

MINUTES OF THE VIRTUAL COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD ON WEDNESDAY, 27 MAY 2020 AT 09:00

PRESENT

Councillors

Alderman TT Godden (Speaker) (COPE)
Councillor BC Klaasen (Executive Mayor) (DA)
Alderman K Adams (Deputy Executive Mayor) (DA)
Councillor TE Abrahams (DA)
Councillor P Daniels (DA)
Councillor D Kinnear (DA)
Councillor C Lottering (DA)
Councillor T Mgoboza (ANC)
Councillor ZS Mzauziwa-Mdishwa (DA)
Councillor N Phatsoane (ANC)
Alderlady JT Phungula (ANC)
Alderman JW Schuurman (ANC)
Alderman H Smit (DA)

Officials

Mr D Nasson (Municipal Manager)
Mr M Mpeluzi (Director: Corporate Services)
Mr J Barnard (Director: Technical Services)
Mr CG Wessels (Manager: Administration)
Ms MJ Prins (Acting Principal Administrative Officer)
Mr R Rhode (ICT)
Mr J Pieterse (ICT)

1. OPENING AND WELCOME

The Speaker welcomed everyone at the first virtual Council meeting of the municipality and requested Councillor C Lottering afterwards 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
(3/1/2/1)**

An application for leave of absence from the meeting was received from Councillor H Visagie.

UNANIMOUSLY RESOLVED

that the application for leave of absence from the meeting, received from Councillor H Visagie, be accepted.

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

The Confidentiality and Conflict of Interest Declaration was verbally declared by all Councillors.

NOTED

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

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

None

NOTED

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

The Executive Mayor rendered the budget speech under item 8.1.2.

NOTED

3.3 Matters raised by the Municipal Manager

None

NOTED

4. MINUTES

None

NOTED

5. MOTIONS AND NOTICE OF SUGGESTIONS

None

NOTED

6. INTERVIEWS WITH DELEGATIONS

None

NOTED

7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

None

NOTED

8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

8.1 Direkoraat Finansies / Directorate Finance

8.1.1 Amended Integrated Development Plan (IDP) 2017 to 2022: Proposed amendments for 2020/2021 (2/2/1)

Item 7.1.1 of the Executive Mayoral Committee meeting, held on 22 May 2020, refers.

The Amended Integrated Development Plan for 2017 to 2022 with proposed amendments for 2020/2021 is attached as **annexure 8.1.1**.

The reason for the amendments is adopting the Witzenberg Spatial Development Framework as a core component of the Integrated Development Plan.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

- (a) that the proposed Amended 2017 to 2022 Integrated Development Plan (IDP) be adopted.
- (b) that the Witzenberg Spatial Development Framework (SDF) be adopted as a core component of the 2017 to 2022 Integrated Development Plan.

The Executive Mayoral Committee resolved on 22 May 202 to recommend to Council:

- (a) that the recommendation of the Council workshop in respect of the Amended Integrated Development Plan (IDP) 2017 to 2022 be adopted.
- (b) that the Witzenberg Spatial Development Framework (SDF) be adopted as a core component of the 2017 to 2022 Integrated Development Plan.

UNANIMOUSLY RESOLVED

- (a) *that the proposed Amended 2017 to 2022 Integrated Development Plan (IDP) be adopted.*
- (b) *that the Witzenberg Spatial Development Framework (SDF) be adopted as a core component of the 2017 to 2022 Integrated Development Plan.*
- (c) *that Council can amend the Integrated Development Plan (IDP) 2017 to 2022 if necessary.*

**8.1.2 Finance: Budget 2020/2021
(5/1/19)**

Item 7.1.2 of the Executive Mayoral Committee meeting, held on 22 May 2020, refers.

The following documents are attached:

- (a) Memorandum from the Acting Director: Finance, dated 19 May 2020: **Annexure 8.1.2(a)**.
- (b) Budget for 2020/2021 – 2022/2023: **Annexure 8.1.2(b)**.
- (c) Rates and tariffs 2020/2021: **Annexure 8.1.2(c)**.
- (d) Budget related policies 2020/2021: **Annexure 8.1.2(d)**.
- (e) Capital budget 2020/2021: **Annexure 8.1.2(e)**.
- (f) MFMA Budget Circular: **Annexure 8.1.2(f)**.
- (g) Provincial Treasury Circular, dated 19 March 2020: **Annexure 8.1.2(g)**.
- (h) LG MTEC Integrated Planning and Budgeting Assessment: **Annexure 8.1.2(h)**.
- (i) LG MTEC responses 2020/2021: **Annexure 8.1.2(i)**.

