget Statement - transfers and grant receipts - M03 September

Description	Ref	2023/24	Budget Year 2024/25							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance %	Full Year Forecast
R thousands										
RECEIPTS:	1,2									
Operating Transfers and Grants										
National Government:		4,797	3,159	3,159	-	1,990	390	1,600	410.6%	3,159
Expanded Public Works Programme Integrated Grant for Municipalities [Schedule 5B]		3,247	1,559	1,559	-	390	390	0	0.1%	1,559
Local Government Financial Management Grant [Schedule 5B]		1,550	1,600	1,600	-	1,600	-	1,600		1,600
Provincial Government:		34,087	45,527	45,527	132	8,182	8,230	(48)	-0.6%	45,527
OPEX PROV LIBRARY		-	10,683	10,683	-	3,562	-	3,562		10,683
OPEX PROV CDW		132	132	132	132	132	33	99	300.0%	132
OPEX PROV THUSONG		-	150	150	-	-	-	-		150
OPEX PROV MUN ACC AND CAP BUILDING		245	249	249	-	-	-	-		249
OPEX PROV FIN MAN SUPPORT		-	-	-	-	150	-	150		-
Specify (Add grant description)		250	150	150	-	-	-	-		150
OPEX PROV HOUSING IHSDG		-	25,000	25,000	-	-	6,250	(6,250)	-100.0%	25,000
Specify (Add grant description)		33,460	-	-	-	4,338	-	4,338		-
Specify (Add grant description)		-	1,375	1,375	-	-	-	-		1,375
Specify (Add grant description)		-	7,788	7,788	-	-	1,947	(1,947)	-100.0%	7,788
District Municipality:		150	-	-	-	-	-	-		-
Specify (Add grant description)		150	-	-	-	-	-	-		-
Other grant providers:		2,763	-	-	-	476	-	476		-
Foreign Government and International Organisations		680	-	-	-	-	-	-		-
Private Enterprises		2,083	-	-	-	476	-	476		-
Total Operating Transfers and Grants	5	41,797	48,686	48,686	132	10,648	8,620	2,028	23.5%	48,686
Capital Transfers and Grants										
National Government:		25,209	40,630	40,630	-	11,826	10,158	1,669	16.4%	40,630
Integrated National Electrification Programme (Municipal Grant) [Schedule 5B]		900	-	-	-	-	-	-		-
Municipal Infrastructure Grant [Schedule 5B]		24,309	25,630	25,630	-	6,826	6,408	419	6.5%	25,630
Water Services Infrastructure Grant [Schedule 5B]		-	15,000	15,000	-	5,000	3,750	1,250	33.3%	15,000
Provincial Government:		16,559	2,232	2,232	-	-	383	(383)	-100.0%	2,232
Specify (Add grant description)		200	-	-	-	-	-	-		-
CAPEX PROV FIRE		1,658	-	-	-	-	-	-		-
Specify (Add grant description)		-	1,532	1,532	-	-	383	(383)	-100.0%	1,532
CAPEX PROV INFORMAL SETTLEMENT UPGRADING		-	700	700	-	-	-	-		700
CAPEX PROV MAIN ROADS		14,702	-	-	-	-	-	-		-
District Municipality:		672	-	-	-	-	-	-		-
CAPEX DISTRICT		600	-	-	-	-	-	-		-
CAPEX DISTRICT TRAFFIC SAFETY PROJECT		72	-	-	-	-	-	-		-
Other grant providers:		-	-	-	-	-	-	-		-
Total Capital Transfers and Grants	5	42,440	42,862	42,862	-	11,826	10,541	1,286	12.2%	42,862
TOTAL RECEIPTS OF TRANSFERS & GRANTS	5	84,237	91,548	91,548	132	22,474	19,160	3,314	17.3%	91,548

WC022 Witzenberg - Supporting Table SC7(1) Monthly Budget Statement - transfers and grant expenditure - M03 September

Description	Ref	2023/24	Budget Year 2024/25							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance %	Full Year Forecast
R thousands										
EXPENDITURE										
Operating expenditure of Transfers and Grants										
National Government:		5,911	(4,029)	(4,029)	644	1,676	(1,007)	2,683	-266.4%	(4,029)
Expanded Public Works Programme Integrated Grant for Municipalities [Schedule 5B]		3,364	(1,559)	(1,559)	214	847	(390)	1,237	-317.3%	(1,559)
Local Government Financial Management Grant [Schedule 5B]		1,550	(1,470)	(1,470)	431	829	(367)	1,196	-325.6%	(1,470)
Municipal Infrastructure Grant [Schedule 5B]		997	(1,000)	(1,000)	–	–	(250)	250	-100.0%	(1,000)
Provincial Government:		39,584	(46,426)	(46,426)	952	2,615	(11,606)	14,221	-122.5%	(46,426)
OPEX PROV TITLE DEEDS RESTORATION		568	–	–	–	–	–	–	–	–
OPEX PROV LIBRARY		–	(10,683)	(10,683)	949	2,613	(2,671)	5,284	-197.8%	(10,683)
OPEX PROV CDW		71	(262)	(262)	2	2	(66)	68	-103.3%	(262)
OPEX PROV THUSONG		–	(130)	(130)	–	–	(33)	33	-100.0%	(130)
OPEX PROV MUN ACC AND CAP BUILDING		196	(858)	(858)	–	–	(214)	214	-100.0%	(858)
OPEX PROV WATER RESILIENCE		500	–	–	–	–	–	–	–	–
Specify (Add grant description)		295	(172)	(172)	–	–	(43)	43	-100.0%	(172)
OPEX PROV HOUSING IHHSDG		–	(1,532)	(1,532)	–	–	(383)	383	-100.0%	(1,532)
Specify (Add grant description)		37,954	(32,788)	(32,788)	–	–	(8,197)	8,197	-100.0%	(32,788)
Other grant providers:		2,767	(205)	(205)	–	–	(51)	51	-100.0%	(205)
Foreign Government and International Organisations		1,793	(205)	(205)	–	–	(51)	51	-100.0%	(205)
Private Enterprises		974	–	–	–	–	–	–	–	–
Total operating expenditure of Transfers and Grants:		48,262	(50,660)	(50,660)	1,596	4,291	(12,665)	16,956	-133.9%	(50,660)
National Government:		23,296	(39,630)	(39,630)	443	443	(9,908)	10,351	-104.5%	(39,630)
Municipal Infrastructure Grant [Schedule 5B]		23,296	(24,630)	(24,630)	443	443	(6,158)	6,601	-107.2%	(24,630)
Water Services Infrastructure Grant [Schedule 5B]		–	(15,000)	(15,000)	–	–	(3,750)	3,750	-100.0%	(15,000)
Provincial Government:		15,229	(1,375)	(1,375)	–	–	(344)	344	-100.0%	(1,375)
Specify (Add grant description)		200	–	–	–	–	–	–	–	–
CAPEX PROV MUN INTERVENTION		–	(179)	(179)	–	–	(45)	45	-100.0%	(179)
CAPEX PROV FIRE		1,675	–	–	–	–	–	–	–	–
CAPEX PROV LOAD SHEDDING RELIEF		475	–	–	–	–	–	–	–	–
CAPEX PROV MAIN ROADS		12,879	(1,196)	(1,196)	–	–	(299)	299	-100.0%	(1,196)
District Municipality:		1,851	100	100	–	–	25	(25)	-100.0%	100
CAPEX DISTRICT		500	100	100	–	–	25	(25)	-100.0%	100
Specify (Add grant description)		1,200	–	–	–	–	–	–	–	–
CAPEX DISTRICT TRAFFIC SAFETY PROJECT		142	–	–	–	–	–	–	–	–
CAPEX DISTRICT SECURITY CAMERAS		9	–	–	–	–	–	–	–	–
Total capital expenditure of Transfers and Grants		40,376	(40,905)	(40,905)	443	443	(10,226)	10,669	-104.3%	(40,905)
TOTAL EXPENDITURE OF TRANSFERS AND GRANTS		88,638	(91,565)	(91,565)	2,039	4,734	(22,891)	27,625	-120.7%	(91,565)

WC022 Witzenberg - Supporting Table SC7(2) Monthly Budget Statement - Expenditure against approved rollovers - M03 September

Description	Ref	Budget Year 2024/25				
		Approved Rollover 2023/24	Monthly Actual	YearTD Actual	YTD Variance	YTD Variance %
R thousands						
EXPENDITURE						
Operating expenditure of Approved Roll-overs						
TOTAL EXPENDITURE OF APPROVED ROLL-OVERS		-	-	-	-	

WC022 Witzenberg - Supporting Table SC8 Monthly Budget Statement - councillor and staff benefits - M03 September

Summary of Employee and Councillor remuneration	Ref	2023/24	Budget Year 2024/25							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance %	Full Year Forecast
R thousands										
	1	A	B	C						D
Councillors (Political Office Bearers plus Other)										
Basic Salaries and Wages		9,007	9,658	9,658	753	2,258	2,414	(156)	-6%	9,658
Pension and UIF Contributions		1,339	1,422	1,422	115	346	355	(9)	-3%	1,422
Medical Aid Contributions		54	86	86	-	-	21	(21)	-100%	86
Motor Vehicle Allowance		-	0	0	-	-	-	-	-	0
Cellphone Allowance		1,048	1,146	1,146	83	248	286	(38)	-13%	1,146
Other benefits and allowances		-	0	0	-	-	-	-	-	0
Sub Total - Councillors		11,447	12,311	12,311	951	2,853	3,078	(225)	-7%	12,311
% increase	4		7.5%	7.5%						7.5%
Senior Managers of the Municipality	3									
Basic Salaries and Wages		4,082	4,395	4,395	334	1,003	1,099	(96)	-9%	4,395
Pension and UIF Contributions		358	404	404	31	94	101	(7)	-7%	404
Medical Aid Contributions		32	9	9	-	-	2	(2)	-100%	9
Performance Bonus		803	890	890	90	271	223	49	22%	890
Motor Vehicle Allowance		1,316	1,115	1,115	112	337	279	58	21%	1,115
Cellphone Allowance		365	332	332	31	93	83	10	12%	332
Housing Allowances		33	57	57	-	-	14	(14)	-100%	57
Other benefits and allowances		45	61	61	0	0	15	(15)	-98%	61
Sub Total - Senior Managers of Municipality		7,034	7,265	7,265	600	1,799	1,816	(18)	-1%	7,265
% increase	4		3.3%	3.3%						3.3%
Other Municipal Staff										
Basic Salaries and Wages		141,863	157,900	157,767	14,448	38,015	39,442	(1,427)	-4%	157,767
Pension and UIF Contributions		23,199	26,552	26,588	2,101	6,023	6,647	(625)	-9%	26,588
Medical Aid Contributions		9,802	11,093	11,093	851	2,546	2,773	(227)	-8%	11,093
Overtime		23,267	27,792	27,796	2,231	6,059	6,949	(890)	-13%	27,796
Performance Bonus		10,640	12,510	12,510	1,066	2,859	3,128	(269)	-9%	12,510
Motor Vehicle Allowance		6,758	7,751	7,751	638	1,827	1,938	(111)	-6%	7,751
Cellphone Allowance		690	1,018	1,018	62	187	255	(67)	-26%	1,018
Housing Allowances		1,166	1,427	1,427	108	305	357	(52)	-15%	1,427
Other benefits and allowances		6,819	7,829	7,829	634	1,863	1,957	(95)	-5%	7,829
Payments in lieu of leave		1,584	3,754	3,754	2,625	3,686	939	2,747	293%	3,754
Long service awards		913	1,015	1,015	90	269	254	16	6%	1,015
Post-retirement benefit obligations		7,706	11,653	11,653	907	2,720	2,913	(194)	-7%	11,653
Sub Total - Other Municipal Staff		234,406	270,293	270,202	25,761	66,358	67,551	(1,192)	-2%	270,202
% increase	4		15.3%	15.3%						15.3%
Total Parent Municipality		252,887	289,869	289,778	27,312	71,010	72,445	(1,435)	-2%	289,778
Unpaid salary, allowances & benefits in arrears:										
Board Members of Entities										
Sub Total - Executive members Board	2	-	-	-	-	-	-	-	-	-
% increase	4									
Senior Managers of Entities										
Sub Total - Senior Managers of Entities	4	-	-	-	-	-	-	-	-	-
% increase										
Other Staff of Entities										
Sub Total - Other Staff of Entities	4	-	-	-	-	-	-	-	-	-
% increase										
Total Municipal Entities		-	-	-	-	-	-	-	-	-
TOTAL SALARY, ALLOWANCES & BENEFITS		252,887	289,869	289,778	27,312	71,010	72,445	(1,435)	-2%	289,778
% increase	4		14.6%	14.6%						14.6%
TOTAL MANAGERS AND STAFF		241,440	277,558	277,467	26,361	68,157	69,367	(1,210)	-2%	277,467

WC022 Witzenberg - Supporting Table SC9 Monthly Budget Statement - actuals and revised targets for cash receipts - M03 September

Description	Ref	Budget Year 2024/25												2024/25 Medium Term Revenue & Expenditure Framework		
		July Outcome	August Budget	September Budget	October Budget	November Budget	December Budget	January Budget	February Budget	March Budget	April Budget	May Budget	June Budget	Budget Year 2024/25	Budget Year +1 2025/26	Budget Year +2 2026/27
R thousands	1															
Cash Receipts By Source																
Property rates		6,736	13,751	8,139	8,607	8,607	8,607	8,607	8,607	8,607	8,607	8,607	5,802	103,281	108,881	115,270
Service charges - electricity revenue		33,478	35,134	34,797	40,600	40,600	40,600	40,600	40,600	40,600	40,600	40,600	58,993	487,205	535,527	588,111
Service charges - water revenue		3,044	3,009	4,585	3,133	3,133	3,133	3,133	3,133	3,133	3,133	3,133	1,896	37,600	42,392	44,386
Service charges - Waste Water Management		1,951	4,835	1,652	4,355	4,355	4,355	4,355	4,355	4,355	4,355	4,355	8,981	52,256	51,942	56,286
Service charges - Waste Mangement		2,175	2,402	2,030	2,153	2,153	2,153	2,153	2,153	2,153	2,153	2,153	2,006	25,839	27,059	30,515
Rental of facilities and equipment		146	239	274	0	0	0	0	0	0	0	0	(657)	5	6	6
Interest earned - external investments		998	1,293	758	2,921	2,921	5,656	2,921	2,921	5,656	2,921	2,921	14,106	45,994	47,793	49,683
Interest earned - outstanding debtors		-	-	-	298	298	298	298	298	298	298	298	1,192	3,577	3,756	3,944
Fines, penalties and forfeits		93	117	67	372	372	372	372	372	372	372	372	1,213	4,469	4,693	4,928
Licences and permits		136	162	53	213	213	213	213	213	213	213	213	501	2,558	2,685	2,820
Agency services		272	490	280	381	381	381	381	381	381	381	381	481	4,570	4,799	5,039
Transfers and Subsidies - Operational		71,099	6,955	132	12,142	12,142	26,903	12,142	12,142	20,762	12,142	12,142	(4,313)	194,392	196,992	205,715
Other revenue		190	405	222	452	452	452	452	452	452	452	452	991	5,426	5,698	5,982
Cash Receipts by Source		120,319	68,792	52,987	75,629	75,629	93,125	75,629	75,629	86,984	75,629	75,629	91,193	967,172	1,032,223	1,112,684
Other Cash Flows by Source																
Transfers and subsidies - capital (monetary allocations) (National /		5,000	1,000	-	-	-	10,541	-	-	10,541	-	-	19,281	46,362	39,556	30,727
Short term loans		-	-	-	-	-	4,244	-	-	6,250	-	-	10,494	20,988	(4,012)	(4,012)
Increase (decrease) in consumer deposits		31	40	55	-	-	-	-	-	-	-	-	(127)	-	-	-
Total Cash Receipts by Source		125,350	69,832	53,042	75,629	75,629	107,910	75,629	75,629	103,774	75,629	75,629	120,841	1,034,522	1,067,767	1,139,399
Cash Payments by Type																
Employee related costs		18,868	19,295	22,545	39,424	39,424	39,424	39,424	39,424	39,424	39,424	39,424	96,990	473,093	492,706	518,694
Remuneration of councillors		951	951	951	-	-	-	-	-	-	-	-	(2,853)	-	-	-
Interest		0	-	-	-	-	-	-	-	-	-	-	(0)	-	-	-
Bulk purchases - Electricity		44,039	54,856	48,261	35,922	35,922	35,922	35,922	35,922	35,922	35,922	35,922	(3,467)	431,067	485,812	547,510
Acquisitions - water & other inventory		3,341	776	1,694	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,189	24,000	25,200	26,460
Contracted services		4,220	9,240	3,223	939	939	939	939	939	939	939	939	(12,929)	11,263	11,358	11,500
Transfers and subsidies - other		91	340	144	-	-	-	-	-	-	-	-	(575)	-	-	-
Other expenditure		10,266	6,701	4,805	-	-	-	-	-	-	-	-	(21,772)	-	-	-
Cash Payments by Type		81,776	92,158	81,622	78,285	78,285	78,285	78,285	78,285	78,285	78,285	78,285	57,585	939,422	1,015,076	1,104,164
Other Cash Flows/Payments by Type																
Capital assets		1,940	348	5,715	-	-	-	-	-	-	-	-	(8,002)	-	-	-
Other Cash Flows/Payments		(11,882)	(13,239)	(9,334)	-	-	-	-	-	-	-	-	34,455	-	-	-
Total Cash Payments by Type		71,834	79,267	78,003	78,285	78,285	78,285	78,285	78,285	78,285	78,285	78,285	84,037	939,422	1,015,076	1,104,164
NET INCREASE/(DECREASE) IN CASH HELD		53,516	(9,435)	(24,961)	(2,656)	(2,656)	29,625	(2,656)	(2,656)	25,489	(2,656)	(2,656)	36,804	95,100	52,691	35,236
Cash/cash equivalents at the month/year beginning:		187,235	240,751	231,317	206,356	203,700	201,043	230,668	228,012	225,355	250,845	248,188	245,532	187,235	282,336	335,026
Cash/cash equivalents at the month/year end:		240,751	231,317	206,356	203,700	201,043	230,668	228,012	225,355	250,845	248,188	245,532	282,336	282,336	335,026	370,262

WC022 Witzenberg - NOT REQUIRED - municipality does not have entities or this is the parent municipality's budget - M03 September

Description	Ref	2023/24	Budget Year 2024/25							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance %	Full Year Forecast
R thousands	1									
Revenue										
Exchange Revenue										

WC022 Witzenberg - NOT REQUIRED - municipality does not have entities or this is the parent municipality's budget - M03 September

[illegible]

WC022 Witzenberg - Supporting Table SC12 Monthly Budget Statement - capital expenditure trend - M03 September

Month	2023/24	Budget Year 2024/25							
	Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance %	% spend of Original Budget
R thousands									
Monthly expenditure performance trend									
July	216	3,004	3,147	742	742	3,147	2,405	76.4%	1%
August	5,739	3,004	3,147	346	1,088	6,294	5,206	82.7%	1%
September	4,059	15,284	15,427	5,004	6,092	21,721	15,629	72.0%	7%
October	5,014	3,004	3,147	-	6,092	24,868	18,776	75.5%	7%
November	7,537	3,004	3,147	-	6,092	28,015	21,923	78.3%	7%
December	6,153	15,384	15,477	-	6,092	43,492	37,400	86.0%	7%
January	1,226	3,004	3,147	-	6,092	46,639	40,547	86.9%	7%
February	4,783	3,004	3,147	-	6,092	49,786	43,694	87.8%	7%
March	6,810	15,284	15,427	-	6,092	65,213	59,121	90.7%	7%
April	4,180	3,004	3,147	-	6,092	68,360	62,268	91.1%	7%
May	14,828	3,004	3,147	-	6,092	71,507	65,415	91.5%	7%
June	25,179	15,384	15,477	-	6,092	86,984	80,892	93.0%	7%
Total Capital expenditure	85,725	85,365	86,984	6,092					

WC022 Witzenberg - Supporting Table SC13a Monthly Budget Statement - capital expenditure on new assets by asset class - M03 September

Description	Ref	2023/24	Budget Year 2024/25							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance %	Full Year Forecast
R thousands	1									
Capital expenditure on new assets by Asset Class/Sub-class										
Infrastructure		20,437	22,898	23,312	2,980	3,232	5,828	(2,596)	-44.5%	23,312
Roads Infrastructure		-	1,532	1,532	-	-	383	(383)	-100.0%	1,532
Roads		-	1,332	1,332	-	-	333	(333)	-100.0%	1,332
Road Structures		-	200	200	-	-	50	(50)	-100.0%	200
Storm water Infrastructure		-	-	-	-	-	-	-	-	-
Electrical Infrastructure		1,037	-	-	-	-	-	-	-	-
MV Networks		1,037	-	-	-	-	-	-	-	-
Water Supply Infrastructure		10,095	21,265	21,265	2,955	2,955	5,316	(2,361)	-44.4%	21,265
Dams and Weirs		2,857	-	-	-	-	-	-	-	-
Reservoirs		4,991	-	-	-	-	-	-	-	-
Bulk Mains		2,246	21,265	21,265	2,955	2,955	5,316	(2,361)	-44.4%	21,265
Sanitation Infrastructure		837	-	162	-	-	40	(40)	-100.0%	162
Toilet Facilities		837	-	162	-	-	40	(40)	-100.0%	162
Solid Waste Infrastructure		8,467	100	353	25	277	88	189	214.1%	353
Landfill Sites		4,301	-	-	-	-	-	-	-	-
Waste Drop-off Points		1,685	100	353	25	277	88	189	214.1%	353
Waste Separation Facilities		2,482	-	-	-	-	-	-	-	-
Rail Infrastructure		-	-	-	-	-	-	-	-	-
Coastal Infrastructure		-	-	-	-	-	-	-	-	-
Information and Communication Infrastructure		-	-	-	-	-	-	-	-	-
Community Assets		58	1,000	1,000	-	-	250	(250)	-100.0%	1,000
Community Facilities		58	1,000	1,000	-	-	250	(250)	-100.0%	1,000
Libraries		58	1,000	1,000	-	-	250	(250)	-100.0%	1,000
Sport and Recreation Facilities		-	-	-	-	-	-	-	-	-
Heritage assets		-	-	-	-	-	-	-	-	-
Investment properties		-	-	-	-	-	-	-	-	-
Revenue Generating		-	-	-	-	-	-	-	-	-
Non-revenue Generating		-	-	-	-	-	-	-	-	-
Other assets		748	-	-	-	-	-	-	-	-
Operational Buildings		616	-	-	-	-	-	-	-	-
Training Centres		616	-	-	-	-	-	-	-	-
Housing		132	-	-	-	-	-	-	-	-
Social Housing		132	-	-	-	-	-	-	-	-
Biological or Cultivated Assets		-	-	-	-	-	-	-	-	-
Intangible Assets		331	80	363	-	-	91	(91)	-100.0%	363
Licences and Rights		331	80	363	-	-	91	(91)	-100.0%	363
Computer Software and Applications		331	80	363	-	-	91	(91)	-100.0%	363
Computer Equipment		932	350	410	21	47	102	(56)	-54.2%	410
Computer Equipment		932	350	410	21	47	102	(56)	-54.2%	410
Furniture and Office Equipment		701	516	552	44	60	138	(77)	-56.1%	552
Furniture and Office Equipment		701	516	552	44	60	138	(77)	-56.1%	552
Machinery and Equipment		6,097	950	700	49	49	175	(126)	-71.9%	700
Machinery and Equipment		6,097	950	700	49	49	175	(126)	-71.9%	700
Transport Assets		12,395	1,000	1,000	-	34	250	(216)	-86.3%	1,000
Transport Assets		12,395	1,000	1,000	-	34	250	(216)	-86.3%	1,000
Land		-	-	-	-	-	-	-	-	-
Zoo's, Marine and Non-biological Animals		-	-	-	-	-	-	-	-	-
Living resources		-	-	-	-	-	-	-	-	-
Mature		-	-	-	-	-	-	-	-	-
Immature		-	-	-	-	-	-	-	-	-
Total Capital Expenditure on new assets	1	41,698	26,794	27,337	3,094	3,423	6,834	3,411	49.9%	27,337

WC022 Witzenberg - Supporting Table SC13b Monthly Budget Statement - capital expenditure on renewal of existing assets by asset class - M03 September										
Description	Ref	2023/24	Budget Year 2024/25							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance %	Full Year Forecast
R thousands	1									
Capital expenditure on renewal of existing assets by Asset Class/Sub-class										
Infrastructure		15,836	8,500	9,250	-	750	2,313	(1,562)	-67.6%	9,250
Roads Infrastructure		13,473	5,000	5,000	-	-	1,250	(1,250)	-100.0%	5,000
Roads		13,473	5,000	5,000	-	-	1,250	(1,250)	-100.0%	5,000
Storm water Infrastructure		-	-	-	-	-	-	-	-	-
Electrical Infrastructure		1,000	500	500	-	-	125	(125)	-100.0%	500
MV Networks		1,000	500	500	-	-	125	(125)	-100.0%	500
Water Supply Infrastructure		100	750	750	-	-	188	(188)	-100.0%	750
Distribution		100	750	750	-	-	188	(188)	-100.0%	750
Sanitation Infrastructure		1,262	2,250	3,000	-	750	750	0	0.0%	3,000
Reticulation		1,262	1,000	1,000	-	-	250	(250)	-100.0%	1,000
Waste Water Treatment Works		-	1,250	2,000	-	750	500	250	50.1%	2,000
Solid Waste Infrastructure		-	-	-	-	-	-	-	-	-
Rail Infrastructure		-	-	-	-	-	-	-	-	-
Coastal Infrastructure		-	-	-	-	-	-	-	-	-
Information and Communication Infrastructure		-	-	-	-	-	-	-	-	-
Community Assets		-	450	450	-	-	113	(113)	-100.0%	450
Community Facilities		-	-	-	-	-	-	-	-	-
Sport and Recreation Facilities		-	450	450	-	-	113	(113)	-100.0%	450
Outdoor Facilities		-	450	450	-	-	113	(113)	-100.0%	450
Heritage assets		-	-	-	-	-	-	-	-	-
Investment properties		-	-	-	-	-	-	-	-	-
Revenue Generating		-	-	-	-	-	-	-	-	-
Non-revenue Generating		-	-	-	-	-	-	-	-	-
Other assets		-	-	-	-	-	-	-	-	-
Operational Buildings		-	-	-	-	-	-	-	-	-
Housing		-	-	-	-	-	-	-	-	-
Biological or Cultivated Assets		-	-	-	-	-	-	-	-	-
Intangible Assets		-	-	-	-	-	-	-	-	-
Licences and Rights		-	-	-	-	-	-	-	-	-
Computer Equipment		-	-	-	-	-	-	-	-	-
Furniture and Office Equipment		-	-	-	-	-	-	-	-	-
Machinery and Equipment		-	-	-	-	-	-	-	-	-
Transport Assets		-	-	-	-	-	-	-	-	-
Land		-	-	-	-	-	-	-	-	-
Zoo's, Marine and Non-biological Animals		-	-	-	-	-	-	-	-	-
Living resources		-	-	-	-	-	-	-	-	-
Mature		-	-	-	-	-	-	-	-	-
Immature		-	-	-	-	-	-	-	-	-
Total Capital Expenditure on renewal of existing assets	1	15,836	8,950	9,700	-	750	2,425	1,675	69.1%	9,700

WC022 Witzenberg - Supporting Table SC13c Monthly Budget Statement - expenditure on repairs and maintenance by asset class - M03 September

Description	Ref	2023/24	Budget Year 2024/25							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance %	Full Year Forecast
R thousands	1									
Repairs and maintenance expenditure by Asset Class/Sub-class										
Infrastructure		18,827	25,463	24,399	641	2,443	6,100	(3,656)	-59.9%	24,399
Roads Infrastructure		7,971	13,159	13,089	272	690	3,272	(2,583)	-78.9%	13,089
Roads		6,817	11,976	11,906	272	683	2,976	(2,293)	-77.0%	11,906
Road Furniture		1,154	1,183	1,183	-	6	296	(290)	-97.9%	1,183
Storm water Infrastructure		322	1,535	1,535	1	1	384	(383)	-99.7%	1,535
Storm water Conveyance		322	1,535	1,535	1	1	384	(383)	-99.7%	1,535
Electrical Infrastructure		1,564	2,358	2,276	144	716	569	147	25.9%	2,276
HV Substations		-	15	-	-	-	-	-	-	-
MV Substations		770	1,028	995	73	75	249	(174)	-70.0%	995
MV Switching Stations		-	0	-	-	-	-	-	-	-
MV Networks		395	723	711	20	129	178	(48)	-27.2%	711
LV Networks		399	592	570	51	512	142	370	259.7%	570
Water Supply Infrastructure		2,648	2,860	2,560	53	209	640	(431)	-67.4%	2,560
Dams and Weirs		1,308	1,286	1,286	11	75	322	(246)	-76.6%	1,286
Boreholes		380	398	398	-	-	99	(99)	-100.0%	398
Pump Stations		56	59	59	-	-	15	(15)	-100.0%	59
Water Treatment Works		307	118	118	24	48	30	18	61.8%	118
Bulk Mains		363	520	370	-	54	92	(38)	-41.1%	370
Distribution		111	350	200	18	32	50	(18)	-36.8%	200
Distribution Points		124	130	130	-	-	32	(32)	-100.0%	130
Sanitation Infrastructure		6,322	5,551	4,939	171	828	1,235	(407)	-33.0%	4,939
Reticulation		2,857	2,960	2,798	118	303	700	(397)	-56.7%	2,798
Waste Water Treatment Works		3,368	2,464	2,014	53	491	503	(13)	-2.5%	2,014
Toilet Facilities		97	127	127	-	34	32	2	6.7%	127
Solid Waste Infrastructure		-	-	-	-	-	-	-	-	-
Rail Infrastructure		-	-	-	-	-	-	-	-	-
Coastal Infrastructure		-	-	-	-	-	-	-	-	-
Information and Communication Infrastructure		-	-	-	-	-	-	-	-	-
Community Assets		600	1,103	1,103	13	73	276	(202)	-73.5%	1,103
Community Facilities		449	680	680	8	55	170	(115)	-67.5%	680
Halls		137	200	200	-	18	50	(32)	-63.7%	200
Crèches		106	151	151	3	4	38	(33)	-88.7%	151
Libraries		25	31	31	3	3	8	(5)	-63.4%	31
Cemeteries/Crematoria		106	185	185	1	27	46	(19)	-40.8%	185
Public Ablution Facilities		-	32	32	-	-	8	(8)	-100.0%	32
Markets		74	81	81	1	3	20	(18)	-87.0%	81
Sport and Recreation Facilities		151	423	423	5	18	106	(88)	-83.1%	423
Indoor Facilities		75	155	155	3	16	39	(23)	-59.5%	155
Outdoor Facilities		77	268	268	2	2	67	(65)	-96.7%	268
Heritage assets		-	-	-	-	-	-	-	-	-
Investment properties		-	-	-	-	-	-	-	-	-
Revenue Generating		-	-	-	-	-	-	-	-	-
Non-revenue Generating		-	-	-	-	-	-	-	-	-
Other assets		708	821	876	58	148	219	(71)	-32.3%	876
Operational Buildings		335	559	614	20	68	154	(85)	-55.6%	614
Municipal Offices		335	559	614	20	68	154	(85)	-55.6%	614
Housing		373	262	262	38	80	65	15	22.6%	262
Social Housing		373	262	262	38	80	65	15	22.6%	262
Biological or Cultivated Assets		-	-	-	-	-	-	-	-	-
Intangible Assets		-	-	-	-	-	-	-	-	-
Licences and Rights		-	-	-	-	-	-	-	-	-
Computer Equipment		122	182	172	18	30	43	(13)	-30.6%	172
Computer Equipment		122	182	172	18	30	43	(13)	-30.6%	172
Furniture and Office Equipment		1	61	61	2	2	15	(14)	-90.2%	61
Furniture and Office Equipment		1	61	61	2	2	15	(14)	-90.2%	61
Machinery and Equipment		163	314	314	2	2	79	(76)	-97.2%	314
Machinery and Equipment		163	314	314	2	2	79	(76)	-97.2%	314
Transport Assets		2,912	3,439	3,439	236	723	860	(137)	-16.0%	3,439
Transport Assets		2,912	3,439	3,439	236	723	860	(137)	-16.0%	3,439
Land		-	-	-	-	-	-	-	-	-
Zoo's, Marine and Non-biological Animals		-	-	-	-	-	-	-	-	-
Living resources		-	-	-	-	-	-	-	-	-
Mature		-	-	-	-	-	-	-	-	-
Immature		-	-	-	-	-	-	-	-	-
Total Repairs and Maintenance Expenditure	1	23,334	31,384	30,365	969	3,421	7,591	4,170	54.9%	30,365

WC022 Witzenberg - Supporting Table SC13d Monthly Budget Statement - depreciation by asset class - M03 September

Description	Ref	2023/24	Budget Year 2024/25							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance %	Full Year Forecast
R thousands	1									
Depreciation by Asset Class/Sub-class										
Infrastructure		23,499	38,394	38,394	-	-	9,598	(9,598)	-100.0%	38,394
Roads Infrastructure		6,188	4,758	4,758	-	-	1,189	(1,189)	-100.0%	4,758
Roads		6,188	558	558	-	-	139	(139)	-100.0%	558
Road Structures		-	2,100	2,100	-	-	525	(525)	-100.0%	2,100
Road Furniture		-	2,100	2,100	-	-	525	(525)	-100.0%	2,100
Storm water Infrastructure		2,432	2,091	2,091	-	-	523	(523)	-100.0%	2,091
Drainage Collection		2,432	507	507	-	-	127	(127)	-100.0%	507
Storm water Conveyance		-	1,077	1,077	-	-	269	(269)	-100.0%	1,077
Attenuation		-	507	507	-	-	127	(127)	-100.0%	507
Electrical Infrastructure		3,813	3,912	3,912	-	-	978	(978)	-100.0%	3,912
HV Substations		-	474	474	-	-	119	(119)	-100.0%	474
HV Switching Station		-	474	474	-	-	119	(119)	-100.0%	474
HV Transmission Conductors		-	474	474	-	-	119	(119)	-100.0%	474
MV Substations		-	474	474	-	-	119	(119)	-100.0%	474
MV Switching Stations		-	474	474	-	-	119	(119)	-100.0%	474
MV Networks		3,357	591	591	-	-	148	(148)	-100.0%	591
LV Networks		457	474	474	-	-	119	(119)	-100.0%	474
Capital Spares		-	474	474	-	-	119	(119)	-100.0%	474
Water Supply Infrastructure		6,066	5,434	5,434	-	-	1,359	(1,359)	-100.0%	5,434
Dams and Weirs		-	407	407	-	-	102	(102)	-100.0%	407
Boreholes		68	407	407	-	-	102	(102)	-100.0%	407
Reservoirs		873	407	407	-	-	102	(102)	-100.0%	407
Pump Stations		439	407	407	-	-	102	(102)	-100.0%	407
Water Treatment Works		-	407	407	-	-	102	(102)	-100.0%	407
Bulk Mains		-	100	100	-	-	25	(25)	-100.0%	100
Distribution		4,686	1,100	1,100	-	-	275	(275)	-100.0%	1,100
Distribution Points		-	1,100	1,100	-	-	275	(275)	-100.0%	1,100
PRV Stations		-	1,100	1,100	-	-	275	(275)	-100.0%	1,100
Sanitation Infrastructure		4,512	5,559	5,559	-	-	1,390	(1,390)	-100.0%	5,559
Pump Station		137	100	100	-	-	25	(25)	-100.0%	100
Reticulation		137	1,200	1,200	-	-	300	(300)	-100.0%	1,200
Waste Water Treatment Works		4,130	1,200	1,200	-	-	300	(300)	-100.0%	1,200
Outfall Sewers		-	1,200	1,200	-	-	300	(300)	-100.0%	1,200
Toilet Facilities		-	1,859	1,859	-	-	465	(465)	-100.0%	1,859
Capital Spares		108	-	-	-	-	-	-	-	-
Solid Waste Infrastructure		334	16,640	16,640	-	-	4,160	(4,160)	-100.0%	16,640
Landfill Sites		302	15,000	15,000	-	-	3,750	(3,750)	-100.0%	15,000
Waste Transfer Stations		-	328	328	-	-	82	(82)	-100.0%	328
Waste Processing Facilities		-	328	328	-	-	82	(82)	-100.0%	328
Waste Drop-off Points		31	328	328	-	-	82	(82)	-100.0%	328
Waste Separation Facilities		-	328	328	-	-	82	(82)	-100.0%	328
Electricity Generation Facilities		-	328	328	-	-	82	(82)	-100.0%	328
Rail Infrastructure		-	-	-	-	-	-	-	-	-
Coastal Infrastructure		-	-	-	-	-	-	-	-	-
Information and Communication Infrastructure		153	-	-	-	-	-	-	-	-
Data Centres		153	-	-	-	-	-	-	-	-
Community Assets		2,940	3,527	3,527	-	-	882	(882)	-100.0%	3,527
Community Facilities		1,014	2,079	2,079	-	-	520	(520)	-100.0%	2,079
Halls		-	1,422	1,422	-	-	355	(355)	-100.0%	1,422
Centres		299	-	-	-	-	-	-	-	-
Fire/Ambulance Stations		12	-	-	-	-	-	-	-	-
Libraries		199	385	385	-	-	96	(96)	-100.0%	385
Cemeteries/Crematoria		5	13	13	-	-	3	(3)	-100.0%	13
Public Open Space		7	260	260	-	-	65	(65)	-100.0%	260
Public Ablution Facilities		408	-	-	-	-	-	-	-	-
Markets		83	-	-	-	-	-	-	-	-
Airports		1	-	-	-	-	-	-	-	-
Sport and Recreation Facilities		1,926	1,448	1,448	-	-	362	(362)	-100.0%	1,448
Outdoor Facilities		1,926	1,448	1,448	-	-	362	(362)	-100.0%	1,448
Heritage assets		-	-	-	-	-	-	-	-	-
Investment properties		409	742	742	-	-	185	(185)	-100.0%	742
Revenue Generating		-	371	371	-	-	93	(93)	-100.0%	371
Improved Property		-	185	185	-	-	46	(46)	-100.0%	185
Unimproved Property		-	185	185	-	-	46	(46)	-100.0%	185
Non-revenue Generating		409	371	371	-	-	93	(93)	-100.0%	371
Improved Property		409	185	185	-	-	46	(46)	-100.0%	185
Unimproved Property		-	185	185	-	-	46	(46)	-100.0%	185
Other assets		1,653	-	-	-	-	-	-	-	-
Operational Buildings		1,653	-	-	-	-	-	-	-	-
Municipal Offices		1,604	-	-	-	-	-	-	-	-
Workshops		49	-	-	-	-	-	-	-	-
Housing		-	-	-	-	-	-	-	-	-
Biological or Cultivated Assets		-	-	-	-	-	-	-	-	-

Description	Ref	2023/24	Budget Year 2024/25							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance %	Full Year Forecast
R thousands	1									
Intangible Assets		12	128	128	-	-	32	(32)	-100.0%	128
Licences and Rights		12	128	128	-	-	32	(32)	-100.0%	128
Water Rights		-	17	17	-	-	4	(4)	-100.0%	17
Computer Software and Applications		12	111	111	-	-	28	(28)	-100.0%	111
Computer Equipment		669	2,373	2,373	-	-	593	(593)	-100.0%	2,373
Computer Equipment		669	2,373	2,373	-	-	593	(593)	-100.0%	2,373
Furniture and Office Equipment		834	630	630	-	-	158	(158)	-100.0%	630
Furniture and Office Equipment		834	630	630	-	-	158	(158)	-100.0%	630
Machinery and Equipment		2,221	1,505	1,505	-	-	376	(376)	-100.0%	1,505
Machinery and Equipment		2,221	1,505	1,505	-	-	376	(376)	-100.0%	1,505
Transport Assets		2,005	6,921	6,921	-	-	1,730	(1,730)	-100.0%	6,921
Transport Assets		2,005	6,921	6,921	-	-	1,730	(1,730)	-100.0%	6,921
Land		-	-	-	-	-	-	-	-	-
Zoo's, Marine and Non-biological Animals		-	-	-	-	-	-	-	-	-
Living resources		-	-	-	-	-	-	-	-	-
Mature		-	-	-	-	-	-	-	-	-
Immature		-	-	-	-	-	-	-	-	-
Total Depreciation	1	34,241	54,219	54,219	-	-	13,555	13,555	100.0%	54,219

WC022 Witzenberg - Supporting Table SC13e Monthly Budget Statement - capital expenditure on upgrading of existing assets by asset class - M03 September

Description	Ref	2023/24	Budget Year 2024/25							
		Audited Outcome	Original Budget	Adjusted Budget	Monthly Actual	YearTD Actual	YearTD Budget	YTD Variance	YTD Variance %	Full Year Forecast
R thousands	1									
Capital expenditure on upgrading of existing assets by Asset Class/Sub-class										
Infrastructure		24,326	48,721	48,727	1,897	1,902	12,182	(10,280)	-84.4%	48,727
Roads Infrastructure		18,633	585	585	-	-	146	(146)	-100.0%	585
Roads		-	100	100	-	-	25	(25)	-100.0%	100
Road Structures		18,633	485	485	-	-	121	(121)	-100.0%	485
Storm water Infrastructure		-	450	450	-	-	113	(113)	-100.0%	450
Storm water Conveyance		-	450	450	-	-	113	(113)	-100.0%	450
Electrical Infrastructure		5,693	30,702	30,709	441	445	7,677	(7,232)	-94.2%	30,709
HV Substations		1,373	25,000	25,000	441	445	6,250	(5,805)	-92.9%	25,000
MV Substations		1,500	500	620	-	-	155	(155)	-100.0%	620
MV Networks		1,820	1,609	1,609	-	-	402	(402)	-100.0%	1,609
LV Networks		1,000	3,593	3,480	-	-	870	(870)	-100.0%	3,480
Water Supply Infrastructure		-	3,340	3,340	-	-	835	(835)	-100.0%	3,340
Water Treatment Works		-	500	500	-	-	125	(125)	-100.0%	500
Distribution		-	2,840	2,840	-	-	710	(710)	-100.0%	2,840
Sanitation Infrastructure		-	13,643	13,643	1,457	1,457	3,411	(1,954)	-57.3%	13,643
Waste Water Treatment Works		-	13,643	13,643	1,457	1,457	3,411	(1,954)	-57.3%	13,643
Solid Waste Infrastructure		-	-	-	-	-	-	-	-	-
Rail Infrastructure		-	-	-	-	-	-	-	-	-
Coastal Infrastructure		-	-	-	-	-	-	-	-	-
Information and Communication Infrastructure		-	-	-	-	-	-	-	-	-
Community Assets		3,865	100	100	-	-	25	(25)	-100.0%	100
Community Facilities		828	100	100	-	-	25	(25)	-100.0%	100
Cemeteries/Crematoria		-	100	100	-	-	25	(25)	-100.0%	100
Markets		828	-	-	-	-	-	-	-	-
Sport and Recreation Facilities		3,037	-	-	-	-	-	-	-	-
Outdoor Facilities		3,037	-	-	-	-	-	-	-	-
Heritage assets		-	-	-	-	-	-	-	-	-
Investment properties		-	-	-	-	-	-	-	-	-
Revenue Generating		-	-	-	-	-	-	-	-	-
Non-revenue Generating		-	-	-	-	-	-	-	-	-
Other assets		-	600	920	13	17	205	(188)	-91.8%	920
Operational Buildings		-	600	920	13	17	205	(188)	-91.8%	920
Municipal Offices		-	300	620	13	17	130	(113)	-87.1%	620
Workshops		-	300	300	-	-	75	(75)	-100.0%	300
Housing		-	-	-	-	-	-	-	-	-
Biological or Cultivated Assets		-	-	-	-	-	-	-	-	-
Intangible Assets		-	200	200	-	-	50	(50)	-100.0%	200
Licences and Rights		-	200	200	-	-	50	(50)	-100.0%	200
Computer Software and Applications		-	200	200	-	-	50	(50)	-100.0%	200
Computer Equipment		-	-	-	-	-	-	-	-	-
Furniture and Office Equipment		-	-	-	-	-	-	-	-	-
Machinery and Equipment		-	-	-	-	-	-	-	-	-
Transport Assets		-	-	-	-	-	-	-	-	-
Land		-	-	-	-	-	-	-	-	-
Zoo's, Marine and Non-biological Animals		-	-	-	-	-	-	-	-	-
Living resources		-	-	-	-	-	-	-	-	-
Mature		-	-	-	-	-	-	-	-	-
Immature		-	-	-	-	-	-	-	-	-
Total Capital Expenditure on upgrading of existing assets	1	28,191	49,621	49,947	1,910	1,919	12,462	10,543	84.6%	49,947

3.2 SUPPLY CHAIN MANAGEMENT

3.2.1 Demand and Acquisition

3.2.1.1 Advertisement stage

The following formal written price quotations are currently in the advertisement stage:

3.2 VOORSIENINGSKANAAL BESTUUR

3.2.1 Aanvraag en Verkryging

3.2.1.1 Adverteringsfase

Die volgende formele geskrewe pryskwotasies is tans in die adverteringsfase nie.

BID NO	DESCRIPTION / BESKRYWING	CLOSING DATE / SLUITINGS DATUM
08/2/22/15	Supply and delivery of protective clothing	15-Oct-2024
08/2/22/26	Appointment of a service provider to provide veterinarian services	16-Oct-2024
08/2/22/35	Service and repair to Woodchipper	15-Oct-2024
08/2/22/38	Manufacturing and delivery of open roro bin	07-Oct-2024

The following competitive bids are currently in the advertisement stage:

Die volgende mededingende tenders is tans in die adverteringsfase:

BID NO	DESCRIPTION / BESKRYWING	CLOSING DATE / SLUITINGS DATUM
08/2/21/16	Supply And Delivery Of Electrical Equipment	03-Oct-2024
08/2/22/17	Invitation For Long Term Borrowings	09-Oct-2024

3.2.1.2 Evaluation stage:

3.2.1.2 Evaluering stadium:

The following competitive bids are currently in the evaluation stage:

Die volgende mededingende tenders is tans in die evalueringsfase:

BID NO	DESCRIPTION / BESKRYWING	CLOSING DATE SLUITINGS DATUM	DATE TECHNICAL REPORT RECEIVED	RESPONSIBLE MANAGER
08/2/21/24	Appointment Of Contractors For Maintenance, Repair And Replacement Of General Electrical Infrastructure And Wiring Of Premises For Witzenberg Municipality	22-Feb-2024	20-Mar-2024 BEC: 02 May 2024 30 May 2024 Referred Back Rev Technical Report: 22-Aug-2024 BEC: 05-09-2024 17-09-2024	M Grove
08/2/21/51	Clearing Of Alien Vegetation In Witzenberg Municipal Area	25-Sep-2024	Awaiting	H Truter
08/2/21/75	Provision Of Security Services, Tactical And Crowd Control Management At Municipal Buildings And Sites In The Witzenberg Municipal Area (Re-Advertisement)	17-Sep-2024	20-Sep-2024 Referred back	M Green
08/2/21/89	Supply And Delivery Of Crushed Stone Aggregate And Sand	05-Sep-2024	Awaiting	E Lintnaar
08/2/21/90	Supply and delivery of Copy Paper	05-Sep-2024	Awaiting	M Frieslaar
08/2/21/91	Review of Witzenberg Municipal spatial development framework	05-Sep-2024	26-Sep-2024	H Taljaard

The following formal written price quotations are currently in the evaluation stage:

Die volgende formele geskrewe pryskwotasie is tans in die evalueringsfase:

BID NO	DESCRIPTION / BESKRYWING	CLOSING DATE SLUITINGS DATUM	DATE TECHNICAL REPORT RECEIVED	RESPONSIBLE MANAGER
08/2/21/69	Repairs To Two Tractor Loader Backhoes (TLBS Or Digger Loaders)	12-Jun-2024	24-Jun-2024 02-Jul-2024 04-Sep-2024	O Gatyene
08/2/21/86	Supply And Installation Of Aluminium Shop Front Double Door And Staircase Railing (Re-Advertisement)	29-Aug-2024	11-Sep-2024	C Wessels
08/2/22/04	Engine Repairs To Three (3) Municipal Vehicles Including The Recovery/ Tow In Of Vehicle From Ceres To The Bidder's Workshop	05-Aug-2024	13-Sep-2024	O Gatyene
08/2/22/05	Appointment Of A Service Provider For Training Of Business Mentorship Programme & Capacity Building	26-Aug-2024	29-Aug-2024	R Fick
08/2/22/10	Supply and delivery of drain rods, tools and accessories	16-Sep-2024	18-Sep-2024	N Jacobs
08/2/22/11	Clearing of overgrown erven in the Witzenberg Municipal area	25-Sep-2024	27-Sep-2024	H Truter
08/2/22/12	Supply And Delivery Of Testing Equipment For Water And Wastewater Treatment	02-Sep-2024	18-Sep-2024	N Jacobs
08/2/22/13	Supply And Delivery Of Household Cleaning Materials And Equipment	08-Aug-2024	22-Aug-2024 05-Sep-2024	H Truter
08/2/22/14	Supply And Delivery Of Floorcare Materials	08-Aug-2024	21-Aug-2024	H Truter
08/2/22/19	Pruning Of Trees In The Witzenberg Municipal Area	13-Sep-2024	17-Sep-2024	H Truter
08/2/22/21	Supply and delivery of Laptops	17-Sep-2024	26-Sep-2024	H Taljaard
08/2/22/22	Periodic Maintenance And General Repairs To All Allison Automatic Transmissions As Fitted To Trucks	30-Aug-2024	12-Sep-2024	O Gatyene
08/2/22/28	Supply and delivery of a Concrete mixer	16-Sep-2024	27-Sep-2024	E Lintnaar
08/2/22/30	Lease of the café building at the Pine Forest holiday resort	27-Sep-2024	Awaiting	R Afrika
08/2/22/31	Professional services for recruitment and selection of Senior managers / Directors	20-Sep-2024	Awaiting	I Barnard
08/2/22/32	Supply And Fit Fiberglass Personnel Basket Including Mounting Attachment To Fit Palfinger Pk15500 Crane	13-Sep-2024	18-Sep-2024	O Gatyene
08/2/22/33	Supply And Installation Of Two (2) Motorised Roller Shutter Doors At Witzenberg Municipality Mechanical Workshop	13-Sep-2024	20-Sep-2024	O Gatyene
08/2/22/34	Supply and delivery of quality workshop equipment	25-Sep-2024	Awaiting	O Gatyene
08/2/22/37	Selling of recycled material	27-Sep-2024	Awaiting	P Claassen

3.2.1.3 Adjudication stage

The following competitive bids are currently in the adjudication stage:

3.2.1.3 Toekenningsfase:

Die volgende mededingende tenders is tans in die toekenningsfase:

BID NO	DESCRIPTION / BESKRYWING	CLOSING DATE / SLUITINGS DATUM	DATE OF BEC	DATE OF BAC
08/2/18/79	Supply and delivery of a Conference System for Council Chambers	15-Jun-2021	14-Jul-2021	13-Sep-2021
08/2/19/39	Supply and delivery of electricity metering and related equipment (Line 11 & 13)	18-Aug-2022	16-Mar-2023 19-Oct-2023	15-May-2023 Referred back
08/2/20/10	Invitation for Long Term Borrowings	06-Oct-2022	08-Dec-2022	21-Dec-2022
08/2/21/18	Transport of Waste (screening) from Sewer pump stations and treatment works to the Prince Alfred's Hamlet and Tulbagh dumping sites for a period of 12 months	28-Jun-2024	21-Aug-2024 17-Sep-2024	-
08/2/21/38	Streets And Stormwater Maintenance In Witzenberg Municipal Area	15-Mar-2024	20-Jun-2024 31-Jul-2024 07-Aug-2024	05-Aug-2024 16-Aug-2024 30-Aug-2024 16-Sep-2024

No formal written price quotations are currently in the adjudication stage.

