

Kennis word hiermee gegee ingevolge Artikel 29(2) van die Plaaslike Regering: Munisipale Strukture Wet, 1998 (Wet 117 van 1998), soos gewysig, dat 'n **Raadsvergadering** van die Munisipaliteit Witzenberg gehou sal word op **Woensdag, 26 Oktober 2022** 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 a **Council meeting** of the Witzenberg Municipality will be held on **Wednesday, 26 October 2022** at **10:00** in the **Town Hall, Voortrekker Street, Ceres.**

Raadslede en Amptenare / Councillors and officials		
Alderman K Adams	Councillor JJ Cloete	Councillor P Daniels
Councillor S de Bruin	Councillor GJ Franse	Councillor JP Fredericks
Councillor AL Gili	Councillor LA Hardnek	Councillor P Heradien
Alderman BC Klaasen	Councillor FE Klazen (Deputy Executive Mayor)	Councillor GG Laban
Councillor JS Mouton	Councillor MJ Ndaba	Councillor N Nogcinisa
Councillor N Phatsoane	Alderman HJ Smit (Executive Mayor)	Councillor D Swart
Councillor IL Swartz	Alderman JJ Visagie	Councillor K Yisa
Councillor J Zalie		
Municipal Manager	Director: Finance	Director: Technical Services
Director: Corporate Services	Manager: Projects and Performance	IDP Manager
Manager: Administration	Manager: Communication and Marketing	Manager: Legal Services
Chief Administrative Officer	Committee Clerk	

**Agenda: Council meeting 26 October 2022**  
**Agenda: Raadsvergadering 26 Oktober 2022**

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**TER INLIGTING / FOR INFORMATION**

<b>Agenda pack</b>		
Chairperson: IMATU (Mr J Noble)	Chairperson: SAMWU (Mr T Mabala)	
Bella Vista Library	Emfundweni 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		

<b>By e-mail</b>		
Alderlady MC du Toit E-mail: marina@destraadt.co.za	Alderlady JT Phungula E-mail: thembisapungula@gmail.com	Alderman JW Schuurman E-mail: jws1350@gmail.com
Ceres Business Initiative Mr J Conradie Cell: (083) 270-7713 E-mail: manager@cerescbi.co.za	Mr Jacob Rooi Witzenberg Party E-mail: rooi.jacob@gmail.com	



**COUNCILLOR EM SIDE GO  
SPEAKER**

19 October 2022

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## **A G E N D A**

### **1. OPENING AND WELCOME**

### **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**.*

**NOTED**

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

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

**NOTED**

### **3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED**

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

Council's congratulations are conveyed 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**

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

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

**3.4 Matters raised by the Municipal Manager**

**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).**

**RECOMMENDED**

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

- (a) *Special Council meeting, held on 23 March 2022.*
- (b) *Special Council meeting, held on 24 May 2022.*
- (c) *Special Council meeting, held on 30 May 2022.*
- (d) *Special Council meeting, held on 22 June 2022.*

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- (e) *Special Council meeting, held on 10 August 2022.*
- (f) *Council meeting, held on 24 August 2022.*
- (g) *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

**RECOMMENDED**

*that notice be taken of the outstanding matters.*

**AANBEVEEL**

*dat kennis geneem word van die uitstaande sake.*

**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**.

**RECOMMENDED**

*For consideration.*

**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).**

**RECOMMENDED**

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

**AANBEVEEL**

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

**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.

**RECOMMENDED**

*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:

- (a) 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.

**RECOMMENDED**

- (a) *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.*

#### **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.

#### **RECOMMENDED**

*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.

#### **RECOMMENDED**

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

## **8.2     Direktoraat Tegniese Dienste / Directorate Technical Services**

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

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

#### **RECOMMENDED**

*That the Executive Mayoral Committee recommends 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.*

#### **AANBEVEEL**

*Dat die Uitvoerende Burgemeesterskomitee by die Raad aanbeveel:*

*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.*

### **8.3   Direktoraat 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."



**RECOMMENDED**

*For consideration.*

#### **8.4    Direktoraat 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**.

##### **RECOMMENDED**

*That the Executive Mayoral Committee recommends to Council:*

*that the Witzenberg Training and Development Policy, after consideration, be approved by Council.*

##### **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**.

##### **RECOMMENDED**

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

##### **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.

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- 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."