The following recommendation was tabled to the Executive Mayoral Committee:

- (a) That the annual budget of Witzenberg Municipality for the financial year 2020/2021 and indicative for the two projected years 2021/2022 and 2022/2023, as set out in the schedules, be approved:
 - (i) Table A2: Budgeted Financial Performance (expenditure by standard classification).
 - (ii) Table A3: Budgeted Financial Performance (expenditure by municipal vote).
 - (iii) Table A4: Budgeted Financial Performance (revenue by source).
 - (iv) Table A5: Budgeted Capital Expenditure for both multi-year and single year by vote, standard classification and funding.
- (b) Property rates reflected in annexure 8.1.2(c) and any other municipal tax reflected in annexure 8.1.2(c) are imposed for the budget year 2020/2021.
- (c) Tariffs and charges reflected in annexure 8.1.2(c) are approved for the budget year 2020/2021.
- (d) The measurable performance objectives for revenue from each source reflected in Table A4 - Budgeted Financial Performance (revenue and expenditure) are approved for the budget year 2020/2021.
- (e) The measurable performance objectives for each vote reflected in SA8 are approved for the budget year 2020/2021.

- (f) That the new amended budget related policies be approved with implementation as from 1 July 2020:
- (i) Tariff Policy
 - (ii) Property Rates Policy
 - (iii) Credit Control and Debt Collection Policy
 - (iv) Cash Management and Investment Policy
 - (v) Consumer Payment Incentive Policy
 - (vi) Municipal Supply Chain Management Policy
 - (vii) Petty Cash Policy
 - (viii) Indigent Policy
 - (ix) Budget Policy
 - (x) Budget Virement Policy
 - (xi) Asset Management Policy
 - (xii) Funding and Reserves Policy
 - (xiii) Cellular Telephone and Data Card Policy
 - (xiv) Borrowing Policy
 - (xv) Long Term Financial Plan Policy
 - (xvi) Transport, Travel and Subsistence Allowance
 - (xvii) Post-Employment Medical Aid Contributions
 - (xviii) Travel Management Policy
 - (xix) Cost Containment Policy
- (g) That Council takes cognisance of the budget circulars issued by National Treasury and Provincial Treasury.
- (h) That Council takes cognisance of the LG MTEC Integrated Planning and Budgeting Assessment and the responses by the municipality.

The Executive Mayoral Committee resolved on 22 May 2020 to recommend to Council:

- (a) That the recommendation of the Council workshop in respect of the Budget 2020/2021 be adopted by Council.
- (b) That the annual budget of Witzenberg Municipality for the financial year 2020/2021 and indicative for the two projected years 2021/2022 and 2022/2023, as set out in the schedules, be approved:
- (i) Table A2: Budgeted Financial Performance (expenditure by standard classification).
 - (ii) Table A3: Budgeted Financial Performance (expenditure by municipal vote).
 - (iii) Table A4: Budgeted Financial Performance (revenue by source).
 - (iv) Table A5: Budgeted Capital Expenditure for both multi-year and single year by vote, standard classification and funding.
- (c) Property rates reflected in annexure 8.1.2(c) and any other municipal tax reflected in annexure 8.1.2(c) are imposed for the budget year 2020/2021.
- (d) Tariffs and charges reflected in annexure 8.1.2(c) are approved for the budget year 2020/2021.

- (e) The measurable performance objectives for revenue from each source reflected in Table A4 - Budgeted Financial Performance (revenue and expenditure) are approved for the budget year 2020/2021.
- (f) The measurable performance objectives for each vote reflected in SA8 are approved for the budget year 2020/2021.
- (g) That the new amended budget related policies be approved with implementation as from 1 July 2020:
 - (i) Tariff Policy
 - (ii) Property Rates Policy
 - (iii) Credit Control and Debt Collection Policy
 - (iv) Cash Management and Investment Policy
 - (v) Consumer Payment Incentive Policy
 - (vi) Municipal Supply Chain Management Policy
 - (vii) Petty Cash Policy
 - (viii) Indigent Policy
 - (ix) Budget Policy
 - (x) Budget Virement Policy
 - (xi) Asset Management Policy
 - (xii) Funding and Reserves Policy
 - (xiii) Cellular Telephone and Data Card Policy
 - (xiv) Borrowing Policy
 - (xv) Long Term Financial Plan Policy
 - (xvi) Transport, Travel and Subsistence Allowance
 - (xvii) Post-Employment Medical Aid Contributions
 - (xviii) Travel Management Policy
 - (xix) Cost Containment Policy
- (h) That Council takes cognisance of the budget circulars issued by National Treasury and Provincial Treasury.
- (i) That Council takes cognisance of the LG MTEC Integrated Planning and Budgeting Assessment and the responses by the municipality.