Geen formele geskrewe prys kwotasie is tans in die Toekenningsfase nie.

3.2.1.4 Bids awarded

The following bids were awarded by the Bid Adjudication Committee during the month of September 2024:

3.2.1.4 Tenders toegeken

Die volgende tenders was toegeken deur die Tender Toekenningskomitee gedurende September 2024:

Bid ref number	Date	Name of supplier	Brief description of services	Reason why award made	Estimated Value (incl. VAT)
08/2/21/73	30-Sep-2024	Bidvest Services (Pty) Ltd	Supply And Servicing Of Portable Chemical Toilets And Emptying Of Septic Tanks In The Witzenberg Area	Bidder scored the highest points	R 9 900 000.00

The following bids were awarded by the Accounting Officer during the month of September 2024.

Die volgende tenders was toegeken deur die Rekenpligtige Beampte gedurende September 2024

Bid ref number	Date	Name of supplier	Brief description of services	Reason why award made	Estimated Value (incl. VAT)
NONE					

3.2.1.5 Paragraph 13 (1): Cancellation and re-invitation of tenders

The following bids were cancelled during September 2024:

Bid ref number	Date	Brief description of services	Reason why bid is cancelled
NONE			

3.2.1.5 Paragraaf 13 (1): Kansellasië en her-uitnodiging van tenders

Die volgende tenders was gekanselleer gedurende September 2024:

3.2.1.6 Paragraph 19 (1) l and 19 (2): Written price quotations

The following written price quotations were approved during the month of September 2024:

3.2.1.6 Paragraaf 19 (1) (c) en 19 (2): Geskrewe Prys Kwotasies

Die volgende geskrewe prys kwotasies was goedgekeur gedurende September 2024:

Order number	Date	Name of supplier	Brief description of services	Reason why award made	Amount	Official acting i.t.o sub delegation
184587	04/09/2024	Keep the Dream 285	Supply and Delivery of Sound & Video Recording	Lowest responsive quotation	R 10 005.00 (Incl. VAT)	Acting Chief Financial Officer
184588	04/09/2024	Tulbagh Hotel	Catering Services – Adrian Wildschutt Olympic Achievement	Only responsive quotation	R 14 800.00 (Incl. VAT)	Acting Chief Financial Officer
184666	10/09/2024	Nu-Law Firearms Academy and Shooting Range	Facilitation of Regulation 21 Training – Firearm Training	Lowest responsive quotation	R 16 330.00 (Incl. VAT)	Chief Financial Officer
184667	10/09/2024	Nu-Law Firearms Academy and Shooting Range	Facilitation of Peace Officer Training	Lowest responsive quotation	R 22 770.00 (Incl. VAT)	Chief Financial Officer
184815	20/09/2024	Cape Seating Manufactures CC	Supply and Delivery of Office Furniture – Control Room	Only responsive quotation	R 22 834.40 (Incl. VAT)	Chief Financial Officer
184853	25/09/2024	Riding & Watt	Replacement of Beacon – Erf 5866 Ceres	Lowest responsive quotation	R 4 025.00 (Incl. VAT)	Chief Financial Officer

3.2.1.7 Formal Written Price Quotations

The following formal written price quotations, in excess of R 30 000 were awarded by an official acting in terms of a sub-delegation for the month of September 2024:

3.2.1.7 Formele Geskrewe Prys Kwotasies

Die volgende formele geskrewe kwotasies, wat meer is as R 30 000.00 is toegeken deur 'n amptenaar wat in terme van 'n sub-afvaardiging vir die maand van September 2024:

Bid ref number	Date	Name of supplier	Brief description of services	Reason why award made	Amount (Incl. VAT)	Official acting i.t.o sub delegation
08/2/21/72	17-Sep-2024	Adenco Construction (PTY) Ltd	Supply And Delivery Of Rotating Security Seals For Electricity Utility Meters	Only responsive bidder	R 73 743.75	Director: Technical Services
08/2/22/06	26-Sep-2024	SEW Plumbing (PTY) Ltd	Painting Of External Surfaces At Kliprug Community Hall Prince Alfred Hamlet	Bidder scored highest total points	R 54 395.00	Acting Director: Community Services

08/2/22/07	13-Sep-2024	Extra Cover Sports Facilities Contractor	Supply And Delivery Of Line Marking Paint For Turf Sport Fields	Only responsive bidder	R 146 510.00	Acting Director: Community Services
08/2/22/08	13-Sep-2024	Voltex (Pty)Ltd	Supply, Delivery And Offloading Of Circuit Breakers (Store Items)	Bidder scored highest total points	R 259 488.30	Director: Financial Services
08/2/22/20	17-Sep-2024	Bidvest Office (PTY) Ltd T/A Bidvest Waltons	Supply And Delivery Of 4 Drawer Filing Cabinets	Bidder scored highest total points	R 152 490.00	Director: Financial Services

3.2.1.8 Appeals

The following were lodged or dealt with by the Accounting Officer during the month of September 2024:

3.2.1.8 Appelle

Die volgende is ontvang of was hanteer deur die Rekenpligtige beampte gedurende September 2024:

Bid ref number	Date	Name of supplier that bid was awarded to	Brief description of services	Reason why award made	Amount (Incl. VAT)	Appellant	Reason for Appeal
08/2/20/93	09 May 2024	Aquatico Cape Laboratories (PTY) Ltd	Monitoring Of Drinking Water Quality In The Witzenberg Area	Bidder scored the highest total points	R 2 500 000.00	AL Abbott and Associates	Various

3.2.1.9 Deviations

The following table contains the actuals against approved deviations by the Accounting Officer for the month of September 2024 which totals R 478 216:

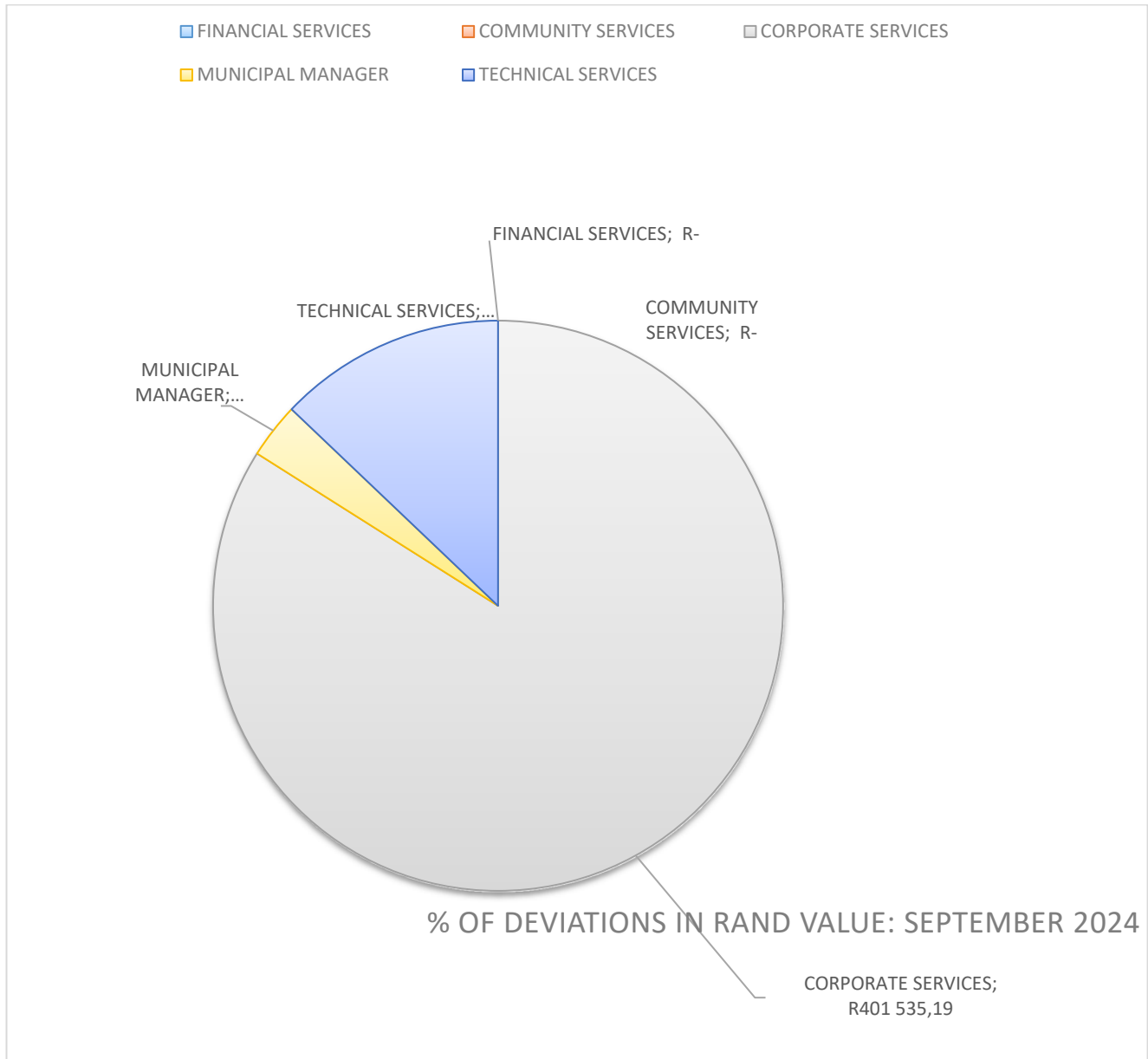
3.2.1.9 Afwykings

Die volgende tabel bevat die werklike uitgawes teen goedgekeurde afwykings deur die Rekenpligtige Beampte vir die maand van September 2024 wat beloop op die totaal van R 478 216:

Date	Name of supplier	Description of goods and services	Reason for deviation	Order number	AMOUNT R
05-Sep-24	Ply General Services (PTY) Ltd	Emergency works: Cutting down of trees after storm	Emergency	184593	9 500,00
06-Sep-24	Meniko Records Management Services	Renewal of TRIM Licenses for 2024/2025	Single supplier	184613	261 659,96
05-Sep-24	WRP Consulting Engineers (PTY) Ltd	PRV Servicing & battery replacement	Single supplier	184603	49 691,50
05-Sep-24	Witzenberg Herald	Publish notice: IDP & Budget Public Participation	Single supplier	184591	14 990,00
09-Sep-24	Gielie Geldenhuys Trust	Leasing of Land: Waboomsberg high site	Impractical		57 246,26
10-Sep-24	Institute of Waste Management of Southern Africa	Registration fee: J Barnard - IWSA Conference	Impractical	184668	2 500,00
22-Sep-24	Microsoft Ireland Operations (Pty) Ltd	Renewal of Microsoft Enterprises Agreement 2024/2025	Single supplier		79 156,97
30-Sep-24	Witzenberg Herald	Publish Notice: Council Meeting	Single supplier	184892	3 472,00

MONTH / MAAND	DEVIATION AMOUNT AFWYKING BEDRAG	TOTAL VALUE OF ORDERS ISSUED TOTALE WAARDE VAN BESTELLINGS UITGEREIK	% DEVIATIONS OF TOTAL ORDERS ISSUED % AFWYKINGS VAN TOTALE BESTELLINGS UITGEREIK
July 2024	R 463 809	R 51 207 703	0.90%
Aug 2024	R 284 099	R 28 128 455	1.01%
Sep 2024	R 478 216	R 36 818 638	1.29%

DEVIATIONS PER DIRECTORATE:



Logistics

The table below contains a high level summary of information regarding the stores section:

Logistieke

Die tabel hieronder bevat 'n hoë vlak opsomming van inligting rakende die magasyn (stoor):

MONTH	Jul 2024	Aug 2024	Sep 2024
Value of inventory at hand	R 24 057 941	R 21 830 309	R 22 788 360
Turnover rate of total value of inventory	1.04	1.13	1.05
Date of latest stores reconciliation	30 Sep 2024		
Date of last stock count	12 Sep 2024		
Date of next stock count	05 Dec 2024		

Percentage spent on Capital Expenditure for the period ended: 30 September 2024

	Financial Services	Corporate Services	Community Services	Municipal Manager	Technical Services	Total
Budget	30,000	1,238,205	2,130,000	96,435.00	83,328,072	86,822,712
Actual	102	102,974	44,758	-	5,944,481	6,092,111
Percentage	-0.34%	8.32%	2.10%	0.00%	7.13%	7.02%
Orders	1,447	368,138	502,659	9,030	32,108,721	32,989,995
	4.48%	38.05%	25.70%	9.36%	45.67%	45.01%

HJ Kritzing
CFO

Date
14/10/2024

Signature:



**Percentage spent on Preventative and corrective planned Maintenance
Expenditure for the period ended: 30 September 2024**

	Financial Services	Corporate Services	Community Services	Technical Services	Total
J1001* Total Budget	42,190	442,279	1,476,507	21,756,096	23,717,072
Less Repairs & Maintenance on Vehicles	42,190	233,952	721,932	2,441,314	3,439,388
Budget to be used for Measurement (A)	-	208,327	754,575	19,314,782	20,277,684
in *					
Total Actual	1,627	146,851	92,497	1,787,107	2,028,082
Less Repairs & Maintenance on Vehicles	1,627	98,974	43,261	578,716	722,579
Actuals to be used for measurement (B)	-	47,876	49,236	1,208,391	1,305,503
Percentage		22.98%	6.52%	6.26%	6.44%

HJ Kritzinger
CFO

Date
14/10/2024

Signature:



Cash Flow Forecast

Current commitments against cash

Cash Book Balance plus Investments	R 206 356 130
Total Commitments	(R120 588 391)
Unspent Grants	(R15 242 021)
Eskom Account	(R25 947 176)
Consumer Deposits	(R8 977 564)
Provision for Rehabilitation	(R19 142 364)
Working Capital Requirement	(R17 558 940)
Payables & Accruals	(R2 678 375)
Provision Current Employee Benefits	(R31 041 951)
Uncommitted Cash Balance	R 85 767 739

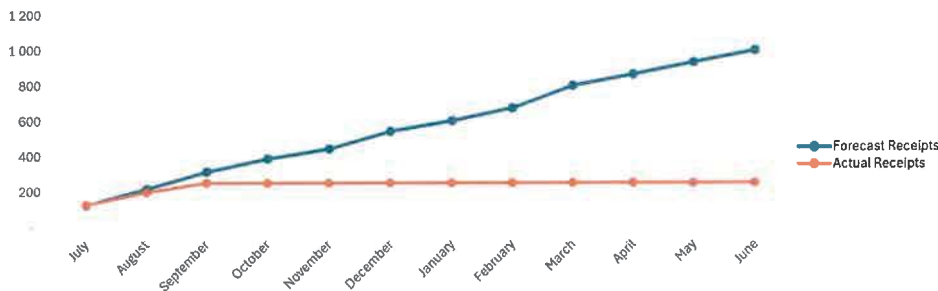
The estimated cost coverage ratio is as follow

Current

Cash and Cash Equivalents	R 206 356 130
Less Unspent Grants	R 15 242 021
Estimated Average fixed cost per month	R 71 823 683
Ratio	2,66

The ratio indicates that the municipality has sufficient cash available to cover its fixed cost for the next 2,66 months. The acceptable norm is 3 months

Forecasted receipts for 2024-2025 (R'000'000)

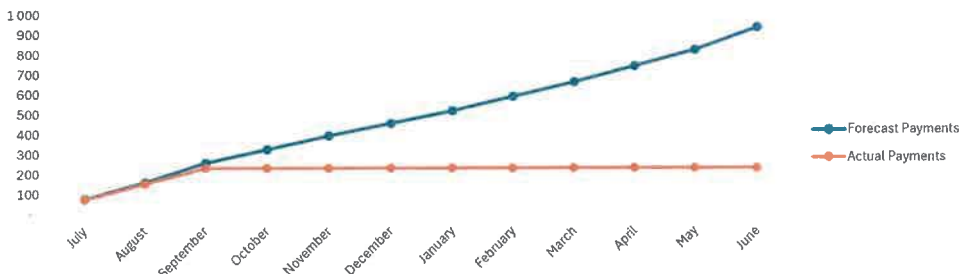


It is estimated that cash receipts will amount to R1000 m for the 2024-2025 Financial Year

The performance of actual receipts against projected receipts for the month can be summarised as follow

Month	Projected Receipts	Actual Receipts
July	R123m	R125m
August	R92m	R70m
September	R97m	R53m

Forecasted payments for 2023-2024 (R'000'000)



It is estimated that cash payments will amount to R1024 m for the 2024-2025 Financial Year

The performance of actual payments against projected payments for the month can be summarised as follow

Month	Projected Payments	Actual payments
July	R75m	R72m
August	R84m	R79m
September	R97m	R78m

DISCLOSURES OF GRANTS AND SUBSIDIES IN TERMS OF SECTION 123 OF MFMA, 56 OF 2003

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Current Year Allocation	
(DORA) Allocation Division of Revenue Amendment	Not Yet Received
1 600 000	-
25 630 000	18 804 000
	-
145 706 000	84 995 000
1 559 000	1 169 000
15 000 000	10 000 000
3 500 000	2 500 000
10 683 000	7 121 000
132 000	-
	-
	-
249 000	249 000
25 000 000	25 000 000
	-
	-
150 000	-
1 375 000	1 375 000
	-
	-
1 532 000	(2 805 602)
700 000	700 000
	-
	-
7 788 000	7 788 000
150 000	150 000
	-
	-
	-
	-
300 000	300 000
	-
	-
	-
241 054 000	157 345 398

Insurance Report - September 2024

Aging of Insurance Claims

Type of Claim	30 days or Less	More than 30 days	60 days or more	More than 120 Days	Total
Property Loss/damage	0	0	2	2	4
Motor Accident	0	0	2	9	11
Public Liability	1	0	6	14	21
Glass	0	0	0	1	1
Money loss	0	0	0	0	0
	1	0	10	26	37

High Value Third Party Claims

Claim Description	Value
Third Party fell on pavement after stepping into hole covered by grass	R 585,766
Third party stepped into hole of manhole cover on c/o Friesland & Delta Street,	R 628,370
Third Party Fell into an open manhole,corner Rooiels Avenue and Karee	R 2,551,000
Haywood R Elec Serv. (Five YO Boy burned at Pumpstation)	R 1,210,000

High Value Property Loss/Damage and Motor Accident Claims

Claim Description	Value
CT 14428 Trailer broke causing damage to enjin	R 40,000
Storm damage to Storm Water Channel	R 3,195,000

Claims Movement for the Month : September

	Property Loss/damage	Motor Accident	Public Liability	Glass	Money loss
Opening Balance	8	23	27	2	0
New Claims	0	1	0	0	0
Claims Closed	4	13	6	1	0
Closing Balance	4	11	21	1	0

OVERTIME & STANDBY REPORT SEPTEMBER 2024

OVERTIME	YTD 2024/25	YTD vs Budget %	Adjusted Budget	Original Budget	Projected	Projected Saving / (Shortfall)	Actual 2023/24
Administration	2,242	16.3%	13,721	13,721	8,967	4,754	14,971
Cemetries	76,770	39.7%	193,482	193,482	307,081	-113,599	131,178
Community Halls And Facilities	80,055	21.0%	381,439	381,439	320,219	61,220	316,360
Council Cost	0		0	0	0	0	0
Electricity*	597,775	19.8%	3,019,523	3,019,523	2,391,098	628,425	2,467,348
Enviromental Protection	0		0	0	0	0	0
Fire Protection Seviles	0	0.0%	24,922	24,922	0	24,922	21,582
Housing: Administration	0	0.0%	2,982	2,982	0	2,982	1,606
Human Resources	0		0	0	0	0	0
IDP	0	0.0%	6,883	6,883	0	6,883	8,242
Information Tecnology	0		0	0	0	0	0
Internal Audit	0		0	0	0	0	0
L E D	0		0	0	0	0	0
Library Services*	0	0.0%	3,658	3,658	0	3,658	4,328
Marketing & Communications	129,223	26.2%	493,272	493,272	516,890	-23,618	455,715
Mechanical Workshop	80,418	22.7%	354,719	354,719	321,672	33,047	309,852
Parks	56,510	22.7%	249,266	249,266	226,039	23,227	173,450
Performance Management	0		0	0	0	0	0
Pine Forest*	145,608	18.7%	777,271	777,271	582,431	194,840	572,230
Project Management	0		0	0	0	0	0
Property & Legal Services	0		0	0	0	0	0
Public Toilets	39,904	30.3%	131,494	131,494	159,615	-28,121	119,480
Recreational Land	70,851	23.3%	304,156	304,156	283,404	20,752	222,884
Roads	129,680	35.6%	364,774	364,774	518,718	-153,944	318,028
Sewerage	639,564	18.7%	3,427,782	3,427,782	2,558,257	869,525	2,904,691
Social & Welfare Services	2,273	39.2%	5,801	1,801	9,091	-3,290	2,970
Solid Waste*	548,464	21.3%	2,574,555	2,574,555	2,193,857	380,698	2,075,397
Stormwater Management	72,338	24.6%	293,855	293,855	289,354	4,501	235,748
Supply Chain Management	51,432	41.5%	123,986	123,986	205,727	-81,741	68,007
Swimming Pools	3,725	3.7%	101,018	101,018	14,901	86,117	112,668
Thusong Centre	0		0	0	0	0	0
Town Secretary	0	0.0%	319	319	0	319	968
Traffic	1,127,156	22.6%	4,994,053	4,994,053	4,508,624	485,429	3,956,019
Treasury*	56,094	23.7%	237,102	237,102	224,376	12,726	160,749
Vehicle Licensing & Testing	107,426	28.6%	375,598	375,598	429,703	-54,105	236,903
Water Distribution	474,364	17.6%	2,702,500	2,702,500	1,897,454	805,046	2,064,327
TOTAL OVERTIME	4,491,870	21.2%	21,158,131	21,154,131	17,967,479	3,190,652	16,955,701

STANDBY	YTD 2024/25	YTD vs Budget %	Adjusted Budget	Original Budget	Projected	Projected Saving / (Shortfall)	Actual 2023/24
Administration	6,232	43.0%	14,508	14,508	24,927	-10,419	29,808
Cemetries	30,655	28.2%	108,673	108,673	122,618	-13,945	114,775
Community Halls And Facilities	33,016	21.2%	156,001	156,001	132,065	23,936	176,995
Council Cost	0		0	0	0	0	0
Electricity*	153,578	26.0%	589,587	589,587	614,310	-24,723	693,290
Enviromental Protection	0		0	0	0	0	0
Fire Protection Seviles	251,603	23.0%	1,092,585	1,092,585	1,006,412	86,173	916,162
Housing: Administration	0	0.0%	26,237	26,237	0	26,237	15,181
Human Resources	0		0	0	0	0	0
IDP	0		0	0	0	0	0
Information Tecnology	14,402	21.6%	66,629	66,629	57,608	9,021	74,161
Internal Audit	0		0	0	0	0	0
L E D	0		0	0	0	0	0
Library Services	1,603	38.8%	4,136	4,136	6,413	-2,277	0
Marketing & Communications	0		0	0	0	0	0
Mechanical Workshop	38,259	23.8%	160,916	160,916	153,038	7,878	209,641
Parks	50,679	21.4%	236,975	236,975	202,715	34,260	221,828
Performance Management	0		0	0	0	0	0
Pine Forest*	42,888	31.2%	137,366	137,366	171,552	-34,186	159,731
Project Management	0		0	0	0	0	0
Property & Legal Services	0		0	0	0	0	0
Public Toilets	0		0	0	0	0	0
Recreational Land	54,864	24.8%	221,215	221,215	219,454	1,761	181,345
Roads	96,452	25.3%	381,069	381,069	385,808	-4,739	553,151
Sewerage	150,444	21.7%	694,523	694,523	601,774	92,749	822,088
Social & Welfare Services	0		0	0	0	0	0
Solid Waste*	22,579	15.6%	144,348	144,348	90,318	54,030	161,739
Stormwater Management	55,309	22.1%	249,921	249,921	221,237	28,684	342,768
Supply Chain Management	14,073	22.2%	63,339	63,339	56,292	7,047	84,235
Swimming Pools	2,644	24.6%	10,750	10,750	10,577	173	11,175
Thusong Centre	0		0	0	0	0	0
Town Secretary	0		0	0	0	0	0
Traffic	368,727	22.9%	1,607,692	1,607,692	1,474,908	132,784	1,328,440
Treasury*	16,186	22.9%	70,539	70,539	64,745	5,794	98,738
Vehicle Licensing & Testing	39,085	22.1%	177,155	177,155	156,340	20,815	160,492
Water Distribution	124,273	21.8%	570,884	570,884	497,093	73,791	690,384
TOTAL STANDBY	1,567,551	23.1%	6,785,048	6,785,048	6,270,205	514,843	7,046,126



QUALITY CERTIFICATE

I, Mr D Nasson, Municipal Manager of Witzenberg Municipality, hereby certify that the monthly in year monitoring reports for the month of September 2024 has been prepared in accordance with the Municipal Finance Management Act and the regulations made under the Act.

Mr D Nasson

Municipal Manager of WITZENBERG MUNICIPALITY

Signature:

Date:

Rig asseblief alle korrespondensie aan die Munisipale Bestuurder/ Kindly address all correspondence to the Municipal Manager/ Yonke imbalelwano mayithumehwe kuMlawuli kaMasipala

Witzenberg, the Eden of Africa, aspires that all residents shall live together in harmony and prosperity.
Witzenberg, die Eden van Afrika, streef daartoe dat alle inwoners in harmonie en voorspoed saamleef.
Witzenberg, lEden yase Africa igquashalazele ekubeni bonke abahlali bakhawulelezise ukuhlalisana ngolomwalo.

WITZENBERG**MUNISIPALITEIT****UMASIPALA****MUNICIPALITY****- MEMORANDUM -****AAN / TO:** Chief Financial Officer**VAN / FROM:** Manager: Supply Chain**DATUM / DATE:** 04 April 2024**VERW. / REF.:** 09/1/2/2**SUPPLY CHAIN MANAGEMENT: PARAGRAPH 7 (4) QUARTERLY REPORT ENDING 31 MARCH 2024: IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY****1. PURPOSE**

(a) To report on the implementation of Council's Supply Chain Management Policy with regards to the following sub sections:

- (i) Demand management
- (ii) Acquisition management
- (iii) Logistics management
- (iv) Disposal management
- (v) Performance management
- (vi) Other matters

2. POLICY REQUIREMENTS

Paragraph 7 (3) of Council's Supply Chain Management Policy as approved on 30 May 2023, states the following:

The Supply Chain Manager must, within 4 days of the end of each quarter, submit a report on the implementation of the supply chain management policy to the Chief Financial Officer, of which he must submit it within 3 days to the Accounting Officer. The Accounting Officer must within 3 days after receiving the report submit it to the Mayor.

3. DISCUSSION: SUPPLY CHAIN MANAGEMENT COMPONENTS**(a) Demand management**

Demand management requires timely planning and management process to ensure that all goods and services which are required are quantified, budgeted for and delivered in a timely and effective manner at the right locations and at the critical delivery dates. These goods and services must be of appropriate quality and quantity at a fair cost.

Furthermore the required specifications must ensure that needs are met.

In order to enhance the demand planning process, an annual procurement plan was implemented for the 2023-2024 financial year for capital spending. The revised Capital budget for 2023-2024 is R 85 292 670. The capital spending for the third quarter amounted to R 42 919 370 which together with first quarter totals **50.30%** spent. This is below the target of **60%** for the third quarter. Measures have been put in place to ensure that targets are met.

Specifications have been drafted unbiased and advertised as such in order to promote the five pillars of procurement as set out in section 217 of the Constitution of South Africa (Act 108 of 1996). It ultimately ensured that the needs are addressed effectively.

(b) Acquisition management

The system of acquisition management must ensure the following:

- (i) That goods and services are procured in accordance with authorized processes only;
- (ii) That expenditure on goods and services is incurred in terms of an approved budget in terms of section 15 of the Municipal Finance Management Act (Act 56 of 2003);
- (iii) That the threshold values for different procurement processes are complied with;
- (iv) That bid documentation, evaluation and adjudication criteria and general conditions of a contract are in accordance with any applicable legislation; and
- (v) That any Treasury guidelines on acquisition management are properly taken into account.

The bid documentation that is utilized is in accordance with the general conditions of contract and applicable legislation such as the Construction Industry Development Board Act (Act 38 of 2000). We have also taken into account guidelines issued by National and Provincial Treasury in order to further enhance our processes.

I. Bid committees

The following table details the number of bid committee meetings held for the quarter under review:

Month	Bid Specification Committee	Bid Evaluation Committee	Bid Adjudication Committee
Jan 2024	2	2	1
Feb 2024	4	1	4
March 2024	2	2	1

In addition, the Internal Audit section, Legal Services and the Local Economic development department have been invited to attend our bid committee meetings on an ad-hoc basis. This is an effort to promote transparency with regards to the processes that they will be concentrating on.

Competitive bids (in excess of R 200 000) to the value of **R106 574 522,04 (incl. VAT)** was awarded during the quarter under review.

The following table details the number of competitive bids awarded by the bid adjudication committee including the combined values of those bids:

Month	Number of awards	Combined value of awards
Jan 2024	0	-
Feb 2024	2	R 6 985 045.92
March 2024	1	R 2 500 000.00
Total	3	R 9 485 045.92

The following competitive bid(s) was awarded by the Accounting Officer during the quarter under review:

Month	Number of awards	Combined value of awards
Jan 2024	1	R46 291 475,70
Feb 2024	1	R798 000.42
March 2024	2	R 50 798 000.04
Total	4	R 97 089 476.12

The municipality made use of Supply Chain Management Regulation 32 which refers to contracts secured by other organs of state for the quarter under review for the following bids:

Bid ref number	Date	State department / Municipality	Name of supplier	Brief description of services	Value (incl. VAT)
<i>none</i>					

The following table details the five highest bids awarded during the quarter under review according to its contract value:

Department	Bid number	Bid description	Contract value
Streets and Stormwater	08/2/21/23	Resealing of existing streets in the Witzenberg Municipal area	R 50 000 000.00
Water and Sewerage	08/2/20/78	Upgrade And Extension Of The Wolseley Wastewater Treatment Works: Phase 2a	R 46 291 475.70
Water and Sewerage	08/2/20/82	Supply, Delivery, Installation And Commissioning Of Emergency Back-Up Generators (Re-Advertisement)	R5 485 045,92
Water and Sewerage	08/2/20/93	Monitoring of drinking water quality in the Witzenberg Area	R 2 500 000.00
Water and Sewerage	08/2/20/34	Monitoring, Quality Control And Process Advisory Services At Watercare Plants In The Witzenberg Area	R1 500 000,00

II. Formal written price quotations

Formal written price quotations (between R 30 000 and R 200 000) to the value of **R1 311 003,33** (incl. VAT) were awarded during the quarter under review. The following table details the number of formal written price quotations that were awarded including the combined values of those quotations:

Month	Number of awards	Combined value of awards
Jan 2024	1	R 128 696.04
Feb 2024	3	R 472 423.40
March 2024	5	R 709 883.89
Total	9	R 1 311 003.33

III. Awards made to companies according to their with Broad-Based Black Economic Empowerment (B-BBEE) level of contribution

As from 16 January 2023, the Preferential Procurement Regulations, 2022 became effective.

B-BBEE status level of contribution	Combined contract values for competitive bids	Combined contract values for formal written price quotations	Grand total	% of grand total
Level 1	R 97 089 476.12	R 663 844.26	R 97 753 320.38	90.61
Level 2	R 4 000 000.00	R 518 463.03	R 4 518 463.03	4.19
Level 3	-	-	-	0.00
Level 4	-	-	-	0.00
Level 5	-	-	-	0.00
Level 6	-	-	-	0
Level 7	-	-	-	0.00
Level 8	-	-	-	0.00
Non-compliant contributors	R 5 485 045.92	R 128 696.04	R 5 613 741.96	5.20
Total	R 106 574 522.04	R 1 311 003.33	R 107 885 525.37	100.00

The new regulations provide for points to be allocated for specific goals" as contemplated in section 2(1)(d) of the Act which may include contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender and disability including the implementation of programmes of the Reconstruction and Development Programme as published in Government Gazette No. 16085 dated 23 November 1994. Council approved amendments to the Preferential Procurement Policy on 24 January 2024 in compliance with the latest Preferential Procurement Regulations.

IV. Appeals by aggrieved bidders

No appeals were received from aggrieved bidders on awards or were dealt with in terms of section 62 of the Municipal Systems Act (Act 32 of 2000) for the quarter under review:

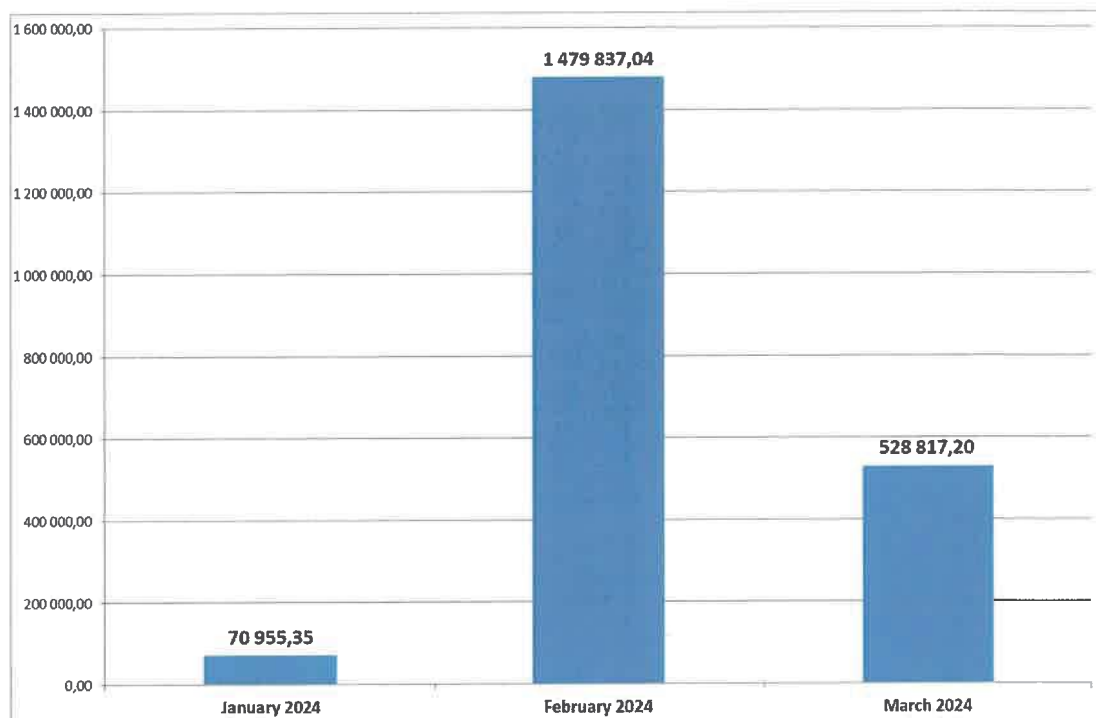
V. Deviations from normal procurement processes

V. Deviations from normal procurement processes

Deviations from the normal procurement processes have been monitored on an ongoing basis. Monthly reporting in terms of paragraph 44 of the SCM policy has been complied with. SCM has identified instances where the normal procurement processes can be followed to avoid having to follow the deviation process.

For the quarter under review, the total deviations approved by the Accounting Officer amounted to R 2 079 609 compared to the previous quarter's figure of R 1 309 570. This represents an increase compared to the previous quarter. It is noted that deviation values fluctuate during each period and will not necessarily reflect the same patterns.

The following graph shows the breakdown of deviations for the quarter under review:



(c) Logistics management

The system of logistics management must ensure the following:

- (i) the monitoring of spending patterns on types or classes of goods and services incorporating, where practical, the coding of items to ensure that each item has a unique number;
- (ii) the setting of inventory levels that includes minimum and maximum levels and lead times wherever goods are placed in stock;
- (iii) the placing of manual or electronic orders for all acquisitions other than those from petty cash;
- (iv) before payment is approved, certification by the responsible officer that the goods and services are received or rendered on time and is in accordance with the order, the general conditions of contract and specifications where applicable and that the price charged is as quoted in terms of a contract;

- (v) appropriate standards of internal control and warehouse management to ensure that goods placed in stores are secure and only used for the purpose for which they were purchased;
- (vi) regular checking to ensure that all assets including official vehicles are properly managed, appropriately maintained and only used for official purposes; and
- (vii) Monitoring and review of the supply vendor performance to ensure compliance with specifications and contract conditions for particular goods or services.

Each stock item at the municipal stores, Dromedaris Street are coded and are listed on the financial system. Monthly monitoring of patterns of issues and receipts are performed by the Storekeeper.

Inventory levels were revised at the start of each financial year to ensure sufficient stock for normal operations. Regular checking of the condition of stock is performed.

As at 31 March the value of stock at hand was R19 246 866.07 The stock turnover rate was 1.33 times, which is below the norm of 1.50 times. The quarterly stock count of 14 March 2024 revealed no redundant stock.

Shortages, surpluses and damaged stock were reported on. The quarterly report pertaining to the stock count will be submitted to the relevant portfolio committee, MAYCO and Council in due course.

(d) Disposal management

The system of disposal management must ensure the following:

- (i) immovable property is sold only at market related prices except when the public interest or the plight of the poor demands otherwise;
- (ii) movable assets are sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever is the most advantageous;
- (iii) Firearms are not sold or donated to any person or institution within or outside the Republic unless approved by the National Conventional Arms Control Committee;
- (iv) Immovable property is let at market related rates except when the public interest or the plight of the poor demands otherwise;
- (v) All fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are annually reviewed;
- (vi) Where assets are traded in for other assets, the highest possible trade-in price is negotiated; and
- (vii) In the case of the free disposal of computer equipment, the provincial department of education is first approached to indicate within 30 days whether any of the local schools are interested in the equipment.

We are complying with section 14 of the MFMA which deals with the disposal of capital assets. A Consolidated report of all assets identified for disposal were approved by Council and will be auctioned. An auctioneer was appointed in January 2023 and an auction is being scheduled for May 2024.

(e) Performance management

The SCM policy requires that an internal monitoring system be established and implemented in order to determine, on the basis of retrospective analysis, whether the SCM processes were followed and whether the objectives of the SCM policy were achieved.

The Accounting Officer has appointed the Internal Auditor as an independent observer. His task is only to observe the bidding process at a bid committee level and to report back to the Accounting Officer on the following issues:

- Compliance with chapter 11 of the Municipal Finance Management Act (Act 56 of 2003);
- Adherence to bid committee structures as stipulated in the Supply Chain Management regulations of 2005 and the Witzenberg Municipality's Supply Chain Management Policy;
- The applicable sections relating to points scoring and the evaluation of bids in terms of the Preferential Procurement Policy Framework Act (Act 5 of 2005);
- Compliance with the code of conduct for Supply Chain Practitioners and Bid Committee Members; and
- To propose improvements to the bid committee system and process.

No meetings were attended by the Internal Audit section during this quarter therefore no report is available.

(f) Other matters

The SCM staff is equipped to comply with the provisions of the said regulations.

The following training/ workshops were attended by SCM staff during the quarter under review:

Presenter	Topic	Name of attendee(s) and position(s)	Date from	Date to
<i>none</i>				

Furthermore:

- (i) No awards were made to persons whose tax matters were not in order.
- (ii) No awards were made to persons who are in the service of the state.

5. RECOMMENDATION

- (a) That the Chief Financial Officer submits the report to the Accounting Officer by 07 April 2024;
- (b) That the Accounting Officer submits the report to the Executive Mayor by 10 April 2024;
- (c) That the report serves before the relevant portfolio committee, the Executive Mayoral Committee and Council for information; and

- (d) That the report be made available to the public in terms of section 21 A of the Municipal Systems Act (Act no 32 of 2000) after it has served before Council.

Yours sincerely



M FRIESLAAR
MANAGER: SUPPLY CHAIN

RECEIPT OF REPORT:


11 APR 2024

RECEIVED
Director Finance



HJ KRITZINGER
CHIEF FINANCIAL OFFICER

DATE: 12/04/2024



D NASSON
ACCOUNTING OFFICER

DATE: 15/04/2024

MEMORANDUM

AAN / TO: Executive Mayor
VAN / FROM: Manager: Supply Chain
DATUM / DATE: 04 April 2024
VERW. / REF.: 09/1/2/

**SUPPLY CHAIN MANAGEMENT: PARAGRAPH 7 (4) QUARTERLY REPORT ENDING 31 MARCH 2024:
IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY**

With reference to the attached quarterly report. I, T Abrahams. in my capacity as Executive Mayor of Witzenberg Municipality hereby acknowledge the report as submitted to the Chief Financial Officer.



Signature
T Abrahams
EXECUTIVE MAYOR OF WITZENBERG MUNICIPALITY



Date

WITZENBERG

MUNISIPALITEIT

UMASIPALA

MUNICIPALITY

- MEMORANDUM -

AAN / TO : Director: Technical Services
Municipal Manager
Committee for Technical Services
Council

VAN / FROM : Senior Manager: Streets and Stormwater

DATUM / DATE : 5 December 2023

VERW. / REF : 16/4/P

BY-LAWS FOR THE DEPLOYMENT OF ELECTRONIC COMMUNICATIONS INFRASTRUCTURE: WITZENBERG MUNICIPALITY

1 Purpose

The purpose of this report is to recommend to Council to consider approval of the “**By-laws for the Deployment of Electronic Communications Infrastructure: Witzenberg Municipality.**”

2 Background

The Western Cape Government: Department of Economic Development and Tourism (DEDAT) has been working with the National Government, The Presidency as part of Operation Vulindlela (OV) in the drafting and development of Standard Bylaws for the deployment of electronic communication. The Standard By-Law for Deployment of Electronic Communications Facilities has been adopted by Parliament on 24 February 2023. These By-laws acts as a guide to Municipalities who will be able to use this as the basis in developing their own By-law.

(DEDAT) have been working with the Department of Local Government (DoLG) to support Western Cape municipalities to develop standardised, industry-friendly regulations in the form of model By-laws to allow for the rapid deployment of telecom infrastructure (fibre and wireless).

DEDAT has presented an opportunity to support the development and implementation of such a Standard By-Law within the Witzenberg Municipality at no additional cost to the municipality.

3 Objectives of the By-Law

(1) *The objectives of these By-laws are to—*

- (a) *facilitate the rapid deployment of electronic communications infrastructure in the Municipal Area.*
- (b) *ensure that all residents within the Municipal Area have access to affordable, high quality electronic communications infrastructure; and*

- (c) *ensure uniformity within the context of the competencies, laws and developmental obligations of municipalities in South Africa with regard to municipal planning in relation to electronic communications infrastructure.*
- (2) *The context for the implementation of these By-laws is national policy on rapid deployment of electronic communications infrastructure, which allows universal access to affordable communications to all South Africans. This is a foundational element in creating a connected, digitally participative South Africa where people are connected to each other, to business and to their government.*

4 Deliberation

The “Policy for Work and the Installation of Services in the Road reserve - Wayleave / Right of Way” was adopted by Council on 27 January 2021. With this Policy, Council has prescribed the conditions and standard of workmanship between the various Service Owners when working and/or installing services in the Municipal Road reserves, including telecommunication (Fibre) installations.

The main reasons for adopting By-laws for the deployment of electronic communications infrastructure is to protect the Municipality from legal battles with telecommunications network builders, and secondly provide a streamlined mechanism for the effective deployment of broadband services.

For the past few months, the Department: Streets and Stormwater and the Department: Legal Services has worked together with DEDAT to compile the “By-laws for the Deployment of Electronic Communications Infrastructure: Witzenberg Municipality.”

As part of this process the current “Policy for Work and the Installation of Services in the Road reserve - Wayleave / Right of Way” had to be revised to exclude the deployment of electronic communications infrastructure conditions from the Policy, as it is covered by the proposed By-law.

5 Content

The By-law include the following sections:

- Objectives
- Definitions
- Application
- Prohibitions and Minor Works
- Application Process: General
- Application Process: Standard Works
- Application Process: Emergency and Maintenance Works
- Application Process: Extension of Wayleave
- Obligations of Wayleave Holder
- Obligations of Municipality
- Efficient use of Municipal Property
- Standards and specifications
- Tariffs
- Guarantees
- Indemnity
- Sanctions for non-compliance
- Ad hoc incentives
- Amendments of Wayleave terms and conditions
- Removal or relocation of electronic communications facilities
- Transferability of Agreement
- Dispute resolution

Confidentiality and protection of personal information
 Formal communications
 Review

Annexure A - Wayleave Application Form
 Schedule A - Framework Municipal Land Use Agreement
 Schedule B - Framework Municipal Lease Agreement

6 Recommendation

*That the Committee for Technical Services recommend that the “**Draft By-laws for the Deployment of Electronic Communications Infrastructure: Witzenberg Municipality**”, be tabled to Council for adoption.*

That the draft by-law be advertised for public comments for at least 30 days;

That the proposals of the public be considered and incorporated as recommended by the Streets and Storm Water Department;

That the Municipal Manager as soon as possible after the closing date for public comments, submits a report to the Executive Mayoral committee for a recommendation to Council.

*That the Committee for Technical Services recommend that the “**Policy for work and the installation of services in the road reserve, Revision 2**”, be tabled to Council for adoption.*

Yours truly,

E LINTNAAR
SENIOR MANAGER: STREETS AND STORM WATER

WITZENBERG MUNICIPALITY

BYLAWS FOR THE DEPLOYMENT OF ELECTRONIC COMMUNICATIONS INFRASTRUCTURE

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Objectives

1. (1) The objectives of these By-laws are to—
 - (a) facilitate the rapid deployment of electronic communications infrastructure in the Municipal Area;
 - (b) ensure that all residents within the Municipal Area have access to affordable, high quality electronic communications infrastructure; and
 - (b) ensure uniformity within the context of the competencies, laws and developmental obligations of municipalities in South Africa with regard to municipal planning in relation to electronic communications infrastructure.
- (2) The context for the implementation of these By-laws is national policy on rapid deployment of electronic communications infrastructure, which allows universal access to affordable communications to all South Africans. This is a foundational element in creating a connected, digitally participative South Africa where people are connected to each other, to business and to their Government.

Definitions

2. In these By-laws, any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context otherwise indicates—

“Electronic Communications Act” means the Electronic Communications Act, 2005 (Act No. 36 of 2005);

“electronic communications facility” means electronic communications facility as defined in section 1 of the Electronic Communications Act;

“electronic communications network” means electronic communications network as defined in section 1 of the Electronic Communications Act;

“electronic communications network service” means an electronic communications network service as defined in section 1 of the Electronic Communications Act;

“Emergency Works” means (a) necessary works that are required to restore failures affecting multiple subscribers and end-users (both as defined in the Electronic Communications Act); (b) for which there is no workaround; and (c) does not comprise Minor Works;

“Minor Works” means maintenance or remedial work on electronic communications facilities or networks installed in terms of a Wayleave that (a) can be completed in less than 24 hours; (b) in respect of which access is governed under a Municipal Land Use Agreement or Municipal Lease Agreement and/or (c) does not involve any of the following: damage or risk of damage to Municipal Property and third parties’ property, disruption to traffic, danger or risk of danger to the public;

“Municipality” means Witzenberg Municipality;

“Municipal Area” means the area of jurisdiction of the Municipality as determined in terms of the Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998);

“Municipal Land Use Agreement” means an agreement entered into between the Municipality and the owner of electronic communications facilities deployed in a Road Reserve.;

“Municipal Lease Agreement” means an agreement entered into between the Municipality and an entity in respect of works outside a Road Reserve or on Street Furniture;

“Municipal Property” means any property which the Municipality either owns or has personal rights to, such as, for example, the right to use, manage, occupy or control the property. Municipal Property includes Street Furniture and the Road Reserve and is located within the Municipal Area;

“Municipal Website” means <http://www.witzenberg.gov.za/>

“radio apparatus” means radio apparatus as defined in section 1 of the Electronic Communications Act;

“Road Reserve” means the space between cadastral lines either zoned for road use or set aside for road use in the title deed or a servitude registered over land;

“Street Furniture” means Municipal Property located on or alongside a Road Reserve, such as poles owned by the Municipality;

“the Act” means the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2002);

“Wayleave” means a document issued to a person setting out the terms and conditions upon which that person may deploy and maintain electronic communications facilities within a Road Reserve, excluding Street Furniture;

“Wayleave Holder” means the person to whom a Wayleave is issued and includes its agents and contractors;

“Wayleave issue date” means the date of issue of a Wayleave by the Municipality as indicated on the Wayleave; and

“Works” means the specific activity authorised in a Wayleave.

Application

3. (1) These By-laws apply to all persons seeking to deploy or operate electronic communications facilities on, under or above Municipal Property.

(2) These By-laws cover the following activities and any combination thereof:

- (a) Trenching and micro trenching and related work in a Road Reserve.
- (b) The siting and erection of poles and stringing of cable on Municipal Property.
- (c) The stringing of cable on existing poles in a Road Reserve or within the Municipal Area.
- (d) The erection of poles, base stations, towers or masts for the location of radio apparatus within the Municipal Area, including micro-cell deployments on Street Furniture.

- (e) Maintenance and operational activities related to already deployed electronic communications facilities within the Municipal Area.

Prohibitions and Minor Works

4. (1) Subject to by-law 4(4), no civil works for the deployment or maintenance of electronic communications facilities or the performance of Emergency Works may take place in a Road Reserve without a valid Wayleave being issued therefor.

(2) No deployment of electronic communications facilities attached to—

(a) Municipal Property; or

(b) Street Furniture,

shall be effected without the owner of the electronic communications facilities and the Municipality having first entered into a Municipal Lease Agreement, which contains, as a minimum, the provisions contemplated in Schedule B.

(3) All deployments of electronic communications facilities anywhere on, above or under a Municipal Area must have and comply with all other legally required permissions in addition to a Wayleave or Municipal Lease Agreement.

(4) No Wayleave shall be required for the execution of Minor Works.

Application Process: General

5. (1) The application for a Wayleave or an extension thereof must be made on a Wayleave application form substantially similar to the form contained in Annexure A.

(2) The Wayleave application form may be obtained—

(a) from the Municipality's head office; or

(b) online from the Municipal Website.

(3) Prior to submitting the Wayleave application form, the applicant must obtain any necessary approval from all relevant authorities and affected providers.

(4) Application fees for a Wayleave are as set out in the annual budgeting framework adopted by the Municipality in line with applicable legislation and policies.

(5) Current fees are available from the Municipal Website

(6) Application fees are non-refundable.

(4) The order in which Wayleave applications will be processed will be as follows:

(a) Emergency Works;

(b) Extensions of current Wayleaves;

- (c) Standard works and maintenance Works on a first-in-first-out basis, but subject to the Municipality's right to play an active role in co-ordinating overlapping applications to ensure efficient use of Municipal Property.

Application Process: Standard Works

6. (1) A completed Wayleave application form referred to in by-law 5(1) must include at least the following:

- (a) Drawings in digital format or three (3) copies of drawings of the proposed work clearly showing the following:
 - (i) The full extent of the deployment, including—
 - (aa) any deployment of electronic communications facilities on, under or over private land in the Municipal Area; and
 - (bb) the position and size of ancillary and supporting facilities (such as cabinets, containers, manholes, handholes and junction boxes).
 - (ii) The position of other services infrastructure already deployed in the area and any above-ground cable location or pilot holes undertaken must be done by prior arrangement with the Municipality, which shall have the right to supervise such activities.
 - (ii) The depth of all electronic communications facilities below the road where trenching is planned.
 - (iv) The distance of the Works from the boundary of the Road Reserve, where relevant.
 - (v) Where aerial fibre is planned, the dimensions and functionality of poles, where they are to be sited, and the height at which fibre will be strung.
- (b) The proposed reinstatement.
- (c) The proposed commencement date and expected duration of the Works.
- (d) Details of consents or permissions required from third parties for the planned deployment and proof that these have been obtained
- (e) Where applicable, a statement that the leasing of existing electronic communications facilities has been investigated and is not feasible.
- (f) Where applicable, evidence that the applicant has met the infrastructure sharing notification requirements set out in by-law 10.
- (g) A completed compliance statement as provided for in the Wayleave application form.
- (h) A Municipal Land Use Agreement between the owner/operator of the electronic communications network and the Municipality, which contains, as a minimum, the provisions contemplated in Schedule A.