**RECOMMENDED**

*that notice be taken of the report regarding the stolen/missing Mayoral chain.*

**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)**.

**RECOMMENDED**

*For consideration.*

**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**.

**RECOMMENDED**

*That the Executive Mayoral Committee recommends to Council:*

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

**9. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA**

**10. FORMAL AND STATUTORY MATTERS**

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

**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."

**RECOMMENDED**

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

**12. COUNCIL-IN-COMMITTEE**

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 in the Town Hall, Voortrekker Street, Ceres on  
Wednesday, 26 October 2022

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
Adams	K	
Cloete	JJ	
Daniels	P	
De Bruin	S	
Franse	GJ	
Fredericks	JP	
Gili	AL	
Hardnek	LA	

Surname	Initials	Signature
Heradien	P	
Klaasen	BC	
Klaazen	FE	
Laban	GG	
Mouton	JS	
Ndaba	MJ	
Nogcinisa	N	
Phatsoane	N	
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 Direktooraat 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 Rekening Komitee gestig word.***
- (b) *dat die Munisipale Publieke Rekening 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 dienooreenkomstig 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 werkwinkel 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.

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COUNCILLOR JS MOUTON  
SPEAKER

*MJ Prins*

MINUTES OF THE SPECIAL COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON WEDNESDAY, 23 MARCH 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 IL Swartz (EFF)

Officials

Mr D Nasson (Municipal Manager)  
Mr HJ Kritzinger (Director: Finance)  
Mr J Barnard (Director: Technical Services)  
Ms L Nieuwenhuis (Manager: Legal Services)  
Mr CG Wessels (Manager: Administration)  
Ms M Arendse-Smith (Chief Administrative Officer)  
Mr C Titus (Committee Clerk)  
Mr J Pieterse (Senior ICT Officer)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Speaker welcomed everyone present and opened the meeting with scripture reading after which she requested Councillor JJ Cloete 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)

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.*

EENPARIG BESLUIT

*dat die aansoek om verlof tot afwesigheid van die vergadering, ontvang vanaf raadslid GG Laban, goedgekeur en 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.

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

NOTED

2.3 Request from Speaker: Legal Advisor

The Speaker requested that the Municipal Manager who serves as the legal advisor to Speaker, excuse himself from the duty due to an incident in the office of the Speaker. She requested that the Manager: Legal Services of the municipality replace the Municipal Manager for the day and attend the meeting from 10:15.

Alderman JJ Visagie requested more information and the Speaker responded that the Municipal Manager did not want to implicate himself, because the incident was still under investigation.

The Speaker mentioned that the Executive Mayor, Alderman HJ Smit, and Councillor JP Fredericks had also been present with the incident and requested that the abovementioned Councillors excuse themselves.

Alderman JJ Visagie objected to the excusal on grounds that no facts in respect of the matter were available. The Speaker mentioned that the Councillors may attend the meeting, because nothing in this regard will be discussed.

NOTED.

#### 2.4 Questions to the Executive Mayor by the ANC coalition in the municipality

Councillor A Gili put a list of questions to the Executive Mayor in respect of various matters, attached as annexure 2.4.

The Executive Mayor responded that the answers on the questions will be given at the next meeting.

NOTED

Alderman JJ Visagie requested on behalf of the DA coalition a caucus break from 10:23 until 10:25.

After the caucus break Alderman Visagie confirmed that the Executive Mayor will respond to the answers at the next Council meeting.

NOTED

### 3. RESERVED POWERS / GERESERVEERDE BEVOEGDHEDE

#### 3.1 Directorate Finance

##### 3.1.1 Annual Report and Financial Statements: 2020/2021 (9/01/1)

The following documents are attached:

- (a) The 2020/2021 Annual Report Oversight Report: Annexure 3.1.1(a).
- (b) MPAC check list for Annual Report 2020/2021: Annexure 3.1.1(b).
- (c) Annual Report and Financial Statements 2020/2021: Annexure 3.1.1(c).

No public comment on the Witzenberg Annual Report 2020/2021 was received.

Alderman K Adams enquired about the correctness of the sentence of the Overview report of the Municipal Manager under Revenue Collection.