The Executive Mayor submitted the Witzenberg Municipality Budget for 2020/2021 and delivered the Budget speech, which is attached as **annexure 8.1.2(j)**.

UNANIMOUSLY RESOLVED

- (a) *That the annual budget of Witzenberg Municipality for the financial year 2020/2021 and indicative for the two projected years 2021/2022 and 2022/2023, as set out in the schedules, be approved:*
 - (i) *Table A2: Budgeted Financial Performance (expenditure by standard classification).*
 - (ii) *Table A3: Budgeted Financial Performance (expenditure by municipal vote).*
 - (iii) *Table A4: Budgeted Financial Performance (revenue by source).*
 - (iv) *Table A5: Budgeted Capital Expenditure for both multi-year and single year by vote, standard classification and funding.*

- (b) *Property rates reflected in annexure 8.1.2(c) and any other municipal tax reflected in annexure 8.1.2(c) are imposed for the budget year 2020/2021.*
- (c) *Tariffs and charges reflected in annexure 8.1.2(c) are approved for the budget year 2020/2021.*
- (d) *The measurable performance objectives for revenue from each source reflected in Table A4 - Budgeted Financial Performance (revenue and expenditure) are approved for the budget year 2020/2021.*
- (e) *The measurable performance objectives for each vote reflected in SA8 are approved for the budget year 2020/2021.*
- (f) *That the new amended budget related policies be approved with implementation as from 1 July 2020:*
 - (i) *Tariff Policy*
 - (ii) *Property Rates Policy*
 - (iii) *Credit Control and Debt Collection Policy*
 - (iv) *Cash Management and Investment Policy*
 - (v) *Consumer Payment Incentive Policy*
 - (vi) *Municipal Supply Chain Management Policy*
 - (vii) *Petty Cash Policy*
 - (viii) *Indigent Policy*
 - (ix) *Budget Policy*
 - (x) *Budget Virement Policy*
 - (xi) *Asset Management Policy*
 - (xii) *Funding and Reserves Policy*
 - (xiii) *Cellular Telephone and Data Card Policy*
 - (xiv) *Borrowing Policy*
 - (xv) *Long Term Financial Plan Policy*
 - (xvi) *Transport, Travel and Subsistence Allowance*
 - (xvii) *Post-Employment Medical Aid Contributions*
 - (xviii) *Travel Management Policy*
 - (xix) *Cost Containment Policy*
- (g) *That Council takes cognisance of the budget circulars issued by National Treasury and Provincial Treasury.*
- (h) *That Council takes cognisance of the LG MTEC Integrated Planning and Budgeting Assessment and the responses by the municipality.*

**8.1.3 Finance: Draft Adjustment Budget 2019/2020
(5/1/1/18)**

The following documents are attached:

- (a) Memorandum from Acting Director: Finance, dated 19 May 2020: **Annexure 8.1.3(a)**.
- (b) Report: Adjustment Budget 2019/2020 to 2021/2022: **Annexure 8.1.3(b)**.
- (c) Adjustment Budget schedules: **Annexure 8.1.3(c)**.

UNANIMOUSLY RESOLVED

That the Adjustment Budget of Witzenberg Municipality for the financial year 2019/2020, as set out in the schedules, be approved:

- (i) *Table B2: Budgeted Financial Performance (expenditure by standard classification).*
- (ii) *Table B3: Budgeted Financial Performance (expenditure by municipal vote).*
- (iii) *Table B4: Budgeted Financial Performance (revenue by source).*
- (iv) *Table B5: Budgeted Capital Expenditure for both multi-year and single year by vote, standard classification and funding.*

**8.1.4 Determination of upper limits of salaries, allowance and benefits of councillors according to Government Gazette no. 43246
(5/11/1)**

The following documents are attached:

- (a) Memorandum from Acting Director: Finance, dated 19 May 2020: **Annexure 8.1.4(a)**.
- (b) Government Gazette no. 43246, dated 24 April 2020: **Annexure 8.1.4(b)**.
- (c) Local Government Circular no. C15 of 2020, dated 29 April 2020: **Annexure 8.1.4(c)**.
- (d) Detail of adjustment and councillor allowances: **Annexure 8.1.4(d)**.