(2) Completed application forms must be submitted to the designated point of contact in the Municipality.

(3) Submitted Wayleave application forms must be vetted by the Municipality for completeness, including payment of the application fee.

(4) The Municipality must notify the applicant in writing within eight (8) working days of receipt of a Wayleave application form that—

- (a) the Wayleave application form is complete[d for the purpose of processing], and that all required information has been submitted and payments made. The date on this notice will be considered as the wayleave submission date; or
- (b) the Wayleave application form is not complete and must be resubmitted, and such notice will specify the requirements which have not been met, and these must be complied with within a further fifteen (15) working days, failing which a completely new application will have to be submitted.

(5) A [completed] Wayleave application must be processed within 30 working days from the Wayleave submission date, and if the Municipality requires additional time for processing the application, it will notify the applicant in writing prior to the expiry of the initial period that a maximum of a further 15 working days is required.

(6) The Municipality may, during the Wayleave application processing period, consult with the applicant regarding aesthetic considerations and concerns relating to the planned Works and may require that—

- (a) subject to sub-bylaw (7), the applicant conducts a public participation process in respect of affected persons; or
- (b) terms and conditions relating to the preservation of the aesthetic character of an area are included in a Wayleave issued, including a requirement that alternative deployment methodologies be utilised (which may include a requirement to submit an amended application).

(7) The requirement to conduct a public participation process shall not apply where—

- (a) the applicant is required to undertake a heritage impact assessment under the National Heritage Resources Act, 1999 (Act No. 25 of 1999), or an environmental impact assessment under the National Environmental Management Act, 1998 (Act No. 107 of 1998); or
- (b) a public participation process acceptable to the Municipality has already been conducted by the applicant.

Application Process: Emergency and Maintenance Works

7. (1) Processing of Wayleaves for Emergency Works ranks higher in priority than Wayleaves for standard works and maintenance works (which are equally ranked).

(2) Wayleaves for emergency or maintenance works may only be applied for in respect of electronic communications facilities deployed under a Wayleave issued by the Municipality.

(3) A completed application form must include at least the following:

- (a) Drawings in digital format or three (3) copies of drawings clearly indicating where Works will be conducted.
- (b) The nature of the emergency, in the case of Emergency Works.
- (c) The proposed commencement date and expected duration of the Works.
- (d) A completed compliance statement as provided for in the Wayleave application form.

(4) Completed application forms must be submitted to the designated point of contact in the Municipality.

(5) Submitted Wayleave application forms will be vetted by the Municipality for completeness, including payment of the application fee.

(6) The Municipality will notify the Wayleave Holder, as soon as practicable, that—

- (a) the Wayleave application form is complete, and all required information has been submitted. The date on this notice will be the Wayleave submission date; or
- (b) the Wayleave application form is not complete, and such notice must specify the requirements which have not been met, that these must be complied with within a further fifteen (15) working days, failing which a completely new application will have to be submitted.

(7) A Wayleave application must be processed as soon as practicable after the Wayleave submission date.

Application Process: Extension of Wayleave

7. (1) Immediately on becoming aware of any circumstances that cause a delay in the completion of the Works and the extent thereof, the Wayleave Holder must submit a request for an extension of the Wayleave.

(2) A completed application form must include at least the following:

- (a) The original Wayleave number;
- (b) The original expiry date of the Wayleave for which an extension is sought;
- (c) The revised expiration date applied for; and
- (d) The circumstances necessitating an extension.

(3) The Municipality will process completed extension applications as soon as is reasonably practicable.

(4) The Municipality may reject any extension application which is not complete.

(5) The Municipality may in its sole discretion refuse any extension application where reasonable grounds exist for doing so.

Obligations of Wayleave Holder

9 (1) A Wayleave Holder is required to maintain compliance with applicable law as set out in the Wayleave application form for the duration of the Wayleave.

(2) A Wayleave Holder is responsible for the acts and omissions of its agents and contractors in the performance of the Works.

(3) A Wayleave Holder must take steps necessary to verify the exact location and type of already deployed services infrastructure prior to the commencement of the Works.

(4) A Wayleave Holder must commence with the Works within ninety (90) working days of the Wayleave issue date, and written notification of the date and location of planned commencement must be provided to the Municipality no less than twenty (20) working days prior to such date. Extensions to the planned commencement date and completion date may be approved by the Municipality on good cause shown.

(5) The Municipality may require a Wayleave Holder to—

- (a) publish a notice of the planned Works, which must include dates and routes, and areas for the benefit of potentially affected persons; and
- (b) display the name and contact details of the Wayleave Holder at the site of the Works.

(6) A Wayleave Holder must ensure that a physical copy of the Wayleave is kept on site at all times when the Works are being performed.

(7) All Works shall be undertaken between the hours indicated in the Wayleave. Different work hours may be set for works that are—

- (a) noisy, invasive or disruptive; and
- (b) any other works that do not create any disturbance or other risk to labour or the public.

(8) A Wayleave Holder must, within ten (10) working days of the date of the issue of a completion notice, provide the Municipality with as-built drawings and geographical information systems (GIS) information in respect of the completed Works, signed by a geomatics professional as defined in the Geomatics Profession Act, No. 19 of 2013.

(9) A Wayleave Holder shall maintain sufficient public liability and indemnity insurance, taking into account the nature and the extent of the Works.

Obligations of Municipality

10. (1) The Municipality shall process Wayleave applications—

- (a) for Emergency Works, in accordance with the severity of the emergency;
- (b) for extensions —
 - (i) on a first-come-first-served basis, subject to its right to play an active role in co-ordinating overlapping applications to ensure efficient use of Municipal Property; and
 - (ii) on a non-discriminatory basis, taking into account the nature and scope of the application;
- (c) for standard and maintenance works—
 - (i) on a first-come-first-served basis, subject to its right to play an active role in co-ordinating overlapping applications to ensure efficient use of Municipal Property; and
 - (ii) on a non-discriminatory basis, taking into account the nature and scope of the application; and
- (d) taking into account national policy relating to the rapid deployment of electronic communications facilities.

(2) Subject to by-law 22, the Municipality will provide the Wayleave applicant with such records as it possesses relating to potentially affected services, such as gas, water, electricity and other infrastructure providers and affected servitudes.

(3) This information contemplated in sub-bylaw (2) will be provided for information purposes only, and the Municipality disclaims any liability for reliance thereon: It remains the responsibility of the Wayleave Holder to verify the existence and location of the indicated infrastructure.

(4) The Municipality has the right to supervise the execution of the Works authorised by a Wayleave.

(5) The Municipality will issue a completion notice once it is satisfied that the Works have been completed and all necessary reinstatement and rehabilitation have been undertaken successfully.

(6) The Municipality will co-ordinate all users of Municipal Property, and to this end, the Municipality must—

- (a) keep up-to-date records of all infrastructure deployed on, under or above Municipal Property.
- (b) ensure that any third party applying to the Municipality to undertake work in, on or under the Municipal land or Municipal Property, which may impact on electronic communications facilities deployed by a Wayleave Holder, notifies that Wayleave Holder, in writing, in advance of any planned works and affords that Wayleave Holder a right of supervision.
- (c) notify Wayleave Holders of any works to be undertaken by the Municipality which may impact on electronic communications facilities deployed by that Wayleave Holder.

(7) The Municipality shall publish current information about the Wayleave process as provided for in these by-laws on the Municipal Website.

Efficient use of Municipal Property

11. (1) An applicant shall, prior to the submission of a Wayleave application, take reasonable steps to notify third-party infrastructure providers of its intention to apply for a Wayleave.

(2) Reasonable steps contemplated in sub-bylaw (1) must include—

(a) the publication of a notice in the print and online version, if any, of a local newspaper; and

(b) sending a notification to all members of any database established for this purpose, of the intended application.

(3) A notice referred to in sub-bylaw (2) must—

(a) provide details that are reasonably required for third parties to determine whether they wish to enter into a co-build or similar arrangement with the Wayleave Holder; and

(b) allow no less than ten (10) working days for interested parties to respond.

(4) The Municipality may include a requirement in a Wayleave that the Wayleave Holder deploy additional duct space or dark fibre when trenching main routes or crossing roads to allow for facilities leasing and infrastructure sharing and avoid inefficient use of Municipal Property.

Standards and specifications

12. Standards and specifications applicable to the Works, rehabilitation and reinstatement must be set out in the Wayleave and Municipal Land Use Agreement or Municipal Lease Agreement and can be obtained from the Municipal Website.

Tariffs

13. (1) Tariffs relating to—

(a) applications for Wayleaves or other permissions;

(b) the deployment and maintenance of electronic communications facilities on, under or above Municipal land or Municipal Property; and

(c) remedial work where there has been non-compliance by the Wayleave Holder, are formulated and reviewed annually under the Municipality's Tariff Policy.

(2) Current tariffs can be obtained from the Municipal Website.

Guarantees

14. (1) The Municipality will require that a Wayleave Holder provide it with an irrevocable bank or performance guarantee issued by a reputable financial institution intended to provide the

Municipality with access to funds to remedy non-compliance by the Wayleave Holder and damage caused to Municipal Property.

(2) The bank or performance guarantee must be furnished to the Municipality prior to the commencement of Works and must set out the following:

- (a) A description of the events covered by the bank or performance guarantee and the manner in which the quantum of the guarantee has been calculated.
- (b) The term of the bank or performance guarantee, which shall be no longer than 12 months from the Wayleave issue date.
- (c) The process for the Municipality to call on the bank or performance guarantee, which should allow for individual claims payable in no more than twenty (20) working days.

(3) The Municipality will give the Wayleave Holder reasonable written notice of its intention to call on the bank or performance guarantee and afford it a reasonable opportunity of no less than 15 working days to make representations in this regard or to cure the non-compliance.

(4) The Municipality reserves the right to require on good cause shown that the Wayleave Holder provide a further bank or performance guarantee for a reasonable period, and good cause in this context includes but is not limited to—

- (a) the exhaustion of the bank or performance guarantee through claims against it by the Municipality prior to its expiry; and
- (b) continuing engineering concerns about damage to Municipal Property.

Indemnity

15. Wayleave Holders are required to indemnify and hold harmless the Municipality, its staff and representatives in respect of—

- (a) any claims for damage caused to third-party infrastructure or interruption or the degradation of third-party services caused by the Wayleave Holder; and
- (b) any claims for damage caused by other holders of Wayleaves to the Wayleave Holder's electronic communications facilities or electronic communications network.

Sanctions for non-compliance

16. (1) In addition to tariffs setting out the charges levied by the Municipality where it is required to undertake remedial work, the Municipality has also determined sanctions to be imposed on Wayleave Holders that breach the terms and conditions of their Wayleave.

(2) Sanctions imposed are set out alongside the current tariffs and can be obtained from the Municipal Website.

(3) Where the Municipality determines that the Wayleave Holder is in breach of the terms of the Wayleave, then in addition to claims for remedial work and imposing a sanction as provided for, it reserves the right not to accept any further Wayleave applications until the Wayleave Holder is in good standing with the Municipality.

(4) The Municipality may further exercise its right to lodge a complaint with the Independent Communications Authority of South Africa where it is of the view that the Wayleave Holder or party to a Municipal Land Use Agreement or Municipal Lease Agreement is an electronic communications network service licensee acting in contravention of its licence terms and conditions.

(5) The Municipality's exercise of a sanction or remedy is without prejudice to its rights to exercise any of the other sanction or remedy.

Ad hoc incentives

17. (1) The Municipality may, in its sole discretion, apply incentives for the deployment of electronic communications facilities in areas in the Municipality that are without access to affordable broadband services.

(2) In exercising its discretion under this by-law, the Municipality will have regard to national policy relating to the rapid deployment of electronic communications facilities and the transformative effect of inclusive access to affordable electronic communications.

Amendments of Wayleave terms and conditions

18. (1) The terms and conditions of a Wayleave may be amended only where—

(a) an amendment thereof is reasonably required—

- (i) due to new information that was not in the Municipality's knowledge when the Wayleave was granted and which is material to the operation of the Wayleave;
- (ii) to give effect to a law of general application; or
- (iii) to give effect to a court order; or

(b) the Municipality and the Wayleave Holder have consented thereto.

(2) The Municipality will issue the Wayleave Holder with a revised Wayleave.

Removal or relocation of electronic communications facilities

19. (1) The Municipality is required to bear the cost of any alteration or removal of electronic communications facilities by a Wayleave Holder, which is necessary due to work undertaken by the Municipality.

(2) Where a Wayleave Holder believes that any tree or vegetation on Municipal Property obstructs, interferes with or is likely to interfere with the working or maintenance of deployed

electronic communications facilities, it must provide notice, in writing, to the Municipality of the requirement for remedial action.

(3) If remedial action contemplated in sub-bylaw (2) is not completed within a reasonable period, a Wayleave Holder may itself take the required steps to remove the obstruction or interference, and the Wayleave Holder shall bear the cost of any remedial action taken under this subsection.

(4) Where a Wayleave Holder requires the removal, alteration or relocation of Municipal Property, it must submit a request, in writing, to the Municipality for consideration by the Municipality.

(5) Where the Municipality consents to a request contemplated in sub-bylaw (4), the cost of the required work shall be borne by the Wayleave Holder.

(6) A Wayleave Holder shall—

- (a) consult with the Municipality regarding end-of-life or decommissioning of electronic communications facilities deployed;
- (b) comply with the reasonable instructions of the Municipality regarding the removal of the electronic communications facilities and rehabilitation or reinstatement, where applicable; and
- (c) bear the cost of any removal and rehabilitation or reinstatement, as the case may be.

Transferability of Agreement

20. Municipal Land Use Agreements and Municipal Lease Agreements are transferable, subject to the prior agreement, in writing, of the Municipality, which agreement shall not be unreasonably withheld or delayed.

Dispute resolution

21. (1) The Municipality will seek to resolve disputes arising from the implementation of these By-laws through negotiation and the involvement of government structures created to facilitate rapid deployment of electronic communications facilities, such as the Rapid Deployment National Co-ordinating Committee.

(2) A failure by the Municipality to comply with the time periods for processing applications for Wayleaves must be reported to the Rapid Deployment National Co-ordinating Committee. This can be done by either party by sending an email to rdcc@dcdt.gov.za.

(3) Nothing in this by-law restricts the right of the Municipality or the Wayleave Holder to approach a court of competent jurisdiction for relief on an urgent basis.

Confidentiality and protection of personal information

22. (1) All plans, drawings and other documents exchanged with a Wayleave Holder that are not in the public domain or should not properly be in the public domain shall be regarded as confidential information.

(2) Subject to sub-bylaw (3), the Municipality and a Wayleave Holder shall not share confidential information other than to the extent necessary for the Wayleave application and implementation processes or where there is a legal duty to do so.

(3) To the extent that any personal information, as defined in the Protection of Personal Information Act, 2013 (Act No. 4 of 2013), is contained in a Wayleave application form or other communications between the Municipality and a Wayleave Holder, each party shall comply with its obligations under the said Act in the processing of that personal information.

Formal communications

23. (1) All communications between the parties relating to a Wayleave must be in writing.

(2) The Municipality and a Wayleave Holder shall each appoint a representative for the sending and receipt of formal communications under the Wayleave, and the contact details of the representative must be set out in the Wayleave.

(3) A representative may be changed on reasonable written notice to the Municipality or the Wayleave Holder as the case may be.

(4) All written communications delivered by hand or courier shall be deemed to have been received on the business day after the day of delivery, and all electronic communications delivered by facsimile or email shall be deemed to have been received on the business day after sending.

Review

24. These By-laws shall be periodically reviewed and such review shall take note of any amendments to legislation or amendments to the National Standard By-Laws gazetted from time to time by the Minister for Co-operative Governance and Traditional Affairs under the Municipal Systems Act. Any amendments shall be effective upon adoption by Council and publication.

Annexure A - Wayleave Application Form

Completed application forms must be submitted to the designated point of contact in the Municipality.

Part A - Applicant (person to whom the Wayleave is issued)			
Registered Name:		Trading As:	
Company Registration Number:		Physical address:	
Telephone:		Email:	
Part B - Owner/operator of electronic communications facilities (person who will be operating the electronic communications facilities after deployment)			
Registered Name:		Trading As:	
Company Registration Number:		Physical address:	
Telephone:		Email:	
Part C - Details of the application			
Type of Wayleave	<input type="checkbox"/>	Standard Works (complete Part D)	<input type="checkbox"/>
		Extension (Complete Part F)	<input type="checkbox"/>
			Emergency Works (Complete Part E)
Part D – Standard Works			
The proposed commencement date of the Works:			
The expected duration of the Works:			
Attach the following:			Attached
All applications	Drawings in digital format / Three (3) copies of drawings of the proposed work, clearly showing the full extent of the deployment, including: <ul style="list-style-type: none"> any deployment of electronic communications facilities on, under or over private land in the Municipal Area; and the position and size of ancillary and supporting facilities (such as cabinets, containers, manholes, handholes and junction boxes). the position of other services infrastructure already deployed in the area. Any above-ground cable location or pilot holes undertaken must be made by prior arrangement with and under the supervision of the Municipality. Health and safety plan Reinstatement designs with reference to applicable specifications Traffic accommodation plan / Lane closures 		<input type="checkbox"/>
Trenching	Depth of all electronic communications facilities below the road.		<input type="checkbox"/>
	Distance of the Works from the boundary of the Road Reserve		<input type="checkbox"/>
Aerial	Where aerial fibre is planned, the dimensions and functionality of poles and where they are to be sited, as also the height at which fibre will be strung.		<input type="checkbox"/>
Details of consents or permissions required from third parties for the planned deployment and proof that these have been obtained.	Other municipal consents:		<input type="checkbox"/>
	Environmental:		<input type="checkbox"/>
	Heritage:		<input type="checkbox"/>
	Affected parties:		<input type="checkbox"/>
	Other		<input type="checkbox"/>
			<input type="checkbox"/>
		<input type="checkbox"/>	
Municipal Land Use Agreement			<input type="checkbox"/>
Sharing notification requirements			<input type="checkbox"/>
I, the undersigned _____, certify that I have confirmed with each of the parties having electronic communications facilities affected by the proposed Works that the lease of the affected party's facilities is: I confirm further:			<input type="checkbox"/> Feasible <input type="checkbox"/> Not feasible

<ul style="list-style-type: none"> The correctness of the information set out in this application and indemnify and hold harmless the Municipality in respect of any loss or damage occasioned to third parties as a result of the granting of the Wayleave applied. That the applicant will comply with all specifications and requirements of the Municipality in performing the Works. 			
Part E – Emergency Works			
Original Wayleave reference:			
The proposed commencement date of the Works:			
The expected duration of the Works:			
Nature of emergency:			
Attach the following:			Attached
All applications	Drawings in digital format / Three (3) copies of drawings clearly indicating where Works will be conducted.		<input type="checkbox"/>
Part F – Extension			
Original Wayleave reference:			
Original expiration date:			
Extension required until (insert new expiration date):			
Reasons for extension:			

For Office Use:				
Application Fee Paid:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Decision:	<input type="checkbox"/>	Approved	<input type="checkbox"/>	Declined
If declined – reasons:				
Reasons communicated to the applicant	Date:			
	Method:			
	Delivery confirmed:			

Schedule A - Framework Municipal Land Use Agreement

TBI once finalised

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Schedule B - Framework Municipal Lease Agreement

TBI once finalised

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Municipal Land Use Agreement

1. Recital

WHEREAS the Municipality has received an application from the Facilities Operator (or its contractors) for a wayleave to deploy electronic communications facilities on, over or under Municipal land.

AND WHEREAS, under the By-Laws for the Deployment of Electronic Communications Infrastructure promulgated by the Municipality, it is a condition of the granting of such a wayleave that the applicant enters into a Municipal Land Use Agreement governing the continued use of Municipal land for the lifetime of the facility, including rehabilitation obligations.

AND WHEREAS the parties have agreed on framework terms and conditions applicable to all facilities deployed in terms of a wayleave authorised by the Municipality by the Facilities Operator.

THE PARTIES AGREE THAT:

2. Parties

- (1) Witzenberg Local Municipality ("**the Municipality**")
- (2) [●] ("**Facilities Operator**").

3. Definitions

- (1) "**Agreement**" means this Municipal Land Use Agreement and all annexures and schedules thereto, as amended from time to time.
- (2) "**ECA**" means the Electronic Communications Act 36 of 2005, as amended from time to time.
- (3) "**ECNS**" means electronic communications network services as defined in section 1 of the ECA.
- (4) "**ECNS Licence**" means a valid ECNS licence issued by ICASA under Chapter 3 of the ECA, and "**ECNS Licensee**" means the holder of such a licence.
- (5) "**Effective Date**", means, notwithstanding the Signature Date, the date the first Wayleave is issued to the Facilities Operator or its contractors.
- (6) "**Facility**" means an electronic communications facility defined in section 1 of the ECA installed on Municipal land as authorised by the Wayleave.
- (7) "**Facility End-of-Life**" means the end of the practical commercial life of the Facility.
- (8) "**Facilities Leasing Regulations**" means the Electronic Communications Facilities Leasing Regulations, 2010, published in Government Gazette 33252 on 31 May 2010, as amended from time to time.
- (9) "**Facilities Operator**" means the party cited in 2(2) above.
- (10) "**Minor Works**" means maintenance or remedial work on electronic communications facilities or networks installed in terms of a Wayleave that (a) can be completed in less than [●] hours; (b) in respect of which access is governed under a Municipal Land Use Agreement or Municipal Lease Agreement and/or (c) does not involve any of the following: damage or risk of damage to Municipal Property and third parties' property, disruption to traffic, danger or risk of danger to the public;
- (11) "**Municipality**" means the party cited in 2(1) above.

- (12) **“Rehabilitation Certificate”** means a certificate issued by the Municipality confirming that it is satisfied that the rehabilitation obligations of the Facilities Operator have been discharged.
- (13) **“Signature Date”** means the date on which this Agreement is signed by the Party signing last in time.
- (14) **“Wayleave”** means [Wayleave Reference Details] granted by the Municipality to the Facilities Operator or its agent on [date], a copy of which is attached as a schedule to this Agreement.

4. Structure and interpretation

- (1) All issued Wayleaves for newly deployed Facilities shall be schedules to this Agreement.

5. Duration

- (1) This Agreement shall, notwithstanding the Signature Date, be of full force and effect from the Effective Date.
- (2) This Agreement shall endure until a Rehabilitation Certificate has been issued by the Municipality or until otherwise terminated in terms of its provisions.

6. Application of the ECA

- (1) The parties acknowledge the application of Chapter 4 of the ECA to this Agreement where the Facilities Operator is an ECNS Licensee.
- (2) The parties confirm that they are aware of their rights and obligations as set out in said Chapter 4, including, but not limited to:
 - (i) ECA section 25: Removal of electronic communications network facilities
 - (ii) ECA section 26: Fences
 - (iii) ECA section 27: Trees obstructing electronic communications network facilities
 - (iv) ECA section 28: Height or depth of electronic communications network facilities
 - (v) ECA section 29: Electrical works
- (3) These sections are set out in Annexure A for ease of reference.
- (4) To avoid doubt, the rights and obligations set out in these sections of the ECA shall only apply between the parties where the Facilities Operator is an ECNS Licensee.

7. Facilities Operators’ rights

- (1) The Facilities Operator shall enjoy continued use and possession of Municipal Property in the Municipal Area as set out in the Wayleaves.

8. Facilities Operator’s obligations

- (1) The Facilities Operator undertakes to:
 - (i) Perform its functions and obligations under this Agreement timeously and professionally.
 - (ii) Act in good faith *vis-à-vis* other parties with infrastructure near the Network Operator’s electronic communications facilities.

- (iii) Share infrastructure per the Facilities Leasing Regulations and any other applicable legislation or regulation..
- (iv) Notify the Municipality of Facility End-of-Life at least 12 months ahead of such date.
- (v) Update the Municipality's GIS records where the Facilities are moved or otherwise altered.
- (vi) Timeously provide accurate information regarding its Facilities to third-party applicants for wayleaves.

9. Municipality's obligations

- (1) The Municipality undertakes to perform its functions and obligations under this Agreement timeously and professionally.
- (2) The Municipality will take reasonable steps to ensure that the Facilities Operator receives prior written notification of any works authorised by the Municipality which may affect the Facilities.

10. Minor Works

- (1) Provided that the Facilities Operator has fully complied with its obligations under this Agreement, the Facilities Operator may perform Minor Works without Wayleaves, provided that it must always provide the Municipality with at least [●] days advance written notice.

11. Payment of charges

- (1) Charges:
- (2) Ongoing charges payable by the Facilities Operator
- (3) Payment terms.
- (4) Escalations set in the MTREF.

12. Limitations of liability and indemnities

- (1) The Facilities Operator indemnifies and holds harmless the Municipality its staff and representatives in respect of—
 - (i) any claims for damage caused to third-party infrastructure or interruption or the degradation of third-party services caused by the Wayleave Holder; and
 - (ii) any claims for damage caused by other holders of Wayleaves to the Wayleave Holder's electronic communications facilities or electronic communications network.
- (2) Any damages payable under this Agreement shall be limited to direct damages.

13. Points of contact

- (1) The parties choose the below as their addresses for all formal communications under this Agreement and any legal notifications
 - (i) Municipality.
Physical address:

Legal e-mail address:

Finance e-mail address:
Works notices e-mail address:

- (ii) Facilities Operator:
Physical address:

E-mail address:

14. Rehabilitation and reinstatement

- (1) The Facilities Operator shall undertake rehabilitation and/or reinstatement in accordance with the reasonable written instructions of the Municipality and the standards set out in Annexure C.

15. Termination

- (1) This Agreement shall automatically terminate
- (i) on the rehabilitation or destruction of the Facilities;
 - (ii) on final liquidation of the Facilities Operator.

16. Assignment

- (1) The Facilities Operator may assign its rights and obligations under this Agreement subject to prior written notification of the Municipality.

17. Dispute resolution

- (1) The parties agree to seek to resolve disputes arising from the implementation of this Agreement through negotiation and the involvement of government structures created to facilitate rapid deployment of electronic communications facilities, such as the Rapid Deployment National Co-ordinating Committee.
- (2) Nothing in this clause restricts the right of the Municipality or the Facilities Operator to approach a court of competent jurisdiction for relief on an urgent basis.

Schedule – Wayleave(s)

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Annexure A – Rights and obligations of the parties as set out in Chapter 4 of the ECA

Sections 25 – 29 of the ECA govern aspects of the relationship between the parties: these provisions are set out below for ease of reference.

25. Removal of electronic communications network facilities

- (1) If an electronic communications network service licensee finds it necessary to move any electronic communications facility, pipe, tunnel or tube constructed upon, in, over, along, across or under any land, railway, street, road, footpath or waterway, owing to any alteration of alignment or level or any other work on the part of any public authority or person, the cost of the alteration or removal must be borne by that local authority or person.
- (2) Where any electronic communications network facility passes over any private property or interferes with any building about to be erected on that property, the licensee must, on receiving satisfactory proof that a building is actually to be erected, deviate or alter the positioning of the electronic communications facility in such manner as to remove all obstacles to building operations.
- (3) The owner of the property must, in writing, give notice that any such deviation or alteration is required to the electronic communications network service licensee, not less than 28 days before the alteration or deviation is to be effected.
- (4) If any deviation or alteration of an electronic communications network facility, pipe, tunnel or tube constructed and passing over any private property is desired on any ground other than those contemplated in subsection (2), the owner of the property must give the electronic communications network service licensee written notice of 28 days, of such deviation or alteration.
- (5) The electronic communications network service licensee must decide whether or not the deviation or alteration is possible, necessary or expedient.
- (6) If the electronic communications network service licensee agrees to make the deviation or alteration as provided for in subsection (3), the cost of such deviation or alteration must be borne by the person at whose request the deviation or alteration is effected.
- (7) If, in the opinion of the electronic communications network service licensee the deviation or alteration is justified, the licensee may bear the whole or any part of the said cost.
- (8) Where a dispute arises between any owner of private property and an electronic communications network service licensee in respect of any decision made by an electronic communications network services licensee in terms of subsection (4), such dispute must be referred to the Complaints and Compliance Committee in accordance with section 17C of the ICASA Act.

26. Fences

- (1) If any fence erected or to be erected on land over which an electronic communications network facility, pipe, tunnel or tube is constructed or is to be constructed by an electronic communications network service licensee renders or would render entry to that land impossible or inconvenient, the electronic communications network service licensee may at its own expense—
 - (a) erect and maintain gates in that fence; and

- (b) provide duplicate keys for such gates, one set of which must be handed to the owner or occupier of the land.

- (2) Any person intending to erect any such fence must give the electronic communications network service licensee notice in writing of not less than six weeks of his or her intention to erect such fence.

27. Trees obstructing electronic communications network facilities

- (1) Any tree or vegetation which in the opinion of an electronic communications network service licensee—

- (a) obstructs or interferes; or
- (b) is likely to obstruct or interfere,

with the working or maintenance of any of the electronic communications network services licensees' electronic communications network or electronic communications facilities, pipes, tunnels or tubes, whether growing upon—

- (i) State-owned land;
- (ii) any road; or
- (iii) private land,

must, after reasonable notice to the owner or occupier of the land, be cut down or trimmed by the authority responsible for the care and the management of such State-owned land, road or private land, in accordance with its requirements or by the owner or occupier of such private land, as the case may be, at the expense of the electronic communications network service licensee.

- (2) In the event of failure to comply with a notice referred to in subsection (1)(b), the electronic communications network service licensee may cause the said tree or vegetation to be cut down or trimmed as the electronic communications network service licensee may consider necessary.
- (3) Where the electronic communications network or electronic communications facility is actually interfered with or endangered by any such tree or vegetation, the licensee may remove such tree or vegetation without any such notice.
- (4) In taking any action in terms of subsections (1), (2) or (3), due regard must be had to the environmental law of the Republic.

28. Height or depth of electronic communications network facilities

- (1)
 - (a) Aerial electronic communications networks or electronic communications facilities along any railway or public or private street, road, footpath or land must be at the prescribed height above the surface of the ground.
 - (b) The electronic communications network service licensee must place electronic communications networks and electronic communications facilities, pipes, tunnels and tubes at the prescribed depth below the surface of the ground.

- (2) If the owner of any private land proves to the satisfaction of an electronic communications network service licensee that he or she is obstructed in the free use of his or her land because of the insufficient height or depth of any electronic communications network or electronic communications facility, pipe, tunnel or tube constructed by the electronic communications network service licensee, the electronic communications network service licensee may, subject to the provisions of sections 22 and 25, take such steps as he or she may consider necessary for giving relief to that owner.
- (3) In taking any action in terms of this section, due regard must be had to the environmental laws of the Republic.

29. Electrical works

- (1) Any person who constructs, equips or carries on any railway or works for the supply of light, heat or power by means of electricity, must—
 - (a) conform to the requirements of an electronic communications network service licensee for the prevention of damage to any of its electronic communications network and electronic communications facilities or works by such construction;
 - (b) before commencing the construction of any such railway or works, give 30 days prior written notice to the electronic communications network service licensee of his or her intention to commence the construction; and
 - (c) furnish the electronic communications network service licensee with—
 - (i) a plan of the proposed railway or works;
 - (ii) particulars showing the manner and position in which the railway or works are intended to be constructed, executed and earned on; and
 - (iii) such further information related to the proposed railway or works as the electronic communications network service licensee may require.
- (2) If—
 - (a) it appears to the electronic communications network service licensee that the construction, equipment or operation of any such railway or works is likely to damage any of its electronic communications facilities or works; or
 - (b) any such electronic communications facilities or works are damaged by the construction, equipment or operation of any such railway or works, the electronic communications network service licensee must give reasonable notice of its requirements to the person concerned.
- (3) Any person who, after receiving the notice referred to in subsection (2), proceeds with or causes to be proceeded with any such construction, equipment or operation in contravention of the said requirements, may be liable to the electronic communications network service licensee for damages sustained by the electronic communications network service licensee as a result of a contravention of subsection (1).

Annexure B – Standards

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Municipal Electronic Communications Facilities Lease Agreement

Parties	
The Lessee	The Municipality
Registered Name:	Registered Name:
Physical Office Address:	Physical Office Address:
Registered No:	Registered No:
	N/A
Email Address:	Email Address:
Address for Legal Notices:	Address for Legal Notices:

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1. DEFINITIONS AND INTERPRETATION

1.1. Definitions

In this Agreement, the following expressions shall have the following meanings except where inconsistent with the context:

- | | | |
|---------|-----------------------------------|--|
| 1.1.1. | “Agreement” | means this Electronic Communications Facility Lease Agreement together with its schedules, annexures or addenda – all as amended or replaced from time to time; |
| 1.1.2. | “Apparatus” | means the Lessee’s ECF installed by or on behalf of the Lessee on, under or over the Municipal Facilities. |
| 1.1.3. | “Business Day” | means any day which is not a Saturday, Sunday or a public holiday in the Republic of South Africa; |
| 1.1.4. | “Charges” | means the charges levied by the Municipality for the sublease of Municipal Facilities and related services; |
| 1.1.5. | “Confidential Information” | means all information in respect of the business of either party including, without prejudice to the generality of the foregoing, any ideas; business methods; finance; prices, business, financial, marketing, development or manpower plans; customer lists or details; computer systems and software; products or services, and information concerning either party’s relations with actual or potential customers or suppliers and the needs and requirements of such persons; |
| 1.1.6. | “ECA” | means the Electronic Communications Act, 36 of 2005; |
| 1.1.7. | “ECF” | Means electronic communications facilities as defined in the ECA; |
| 1.1.8. | “ECN” | Means electronic communications network as defined in the ECA; |
| 1.1.9. | “ECNS” | Means electronic communications network service as defined in the ECA; |
| 1.1.10. | “Effective Date” | means [●] notwithstanding the date on which this Agreement is legally completed; |
| 1.1.11. | “Frequency Licence” | means any frequency licence granted and issued by ICASA, with a “Frequency Licensee” being the holder of a Frequency Licence; |

- 1.1.12. **“ICASA”** means the Independent Communications Authority of South Africa.
- 1.1.13. **“Licensee”** Any person that holds an ECNS licence;
- 1.1.14. **“Maintenance Works”** means works which may be undertaken by or on behalf of the Lessee in accordance with clause 8.1 to inspect, maintain, adjust, repair, test, remove and (on a like for like basis) to replace the Apparatus;
- 1.1.15. **“Mast”** refers to a tower or other structure which is suitable for use as a support structure for the Apparatus;
- 1.1.16. **“Municipality”** means the Witzenberg Local Municipality
- 1.1.17. **“Municipal Facilities”** means the ECF owned or controlled by the Municipality;
- 1.1.18. **“Municipal Land”** means land owned or under the control of the Municipality;
- 1.1.19. **“Planning Authority”** means the relevant local government and any other provincial or national authority whose permission is required prior to the deployment of either the Municipal Facilities or the Apparatus – as the case may be;
- 1.1.20. **“Specified Rate”** means interest at 2% per annum above the base lending rate from time to time of Rand Merchant Bank (or such other bank as the Municipality may hereinafter nominate);
- 1.1.21. **“Term”** means the term of this Agreement as set out in clause 3 below;
- 1.1.22. **“Utility Rates”** means the municipality charges or rates associated with the provision of electricity that are required for the operation of the Apparatus;

1.2. Interpretation

- 1.2.1. A reference to a particular Act shall include any modification, extension, replacement or re-enactment thereof for the time being in force and shall also include all instruments, orders, plans, regulations, permissions and directions for the time being made, issued or given thereunder or deriving validity therefrom.
- 1.2.2. The singular shall include the plural and vice versa, and reference to natural persons shall include bodies corporate.

- 1.2.3. References to the Municipality and to the Lessee shall be construed as including each party's employees, contractors and agents, where applicable, and each party's permitted assigns and/or successors to the benefit of this Agreement.
- 1.2.4. The clause and Schedule headings are for convenience only and shall be ignored for construction.
- 1.2.5. References to clauses, Schedules, paragraphs and sub-paragraphs are to the clauses, Schedules, paragraphs and sub-paragraphs of this Agreement.

2. BACKGROUND

The Municipality owns or controls the Municipal Facilities and is required to manage the use of and access to Municipal Facilities.

3. COMMENCEMENT AND DURATION

This Agreement shall come into force and effect on the Effective Date and (subject to the provisions of clause 14) shall continue indefinitely until terminated by either Party on the terms of this Agreement.

4. PROVISION OF THE MUNICIPAL FACILITIES

In consideration of the undertakings given by the Lessee to the Municipality and the Lessee paying to the Municipality the Charges, the Municipality agrees and undertakes to provide and make available throughout the Term the Municipal Facilities situated throughout the Municipal Land under this Agreement.

5. THE LESSEE'S OBLIGATIONS

- 5.1. The Lessee shall pay the Charges per the provisions of clause 11.
- 5.2. All costs concerning the supply and consumption of electricity for operating the Apparatus, including the supply and installation of metering equipment, if required, shall be paid by the Lessee.
- 5.3. The Lessee shall be entitled, if required and at its cost, to upgrade the electricity supply to Apparatus and shall, in all events that it alters any electrical installation, provide the Municipality with an electrical compliance certificate.
- 5.4. The Lessee shall keep Apparatus safe and in a good state of repair and condition throughout the Term and shall comply with any requirements and recommendations which may prevail from time to time of any applicable regulatory body concerned with radio frequency radiation emissions from the use of Apparatus.
- 5.5. The Lessee, its employees, sub-contractors and agents shall not do or permit anything which is or may become a nuisance, annoyance or inconvenience to any other party using facilities on Municipal Land nor interfere with any ECF on Municipal Land belonging to any third party.
- 5.6. The Lessee shall not be permitted to alter or modify Municipal Facilities without the Municipality's prior written consent, which consent shall not be unreasonably

withheld or delayed. If such consent is given, the Lessee shall at the expiry or termination of the Term (if requested to do so by the Municipality)

- 5.6.1. at its own cost reinstate the affected Municipal Facilities to its former condition and to the reasonable satisfaction of the Municipality, fair wear and tear excepted; or
- 5.6.2. in default of clause 5.6.1, pay to the Municipality on demand the total cost incurred by the Municipality of such reinstatement.
- 5.7. The Lessee shall ensure that the Municipality and any third party reasonably authorised by the Municipality to attend the Municipal Facilities for the purpose of:
 - 5.7.1. fulfilling the Municipality's obligations under this Agreement and generally; and
 - 5.7.2. to ascertain whether the Lessee's obligations under this Agreement have been duly observed and performed

has unrestricted access to the Municipal Facilities.
- 5.8. The Lessee shall not apply to any local Planning Authority for permission to carry out any development on the Municipal Land without the Municipality's prior written consent, which consent must be sought via the Municipality and must not be unreasonably withheld or delayed by the Municipality.
- 5.9. The Lessee undertakes to use the Municipal Facilities per:
 - 5.9.1. the Lessee's relevant ECNS and Frequency Licences terms and conditions;
 - 5.9.2. such reasonable conditions as may be notified in writing to the Lessee by the Municipality from time to time;
 - 5.9.3. all relevant legislation, regulations or codes of practice; and
 - 5.9.4. any direction of ICASA.
- 5.10. To avoid doubt, the Lessee shall only be permitted to use the Municipal Facilities in connection with running its own ECN.
- 5.11. In each case, the Lessee and any persons authorised by it act in breach of the Lessee's warranties, undertakings and obligations under this Agreement, the Lessee shall indemnify and keep the Municipality indemnified on demand against any costs (including the costs of enforcement) expenses, liabilities (including any tax liability) injuries, losses, damages (including payments to the Municipality for damage caused to Municipal Land by the exercise of the rights hereby granted), claims, demands or legal costs (on a full indemnity basis) and judgements which the Municipality incurs or suffers arising from or in any way connected with the presence of the Lessee at Municipal Land.

6. LEASE REQUESTS, QUOTATIONS AND WORK ORDERS

- 6.1. The Lessee may, at any time, request the Municipality to lease Municipal Facilities. In each instance the Lessee, shall communicate sufficient details of its request to lease Municipal Facilities, further to which the Municipality shall, within seven (7) Days of receipt of such request, or within an extended period as the Parties may agree, provide the Lessee with a written quotation in respect thereof ("**ECF Lease Quotation**") that shall be signed by an appropriately delegated representative of the Municipality setting out the following information:
- 6.1.1. The identified Municipal Facilities;
 - 6.1.2. The intended installation date of the Apparatus; and
 - 6.1.3. The duration for which the Apparatus shall be installed.
- 6.2. The amount payable in terms of this clause 7 shall be negotiated between the Parties, and the Lessee shall within seven (7) Days of receipt of the ECF Lease Quotation referred to in clause 6.1, or within such extended period as the Parties may agree, either accept or reject it.
- 6.3. Upon the Lessee's acceptance of the ECF Lease Quotation, it shall be signed by an appropriately delegated representation of the Lessee, and the Lessee shall proceed to prepare a work order ("**Site Work Order**") for acceptance by the Parties, to which the ECF Lease Quotation shall be attached. Should the Lessee reject the ECF Lease Quotation, it shall endeavour to provide the Municipality with reasons for such rejection and afford the Municipality the opportunity to revise and/or amend the ECF Lease Quotation for the Lessee's subsequent consideration.
- 6.4. Upon the acceptance by both Parties of a Site Work Order, each Site Work Order shall be appended to this Agreement and as an annexure and be construed in accordance with the terms and conditions of this Agreement.

7. VARIATIONS TO SITE WORK ORDERS

- 7.1. Should either Party wish to amend any aspect of a Site Work Order after the mutual acceptance of same by both Parties, the process set out in clauses 6.1 and 6.2 shall be followed, with the necessary changes; provided that if the Parties are unable to agree to the proposed amendments to a Site Work Order, the Site Work Order as initially agreed upon shall remain unaltered.
- 7.2. Any delays occasioned to the work that is to be undertaken by the Municipality and that is caused by the Lessee, including delays due to the amendments to a Site Work Order requested by the Lessee after the acceptance thereof by both Parties, shall result in an automatic extension of the timelines set out in the Site Work Order by a period equal to the period of the delay.

8. INSTALLATION OF ADDITIONAL APPARATUS

- 8.1. The Municipality shall permit the Lessee to have access to the Municipal Facilities on the following basis:

- 8.1.1. no access will be permitted to the Municipal Facilities without prior notification to the Municipality which in the case of a
 - i) non-service affecting fault shall be not less than twenty-four (24) hours prior notice in writing; or
 - ii) a service affecting fault shall be as much notice as possible in the circumstances;
- 8.1.2. the Municipality will use all reasonable endeavours to provide access to the Municipal Facilities for service affecting faults on 24 hours a day, 7 days a week basis;
- 8.2. Save for Maintenance Works, the Lessee shall not be permitted to move, replace, upgrade, modify or make any other alterations or additions to the Municipal Facilities without:
 - 8.2.1. submitting to the Municipality for prior approval a Site Work Order which shall, amongst others, include specification, drawing, plan, and a method statement in the agreed form describing the works required to install the same; and
 - 8.2.2. securing such written approval, which shall not be unreasonably withheld or delayed by the Municipality.
- 8.3. Where the Lessee has ceased to use any of its Apparatus, it shall promptly remove such Apparatus from the relevant Municipal Facilities and in any event within [thirty (30)] days of use ceasing, or within a period that the Parties may agree to in writing. The Lessee shall use its reasonable endeavours to cause as little damage, disturbance and inconvenience as reasonably possible to the Municipal Facilities during the execution of such removal and to immediately make good to the reasonable satisfaction of the Municipality any damage caused to the Municipal Facilities or the Municipal Land by the Lessee, its employees, authorised agents or sub-contractors.

9. MAINTENANCE WORKS

- 9.1. When carrying out the Maintenance Works the Lessee shall carry out and complete the same:-
 - 9.1.1. as promptly and diligently as reasonably possible;
 - 9.1.2. in a good and workmanlike manner, using good quality materials and appropriate engineering techniques and standards;
 - 9.1.3. with all reasonable skill, care and diligence;
 - 9.1.4. in accordance with the approved specification, drawing, plan and method statement;
 - 9.1.5. in accordance with any safety management system which affects the Municipal Facilities and is in force from time to time.

- 9.2. The Lessee further undertakes to carry out the Maintenance Works in accordance with the requirements (as relevant) of:
- 9.2.1. the Planning Authority;
 - 9.2.2. the Lessee's ECN or Frequency Licence(s);
 - 9.2.3. The ECA;
 - 9.2.4. clause 6 of this agreement;
 - 9.2.5. all relevant legal (including health and safety) requirements; and
 - 9.2.6. any other guidelines, recommendations, regulations issued by ICASA from time to time.
- 9.3. The Lessee, its employees and authorised contractors engaged in connection with the carrying out of the Maintenance Works shall comply with the reasonable rules, regulations and requirements (including but not limited to those relating to health and safety or security arrangements) as may be in force from time to time for the conduct of personnel when at the Municipal Facilities, and as have been notified to the Lessee.
- 9.4. The Lessee shall at its own cost provide, maintain and remove all plant and equipment required for the carrying out of the Maintenance Works. The Lessee shall use reasonable endeavours to ensure all such plant and equipment is appropriate, adequate, clean, safe and secure for the proper performance of its obligations under this Agreement.
- 9.5. The Lessee shall use its reasonable endeavours to cause as little damage, disturbance and inconvenience as reasonably possible to the Municipal Facilities during the execution of the Maintenance Works and to immediately make good to the reasonable satisfaction of the Municipality any damage caused to the Municipal Facilities by the Lessee, its employees, authorised agents or sub-contractors.
- 9.6. The Lessee shall when it carries out the Maintenance Works observe and follow all guidelines, codes and recommendations issued or made by ICASA, Government organisation or other official or responsible organisation relating to health and safety at work.

10. THE LESSOR'S OBLIGATIONS

- 10.1. The Municipality shall not knowingly:
- 10.1.1. interfere or tamper with the Apparatus;
 - 10.1.2. obstruct or interfere with the Lessee's access to Apparatus or the Municipal Facilities leased to it;
 - 10.1.3. do or permit anything which is or may become a nuisance, annoyance or inconvenience to the Lessee, provided always that it is recognised by the Lessee that the Municipality may be granting agreements in similar terms to this Agreement to other Licensees in respect of the lease of Municipal

Facilities, nor shall the Municipality knowingly permit any third party at or using the Municipal Facilities to do the same.

- 10.2. The Municipality shall procure the maintenance of the Municipal Facilities that the Lessee has procured access thereto in terms of this Agreement in a safe and good state of repair and condition throughout the Term.

11. PAYMENT TERMS

- 11.1. The Municipality shall invoice the Charges monthly in advance, and payment shall be due within 30 days from the Municipality's statement.
- 11.2. If any sum due to the Municipality under this Agreement is not paid when due, then, without prejudice to the Municipality's other rights under this Agreement, the Municipality shall be entitled to charge interest on any arrears of payment from the due date until payment is made in full, both before and after any judgement, at the Specified Rate.
- 11.3. Charges shall be increased on each anniversary of the Agreement at a rate equal to the increase in the Consumer Price Index.

12. THE LESSEE'S WARRANTIES

- 12.1. The Lessee warrants and represents to the Municipality that:
 - 12.1.1. it will at all times exercise its rights under this Agreement concerning the use and access to Municipal Facilities per accepted industry standards and with all reasonable skill and care;
 - 12.1.2. it shall maintain in place requisite planning consents in connection with the installation of Apparatus; and
 - 12.1.3. the execution and performance of this Agreement is within the Lessee's power and authority and has been duly authorised by all requisite actions (corporate or otherwise) by the Lessee's and it has all necessary statutory or regulatory licences and authorities to perform its obligations under this Agreement.
- 12.2. The Lessee further warrants to the Municipality that:
 - 12.2.1. it will maintain or procure that Apparatus for the time being installed on Municipal Facilities is maintained in a good and safe operating condition throughout the Term following industry-accepted safety standards;
 - 12.2.2. it will ensure that any third-party ECF installed and operating at the Municipal Facilities complies with industry-accepted electromagnetic compatibility standards.

13. SUSPENSION

- 13.1. The Municipality may at its sole discretion and without prejudice to any of its rights to terminate this Agreement, elect to immediately suspend the provision and use of

all or any of the Apparatus upon giving written notice to the Lessee, without liability to the Lessee, in the event that:

- 13.1.1. The Municipality is entitled to terminate this Agreement per the provisions of clause 14.1;
- 13.1.2. The Municipality is obliged to comply with an order or directive of ICASA, the Government, an emergency service organisation or other competent administrative authority which requires such suspension;
- 13.1.3. The Municipality t, in its reasonable opinion, believes that the continuation of the provision of any part of the Apparatus will result in:
 - i) Harmful interference with the ECF of any third party entitling the Municipality to request the Lessee to switch off the relevant Apparatus according to clause 17.3;
 - ii) unlawful disruption to or interference with the provision of any services or facilities provided by the Municipality to any third party; or
 - iii) material damage to any other property or to any person.
- 13.1.4. The Municipality has reasonable grounds for suspecting the Lessee of using any part of the Municipal Facilities fraudulently or attempting to do so or of committing any other illegal or unlawful act in connection with the use of the Municipal Facilities;
- 13.1.5. the Lessee unreasonably prevents or delays the Municipality in carrying out any of its obligations under this Agreement.
- 13.2. If the Lessee's use of any of the Municipal Facilities is suspended as a consequence of the act or omission of the Lessee in breach of this Agreement or as mentioned in clauses 13.1.1, 13.1.2, 13.1.4 or 13.1.5, the Lessee shall not be entitled to any refund of any part of the Charges paid in respect of any period of suspension.

14. TERMINATION

- 14.1. The Municipality may by notice in writing, immediately terminate this Agreement if the Lessee:
 - 14.1.1. fails to pay the Charges or any other payments due to the Municipality pursuant to the terms of this Agreement when they are due, provided that such failure has not been rectified within 30 days or any such period as the parties may agree to in writing;
 - 14.1.2. shall be in breach of any of the terms of this Agreement and where the breach is capable of remedy fails to remedy the same within 30 days of receipt of notice of the breach from the Municipality requiring remedy of the same;
 - 14.1.3. summons a meeting of its creditors, has a receiver, manager, administrator or administrative receiver appointed over its assets, undertakings or

income, has passed a resolution for its winding-up (save for a voluntary reconstruction or amalgamation), has a petition presented to any Court for its winding-up (save for a voluntary reconstruction or amalgamation), or is otherwise insolvent;

14.1.4. ceases or threatens to cease to trade.

14.2. Either Party may, by notice in writing, terminate this Agreement immediately if the other Party:

14.2.1. shall be in material breach of any of the terms of this Agreement and where the breach is capable of remedy fails to remedy the breach within 30 days of receipt of notice of the breach from the innocent Party requiring remedy of the breach or any such period as the parties may agree to in writing;

14.2.2. summons a meeting of its creditors, has a receiver, manager, administrator or administrative receiver appointed over its assets, undertakings or income, has passed a resolution for its winding-up (save for a voluntary reconstruction or amalgamation), has a petition presented to any Court for its winding-up (save for a voluntary reconstruction or amalgamation), or is otherwise insolvent;

14.2.3. has any distraint, execution or other process levied or enforced on any of its property;

14.2.4. ceases or threatens to cease to trade.

14.3. Either Party may by notice in writing terminate this Agreement immediately:

14.3.1. if the Lessee's relevant ECNS or Frequency Licence is at any time withdrawn or expires without any replacement or alternative licence or permission taking effect;

14.3.2. if at any time the Municipal Facilities are damaged or destroyed by fire or other insured risk and in consequence, the Municipal Facilities are likely to be out of service for a period over six months;

14.3.3. if at any time the Municipal Facilities that the Lessee leases from the Municipality become unusable due to the development of buildings and other permanent structures nearby, adversely affecting the optimal operation of the Lessee's Apparatus.