The Municipal Manager acknowledged the mistake and corrected the sentence to read:

**"The municipality's performance for revenue collection increased from 88 % in 2019/2020 to 90 % in the 2020/2021 financial year."**

UNANIMOUSLY RESOLVED

- (a) *that Council takes notice of the MPAC Oversight Report in the Annual Report 2020/2021 and, after consideration, accepts same.*
- (b) *that, having fully considered the 2020/2021 Annual Report of the Witzenberg Municipality, Council adopts the 2020/2021 Oversight Report and approves the 2020/2021 Annual Report without reservations.*

EENPARIG BESLUIT

- (a) *dat die Raad kennis neem van die Munisipale Publieke Rekeningekomitee se Oorsigverslag in die Jaarverslag 2020/2021 en, na oorweging, genoemde aanvaar.*
- (b) *dat, nadat die 2020/2021 Jaarverslag van die Munisipaliteit Witzenberg volledig oorweeg is, word die 2020/2021 Oorsigverslag deur die Raad aanvaar en die 2020/2021 Jaarverslag sonder voorbehoude goedgekeur.*

### 3.1.2 Finance: Adjustment budget 2020/2021 (5/1/1/19)

The following documents are attached:

- (a) Memorandum from Director: Finance, dated 19 January 2022: Annexure 3.1.2(a).
- (b) Adjustment budget report 2020/2021: Annexure 3.1.2(b).
- (c) Budget schedules 2020/2021: Annexure 3.1.2(c).

UNANIMOUSLY RESOLVED

- (a) *that no official or public office bearer that made, permitted or authorised the unauthorised expenditure acted deliberately or in grossly negligent manner.*
- (b) *that the municipality has not suffered any loss as a result of the action.*
- (c) *that the unauthorised expenditure not be recovered from any official or public office bearer, and that the amount be written off.*

- (d) *That the Adjustment Budget of Witzenberg Municipality for the financial year 2020/2021, as set out in the budget documents, be approved by Council.*

EENPARIG BESLUIT

- (a) *dat geen amptenaar of openbare ampsdraer wat die ongemagtigde uitgawe maak, toegelaat of gemagtig het, opsetlik of op growwe nalatige wyse opgetree het nie.*
- (b) *dat die munisipaliteit geen verlies gely het as gevolg van die optrede nie.*
- (c) *dat die ongemagtigde uitgawe nie van enige amptenaar of openbare ampsdraer verhaal word nie en dat die bedrag afgeskryf word.*
- (d) *Dat die Aansuiweringsbegroting van Munisipaliteit Witzenberg vir die finansiële jaar 2020/2021, soos uiteengesit in die begrotingsdokumente, deur die Raad goedgekeur word.*

### 3.2 Directorate Corporate Services

#### 3.2.1 By-law: Rules of order for conducting of meetings (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 3.2.1.

The following recommendation was tabled to Council:

that the By-law on the Rules of Order regulating the conduct of meetings of the Witzenberg Municipality, be approved and adopted for promulgation.

UNANIMOUSLY RESOLVED

*that notice be taken of the discussions on the By-law: Rules of Order for conducting of meetings.*

EENPARIG BESLUIT

*dat kennis geneem word van die besprekings rondom die Verordeninge insake die Ordereëls vir vergaderings.*

### 4. QUESTIONS AND/OR MATTERS RAISED BY COUNCILLORS

#### 4.1 Question to the Deputy Executive Mayor in respect of a Facebook post

Councillor A Gili put a question to the Deputy Executive Mayor in respect of a post by GOOD on Facebook. The verbal enquiry of the Councillor is summarised as follows:

Councillor Gili enquired about the WhatsApp line which is being advertised on Facebook as the method of reporting problems. The concern is that none of the Councillors have been informed of this and it is embarrassing to find out about it from community members. The question is then whether it is a product of the GOOD Party or of Witzenberg Municipality.

The Speaker requested that Councillor A Gili submits a written question in order for the Deputy Executive Mayor to respond on the question before Council as prescribed by the Rules of Order for conducting meetings.

The Deputy Executive Mayor responded that the answer to the question will be given at the next Council meeting.

NOTED

4.2 Sewerage pipeline: Nduli, Ceres  
(16/5/R)

Councillor N Phatsoane requested that the long coming complaints about the sewerage pipeline in Nduli, Ceres be addressed urgently. The Speaker requested that Councillor Phatsoane and all Councillors in future submit written questions for Council as prescribed by the Rules of Order for conducting meetings.

UNANIMOUSLY RESOLVED

*that Councillor N Phatsoane informs the Director: Technical Services with a written request to urgently attend to the defects on the sewerage pipeline in Nduli, Ceres.*

EENPARIG BESLUIT

*dat raadslid N Phatsoane 'n skriftelike versoek aan die Direkteur: Tegnieese Dienste rig om dringend aandag te skenk aan die foute op die rioolpypleiding in Nduli, Ceres.*

5. ADJOURNMENT / VERDAGING

The meeting adjourned at 10:40.