UNANIMOUSLY RESOLVED

That in respect of the determination of upper limits of salaries, allowances and benefits of different members of municipal councils, discussed by Council at a Council meeting:

- (i) *that Council notes the content of Government Gazette no. 43246.*
- (ii) *that sufficient funds and budget are available to set the upward salary adjustment of councillors with effect from 1 July 2019.*
- (iii) *that Council approves the upward salary adjustment for Councillors as determined in Government Gazette no. 43246.*
- (iv) *that Council approves the cell phone allowances and data bundle for Councillors as determined in Government Gazette no. 43246.*

- (v) *that the increase of total remuneration be approved retrospectively from 1 July 2019 subject to the concurrence of the Provincial Minister for Local Government.*
- (vi) *that the Provincial Minister for Local Government notes that Council has not implemented the latest upward salary adjustment as yet.*
- (vii) *that Councillors submit to the municipality details of property, assets and beneficiaries to be covered by the special risk insurance.*

8.2 Direkoraat Tegniese Dienste / Directorate Technical Services

8.2.1 Water situation: Tulbagh (16/2/1/1/1)

Item 7.2.1 of the Executive Mayoral Committee meeting, held on 22 May 2020, refers.

A memorandum from the Director: Technical Services, dated 18 May 2020, is attached as **annexure 8.2.1**.

The Executive Mayoral Committee resolved on 22 May 2020 to recommend to Council:

- (a) that notice be taken of the level 3 water restrictions which are in place at Tulbagh.
- (b) that notice be taken of the action plan in place to curb the drought.
- (c) that notice be taken that the remaining water in the dam is sufficient for two months' usage.

UNANIMOUSLY RESOLVED

- (a) *that notice be taken of the level 3 water restrictions which are in place at Tulbagh.*
- (b) *that notice be taken of the action plan in place to curb the drought.*
- (c) *that notice be taken that the remaining water in the dam is sufficient for two months' usage.*

8.2.2 Witzenberg Spatial Development Framework (WSDF) (15/04/P)

Item 7.2.2 of the Executive Mayoral Committee meeting, held on 22 May 2020, refers.

The following documents are attached:

- (a) Memorandum from the Senior Manager: Town Planning and Building Control, dated 19 May 2020: **Annexure 8.2.2(a)**.
- (b) Spatial Development Framework, dated April 2020: **Annexure 8.2.2(b)**.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

That the Witzenberg Spatial Development Framework, prepared by Built Environment Partnership, be approved and adopted in terms of Section 20 of the Spatial Planning and Land Use Management Act, 2013 and Section 5(1)(a) of the Witzenberg Land Use Planning By-Law, 2015.

The Executive Mayoral Committee resolved on 22 May 2020 to recommend to Council:

that the recommendation of the Council workshop in respect of the Witzenberg Spatial Development Framework be adopted.

UNANIMOUSLY RESOLVED

That the Witzenberg Spatial Development Framework, prepared by Built Environment Partnership, be approved and adopted in terms of Section 20 of the Spatial Planning and Land Use Management Act, 2013 and Section 5(1)(a) of the Witzenberg Land Use Planning By-Law, 2015.

8.3 Direktoraat Gemeenskapsdienste / Directorate Community Services

None

NOTED

8.4 Direktoraat Korporatiewe Dienste / Directorate Corporate Services

**8.4.1 Personnel matters: COVID-19 Workplace Policy
(4/7/P & 1/3/1/32)**

Item 7.4.1 of the Executive Mayoral Committee meeting, held on 22 May 2020, refers.

The proposed COVID-19 Workplace Policy for Witzenberg Municipality is attached as **annexure 8.4.1**.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

that the COVID-19 Workplace Policy for Witzenberg Municipality be accepted and approved.