14.4. Counting from the commencement of the notice period for termination of this Agreement, the Lessee will:

14.4.1. within 10 business days, file with the Municipality a project plan with dates (which dates must be approved by the Municipality) indicating when the Lessee will:

i) cease to use and operate any Apparatus installed at the Municipal Facilities;

- ii) make safe any fibre, copper, coaxial cable or wire or other cable, which is connected to or forms part of, or is otherwise used in conjunction with any Apparatus at the Facility;
- iii) remove from the Municipal Facilities all Apparatus (other than any cable as referred to in clause 14.4.1), using reasonable endeavours not to cause any damage to the Municipal Facilities and will make good any damage caused to the reasonable satisfaction of the Municipality; and
- iv) restore ("make good") the Municipal Facility/ies to as near as possible to its condition before this Agreement to the reasonable satisfaction of the Municipality.

- 14.5. If the Lessee fails to submit or comply with the project plan referenced in clause 14.4.1, the Municipality shall be permitted to remove the Apparatus and to dispose of the Apparatus as it sees fit without Liability to the Lessee. The Lessee shall not be entitled to the proceeds of the sale of any of the Apparatus and shall be responsible for any costs incurred by the Municipality concerning this clause 14.5 or the cost, in the event of failure by the Lessee to do so, of making good the Municipal Facilities per clause 14.4.1.iv) of this Agreement.
- 14.6. Termination of this Agreement shall be without prejudice to either party's rights, duties and liabilities accrued before termination.

15. LIMITATION OF LIABILITY

- 15.1. To the maximum extent permissible in law, all conditions and warranties to be implied by statute or otherwise by common law into this Agreement or relating to the provision of the Municipal Facilities are hereby excluded.
- 15.2. The following provisions in this clause set out the entire liability of each party to the other (including any liability for the acts and omissions of its employees, agents or sub-contractors) in respect of:
- 15.2.1. a breach of that party's contractual obligations;
 - 15.2.2. a delictual act or omission for which that party is liable;
 - 15.2.3. an action arising out of a misrepresentation (unless negligent) by that party arising in connection with this Agreement's performance or contemplated performance.

but excludes any damages that should be covered by the insurance cover referred to in clause 20.1 below.

- 15.3. Neither party shall be liable to the other for indirect or special damages.
- 15.4. Either Party's total liability to the Lessee in respect of all claims referred to in clause 15.2 shall not exceed the sum of payments made by the Lessee to the Municipality in the prior 12 months for any one occurrence and/or series of occurrences arising from one event.

- 15.5. Neither Party shall be liable to the other in respect of any matter arising out of any connection with this Agreement in contract, tort or otherwise for any loss of profit, loss of business or contracts, or for any indirect or consequential loss or damage whatsoever.
- 15.6. Notwithstanding anything to the contrary, neither party's liability shall be limited for death or personal injury resulting from negligence of that party, its employees, agents or sub-contractors.
- 15.7. Nothing in this clause 15 will operate to exclude or limit either party's liability for fraudulent misrepresentation.

16. THE MUNICIPAL FACILITIES - CONFIRMATION AND ACKNOWLEDGEMENT

- 16.1. The Municipality confirms and warrants (as at the date hereof and as a continuing warranty) to the Lessee that:-
 - 16.1.1. it is entitled to personal (contractual) rights in the Municipal Facilities;
 - 16.1.2. that the execution and performance of this Agreement is within the Municipality's power and authority and has been duly authorised by all requisite actions (corporate or otherwise) by the Municipality, and it has all necessary statutory or regulatory licences and authorities to perform its obligations under this Agreement.
- 16.2. The Lessee acknowledges that nothing in this Agreement shall confer on the Lessee any right to exclusive use of or otherwise create any right or interest in any part of the Municipal Facilities, and the Lessee undertakes and agrees that it will: (a) not make any claim in this respect; (b) further acknowledges that the Municipality may permit other Licensees to share the use of the Municipal Facilities or any part of it on such terms as the Municipality shall in its absolute discretion determine.

17. THIRD PARTY ECF: INTERFERENCE

- 17.1. Nothing in this Agreement shall prevent the Municipality from installing or granting consent to any third party to install any ECF on Municipal Facilities provided that such ECF does not impede, disrupt, degrade or interfere with the operation of the Apparatus.
- 17.2. If after the installation of any third party's ECF which is close to the Apparatus, the Lessee can demonstrate to the Municipality's reasonable satisfaction that the same is causing electro-magnetic interference or any other disruption that impedes the operation of the Apparatus; then the Municipality shall use all reasonable endeavours to ensure that the third party's ECF is switched off with immediate effect and remains switched off until such interference is cured.
- 17.3. If the Municipality can demonstrate to the Lessee's reasonable satisfaction that the Apparatus is interfering with the operation of any third party ECF, (provided always that the parties acknowledge that this will be checked before the Lessee installs its Apparatus and should not therefore occur without a change in operational usage) then the Lessee shall upon written request temporarily switch off its Apparatus with immediate effect and such Apparatus shall remain temporarily switched off until

such interference is cured. In turn, the Municipality shall use its reasonable endeavours to ensure that the Apparatus is not inoperable for longer than 5 (five) days.

18. FORCE MAJEURE

18.1. Neither party to this Agreement shall be deemed in default or liable to the other party for any delay in performance or failure to comply with the terms of this Agreement due to any cause beyond that party's reasonable control including, without limitation:

18.1.1. acts of God;

18.1.2. war or a declared national state of disaster and/or emergency, riots, civil commotion, pandemic;

18.1.3. fire, explosion, flood, extreme weather conditions;

18.1.4. restriction to land due to disease,

subject always to the party unable to perform its obligations ("the affected party") by virtue of the event of force majeure using its reasonable endeavours to overcome or remedy its inability to perform as promptly as possible.

18.2. Where the affected party is affected by an event of force majeure it shall at the earliest possible moment give notice thereof to the other party specifying where possible the relevant events or circumstances and the delay or default likely to be caused thereby or resulting therefrom and shall provide regular reports on the likely duration and effects of the same; and on the progress of work to overcome such force majeure; and shall give prompt notice of the end of such force majeure.

18.3. If as a result of force majeure the performance by either party of its obligations under this Agreement is only partially affected such party shall nevertheless remain liable for the pro-rated performance of those obligations not affected by force majeure.

18.4. If the force majeure event continues for more than six (6) months from the date of notification thereof and such event prevents the affected party from performing its obligations in terms of this Agreement, the unaffected party shall be entitled to terminate this Agreement by giving the other party not less than thirty (30) days' written notice.

19. CONFIDENTIALITY

19.1. Each party shall at all times keep confidential (and ensure that its employees and agents shall keep confidential) the terms of this Agreement and any information which it may acquire under this Agreement or in relation to the clients, business or affairs of the other party (or any member of its respective group) and shall not use or disclose such information or any information derived from such information except with the consent of the other party. The restriction in this clause shall not apply to any information:

- 19.1.1. which is required to be shared with third parties by operation of this Agreement;
 - 19.1.2. which is publicly available or becomes publicly available through no act of the Parties;
 - 19.1.3. which was in the possession of the parties prior to its disclosure;
 - 19.1.4. which is disclosed to that party by a third party which did not acquire the information under an obligation of confidentiality;
 - 19.1.5. which is independently acquired by that party as the result of work carried out by an employee to whom no disclosure of such information had been made; or
 - 19.1.6. which is disclosed in accordance with the requirements of law, any stock exchange regulation or any binding judgment, order or requirement of any court or other competent authority.
- 19.2. The provisions of this clause shall survive any termination of this Agreement.

20. RISK AND INSURANCE

- 20.1. Each party shall maintain adequate and proper insurance coverage with a reputable insurer throughout the Term as follows:
- 20.1.1. in the case of the Lessee, public liability insurance and insurance to cover death or personal injury to third parties; and cover in respect of damage to third party property (real or otherwise) in the up to fifty million rand (fifty million rand) per claim;
 - 20.1.2. in the case of the Municipality public liability insurance and insurance to cover deaths or personal injury to third parties, and cover in respect of damage to third party property (real or otherwise) up to fifty million rands (fifty million rands) per claim.
- 20.2. Each party will produce evidence to the other at the request of the insurance policies in clause 20.1.
- 20.3. Each party warrants that nothing has or will be done or be omitted to be done which may result in any of the insurance policies set out in clause 20.1 being or becoming void, voidable or unenforceable.
- 20.4. For the avoidance of doubt, the carrying out of the Maintenance Works, by or on behalf of the Lessee, is at the risk of the Lessee.

21. COMPLIANCE WITH APPLICABLE LAWS

- 21.1. Compliance with Applicable Laws and ABC Laws is a matter of fundamental importance to the Municipality. For this clause 21, “**Applicable Laws**” means law, regulation, binding code of practice, rule or requirement of any relevant government or governmental agency, professional or regulatory authority, each as relevant to (i) the Lessee in the tenancy of the Premises, and/or (ii) the Municipality granting of

such tenancy and the carrying out of its business, and shall include the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993) and the regulations issued thereunder. Applicable Law specifically include (i) The Prevention and Combating of Corrupt Practices Act 2004; (ii) the UK Bribery Act 2010; and (iii) the US Foreign Corrupt Practices Act and any other related and relevant economic, trade and financial sanctions laws, regulations, embargoes or restrictive measures, trade control laws and regulations (“**ABC Laws**”).

21.2. The Lessee shall:

- 21.2.1. act in accordance with all Applicable Laws and ABC Laws, even if the Lessee may not otherwise be subject to such legislation;
- 21.2.2. not do or omit to do anything likely to cause the Municipality to be in breach of any ABC Laws;
- 21.2.3. not give, promise, offer, receive or request any improper financial or other advantage directly or indirectly to any public official;
- 21.2.4. maintain proportionate and effective anti-bribery compliance measures (including for gifts and hospitality), designed to ensure compliance with ABC Laws, including the monitoring of compliance and detection of violations; and

21.3. respond immediately and thoroughly, at the Lessee’s cost, to the Municipality’s requests for information, documentation or data concerning any suspected or alleged breach of this clause 21 or ABC Laws.

21.4. The Lessee shall promptly notify the Municipality in writing at any time during the term of this Agreement, and for five (5) years thereafter, of any of the following:

- 21.4.1. any actual, suspected or attempted breach of this Clause 21 or ABC Laws; and
- 21.4.2. any investigation (or court, arbitration or administrative proceedings) commenced or ongoing in respect of, or which raises or refers to, any such suspicion, allegation or attempt regarding the operation of the Applicable Laws and the ABC Laws to the Municipality.

21.5. The Lessee shall, upon request from the Municipality, allow the Municipality (whether itself or through an agent) to conduct a review of books and records and information held by the Lessee, to verify the Lessee’s compliance with this clause 21.

21.6. The rights of review and obligation to assist shall continue for five (5) years after the termination of this Agreement, for any reason.

21.7. If the Municipality determines (in its sole and absolute opinion) that there has been a suspected breach by the Lessee of this clause 21, including the breach of the ABC Laws, such breach shall be deemed a material breach of this Agreement, and the Municipality shall have the right without prejudice to the Municipality’s rights under this Agreement or at law:

- 21.7.1. to suspend the fulfilment of its obligations under this Agreement until it is satisfied that no breach of this clause 21 (including breach of ABC Laws) has occurred or will occur; and/or
- 21.7.2. to terminate this Agreement immediately and without further notice to the Lessee.
- 21.8. The Municipality shall not be liable to the Lessee for any costs, claims, demands, expenses, losses or damages whatsoever related to its decision to suspend the payments based on clause 21.6 above or any other obligation it has under this Agreement.
- 21.9. The Lessee hereby indemnifies the Municipality and its directors, officers, employees, agents and affiliates to the fullest extent possible against all losses, liabilities, damages, costs (including but not limited to legal fees) and expenses incurred by the Municipality, which it may suffer as a result of a breach by the Lessee of the Applicable Laws, the ABC Laws and or this clause 21.

22. MISCELLANEOUS MATTERS

- 22.1. This Agreement comprises the entire agreement between the parties with respect to the lease of the facilities and supersedes and replaces all prior communications, drafts, representations, warranties, stipulations, undertakings and agreements of whatsoever nature, whether oral or written, between the parties relating to the same.
- 22.2. Failure or delay by any party in exercising any right or remedy under this Agreement will not in any circumstances operate as a waiver of it, nor will any single or partial exercise of any right or remedy in any circumstances preclude any other or further exercise of it or the exercise of any other right or remedy.
- 22.3. No waiver by a party of a failure by the other party to perform any provision of this Agreement operates or is to be construed as a waiver in respect of any other failure whether of a like or different character.
- 22.4. The rights and remedies expressly provided for by this Agreement will not exclude any rights or remedies provided by law.
- 22.5. A variation of this Agreement is valid only if it is in writing and signed by or on behalf of each party.
- 22.6. For the avoidance of doubt the relationship between the parties shall not be construed as one of legal partnership.
- 22.7. Notwithstanding how they have been grouped or linked grammatically, all provisions and the various clauses of this Agreement are severable from each other. Any provision or clause of this Agreement, which is or becomes unenforceable in any jurisdiction, whether due to voidness, invalidity, illegality, unlawfulness or for any other reason whatever, shall, in such jurisdiction only and only to the extent that it is so unenforceable, be treated as *pro non scripto* and the remaining provisions and clauses of this Agreement shall remain of full force and effect. The Parties declare that they intend that this Agreement would be executed without such unenforceable

provision if they were aware of such unenforceability at the time of execution hereof.

- 22.8. The expiration or termination of this Agreement shall not affect such of the provisions of this Agreement as expressly provide that they will operate after any such expiration or termination or which of necessity must continue to have effect after such expiration or termination, notwithstanding that the clauses themselves do not expressly provide for this.

23. NOTICES

- 23.1. Any formal notice to be given by either party to the other in connection with this Agreement shall be given in writing, signed by or on behalf of the party giving it. It shall be delivered by hand, emailed or sent by prepaid courier to the address specified on the cover page.

- 23.2. In each case, it shall be marked for the attention of the relevant party in (or as otherwise notified from time to time). Any notice given shall be deemed to have been duly given:

23.2.1. if hand delivered or emailed, when delivered;; and

23.2.2. if sent by courier, on the 7th day after transmission,

unless there is evidence that it was received earlier than this and provided that, where (in the case of delivery by hand) the delivery or transmission occurs after 4:30 pm on a Business Day or on a day which is not a Business Day, service shall be deemed to occur at 9 am on the next following Business Day.

24. ENFORCEMENT BY THIRD PARTIES

This Agreement is enforceable by its original parties and by their successors in title and permitted assigns and transferees.

25. ASSIGNMENT AND SUBCONTRACTING

- 25.1. Neither Party shall assign this Agreement without the other Party's written consent, which consent shall not be unreasonably withheld or delayed.
- 25.2. The Lessee shall not purport to sublet, part with or share possession or occupation or grant licences to use or occupy the whole or any part of the Municipal Facilities.
- 25.3. Neither party to this Agreement may sub-contract to any third party the performance of any or all of its obligations under this Agreement in whole or in part without the prior written consent of the other, such consent not to be unreasonably withheld and provided further that that party shall in any event remain liable for the performance of such obligations.

26. COSTS

- 26.1. The Lessee shall pay all reasonable and properly incurred costs, charges and expenses (including legal fees) incurred by the Municipality in connection with any

application for consent made necessary by this Agreement (including where consent is lawfully refused, or the application is withdrawn).

27. DISPUTE RESOLUTION

- 27.1. In the event of a dispute concerning this Agreement, each Party shall in the first instance, promptly bring the dispute to the attention of an executive or person in a senior management position.
- 27.2. If a dispute remains unresolved following the processes followed in terms of clause 27.1 above, any Party may demand by written notice given to the other Party that the dispute be determined following the Expedited Rules of the Arbitration Foundation of Southern Africa ("AFSA").
- 27.3. This clause shall not prevent any Party from obtaining interim relief on an urgent basis from a court of competent jurisdiction, pending an arbitrator's decision.
- 27.4. The Parties hereby consent to the arbitration being dealt with on an urgent basis in terms of the Rules of AFSA should either Party, by written notice, require the arbitration to be held urgently. In such event, either Party may apply to the AFSA Secretariat as required in terms of the said Rules to facilitate such urgent arbitration.
- 27.5. The arbitration shall be held –
 - 27.5.1. at Ceres;
 - 27.5.2. with only the legal and other representatives of the Parties to the dispute present thereat; and
 - 27.5.3. otherwise in terms of the Arbitration Act, No. 42 of 1965 ("Arbitration Act"), unless otherwise provided for herein.
- 27.6. The arbitrator shall be a practising advocate of the Cape Bar of at least ten years' standing, appointed by agreement between the parties to the dispute, subject to clause 27.7.
- 27.7. Should the Parties fail to agree on an arbitrator within 14 (fourteen) days after the giving of notice in terms of clause 27.2, the arbitrator shall be appointed by AFSA at the request of either Party to the dispute.
- 27.8. The Parties hereby consent to the jurisdiction of the High Court of South Africa in respect of the proceedings referred to in clause 27.9.
- 27.9. The decision of the arbitrator shall be final and binding on the Parties to the dispute and may be made an order of the court referred to in clause 27.8, at the instance of any of the parties to the dispute.
- 27.10. The Parties agree to keep the arbitration including the subject matter of the arbitration and the evidence heard during the arbitration confidential and not to disclose it to anyone except for purposes of obtaining an order as contemplated herein.

27.11. It is recorded that it is the intention of the Parties, that any dispute referred to arbitration in terms of clause 27.2 shall be resolved strictly in accordance with the provisions of this clause. The Parties accordingly agree and undertake as follows –

27.11.1. that it shall not make any application as contemplated in terms of section 3(2) of the Arbitration Act;

27.11.2. that it shall not make any application as contemplated in terms of section 20(1); and

27.11.3. the periods set out in section 23 of the Arbitration Act shall not be applicable to any arbitration proceedings arising out of this Agreement.

28. COUNTERPARTS

This Agreement may be executed in counterpart each of which shall be an original but all of which together constitute one and the same instrument.

For the Municipality

For Lessee

Signature: _____
 Name: _____
 Position: _____
 Date: _____
 Place: _____

Signature: _____
 Name: _____
 Position: _____
 Date: _____
 Place: _____

ANNEXURE A: ORDER FOR HOSTING AN ELECTRONIC COMMUNICATIONS FACILITIES (RADIO APPARATUS AND RELATED ELECTRONIC COMMUNICATIONS EQUIPMENT)

1. SITE DETAILS:

Site Name	Description of ECF

2. MAST DETAILS

Mast Details	
Mast attached to:	Brick wall
Mast Height Above Ground Level	[●]
Type of Equipment Installed	[●]
Antenna Size	[●]

3. RENTALS AND OTHER CHARGES:

3.1. Rental Charges

Leased Item	Amount (excl. VAT)

3.2. Other Charges Payable

Description	Amount (excl. VAT)

3.2.1. Charges reflected above are as at date of signature hereto and the Municipality shall

be entitled to amend the above charges from time to time upon written notice to the Lessee.

4. SCOPE OF APPROVED WORK:

4.1. [●]

4.2. [●]

5. SPECIAL REQUESTS/CONDITIONS

- 5.1. Any person working on Masts in the Municipality shall be duly certified, possess a valid mast climbing certificate, and always wear the appropriate Personal Protective Equipment (PPE) whilst climbing or working on the above-mentioned structures. Proof of the aforementioned certificate shall be submitted to the Municipal manager or his authorised representative before any work on Masts may commence.
- 5.2. The Lessee shall be liable for any costs to provide feeder/cable access (and related ducts) between the Lessee's accommodation and the Municipality's equipment room or frames for services required from the network.
- 5.3. The approved installation and/or work shall be completed within [●] weeks/months from date of authorisation to commence with installation, or as agreed between the Parties in writing. Non-compliance with the aforementioned may result in unavailability of approved facilities, space and/or electricity for which the Municipality shall not be held liable.

		UNIT	TARIFF INCL VAT (R) 2024 - 2025	TARIFF INCL VAT(R) 2025 - 2026	INCREASE /(DECREASE)% 2026 - 2027
6.4.1.10	Wayleaves for the installation of services in the road reserve				
6.4.1.10.1	Administration and Supervision Fee				
6.4.1.10.1.1	Administration fee for a miscellaneous wayleave to use the road reserve for a period of one month or less other than to install an underground service	per application	R540,00	new	new
6.4.1.10.1.2	Administration fee for a wayleave or permit to use the road reserve to install an underground service	per application	R1 836,00	new	new
6.4.1.10.1.3	Supervision fee for awayleave to install an underground service	per application	R4 860,00	new	new
6.4.1.10.1.4	Unauthorised commencement of use of the road reserve	per incident	200% of above admin & supervision fees	new	new
6.4.1.10.2	Roadway Trench Fee				
6.4.1.10.2.1	Tariff for authorised trenching across a municipal roadway	per m measured from 0.5m behind the kerb or road edge	R6 048,00	new	new
6.4.1.10.2.2	Micro trenching	per m measured from 0.5m behind the kerb or road edge	R1 296,00	new	new
6.4.1.10.2.3	Tariff for unauthorised trenching across a municipal roadway	per m measured from 0.5m behind the kerb or road edge	200% of above fees	new	new
6.4.1.10.3	Municipal Land Use Agreement				
6.4.1.10.3.1	Deployment of electronic communications facilities on, over or under Municipal land.	per km	R291,00	new	new
GENERAL NOTES					
Unless the context indicates otherwise, 'road reserve' includes a roadway, sidewalk, footway and verge.					
If Witzenberg Municipality incurs any costs resulting from work in or use of the road reserve, including remedying substandard or non-compliant reinstatement, repairing damage, 3rd party claims, or cleaning the site, the Guarantee is offset against such actual costs plus 20% administration, including VAT thereon. The Municipality will refund the balance, if any.					
The roadway open trench fee is for the increased maintenance and reconstruction costs and inherent degradation of the roadway caused by roadway trenching and applies even if the trench is reinstated in compliance with the Municipality's requirements and standards.					
All internal Departments or State Funded Projects (National or Provincial), where the infrastructure will be taken over by Witzenberg Municipality, will be exempted from paying the Administrative & Supervision Fee, Refundable Deposits, Non-refundable Payments and/or Penalties.					



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POLICY FOR WORK AND THE INSTALLATION OF SERVICES IN THE ROAD RESERVE - WAYLEAVES

Prepared by: Senior Manager: Streets and Stormwater
Revision 2
Date: November 2023

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2. ABBREVIATIONS & DEFINITIONS

Administration fee - The fee that must be paid in advance for a permit to be processed and considered

Authorised agent means an agent which is authorised by the Council to perform specified services;

Authorised person means a wayleave holder;

As-built information - Information relating to how infrastructure has actually been installed by an operator

Backfill. Approved compacted materials used to replace excavated materials to surrounding ground level or the underside of pavement layer works, whichever is the lesser.

Carriageway Crossing. A formally constructed access point from an existing road to a property or properties adjacent to the road reserve.

Council. The Municipal Council of Witzenberg Municipality or any official acting within his/her designated powers on behalf of the Council or its appointed agents.

CIDB - Construction Industry Development Board

Closed Access Network - where the operator for that network (or infrastructure owner) does not allow other Service Providers to sell services over their network.

Contractor – A CIDB registered Contractor appointed by the Network Licensee and/ or Service Owner

Day – A day shall be a calendar day

DTS – Director: Technical Services

ECSA – Engineering Council of South Africa

Engineer – A Civil Engineering practitioner registered with ECSA as a Pr Eng or a Pr Tech Eng, appointed by the Network Licensee and/or Service Owner

ECNS - Electronic Communications Network Service Licensee (here after referred to a Network Licensee) – A registered company that has obtained a licence to provide a telecommunications network under the approval of the Independent Communications Authority of South Africa (ICASA).

Fees - Charges or tariffs in respect of any function or service of the municipality as determined in terms of section 75A of the Municipal Systems Act, 2000 (Act 32 of 2000);

FTTH – Fibre-to-the-Home will typically involve more density of products / fibre with trenching on both sides of the road, where wall boxes, boundary boxes are installed on property boundary walls through erf connections.

FTTB/S – Fibre-to-the-Business and/or –Site/Tower will typically involve trenching on one side of the road, with deeper trenches, fewer manholes and no erf connections.

Footway (Sidewalk). A formally constructed area or paved strip within a road reserve for the safe passage of pedestrians.

Inspector. A person designated by the Road Authority to supervise, approve and inspect work within a road reserve

ICASA – Independent Communications Authority of South Africa

Municipality – Witzenberg Municipality

Municipal Road. Municipal road means any public street as defined in terms of the Municipal Ordinance, and includes all works or things of whatsoever nature forming part of, connected with or belonging to a road, roadway, road reserve, motor bypasses, footway (sidewalks), traffic circles, traffic islands, kerbing, embankments, cuttings, subways, culverts, drains, fences, parapets, bridges, causeways, fords, regulatory, warning and information guidance signs, distance indicators and any portion or diversion of a road.

Open Access Network – A network where the operator of that network (or the infrastructure owner), offers the network infrastructure to a range of service providers on an OPEN ACCESS basis. These Service Providers can then provide various services (internet, data and voice) over the fibre infrastructure to the end user.

Pavement (Pavement layers). The selected layers, subbase, base and surfacing of a roadway or footway.

Permit-to-Work – A permit-to-work follows after a wayleave approval has been granted and specifies the work to be done with time frames; where risk and strict controls have already been identified and approved. It forms an essential part of asset management and no work may commence without this signed document.

Primary network – Main (bulk) telecommunications network linking up different areas/regions. Normally follows major road routes and individual property connections are not common. (Most commonly FTTB/S routes)

Reinstatement. The work necessary to replace, repair or otherwise restore the road reserve and all features contained therein to the same or better condition as existed prior to any construction activities that altered the original condition.

Road Reserve. The land registered as road reserve in cadastral diagrams, or other erven, servitudes, or remainders which are registered in the name of, or otherwise vest in the name of the road authority and are used or reserved for road purposes. This does not include non-road related servitudes, recreational areas or nature trails except where they intersect with or are located within road reserves. In relation to work within the road reserve, the definition is broadened to include work within the relevant statutory building line restrictions imposed on properties adjacent to a road reserve for the particular type or class of road.

Road. A street, road, or other public way, as well as bridges, trestles, or other structures, including shoulders, verges and sidewalks designated for the purpose of vehicular and pedestrian traffic.

Road Authority. Road Authority means, in relation to either a municipal road or a main road proclaimed in terms of section 3(1)(c) of the Roads Ordinance (No. 19 of 1976), within the municipal area of Witzenberg Municipality, the Director: Technical Services, who shall assume such powers, duties and functions required for the regulation of all activities within or abutting such road reserves. In

this specification the term “Road Authority” shall also mean any other person or agency with certain delegated duties to monitor and approve work in road reserves.

Service(s). The generation, supply, distribution, transmission, transportation, storage of electricity, signals, liquids or gasses for the consumption, use or other benefit of others.

Secondary network – Telecommunications network distributing through individual areas or zones. Normally follow larger ring/block roads and individual property connections are not common. (Most commonly FTTB/S routes)

Service Owner – The Service Owner is accountable for the specific service provided, which includes both the infrastructure and/or network licensee.

Tertiary network – Telecommunications network providing connection to individual properties. Normally follow smaller roads to provide individual property connections. Commonly referred to as “Fibre-to-Home, Last Mile, etc.” and generally consists of smaller diameter cables and ducts.

Traffic. The movement of pedestrians and vehicles within a road reserve.

Traffic Accommodation. Activities necessary to safeguard the general public, as well as all workers, during the construction and maintenance of service equipment within the road reserve.

Trenchless methods. The methods of installing a pipe or sleeve under a road without disturbing the surrounding surface medium by using grade and alignment control equipment. Methods acceptable under this definition include, but are not limited to, boring, jacking, horizontal directional drilling methods

Wayleave – A wayleave is the right obtained to cross land, where access to property is granted by the land owner / asset holder. The local Council is responsible to administrate public owned land and need to give permission to all parties before they may install utility services or infrastructure, even if supplied by Council. This enables the responsible use of public assets, by coordinating service installation, minimizing service clashes or collateral damage due to new installations or construction activities.

Wayleave holder. means a person to whom a wayleave has been issued.

3. INTRODUCTION

- 3.1 This Document aims to provide a clear guideline to the conditions and standard of workmanship between the various Service Owners, that all applicants must comply with when working and/or installing services in the Municipality's Road reserves.
- 3.2 **Bylaw for the deployment of electronic communications infrastructure** will be applicable to all electronic communication applications. Where there is a discrepancy between this Policy and the Bylaw, the Bylaw will have precedence.
- 3.2 This Document is intended to be a "Dynamic Document" and will be regularly updated in consultation with the relevant Stakeholders.
- 3.3 The latest available version of this Document will be applicable on the date that an application is made for wayleaves.
- 3.4 Where it appears that the requirements of this Document are different from other Witzenberg Municipal Standard Specifications or complying with the specifications contained herein could result in danger to the public or construction workers or damage to existing infrastructure, then clarification shall be sought from the Director: Technical Services (DTS), prior to undertaking the work.

4. GENERAL CONDITIONS OF COMPLIANCE

4.1 BASIC PROCEDURES FOR WORK IN THE ROAD RESERVE

- 4.1.1 If the wayleave application conforms to the requirements in this Policy a wayleave will be issued which allows for the work to be carried out.
- 4.1.2. The Road Authority must be informed forty-eight (48) hours prior to the commencement of any works in the road reserve;
- 4.1.3. The works in the road reserve must be carried out in accordance with the procedures and specifications in this Policy, the conditions under which the work was approved and any other requirement of every affected service provider.
- 4.1.4. On completion of the works in the road reserve all trenches and excavations in the road reserve must be backfilled and reinstated according to the specifications contained in this Policy.
- 4.1.5. On completion of the works in the road reserve and temporary or permanent reinstatement, as applicable, a completion notice must be sent to the Road Authority by the wayleave holder. A departmental work order must accompany the completion notice if the Road Authority has to do the permanent reinstatement.
- 4.1.6. The Road Authority will then carry out an inspection and issue a certificate of completion once all requirements have been met.
- 4.1.7 This Policy applies to every person who carries out work in municipal road reserves in the municipal area, such as internal municipal departments, external organisations, service agencies and contractors. It does not apply to work in motorway reserves or in national or provincial road reserves within the municipal area.
- 4.1.8 The Road Authority undertakes to inform the relevant service provider before commencing with any work in the road reserve that may affect the services of the service provider in the road reserve.

4.2 APPOINTMENT OF ECSA REGISTERED ENGINEERING PROFESSIONAL

4.2.1 External Applications: The Service Owner shall appoint an ECSA registered Engineering Professional to oversee the installation of services. The appointed Professional must have sufficient competency in Road Building and Materials to advise regarding the requirements for all aspects related to the construction such as directional drilling, excavation, reinstatement of layer works and surfacing.

4.2.2 Internal Applications: The Service Owner shall appoint an ECSA registered Engineering Professional to oversee the installation of services. The appointed Professional must have sufficient competency in Road Building and Materials to advise regarding the requirements for all aspects related to the construction such as directional drilling, excavation, reinstatement of layer works and surfacing,

or;

The Road Authority will oversee the installation of services inside the road reserve.

4.3 APPOINTMENT OF CIDB REGISTERED CONTRACTORS

4.3.1 All installations done for or on behalf of a Service Owner, involving the excavation and reinstatement of trenches in the Municipality's Road reserve, shall be undertaken by a CIDB registered contractor with a minimum 1CE designation and with a grading appropriate to the value of the contract.

4.3.2 Proof of CIDB Registration must be submitted with the wayleave application.

4.4 WAYLEAVE APPROVAL AND VALIDITY

4.4.1 No work may commence in the road reserve of a municipal road or a main road proclaimed in terms of section 3(1)(c) of the Roads Ordinance (No. 19 of 1976), within the municipal area of Witzenberg Municipality unless:

- (a) Application has been made for wayleaves in accordance with this document;
- (b) Wayleaves have been received and collected by the Service Owner or appointed Engineer and where the Service Owner has accepted all conditions set forth in the wayleave.

4.4.2 Should an application be rejected for any reason or lapse in validity, work may not commence and a new application shall be submitted for wayleave approval.

4.4.3 Validity time frame for wayleaves is 12 months from date of approval.

4.4.4 Should the project / proposed works exceed the time frames for which the wayleave is valid, the Service Owner may request an extension of time from the DTS.

4.5 TRENCHING, MICRO TRENCHING VS. DIRECTIONAL DRILLING

4.5.1 All road crossings shall be done by directional drilling. No open trenching will be allowed in the roadway without the written permission of the DTS. Thrust boring or 'moleing' will not be allowed within roadways.

4.5.2 Where conditions do not allow directional drilling, open trenches will only be allowed with the written permission of the DTS, and subject to any additional conditions and costs that may be deemed necessary.

- 4.5.3 No micro-trenching will be allowed in the roadway. Micro trenching will only be allowed in verges where the investigation (test holes or ground penetrating radar, etc.) indicates that no services will be damaged by micro-trenching.
- 4.5.4 Any damage done to the Municipality's infrastructure by installation of services by a Service Provider, shall be reported immediately to the relevant department. Remedial work will be carried out by Municipality's operational teams and the full costs will be recovered from the Service Owner.
- 4.5.5 Where directional drilling is not possible, the Service Owner shall apply in writing to request permission to hand excavate the road crossing.

4.6 EXISTING SERVICES IN THE ROAD RESERVE

- 4.6.1 An applicant for a wayleave must obtain information from every service provider supplying a service within the municipal area on the location of its service. Every service must then be indicated on the drawings to be submitted with the wayleave application form. Service providers may impose reasonable additional conditions relating to work in the vicinity of their services.
- 4.6.2 As part of the undertaking/indemnity on the wayleave application form the applicant has to confirm that the necessary information has been obtained from every service agency and has to undertake to adhere to any additional condition imposed by any service agency.

4.7 EMERGENCY WORK

- 4.7.1 As defined emergency work is defined as any work which is required to prevent or end a dangerous situation, to prevent or end an unplanned interruption in the supply of a service, or to avoid any substantial losses.
- 4.7.2 The Road Authority must be informed of emergency work by the service provider concerned in writing within twenty-four (24) hours from commencing such work. If the Road Authority is not timeously informed, the work will be reinstated by the Road Authority and the cost thereof will be invoiced to the service provider.

4.8 TRAFFIC/PEDESTRIAN ACCOMMODATION

- 4.8.1 When construction takes place, traffic shall always be accommodated in accordance with Chapter 13 of the South African Road Traffic Signs Manual (SARTSM).
- 4.8.2 In the event of a temporary road or lane closure and/or where trenching is proposed within the roadway, a traffic accommodation plan in accordance with SARTSM shall be drawn up by the Service Owner (including a drawing) and shall be submitted to the Traffic Authority for approval.
- 4.8.3 The Traffic Authority shall be given 2 weeks to inspect and comment on/approve the traffic accommodation plan. The traffic accommodation plan shall minimize disruption to traffic and the Traffic Authority shall reject a traffic plan which causes unnecessary or undue disruption of traffic and pedestrians.
- 4.8.4 The approved (by the Traffic Authority) traffic accommodation plan shall be submitted by the Service Owner to the DTS for final approval/acceptance.
- 4.8.5 No work may commence until the traffic accommodation plan has been approved and traffic is accommodated in accordance with the plan.

- 4.8.6 Safe pedestrian movement shall be accommodated at all times and works shall be clearly delineated at all times. Where pedestrians are required to use opposite sidewalks the deviation of pedestrian must be clearly signed and delineated to ensure the safety of pedestrians.
- 4.8.7 Vehicular- and pedestrian access to affected properties must be ensured at all times or as agreed to by the wayleave holder and the affected owner or lessee.
- 4.8.8 Every excavation that is accessible to the public or that is adjacent to a public road or thoroughfare or whereby the safety of persons may be endangered, shall be adequately protected by a barrier or fence at least 1,0 m high and as close to the excavation as practicable and red warning lights or any other clearly visible boundary indicators shall be provided at night or when visibility conditions are poor.
- 4.8.9 Information signage must be erected during the construction period, indicating the name of the Service Owner (name of company) and contact details of the appointed Engineer and Contractor.

4.9 HEALTH & SAFETY, ENVIRONMENTAL MANAGEMENT

- 4.9.1 The Service Owner must ensure that all legislative and contractual requirements in terms of Occupational Health and Safety and Environmental Authorization are adhered to for the full duration of the project.

4.10 AS-BUILT INFORMATION

- 4.10.1 The Service Owner must provide the Municipality with as-built information pertaining to the installed infrastructure, in a file format as prescribed by the DTS as-built specifications.
- 4.10.2 The Municipality shall provide this as-built information to other service owners, municipal departments, entities, and other occupants of municipality property, for the purpose of limiting damage to, or disruption of the facilities and other assets of those involved.

4.11 TARIFFS, FINANCIAL EXCLUSIONS AND GUARANTEES

4.13.1 External Applications:

- 4.13.1.1 All external Service Owners are required to pay an annual fee per kilometre of network cable installed in the road reserve. Rates are charged in terms of approved Council Tariffs.
- 4.13.1.2 All external Service Owners are required to pay an Administrative and Supervision Fee, which is based on Council Approved Tariffs. Payment of the Administrative fee must be made upfront with submission of the wayleave application, with all other fees payable upon wayleave approval.
- 4.13.1.3 A Refundable Deposit is payable by the Service Owner when open trenching is proposed inside the road reserve, which includes the verge, sidewalk and/or roadway/blacktop area. Rates are charged in terms of approved Council Tariffs.
- 4.13.1.4 The onus is on the Service Owner to initiate a request for the refunding of the deposit, once the completion certificate has been submitted and signed off by the DTS.
- 4.13.1.5 A Non-refundable payment (Roadway Trench Fee) is charged in the event of open trenching inside the roadway/blacktop area. Payment calculations are charged in terms of approved Council Tariffs. This amount must be paid upon wayleave approval and before commencement of work.
- 4.13.1.6 In the event that planned directional drilling is unsuccessful and/or due to site conditions, and where open excavation was done in the roadway with prior approval by the DTS, fees will be charged

according to the approved Council tariffs. The final Non-refundable amount payable will be determined after reconciliation has been done at the end of the project, prior to final completion certificate being issued.

4.13.1.7 The Service Provider will be charged a Penalty for any unauthorized work inside the road reserve, regardless of whether the Municipality later issues a wayleave. Rates will be in terms of approved Council tariffs.

4.13.2 Internal Applications:

4.13.2.1 All internal Municipal Departments or State Funded Projects (National or Provincial), where the infrastructure will be taken over by the Municipality, will be exempted from paying tariffs.

4.12 DEFECTS LIABILITY PERIOD

4.12.1 The Service Owner shall be responsible for all defects resulting from the works for a period of one years after the final completion certificate has been submitted and signed off by the DTS.

4.13 INDEMNIFICATION

4.13.1 All Service Owners must indemnify Municipality against any third party liability claims of whatever nature resulting from their works or presence of infrastructure in a public road reserve.

4.14 REMEDIAL WORKS

4.14.1 Where failure of pavements or any other defects occur resulting from the installation and operations of a service after the defects liability periods has lapsed, the Service Owner must commence with remedial works within 14 days of being notified by the Municipality. The Service Owner will be held liable for any claims as a result of such failure.

4.14.2 The Defect Liability Period as defined in section 4.14 of this Policy shall apply to all remedial works.

4.15 RELOCATION OF SERVICES

4.15.1 Where services were not installed in accordance with approved plans, relocation of such services to correct positions must be done by the Service Owner at their cost immediately on instruction by the Municipality.

4.16. COMPLETION NOTICE AND CERTIFICATE OF COMPLETION

4.16.1 On completion of the work concerned the authorised person must fill in a completion notice and return it to the Road Authority within twenty-four (24) hours. The Way leave holder will then arrange a site meeting with the authorised person to do an inspection and to issue a certificate of completion if all requirements have been met. The twelve (12) month guarantee period for permanent reinstatement by the wayleave holder, commences on the day after the date of issue of the certificate of completion.

4.16.2 Completion of the work means that all work has been completed and that all material, equipment and rubble have been removed and the site is completely cleared and cleaned and that the permanent reinstatement, as applicable, has been done by the authorised person.

4.16.3 If work involves more than one street link (street block), a completion notice must be submitted after completion of each link.

4.17. IMPLEMENTATION AND REVIEW OF THIS POLICY

- 4.17.1 This policy shall be implemented once approved by Council. All future wayleave applications must be considered in accordance with this policy.
- 4.17.2 The policy will be reviewed on a regular basis as the wayleave approval process is refined

5. TECHNICAL SPECIFICATIONS

TABLE 1: ROAD CLASSIFICATION

Class		Equivalent terminology
1	Expressway	Freeway, trunk road, highway, primary metropolitan distributor
2	Primary Arterial	Urban freeway, motorway, metropolitan arterial, major/ principal arterial, primary distributor, metropolitan distributor
3	Secondary Arterial	Minor arterial, major collector, higher mobility activity spine, urban district distributor
4	Minor road	Local distributor, minor collector, neighbourhood connector, CBD road, industrial road, lower mobility activity spine, urban collector
5	Residential street	Minor street, local street, urban local access activity street, urban access street

5.1 General

- 5.1.1 Any trenching activity disturbs the structural integrity of a road or footway. Reinstatement must therefore be done in such a way as to ensure that the reinstated trench and its immediate surroundings do not fail structurally, thus resulting in road user discomfort and increased costs.

- 5.1.2. In addition to this Specification the following specifications shall be applicable to the works:

SABS 1200 DB	–	1989: Earthworks (Pipe trenches)
SABS 1200 GA	–	1982: Concrete (Small works)
SABS 1200 LB	–	1983: Bedding (Pipes)
SABS 1200 LC	–	1981: Cable ducts
SABS 1200 M	–	1996: Roads (General)
SABS 1200 ME	–	1981: Subbase
SABS 1200 MFL	–	1996: Base (Light pavement structures)
SABS 1200 MG	–	1996: Bituminous surface treatment
SABS 1200 MH	–	1996: Asphalt base and surfacing
SABS 1200 MJ	–	1984: Segmented paving
SABS 1200 MK	–	1983: Kerbing and channeling
SABS 1200 MM	–	1984: Ancillary roadworks

All work shall, as far as they are applicable, be carried out in accordance with the above specifications.

- 5.1.3 The contractor shall, at least 48 hours before commencing work on any class of road, notify the Road Authority of the impending work. The contractor shall submit to the Road Authority, as may be required, the proposed location for storage and spoil sites, the working space required, details of proposed subbase, base and asphalt materials, mix designs for asphalt and the proposed working hours. The reinstatement designs to be used (pavement layers/surfacing thickness and materials) shall be confirmed.
- 5.1.4 The Contractor shall permit the Road Authority access to the works at any time for the purpose of inspecting and assessing the reinstatement of trenches and pavements and verges.

5.2 Excavations

- 5.2.1 The area which is excavated must always be kept to a minimum. The width of the trench must be uniform in length and in depth, in other words the sides must be parallel and vertical. The top of the trench must be cut with a saw to ensure smooth, uniform edges.
- 5.2.2 The minimum depth that any service may be placed under a road is 800 mm measured from the level of the surfacing of the road to the top of the service. The minimum depth at any other place in the road reserve, e.g. on a verge, is also 800 mm measured from the level of the surfacing of the road and not from natural ground level. Any services not subject to being laid at a specific grade such as water pipes and cables, should not be placed at a depth in excess of the 800 mm as this could interfere with a future service that has to be laid at a specific grade, such as sewers and stormwater pipes.
- 5.2.3 All excavated material and equipment must be placed and demarcated in such a way as to cause the minimum disruption to vehicles and pedestrians. A safe passage must be kept open for pedestrians at all times.
- 5.2.4 The wayleave holder will be responsible for any damage to any existing service. Any service, indicated on the drawings or on site by a representative from any service provider, must be opened by careful hand digging. If the service cannot be found, the relevant service provider must be contacted again for further instructions. Under no circumstances may an authorised person dig with mechanical equipment before every known service have been found and marked. When found, a service must be marked and protected or supported as required by the service provider. If any service needs to be moved, instructions from the service provider must be followed carefully. The wayleave holder will be responsible for all reasonable expenses incurred in moving services costs. If any service is damaged during excavations, the relevant Service Owner must be contacted immediately.
- 5.2.5 Adequate preventative measures must be taken to ensure that no water (e.g. due to rain) flows into the open trenches since this will result in the weakening of the structural layers of the road. Any water that is present in a trench must be pumped out before backfilling. Water must be pumped into the stormwater system and not into a sewer manhole. Any material that has become wet must be removed from the bottom of the trench before backfilling.
- 5.2.6 The wayleave holder must prevent any foreign material from entering any drain and ensure that silting does not occur either from pumping operations or as a result of rain. If any silting or other contamination does occur, the wayleave holder must clean the drain.
- 5.2.7 If an excavation is made through entrances to properties, access must be maintained by using steel plates, planks or other temporary bridges of sufficient strength and properly secured against movement. The occupants of the properties must be kept informed at all times of how their access will be affected.

5.3 Micro-trenching

- 5.3.1 Micro-trenching will not be allowed in roads. Micro trenching will only be allowed in verges where the investigation (test holes or ground penetrating radar, etc.) indicates that no services will be damaged by micro-trenching.
- 5.3.2 All micro trenching allowed in sidewalks/verges will share the same 1.0m space allocated to telecommunication services irrespective of methodology followed, being 1.0m from the property boundary, unless otherwise approved.
- 5.3.3 Where possible, the micro trench should be within 400 mm from the property boundary, wall or fence.

- 5.3.4 No micro trenching will be allowed directly behind the road kerb and no trench will be allowed closer than 300mm behind the kerb.
- 5.3.5 Trenchless technology must be done at road crossings and open trenching will only be considered if all other viable options have been investigated and proofed impractical or impossible.
- 5.3.6 The relevant planning and design process prescribed must still be followed and all surfaces shall be scanned using Ground Penetrating Radar to determine the existing underground services. Where risk of damaging such services exists open trench methodology must be used.
- 5.3.7 The minimum depth from top of surface layer to invert of trench is 300mm.
- 5.3.8 The minimum permissible cover to any cable/duct installed by micro trenching must be 200mm.
- 5.3.9 The maximum permissible width for the micro trench shall be 50mm and where an asphalt surface is disturbed / breakout occur, the surfacing cut shall be increased to at least 150mm to replace the surfacing layer.
- 5.3.10 The reinstatement must be in a straight continuous line and should include the breakout width of the connection boxes and/or widest breakout point. Only one scar will be allowed. Where the remaining section of sidewalk is less than 1,0 m, the full width of the sidewalk must be reinstated.
- 5.3.11 The positioning of connections boxes and the placement thereof must be indicated on the drawing and must carry the approval of the relevant property owner.
- 5.3.12 Where micro-trenching is allowed by the DTS, the Service Owner shall submit a specific design and specification for the micro-trenching to be evaluated and approved. This design must be surfacing specific to existing conditions. All specifications must be generic and should not specify proprietary products by name, as this may be applied Municipal-wide on concept.
- 5.3.13 A-frame project boards displaying at least the name and cell phone number of the contractor and appointed engineer must be erected at least at both ends of the project during the full duration of the operation.
- 5.3.14 Micro trenching may only be done with a recognised mechanical machine capable of cutting a clean trench to varied depth and width.

5.4 Reinstatement Designs

5.4.1 Pavement Layers

The types of reinstatement applicable to the classes of road are indicated in Table 2.

TABLE 2: REINSTATEMENT REQUIREMENTS

TABLE 2: REINSTATEMENT REQUIREMENTS						
Reinstatement Type	Description	Road Class				
		1	2	3	4	5
ROADWAYS						
Type A1	Road	* SEE NOTE 1		√ * SEE NOTE 2		
Type A2	Road			√ * SEE NOTE 2	√	
Type A3	Road					√
FOOTWAYS (SIDEWALKS) AND CARRIAGEWAY CROSSINGS FOR PEDESTRIANS OR VEHICLES						

Type A4/1 to Type A7/2	Footways and carriageway crossings	*SEE NOTE 3 AND REFER TO TABLE 5 FOR ALL ROAD CLASSES
VERGES		
Type A8	Verges	APPLICABLE TO ALL ROAD CLASSES

Notes:

- *1 Not applicable as trenching not permitted without specific approval.
- *2 For Class 3 roads generally a Type A2 reinstatement shall be used unless a Type A1 reinstatement or a site specific pavement design is required by the Road Authority and confirmed in writing.
- *3 Type of pavement to be used shall be determined by the type of facility (residential, factory etc.) to be served by the carriageway crossing as shown in Table 5 or shall match the existing layer works and surfacing as agreed by the Road Authority.

5.4.2

Backfill (Subgrade)

Four types of backfill are applicable to the classes of road as indicated in Table 3. Types B1 and B2 are backfill to trenches subject to traffic loads and Types B3 and B4 are backfill to sidewalks and verges not subject to traffic loads.

TABLE 3: BACKFILL REQUIREMENTS

Backfill Type	Description	Road Class				
		1	2	3	4	5
Type B1	Road	* SEE NOTE 1		√	√	
Type B2	Road					√
Type B2	Vehicle carriageway crossings (asphalt or brick surfacing)	NOT APPLICABLE	REFER TO TABLE 6			
Type B3	Footways(sidewalks)and pedestrian carriageway crossings	REFER TO TABLE 6 FOR ALL ROAD CLASSES				
Type B4	Verges or unpaved areas	APPLICABLE TO ALL ROAD CLASSES				

Notes:

- *1 Not applicable as trenching not permitted without specific approval.

5.5

Reinstatement Types and Descriptions

The pavement and backfill types indicated in Table 2 and Table 3 shall be constructed as follows:

5.5.1

Road Reinstatements

- Type A1** 40 mm continuously graded medium asphalt wearing course
80 mm continuously graded asphalt base (BTB)
250 mm subbase (G5) cement stabilised to form a C3 layer placed in at least two layers
- Type A2** 40 mm continuously graded medium asphalt wearing course
150 mm G2 base
250 mm subbase (G5) cement stabilised to form a C3 layer placed in at least two layers
- Type A3** 40 mm continuously graded medium asphalt wearing course

150 mm G2 base
150 mm subbase (G5) cement stabilised to form a C3 layer

5.5.2 Carriageway Crossings for Vehicles (Also refer to Table 5 in this regard)

- Type A4/1** 73 mm brick or 80 mm blocks
25 mm sand bedding
200 mm G2 base placed in at least two layers
- Type A4/2** 50 mm continuously graded medium asphalt wearing course
250 mm G2 base
- Type A5/1** 73 mm brick or 80 mm blocks
25 mm sand bedding
100 mm G5 subbase
- Type A5/2** 40 mm continuously graded medium asphalt wearing course
150 mm G5 subbase
- Type A6/1** 73 mm Brick or 80 mm blocks
25 mm sand bedding
100 mm G5 subbase
- Type A6/2** 25 mm continuously graded fine asphalt wearing course
100 mm G5 subbase

5.5.3 Footways (Sidewalks) and Pedestrian Crossings (Also refer to Table 5 in this regard)

- Type A7/1** 73 mm brick or 80 mm blocks
25 mm sand bedding
100 mm G5 subbase
- Type A7/2** 25 mm continuously graded fine asphalt wearing course
100 mm G5 subbase

5.5.4 Verges

- Type A8** 150 mm (minimum) topsoil

5.6 **Backfill**

5.6.1 Roads and Carriageway Crossings for Vehicles Reinstatement

- Type B1** G9 material from trench excavation (or G7 material if imported) stabilized with cement
- Type B2** G9 material from trench excavation (or G7 material if imported)

5.6.2 Footways (Sidewalks) and Pedestrian Crossings

- Type B3** Material from trench excavation (or G9 material if imported)

5.6.3 Verges

- Type B4** Material from trench excavation

The depth or thickness of backfill(subgrade) Types B1 to B4 will be determined by the trench excavation depth, the bedding and blanket thickness and the pavement layer depths given above.