Approved on \_\_\_\_\_ with / without amendments.

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COUNCILLOR J MOUTON  
SPEAKER

*MJ Prins*

MINUTES OF THE SPECIAL COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON TUESDAY, 24 MAY 2022 AT 09:00

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 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)  
 Ms MJ Prins (Word Processor Operator)  
 Mr R Rhode (ICT Administrator)  
 Mr J Pieterse (Senior ICT Officer)

Other attendees

Mr D McThomas (Designated Chairperson) (Municipal Manager Breede Valley Municipality)  
 Mr G Caswell (Deputy Director: Specialised Support, Department of Local Government)  
 Mr K Makan (Director: Municipal Governance, Department of Local Government)

3. MOTIONS AND NOTICE OF SUGGESTIONS

3.1 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)

A motion from the DA coalition, dated 18 May 2022, is attached as annexure 3.1.

Mr D McThomas, Chairperson of the meeting, introduced himself and mentioned that he is duly designated by Mr A Bredell, Western Cape Minister of Local Government to act as Chairperson for the meeting in respect of a motion of no confidence and to request the removal of the Speaker from office in terms of the applicable legislation. He read the relevant letter.

Remarks

Councillor MJ Ndaba: Requested information on what grounds did the MEC appoint the Chairperson for the meeting. The Chairperson referred to the letter of appointment, but were simultaneously interrupted by Councillors from the opposition coalition.

Councillor K Yisa: Requested Speaker J Mouton to remove the Chairperson from the meeting.

Speaker Mouton: Mentioned that people unknown to her are attending the meeting, probably from the office of the MEC. The process followed is unfair, because as Speaker she did not receive notice from the MEC of any person to chair her meeting. As Speaker she requested time to consider the meeting in respect of the signed motion. The request for time was not granted by the Executive Mayor. The notification of the meeting was signed by the Municipal Manager at the time.

Chairperson: Responded that there is proof that Speaker Mouton was not willing to sign the agenda for the meeting. The Municipal Manager could sign off the notification as he was still in office at the time.

Councillor MJ Ndaba: Enquired who has called the Special Council meeting.

Chairperson: Read the letter of designation received from Mr Bredell, Western Cape Minister of Local Government, in respect of the request for the Special Council meeting. Mr David McThomas, Municipal Manager of Breede Valley Municipality, is designated as Chairperson of the meeting.

Furthermore the Chairperson read the request from the majority of Council calling for a Special Council meeting. On request Alderman HJ Smit tabled an email proof to Speaker Mouton to call a Special Council meeting. The email was duly signed by Alderman Smit, Executive Mayor.

Speaker Mouton: Mentioned that she never refused to call the Council meeting. On 6 May 2022 she requested the Municipal Manager, Mr David Nasson, to arrange a Special Council meeting to appoint an Acting Municipal Manager. The meeting did not take place due to her illness from 10 May 2022. On 16 May 2022 she was called to a meeting by the Executive Mayor. The Mayor informed her that the purpose of the meeting was to appoint an Acting Municipal Manager. The Executive Mayoral Committee members were all in attendance. She was informed that the meeting was about the appointment of Mr David Nasson as the Acting Municipal Manager. The Speaker requested the Municipal Manager to appoint an Acting Municipal Manager on which Mr Nasson replied that he preferred that the Speaker must use her powers. The Executive Mayor adjourned the meeting.

Alderman J Visagie: Raised a point of order that meeting procedures be followed and the meeting accordingly be opened.

Speaker Mouton: Mentioned that she only discovered on 18 May 2022 that a motion, requesting a Special Council meeting, had been signed.

Chairperson: Repeated the purpose of the meeting and opened the meeting properly. The meeting was constituted in terms of the content of the agenda.

Various remarks were made from the floor, which included several Councillors from the opposition side i.e. MJ Ndaba, AL Gili, P Heradien and K Yisa. The meeting erupted in shouting.

Chairperson: Mentioned that a caucus break was requested for ten minutes from 09:35 until 09:43.

Chairperson: Requested after the caucus break that respect for the meeting be displayed and not to disrupt the proceedings. Speaker Mouton and Councillor MJ Ndaba were identified in this regard and requested to honour the meeting.

Much disruption followed from both sides of the floor and Councillor N Nogcinisa started singing, followed by more Councillors of the opposition side.