The Executive Mayoral Committee resolved on 22 May 2020 to recommend to Council:

that the recommendation of the Council workshop in respect of the COVID-19 Workplace Policy be adopted by Council.

Council discussed the COVID-19 Workplace Policy and highlighted the following matters:

Councillor TE Abrahams requested that all measures be taken to protect the safety of all Councillors.

The Municipal Manager ensured Council that an individual risk assessment will be taken in respect of all Councillors.

Councillor BC Klaasen requested that Councillors arrange telephonic discussions with the public and not on a one-on-one basis for their own safety.

UNANIMOUSLY RESOLVED

That the COVID-19 Workplace Policy for Witzenberg Municipality be accepted and approved.

**8.4.2 Council matters: Generic rules for virtual meetings or sittings
(3/1/2/P)**

The following documents are attached:

- (a) SALGA Circular 18/2020, dated 11 May 2020: **Annexure 8.4.2(a)**.
- (b) Government Gazette no. 43291 of 7 May 2020: **Annexure 8.4.2(b)**.
- (c) Rules for virtual meetings or sittings: **Annexure 8.4.2(c)**.

UNANIMOUSLY RESOLVED

That Council follow and adhere to the regulations in respect of the Rules for Virtual Meetings and Sittings as gazetted as well as amended from time to time.

9. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA

9.1 Exemption of salary and wage increase for period 1 July 2020 until 30 June 2021
(4/5/1)

The following memorandum, dated 26 May 2020, was received from the Municipal Manager:

Purpose

For Council to consider lodging an application to the South African Local Government Bargaining Council for an exemption of the implementation of the salary and wage collective agreement for the 2020/2021 financial year.

Deliberation

In terms of the 2018 Multi-year Salary and Wage Collective Agreement the salary and wage account of the municipality will increase by at least 6.25 % for the 2020/2021 financial year. This excludes the implementation of TASK results, medical contribution increases and annual notch increases. A copy of the SALGA Circular WC 25 of 2019/2020, dated 12 March 2020, is attached as **annexure 9.1(a)**. The current COVID 19 pandemic on communities will have a severe impact on the financial sustainability of the municipality. The Western Cape Municipal Managers Forum has recommended that:

- The salary and wage increase for the 2020/2021 financial year be limited to the notch increase only, if applicable.
- SALGA National followed the appropriate steps to implement clause 11 and applied for exemption on behalf of all municipalities immediately after the lockdown.
- Should SALGA National resolve to implement the above cost saving measure, that SALGA Western Cape sets a mandate from all Western Cape municipalities immediately after the lockdown period to approach the SALGBC on behalf of all Western Cape municipalities.

Mossel Bay Municipality addressed a letter to SALGA National on the issue of the exemption of the salary and wage collective agreement. A copy is attached as **annexure 9.1(b)**. SALGA responded to Mossel Bay Municipality in a letter dated 6 May 2020, which is attached as **annexure 9.1(c)**. In the said letter SALGA proposes that municipalities should lodge the exemption application themselves. A copy of the exemption application is attached as **annexure 9.1(d)**.

Financial implication

The impact of the increase on the salary and wage bill of the municipality will approximately be R15 million.

Council is requested to give consideration as to whether an application for an exemption should be applied for to the South African Local Government Bargaining Council.”

Council discussed the matter in respect of the exemption of salary and wage increase for the period 1 July 2020 until 30 June 2021.

Councillor BC Klaasen proposed and Councillor D Jacobs seconded:

That Witzenberg Municipality applies for exemption of salary and wage increase for the period 1 July 2020 until 30 June 2021 and if approval is obtained, a special Council meeting be held to consider to apply or not to apply the approval.

Alderman JW Schuurman proposed and Councillor N Phatsoane seconded:

That Witzenberg Municipality does not apply for exemption of salary and wage increase for the period 1 July 2020 until 30 June 2021.

Both the DA and ANC requested a caucus break and the Speaker approved a ten minutes break.

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

- Ten votes in favour.

A majority vote could not be obtained due to the lack of a quorum.

RESOLVED

that the matter in respect of the exemption of salary and wage increase for the period 1 July 2020 until 30 June 2021 be held in abeyance until the next meeting.

10. ADJOURNMENT

The meeting adjourned at 10:15.

Approved on _____ with / without amendments.

ALDERMAN TT GODDEN
SPEAKER

MJ Prins