5.7 Materials

5.7.1 Backfill (Subgrade)

Trench backfill material shall consist of a suitable material of similar or better quality than that originally excavated from the trench. Material excavated from trenches may be used as backfill in all areas, provided only that it contains little or no organic material and that it can be placed without significant voids and compacted to specification. Material containing more than 10% of rock or hard fragments that are retained on a sieve of nominal aperture size 100 mm, and material containing large lumps that do not break up under the action of the compaction equipment being used, will be regarded as unsuitable for use in backfilling and any material from trench excavations which cannot be compacted in accordance with the requirements of this specification shall be considered to be unsuitable and shall be replaced.

Notwithstanding the above materials used for backfilling of trenches subject to traffic loads (roads and vehicular carriageway crossings etc) shall be free of clay and shall meet the requirements of a G9 material as indicated in Table 4.

If the excavated material cannot be used for backfill material shall be imported. Where the backfill is to be placed under road carriageways or any other areas subject to vehicular traffic loads material the imported material shall comply with the requirements of a G7 material in accordance with SABS 1200 M (see Table 4). Where the backfill is to be placed in other areas not subject to vehicular loads the material shall comply with the requirements of a G9 material as indicated in Table 4.

TABLE 4: BACKFILL MATERIAL

Criteria	Type G7 material	Type G9 material
Parent material	Natural material (soil, sand or gravel)	Natural material (soil, sand or gravel)
Strength	CBR at 93% of Mod. AASHTO max. density shall be at least 7%. Swell at 100% of Mod. AASHTO max. density shall not exceed 1,5%	CBR at 93% of Mod. AASHTO max. density shall be at least 7%. Swell at 100% of Mod. AASHTO max. density shall not exceed 1,5%.
Atterberg limits	PI shall not exceed 12 or a value equal to 3 times the grading modulus plus 10, whichever is the higher value.	PI shall not exceed 12 or a value equal to 3 times the grading modulus plus 10, whichever is the higher value.
Size	Two thirds of the compacted layer thickness or 75 mm for crushed material.	Two thirds of the compacted layer thickness.
Grading modulus (GM)	2,7 >= GM >= 0,75	2,7 >= GM >= 0,75

Backfill Type B1 shall be mixed with 2,5 % cement by mass. The cement used with backfill shall be at least type CEM II 32,5.

5.7.2 Subbase

Subbase material shall comply with the requirements with of SABS 1200 M for a G5 material.

Cement used for stabilization shall be type CEM II 32,5.

5.7.3 Base

Base material shall comply with the requirements of SABS 1200 M for a G2 material with a 26,5 mm maximum aggregate size.

5.7.4 Asphalt

5.7.4.1 Binders:

Binders shall comply with the requirements of SABS 1200 MH. Material for prime, as may be required, shall be either MC 30 or RTH1/4P. Material for tack coats shall be 30% stable grade bitumen emulsion. The bituminous binder for asphalt shall be 60/70 penetration grade bitumen for base and wearing course and MC 3000 cut-back bitumen for sidewalk asphalt.

5.7.4.2 Mix specifications:

(a) Asphalt Base (BTB)

Asphalt for base shall comply with the requirements of SABS 1200 MH for continuously graded asphalt with a 26,5 mm maximum aggregate size. Hot mix asphalt shall be used.

(b) Wearing Course Areas Subject to Traffic Loads

Asphalt for wearing course shall comply with the requirements of SABS 1200 MH for continuously graded medium asphalt (CCC type A mix). Hot mix asphalt shall be used.

(c) Surfacing for Footways (Sidewalks)

Asphalt for footway surfacing shall comply either with the requirements of SABS 1200 MH for continuously graded fine asphalt or with the requirements in (d) below. Hot or cold mix asphalt may be used.

(d) Footway asphalt specification

The bituminous binder shall be MC 3000 or other approved cut-back bitumen.

The aggregate shall be composed of clean, hard, sound particles of an approved durable material, free from organic and calcarious matter and other impurities, and shall contain a mixture by mass of 85% of 6,7 mm aggregate mixed with 15% of an approved crusher dust graded from 3,4 mm to dust. Not more than 2% of the total mix shall pass a 0,075 mm sieve.

The aggregate shall be properly screened, cubical in shape, free of dust and shall conform to the requirements of Grade 2 stone in Table 1 SABS 1200 M: 1996. The grading shall comply with Table 1 for 6,7 mm aggregate.

The proportions of the mix shall be 94,5 % aggregate and dust and 5,5 % binder by mass.

5.7.4.3 Material Sources and Mix Designs:

Asphalt from approved commercial sources shall be used. Proposed mix designs for the materials to be supplied. Examples of test results obtained on previous contracts where similar mixes were used shall be provided to the Road Authority on request.

Test results from the supplier demonstrating the compliance, of the asphalt actually supplied to the works, with the requirements of this specification shall be provided to the Road Authority.

If commercial sources are not to be used, mix design proposals shall be submitted for approval prior to the commencement of any work.

5.7.5 Segmented Paving and Edgings

5.7.5.1 Pavers:

Where existing paving has to be reinstated the existing type shall be matched as far as possible in terms of shape, colour, type and surface texture. Otherwise the type of reinstatement shall be in accordance with this specification and the standard materials indicated below shall be used as agreed with the Road Authority.

Standard brick pavers shall be 222 mm x 106 mm x 73 mm and shall conform to SABS 227: Burnt Clay Masonry Units (latest edition) as applicable to Class FBX – E-30 bricks.

Standard concrete block pavers shall be of a type specifically manufactured for paving. They shall be approximately 200 mm long and 100 mm wide. Their thickness shall be 80 mm. The blocks shall conform to SABS 1058: Standard Specification for Cement Paving Blocks (latest edition) Class 35 or the Precast Concrete Block Paving Construction guidelines. In residential areas standard 100 mm x 100 mm precast concrete cobbles may be used.

Cast In-situ concrete: All cast in-situ concrete must comply with the relevant requirements of Section 6400: Concrete for Structures of the COLTO Standard Specification for Roads and Bridge Works. All cast in-situ concrete must be Class 25/19.

Precast concrete paving slabs: All concrete paving slabs must comply with the requirements of SABS 541-1971, as amended or replaced from time to time.

5.7.5.2 Edgings:

Where existing edging has to be reinstated the existing type shall be matched as far as possible in terms of shape and type. Otherwise the type of edging shall be in accordance with this specification and the standard materials indicated below shall be used as agreed with the Road Authority.

Standard edging bricks shall not be of lesser quality than Grade NFX (as per the current edition of SABS 227: Burnt Clay Masonry Units).

Standard precast concrete edgings shall be of cross sectional 100 mm x 100 mm or 150 mm x 75 mm complying with the relevant requirements of SABS 927. Cross sections of precast footway edgings are shown on the standard drawing RO/2272/1.

The standard length edgings shall be 1 m except as specified hereinafter. Where the radius of a bend has a value between 600 mm and 30 m, the precast sections shall be supplied in 300 mm lengths and laid in segments to form the circular curve.

5.8 **Plant**

5.8.1 Compaction Equipment

The contractor shall use mechanical compaction equipment and he shall select such equipment and operate it in such a manner that the service in the trench, including pipes, ducts or cables is

not stressed or damaged. In this regard the contractor shall be responsible for ensuring that he is, prior commencing compaction, aware any particular limitations on the type of compaction (vibration permitted etc) or the type of equipment (size, mass) which the relevant service owner/s may impose while working over or near their service/s.

5.9 Construction

5.9.1 Safeguarding of Excavations

Should the depth of an excavation or the nature of the material excavated render the sides of the excavation liable to movement that might endanger the works or the workmen engaged on the works the sides of the excavation shall be supported by suitable timber or other sheeting with adequate struts and braces, all being assembled properly and having sufficient strength and stiffness to prevent movement in the materials supported (shoring).

The contractor shall make good any fall of rock or earth due to rain, floods, insufficient timbering or other cause, and shall fill in any cavities so formed.

Without relieving the contractor in any way of his responsibility the Road Authority may order additional lateral support for the sides of any excavation.

All timbering and sheeting shall be removed from the excavation before the completion of the work, unless the written permission of the Road Authority is obtained to allow any portion to remain.

5.9.2 Protection of Structures

Where work is to be carried out in the proximity of buildings, bridges, tanks or structures, the contractor shall take all necessary precautions, including shoring where necessary, to ensure the safety of the structures that are at risk.

5.9.3 Stormwater and Groundwater

The contractor shall properly deal with and dispose of water to ensure that the works are kept sufficiently dry for their proper execution. The contractor's responsibility will be held to include the provision of adequate protection against flooding and damage by stormwater, flow from springs, and seepage, and to include provision for the repair of any damage to the works may arise as a result of the inadequacy of the protection provided.

5.9.4 Excessive Pollution

The contractor shall take all reasonable measures to minimize excessive dust nuisance, pollution of streams and inconvenience to or interference with the public or others because of the execution of the works.

5.9.5 Excavated Material not to Endanger or Interfere

All excavated material shall be so deposited as not to interfere with or endanger the works (for example, by causing the sides of an excavation to collapse), other property or traffic. The Road Authority may order the contractor to remove any material that is liable to endanger or to interfere with the works, private property, traffic or pedestrians, and to order that such material be placed at some other approved location.

All material that is unsuitable or not required for backfilling shall be removed from the site.

5.9.6 Protection of Overhead and Underground Services

Prior commencing with any work the contractor shall ensure that all relevant wayleaves and permissions have been obtained to work on the site. Also refer to section 1.

The contractor will be held responsible for any damage to known services (ie services that are within the site of the works and are shown on the drawings or have been indicated to the contractor) and he shall take all necessary measures to protect them. All work or protective measures shall be subject to approval of the relevant service owner or authority.

In the event of a service being damaged, the contractor shall immediately notify the owner or authority concerned. The contractor shall not repair any such service unless instructed to do so.

5.9.7 Ground and Access to Works

The contractor shall occupy only such ground as is necessary to carry out the work. He shall provide and maintain such access to the various sections of the works as he requires for the proper execution of the work. All fences and other structures that have been damaged or interfered with by the contractor shall be restored to a condition at least equivalent to their original condition.

5.9.8 Damage to Road Surface

Where, during the execution of the works, any road or paved surface adjacent to a trench has been damaged in any way whatsoever by the contractor, he shall at his own expense and as soon as is practicable, repair and restore such surface to a condition at least equivalent to that previously existing, and to the satisfaction of the Road Authority.

5.9.9 Excavation and Backfill (Subgrade)

5.9.9.1 Excavation of Temporary Material before Reinstatement:

It may be necessary to re-excavate trenches to remove temporary material placed in a trench in order to place the permanent backfill and/or pavement layers. The contractor shall ensure that he is aware of any possible restrictions relevant service owners may impose on excavation work (use of hand excavation only etc).

The sides of an excavation shall be as near vertical as possible while following safe excavation practise for the excavation depth and the material conditions.

No tree roots encountered in trenches may be cut without prior permission from the Directorate: Community Services.

5.9.9.2 Compaction:

(a) Areas Subject to Traffic Loads (Backfill Type B1 and Type B2)

In areas subject to road traffic loads trenches shall be backfilled in layers of thickness (after compaction) not exceeding 150 mm and the material shall be compacted to 93 % of modified AASHTO maximum density (or 100 % in the case of sand) for backfill Type B1, and 95 % of modified AASHTO maximum density (or 100 % in the case sand) for backfill Type B2. See also section 15.8.9.3 regarding backfill Type B1.

(b) Areas not Subject to Traffic Loads (Backfill Type B3 and Type B4)

Trenches shall be backfilled in layers of thickness (after compaction) not exceeding 300 mm and the material shall be compacted to the same density as that of undisturbed surrounding ground or to 90% of modified AASHTO maximum density (or 100 % in the case of sand) whichever is the higher for backfill Type B3.

Trenches shall be backfilled in layers of thickness not exceeding 300 mm and the material shall be lightly compacted to reduce settlement for backfill Type B4.

5.9.9.3 Backfilling:

Backfilling of trenches shall commence after the service has been laid and firmly bedded in the specified cradle and the blanket has been placed and adequately compacted over the service to the height of blanket cover specified for the applicable type of service.

Backfilling shall be carried out over the full extent of the actual trench excavation and to original ground level, except where other pavement layers are to be placed. Unless prior approval has been obtained, no filling shall be placed in water.

Type B1 backfill (for work under Class 3 and 4 road carriageways) shall be thoroughly mixed with 2,5 % cement by mass prior to watering and compaction.

5.9.9.4 Temporary reinstatement of excavated areas.

It may be necessary, due to traffic or safety or any other conditions, to temporarily backfill a trench and/or temporarily reinstate a roadway. The Road Authority shall be informed of all such instances. Where trenches across areas subject to vehicular traffic loads are backfilled on a temporary basis the backfilling must be done with G9 material from trench excavation (or G7 material if imported) stabilized with cement up to a level of 440mm beneath the surface of the road. The remaining 440mm must be filled up with crusher dust material up to the road surface.

The backfilled surface shall be maintained in a safe condition for pedestrian and vehicular traffic until the final pavement layers are placed.

5.9.9.5 Disposal of Surplus Material:

Excavation material from the trench, which is unsuitable or has become surplus because of bulking, displacement or importation, shall be disposed of off-site at an approved location.

5.9.9.6 Deficiency of Backfill Material:

Any deficiency of backfill material from trench excavation may be made up from suitable surplus material from other excavations nearby. If there is still a shortage of suitable material, backfill shall be imported.

5.9.9.7 Completion of Backfilling:

The contractor shall complete backfilling of trenches expeditiously and in reasonable approved lengths. The Contractor shall clean the road surface or paved area (as applicable) adjacent to the trench on completion of the work.

5.9.10 Subbase

5.9.10.1 Compaction:

(a) Placing, Watering and Mixing

The material shall be placed and spread in a trench in such a manner as to minimize segregation of the various sizes of aggregate in the material. In order to increase the moisture content of the material to the optimum for the compaction equipment employed and the density required the requisite quantity of water shall be added uniformly to the material and thoroughly mixed into the material until a homogenous mixture is obtained.

Dry compaction shall not be permitted. If necessary, due to the nature of the compaction equipment to be employed, the full layer thickness shall be achieved by placing and compacting successive thinner layers.

(b) Specified Density

Subbase to trench reinstatement within a road carriageway, to carriageway crossings and to sidewalks shall be compacted to 95% of Mod AASHTO maximum density.

5.9.10.2 Construction:

(a) Stabilization

Where specified subbase material shall be stabilized with 3 % cement by mass. The cement shall be thoroughly mixed into the subbase material before water is added and compaction commences.

5.9.11 Base

6.9.11.1 Compaction:

(a) Placing, Watering and Mixing

The requirements of section 15.8.10.1(a) shall apply.

(b) Specified Density

Base to trench reinstatement within a road carriageway and to carriageway crossings shall be compacted to 98% of Mod AASHTO maximum density.

5.9.12 Reinstatement of asphalt surfaced areas

5.9.12.1 General:

Where long lengths of trench are to be reinstated, asphalt work shall be programmed to follow the completion of the rest of the layers so that the period that a completed trench is left unsurfaced is limited as far as possible.

The edges of the excavation through existing asphalt surfacing shall be uniformly cut along neat straight lines on both sides over the entire length of the trench. Wherever practical the straight edges shall be parallel to the trench being prepared for reinstatement. All areas of intrusion/overlap into the adjoining surfacing shall be cut to a rectangular shape.

Where the excavation is through a road surfaced with asphalt the existing wearing course shall be removed an additional 100 mm beyond the edge of the trench so that the joint in the surfacing will not be above the edge of the trench.

The joint formed between the old and the new surfacing shall be cleaned and all loose material and dust removed. For all excavations through road carriageway surfaces a tack coat shall be applied at a rate of 0,6 litres per square metre to the full width of the area to be surfaced including

the face of the joint formed. The tack coat shall be applied at least 30 minutes before and not more than 24 hours before surfacing.

All works adjacent to the tack spraying operation (including kerbs, brick paving etc.) shall be protected appropriately. All entries to drainage structures shall be blocked to prevent entry of bitumen.

After reinstatement of layer works the surface layer shall be neatly cut to produce a straight line. The final cut lines must ensure that straight and parallel lines are achieved giving a square block finish. Asphalt surfaces on roads must preferably be cut with jack hammers or other devices to produce a bond edge. Asphalt surfaces on sidewalks must be saw-cut producing straight lines.

Where the width of the sidewalk is less than 1.5 m, the entire width of the surfacing shall be replaced.

Where the width of the sidewalk exceeds 1.5 m, the minimum reinstatement width shall be 1.5 m, provided that there is only one scar and the un-reinstated strip left over is more than 500 mm.

Where any strip of asphalt less than 500mm wide remains, it shall be replaced simultaneously with the trench asphalt.

5.9.12.2 Placing:

In order to achieve a dense impervious layer asphalt should as far as possible, and particularly for asphalt placed to reinstate road carriageways, be placed at as near as possible to the recommended working temperatures for the applicable mix.

The asphalt mixture shall be dumped on shovelling plates, or other approved clean surfaces, and shall not be dumped on the area on which it is to be spread. The mixture shall be placed with shovels in the desired position and shall be levelled off with rakes to a depth which will provide not less than the required thickness after compaction.

5.9.12.3 Compaction:

In areas where the larger rollers cannot be used, compaction shall be carried out with hand operated mechanical compaction equipment and, where there is sufficient space, approved smaller vibratory rollers.

The edges of all asphalt areas shall be compacted with an approved hand stamper, and the contractor shall ensure that the asphalt lies flush with the top of the adjacent surfacing or formed edges.

Asphalt base and wearing course shall have a minimum density of 94 % of Marshall density. Asphalt surfacing for footways (sidewalks) shall be finished and compacted so that the surface appears smooth, uniform and dense.

5.9.13 Segmented Paving and Edgings

5.9.13.1 Removing and Replacing Units:

Where a trench crosses a segmented block paved area the existing units must be carefully removed in complete units and kept safe for re-use.

Reinstated bricks and blocks shall be placed on a sand bedding as indicated in Table 5 and shall be cut by means of a mechanically driven saw only. Brick portions with any side of less than 30 mm may not be used.

The joint openings between the individual bricks / blocks may not exceed 5 mm in width.

Reinstated bricks/blocks shall be vibrated to final level with a suitable plate compactor and again vibrated after the application of dry jointing sand. Joints shall not be grouted with a cement/sand mixture.

Where it is necessary to leave a gap between the abutting row of bricks and poles or manhole covers etc. the gap must be filled with asphalt.

When reinstating the brick surface, bricks and cuttings shall be carefully replaced to match the existing pattern. Jointing sand (no cement) in accordance with the SANS 1200 MS specification shall be broomed into the joints for the full depth of the bricks prior to undertaking the final compaction of the brick surface using a vibratory plate compactor and a rubber tyre pneumatic roller in areas with heavy vehicular traffic.

The paving pattern of the reinstated brick surface must be visually equal to or better than the existing brick paving.

After compaction, the replaced bricks shall tie into the existing bricks within a tolerance of 3mm.

No collapsing or sagging as a result of the works will be accepted. Any settlement at the end of the 1 year defects liability period shall be made good by removing the bricks, re-compacting the fill and base layers and replacing the brick surface.

5.9.13.2 Edging:

Where a trench crosses an edging the units must be carefully removed in complete units and kept safe for re-use. Edgings may be re-used provided that re-used and new units are not interspersed over short distances. All the precast edgings shall be re-layed true to line and to such grades and levels as to properly reinstate the disturbed edges.

Edging shall be laid on a bed of 15 MPa concrete and pressed firmly into place so that there shall be a minimum thickness of 50 mm of concrete under the whole of the base of the edgings. The concrete bedding shall be haunched up behind the edging for at least two-thirds the height of the unit and the back slope of this haunch shall not be steeper than 1:1. The width of joint between edgings shall be 10 mm and each joint shall be grouted solid with mortar composed of 1 part cement to 4 parts sand and neatly pointed on all exposed surfaces.

5.9.14 Reinstatement of concrete surfaced areas

After reinstatement of layer works the existing concrete edges shall be neatly cut to produce a straight line. The final cut lines must ensure that straight and parallel lines are achieved giving a square block finish.

5.9.15 Reinstatement of driveways

After reinstatement of layer works the surface layer shall be neatly cut to produce a straight line. The final cut lines must ensure that straight and parallel lines are achieved giving a square block finish. The same surface finish must be implemented in the reinstatement in order to tie into the existing appearance and functionality.

Where any strip of existing surface treatment, between the road edge/kerb line and trench is less than 300mm wide, it shall be replaced simultaneously with the trench reinstatement.

No collapsing or sagging as a result of the works will be accepted. Any settlement at the end of the 1 year defects liability period shall be made good to Municipal Standards.

5.9.16 Verges and other Unpaved Areas

5.9.16.1 Verges:

When trenching through unpaved areas all the existing topsoil shall be kept in a separate stockpile for subsequent re-use. It should be noted that where a hardening or gravel layer has been placed on a verge this shall not be treated as an unpaved area and reinstated as specified in this section. In such cases the type of reinstatement required shall be agreed with the Road Authority and the normal requirement shall be that the hardening or gravel layer shall be reinstated to match the thickness and type of material removed.

Trenches through verges and other unpaved areas can be backfilled with the excavated material. The top layer of each trench shall be backfilled without compaction with all the topsoil that is available. The finished surface of backfilling left proud of the surrounding ground to allow for initial settlement shall be not more than 75 mm above the surrounding ground. Verges and other unpaved areas affected by trenching shall be reinstated to the existing profile, width and grade within the road reserve.

Where road construction layers, structural courses, foundations, kerbs and/or backing providing edge support to road structures extend into verges or unpaved areas and are affected by trenching, such layers, backing etc shall be fully reinstated.

5.9.16.2 Reinstatement of non-surfaced/grassed vegetation covered areas

Unless otherwise agreed, cultivated areas containing shrubs, plants or bulbs affected by trenching shall be reinstated using the same or similar species.

Grassed areas shall be reinstated using the original turf, replacement turf or an equivalent seed, depending on weather and growing season.

Where grassed areas have previously been mown, the reinstated surface shall be demonstrably free from stones greater than 20 mm nominal size. All other debris arising from the works shall be removed from the site.

If any unconstructed verge has an established lawn, this must be removed, stored and replaced in sods in such a way that the lawn is in the same condition after reinstatement as it was before excavation. If the sods are allowed to dry out or become damaged in any way, they must be replaced with similar sods.

If an unconstructed verge has been planted with garden vegetation other than lawn, the owner of the adjacent property must be consulted before excavation, to obtain instructions on what to do with the plants that are affected. Every effort must be made to preserve all plants.

Trench widths and depths shall be the same as for surfaced areas.

Bedding sand and bedding blanket shall be the same as for trenches in surfaced areas.

The excavated material which is used for backfill must be compacted to match the density of the neighbouring undisturbed areas but with a minimum of 93% of MDD up to 100mm from the top of the trench.

Reinstate surface (final 100mm) as per existing surface. Once the backfill is compacted, carefully replace the grass / vegetation ensuring no depressions in the surface along the trench route. Grass should be firm and compacted into place using a heavy roller.

5.9.16.3 Ditches, drains and drainage courses:

Ditches, open drains and drainage courses affected by trenching shall be restored to their original profile, unless otherwise agreed.

5.9.17 Reinstatement of unsuccessful drill operations

In the event that directional drilling is unsuccessful, the drill tunnel must be filled / pumped with concrete. The mixture used must be pre-approved by the DTS.

5.9.18 Other Construction Requirements

5.9.18.1 Placing Material:

Completed backfill shall be free of contaminants prior to and during the placement of pavement materials. Before placement of any pavement layer materials and as part of the backfill works, the sides of the trench to receive the pavement layers shall be cut clean to achieve a uniform plane surface, free of any loose or foreign material.

Appropriate construction mixing methods shall be applied to ensure uniformity of all the specified material qualities when the materials are laid along the trench length. The surface of all pavement layers shall be in a tight and uniformly bound condition with no evidence of layering, cracking or disintegrating and free of loose, dusty, stony areas.

All materials shall be compacted using mechanical compactors. Hand operations may be used in confined areas, however, self-propelled driven mechanical plant shall be used where trench area allows.

5.9.18.2 Stormwater Damage:

Should disturbance or demolition of existing stormwater pipes or structures occur due to the trench works they shall be reinstated in accordance with the specification to be obtained by the contractor from the Road Authority.

5.9.18.3 Kerbs and Other Precast Components:

Where kerbs or other precast components are affected by trenching they shall be carefully removed and stored for re-use. Unless otherwise agreed by the Road Authority all recovered precast units or components to be incorporated in the reinstated works shall be in good condition and free of cracks, chips and deformities. Any items damaged by the contractor during removal shall be rejected, removed from the site and replaced with new materials. All kerbs or other precast components shall be reinstated in accordance with the requirements of the applicable section of SABS 1200. Tunnelling under kerbs, channels and edging is prohibited and all such elements shall be removed during excavation and reinstated. All cast in-situ concrete must be Class 25/19.

5.9.18.4 Resurfacing Footways and Carriageway Crossings:

Where the area of the trench damage is greater than 75% of a footway or a carriageway crossing area the Road Authority may require that the whole crossing area be resurfaced to match the existing surface levels and material type (the existing surfacing shall be removed as necessary).

If a private driveway and footway with non-standard materials are to be excavated, the owner of the property concerned must be informed in advance and in writing of the intended work. The owner must then [supply/specify to] the authorised person [with] the materials that are to be used for the reinstatement.

5.9.18.5 Cracking:

Where parallel cracking or settlement of the existing carriageway surface occurs along the edge of a trench after excavation the pavement layer reinstatement shall be widened to a line 200 mm beyond the extremity of the cracking.

5.9.18.6 Reinstatement of Road Signs and Markings:

All road markings that have been removed or damaged by the works shall be repainted upon reinstatement of a trench to surfacing level. All markings shall be in accordance the South African Road Traffic Signs Manual (SARTSM) or according to the original colours, lengths and widths as instructed by the Road Authority. All work shall be in accordance with SABS 1200 MM. Any road studs removed shall be replaced.

All road signs removed in carrying out the works shall be reinstated and any signs damaged during removal or lost shall be replaced by the contractor.

5.9.18.7 Other Reinstatement and Cleaning:

All peripheral damage caused by any excavation, backfilling or reinstatement operations including but not limited to damage to adjacent surfaces caused by poles or pegs placed shall be repaired as required by the Road Authority and all surfaces affected by the work shall be properly cleaned on completion of the work. All waste shall be removed from site.

Where other features, such as drainage channels or pipes across footways are affected, they shall be reinstated such that they function properly and to the satisfaction of the Road Authority.

5.10 Tolerances

5.10.1 Levels

Unless otherwise agreed all trenches shall be reinstated to same levels, falls and grades as existed before the disturbance. Notwithstanding this requirement finished surface levels shall be adjusted locally to ensure that the reinstated areas are free draining as there may be locations particularly on flat roads where previous consolidation has created un-drained areas isolated from the main drainage points. Where it may be necessary to adjust the lines and levels for reinstatement for other reasons the Road Authority shall issue specific instructions to the contractor.

At the edge of a resurfaced area the edge of the new surfacing shall match or be slightly proud of the adjoining surfacing, kerbing or edging.

5.10.2 Layer Thickness

The average thickness of any layer shall not be less than the specified thickness and in no place shall the actual thickness differ from the specified thickness as follows:

Subbase Plus or minus 15 % of the specified layer thickness

Base Plus or minus 15 % of the specified layer thickness

Asphalt Plus or minus 20 % of the specified layer thickness

5.10.3 Smoothness

When a 3 m straight edge is laid on a finished road carriageway surface, the distance between the surface and the straight edge shall nowhere exceed 6 mm.

5.11 **Testing**

5.11.1 Proof of Compliance

The contractor shall carry out process control testing to ensure that all materials and works are in accordance with the specification. The Road Authority shall be provided with copies of the results of such testing as required in **Appendix C**. If no test results are provided the Road Authority reserves the right to call for such results. The results shall then be produced within two days of being requested. Such tests shall be done at the contractor's expense. If no test results are provided as requested the Road Authority reserves the right to consider the work in question to be out of specification and the work shall be rejected and may have to be redone.

5.11.2 Materials and Mix Design

Process control testing shall be carried out on all materials supplied for trench reinstatement. Routine testing carried out by suppliers shall be acceptable provided that the frequency of testing complies with the requirements of the applicable section of SABS 1200.

Refer to section 15.6.4.3 regarding asphalt mix designs.

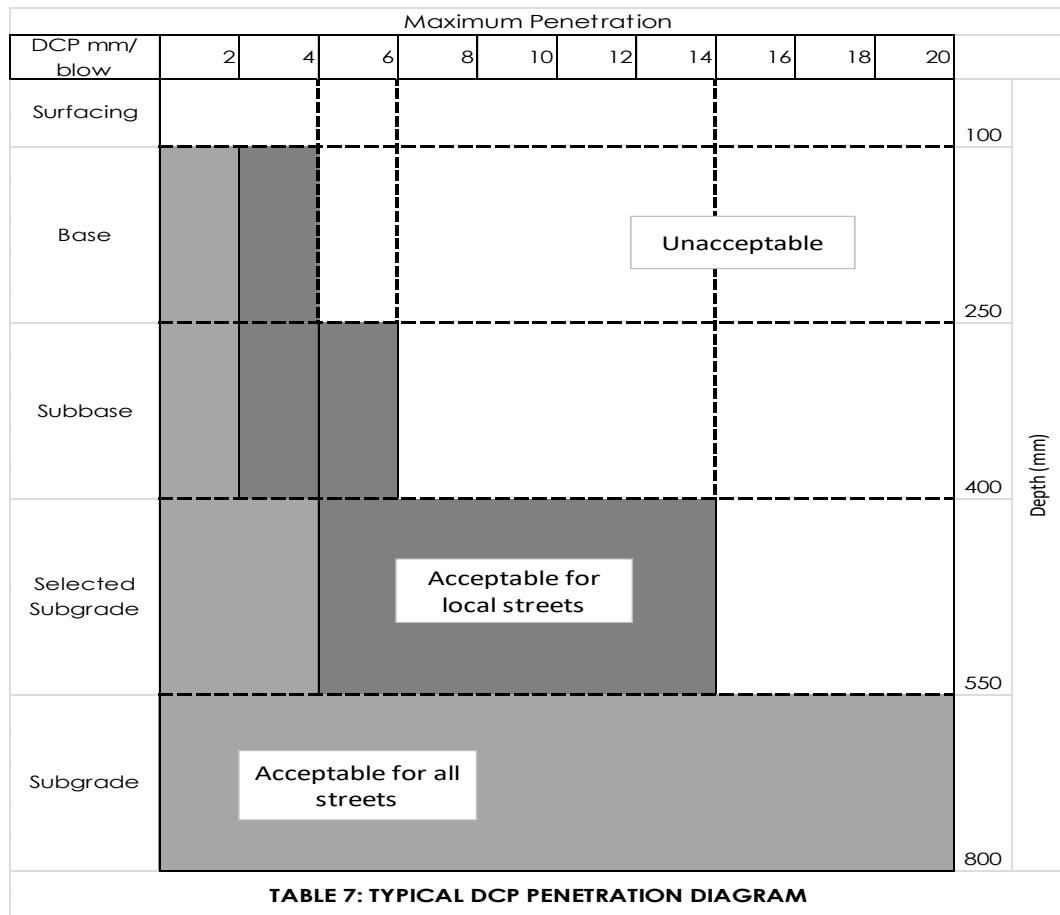
5.11.3 Density Testing

The density of backfilling (subgrade), subbase and base shall routinely be tested using a Dynamic Cone Penetrometer (DCP) although nucleonic or sand replacement testing may be required to confirm the achievement of the specified densities.

DCP testing shall be carried out on trenches in areas subject to vehicular traffic loads (roads and carriageway crossings) after every 1,0 m depth of backfill, or part thereof if the total thickness of backfill is less than 1,0 m, has been placed and compacted.

The backfill (subgrade), subbase and base shall be tested by DCP every ten linear metres of trench or such greater interval as agreed with the Road Authority.

An indication of probable acceptance on most roads can be obtained from the typical DCP Penetration diagram shown below in TABLE 7



Asphalt layers shall routinely be tested using nucleonic methods although core testing may be required to confirm the achievement of the specified densities. Standard maximum dry density and Marshall density values may be used for the various materials used to reduce the amount of sampling and testing. Such standard values shall be agreed with the Road Authority as and when required. The frequency of density testing required on the layers will be determined by the Road Authority taking into account the size and nature of the work. The testing frequency shall be one test per 100 square metres of completed layer unless another frequency is agreed with the Road Authority prior to commencement of the work. A minimum of three tests will be required.

5.11.4 Test Standards

All testing shall be carried out in accordance with TMH1: Standard Methods of Testing Road Construction Materials.

5.11.5 Routine Inspections

The Road Authority may carry out routine inspections of the works as they are completed. To allow such inspections the contractor shall advise the Road Authority when excavation work is to commence and when it has been completed.

The Road Authority may carry out independent density tests to determine the compaction of the backfilling or other layers and may take samples of any materials being used for further testing. Such testing shall not relieve the contractor of his responsibility to carry out process control testing.

5.11.6 Acceptance or Rejection of Works

5.11.6.1 General:

Should any contractor's testing and re-testing indicate that the works, or part of the works, fails to meet the specification then further working (including scarifying, remixing and/or recompaction as necessary or the replacement of materials) shall be carried for the entire section rejected and retests carried out, all at the contractor's expense. Re-testing shall be carried out at the same frequency as the original testing.

5.11.6.2 Asphalt:

Areas of asphalt defective with respect to the specified requirements for mix quality, density, percentage voids, surface finish, surface smoothness or thickness shall be removed and replaced by the Contractor unless the Road Authority permits the layer to be sealed with an agreed product. The extent of the defective area shall include all the asphalt in the test lot containing the failed test(s) unless defective areas can be suitably isolated by additional testing (where necessary) by the contractor. The contractor shall remove and replace areas of asphalt which show signs of either ravelling, cracking, deflection, subsidence and instability, for any reason, at the discretion of the Road Authority. Immediate repairs shall be carried out by the contractor as necessary to maintain the safety of the site. Patches shall be prepared by cutting and removing the defective asphalt to the full depth of the layer such that the sides of the area are at right angles or parallel to the direction of traffic and the edges are vertical and the patch shall be completed by placing and compacting new asphalt in accordance with the specification.

5.11.7 Performance Specifications/Defects liability

- 5.11.7.1 The performance of any trench permanently reinstated by the authorised person will be monitored for twelve (12) months, during which period the authorised person will be held responsible for any remedial work that may be required.
- 5.11.7.2. The tests that were used for quality control (density or shear strength) will be used to determine whether or not the work was done according to specifications. The Road Authority may do additional tests if the quality control tests are not considered to be adequate.
- 5.11.7.3. Remedial work will be required if any of the following defects exists:
 (a) Depressions;
 (b) humps (crowning);
 (c) edge depression (trips, vertical discontinuities) at the interface; or
 (d) cracking.
- 5.11.7.4. Any depression or hump will be measured with a straight edge across the reinstatement and will require remedial work if the following limits are exceeded over 100 mm or more of the length of the trench:

<i>Reinstatement Width (mm)</i>	<i>Height of Deformation or Hump as measured with straight edge (mm)</i>
Up to 400	10
400 to 500	12
500 to 600	14
600 to 700	17
700 to 800	19
800 to 900	22
Over 900	25

- 5.11.7.5. Remedial work will also be required if a depression results in standing water wider than 500 mm or exceeding one square metre, two hours after rain has stopped.

5.11.7.6. Any edge depression exceeding 10 mm over 100 mm or more of the length of the trench will require remedial work.

5.11.7.7. Any open crack wider than 3 mm and longer than 100 mm will require remedial work.

5.12 Manholes and structures for Telecommunications

5.12.1 Only brick built manholes (preferred in areas of heavy traffic) or prefabricated GRP manholes will be allowed.

5.12.2 Brick manholes shall have walls constructed from NFX bricks using stretcher or Flemish bond and shall be 220/230mm thick.

5.12.3 All manhole covers and frames must comply with the relevant SANS specification and shall have a minimum load bearing capacity of 400kN.

5.12.4 Manhole sizes on primary networks may not exceed 900mm external dimension;

5.12.5 Manhole sizes on secondary networks may not exceed 600mm external dimension;

5.12.6 Boundary chamber sizes on tertiary networks may not exceed 300mm external dimension;

5.12.7 All manholes and structures must be accommodated in the space allocated for the trench (1.0m);

5.12.8 No above ground structures that could interfere with sight distance will be allowed on splays or within 25m of a splay;

5.12.9 No above ground structures will be allowed in pedestrian access ways or at pedestrian crossings;

5.12.10 No above or underground structures will be allowed at intersections and universal access positions to ensure unimpeded travel for handicapped persons. This will generally imply that manhole positions must be a minimum of 10.0 m from intersections and access points and positions of manholes must allow sufficient space for handicapped persons and wheelchairs to utilize the sidewalks;

5.12.11 The minimum permissible spacing for manholes shall be 45.0m c/c after all Network Licensees have installed their infrastructure and a maximum of 2 manholes at any given position will be allowed. Therefore, the design must consider existing and future Network Licensee's;

5.12.12 All manhole/boundary chamber covers must bear the name of the company in embossed letters to clearly define the different service provider's infrastructure.

5.13 Boundary Boxes for Telecommunications

5.13.1 Boundary boxes must be robust and durable and may not exceed 300mm in dimension;

5.13.2 The new boundary box must be placed next to the existing Telkom AJB (Manhole);

5.13.3 Only one boundary box per 2 erven will be allowed for house connections. Where a second network provider services the same property a maximum of 2 boundary boxes per position will be allowed;

- 5.13.4 Boundary boxes for house connections may be placed in the road reserve verge but shall not be further than 200mm from the erf boundary. Boundary boxes may be mounted on walls with the permission of the property owner.

TABLE 5: FOOTWAYS (SIDEWALKS) AND CARRIAGEWAY AND PEDESTRIAN ACCESS CROSSINGS: PAVEMENT STRUCTURES

TYPE OF PAVEMENT STRUCTURE	A7/2	A6/2	A5/2	A4/2	A7/1	A6/1	A5/1	A4/1
TYPE OF SURFACE	BITUMINOUS PREMIX (ASPHALT)				CLAY BRICK OR CONCRETE BLOCK			
TYPE OF CROSSING	FOOTWAYS AND PEDESTRIAN CROSSINGS	CARRIAGEWAY CROSSING			FOOTWAYS AND PEDESTRIAN CROSSINGS	CARRIAGEWAY CROSSING		
DUTY OF CROSSING		LIGHT	HEAVY	EXTRA HEAVY		LIGHT	HEAVY	EXTRA HEAVY
USAGE OF CROSSING	Pedestrian only	Single residential	Flats church, School, etc.	Warehouse, Factory, Loading area, Service Station	Pedestrian only	Single residential	Flats church, School, etc.	Warehouse, Factory, Loading area, Service Station
TYPE OF EDGING	Brick stretcher on edge or 150 x 75 mm precast concrete (side and boundary edging)			250 x 100 mm precast concrete	Brick stretcher on edge or 150 x 75 mm precast concrete (side and boundary edging)			250 x 100 mm precast concrete
THICKNESS OF Premix Bricks Blocks	25 mm	25 mm	40 mm	50 mm	73 mm 80 mm	73 mm 80 mm	73 mm 80 mm	73 mm 80 mm
SAND BED THICKNESS (Uncompacted)	Nil	Nil	Nil	Nil	25 mm	25 mm	25 mm	25 mm
THICKNESS OF GRAVEL COMPACTED Subbase (G5*) Base (G2*)	100 mm	100 mm	150 mm	250 mm	100 mm	100 mm	100 mm	200 mm
OVERALL DEPTH OF COMPACTED LAYERS AND OF EXCAVATION Premix Bricks Blocks	125 mm	125 mm	190 mm	300 mm	198 mm 205 mm	198 mm 205 mm	200 mm 205 mm	300 mm 305 mm
ADDITIONAL EXCAVATION WHERE CLAYEY MATERIAL IS ENCOUNTERED	0 mm	150 mm	150 mm	200 mm	0 mm	150 mm	150 mm	200 mm
COMPACTION OF PAVEMENT LAYERS Subbase Base	95%	95%	95%	98%	95%	95%	95%	98%

* The standard for Subbase (G5) and Base (G2) shall be in accordance with SABS 1200 M.

** 100% for sand.

**TABLE 6: FOOTWAYS (SIDEWALKS) AND CARRIAGEWAY AND
PEDESTRIAN ACCESS CROSSINGS: BACKFILL TYPES**

BACKFILL TYPE	TYPE B3	TYPE B2			TYPE B3	TYPE B2		
TYPE OF SURFACE	BITUMINOUS PREMIX (ASPHALT)				CLAY BRICK OR CONCRETE BLOCK			
TYPE OF CROSSING	FOOTWAYS AND PEDESTRIAN CROSSINGS	CARRIAGEWAY CROSSING			FOOTWAYS AND PEDESTRIAN CROSSINGS	CARRIAGEWAY CROSSING		
DUTY OF CROSSING		LIGHT	HEAVY	EXTRA HEAVY		LIGHT	HEAVY	EXTRA HEAVY
USAGE OF CROSSING	Pedestrian only	Single residential	Flats Church, School, etc.	Warehouse, Factory, Loading area, Service Station	Pedestrian only	Single residential	Flats Church, School, etc.	Warehouse, Factory, Loading area, Service Station
COMPACTION OF BACKFILL	In situ material or G9 quality material if imported. Compaction 100% for sand or 90% or same as surrounding material (whichever is greater) for other materials.	In situ material at least G9 quality or G7 quality if imported. Compaction 95% or 100% for sand			In situ material or G9 quality material if imported. Compaction 100% for sand or 90% or same as surrounding material (whichever is greater) for other materials.	In situ material at least G9 quality or G7 quality if imported. Compaction 95% or 100% for sand		

PIGEON SOCIETY CLUBHOUSE: ERF 496, STAMPER STREET, WOLSELEY

Photo 1: showing east elevation.



Photo 2: showing west elevation.

WITZENBERG MUNICIPALITY
REPAIR OF WOLSELEY PIGEON HOUSE
Contract No:

SECTION 1: PRELIMINARY AND GENERAL ITEMS

PAYMENT REFERS TO	ITEM NO		UNIT	QUAN- TITY	RATE	AMOUNT
SABS 1200 A		<u>PRELIMINARY & GENERAL</u>				
8.3	1.1	FIXED-CHARGE ITEMS				
8.3.1	1.1.1	Contractor's Contractual Requirements	Sum	1	--	R 15 000.00
8.3.2		Establish Facilities on the Site:				
8.3.2.2		Facilities for Contractor:				
	1.1.4	(a) Offices and storage sheds	Sum	1	--	R 5 000.00
	1.1.7	(d) Living Accommodation	Sum	1	--	R 15 000.00
	1.1.8	(e) Ablution and latrine facilities	Sum	1	--	R 3 000.00
	1.1.9	(f) Tools and equipment	Sum	1	--	R 10 000.00
	1.1.10	(g) Water supplies, electric power and communications				
	1.1.11	(h) Dealing with water (sub 5.5)	Sum	1	--	R 5 000.00
	1.1.12	(i) Access (subclause 5.8)	Sum	1	--	
	1.1.13	(j) Plant	Sum	1	--	
8.3.3	1.1.14	Other fixed-charge obligations	Sum	1	--	
8.4	1.2	TIME-RELATED ITEMS				
		(See Project Specification PSA 8.2.2)				
8.4.1	1.2.1	Contractual Requirements	Sum	1	--	R 15 000.00
8.4.2.2		Facilities for Contractor for duration of Construction:				
	1.2.2	(a) Office and storage sheds	Sum	1	--	R 15 000.00
	1.2.3	(d) Living accommodation	Sum	1	--	R 15 000.00
	1.2.4	(e) Ablution and latrine facilities	Sum	1	--	R 3 000.00
	1.2.5	(f) Tools and equipment	Sum	1	--	R 10 000.00
	1.2.6	(g) Water supplies, electric power and communications	Sum	1	--	R 5 000.00
	1.2.7	(h) Dealing with water	Sum	1	--	R 5 000.00
	1.2.8	(i) Access	Sum	1	--	
	1.2.9	(j) Plant	Sum	1	--	
8.4.3	1.2.10	Supervision for duration of construction	Sum	1	--	R 50 000.00
8.4.4	1.2.11	Company and Head Office overhead costs for the duration of construction	Sum	1	--	R 15 000.00

Carried forward

R 186 000.00

Brought forward						R 186 000.00
8.4.3	1.2.10	Supervision for duration of construction	Sum	1	--	R 50 000.00
8.4.4	1.2.11	Company and Head Office overhead costs for the duration of construction	Sum	1	--	R 5 000.00
	1.2.12	Standing Time due to riots outside the Contractor's control.	Sum/ day	2		
8.4.5	1.2.13	Other time related obligations	Sum	1	--	
8.5	1.3	SUMS STATED PROVISIONALLY BY THE ENGINEER				
	1.3.1	Material to be used during execution of dayworks	P Sum	1	R 20 000.00	R 20 000.00
	1.3.2	Employment of a Community Liason Officer (CLO) to be appointed by community and approved by Employer	P Sum	4	R 4 500.00	R 18 000.00
	1.3.3	Percentage fees and profit to items 1.3.2 to cover Contractor's expenses with regards thereto.	%	15	R 18 000.00	R 2 700.00
	1.4	TEMPORARY WORKS				
PSDB 8.3.7	1.4.1	(a) Excavate and backfill by hand in soft material to expose existing services - only on approval of Engineer	m³	5	R 200.00	R 1 000.00
	1.4.2	(b) Excavate and backfill by hand in hard material to expose existing services only on approval of Engineer	m³	5	R 300.00	R 1 500.00
	1.4.3	(d) Compile and Implement a comprehensive Health and Safety Plan complying to Occupational Health and Safety Act (Act no 85 and ammended Act no 181) 1993 and the corresponding Construction Regulations 2003, as described in PART E of this document. Amount to include all training, medical examenations, PPE etc required to comply with the Plan	Sum	1	R 3 500.00	R 3 500.00
	1.4.4	(f) Provisional sum for dayworks excecuted under the contract on instruction of the	P Sum	1	-	R 6 000.00
TOTAL SECTION 1 CARRIED TO SUMMARY						R 293 700.00

WITZENBERG MUNICIPALITY
REPAIR OF WOLSELEY PIGEON HOUSE
 Contract No:

SECTION 2: SITE

PAYMENT REFERS TO	ITEM NO		UNIT	QUAN- TITY	RATE	AMOUNT
SABS 1200 C	2.	<u>SITE CLEARANCE</u>				
8.2.8	2.1	Remove debris from site	m3	3	R 1 000.00	R 3 000.00
8.2.9	2.2	Transport materials and debris to unspecified Site and dump	m³-km	300	R 100.00	R 30 000.00
PSC 8.2.12	2.3	Permanent alterations or permanent diversion of existing services				
		(a) Erf Connections (uPVC or HDPE) up to	number	1	R 10 000.00	R 10 000.00
		(f) Electric or GPO cables or ducts	number	1	R 10 000.00	R 10 000.00
		(g) uPVC Sewer Lines up to 200mm ND	m	25	R 200.00	R 5 000.00
		(h) Other.....				
TOTAL SECTION 2 CARRIED TO SUMMARY						R 58 000.00

WITZENBERG MUNICIPALITY
REPAIR OF WOLSELEY PIGEON HOUSE
 Contract No:

SECTION 3: PIGEON BLOCK

PAYMENT REFERS TO	ITEM NO		UNIT	QUAN- TITY	RATE	AMOUNT
	3	<u>ABLUTION BLOCK</u>				
	3.1	Painting				
	3.1.1	External doors finish: Wood stopping and 3 coats external grade clear polyutherane	m ²	10	R 100.00	R1 000.00
	3.1.2	Door frames : Factory prime with 1 corrosion resistance universal undercoat, 1 intermediate coat and 1 final coat of eggshell enamel	m ²	5	R 100.00	R500.00
	3.1.3	Fascia boards 225mm * 25mm wood : 1 intermediate coat and 1 final coat of eggshell enamel	m	40	R 80.00	R3 200.00
	3.1.5	FIRST COAT WATER BASED PLASTER PRIMER AND SECOND COAT QUALITY GRADE BRILLIANT WHITE ENAMEL TO ALL PLASTERED SURFACES	m ²	240	R 100.00	R24 000.00
	3.2	Carpentry & Joinery				
	3.2.1	Supply and install Wooden doors solid core 40mm * 813mm * 2032mm	number	3	R 2 500.00	R7 500.00
	3.2.2	Supply and install Wooden doors solid core 40mm * 1600mm * 2032mm	number	1	R 4 000.00	R4 000.00
Carried forward						R40 200.00

Brought forward					R40 200.00	
3.6	Metalwork					
	Steelframes					
3.6.1	Supply and install Standard Pressed Steel frame 1.6mm Thick for 280mm wall, complete with 3 Hinges per Door and Reinforcing Plates at Hinge Positions.					
3.6.1.1	LH Closing	number	2	R 800.00	R 1 600.00	
3.6.1.2	RH Closing	number	1	R 800.00	R 800.00	
3.6.2	Supply and install Standard double Pressed Steel frame 1.6mm Thick for 230mm wall, complete with 3 Hinges per Door and Reinforcing Plates at Hinge Positions.	number	1	R 3 000.00	R 3 000.00	
3.7	Ironmongery					
3.7.1	Supply and install Cylinder mortice lock set for exterior door as detailed	number	2	R 650.00	R 1 300.00	
3.7.2	Supply and install Cylinder mortice lock set for interior door as detailed	number	2	R 650.00	R 1 300.00	
3.7.3	Supply and install Door handles for exterior door as detailed	number	2	R 450.00	R 900.00	
3.7.4	Supply and install Door handles for interior door as detailed	number	2	R 350.00	R 700.00	
3.7.5	Supply and install Door stops as detailed	number	4	R 100.00	R 400.00	
3.8	Floor Covering					
3.8.1	Floor to be coated with epoxy Hi-chem enamel - light grey	m ²	48	R 300.00	R 14 400.00	
Carried forward					R64 600.00	

Brought forward						R64 600.00
3.10	Plumbing work					
3.10.1	Supply and install industrial steel wall & floor mounted shrouded toilet pan with all plumbing inclusive and as detailed	number	2	R 5 000.00		R10 000.00
3.10.3	Supply and install industrial steel oval wall mounted wash hand basin with back slash with all plumbing inclusive and as detailed	number	2	R 4 000.00		R8 000.00
3.10.4	Supply and install standard chrome vandal proof toilet roll holder as detailed	number	2	R 800.00		R1 600.00
3.11	Roofs					
3.11.6	Supply and install 0.6mm galvanised corrugated iron roof sheeting as detailed	m ²	20	R 270.00		R5 400.00
3.12	Electrical					
3.12.1	Supply, delivery and installation of 25mm conduit chased in brickwork or cast in concrete, including bushes, couplings, saddles, bends, wastage, etc., including outlet boxes	m	100	R 50.00		R5 000.00
Carried forward						R94 600.00

Brought forward					R94 600.00	
3.12.2	Supply, delivery and installation of luminaires, including lamps, either fixed to round conduit boxes cast into brickwork or conduit boxes supported to ceiling / roof structure or mounted in recessed ceiling grid, including all fixing materials and terminations: Type 1: 32W surface LED	number	6	R 1 290.00	R7 740.00	
3.12.3	Supply, delivery and installation of luminaires, including lamps, either fixed to round conduit boxes cast into brickwork or conduit boxes supported to ceiling / roof structure or mounted in recessed ceiling grid, including all fixing materials and terminations: Type 1: 60W surface LED timer sensor (Nordland/NML/16LED/Luminaire)	number	3	R 640.00	R1 920.00	
3.12.4	Supply, delivery and installation of socket outlets, including PVC boxes and covers, including terminal shrouds, 16 Ampere double	number	4	R 1 900.00	R7 600.00	
3.12.5	Supply, delivery and installation of Clipsal Series S2000 light switches, including outlet boxes and covers, mounted to either flush or surface PVC boxes, complete with terminal shroud					
3.12.5.1	One lever, one way switch	number	4	R 1 950.00	R7 800.00	
3.12.6	Supply and install DB per ablution block complete with all cabling, terminations and circuits as specified	number	1	R 13 200.00	R13 200.00	
3.12.7	Test, commission and provide COC	Sum	-	-	R3 000.00	
TOTAL SECTION 3 CARRIED FORWARD TO SUMMARY					R 135 860.00	

WITZENBERG MUNICIPALITY**REPAIR OF WOLSELEY PIGEON HOUSE**

Contract No:

SECTION 4: FENCING & GATES

PAYMENT REFERS TO	ITEM NO		UNIT	QUAN- TITY	RATE	AMOUNT
	5	<u>FENCING & GATES</u>				
	5.1	Steel Palisade fencing				
	5.1.1	Supply & erect SABS approved mild steel palisade fencing (galvanised & black epoxy coated) measuring 1.8m(high) with 60mm*60mm*2mm posts, top & bottom angle rails 50mm*25mm*1.5mm, 40mm*40mm*1.2mm steel spearhead pales , with 300mm * 300mm * 500mm 15Mpa concrete footings.	m	100	R 600.00	R 60 000.00
	5.2	Security gates				
	5.2.1	Supply and install Xpanda, Xpandor high security trellis door to fit outside doors as specified.	No	2	R 3 500.00	R 7 000.00
TOTAL SECTION 4 CARRIED FORWARD TO SUMMARY						R 67 000.00

WITZENBERG MUNICIPALITY

REPAIR OF WOLSELEY PIGEON HOUSE

Contract No:

SECTION 5: WATER & SEWER SUPPLY

PAYMENT REFERS TO	ITEM NO		UNIT	QUAN- TITY	RATE	AMOUNT
	6	WATER & SEWER SUPPLY				
	6.1	Earthworks (Pipe trenches)				
SABS		Excavation in all materials for furrows, backfill, compaction & removal as	m³	10	R 150.00	R 1 500.00
8.3.2 (b)	6.1.1	Extra over				
1		Intermediate excavation	m³	1	R 150.00	R 150.00
2	6.1.2	Hard rock excavation	m³	1	R 200.00	R 200.00
	6.2	Pipe line services				
	6.2.1	Watermains				
SABS	6.2.1.1	Supply,lay & bed (class C) 25mm Ø uPVC water pipes & disinfect complete with Class C Extra over for the supplying,fixing &	m	10	R 150.00	R 1 500.00
	6.2.1.2	25mm Ø gate valve	No	1	R 300.00	R 300.00
	6.2.2	15mm Ø gate valve to toilets, wash basins	No	2	R 200.00	R 400.00
	6.2.3	Connection of class c, 15mm Ø uPVC water pipe & fittings from toilets, urinals & washbasins to 25mm water main	No	4	R 250.00	R 1 000.00
	6.2.2	Sewers (to main sewer line)				
SABS	6.2.2.1	Supply,lay & bed 110mm Ø sewerage	m	10	R 100.00	R 1 000.00
SABS		Bedding Selected granular bedding material from:				
8.2.1	6.2.2.2	a) trench excavation	m³	10	R 150.00	R 1 500.00
		Selected fill material from				
8.2.1	6.2.2.3	a) trench excavation	m³	10	R 150.00	R 1 500.00
Carried forward						R 9 050.00

Brought forward						R 9 050.00
SABS		Manholes & chambers				
1200 LD		Construct manhole chamber				
		Constructc manhole complete as Type LD-				
	6.2.2.4	Exceeding 0 Not exceeding 2m	No	1	R 1 500.00	R 1 500.00
SABS	6.2.2.5	Connection of 150mm Ø uPVC pipes & fittings & holder bats from toilets to 150mm sewer main	No	2	R 650.00	R 1 300.00
0400	6.2.2.6	Connection of 100mm Ø uPVC down pipes & fittings & holder bats from urinals & wash basins to 150mm sewer main	No	2	R 650.00	R 1 300.00
	6.3	Electrical Supply				
	6.3.1	Supply and install electrical supply point and metering unit from Witzenberg Municipality	P Sum	-	-	R 10 000.00
TOTAL SECTION 5 CARRIED FORWARD TO SUMMARY						R 23 150.00

WITZENBERG MUNICIPALITY
REPAIR OF WOLSELEY PIGEON HOUSE
Contract No:

	SUMMARY	MANAGERS ESTIMATE
SECTION	DESCRIPTION	AMOUNT (RAND)
SECTION 1	TOTAL FROM SECTION 1: PRELIMINARY AND GENERAL ITEMS	R 293 700.00
SECTION 2	TOTAL FROM SECTION 2: SITE CLEARANCE	R 58 000.00
SECTION 3	SECTION 3: PIGEON BLOCK	R 135 860.00
SECTION 4	SECTION 4: FENCING & GATES	R 67 000.00
SECTION 5	SECTION 5: WATER & SEWER SUPPLY	R 23 150.00
SUB-TOTAL		R 577 710.00
ADD 10% CONTINGENCIES		R 57 771.00
SUB-TOTAL		R 635 481.00
ADD 15% VAT		R 95 322.15
GRAND TOTAL TO BE TRANSFERRED TO COVER PAGE OF TENDER		R 730 803.15
		100%



14 PRETORIUS STREET
CERES
6835
079195867 4

Contact person: Pieter Swarts
14 Pretorius Street
Cell: 079 195 867 4
unitethecity08@gmail.com

Unite The City PTY LTD
Proposal

To Mr. Joseph Barnard
Director Technical Service
Witzenberg Municipality

We hereby would like to give our proposal for the Lease and Operation of the MRF.