Chairperson: Continued with the meeting and Alderman JJ Visagie proposed and Alderman K Adams seconded the motion that Speaker J Mouton be removed as Speaker of the Council.

Thus no other proposals submitted the Chairperson called for a vote in terms of hands.

13 Votes were casted by showing of hands in favour of the removal of Speaker J Mouton as Speaker of Council.

The Chairperson declared that Councillor J Mouton is removed as the Speaker of Council.

RESOLVED

*that Councillor J Mouton be removed as Speaker of the Witzenberg Municipal Council.*

BESLUIT

*dat Raadslid J Mouton verwyder word as Speaker van die Witzenberg Munisipale Raad.*

2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, I F ANY  
AANSOEKE OM VERLOF TOT AFWESIGHEID, INDIEN ENIGE  
(3/1/2/1)

This item was not addressed.

NOTED

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

The prescribed nomination form is attached as annexure 3.2.

The Chairperson called for nominations to elect a Speaker.

Councillor D Swart proposed and Councillor EM Sidego accepted the nomination as Speaker.

The Chairperson called for a vote by show of hands. 13 votes were in favour of Councillor EM Sidego as the newly elected Speaker. Thus there were no other proposals.

The Chairperson declared that since there were no other proposals, Councillor EM Sidego is duly elected as Speaker of the Witzenberg Municipal Council. The Chairperson handed over the chair to Councillor Sidego.

RESOLVED

*that Councillor EM Sidego be duly elected as the Speaker of the Witzenberg Municipal Council.*

BESLUIT

*dat Raadslid EM Sidego behoorlik verkies word as die Speaker van die Witzenberg Munisipale Raad.*



4. COUNCIL-in-COMMITTEE

MINUTES OF THE SPECIAL COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON MONDAY, 30 MAY 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 K Yisa (ANC)  
Councillor J Zalie (ANC)  
Councillor J Cloete (PA)  
Councillor JP Fredericks (FF Plus)  
Councillor LA Hardnek (Witzenberg Party)  
Councillor GG Laban (Witzenberg Aksie)  
Councillor IL Swartz (EFF)

Officials

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

1. OPENING AND WELCOME

The Speaker welcomed everyone present after which she requested Councillor D Swart 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* form is attached as annexure 2.1.

Applications for leave of absence from the meeting were received from Councillors AL Gili, N Nogcinisa and N Phatsoane (ANC).

UNANIMOUSLY RESOLVED

- (a) *that the applications for leave of absence from the meeting, received from Councillors N Nogcinisa (attending funeral) and N Phatsoane (in hospital) be accepted and approved.*
- (b) *that the application for leave of absence from the meeting, received from Councillor AL Gili (ANC) be declined due to an inappropriate reason ("**other commitment in Cape Town**") and Councillor Gili be regarded as absent.*
- (c) *that the following Councillors also be regarded as absent from the meeting:*
  - (i) *Councillor P Heradien (ICOSA)*
  - (ii) *Councillor J Mouton (ANC)*
  - (iii) *Councillor MJ Ndaba (ANC)*

EENPARIG BESLUIT

- (a) *dat die aansoeke om verlof tot afwesigheid van die vergadering, ontvang vanaf raadslede N Nogcinisa (bywoning van 'n begrafnis) en N Phatsoane (hospitalisasie) aanvaar en goedgekeur word.*
- (b) *dat die aansoek om verlof tot afwesigheid van die vergadering, ontvang vanaf raadslid AL Gili (ANC) nie aanvaar word nie weens 'n onaanvaarbare rede ("**ander afspraak in Kaapstad**") en dat raadslid Gili as afwesig beskou word.*
- (c) *dat die volgende Raadslede ook as afwesig van die vergadering beskou word:*
  - (i) *Raadslid P Heradien (ICOSA)*
  - (ii) *Raadslid J Mouton (ANC)*
  - (iii) *Raadslid MJ Ndaba (ANC)*

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

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

- (a) The Confidentiality and Conflict of Interest Declaration was duly signed by all Councillors.
- (b) Alderman BC Klaasen declared interest in terms of:
  - (i) Item 12.1: Personnel: Recruitment, selection and appointment of Director: Community Services and
  - (i) Item 12.2: Personnel: Recruitment, selection and appointment of a Municipal Manager for a five year period

Alderman Klaasen was excused from the meeting during the discussion of these items.