Fixed Assets

1. UTC takes the 20 MRF employees off the Municipal head count.
2. UTC processing payroll of all employees.
3. UTC takes full responsibility of Human Resource of Employment Engagement.
4. UTC takes full responsibility of Health and Safety duties in the workplace.
5. UTC take full responsibility for Management and Administration of the MRF.

Current Assets

Waste Removal Operations

1. Hooklift Truck
2. Forklift
3. 2x30 Cube Skips for Waste Removal Collection and Dump
4. H100 Hyundai h100 + Trailer
5. Extra H20 Bailer
6. 1 skip for Scrab Metal

Hope you consider our application favourable.

Regards
Director Pieter Swarts



44, Ceres 6835
 10 Pretorius St. Str. Ceres 6835
 South Africa, South Africa
 ☎ +27 23 316 1834
 ☎ +27 23 316 1837
 ✉ info@witzenberg.gov.za
www.witzenberg.gov.za

Reference / Verwysing / Ref: 17/2/R

Enquiries / Navrae / Imibuzo: PS CLAASEN

01 February 2024

Attention: Mr. Pieter Swarts

Unite The City
 14 Pretorius Street
 CERES
 6835

Dear Sir

REGISTERED WASTE COLLECTOR

The letter confirms that your company has been registered as a Waste Collector within the boundaries of the Witzenberg Municipality.

You are kindly requested to submit removal data to this **Solid Waste Department of this Municipality** on a monthly basis to conform to the Provincial and National legislation. Kindly note that failure to submit this information will be viewed as non – compliance in terms of the **permit conditions as stated in this integrated Waste Management By Law.**

Your company is only allowed to dispose waste as indicated on your application form. Failure to submit this information will nullify this registration and permit might be revoked.

Your registration will be valid from 01 February 2024 until 01 February 2025.

Should you have any questions please do not hesitate to contact Me P Claasen of this department by phone number 023 316 5840.

Yours faithfully

Patricia Claasen

Senior Manager/ Senior Bestuurder:
 Solid Waste & Cleansing/ Vaste Afval & Reiniging
 Tel: (023) 316 8540
 E-mail/E-pos: pclaasen@witzenberg.gov.za

*Kindly address all correspondence to the Municipal Manager / Rig asseblief alle korrespondensie aan die Munisipale Bestuurder / Yonke imbelelwano mayithuyelwe kuMlawuli kaMasipala
 A municipality that cares for its community, creating growth and opportunity!*

'n Munisipaliteit wat omgee vir sy gemeenskap en groei en geleenthede skep!

Umasipala olukhathaleleyo uluntu lwakhe, odala ukukhula namathuba!



2023062430



employment & labour

Department:
Employment and Labour
REPUBLIC OF SOUTH AFRICA

CALL CENTER NO: 0860 105 350

CF REG NO : 990001305003

REG NO : 2021/331640/07

ISSUE DATE : 2024-05-14

CERTIFICATE NO : 2023062430

UNITE THE CITY
Ceres
14 Pretorius Street
Ceres
6835

A LETTER OF GOOD STANDING

COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT 130 of 1993 (AS AMENDED).

With reference to sections 80, 82, 86 and 89 of Compensation for Occupational Injuries and Diseases Act 130 of 1993 (As amended), I hereby certify that:

UNITE THE CITY

has complied with the requirement of the above Act and is at present in good standing with the Compensation Fund.

**Nature of business : PLUMBING, CEILING, PARTITIONING, FLOORING , TILING
GARDEN, WINDOW & INDUSTRIAL CLEANING, SIGN ERECTION & WRITING
Expiry date : 2025-04-30**

IMPORTANT NOTICE:

Any fraudulently obtained Letter of Good Standing shall constitute a criminal offence.

The Compensation Commissioner shall institute criminal proceedings against any perpetrators who unlawfully alter or deface this letter with intent to defraud or misrepresent facts contained therein.

PLEASE, use the Below link (Website Address) to check if the Letter of Good Standing is valid:

<https://cfonline.labour.gov.za/VerifyLOGS>

Yours faithfully

COMPENSATION COMMISSIONER

WAs. 48





South African Revenue Service

TAX COMPLIANCE STATUS

PIN Issued

PJD SWARTS
14 PRETORIUSSTRAAT
CERES
6835

Enquiries should be addressed to SARS:

Contact Details

SARS
Alberton
1528

Contact Centre Tel: 0800 00 7277
SARS website: www.sars.gov.za

Details

Taxpayer Reference Number: 2573467145

Always quote this reference number when contacting SARS

Issue Date: 2024/06/10

Dear Taxpayer

TAX COMPLIANCE STATUS PIN ISSUED

The South African Revenue Service (SARS) has issued your tax compliance status (TCS) PIN as indicated below:

TCS Details:	
Taxpayer Name	Pieter John Daniel Swarts
Trading Name	Not applicable
Taxpayer Reference Number(s)	IT - 2573467145
Purpose of Request	Good Standing
Request Reference Number	0010542778GS1006240935112
PIN	C8G226122Y
PIN Expiry Date	10/06/2025

You may authorise a third party to view your TCS by providing them the PIN. The PIN only allows the third party access to your TCS. All your other tax information remains secure.

Your TCS displayed is based on your compliance as at the date and time the PIN is used.

You may cancel this PIN at any time before the expiry date reflected above. Once cancelled, a third party will not be able to verify your TCS.

SARS reserves the right to cancel the TCS application and associated PIN in the event that it was issued in error or provided on the basis of fraud, misrepresentation or non-disclosure of material facts.

More details regarding our channels, office hours, services, tailored information regarding tax as well as a comprehensive FAQ repository are available on the SARS website: www.sars.gov.za.

We value your support and contribution to our country's economy and prosperity. We strive to ensure that you clearly understand what is expected from you, as well as what your rights as a taxpayer are.

Sincerely

ISSUED ON BEHALF OF THE COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE



INCOME TAX

Notice of Registration

PJD SWARTS
14 PRETORIUSSTRAAT
CERES
6835

Enquiries should be addressed to SARS

Contact Detail

SARS 0800 00 7277
Alberton Website: www.sars.gov.za
1528

Details

Taxpayer Reference No: 2573467145

Always quote this reference number when contacting SARS

Date: 2024-06-05



Dear Taxpayer

NOTICE OF REGISTRATION

The South African Revenue Service (SARS) confirms registration of the following taxpayer:

Name and Surname: PIETER JOHN DANIEL SWARTS
ID number: 7409115075083
Taxpayer reference number: 2573467145
Date of Registration: 2008-04-01

Your tax obligation

Depending on your circumstances, you may be required to submit an annual income tax return. Should you be a provisional taxpayer, returns and payments will be required every six months. More details can be obtained from the SARS website.

Any person who derives by way of income any amount which does not constitute remuneration or an allowance or advance contemplated in section 8(1) of the Income Tax Act is regarded as a Provisional Taxpayer and may be required to submit provisional returns.

Kindly notify SARS of any change to your registered particulars within 21 business days of such change.

Should you have any queries please call the SARS Contact Centre on 0800 00 7277. Remember to have your taxpayer reference number at hand when you call to enable us to assist you promptly.

Sincerely

ISSUED ON BEHALF OF THE COMMISSIONER OF THE SOUTH AFRICAN REVENUE SERVICE



PJD SWARTS
2573467145
RFDREG
RFDREG

13609549
2024
01/01
RFDREG

**SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE – SPECIALISED ENTITY -
GENERAL**

I, the undersigned,

Full name & Surname	DIETER JOHANN DANIEL
Identity number	7409115075 083

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a Director of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	UNITE THE CITY (PTY) LTD
Trading Name (If Applicable):	UNITE THE CITY (PTY) LTD
Registration Number:	2021/331640/07
Enterprise Physical Address:	14 HEBERUS STREET CERES 6835
Type of Entity (NPO, PBO etc.):	INDUSTRIAL RECYCLING & WASTE MANAGEMENT
Nature of Business:	
Definition of "Black People"	As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians – (a) who are citizens of the Republic of South Africa by birth or descent; or (b) who became citizens of the Republic of South Africa by naturalisation- i. before 27 April 1994; or ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;
Definition of "Black Designated Groups"	"Black Designated Groups means: (a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; (b) Black people who are youth as defined in the National Youth Commission Act of 1996; (c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act; (d) Black people living in rural and under developed areas; (e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;"

Ek verklaar onder eed dat die inhoud van hierdie verklaring 'n ware en ooreenstemmende weergawe is van die feite soos ek dit waargeneem het, en dat ek nie weet van enige ander feite wat die inhoud van hierdie verklaring kan verander nie.

I, certify that the contents of this statement are a true and correct reflection of the facts as I have observed them, and that I am not aware of any other facts which may affect the contents of this statement.

Waarneemings, die inhoud van hierdie verklaring is 'n ware en ooreenstemmende weergawe van die feite soos ek dit waargeneem het, en dat ek nie weet van enige ander feite wat die inhoud van hierdie verklaring kan verander nie.

original has not been altered in any manner

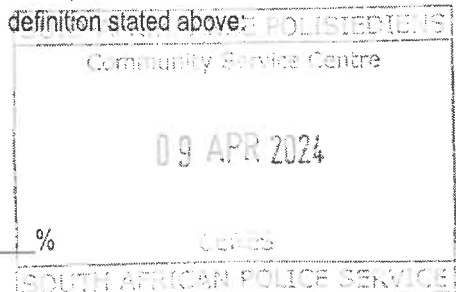
Community Service Centre

09 APR 2024

3. I hereby declare under Oath that:

- The Enterprise has 100 % Black Beneficiaries as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise has _____ % Black Female Beneficiaries as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise has _____ % Black Designated Group Beneficiaries as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Beneficiary % Breakdown as per the definition stated above:

- Black Youth % = 80 %
- Black Disabled % = 0 %
- Black Unemployed % = 80 %
- Black People living in Rural areas % = 100 %
- Black Military Veterans % = 0 %



- Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end of 2025/02/28 (YYYY/MM/DD), the annual Total Revenue/Allocated Budget/Gross Receipts was R10,000,000.00 (Ten Million Rands) or less
- Please Confirm on the below table the B-BBEE Level Contributor, by ticking the applicable box.

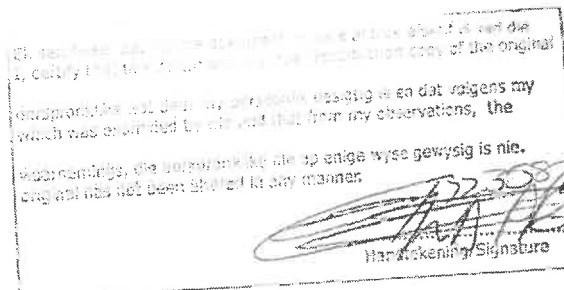
At Least 75% Black Beneficiaries	Level One (135% B-BBEE procurement recognition level)	<input checked="" type="checkbox"/>
At Least 51% Black Beneficiaries	Level Two (125% B-BBEE procurement recognition level)	<input type="checkbox"/>
Less than 51% Black Beneficiaries	Level Four (100% B-BBEE procurement recognition level)	<input type="checkbox"/>

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the Owners of the Enterprise which I represent in this matter.
5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: _____

Date: 2024-04-09

Commissioner of Oaths
Signature & stamp



**Certificate Issued by the Companies & Intellectual Property
Commission on Tuesday, March 14, 2023**



Abridged Certificate for Annual Returns

CoR 30.1

Registration Number: 2021 / 331640 / 07
Enterprise Name: UNITE THE CITY

SUID-AFRIKAANSE POLISTEDIENS
Community Service Centre

Companies and Intellectual
Property Commission
a member of the dti group

27 MAR 2023

ENTERPRISE INFORMATION

Registration Number: 2021 / 331640 / 07

Enterprise Name: UNITE THE CITY

Enterprise Shortened Name:

Enterprise Translated Name:

Registration Date: 2021-01-18 1

Business Start Date: 2021-01-18 12:00

Enterprise Type: Private Company

Enterprise Status: In Business

Financial Year End: March

Addresses:

POSTAL ADDRESS

14 PRETORIUS STREET
CERES
CERES
WESTERN CAPE
6835

CERES

SOUTH AFRICAN POLICE SERVICE

Ek sertifiseer dat hierdie dokument 'n ware afdruk/afskrif is van die
I certify that this document is a true reproduction/copy of the original
oorspronklike wat deur my persoonlik besigtig is en dat volgens my
which was examined by me and that, from my observations, the
waarnemings, die oorspronklike nie op enige wyse gewysig is nie.
original has not been altered in any way.

Handtekening/Signature

ADDRESS OF REGISTERED OFFICE

14 PRETORIUS STREET
CERES
CERES
WESTERN CAPE
6835

AUDITOR / ACCOUNTING OFFICER INFORMATION

Auditor Name	Effective Date	Status	Type
--------------	----------------	--------	------

DIRECTOR / MEMBER INFORMATION

ID No / Date of Birth	Surname	Name(s)	Status	Type
740911 XXXX 08 X	SWARTS	PIETER JOHN DANIEL	Active	Director
740911 XXXX 08 X	SWARTS	PIETER JOHN DANIEL	Active	Incorporator

Physical Address
the dti Campus - Block F
77 Meintjies Street
Sunnyside 0001

Postal Address: Companies
P O Box 429
Pretoria
0001

Docex: 256
Web: www.cipc.co.za
Contact Centre: 086 100 2472 (CIPC)
Contact Centre (International): +27 12 394 9573





Date: 2024-06-05

To whom it may concern

ACCOUNT CONFIRMATION LETTER

We confirm that ***UNITE THE CITY (PTY) LTD** with identification/registration number **2021/331640/07** ("the account holder") holds the following account with First National Bank, a division of FirstRand Bank Limited ("FNB"):

Account Type	GOLD BUSINESS ACCOUNT	Account Number	62884512453
Account Status	Active Account - The account is currently open and transacting		
Branch Code	200107	Branch Name	CERES, C.P. 192
Swift Code	FIRNZAJJ	Date Opened	2021-01-28

FNB issues this letter at the specific request of the account holder and for informational purposes only. This letter serves only to confirm that the above information is, according to the records available to FNB, factually correct as at the date of this letter.

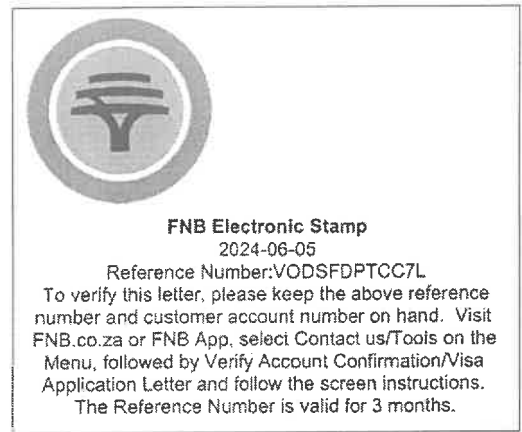
Accordingly, FNB provides no warranties, guarantees, assurances or undertakings of any nature in connection with the above information, the account and/or the account holder, cannot be held responsible for any reliance which may be placed on this letter.

Without limiting the above in any way:

- (i) This letter does not constitute a letter of guarantee or a letter of credit.
- (ii) This letter does not imply or infer in any way that FNB has reserved the funds held in the account in favour of any person, nor that FNB has placed a hold on or limited the amount available in the account. The amount available in the account may change at any time without prior notice to you; and
- (iii) FNB will not be held responsible for any change in the information contained in this letter.

This letter is issued to you without any liability for FNB or its employees. You are to treat this letter as confidential.

Should you have any queries, please visit our website www.fnb.co.za or feel free to contact us on .



REPUBLIC OF SOUTH AFRICA
NATIONAL IDENTITY CARD

Surname:
SWARTS
Given name:
PIETER JOHN DANIEL
Sex:
M
Nationality:
RSA
Identity Number:
7409115075083
Date of Birth:
11 SEP 1974
Place of Birth:
RSA
Citizen:
CITIZEN

Signature:

Conditions:
This card has been issued by the
Department of Home Affairs in terms of the
Identification Act, Act 68 of 1997
If found please return to the Department of Home Affairs
For details of verification procedures contact 0800 60 11 11

Date of Issue:
02 MAY 2019

ID: 71

110562842

Barcode:



MEMORANDUM

AAN / TO: Municipal Manager

VAN / FROM: Director: Technical Services

DATUM / DATE: 4 September 2024

VERW. / REF.: 17/3/2

LEASE AND OPERATION OF THE MATERIAL RECOVERY FACILITY (MRF) AT CERES ON ERF 364/82

1. BACKGROUND

The Witzenberg Municipality officially opened the MRF during August 2022.

The aim of the MRF is to recycle recycable material.

2. DISCUSSION

The Witzenberg Municipality is currently operating the MRF with fifteen (15) EPWP workers and one supervisor, under the supervision of Mr Juandrey Saunders (Superintendent Landfill sites and Recycling).

Correspondence was received from Mr Pieter Swarts (Unite the City) re the utilization of the MRF (See **Annexure A**).

Mr Swarts and Mr Mouton received the following equipment from the Department of Rural Development:

- ◆ Hooklift truck
- ◆ Forklift
- ◆ Hyundai H-100 plus trailer
- ◆ H.20 baling machine

The company Unite the City (Pieter Swarts) is a SMME business operating in the waste sector of the Witzenberg area doing private recycling activities to assist with the minimization of waste.

He indicated that they are interested to run/operate the MRF in Ceres.

As Unite the City are financially supported by Rural Development, the municipality can also assist them with the operation of the MRF, to ensure that their business is successful.

As per the MFMA, section 110 the following:

"110.(1) This Part, subject to subsection (2), applies to-

- (a) The procurement by a municipality or municipal entity of goods and services;*
- (b) The disposal by a municipality or municipal entity of goods no longer needed;*
- (c) The selection of contractors to provide assistance in the provision of municipal services otherwise than in circumstances where Chapter 8 of the Municipal Systems Act applies; and*
- (d) The selection of external mechanisms referred to in section 80(1) (b) of the Municipal Systems Act for the provision of municipal services in circumstances contemplated in section 83 of that Act.*

(2) This Part, except where specifically provided otherwise, does not apply if a municipality or municipal entity contracts with another organ of state for-

- (a) The provision of goods or services to the municipality or municipal entity;*
- (b) The provision of a municipal service or assistance in the provision of a municipal service; or*
- (c) The procurement of goods and services under a contract secured by the other organ of state, provided that the relevant supplier has agreed to such procurement.*

(3) The disposal of goods by a municipality or municipal entity in terms of this Part must be read with sections 14 and 90.

Section 110 is not applicable, as the contractors will be rendering service (assisting with recycling of the MRF) at no cost to us.

In exchange for the service rendered by the contractors the municipality makes our recycled material available to the contractor at no cost for their own use.

Comments of Senior Manager: Solid Waste & Cleansing

1. This opportunity will only pertain to the management and operation of the MRF, and does not include a recycling collection service, nor the management of garden waste on site
2. The performance of Unite the City will be subjected to monitoring, evaluation and review
3. Targets in terms of volumes processed on site must be met, maintained/ increased
4. Infrastructure on site available for use is restricted to the baler, conveyor system, compactor system and MRF building and weighbridge
5. The Superintendent will be the Municipality's representative on site
6. Indefinite storage of waste materials will strictly not be allowed
7. Access control and hours of operation is subject to the approval of the Municipality
8. Waste types accepted on site will be subject to the approval of the Municipality.
9. Unite the City must be aware that all Municipal waste will at the end of the day be diverted to the MRF and that Municipal waste will get preference.

3. RECOMMENDATION

- 3.1 That Section 110 of the MFMA is not applicable.
- 3.2 That the company Unite the City sign an agreement to operate the MRF on a trial basis of three months.
- 3.3 That should the company be successful in the probation period of three months, it be further extended with one (1) year.
- 3.4 That the Witzenberg Municipality employs the 15 EPWP workers currently operating at the MRF, during the trial period, to assist the mentioned company with the operation of the MRF, after which it will be the responsibility of Unite the City.
- 3.5 That an agreement be drawn up between the municipality and Unite the City regarding the operation and maintenance of the MRF.
- 3.6 That the Municipal Manager be authorised to sign the mentioned agreement.

JF BARNARD
DIRECTOR: TECHNICAL SERVICES

DATE

**MEMORANDUM**

To: Committee for Technical Services

From: Senior Manager: Electro-Technical Services

Date: 28 February 2024

Ref: 16/3/03/1/1

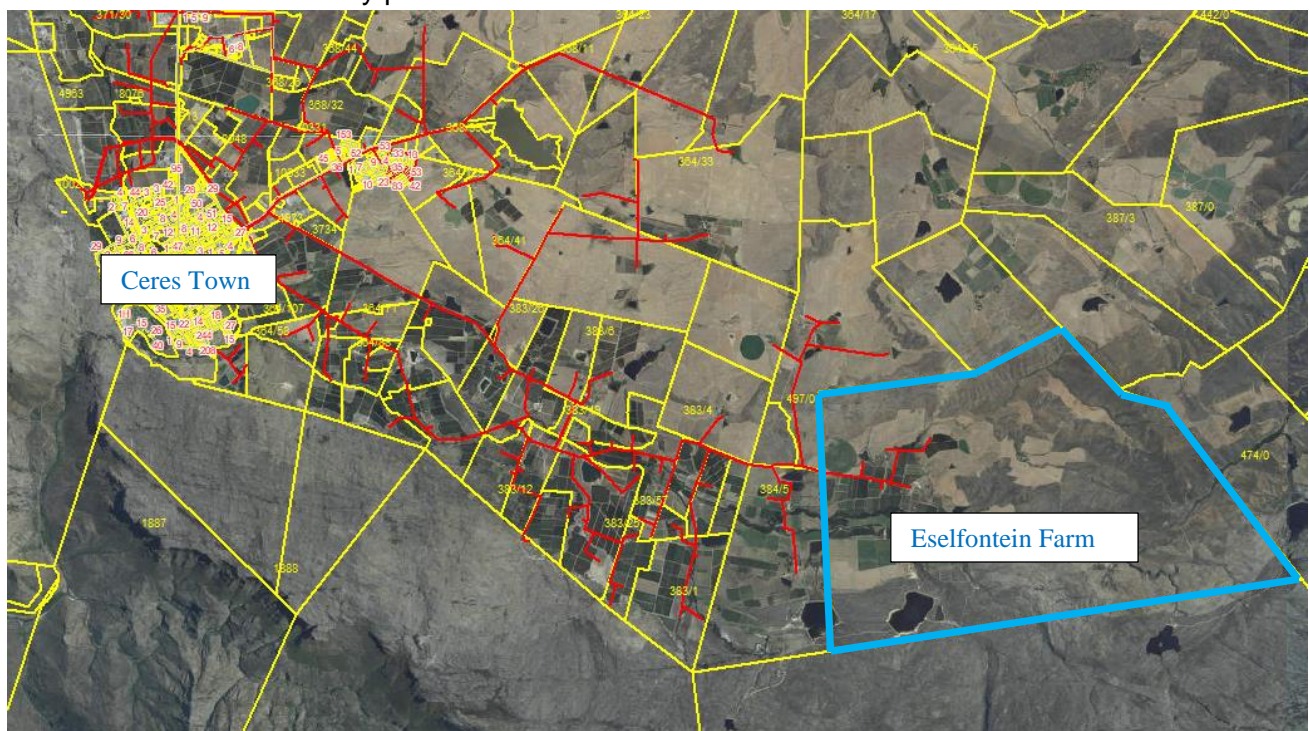
ESELFONTEIN BOERDERY (EDMS) BPK: TAKE OVER OF THE MUNICIPAL MEDIUM VOLTAGE INFRASTRUCTURE**1. Purpose**

The purpose of this report is to inform Council regarding the request from Esselfontein Boerdery (Edms) Bpk to take over the Medium Voltage Electrical Infrastructure.

2. Background

In order to be most effective, it is required to change the current “individual metering system” to a “Bulk metering System”. The electrical network beyond the Medium Voltage metering point will then have to be taken over, operated and maintained by the customer.

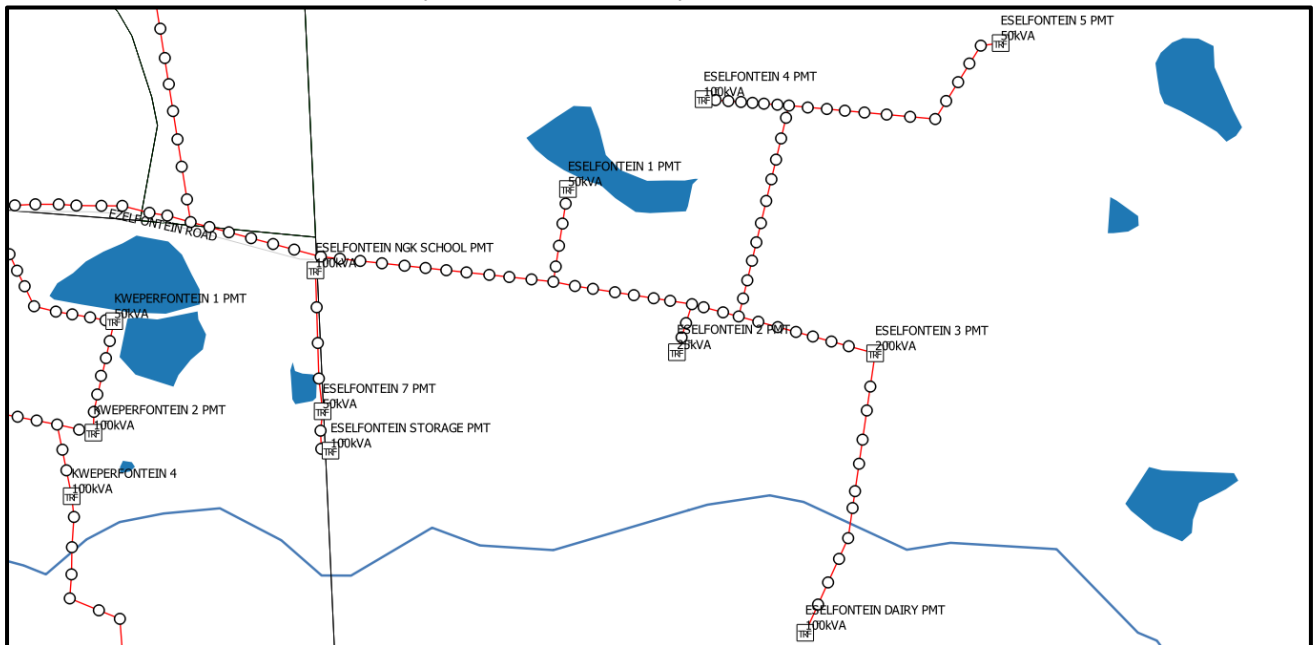
The farm is situated at the furthest point of the Municipal 11kV network on the eastern side of Ceres. See the locality plan below:

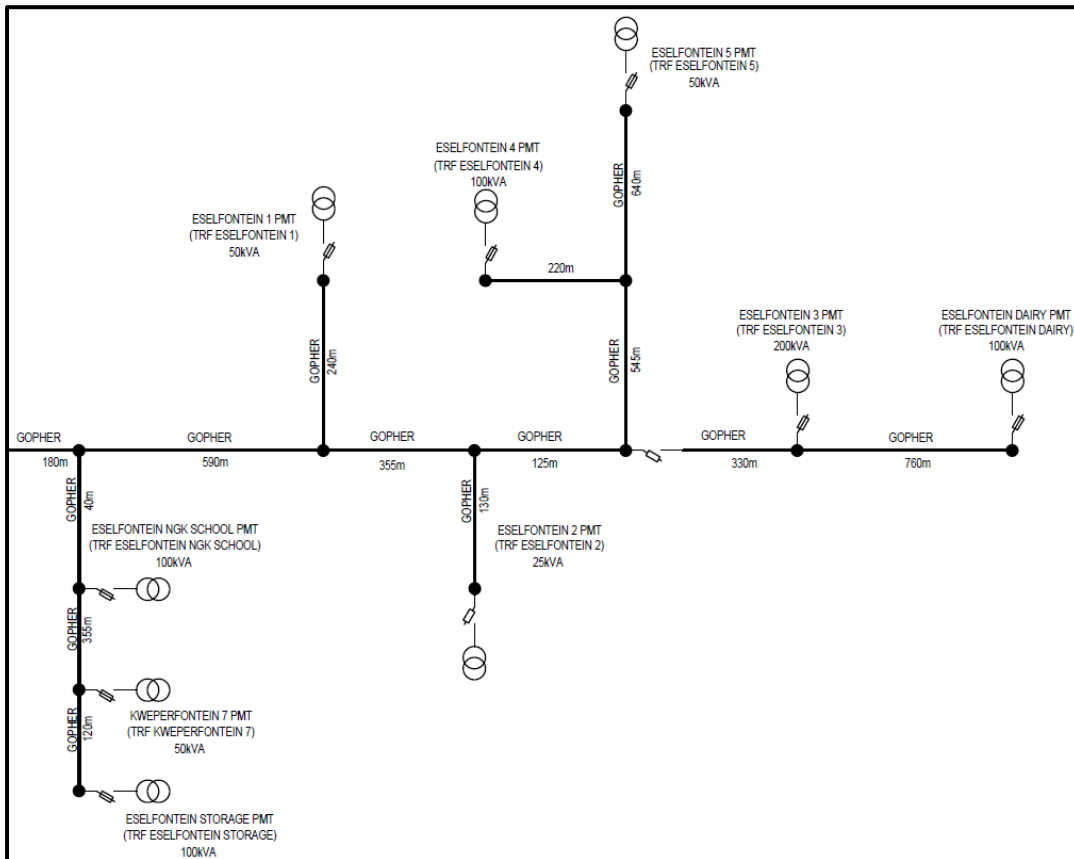


The electrical infrastructure that is affected consist of:

- 73 x 11m Wooden distribution poles with A frames and related insulators;
- 4500m x 11kV Overhead power line;
- 6 Transformers:
 - 1 x 25kVA
 - 2 x 50kVA
 - 2 x 100kVA
 - 1 x 200kVA
- Load break switches and drop-out fuses.

The details are shown on the Layout & schematic layout below:





3. Financial Implications

The financial implications for council is as follows:

- The assets will be sold to the customer as is;
- No further repairs and maintenance on this network will be required;
- No replacement of assets when it reaches its end of life;
- The assets can be removed from the Municipal Insurance register to reduce the premiums;
- Reduced rural networks has the following benefits:
 - Reduces risks of failures;
 - Reduces capital need for network upgrades;
 - Reduced operational costs due to repairs on an aged network;
 - Reduced call outs for faults on this aged network.

A costing was done on the value of the assets that the customer wants to take over. The latest labour tender was used for updated prices and a 4% escalation was added per year from the date of appointment until 2023.

It should further be noted that the infrastructure is old and dilapidated and needs maintenance. Linear depreciation was applied to the rates based on the dates of installation or the dates that we could determine from the assets. The greater part of this network was installed in 1979. These distribution assets have a documented life expectancy of 50 years. This means that most of these assets will reach their end of life in the next 8 years and will have to be replaced.

The proposed cost for his network is as follows:

Description	Cost
Overhead Line Netork Cost based on 2018 contract	279 979,02
Contractor's P&G	127 699,87
Sub-Total 1	407 678,89
Miscellaneous	20 383,94
Escallation at 4% per Annum 2019	17 122,51
Escallation at 4% per Annum 2020	17 807,41
Escallation at 4% per Annum 2021	18 519,71
Escallation at 4% per Annum 2022	19 260,50
Escallation at 4% per Annum 2023	20 030,92
Escallation at 4% per Annum 2024	20 832,16
Sub-Total 2	541 636,05
15% VAT	81 245,41
Total	622 881,45

It should furthermore be noted that based on the Municipal procedures, the customer most probably paid for this asset when it was installed.

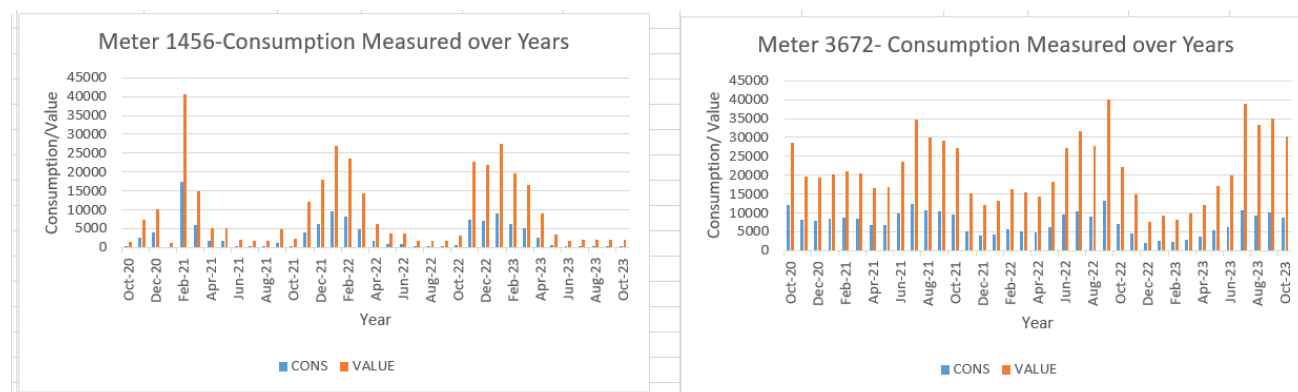
4. Legislative background

Section 14 of the MFMA determines that:

- (1) A municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services.
- (2) A municipality may transfer ownership or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public—
 - (a) has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and
 - (b) has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.
- (3) A decision by a municipal council that a specific capital asset is not needed to provide the minimum level of basic municipal services, may not be reversed by the municipality after that asset has been sold, transferred or otherwise disposed of.
- (4) A municipal council may delegate to the accounting officer of the municipality its power to make the determinations referred to in subsection (2)(a) and (b) in respect of movable capital assets below a value determined by the council.
- (5) Any transfer of ownership of a capital asset in terms of subsection (2) or (4) must be fair, equitable, transparent, competitive and consistent with the supply chain management policy which the municipality must have and maintain in terms of section 111.

5. A comparison in consumption since SSEG installation

Eselfontein Boerdery has 4 accounts with Council, with over seven (7) meters installed. Comparison was done for all meters to check both consumption and Rand value. Two (2) meters have been graphically shown as examples below on their Consumption trend over the years. It is to be noted that in most cases there has been a minute change in consumption. Where there is a significant drop in consumption, the Council tariff rates hike seem to neutralise the revenue recovered.



6. Recommendation:

- 1) That Council note the content of this memo and the request of the Farm Owners;
- 2) That Council note the advantages of this transaction for the Municipality;
- 3) That the request be supported at that the amount of R622 881,45 (Vat incl.) to be paid by the applicant.
- 4) That the assets be transferred to Eselfontein Farm;
- 5) That a Bulk metering unit be installed at the main intake point of Eselfontein at the cost of the customer;
- 6) That all the Low Voltage metering units be removed.
- 7) That the asset is not needed for service delivery to other consumers and that Witzenberg Municipality will continue to provide electricity to the purchaser in bulk.
- 8) That council's intent to alienate to assets be advertised.

K. Dingilizwe

K DINGILIZWE
SENIOR MANAGER ELECTRO-TECHNICAL SERVICES



**ESELFONTEIN
BOERDERY**
SINCE 1894

18 September 2021

Die Raad : Witzenberg Munisipaliteit

INSAKE : MOTIVERING VIR KRAGNETWERK OORNAME – ESELFONTEIN BOERDERY

Ons het die Munisipaliteit genader vir 'n kwotasie om die Munisipale netwerk op ons gronde potensieel oor te neem.

Ons beweegredes hiervoor is dat :

- a) Eskom se eskalاسie van tariewe die volhoubaarheid van ons besigheid bedreig en
- b) die huidige situاسie van beurtkrag lei tot onvolhoubare kostes en gevolge en
- c) munisipale vs Eskom tarief strukture benadeel ons besigheid se koste struktuur vs 'n boerdery wat Eskom krag ontvang.
- d) ons toenemend onder druk kom om CO2 vrystellings te verlaag ten einde uitvoere en plaaslike markte te behou vir verkope van ons produkte, gegewe Eskom se afhanklikheid van steenkool.

Ons oorname van die netwerk sal ons in staat stel om op eie besluit en koste die netwerk te verbeter soos wat tegnologiese verbeterings dit toelaat. Dit verminder dienooreenkomstig die 'las' van instandhouding van die netwerk vir die Munisipaliteit.

Dit vereenvoudig die meting van krag verbruik deur die konsolidering van ons huidige sewe leespunte na een inkomende punt om daardeur ons vastekoste i.t.v. basiese heffings af te bestuur.

Alhoewel ons met die netwerk oorname nog nie 'n daadwerklike plan het i.t.v. tarief verhogings, CO2 vrystellings en beurtkrag nie, koppel ons 'n hoë premie daaraan om wel in die toekoms op opsies te reungeer uit eie keuse sonder die beperking van tydsverloop met toestemming verkryging nie. Daarom poog ons om nou reeds toestemming vir oorname te kry.

Die teenwerk van die koste knyp tang sonder die verlies aan werksgeleenthede is deel van ons dryfveer met hierdie projek. Die behoud van werksgeleenthede stimuleer op sy beurt die Witzenberg area se ekonomie deur verbruikers besteding.

Ons hoop en vertrou dat u ons versoek goedgeunstiglik sal oorweeg.

G. MALHERBE

Direkteur : Esselfontein Boerdery (Edms) Bpk



MEMORANDUM

To: Committee for Technical Services
From: Acting Senior Manager: Electro-Technical Services
Date: 2023/06/13
Ref: 9/1/2

ELECTRICAL DEPARTMENT MONTHLY REPORT May 2023

Purpose

To report to the Technical Committee, the activities of the electrical department.

Report

1. Albert Single ABC Conductor installation

Material & Labour costs. These costs can escalate as per the CPA (SEIFSA Indices).

Beskrywing	Hoef.	Eenheid	Eenheid Prys	Totaal
50 x 5C Bondel	150	Mt	R 139.60	R 20 940.00
Pigtail Boule M16	5	Ea	R 63.32	R 316.60
Suspension Strap	3	Ea	R 67.90	R 203.70
MATERIAAL				R 21 460.30
ARBEID	1	Dae	R 8 500.00	R 8 500.00
REISKOSTE	1	Dae	R 8 000.00	R 8 000.00
Sub Totaal				R 37 960.30
BTW 15%				R 5 694.05
TOTAAL				R 43 654.35

Beskrywing van diens aangevra:

Albertsingel Straat

Uit haal van 3 ou pale oor sit van kabel en ligte

2. ESELFONTEIN BOERDERY (EDMS) BPK: TAKE OVER OF THE MUNICIPAL MEDIUM VOLTAGE INFRASTRUCTURE

This seeks to address the question raised by the Technical Committee on if the Solar PV Plant installed at the abovementioned property was registered and captured by Council. Below is a snapshot of the application form received and processed in 2020.



APPLICATION FOR THE CONNECTION OF SOLAR PV EMBEDDED GENERATION
(THIS FORM SHALL NOT BE APPLICABLE FOR APPLICATIONS OVER 1MVA)

This application form is for the connection inverter-based solar photovoltaic (PV) generation to the electrical grid of Witzenberg Municipality. It applies to any consumer connected to the Municipal electricity distribution network. **Applications for systems up to and including 1MVA may use this form.** Systems up to 350kVA fall within the NRS097-2-3 simplified connection criteria and thus are unlikely to require grid impact studies for their approval to be considered. Systems between 350kVA and 1MVA exceed the parameters of the NRS097-2-3, and thus may require grid impact studies before their approval is considered. The municipality will advise if such studies are required after this application form is submitted. For systems over 1MVA, please engage with the Municipality of Witzenberg Electrotechnical Department separately before filling in this form.

It is recommended that this form is filled in by a PV installer familiar with the technical details of the intended generation technology. ECSA-registered professional engineer or technologist sign-off of the Commissioning Report is mandatory, but such sign-off is not required at the Application stage.

If the applicant does not yet have an electricity connection, an application for a new connection will need to be submitted together with this application form.

PLEASE NOTE: FAILURE TO PROVIDE ALL RELEVANT INFORMATION AS REQUIRED BELOW MAY LEAD TO DELAYS IN THE APPLICATION PROCESS

Project name:	Eselfontein Solar PV Plant		Nominal AC capacity (kVA):	55.2 kVA
System type (tick):	Rooftop <input checked="" type="checkbox"/>	Ground mounted <input type="checkbox"/>	Building integrated	<input type="checkbox"/>

SECTION A: Applicant, Property and Installer information

Property Erf number:	
Physical address: Eselfontein Farm Eselfontein Road Ceres, 6835	
Township / Suburb / Farm: Farm	Post code: 6835
Site GPS coordinates:	Latitude (dd mm ss) Longitude (dd mm ss)
	S 33 ° 40 ' 08 '' E 19 ° 43 ' 48 ''

Account Holder Details*

Name:	Eselfontein Holdings (Pty) Ltd
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APPLICATION FOR CONNECTION OF SOLAR PV EMBEDDED GENERATION Page 4

Clearance by other Municipal departments

SECTION	COMMENTS	NAME	SIGNATURE	DATE
Planning and Building Development Management				

Notes:

1. Electricity Services Dept will require prior approval from this department if necessary. Applications to connect to the municipal electrical grid will not be considered until relevant approval has been obtained.
2. Photovoltaic (PV) SSEG applications will require approval from Planning and Building Development Management if:
 - a) Roof top installations: PV panel(s) in its installed position projects more than 1.5m, measured perpendicularly, above the roof and/or projects more than 600mm above the highest point of the roof;
 - b) Installations on the ground: PV panel(s) in its installed position projects more than 2.1 metres above the natural/finished ground level.

SECTION D: Declaration

I request the Municipality of Witzenberg to proceed with a preliminary review of this embedded generation interconnection application and I agree to pay the cost associated with completing this review and obtaining written consent of the Municipality, though such costs are unlikely except if grid studies are required. Should such grid studies be required, a quotation for such work will be provided beforehand, giving me the opportunity to cancel or modify the application should I wish to do so.

I further consent to the Municipality providing this information to the National Electricity Regulator of SA (NERSA) and other Distributors as required.

I declare that this installation has been designed such that it complies with the requirements laid out in the latest version of the Municipality's *Requirements for Embedded Generation* document. I agree not to interconnect and operate this proposed SSEG system without written approval from the Municipality to do this.

Account Holder/Property Owner Signoff:

<u>Gideon Francois Mulherbe 03-12-2020</u>		
Name	Date	Signature

Installer Signoff:

Organisation name:		
Person:		
<u>Michael Leighton</u>	<u>18/11/2020</u>	<u></u>
Name	Date	Signature



3. Loss measured in rand value due to cable theft/vandalism

Cost given is only of the service connections supplied by an Airdac on conductor cost.

Conductor cost	Airdac (meters) in 2022/2023	Cost/meter	Total cost
	22590	R61.02	R1 378 441,8
Substation Cost (Vredebes substation)	R 2 412 727.87		

4. STREETLIGHTS REPAIRED WITHIN 72 HOURS

86.4% repaired within 72 hours. Cherry pickers are constantly sent for repairs, making it challenging to address queries raised (Target is 80%)

5. OUTAGES REPORTED (CALL OUTS)

435

	Total number of forced interruptions			Forced interruptions restored within 24 hours			Performance			All work done after hours		
Month	Client Services	Street lighting	Distribution	Client Services	Street lighting	Distribution	Client Services	Street lighting	Distribution	Client Services	Street lights	Distribution
July	14113	151	107561	14113	149	107561	100%	99%	100%			
August	8640	335	1143	8640	334	1143	100%	100%	100%			
September	16727	324	13317	16727	299	13317	100%	92%	100%			
October	7895	419	8093	7895	401	8093	100%	96%	100%			
November	2665	385	9818	2665	350	9818	100%	91%	100%			
December	9647	181	27911	9647	152	27911	100%	84%	100%			
January	4503	301	3147	4503	248	3147	100%	82%	100%			
February	7203	289	86	7203	288	86	100%	100%	100%			
March	7171	580	312	7480	559	392	104%	96%	126%	29,45	3,51	35,00
April	14748	291	312	14758	167	392	100%	57%	126%	17,79	5,00	46,15
May	10228	443	10274	10228	378	10274	100%	85%	100%	23,53	3,41	55,74
June	0	0	0	0	0	0	100%	#DIV/0!	#DIV/0!			