NOTED

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

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

- (a) The Speaker congratulated all those who recently celebrated their birthdays and conveyed **Council' sincere condolences to those who have** lost loved ones.
- (b) The Speaker conveyed condolences, on behalf of Council, to the family of the former Councillor Elizabeth Jooste on her passing on and requested Council to honour her with a moment of standing silence.

NOTED

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

- (a) The Speaker informed Council that due to Councillors having received tablets and other devices, agendas will be distributed electronically in future to reduce costs.
- (b) The Municipal Manager indicated that training will be provided in preparation for the virtual meetings.

- (c) Speaker enquired about the tablet for Alderman BC Klaasen where after the ICT Administrator indicated that the device had arrived and will be issued shortly.

NOTED

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

- (a) The Executive Mayor expressed his wishes of health and prosperity to Alderman J Visagie and all those observing and commemorating Africa Day.
- (b) The Executive Mayor, on behalf of Council, expressed well wishes and a speedy recovery for Councillor N Phatsoane in hospital.

NOTED

3.4 Matters raised by the Municipal Manager

None

NOTED

4. MINUTES

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

None

NOTED

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

The following minutes are attached:

- (a) Council meeting, held on 30 March 2022: Annexure 4.2(a).
- (b) Special Council meeting, held on 7 April 2022: Annexure 4.2(b).
- (c) Special Council meeting, held on 14 April 2022: Annexure 4.2(c).

UNANIMOUSLY RESOLVED

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

- (i) Council meeting, held on 30 March 2022.*
- (ii) Special Council meeting, held on 7 April 2022.*
- (iii) Special Council meeting, held on 14 April 2022.*

EENPARIG BESLUIT

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

- (i) Raadsvergadering, gehou op 30 Maart 2022.*
- (ii) Spesiale Raadsvergadering, gehou op 7 April 2022.*
- (iii) Spesiale Raadsvergadering, gehou op 14 April 2022.*

5. MOTIONS AND NOTICE OF SUGGESTIONS

None

NOTED

6. INTERVIEWS WITH DELEGATIONS

None

NOTED

7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

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

The following minutes are attached:

- (a) Municipal Public Accounts Committee meeting, held on 28 April 2021:  
Annexure 7.1(a).
- (b) Committee for Housing Matters meeting, held on 26 August 2021:  
Annexure 7.1(b).

UNANIMOUSLY RESOLVED

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

8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

8.1 Direktooraat Finansies / Directorate Finance

8.1.1 AGSA Audit Report: 2020/2021  
(5/14/1/18)

The AGSA Audit Report for 2020/2021 is attached as annexure 8.1.1.

Mr Johan Jansen van Rensburg (AGSA) submitted the AGSA Audit Report for 2020/2021 and highlighted the following:

- AGSA apologised for the delay in finalising the report due to a technical matter in a specific contract which delayed the signing off.
- The matter relates to the ASLA contract and is highlighted in the management report. AGSA complimented Senior Management that the amendments in the report have already been attended to.
- AGSA complimented the Witzenberg Municipality on obtaining an unqualified audit **report (in laymen terms a "clean" audit report)**. This performance has been coming on for a couple of years.
- AGSA clarified matters such as:
  - Basis for opinion
  - Emphasis of matters
  - Other matters
  - Responsibility of the Accounting Officer for the financial statements
  - The annual performance report
  - Report on compliance with legislation
- Overall the AGSA complimented Senior Management on technical matters such as good conversations with high level professionalism.

The Performance, Risk and Audit Committee complimented the municipality on the AGSA report and referred specifically to the consistency in the performance over years.

AGSA responded in detail on a question regarding the matters relating to the ASLA contract.

The Municipal Manager expressed gratitude on behalf of the municipality to AGSA for the audit report and adding value to the municipality.

The Municipal Manager also thanked in particular the Chief Financial Officer, Deputy Director: Finance, Head: Internal Audit and the Manager: Projects and Performance.



The Performance, Risk and Audit Committee resolved on 25 February 2022 to recommend to Council:

- (a) that notice be taken of the AGSA Audit Report for 2020/2021.
- (b) that the AGSA Audit Report for 2020/2021, after consideration, be accepted.

UNANIMOUSLY RESOLVED

- (a) that notice be taken of the AGSA Audit Report for 2020/2021.*
- (b) that the AGSA Audit Report for 2020/2021, after consideration, be accepted.*

#### 8.1.2 Annual Financial Statements 2020/2021 – **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 2020/2021 (after COMAF's)** are attached as annexure 8.1.2.