6. NUMBER OF CONNECTIONS

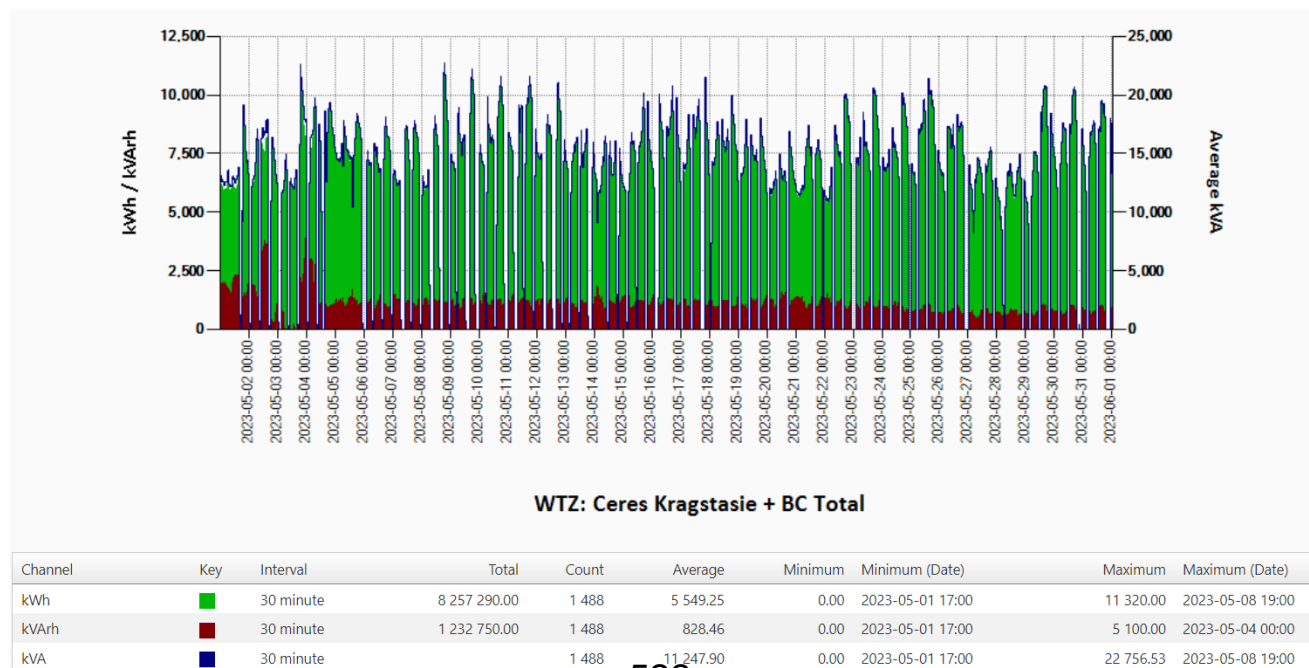
TYPE	FOR MONTH	YTD
Subsidised	NONE	0
Non-Subsidised	0	15

7. ONGOING PROJECTS / JOBS / PROCESSES

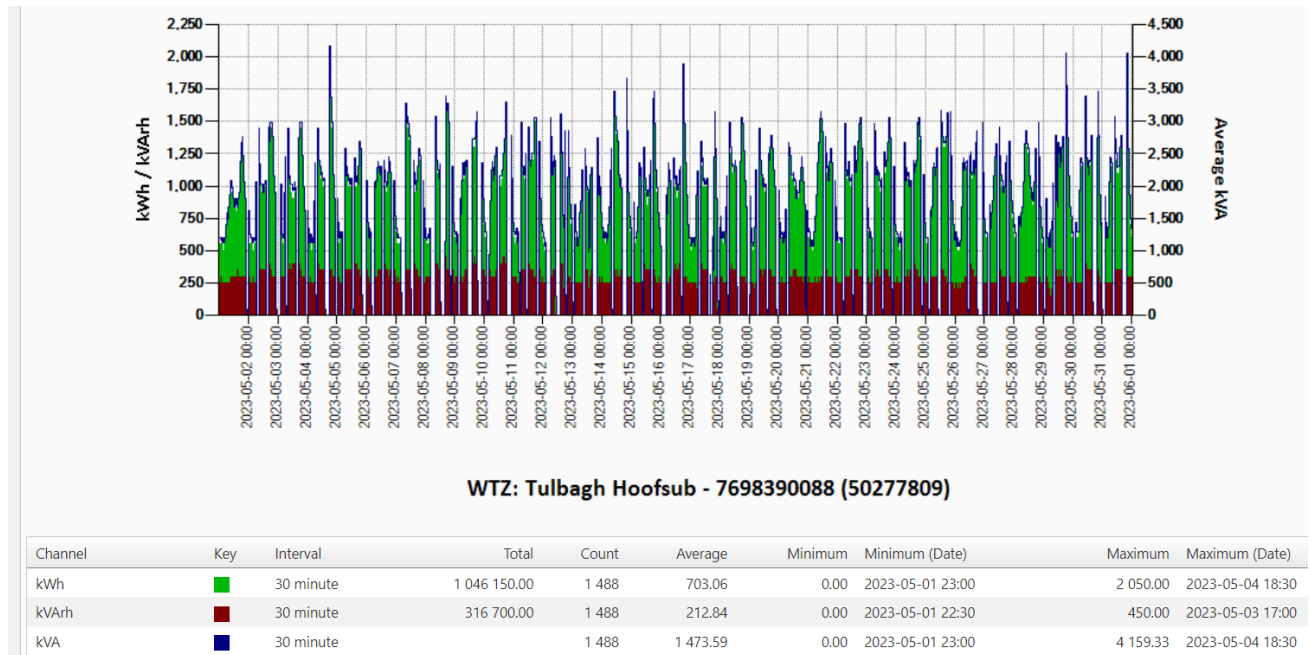
Maintenance performed	Status
Upgrade Eluxolweni ave Transformer (315 KVA)	Done
Repair crispy farming MV Cable	Done
Repair / Replace stolen cable Ceres /Bella Vista area	Done
Auditing of various Billing meters	Done
Installing Floodlights Mostershoek area	Done
Replace Transformer and Pole Dankbaar Farm + Pulling of Overhead line	Done
Painting of Streetlight poles Main road Ceres	Ongoing
Skoonvlei Hub replace stolen cables	Done
Repair MV Line Buchu land Farm	Done
Checking of Oil levels of Minisubs Ceres +Bella Vista Area	Done
Repair Billing meter Telkom Tower Bella Vista	Done
Repair ABC Overhead line Eluxolweni ave Nduli	Done
Repair MV Cable Station Road SS	Done
Replace various vandalized /stolen airdack connections	Done
Replace pillar box in Forth Avenue	Done
Repair kiosk Palm road	Done
Replace 200m LV Cable - Sewer pump station - Pine Valley	Done
Replace / repair various streetlights	Done
Repair MV Cable Station Road SS	Done
Replace various vandalized /stolen airdack connections	Done

8. MAXIMUM DEMAND REGISTERED

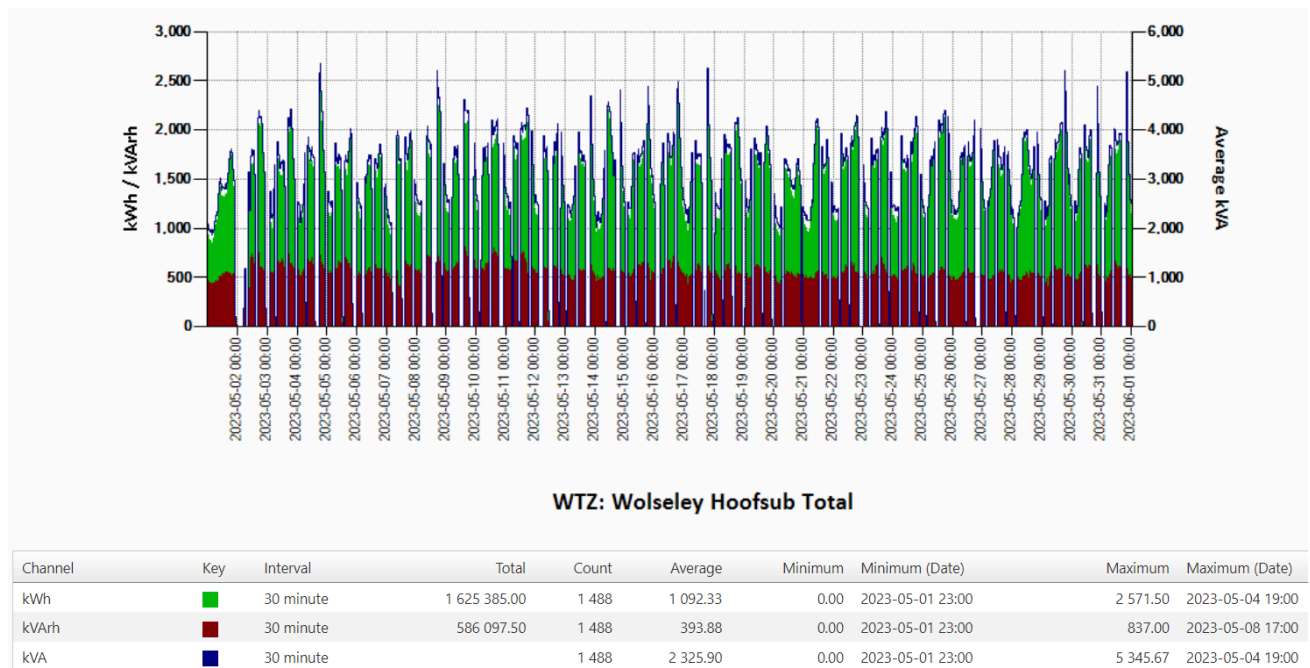
CERES – NMD = 36,5 MVA – MD achieved = **22.76 MVA**



TULBAGH – NMD = 4,5 MVA – MD achieved = **4.16 MVA**



WOLSELEY – NMD = 5,2 MVA – MD achieved = **5.35 MVA**



Recommendations

That Council notes the report of the acting Senior Manager Electrotechnical Services for May 2023

Kind Regards

K. Drogatzis

K Dingilizwe
Acting Senior Manager Electro-Technical Services

Witzenberg Municipality

Public Parks By-Law

Preamble

WHEREAS section 156(2) and (5) of the Constitution of the Republic of South Africa, 1996 provides that a Municipality may make and administer by-laws for the effective administration of the matters which it has the right to administer, and to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions; AND WHEREAS Part B of Schedule 5 to the Constitution lists local amenities and municipal parks and recreation as local government matters; AND NOW THEREFORE BE IT ENACTED by the Council of the Witzenberg Municipality as follows:—

1. Definitions

In this By-law, unless the context otherwise indicates —

"**animal**" includes any mammal, bird, fish, reptile, insect, amphibian or invertebrate;

"**authorised official**" means a member of staff of the Municipality delegated by the Municipal Manager and/or the Director: Community Services, or appointed by the Municipal Manager to implement the provisions of this By-law, or any appointed external service provider referred to in section 76(b) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) and includes a law enforcement officer or traffic official of the Municipality who has been declared a peace officer in terms of section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977), acting when on duty and properly identified as such;

"**Municipality**" means the Municipality of Witzenberg established in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), in Provincial Notice 479 of 2000 and published in Provincial Gazette Extraordinary 5588 dated 22 September 2000;

"**Municipal Manager**" means the person appointed by the Council in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act NO. 117 OF 1998);

"**Constitution**" means the Constitution of the Republic of South Africa Act, 1996;

"**Council**" means the council of the Municipality of Witzenberg, being a council as provided for in terms of section 18 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), or any committee, any sub-council or any councillor of council, acting under delegated or sub-delegated authority of the Council;"

"**Councillor**" means the member of the Council;

"**Director Community Services**" means the employee of the Municipality in charge of public parks of the Municipality;

"**notice**" means a written notification, or a pictogram issued in terms of this By-law, prominently and legibly displayed at the entrance to or in any facility or part thereof to which it is intended to apply;

"**public park**" means—

(a) any botanical or other garden, playground, zoned public open space managed by the Director Community Services in the Municipality, or a park owned or leased by the Municipality, including any portion thereof and any facility or apparatus therein or thereon, but excluding any public road or street; and

(b) any botanical, other garden or playground which is lawfully controlled and managed in terms of an agreement by a person other than the Council;

"**Structures Act**" means the Local Government: Municipal Structures Act, 1998 (Act No.117 of 1998);
 "this By-law" includes the Schedules hereto;

"**vehicle**" means any self-propelled vehicle and includes-

(a) a trailer; and

(b) a vehicle having pedals and an engine or an electric motor as an integral part thereof or attached thereto which is designated or adapted to be propelled by means of such pedals, engine or motor, or both such pedals and engine or motor, but does not include –

(i) any vehicle propelled by electric power from storage batteries and which is controlled by a pedestrian; or

(ii) any vehicle with a mass not exceeding 230 kilograms and specially designed and constructed, and not merely adapted, for the use of any person suffering from some physical defect or disability and used solely by such person.

2. Delegation and appointment of authorised officials

(1) The Municipal Manager may delegate any of his or her powers or assign any of his or her duties in terms of this By-law to any official of the Municipality.

(2) The Director Community Services may delegate any of his or her powers or assign any of his or her duties to any official of the Municipality.

(3) Subject to the recruitment policies of the Municipality, the Municipal Manager may appoint authorised officials to exercise and perform certain powers and duties in terms of this By-law.

3. Maximum number of persons

(1) The Director Community Services may determine the maximum number of visitors who may be present at a specific time in a public park, provided that different numbers may be so determined for different parks and for different events.

(2) The numbers contemplated in subsection (1) must be made known by the Director Community Services by means of a notice.

4. Admission to and visiting a public park

(1) A person who is admitted to gain access or visit a public park must, subject to the provisions of this By-law, observe and comply with all notices displayed in a public park or in the entrance thereto and obey any instructions given to him or her by the authorised official.

(2) Should a person fail to observe and comply with a notice or any instructions referred to in subsection (1), the Municipality shall not be liable for damage or injury suffered while such person is visiting the public park.

(3) A public park is, subject to the provisions of this By-law, open to the public on the times determined by the Director Community Services, provided that different times may be determined in respect of different public parks.

(4) No person shall enter or leave an enclosed public park at a place other than that indicated for that purpose.

(5)The conditions times and places contemplated in subsections (1), (2) and (3) shall be made known by the Director Community Services by means of a notice.

5. Entrance fees

(1)Subject to the provisions of this By-law, every person shall have free access to a public park.

(2)Despite subsection (1), Council may, in terms of the Tariff By-law prescribe fees for entering a public park in such special circumstances as determined by it, and such fees shall be made known by means of a notice.

6. Dumping and littering

No person shall in a public park —

(a)dump, drop, bury or place any refuse, rubble, material or any object or thing; or

(b)permit any dumping, dropping, burying, placing of any refuse, rubble, material or any object or thing, except in a container identified for that purpose in the park.

7. Liquor and food

(1)No person shall bring into, consume, brew, store or sell in a public park any liquor or any other alcoholic or intoxicating substance.

(2)No person shall in a public park, contrary to a notice, cook or prepare food of any kind whatsoever, except at places set aside for such purposes by notice.

(3)The preparation and cooking of food at places set aside by notice for such purpose in or at a public park shall be done in a clean and sanitary manner.

(4)No animal may be killed, skinned or slaughtered in a public park without the written consent of the Director Community Services having first been obtained.

8. Animals

(1)No person shall bring any dead or alive animal into a public park except in accordance with the directions of the Director Community Services provided that different directions may be determined in respect of different public parks and different types of animals.

(2)The directions contemplated in subsection (1) shall be made known by means of a notice.

(3)Carcasses may not be buried in a public park but must be disposed of at the owner's expense and in a manner approved by the Council.

9. Use of public parks

(1)No person shall in a public park without the written permission of the Director Community Services or contrary to any conditions which the Director Community Services may impose when granting such permission —

(a)arrange or present any public entertainment;

(b)display or distribute any pamphlet, placard, painting, book, handbill, sign, advertisement board or any other printed, written or painted work;

(c)arrange or hold a public gathering or procession, or any exhibition or performance;

(d)conduct any trade, occupation or business;

(e)display, sell or rent or present for sale or rent any wares or articles;

(f)hold an auction;

(g)off-load or store building or other material.

(2)Subject to any other law, the written permission contemplated in subsection (1) shall be refused only if anything referred to in subsection (1)(a) to (g)—(a)is likely to give rise to —

- (i)public rioting;
- (ii)the disturbance of public peace;
- (iii)the committing of an offence;
- (iv)the committing of an indecent act;
- (v)risks that compromise safety and security; or
- (vi)a situation where a planned activity in any area of jurisdiction of the Municipality is taking place at the same time as a planned activity in the park, and the activity planned to take place in the park is deemed to have a detrimental impact on the ability of the Municipality to ensure safety and security;(b)is detrimental to the public or the users of, or visitors to, the public park; or(c)is likely to damage or destroy the amenities, wildlife or plant material in the park.

10. Trees in public parks

(1)No person other than an authorized official shall—

- (a)plant or prune a tree or shrub, or in any way cut down a tree or a shrub, in a public park or remove it therefrom, except with the written permission of the Director Community Services;
- (b)unless permitted by a notice climb a tree growing in a public park or, break or damage such tree; or
- (c)in any way mark or paint any tree growing in a public park or attach any advertisement thereto.

(2)Any tree or shrub planted in a public park shall become the property of the Municipality.

11. Safety and order

(1)No person shall, in a public park —

- (a)damage, tamper with or destroy any equipment, amenity or structure;
- (b)plant, pull out, pick, damage or remove any plant, grass, shrub, bulbs, vegetation or flower;
- (c)kill, hurt, follow, disturb, ill-treat, catch, remove, translocate or release any animal or displace, disturb, destroy or remove their habitat;
- (d)use or try to use anything in such park for any purpose other than that for which it is designated;
- (e)discard any burning or smouldering object;
- (f)throw or dislodge any rock, stone or object from any mountains, slope or cliff;
- (g)behave in an improper, indecent, unruly, violent or anti-social manner or cause a disturbance;
- (h)run, walk, stand, sit or lie in a flower bed;
- (i)run, walk, stand, sit or lie on grass contrary to a notice;
- (j)lie on a bench or seating-place or use it in such a manner that prevents others from using it;
- (k)play or sit on playpark equipment, except if the person concerned is 14 years old or younger, or as permitted by a notice;
- (l)swim, walk or play in a fish-pond, fountain, stream, dam or pond;
- (m)skate on roller skates or a skateboard or similar device except where permitted by notice;
- (n)operating a gas or charcoal fired barbeque or stove;
- (o)dig, disturb or remove any mineral substance including soil, sand, gravel or rock;
- (p)damage, dig, disturb, deface, destroy or remove any fossils, bones or historical artefacts;
- (q)operate any remote control device including boats, planes helicopters or cars;
- (r)build, erect, place, create, remove or modify any structure, amenity, pathway, trail, jump or ramp; or
- (s)engage in any activity which may pose a risk or in combination with other activities in the area of jurisdiction of the Municipality.

(2)Notwithstanding subsection (1), the Director Community Services may, by notice, and subject to such conditions as he or she may deem necessary, authorise or permit any of the actions contemplated in subsections (1).

12. Water

No person may in a public park—

- (a)misuse, remove, pollute or contaminate any water source, water supply or waste water;
- (b)interfere with or obstruct the flow of any river or seasonal wetland; or
- (c)drain or redirect any water from private land.

13. Vehicles

(1)No person may bring into a public park any truck, bus, motorcar, motor cycle, bicycle, quadbike, motor tricycle, or any other vehicle, craft, hot air balloon or aeroplane, whether driven by mechanical, animal, natural or human power, supermarket or other trolleys, except in accordance with the written permission of the Director Community Services provided that different requirements or conditions may be determined for different public parks and for different vehicles, craft or aeroplanes.

(2)The Director Community Services may determine the speed limit applicable in a public park, provided that different speed limits may be determined for different public parks and for different vehicles, craft or aeroplanes.

(3)The requirements or conditions contemplated in subsection (1) and the speed limit contemplated in subsection (2) shall be made known by a notice by the Director Community Services.

14. Games

No person may play or conduct any game of any nature that will cause —

- (a)disturbance or potentially disturb; or
- (b)injury to, other park users except at places set aside for that purpose by notice and in accordance with the directions of the Director Community Services.

15. Improper or indecent behaviour

No person may in a public park —

- (a)perform an act which is indecent or conduct himself or herself improperly by exposure of his or her person or otherwise, or make improper gestures or incite or urge someone to perform a disorderly or indecent act;
- (b)use foul, lewd or indecent language;
- (c)write, paint, draw or in any way make a lewd, explicit or immoral figure, writing, drawing or representation; or
- (d)enter or use a toilet facility intended or indicated as such by notice for members of the opposite sex, provided that this shall not apply to children below the age of seven accompanied by an adult.

16. Powers of an authorised official

An authorised official may —

- (a)in a public park at any time enter upon any place, land, premises or building and conduct an investigation thereat in order to determine whether the provisions of this By-law are complied with;

(b)for the better exercising of any power or the performance of any function or duty assigned or granted to him or her, take along an interpreter who, while acting under the lawful order of such an official, shall have the same powers, functions and duties as such official as contemplated in paragraph (a);

(c)give instructions to or direct the public, for the purposes of this By-law, to act in a specific manner whilst at the public park.

17. Offences and penalties

(1)Any person who contravenes or fails to comply with a notice issued in terms of, or a condition imposed under, or any other provision of, this By-law, shall be guilty of an offence and if convicted shall be liable for a fine or imprisonment for a period not exceeding six months, or to both such fine and such imprisonment.

(2)In addition to imposing a fine or imprisonment in terms of subsection (1), a court may order any person convicted of an offence under this By-law —(a)to remedy the harm caused; or(b)to pay damages for harm caused to another person or to property which order shall have the force and effect of a civil judgment.

19. Repeal of by-laws

(1)In the event of any other by-law of the Municipality being inconsistent with this By-law, the provisions of this By-law shall prevail, to the extent of the inconsistency.

20. Short title

This By-law is called the Witzenberg Municipality: Public Parks By-law.

Witzenberg Municipality

Public Parks By-Law

Preamble

WHEREAS section 156(2) and (5) of the Constitution of the Republic of South Africa, 1996 provides that a Municipality may make and administer by-laws for the effective administration of the matters which it has the right to administer, and to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions; AND WHEREAS Part B of Schedule 5 to the Constitution lists local amenities and municipal parks and recreation as local government matters; AND NOW THEREFORE BE IT ENACTED by the Council of the Witzenberg Municipality as follows:—

1. Definitions

In this By-law, unless the context otherwise indicates —

"**animal**" includes any mammal, bird, fish, reptile, insect, amphibian or invertebrate;

"**authorised official**" means a member of staff of the Municipality delegated by the Municipal Manager and/or the Director: Community Services, or appointed by the Municipal Manager to implement the provisions of this By-law, or any appointed external service provider referred to in section 76(b) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) and includes a law enforcement officer or traffic official of the Municipality who has been declared a peace officer in terms of section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977), acting when on duty and properly identified as such;

"**Municipality**" means the Municipality of Witzenberg established in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), in Provincial Notice 479 of 2000 and published in Provincial Gazette Extraordinary 5588 dated 22 September 2000;

"**Municipal Manager**" means the person appointed by the Council in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act NO. 117 OF 1998);

"**Constitution**" means the Constitution of the Republic of South Africa Act, 1996;

"**Council**" means the council of the Municipality of Witzenberg, being a council as provided for in terms of section 18 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), or any committee, any sub-council or any councillor of council, acting under delegated or sub-delegated authority of the Council;"

Councillor" means the member of the Council;

"**Director Community Services**" means the employee of the Municipality in charge of public parks of the Municipality;

"**notice**" means a written notification, or a pictogram issued in terms of this By-law, prominently and legibly displayed at the entrance to or in any facility or part thereof to which it is intended to apply;

"**public park**" means—

(a) any botanical or other garden, playground, zoned public open space managed by the Director Community Services in the Municipality, or a park owned or leased by the Municipality, including any portion thereof and any facility or apparatus therein or thereon, but excluding any public road or street; and

(b) any botanical, other garden or playground which is lawfully controlled and managed in terms of an agreement by a person other than the Council;

"**Structures Act**" means the Local Government: Municipal Structures Act, 1998 (Act No.117 of 1998); "this By-law" includes the Schedules hereto;

"**vehicle**" means any self-propelled vehicle and includes-

(a) a trailer; and

(b) a vehicle having pedals and an engine or an electric motor as an integral part thereof or attached thereto which is designated or adapted to be propelled by means of such pedals, engine or motor, or both such pedals and engine or motor, but does not include –

(i) any vehicle propelled by electric power from storage batteries and which is controlled by a pedestrian; or

(ii) any vehicle with a mass not exceeding 230 kilograms and specially designed and constructed, and not merely adapted, for the use of any person suffering from some physical defect or disability and used solely by such person.

2. Delegation and appointment of authorised officials

(1) The Municipal Manager may delegate any of his or her powers or assign any of his or her duties in terms of this By-law to any official of the Municipality.

(2) The Director Community Services may delegate any of his or her powers or assign any of his or her duties to any official of the Municipality.

(3) Subject to the recruitment policies of the Municipality, the Municipal Manager may appoint authorised officials to exercise and perform certain powers and duties in terms of this By-law.

3. Maximum number of persons

(1) The Director Community Services may determine the maximum number of visitors who may be present at a specific time in a public park, provided that different numbers may be so determined for different parks and for different events.

(2) The numbers contemplated in subsection (1) must be made known by the Director Community Services by means of a notice.

4. Admission to and visiting a public park

(1) A person who is admitted to gain access or visit a public park must, subject to the provisions of this By-law, observe and comply with all notices displayed in a public park or in the entrance thereto and obey any instructions given to him or her by the authorised official.

(2) Should a person fail to observe and comply with a notice or any instructions referred to in subsection (1), the Municipality shall not be liable for damage or injury suffered while such person is visiting the public park.

(3) A public park is, subject to the provisions of this By-law, open to the public on the times determined by the Director Community Services, provided that different times may be determined in respect of different public parks.

(4) No person shall enter or leave an enclosed public park at a place other than that indicated for that purpose.

(5)The conditions times and places contemplated in subsections (1), (2) and (3) shall be made known by the Director Community Services by means of a notice.

5. Entrance fees

(1)Subject to the provisions of this By-law, every person shall have free access to a public park.

(2)Despite subsection (1), Council may, in terms of the Tariff By-law prescribe fees for entering a public park in such special circumstances as determined by it, and such fees shall be made known by means of a notice.

6. Dumping and littering

No person shall in a public park —

(a)dump, drop, bury or place any refuse, rubble, material or any object or thing; or

(b)permit any dumping, dropping, burying, placing of any refuse, rubble, material or any object or thing, except in a container identified for that purpose in the park.

7. Liquor and food

(1)No person shall bring into, consume, brew, store or sell in a public park any liquor or any other alcoholic or intoxicating substance.

(2)No person shall in a public park, contrary to a notice, cook or prepare food of any kind whatsoever, except at places set aside for such purposes by notice.

(3)The preparation and cooking of food at places set aside by notice for such purpose in or at a public park shall be done in a clean and sanitary manner.

(4)No animal may be killed, skinned or slaughtered in a public park without the written consent of the Director Community Services having first been obtained.

8. Animals

(1)No person shall bring any dead or alive animal into a public park except in accordance with the directions of the Director Community Services provided that different directions may be determined in respect of different public parks and different types of animals.

(2)The directions contemplated in subsection (1) shall be made known by means of a notice.

(3)Carcasses may not be buried in a public park but must be disposed of at the owner's expense and in a manner approved by the Council.

9. Use of public parks

(1)No person shall in a public park without the written permission of the Director Community Services or contrary to any conditions which the Director Community Services may impose when granting such permission —

(a)arrange or present any public entertainment;

(b)display or distribute any pamphlet, placard, painting, book, handbill, sign, advertisement board or any other printed, written or painted work;

(c)arrange or hold a public gathering or procession, or any exhibition or performance;

(d)conduct any trade, occupation or business;

(e)display, sell or rent or present for sale or rent any wares or articles;

(f)hold an auction;

(g)off-load or store building or other material.

(2)Subject to any other law, the written permission contemplated in subsection (1) shall be refused only if anything referred to in subsection (1)(a) to (g)—(a)is likely to give rise to —

- (i)public rioting;
- (ii)the disturbance of public peace;
- (iii)the committing of an offence;
- (iv)the committing of an indecent act;
- (v)risks that compromise safety and security; or
- (vi)a situation where a planned activity in any area of jurisdiction of the Municipality is taking place at the same time as a planned activity in the park, and the activity planned to take place in the park is deemed to have a detrimental impact on the ability of the Municipality to ensure safety and security;(b)is detrimental to the public or the users of, or visitors to, the public park; or(c)is likely to damage or destroy the amenities, wildlife or plant material in the park.

10. Trees in public parks

(1)No person other than an authorized official shall—

- (a)plant or prune a tree or shrub, or in any way cut down a tree or a shrub, in a public park or remove it therefrom, except with the written permission of the Director Community Services;
- (b)unless permitted by a notice climb a tree growing in a public park or, break or damage such tree; or
- (c)in any way mark or paint any tree growing in a public park or attach any advertisement thereto.

(2)Any tree or shrub planted in a public park shall become the property of the Municipality.

11. Safety and order

(1)No person shall, in a public park —

- (a)damage, tamper with or destroy any equipment, amenity or structure;
- (b)plant, pull out, pick, damage or remove any plant, grass, shrub, bulbs, vegetation or flower;
- (c)kill, hurt, follow, disturb, ill-treat, catch, remove, translocate or release any animal or displace, disturb, destroy or remove their habitat;
- (d)use or try to use anything in such park for any purpose other than that for which it is designated;
- (e)discard any burning or smouldering object;
- (f)throw or dislodge any rock, stone or object from any mountains, slope or cliff;
- (g)behave in an improper, indecent, unruly, violent or anti-social manner or cause a disturbance;
- (h)run, walk, stand, sit or lie in a flower bed;
- (i)run, walk, stand, sit or lie on grass contrary to a notice;
- (j)lie on a bench or seating-place or use it in such a manner that prevents others from using it;
- (k)play or sit on playpark equipment, except if the person concerned is 14 years old or younger, or as permitted by a notice;
- (l)swim, walk or play in a fish-pond, fountain, stream, dam or pond;
- (m)skate on roller skates or a skateboard or similar device except where permitted by notice;
- (n)operating a gas or charcoal fired barbeque or stove;
- (o)dig, disturb or remove any mineral substance including soil, sand, gravel or rock;
- (p)damage, dig, disturb, deface, destroy or remove any fossils, bones or historical artefacts;
- (q)operate any remote control device including boats, planes helicopters or cars;
- (r)build, erect, place, create, remove or modify any structure, amenity, pathway, trail, jump or ramp; or
- (s)engage in any activity which may pose a risk or in combination with other activities in the area of jurisdiction of the Municipality.

(2) Notwithstanding subsection (1), the Director Community Services may, by notice, and subject to such conditions as he or she may deem necessary, authorise or permit any of the actions contemplated in subsections (1).

12. Water

No person may in a public park —

- (a) misuse, remove, pollute or contaminate any water source, water supply or waste water;
- (b) interfere with or obstruct the flow of any river or seasonal wetland; or
- (c) drain or redirect any water from private land.

13. Vehicles

(1) No person may bring into a public park any truck, bus, motorcar, motor cycle, bicycle, quadbike, motor tricycle, or any other vehicle, craft, hot air balloon or aeroplane, whether driven by mechanical, animal, natural or human power, supermarket or other trolleys, except in accordance with the written permission of the Director Community Services provided that different requirements or conditions may be determined for different public parks and for different vehicles, craft or aeroplanes.

(2) The Director Community Services may determine the speed limit applicable in a public park, provided that different speed limits may be determined for different public parks and for different vehicles, craft or aeroplanes.

(3) The requirements or conditions contemplated in subsection (1) and the speed limit contemplated in subsection (2) shall be made known by a notice by the Director Community Services.

14. Games

No person may play or conduct any game of any nature that will cause —

- (a) disturbance or potentially disturb; or
- (b) injury to, other park users except at places set aside for that purpose by notice and in accordance with the directions of the Director Community Services.

15. Improper or indecent behaviour

No person may in a public park —

- (a) perform an act which is indecent or conduct himself or herself improperly by exposure of his or her person or otherwise, or make improper gestures or incite or urge someone to perform a disorderly or indecent act;
- (b) use foul, lewd or indecent language;
- (c) write, paint, draw or in any way make a lewd, explicit or immoral figure, writing, drawing or representation; or
- (d) enter or use a toilet facility intended or indicated as such by notice for members of the opposite sex, provided that this shall not apply to children below the age of seven accompanied by an adult.

16. Powers of an authorised official

An authorised official may —

- (a) in a public park at any time enter upon any place, land, premises or building and conduct an investigation thereat in order to determine whether the provisions of this By-law are complied with;

(b)for the better exercising of any power or the performance of any function or duty assigned or granted to him or her, take along an interpreter who, while acting under the lawful order of such an official, shall have the same powers, functions and duties as such official as contemplated in paragraph (a);

(c)give instructions to or direct the public, for the purposes of this By-law, to act in a specific manner whilst at the public park.

17. Offences and penalties

(1)Any person who contravenes or fails to comply with a notice issued in terms of, or a condition imposed under, or any other provision of, this By-law, shall be guilty of an offence and if convicted shall be liable for a fine or imprisonment for a period not exceeding six months, or to both such fine and such imprisonment.

(2)In addition to imposing a fine or imprisonment in terms of subsection (1), a court may order any person convicted of an offence under this By-law —(a)to remedy the harm caused; or(b)to pay damages for harm caused to another person or to property which order shall have the force and effect of a civil judgment.

19. Repeal of by-laws

(1)In the event of any other by-law of the Municipality being inconsistent with this By-law, the provisions of this By-law shall prevail, to the extent of the inconsistency.

20. Short title

This By-law is called the Witzenberg Municipality: Public Parks By-law.

2. Charles Swarts - 1860.29 mpm
 3. Charles Swarts - 1846.68 mpm
 4. Little Loft - 1643.75 mpm
 5. Little Loft - 1573.04 mpm

VIER tennisspelers van Laerskool F.D. Conradie is in die Kaapse Wynland Platteland tennisspan opgeneem. VLNR: Nina du Toit (o/10), Jeandré Gerber (o/13), Elizabeth Goosen (o/12) en Kirsten Goosen (o/10).

8.3.1(b)

PUBLIC NOTICE

The Witzenberg Municipal Council has adopted a draft by-law regulating the usage of Public Parks within the Witzenberg municipal area. The draft by-law is accessible on the Witzenberg Municipal website: www.witzenberg.gov.za. A copy of same can also be obtained from the Manager Legal Services: Ms. Liza-Mari Nieuwenhuis at e-mail address: liza-mari@witzenberg.gov.za

Public meetings on the draft by-law will be held at the following venues and time:

Ceres	Town Hall	11 October 2021	15:00
Prince Alfred's Hamlet	Prince Alfred Hamlet Town Hall	12 October 2021	15:00
Wolseley	Montana Community Hall	13 October 2021	15:00
Tulbagh	Witzenville Community Hall	14 October 2021	15:00
Op-die-Berg	Nyukintaba Hall	19 October 2021	15:00

Any written submissions on the by-law must be handed in at the Municipal Manager's office for attention Ms. Nieuwenhuis on or before 31 October 2021. The draft by-law will thereafter be tabled at the Council meeting for final adoption and approval.

PUBLIEKE KENNISGEWING

Die Witzenberg Munisipale Raad het 'n konsep voorgestelde Verordening aanvaar wat die gebruik van Munisipale Parke binne die Witzenberg munisipale area reguleer. Toegang tot die konsep verordening kan verkry word op die munisipale webtuiste: www.witzenberg.gov.za. 'n Afskrif daarvan kan verkry word by die Bestuurder Regsdienste: Me. Liza-Mari Nieuwenhuis, e-pos adres: liza-mari@witzenberg.gov.za

Publieke vergaderings oor die konsep Verordening sal by die volgende plekke en tye gehou word:

Ceres	Stadsaal	11 Oktober 2021	15:00
Prince Alfred's Hamlet	Prince Alfred Hamlet Stadsaal	12 Oktober 2021	15:00
Wolseley	Montana Gemeenskapsaal	13 Oktober 2021	15:00
Tulbagh	Witzenville Gemeenskapsaal	14 Oktober 2021	15:00
Op-die-Berg	Nyukintaba saal	19 Oktober 2021	15:00

Enige geskrewe voorleggings oor die konsep Verordening moet by die Munisipale Bestuurder se kantoor vir aandag Me. Nieuwenhuis ingehandig word voor of op 31 Oktober 2021. Die konsep Verordening sal daarna by die Raad se vergadering vir finale aanvaarding en goedkeuring voorgelê word.

ISAZISO ESIYA KULUNTU

Ibhunga lika Masipala wase Witzenberg liyila umthetho kamasipala osisiphakamiso olawula ukusetyenziswa kwe kwi paki zoluntu kwingingqi kamasipala wase Witzenberg. Elixwebhu liyafumaneka kwi website ka masipala wase Witzenberg www.witzenberg.gov.za nakwi ofisi yommeli kwezomthetho kamasipala uLiza-Mari Nieuwenhuis kwi e-mail: liza-mari@wizenberg.gov.za

Intlanganizo malunga nalomthetho ziyakubanjwa kwezidolophu zilandelayo kunye namaxesha nosuku:

Ceres	Iholo Loluntu	11 Kweyedwarha 2021	15:00
Prince Alfred's Hamlet	Iholo lase Dolophini	12 Kweyedwarha 2021	15:00
Wolseley	Iholo lase (Montana)	13 Kweyedwarha 2021	15:00
Tulbagh	Iholo loluntu lase (Witzenville)	14 Kweyedwarha 2021	15:00
Op-die-Berg	Iholo iNyukintaba	19 Kweyedwarha 2021	15:00

Malunga neziphakamiso kulomba ungaxhumna ne Ofisi yomphathi kamasipala wase Witzenberg Ms. Nieuwenhuis phambi komhla we 31 Kweyedwarha 2021.

D. NASSON
MUNICIPAL MANAGER
MUNISIPALE BESTUURDER
UMPHATHI MASIPALA



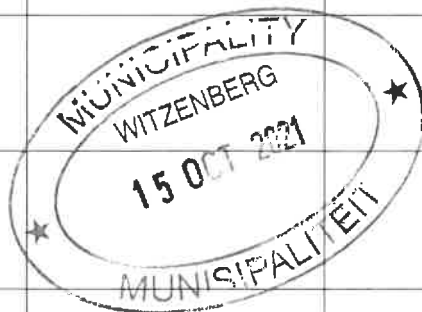
ATTENDANCE REGISTER**MUNICIPAL PUBLIC MEETING ON THE BY-LAW OF PUBLIC PARKS****DATE: 12 OCTOBER 2021****TIME: 15H00****VENUE: PRINCE ALFRED HAMLET TOWN HALL**

Name	Surname	Contact nr	Signature
L	Nieunenhuis	0233161854	<i>[Signature]</i>
Heleise	Toute	"	<i>H. Zoute</i>
David	Nasson	023-3/68196	<i>[Signature]</i>
Meagan	De Kock	023-3/68196	<i>mDeKock</i>



ATTENDANCE REGISTER**MUNICIPAL PUBLIC MEETING ON THE BY-LAW OF PUBLIC PARKS****DATE: 19 OCTOBER 2021****TIME: 15H00****VENUE: TULBAGH - WITZENVILLE COMMUNITY HALL**

Name	Surname	Contact nr	Signature
L	Nieuwenhuis	023 316 1854	
	Nasson	023 316 1854	



ATTENDANCE REGISTER

MUNICIPAL PUBLIC MEETING ON THE BY-LAW OF PUBLIC PARKS

DATE: 13 OCTOBER 2021

TIME: 15H00

VENUE: WOLSELEY - MONTANA COMMUNITY HALL

Name	Surname	Contact nr	Signature
Meagan	De Kock	023-3161854	meadekock
David	Nasson	023-3168916	[Signature]



ATTENDANCE REGISTER**MUNICIPAL PUBLIC MEETING ON THE BY-LAW OF PUBLIC PARKS****DATE: 19 OCTOBER 2021****TIME: 15H00****VENUE: NYUKINTABA HALL – OP DIE BERG**

Name	Surname	Contact nr	Signature
Megan	de Kock	023-3161854	mdekock
David	Nasson	023- 3168196	[Signature]



ATTENDANCE REGISTER

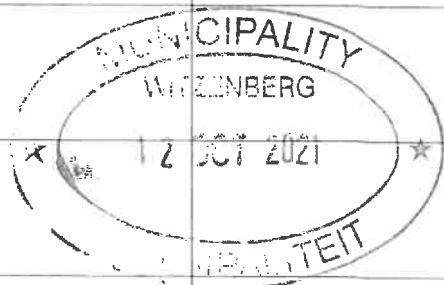
MUNICIPAL PUBLIC MEETING ON THE BY-LAW OF PUBLIC PARKS

DATE: 11 OCTOBER 2021

TIME: 15H00

VENUE: CERES TOWN HALL

Name	Surname	Contact nr	Signature
<i>Luis</i>	<i>Nelson</i>	<i>023-3168196</i>	<i>[Signature]</i>
Liza-Mari	Nieuwenhuis	"	<i>[Signature]</i>
Meagan	de Klerk	"	<i>masakrak</i>
Heloise	Truter	<i>023 3161854</i>	<i>[Signature]</i>



P.D. September

Fabriekstraat 15

Ceres, 6835

Cell 0728204011

Die Munisipale Bestuurder

Witzenberg Munisipaliteit

Voortrekkerstraat

Ceres

28 Oktober 2021

I/s: Reaksie t.o.v Public Parks By-law ,2021

Die lede van Wyk5 wil net hul tevredenheid uitspreek t.o.v. van die poging van die Witzenberg Munisipaliteit om daadlikwerklik wette in te stel om ons parke tot sy reg te laat kom. Ons word daaglik gekonfronteer met dinge wat op die parke plaasvind soos sportoefeninge ,spanne wat wedstryde organise wat altyd gepaard gaan met van die lelikste taal , geraas , gemors op die parke nadat hulle klaar gespeel het. Ons wat onmiddellik aan die parke grens moet hierdie dinge aanskou en daarmee saamleef. Soos dit die aflope week weer gebeur het, word ons as gemeenskap, oorgelaat aan die genade van die elemente wat eenvoudig geen respek het vir ander mense nie. Die ironie is dat hulle nie eers woonagtig is in die gebied nie. Dan sit ons ook met beeste wat gereeld op die parke kom wei. Skakel ons die polisie om die situasie te hanteer, daag hulle eenvoudig net nie op nie. Baie keer ry hulle hier verby maar steur hulle net nie aan wat in die strate of op die parke plaasvind nie.

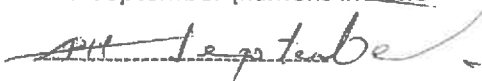
Nie teen staande dit alles, wil ons ten minste nou glo dat die situasie van die parke opgelos gaan word met die implimentering van die by-laws. Ons hoop ook dat daar gaan daadlik toegesien word dat daar daadwerklik opgetree word teen diegene wat op die parke oortree.

Ons wil ook vra dat daar groot boorde op die parke aangebring word wat gaan aandui waarvoor die parke daar is en waarvoor nie. Ons as ,gemeenskap van die Morrisdale gebied , wil by voorbaat ons tevredenheid en wil ook vertrou dat ons in rustigheid en trots in ons gebied kan leef.

By voorbaat dank.

Die uwe

P.D. September (namens inwoners woonagtig teenaan die Morrisdale Park



WITZENBERG

MUNISIPALITEIT**UMASIPALA****MUNICIPALITY****- MEMORANDUM -**

AAN / TO: Municipal Manager
VAN / FROM: Manager Legal Services
DATUM / DATE: 17 July 2024
VERW. / REF.: 7/1/4/1

DEED OF SALE – ERF 919 – WOLSELEY**PURPOSE**

To reconsider the Deed of Sale of Erf 919, Wolseley.

BACKGROUND & DELIBERATION & LEGISLATION

During 1996, in the previously known Wolseley Municipality's days, the then Wolseley Municipality awarded Erf 919 Wolseley to Mr McClune. (Process of the award being made to Mr McClune is unknown.) He entered into a deed of sale with the Wolseley Municipality and the purchase price for the property was **R10 260.00**. Mr McClune never failed to pay the selling price to the Wolseley Municipality.

During 2009 Mr McClune made an enquiry to the Witzenberg Municipality about the property, where he was afforded another opportunity to pay the purchase price. Unfortunately he failed again to make any payment to the Municipality.

Recently Mr McClune came to our offices and ask if the Municipality can proceed with the transfer. It is now 38 years later from the date on which the deed of sale was concluded.

To become an owner of a property; a deed of sale needs to be concluded between the seller and the purchaser, the full purchase price has to be paid, transfer of the property needs to take place, and only when the title deed is issued, one becomes the legal owner of the property. This transaction is still in the first phase of possible transfer for 38 years.

Currently Council is still the owner. The 2024 valuation of the property is R 73 000.00

Council to decide on:

1. Endorsing the old deed of sale with the old purchase price;
2. Cancel the old deed of sale and enter into a new deed of sale with the latest valuation being R73 000.00; or
3. Cancel the agreement and sell the erf in terms of the tender process;



FINANCIAL IMPLICATIONS

All costs relating to the selling of this erf will be for the account of Mr McClune.

CONSIDERATION

For Council to Consider

WOLSELEY

Munisipaliteit

Municipality

VERKOOPAKTE

DOORENKOMS gemaak en aangegaan deur en tussen DIE MUNISIPALITEIT WOLSELEY hierin verteenwoordig deur

JULIUS FREDERICH CHRISTIAAN BURMEISTER

in sy hoedanigheid as Stadsklerk van die

MUNISIPALITEIT WOLSELEY

(hierna die "STADSRAAD" genoem)

as verkoper aan die een kant

en

HENRY JOHN McCLUNE, *Deamegeurlaan 5*
ID. 691114 5273 084 (hierna die "KOPER" genoem) *Montana*
Wolseley
6830

as Koper, aan die ander kant.

GETUIG

Die Stadsraad verkoop aan die Koper en die Koper koop van die Stadsraad sekere gedeelte grond synde Erf no... *919*... geleë in die Munisipalegebied van Wolseley.

Groot: *700*vm

Koopprijs: R. *9000,00*
BTW *1260,00*
R 10260,00

Op die volgende terme en voorwaardes:

1. Betaling van die koopprijs sal in kontant geskied by ~~ondertekening~~ *REGISTRASIE* van hierdie koopakte. ~~of in die alternatief 10% in kontant by ondertekening van hierdie~~ Koopakte en die balans plus rente op die uitstaande saldo van tyd tot tyd verskuldig teen die heersende uitleenkoers van Handelsbanke binne 'n tydperk van twaalf (12) maande vanaf die datum van ondertekening van hierdie koopakte. Die Koper sal die balans van die koopsom in 12 maandelikse paaieimente van R elk betaal, die eerste paaieiment waarvan betaalbaar sal wees op of voor en die daaropvolgende paaieiment op of voor die ~~sewende (7de) dag van elke daaropvolgende maand.~~ Registrasie op naam van die Koper sal nie geskied voordat alle uitstaande bedrae betaal is nie en geen geboue mag op die eiendom opgerig word voordat die volle koopsom en alle rente daarop betaal is nie.
2. Die Koper sal op of voor registrasie van die eiendom op sy naam, enige opmetingskoste en advertensiekoste aan die Stadsraad betaal en oordragkoste insluitende

3. Besit van die eiendom word gegee aan en geneem deur die koper by onder-tekening van hierdie koopakte en sal die eiendom vanaf daardie datum vir die algehele risiko, wins en verlies van die Koper wees.
4. Die koper moet alle belastings, heffings en gelde wat vanaf datum van onder-tekening ten opsigte van die eiendom gehef mag word, betaal.
5. Die erf word voetstoots verkoop volgens die bestaande kaart maar die Raad is nie aanspreeklik vir enige verskil of tekort wat by heropmeting van die erf mag blyk te bestaan of vir enige fout van watter aard ookal van beskrywing wat op die kaart van die erf of in enige advertensie(s) in verband met die verkoping van die erf mag voorkom nie.
6. Die erf word verkoop onderworpe aan enige serwitute wat daarop mag rus en voorwaardes genoem of verwys na in die betrokke Titelaktes van die Munisipaliteit en die voorwaardes opgelê deur die Administrateur ten tye van die stigting van hierdie dorp.
7. Hierdie voorwaardes is bindend op die Koper en die Raad en hulle regsopvolgers in titel.
 - (a) Die Koper moet binne 'n tydperk van twee(2) jaar vanaf datum van transport 'n aanvang maak met die bona fide oprigting en moet binne 'n tydperk van drie (3) jaar vanaf datum van transport voltooi hê, 'n woning vir enkel-residensiële doeleindes,
 en die geboue wat opgerig word moet voldoen aan die volgende :-
 - (i) Die geboue moet voldoen aan die standaarde soos neergelê in die Nasionale Bouregulasies afgekondig onder Wet 103 van 1977.
 - (ii) Dit moet volgens konvensionele metodes gebou word, dit wil sê van steen op vaste fondamente onder asbes-, sink- of teëldak. Geen voor-af-vervaardigde - of hout- of ander opslaan-geboue sal toegelaat word nie.

Tensy aan bogenoemde minimum vereistes voldoen word, sal die Verkoper geregtig wees om goedkeuring van die betrokke bouplan(ne) te weier. Hierdie bepaling doen geen afbreuk aan die verkoper se reg om sodanige plan(ne) op ander regsgeldige gronde af te keur nie.

- (b) Indien die geboue nie opgerig word soos in paragraaf (a) hierbo bepaal nie, is daarna gelikwideerde skadevergoeding gelykstaande aan die jaarlikse munisipale belasting wat hefbaar sou gewees het op die basis van 'n waardasie van geboue van R20 000 (Twintigduisend rand) bo en behalwe die belasting wat op die skatting van die grond gehef kan word, aan die Raad wat daartoe gemagtig is om belasting te hef betaal totdat sodanige geboue tot genoeë van die Raad voltooi is.
- (c) Die Transportnemer sal nie geregtig wees om die eiendom te verkoop óf om transport daarvan te gee aan iemand anders as die Raad alvorens die bepaling vervat in paragraaf (a) hierbo behoorlik nagekom is en 'n Sertifikaat te dien effekte deur die Raad uitgereik is nie, tensy die Raad skriftelik toestem tot sodanige verkoping en transport, by verlening van welke toestemming die Raad na goeëdunke enige voorwaardes verbonde aan die goedkeuring mag opleë.
- (d) Die Transportnemer is aanspreeklik vir die betaling van aanvraag van alle gelde gehef van tyd tot tyd deur die Raad ten opsigte van die eiendom vir die nie-gebruik maar beskikbaarheid van dienste vir die eiendom ten opsigte van watervoorsiening, elektrisiteit, vullisverwydering en riolering, met dien verstande egter dat die Raad nie sy bevoegdhede in terme van hierdie paragraaf sal uitoefen voor verloop van 'n tydperk van twee (2) jaar na registrasie van transport van die eiendom op naam van die Transportnemer nie.
- (e) Die Transportnemer van hierdie eiendom is verplig om sonder betaling van vergoeding, toe te laat dat elektrisiteitskabels of drade, hoof en ander waterpype en die rioolvuil en dreinerings, insluitende stormwater van enige ander eiendomme, oor hierdie eiendom gevoer word indien dit deur die Raad nodig geag word, en wel op die wyse en plek wat van tyd tot tyd vereis word. Dit sluit die reg van toegang te alle redelike tye tot die eiendom in met die doel om enige werke met betrekking tot bogenoemde aan te lê, te

-4-

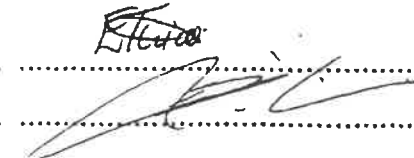
- (f) Die Transportnemer van hierdie eiendom is verplig om sonder vergoeding op die eiendom die materiaal te ontvang of uitgrawings op die eiendom toe te laat al na gelang vereis word, sodat die volle breedte van die straat gebruik kan word en die wal veilig en behoorlik skuins gemaak kan word omrede van die verskil tussen die hoogte van die straat soos finaal aangelê en die eiendom tensy hy verkies om steunmure te bou tot genoë van en binne 'n tydperk wat die Raad bepaal.

8. SPESIALE VOORWAARDES

Die verkoper kom ooreen met die Koper om 'n bydrae van R 3 500.00 (Drie duisend Vyfhonderd Rand) te maak tot die Koper se regskoste vir registrasie van transport, registrasie van 'n verband ten gunste van 'n finansiële instelling, bouplanlooi, aansluiting van rioolkostes, diverse uitgawes wat verband hou met die koste verbonde aan die aankoop van die eiendom en die oprigting van 'n woonhuis deur die koper.

Aldus gedoen en geteken te WOLSELEY op hierdie 7de dag van Maart 19 96


As Getuies


1. 
2.


STADSKLERK

Aldus gedoen en geteken te Wolseley, op hierdie 7de dag van Maart 19 96

As Getuies

1. 
2.


KOPER

Bly, Jans by Langstraat 15A Wolseley



44, Leres, 6615
50 Vontrekker St. Str. Leres, 6615
South Africa / South Africa
+27 23 316 1854
+27 23 316 1877
admin@witzenberg.gov.za
www.witzenberg.gov.za

17/4/12/R.

Reference/Verwysing/Ref :

Navrae/Enquiries:

D Nasson

28 Julie 2009

Mnr Henry John McClune
Langstraat 15A
WOLSELEY
6830



Geagte Meneer

**INSAKE: KOOPKONTRAK USELF / WOLSELEY MUNISIPALITEIT
ERF 919 WOLSELEY**

Bogemelde aangeleentheid en u onlangse konsultasie verwys.

Ons het die records nagegaan en blyk dit dat daar nie enige kansellasie van die koopkontrak was nie. Die kontrak is derhalwe nog steeds geldig. Ons het die aangeleentheid na ons finansieële departement verwys en was ons aandag gevestig op veral klousules 4 en 7B in die kontrak. In terme van die inhoud van die kontrak is die volgende gelde aldus verskuldig:

1. Koopsom – R 10 260, 00
2. Belasting – R 1 721, 40
3. Besikikbaarheidsfooie – R2 273, 00
4. Diensteheffings - R12 553, 74

Geliewe asseblief binne die volgende 10 dae met ons kantore in verbinding te tree oor die betaling van die gelde verskuldig sodat ons die transaksie na ons Prokureurs kan verwys.

U dringende samewerking in hierdie verband sal waardeer word.

By voorbaat dank.

Dis uwe

DAVID NASSON

MUNISIPALE BESTUURDER

/mdk

Kindly address all correspondence to the Municipal Manager / Rig asseblief alle korrespondensie aan die Munisipale Bestuurder / Yonke imbalelwano mayithuyelwe kuMlawuli kaMasipala

Vision: A united, integrated, prosperous municipality, progressively free of poverty and dependency
V.sie: 'n Verenigde, geïntegreerde, welvarende munisipaliteit, toenemend vry van armoede en afhanklikheid

Op 919 Watsley. R8000.00

2002/2003	= R 0.0116 R232.00 = R92.80
2003/2004	= R 0.0136 R272.00 = R108.80
2004/2005	= R 0.0149 R298.00 = R119.20
2005/2006	= R 0.0149 R298.00 = R119.20
2006/2007	= R 0.0157 R314.00 = R125.60
2007/2008	= R 0.0169 R338.00 = R135.20
2008/2009	= R 0.0195 R390.00 = R156.00

Wardance Num alg Wardance R110000.

Belasting	= 0.00736 = R864.60
B/Kl.	0.00655 = R131.00

B/Kl.	Bel.
R2273.00	R1721.40

MUNISIPALITEIT UMASIPALA MUNICIPALITY**- MEMORANDUM -**

AAN / TO : Committee for Corporate and Financial Services
VAN / FROM : Municipal Manager
DATUM / DATE : 05 August 2024
VERW / REF : 7/1/4/1

RE: REQUEST TO PURCHASE ERF 2997, BELLA VISTA, CERES

PURPOSE

To consider recommending to Council the sale of erf 2997, Bella Vista, Ceres to Mr Daniel Johannes Jansen.

DELIBERATION

Mr Jansen purchased erf 2997, Bella Vista, Ceres from the then Department Local Government and Housing for an amount of R6004,39. See in this regard a copy of the Sale Agreement marked annexure ".....". In terms of the agreement Mr Jansen made monthly payments of R100,00. At the time of concluding the agreement Mr Jansen was staying in Bella Vista and moved back to Tulbagh later on. Mr Jansen received all correspondence from the Department, including his outstanding balance via post at the Bella Vista Post Office. It appears that Mr Jansen lost all contact with the Department when he relocated to Tulbagh. Mr Jansen continued with payments but cannot confirm that the full amount was paid. A copy of the DeedsWeb searched indicate that the property was from the Provincial Housing Development Board to the Witzenberg Municipality in and during 1980. The Municipality does not have any information in terms of the transaction and all attempts to obtain information from the Provincial Department has proven to be unsuccessful. Mr Jansen is requesting that the property be transferred in his name in terms of the Sale Agreement.

RECOMMENDATION

For consideration.

REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

address: "BENONI"
 41606 X229
 inquiries: Mej E. Kinnels
 ask. in a week
 copy please quote

DEPARTMENT OF LOCAL GOVERNMENT, HOUSING AND AGRICULTURE
 DEPARTMENT OF LOCAL GOVERNMENT, HOUSING AND AGRICULTURE

Mr./Mnr.
 No./Nomm.
 Van Niekirk 1 Kennale
 Poshus 6
 Tulbagh
 6820

Henceer/Meneer.

DELTING VAN BALANS VAN KOOPSON

Aktebeskrywing van eiendom
 Deeds description of property

Erf 2994 Bella Vista, Ceres, geleë in die
 Munisipaliteit en Afdeling Ceres
 Grootte: 600 m² (seksenhonderd-en-ses vierkante meter)

U skrywe

Your letter No.

WDVN

JG

van

of

15 Januarie 93

verwys

refers

1. Die balans van die koopprys mag gedeelg word op voorwaarde dat die koper voortgaan om -

- (a) die voorwaardes van die koopakte na te kom; en
 (b) die maandelike paaiemente gereeld te betaal.

totdat oordrag geregistreer is, by gebreke waarvan die eiendom, sonder dat 'n vonnis of bevel van die hof verkry is, in besit genoem mag word.

2. Krediete, indien enige, sal na oordrag terugbetaal word.

3. Opdrag vir die registrasie van oordrag sal uitgereik word by ontvangs van -

- (a) die naam en adres van die firma wat die registrasie van die verband sal behartig.
 (b) die koper se hereregterkewitansie,
 (c) 'n vereffeningbewys, en
 (d) 'n bevredigende waarborg van 'n erkende finansiële instelling vir -

1. The balance of the purchase price may be redeemed on condition that the purchaser continues -

- (a) to comply with the conditions of sale; and
 (b) to pay the monthly instalments regularly.

until transfer has been registered failing which the property may, without having obtained any judgement or order of the court, be repossessed.

2. Credits, if any, will be refunded after transfer.

3. Instructions for the registration of transfer will be issued on receipt of -

- (a) the name and address of the firm which will attend to the registration of the bond,
 (b) the purchaser's transfer duty receipt,
 (c) a clearance certificate, and
 (d) a satisfactory guarantee from a recognised financial institution for -

plus saamgestelde rente, maandeliks bereken, teen -

plus compound interest, calculated monthly, at the rate of -

per jaar vanaf -

per annum as from -

tot datum van betaling aan die Departement van Plaaslike Bestuur, Behuising en Landbou plus 'n bedrag van -

to date of payment to the Department of Local Government, Housing and Agriculture, plus an amount of -

per maand of 'n gedeelte daarvan ten opsigte van administrasiekoste en assuransiepremie vanaf -

per month or part thereof in respect of administration charges and insurance premium as from -

tot datum van betaling, dit wil sê die datum waarop betaling te -

to date of payment, i.e. the date on which payment is received -

deur die Departement van Plaaslike Bestuur, Behuising en Landbou ontvang word. Hierdie waarborg is betaalbaar by registrasie van oordrag in die naam van -

by the Department of Local Government, Housing and Agriculture. This guarantee becomes on registration of transfer name of -

4. Die waarborg sal, op telefoniese/telegrafiese berig dat die transaksie geregistreer is, vir betaling aangebied word. Geen aanspreeklikheid word egter aanvaar ingeval so 'n berig oor die hoof resien word nie.

4. The guarantee will, on telephonic/telegraphic advice that has been registered, be submitted for payment. No response, however, be accepted if such an advice is overlooked.

Die uwe / Yours faithfully,

Oscar
 STREEKDIREKTEUR

* Delete

* Skrap indien nie van toepassing nie.

59192

PRO050E3 PROPERTY ENQUIRY DETAILS 12May 2022

DEBPROD This Property is DEVOLVED DCP031 09:25:14

Devolved To: WC09 - WITZENBERG LOCAL MUNICIPALITY NOTU

Devolution Date: 19890401 Property Value Devolved: 95000.00

S/R/L Amount Devolved: Deposit Devolved:

Property No : 109514 Erf/Farm No: 2997

Farm Name : Dept : DCPA

Township : CERES Fund : CDF

Address : ERF 2997 Region: WESK

FRIESLAND 15, BELLAVISTA Place : CERES

CERES Status:

6835 LPIcode: C01900010000299700000

File Number : H8/1/1/2/109514 Old Property : M47040198

Diagram Number: N/AVAIL Resolution Nbr :

Deeds Office : CAPE TOWN Title Deed Nbr : T440/1980

Area : 4475 Portion :

Metro Area : CAPET Sub Portion :

Purpose Code : SELV Debtor Ref Nbr :

Property Type : VAC Property Usage : V

Area Of Land : 606 M (H=Hectare, M=Sq Metres)

Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10---PF11--PF12---

22/05/11 - ENQ - BILLING - CERESMUN8

Enquiries Password Help

BS-5074B Account Enquiry

Exit/Cancel

Update/Select

Local Authority : CER WITZENBERG MUNISIPALITEIT LIVE

Account Number : 27299700008 Witzenberg Munisipaliteit

Billing Cycle : 1 NI Code: 2401

First Names :

Date Of Birth :

Owner/Occupier : Owner ID :

Suburb : 3 Erf Number : 2997 Sub Division : 00001

Street : 15 FRIESLANDSTRAAT

Postal Address : Posbus 44

CERES

Post Code: 6835

Alt. Site Address : HOOFDIREKTEUR P/WERKE KAAPSTAD

Group : MUNVM Sub Group : OTHER Monthly Payer ☒ Discount Cat. : N

Interest : Normal Vat Bearing : YES VAT Reg.No. :

Final Account ? : N Final Acc Date:

Credit Worthy :

Cheques Ok ? ☒ Under Credit Control? ☐

Debt Counselling? NO

Outstanding Account redeployment payment? NO

Extra Account Details :

Account Notes? NO

GEREGISTREERDE WOON- EN POSADRES

1. Bewaar die bewys van u GEREISTREERDE WOON- EN POSADRES in hierdie sakkie.

2. Indien u van adres verander het, of indien besonderhede van u huidige adres, bv. straatnaam en/of -nommer, ens. verander het, moet die vorm KENNISGEWING VAN ADRESVERANDERING, wat in die sakkie agter in die identiteitsdokument is, gebruik word om die verandering aan te meld en moet dit ingedien word by of geops word aan die naaste streek-/distrikkantoor van die DEPARTEMENT VAN BINNELANDSE SAKE.

REGISTERED RESIDENTIAL AND POSTAL ADDRESS

1. Keep the proof of your REGISTERED RESIDENTIAL AND POSTAL ADDRESS in this pocket.

2. If you have changed your address, or, if particulars of your present address, e.g. name of street and/or street number, etc., have been changed, the NOTICE OF CHANGE OF ADDRESS form in the pocket at the back of the identity document must be used to report the change and it must be handed in at or posted to the nearest regional/district office of the DEPARTMENT OF HOME AFFAIRS.

I.D.No. 590928 5067 08 5



S.A. BURGER/S.A. CITIZEN

VAN/SURNAME

JANSEN

VOORNAME/FORENAMES

DANIEL JOHANNES

GEBORTEDISTRIK OF LAND/
DISTRICT OR COUNTRY OF BIRTH

SUID-AFRIKA

GEBORTEDATUM/
DATE OF BIRTH

1959-09-28

DATUM UITGEREIK
DATE ISSUED

2008-01-25

UITGEREIK OP BELEG VAN DIE
DIREKTOR, GENEEREL:
BINNELANDSE SAKEAFGELEVERD BY AUTHORITY OF THE
DIRECTOR-GENERAL:
HOME AFFAIRS

GEREGISTREERDE WOON- EN POSADRES

1. Bewaar die bewys van u GEREGISTREERDE WOON- EN POSADRES in hierdie sakke.

2. Indien u van adres verander het, of indien besonderhede van u huidige adres, by. straatnaam, en/of -nommer, ans, verander het, moet die vorm KENNISGEWING VAN ADRESVERANDERING, wat in die sakke agter in die identiteitsdokument is, gebruik word om die verandering aan te meld en moet dit ingedien word by of geops word aan die naste streeksdistrikantoor van die DEPARTEMENT VAN BINNELANDSE SAKE.

REGISTERED RESIDENTIAL AND POSTAL ADDRESS

1. Keep the proof of your REGISTERED RESIDENTIAL AND POSTAL ADDRESS in this pocket.

2. If you have changed your address, or, if particulars of your present address, e.g. name of street and/or street number, etc., have been changed, the NOTICE OF CHANGE OF ADDRESS form in the pocket at the back of the identity document must be used to report the change and it must be handed in at or posted to the nearest regional district office of the DEPARTMENT OF HOME AFFAIRS.

1

I.D. No. 620516 0670 08 8



S.A. BURGER/S.A. CITIZEN

VAN/SURNAME

JANSSEN

VOORNAME/FORENAMES

HELENA FRANCINA

GEBORTEDISTRIK OF-LAND/
DISTRICT OR COUNTRY OF BIRTH

SUID-AFRIKA

GEBORTE DATUM/
DATE OF BIRTH

1962-05-16

DATUM UITGEREIK
DATE ISSUED

2000-08-02

UITGEREIK OP GESAG VAN DIE
DIREKTEUR-GENERAAL:
BINNELANDSE SAKEISSUED BY AUTHORITY OF THE
DIRECTOR-GENERAL:
HOME AFFAIRS



**agriculture, land reform
& rural development**
Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

Deeds Registration Office

DeedsWEB

Property Report

Erf Enquiry

General Information

Date Requested 2024-02-14
Deed Office Cape Town
Information Source Deed Office

Property Details

Deeds registry CAPE TOWN
Property type ERF
Township CERES
Erf number 2997
Portion 0
Province WESTERN CAPE
Registration division/Administrative district CERES RD
Local authority CERES MUN
Previous description PTN OF 3411-TP10004
Diagram deed number DUM
Extent 6060000 SQM
LPI Code C01900010000299700000

Deeds Title Details

#	Document	Registration Date	Purchase Date	Amount (R)
1	T440/1980	19800116	-	T/T

Owner Information

#	Document	Full name	Identity Number	Share
1	T440/1980	MUN WITZENBERG	-	-

Endorsements/Encumbrances

#	Endorsement	Holder	Amount (R)	Microfilm Reference
1	FMLY ERF 194 OUDEKRA	AL T/S	-	-

Historic Documents

#	Document	Holder	Amount (R)	Image Reference
1	T440/1980	NASIONALE BEHUISINGSRAAD	T/T	20200304 13:29:21
2	T440/1980	PROVINCIAL HOUSING DEVELOPMENT BOARD-WESTERN CAPE	T/T	20200304 13:29:21

Disclaimer:

The Office of the Chief Registrar of Deeds hereby confirms that, on the basis of information at the Deeds Office's disposal that the contents of this report accurately reflects property information held in our records. As per Deeds Registration process, this information is valid for seven (7) days.

Photocopies of this report are not valid.

This report is issued subject to costs as specified in the fee schedule. <http://deeds.dalrdd.gov.za/fees.php>.

WITZENBERG

MUNISIPALITEIT**UMASIPALA****MUNICIPALITY****- MEMORANDUM -**

AAN / TO : Committee for Corporate and Financial Services

VAN / FROM : Municipal Manager

DATUM / DATE : 05 August 2024

VERW / REF : 7/1/4/1

RE: REQUEST TO PURCHASE ERF 218, OP DIE BERG**PURPOSE**

To consider recommending to Council a request from Mr Kobus Vergotine to honour a Sale Agreement between himself and Mr Fortuin and to sell erf 218 Op die Berg to Mr Vergotine.

DELIBERATION

Mr Jan Johannes Fortuin purchased the erf number 218 Op die Berg from the then Breede River District Council. In terms of a letter from the Breede River District Council Mr Fortuin purchased the erf in and during January 1995 for an amount of R691,20 as per a credit agreement. Mr Fortuin only paid a deposit of R50,00. Mr Vergotine alleges that he advanced the full amount to Mr Fortuin which was paid over to the Breede River District Council. The Municipality unfortunately has no data or information to confirm the full payment. A copy of the Breede River District Council dated 11 of July 1996 is attached hereto marked annexure ".....". The mentioned property is still registered in the name of the Witzenberg Municipality. A copy of a DeedsWeb searched is attached hereto marked annexure ".....". The Committee is requested to make a recommendation to Council as to whether the Sale Agreement will be honoured and if so whether a direct Sale Agreement will be concluded with Mr Kobus Vergotine. A copy of confirmation of the Sale Agreement between Mr Vergotine and Mr Fortuin is attached hereto marked annexure ".....".

RECOMMENDATION

For consideration.

BREËRIVIER 560 DISTRIKRAAD
BREEDE RIVER DISTRICT COUNCIL

☎ (0231) 70945

Telefaks (0231) 73668
Telefax

Alle korrespondensie moet aan die
Hoof-Uitvoerende Beampite gerig word



Trappesstraat 51 Trappes Street
☐ 91
WORCESTER
6849

All correspondence to be addressed
to the Chief Executive Officer

U verwysing
Your reference

Ons verwysing
Our reference

18/4/8/15

Navrae
Enquiries

Mnr B J du Toit - Ceres

11 Julie 1996

Mnr Jan Johannes Fortuin
Posbus 25
Kromfontein
KOUÉ BOKKEVELD
6836

PER GEREGISTREERDE POS

Geagte Heer

BESPREEKTE ERF NR 218 OP DIE BERG

My vorige eendersgenommerde skrywe in bostaande verband gedateer 16 November 1995 en u antwoord daarop gedateer 1 Desember 1995, verwys.

U het gedurende Januarie 1995 bogemelde erf bespreek en R50,00 daarop afbetaal. Sedertdien het u niks betaal nie en u het ook nie die belofte in u skrywe van 1 Desember 1995 nagekom nie.

Graag wens ek u nou hiermee in te lig dat indien die volle deposito van R691,20 nie teen 19 Julie 1996 betaal is en die koopvooreenkom nie onderteken is nie, die erf sonder enige verdere kennisgewing aan iemand anders toegeken sal word. U deposito van R50,00 sal dan aan u terugbetaal word.

Die uwe


J J M Coetzee
HOOF UITVOERENDE BEAMPTE
/erf218

HOOFKANTOOR/HEAD OFFICE
WORCESTER
STREEKKANTORE/REGIONAL OFFICES
CERES
ROBERTSON

ADRES/ADDRESS
TRAPPESSTRAAT 51

MUNNIKSTRAAT 27
VAN REENENSTRAAT 560

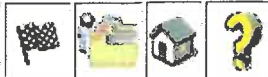
POSBUS
91
62
51

TELEFOON
(0231) 70945
(0233) 23111
(02351) 3191

FAKS
(0231) 73668
(0233) 23177
(02351) 5059

561

Property Enquiry Details



Property enquiry results for "DIE DORP OP DIE BERG" in the Deeds Registry at "CAPE TOWN"

Property detail:

Deeds registry	CAPE TOWN
Property type	ERF
Township	DIE DORP OP DIE BERG
Erf number	218
Portion	0
Province	WESTERN CAPE
Registration division/Administrative district	CERES RD
Local authority	BREERIVIER SDR
Previous description	PTN OF 211-GP3795/92
Diagram deed number	DU 1000/800
Extent	432.0000 SQM
LPI Code	C01900020000021800000

Title Deeds detail:

Document	Registration date	Purchase date	Amount	Image Scanned reference	Document copy?
T66217/1992	19921019	-	T/T	20091229 09:41:59	Yes

Owners detail:

Document	Full name	Identity Number	Share	Person Enquiry?
T66217/1992	MUN WITZENBERG	-	-	Yes

Endorsements / Encumbrances:

No data found for this query!

History:

Document	Holder	Amount	Image Scanned reference	Document copy?
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T66217/1992	REGIONAL SERVICES COUNCIL- BREERIVIER	T/T	20091229 09:41:59	Yes
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[Back to top of page](#)

Requested by **A0049010** with user reference **None** on: Friday, 13 October 117 11:52

DeedsWeb Version 4.0.1

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**agriculture, land reform
& rural development**
Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

Deeds Registration Office

DeedsWEB

Property Report

Erf Enquiry

General Information

Date Requested 2024-08-06
Deed Office Cape Town
Information Source Deed Office

Property Details

Deeds registry CAPE TOWN
Property type ERF
Township DIE DORP OP DIE BERG
Erf number 218
Portion 0
Province WESTERN CAPE
Registration division/Administrative district CERES RD
Local authority BREERIVIER SDR
Previous description PTN OF 211-GP3795/92
Diagram deed number DU 1000/800
Extent 4320000 SQM
LPI Code C01900020000021800000

Deeds Title Details

#	Document	Registration Date	Purchase Date	Amount (R)
1	T66217/1992	19921019	-	T/T

Owner Information

#	Document	Full name	Identity Number	Share
1	T66217/1992	MUN WITZENBERG	-	-

Endorsements/Encumbrances

No data found for this search criteria

Historic Documents

#	Document	Holder	Amount (R)	Image Reference
1	T66217/1992	REGIONAL SERVICES COUNCIL-BREERIVIER	T/T	20091229 09:41:59

Disclaimer:

The Office of the Chief Registrar of Deeds hereby confirms that, on the basis of information at the Deeds Office's disposal that the contents of this report accurately reflects property information held in our records. As per Deeds Registration process, this information is valid for seven (7) days.

Photocopies of this report are not valid.

This report is issued subject to costs as specified in the fee schedule. <http://deeds.dalrdd.gov.za/fees.php>.

Printed: 2024-08-06

Kerbus Boland Ruby. Corn
 (a)

EK MNR J. J. Fortuin was die eienaar
 van erf no. 215 op Die Berg. in die Koue Bokkerveld
 na aanleiding van die gesprek tussen my en
 die witzenberg munisipaliteit Het ek nog die erf-
 .. leening gegee. Sulke kan dit verkoop aan enige
 persoon wat in behoefte het aan sly plek.
 By voorbaat dank
 Die Lwe. J. J. Fortuin

JW

WITZENBERG

MUNISIPALITEIT UMASIPALA MUNICIPALITY

- MEMORANDUM -

AAN / TO: Municipal Manager

VAN / FROM: Manager Legal Services

DATUM / DATE: 1 October 2024

VERW. / REF.: 7/1/4/1

REQUEST TO PURCHASE ERF 769 (Unregistered Erf 870) PRINCE ALFRED HAMLET

PURPOSE

To consider recommending to Council to sell erf 769 (Unregistered Erf 870) Prince Alfred Hamlet to the Global Crime Prevention Unit.

DELIBERATION & BACKGROUND

The attached application and company profile was received.

Erf 769 (Unregistered Erf 870) Prince Alfred Hamlet is where the old Hamlet Clinic was situated on. This building became vacant when the new clinic started to operate.



The current status of the building: It is dilapidated and badly vandalised. Only walls are left. The roof has a big hole in it, and is made from asbestos, which poses a health risk to others. The roof beams were sawed down which poses an enormous risk of falling in. People from the surrounding make use of this building to do drugs and other social evils.

A few photos of the building:



The hole in the roof and beams are sawed down:



Everything is broken out from the inside:



All electricity cables and water pipes were stolen:



The Municipality recently upgrade the tennis courts across the street. The Municipality is at risk that people may vandalising the tennis courts as well as the rest of this building. GCPU offered in return (if Council decides to sell) security services to guard the tennis courts. At this stage, this building is a sore eye to the community of Prince Alfred's Hamlet, and Council does not have funds to upgrade this building. It would be good for the aesthetics of Hamlet if this building can be upgraded.

LEGAL REQUIREMENTS

This erf is not required for basic service delivery as envisaged by Section 40 of the Municipal Finance Management Act. Council's intention to sell the property to GCPU will be advertised in the local newspaper to make the process open and transparent and to meet the requirements of the Constitution.

This building is zoned residential zone 1 and rezoning will be for the account of the applicant.

FINANCIAL IMPLICATION

Council to consider the selling price of the property. The attached valuation was done objectively and Council is advised to take the content into consideration when the selling price is considered. Council may deviate from the fair market related price where it is in the interest of the public, in particular in relation to the plight of the poor taking into consideration the economic and community value to be received in exchange for the asset. It is advised that Council also take into consideration the state of the building and that it will be sold "voetstoos".

No negative financial implication for Council. By Selling this land, Council can generate income from the selling price and from rates and taxes.

All costs relating to this transaction should be for the account of the applicant.

TO RECOMMEND TO CORPORATE COMMITTEE

For Consideration



Global Crime Prevention Unit (Pty) Ltd

Company Registration nr.: 2015/447743/07

PSIRA Reg. No.: 2702081

C/O WABOOM LAAN, P.A HAMLET 6840

Cell: 081 797 1569

Office: 023 315 5038

Email : wcpunit1@gmail.com

GLOBAL CRIME PREVENTION UNIT (PTY) LTD

C/O WABOOM LAAN & MATROOSBERG STREET

PRINCE ALFRED'S HAMLET / CERES

Die Munisipale Bestuurder

Witzenberg Munisipaliteit

Voortrekker Straat 50

Ceres

6835

26 Augustus 2024

Per epos: david@witzenberg.gov.za en liza-mari@witzenberg.gov.za

INSAKE: AANKOOP/ VERHURING VAN GEBOU: OU KLINIEK GEBOU IN PRINCE ALFRED'S HAMLET

Ek rig hierdie skrywe in my kapasiteit as eienaar van GLOBAL CRIME PREVENTION UNIT (PTY) Ltd van bogenoemde maatskappy. Die maatskappy wil graag 'n aanbod maak vir die bogenoemde erf teen mark verwante prys. Die gebou is tans vervalle en word geplunder deur vandal, Indien ons suksesvol is sal ons self die gebou herstel en weer 'n positiewe baken vir die gemeenskap op die dorp maak.

Bogenoemde maatskappy lewer sekuriteits dienste in die munisipale area en beoog om uit te brei.

U goedgunstige aandag en oorweging hierin word waardeur.

Die Uwe

MW Baadjies

NMS. GLOBAL CRIME PREVENTION UNIT (PTY) Ltd

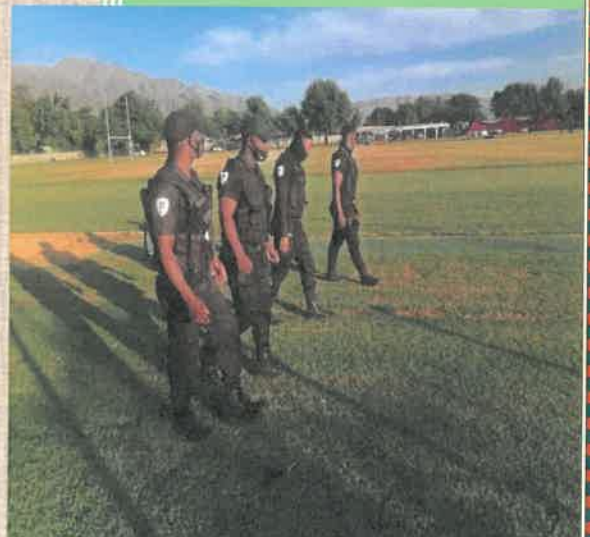
081 797 1569

Director: Marquin Wilfred Baadjies



2024

Global Crime Prevention Unit



**YOUR SAFETY IS OUR
PRIORITY**

**Company
Profile**



CONTENT

1	ABOUT US & MISSION STATEMENT
2	WHY GLOBAL CRIME PREVENTION UNIT
3	TEAM
4	SERVICES
5	CUSTOMERS
6	CONTACT US

**BE PART OF THE
BEST TEAM- SIGN UP
WITH US TODAY
AND JOIN US IN
COMBATING CRIME**



Global Crime Prevention Unit

*...IS COMMITTED TO PROVIDING EXCEPTIONAL
SERVICES BY DELIVERING PERSONALIZED, HIGH
QUALITY AND COST EFFICIENT SOLUTION TO
MEET THE NEED OF OUR CLIENTS*



1. ABOUT US

Global Crime Prevention Unit is a South African company that is situated in Ceres. We are dedicated to the provision of excellent security services. We are capable of dealing with all your security needs and offer a complete range of services. The company was established in 2015 under the name Witzenberg Crime Prevention Unit by Mr. P. Baadjies, the father of Mr. M. Baadjies. Due to expansion in other areas as well the name has been changed to Global Crime Prevention Unit. Each and everyone of our personnel have and will continue to acquire the professional knowledge and skills required to perform their tasks.



MISSION

Global Crime Prevention Unit is committed to providing exceptional services by delivering personalized, high quality and cost efficient solutions to meet the need of our clients. We strive to exceed the requests of our clients by going above and beyond what is asked to ensure that every detail is to your requirements. Global Crime Prevention Unit is a member of the South African PSIRA

STATEMENT

2. WHY GLOBAL CRIME PREVENTION UNIT?

EXPERIENCE

Global Crime Prevention Unit has been operating in your area since 2015 under the name Witzenberg Crime Prevention Unit and we have proved ourselves time and time again and we are going to do it again under the name Global Crime Prevention Unit.



BENEFICIAL CONSULTANCY

Our experienced management will give you the best and most cost effective, objective and impartial advice after reviewing your exact needs and will make recommendations that are suitable for you, your business and your budget.

3. TEAM

The team exist of the following:

Directors:	Marquin Baadjies
	Petrovine Klaasen
Admin Staff:	Edwina Abrahams
	Marchell Baadjies
	Angelo Klaasen
	Herbert Terhoeven

Security Officers: Average of 35 Grade C security officers.

(New appointments are always in process as services are expanding.)

Our staff receive full employee benefits as regulated by PSIRA:

- PSIRA registered
- UIF registered
- Provident Fund
- SARS registered with Tax Clearance
- VAT registered with Tax Clearance
- COMPENSATION FUND registered with Letter of Good Standing.
- Level 1 BEE compliant with a BEE certificate
- Security Officers are paid for overtime, Sundays and Public Holidays
- Security Officers receive FREE transportation to and from sites

4. SERVICES

GAURDING SERVICES -Tailored To Your Needs

Global Crime Prevention Unit provides security guarding services to commercial and residential sites. Our guards are extremely visible both day and night. They are equipped with two way radios.

Strict control measures are in place and site visits by operation managers and reaction officer's vehicles occur regularly during a shift, guards are in constant radio contact with our control room should incidents arise, our reaction officers in vehicles in the area can assist.

Global Crime Prevention Unit's guards can anticipate a problem long before visitors, guests or shoppers suspects a thing. They can diffuse tensions using tact and diplomacy. They will respond to difficult situations calmly and quickly.

Our Objectives are:

- To build a truly empowered and competitive company with value
- To create responsible wealth and contribute positively to lives of all who are part of the company whether directly or otherwise
- To operate on sound business principles and with integrity.
- Maintaining non-discriminative policies

ALARM MONITORING, RESPONSE SERVICE & CAMERA INSTALLATION

Global Crime Prevention Unit also specialize in Alarm monitoring response as well as Camera Installations. Our team of experts is well trained to their best to satisfy our clients and see that all their needs are met, in regarding to all installations.



5. CURRENT & PREVIOUS CONTRACT CLIENTS

- Asla Construction (Pty) Ltd
Francois Siebritz – 083 286 7073
- Bella Vista Prim School, Ceres
Gerhardis Koopman – 084 517 4996
- Bluewood Construction
Chris Devine – 083 253 3888
- FJD Builders
Freddie Diergaart – 079 864 1713
- Ikwezi Wholesalers, Ceres
Helen Schmidt – 023 316 1904
- Jumbo Liquors, Ceres
Helen Schmidt – 023 316 1904
- MJ Walters Farming, Ceres
Mauritz Walters – 083 264 9167
- Perdekraal Wind Farm
Dennis Solomon – 073 061 6961
- Schoonvlei Farm, Ceres
Andries Deetlefs – 082 898 1409



6. CONTACT US

 - 0233155038

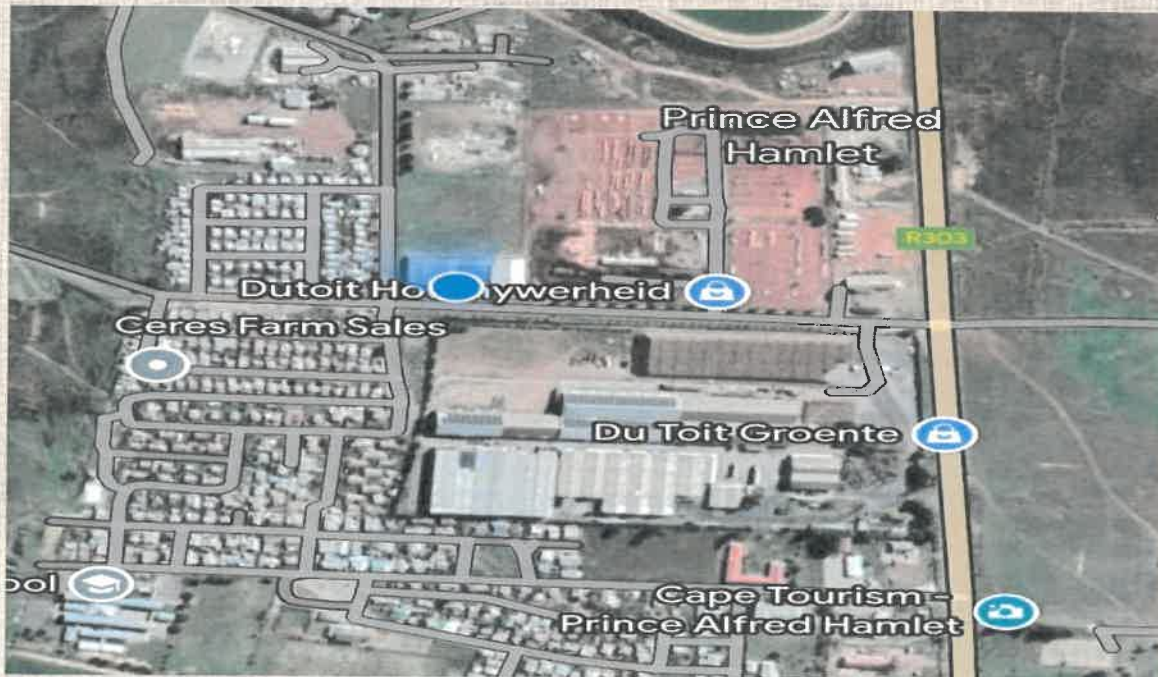
 - 0817971569

 -

wcpunit1@gmail.com

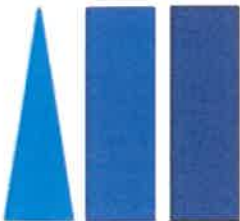
Website - <https://tinyurl.com/www-wcpu-co-za>

Address - Waboom Avenue, PA HAMLET, Western Cape South Africa



VALUATION REPORT

UNREGISTERED ERF 870
PRINS ALFRED HAMLET



HCB Property Valuations

35 Long Street

Moorreesburg

7310

Tel: 022 433 2035

Email: admin@hcb.co.za

VALUATION REPORT – ERF 870 PRINS ALFRED HAMLET**LIMITATIONS AND RESTRICTIONS**

This valuation report has been made with the following general assumptions:

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.
2. The property is valued free and clear of any or all liens or encumbrances unless otherwise stated.
3. Responsible ownership and competent property management are assumed.
4. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
5. All engineering information is assumed to be correct. The plans and illustrative material in this report are included only to assist the reader in visualizing the property.
6. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
7. It is assumed that there is full compliance with all applicable state and local environmental regulations and laws unless non-compliance is stated, defined and considered in the valuation report.
8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless non-compliance is stated, defined and considered in the valuation report.
9. It is assumed that all required licenses, certificates of occupancy, consents or other legislative or administrative authority from any local or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
10. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespassing unless noted in this report.



Signature

VALUATION REPORT – ERF 870 PRINS ALFRED HAMLET

LIMITATIONS AND RESTRICTIONS

This valuation report has been made with the following general limiting conditions.

1. The apportionment, if any, of the total valuation figure in this report between land and improvements applies only under the stated client instructions and is hypothetical. The separate allocations for land and buildings must not be used in conjunction with any other valuation and are invalid if so used.
2. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the valuer, and in any event only with proper written qualification and only in its entirety.
3. The valuer herein by reason of this valuation is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.
4. Neither all nor part of the contents of this report (especially conclusions as the value, the identity of the valuer, or the firm with which the valuer is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the valuer.
5. Neither the whole nor any part of this valuation report or certificate or any reference thereto may be included in any published document, circular or statement, or published in any way without the valuer's written approval of the form and context in which it may appear. The publication shall deem to include references in company accounts and/or director's reports or any other company statement or circular.
6. The valuation is prepared on the basis that full disclosure of all information and facts which may affect the valuation, has been made to the valuer and no liability or responsibility will be accepted whatsoever for the valuation unless such full disclosure has been made.
7. This valuation is solely for the use of the party to whom it is addressed in accordance with the instructions. Reliance on it by any third party cannot be regarded as reasonable and no responsibility to any third party is or will be accepted for the whole or any part of the valuation.
8. The valuer has no personal interest in the property.
9. In the unlikely event of the client incurring any losses due to negligence of the valuers, valuers in training and assistants, the aggregate amount of the damages recoverable against the valuer shall not exceed the fee for providing the service.



Signature

VALUATION REPORT – ERF 870 PRINS ALFRED HAMLET

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VALUATION REPORT – ERF 870 PRINS ALFRED HAMLET
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VALUATION REPORT – ERF 870 PRINS ALFRED HAMLET
--

1. INTRODUCTION

I, Coenraad Botha, registered as a Professional Valuer in terms of the Property Valuers Profession Act 47 of 2000, do hereby certify that I have identified the subject properties referred to in this report and have obtained all the necessary information to determine the market value thereof.

➤ See Annexure 1 for Valuer Certificates

1.1 Instruction

An instruction was received from Liza-Mari Niewenhuis of Witzenberg Municipality to attend to the valuation of unregistered erf 870, situated in Prins Alfred Hamlet. The purpose of the valuation is to determine the open market valuation of the Subject Portion as on 1 September 2024.

➤ See Annexure 2 for Instruction

1.2 Date of Valuation

The date of valuation as instructed by the client is 1 September 2024

1.3 Date of Inspection

A desktop valuation was done.

2. TITLE DEED DESCRIPTION

➤ See Annexure 3 for Copy of Property Report

2.1 Title Deed

The property report indicates no title deed, as it is unregistered.

2.2 Description

The portion can be described as "Unregistered Erf 870, Prins Alfred Hamlet, Western Cape". Hereafter in the report we will refer to this portion as "subject portion".

2.3 Owner

The property report indicates the owner of the subject portion as Mun Witzenberg.

2.4 Extent

The full extent of the subject property as per the property report is 801m².

VALUATION REPORT – ERF 870 PRINS ALFRED HAMLET
--

2.5 Purchase Price

Not relevant to this report, because it will not have an impact on Market Value.

2.6 Surveyor General Information

HCB could not find any discrepancies regarding the ground layout with the Surveyor General Information.

2.7 Title Deed Conditions

We could not find any special conditions on subject property that may affect the market value.

3. LOCAL, PROVINCIAL AND CENTRAL GOVERNMENT INFORMATION**3.1 Local Authority**

This property falls under the jurisdiction of the Witzenberg Municipality, situated in the Western Cape.

3.2 Zoning**Use Zone Table**

1	2	3
Zoning	Primary use	Consent use
GENERAL RESIDENTIAL ZONES		
GENERAL RESIDENTIAL ZONE I (GRZI)		
<i>The objective of this zone is to facilitate in designated areas low intensity densification that will not have an adverse effect on the character of the existing built area and may contribute to the optimal utilisation of land and infrastructure. The residential development consists of two dwelling units in a single structure, each of which may accommodate a single family. Individual ownership of the units will be allowed through a sectional title scheme. Architecturally, the dwelling units will be uniform and will be developed to the same scale and extent.</i>	Primary use <ul style="list-style-type: none"> • Double dwelling house 	Consent uses <ul style="list-style-type: none"> • Guest house • Home occupation

VALUATION REPORT – ERF 870 PRINS ALFRED HAMLET
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3.3 Municipal Valuation

Municipal valuation is not applicable, as municipal valuation includes improvements, this valuation is only applicable to vacant land.

4. PHYSICAL DESCRIPTION**4.1 Location**

The subject portion is in Prins Alfred Hamlet, situated on Voortrekker Street in the Kliprug suburb. HCB could not find any reason to believe that the location will have a negative impact on Market Value as such.

➤ See Annexure 4 for Locality Plan

4.2 Infrastructure

It was noted that all infrastructure is available to the surrounding erven and services are available.

4.3 Land

Subject property is flat and ground conditions are good, therefore our findings that the topography will not affect market value.

4.4 Improvements

The subject property is improved, but the instruction confirms that the improvements are dilapidated to such an extent, that demolition is necessary. Thus, this valuation is for land only.

5. MARKET ANALYSIS

The definition "Market Value" as laid down by the International Valuation Standards Committee is: *"The estimated amount for which an asset should exchange, on the date of valuation, between a willing buyer and a willing seller, in an arms-length transaction, after proper marketing, wherein the parties had each acted knowledgeably, prudently and without compulsion."*

6. METHOD OF VALUATION

The Comparable Method of valuation is the most suitable method to apply to establish the market value of the subject property. In applying the Comparable Method, it is necessary to investigate the sales of similar types of properties that have been sold.

The below information (see 7.2) is compared to the subject property, which involves judgments as to the degree of similarity regarding value factors such as location, shape of erf and use to which the subject property can be put.

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7. ESTABLISHMENT OF COMPARABLES

7.1 Highest and Best use

Definition: “The most probable use of a property which is physically possible, appropriately justified, legally permissible, financially feasible and which result in the highest value of the property being valued”. Therefore, it could be argued that the highest and best use of a property is, which is physically possible, appropriately justified, legal permissible, financially feasible and which result in the best value of the property to be valued.

7.2 Comparable Properties

The following sales were noted and used to arrive at an Open Market Valuation of the Subject Property on 1 September 2022.

Erf	Area	Extent	Date	Sale Price
591	Prins Alfred Hamlet	338m ²	2022/11/11	R205 000
930	Prins Alfred Hamlet	223m ²	2022/01/17	R300 000
970	Prins Alfred Hamlet	229m ²	2019/06/18	R17 250
637	Prins Alfred Hamlet	201m ²	2018/05/29	R33 500
1108	Prins Alfred Hamlet	1 571m ²	2022/08/05	R350 000
1605	Prins Alfred Hamlet	313m ²	2021/04/20	R160 000

These sales are the latest in Prins Alfred Hamlet – No newer sales are available. This is an indication that the market is saturated, with no vacant land available, and little interest.

Conclusion

It is my opinion that the Open Market Value of the subject property on 1 September 2024 is R200-00/m², calculating to R160 200-00, taking into consideration sales and after adjusting for time, location, zoning and usage.

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8. CERTIFYING OF VALUE

I hereby certify that I have identified the subject property and obtained all the necessary information to determine the market value thereof.

Accordingly, I hereby certify that in my opinion, to the best of my knowledge, skill and expertise, the value of the subject property on 1 September 2024 to be R160 200-00 (one hundred and sixty thousand and two hundred rand).



Hendrik Coenraad Botha
Professional Valuer
Registration Number: 5601

15 August 2024
Date of Signature

9. CAVEATS

This valuation has been prepared on the basis that full disclosure of all Information and factors which may affect the valuation have been made to ourselves and we cannot accept any liability or responsibility whatsoever for the Valuation unless such full disclosure has been made.

9.1 Valuation Standard

This valuation has been prepared in accordance with the guidelines of the South African Institute of Valuers for valuation reports.

9.2 Statutory Notices and Unlawful Use

We have assumed that the property and its value are unaffected by any statutory notice or condition of Title where Title Deeds have not been inspected, and that neither the property nor its condition, nor its use, nor its intended use, is or will be unlawful.

9.3 Confidentiality

This valuation is produced exclusively for Witzenberg Municipality and for the specific purpose to which it refers. It may be disclosed to your other professional advisers assisting you in respect of that purpose. We accept no responsibility whatsoever to any parties other than yourselves who make use of this valuation.

9.4 Non-Publication

Kindly note that neither the whole nor any part of this report, nor any reference thereto maybe included in any published document, circular or statement, nor published in any way without our prior written approval at to the form or context in which it may appear.

10. ANNEXURES**10.1 Annexure 1 – Valuer Certificates**

**SOUTH AFRICAN COUNCIL FOR THE
PROPERTY VALUERS
PROFESSION**

This is to certify that

HENDRIK COENRAAD BOTHA

is registered as

Professional Valuer

In terms of section 20(2)(a) of the
Property Valuers Profession Act, 2000

DATE OF REGISTRATION AS: Professional Valuer: 28 January 2020

DATE OF ISSUE: 25 July 2024

PERIOD OF VALIDITY: 1 July 2024 - 30 June 2029


JF Cloete
President



REGISTRATION No: 5601


ND Naidoo
Registrar

VALUATION REPORT – ERF 870 PRINS ALFRED HAMLET**10.2 Annexure 2 – Instruction**

From: Liza-Mari Nieuwenhuis <liza-mari@witzenberg.gov.za>
Sent: 10 September 2024 10:47
To: Carmen Stevens <carmen@witzenberg.gov.za>
Cc: David Nasson <david@witzenberg.gov.za>
Subject: Waardasie - Ou hamlet Kliniek - Erf 870 Hamlet

More Carmen

Ek vertrou dit gaan goed.

Kan jy asseblief waardasie aanvra vir Erf 870 Prince Alfred Hamlet. Ek merk dat die Munisipale Waardasie R737 000 is, maar die gebou is nou heeltemal bouvallig en is daar net murasie oor. Dit sal gesloop moet word. Kan jy dus asseblief nuwe waardasie aanvra wat dit in ag neem.

Groete

Liza-Mari Nieuwenhuis

Senior Manager Legal Services

Telephone: +27 23 316 1854 | Email: liza-mari@witzenberg.gov.za

Physical Address: 50 Voortrekker Street, Ceres, 6835 | Website: www.witzenberg.gov.za



VALUATION REPORT – ERF 870 PRINS ALFRED HAMLET

10.3 Annexure 3 – Copy of Property Report



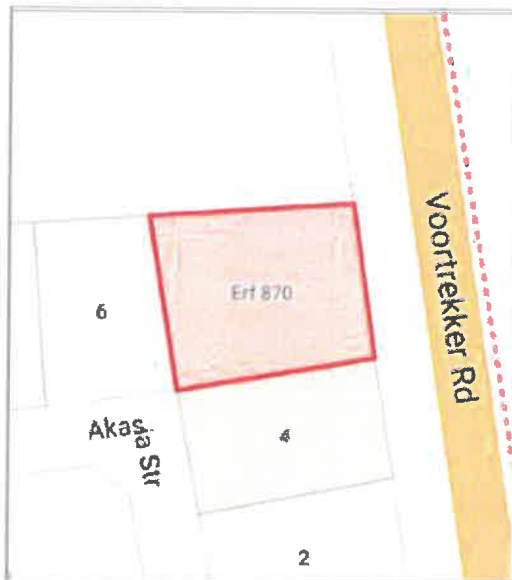
Hcb Valuations • Moorreesburg
Helen Louwrens

E-mail: helenlouwrens@gmail.com
Cell: 081 473 3707

Tel: 022 433 2035



Tel: 022 433 2035
Email: info@hcb.co.za
PO Box 247, Moorreesburg, 7100



PROPERTY INFORMATION			
Erf	870	GPS	19.326744°E 33.289251°S
Township	PRINCE ALFRED HAMLET	Extent	801 m²
Address	VOORTREKKER STREET	Cadastral extent	801 m²
Suburb	KUPRIUS	Usage	Business
Municipality	WITZENBERG	Type	
Province	WESTERN CAPE	Zoning	
		Zoning Desc	

MUNICIPAL VALUATION	
Total Value	R 737 000
Valuation Year	2023

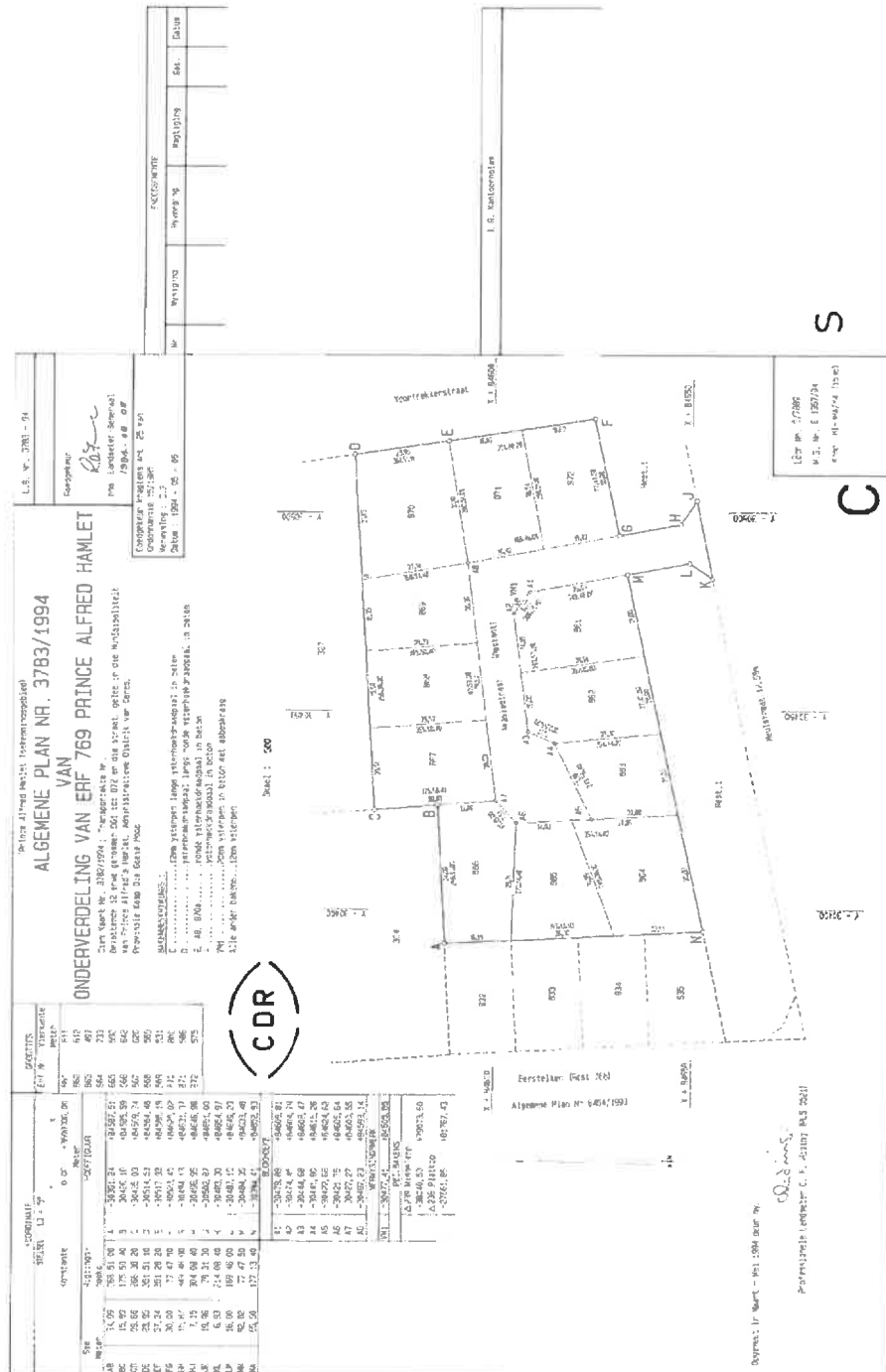
SALE INFORMATION			
Owner	*	Title Deed	*
Sale Price	*	Bond Holder	*
Sale Date	*	Bond Amount	*
Registered	*	Sale Type	*

VALUATION REPORT – ERF 870 PRINS ALFRED HAMLET

10.4 Annexure 4 – Locality Plan



3783 194



VALUATION REPORT – ERF 870 PRINS ALFRED HAMLET
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10.6 Annexure 6 – Valuation Certificate**HCB****Valuations and Services (Pty) Ltd****HEAD OFFICE**

35 Long Street, Moorreesburg, 7310

T: +27(0)22 433 2035 M: +27(0)83 663 2140 E: admin@hcb.co.za***Valuation Certificate***

Client:	Witzenberg Municipality
Erf Number:	Unregistered Erf 870
Title Deed Number:	Undetermined – Unregistered Erf
Area/Town:	Prins Alfred HAMlet
Owner:	Mun Witzenberg
Erf Extent:	801m ²
Date of Valuation:	1 September 2024
Reference Number:	PAH/870
Valuation Amount:	R160 200-00
Zoning:	Single Residential Zone 1
Comments:	

Note: This certificate must be read in conjunction with the valuation report.

Hendrik Coenraad Botha
Professional Valuer
Registration Number: 5601