The Director: Finance discussed the Financial Statements for the year ended 30 June 2021 and highlighted the following:

- Impairment at the Nduli swimming pool – R1 085 669-08  
**Auditor's conclusion:**  
**Issues 1 and 2: Management's response is noted and accepted.**
- Management has investigated the error and an adjustment to note 8.1.2 will be made to the value of R2 387 292-92.
- COMAF 27: Statement of comparison of budget and actual amounts – statement incorrectly presented.
- Movement as per Trial Balance: Retentions – R650 374-69.

The Performance, Risk and Audit Committee resolved on 25 February 2022 to recommend to Council:

that notice be taken of the Annual Financial Statements 2020/2021 (after **COMAF's**) and **recommends to Council for consideration.**

UNANIMOUSLY RESOLVED

*that notice be taken of the Annual Financial Statements 2020/2021 (after **COMAF's**) and same be accepted and approved.*

#### 8.1.3 Supply Chain Management: Disposal of movable assets in terms of Section 14(4) of the Municipal Finance Management Act (6/1/2)

The list of assets to be disposed of is attached as annexure 8.1.3."

The Director: Finance submitted the matter Disposal of movable assets in terms of Section 14(4) of the Municipal Finance Management Act at the Executive Mayoral Committee meeting on 26 May 2022. The following matter was highlighted:

- Alderman BC Klaasen enquired in respect of stolen municipal assets. The Acting Municipal Manager reported that a list of the lost items will be compiled by and the Department Finance will report back on the matter. All assets above R500-00 are insured and claims will be made.

The Executive Mayoral Committee resolved to recommend to Council:

- (a) that Council approves the disposal of assets as attached to this report as annexure.
- (b) that the Supply Chain Management Unit proceeds with the disposal of **assets in accordance with paragraph 49(4) of Council's Supply Chain Management Policy.**

The following matters were highlighted:

- Council requested that a monthly report be submitted to Council in respect of lost items and a six-monthly report in respect of an asset count.
- that security be attended to for the protection of municipal assets.
- that the Portfolio Chairperson for Community Development liaises with the South African Police Services to obtain support for municipal asset protection.
- Municipal Manager informed Council that former security officers registered with the Private Security Industry Regulations Authority (PSIRA) are appointed as EPWP employees as well as ad hoc local contractors to render security services.

UNANIMOUSLY RESOLVED

- (a) *that Council approves the disposal of assets as attached to this report as annexure.*
- (b) *that the Supply Chain Management Unit proceeds with the disposal of **assets in accordance with paragraph 49(4) of Council's Supply Chain Management Policy.***

8.1.4 Quarterly Budget Statement [Section 52(d)] Report: 3<sup>rd</sup> Quarter 2021/2022 (1 January 2022 to 31 March 2022)  
(9/1/2/2 & 5/1/1/20)

The Quarterly Budget Statement [Section 52(d)] Report for the third quarter of 2021/2022 is attached as annexure 8.1.4.

UNANIMOUSLY RESOLVED

- (a) *that notice be taken of the Quarterly Budget Statement Report in terms of Section 52(d) for the third quarter of 2021/2022.*
- (b) *that the Quarterly Budget Statement Report in terms of Section 52(d) for the third quarter of 2021/2022 be referred to the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee for information.*

EENPARIG BESLUIT

- (a) *dat kennis geneem word van die Kwartaallikse Begrotingsverslag ingevolge Artikel 52(d) vir die derde kwartaal van 2021/2022.*
- (b) *dat die Kwartaallikse Begrotingsverslag ingevolge Artikel 52(d) vir die derde kwartaal van 2021/2022 verwys word na die Prestasie-, Risiko- en Ouditkomitee en die Munisipale Publieke Rekeninge Komitee vir kennisname.*

8.1.5 Supply Chain Management: Paragraph 7(4) quarterly report ending 31 March 2022: Implementation of Supply Chain Management Policy (09/1/2/2)

A memorandum from the Manager: Supply Chain, dated 4 April 2022, is attached as annexure 8.1.5.

UNANIMOUSLY RESOLVED

- (a) *that the Chief Financial Officer submits the report to the Accounting Officer.*
- (b) *that the Accounting Officer submits the report to the Executive Mayor.*
- (c) *that the report 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.*

8.1.6 Section 71 Monthly Budget Statement Reports of the Directorate Finance: July 2021 until February 2022  
(9/1/2/2)

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

- (a) July 2021: Annexure 8.1.6(a)
- (b) August 2021: Annexure 8.1.6(b)
- (c) September 2021: Annexure 8.1.6(c)
- (d) October 2021: Annexure 8.1.6(d)
- (e) November 2021: Annexure 8.1.6(e)
- (f) December 2021: Annexure 8.1.6(f)
- (g) January 2022: Annexure 8.1.6(g)
- (h) February 2022: Annexure 8.1.6(h)

The reports for July until October 2021 were tabled by the Director: Finance to the Performance, Risk and Audit Committee on 21 January 2022. The following matters were highlighted:

- The unwillingness of governmental departments to pay their municipal accounts is a concern, Department Rural Development in particular.
- The indigent cost to the municipality for the month amounts to R1,6 million **in comparison to the prior month's figure of R1,5 million.**
- **The accumulated debtor's collection target for the year is 94 %, and the actual accumulated year to date debtor's collection is 44 % in comparison** to a rate of 37 % for the same month in the previous year.
- The calculated cost coverage ratio of the municipality as at end of July 2021 is 2.63 months. To improve the municipality needs to improve on debt collection.
- Service charges increased by 9 %, the majority for electricity.
- Employee cost: Due to salary increase and a once-off payment to employees between R3 000-00 and R4 000-00.
- Interest earned: External investments. Full-year forecast equals R6,9 million.
- No bids received for leasing of:
  - ❖ Toll House
  - ❖ Café building at Pine Forest Resort

❖ **Café building at Prince Alfred's Hamlet Swimming Pool**

Reason may be fear for Covid-19 lockdown regulations and loss of income.

The following matter was highlighted:

- Council expressed concern with regard to the outstanding monies of governmental departments. Municipal Manager reported that Council will have a workshop in this regard.

UNANIMOUSLY RESOLVED

- (a) *that notice be taken that the Section 71 Monthly Budget Statement Reports of the Directorate Finance for July and August 2021 have already been tabled to and approved by Council at the Special Council meeting of 8 October 2021.*
- (b) *that notice be taken of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for September, October, November and December 2021 as well as January and February 2022 and, after consideration, same be approved and accepted.*

EENPARIG BESLUIT

- (a) *dat kennis geneem word dat die Artikel 71 Maandelikse Begrotingsverslae van die Direktooraat Finansies vir Julie en Augustus 2021 reeds aan die Raad voorgelê en goedgekeur was tydens die Spesiale Raadsvergadering van 8 Oktober 2021.*
- (b) *dat kennis geneem word van die Artikel 71 Maandelikse Begrotingsverslae van die Direktooraat Finansies vir September, Oktober, November en Desember 2021 sowel as Januarie en Februarie 2022 en genoemde, na oorweging, goedgekeur en aanvaar word.*

8.1.7 Finance: Adjustment budget 2021/2022  
(5/1/1/20)

The following documents are attached:

- (a) Memorandum from Director: Finance, dated 19 April 2022: Annexure 8.1.7(a).
- (b) Adjustment budget 2021/2022 to 2023/2024: Annexure 8.1.7(b).

The Director: Finance submitted the Adjustment budget for 2021/2022 at the Executive Mayoral Committee meeting on 26 May 2022 and highlighted the following matters:

- Adjustments were made in respect of the Operational Budget.
- A grant was received for Library Services for furniture.

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: Adjustment Budget Financial Performance (by standard classification)*
- (iii) Table B3: Budgeted Financial Performance (Revenue and Expenditure) by Vote*
- (iv) Table B4: Adjustment Budget Financial Performance (Revenue by source)*
- (v) Table B5: Budgeted Capital Expenditure by Vote, standard classification and funding.*

8.1.8 Budget 2022/2023 and Amended IDP 2022 to 2027 in terms of Section 25(3) (MSA)  
(5/1/1/21 & 2/2/1)

The following documents are attached:

- (a) Amended IDP 2022 to 2027 in terms of Section 25(3) (MSA): Annexure 8.1.8(a).
- (b) Budget: 2022/2023 – 2024/2025: Annexure 8.1.8(b).
- (c) Budget Related Policies: 2022/2023: Annexure 8.1.8(c).
- (d) Budget Schedules: 2022/2023 – 2024/2025: Annexure 8.1.8(d).
- (e) Inputs/comments received from the community: Annexure 8.1.8(e).

The Manager: IDP submitted the amended IDP at the Executive Mayoral Committee meeting on 26 May 2022 and highlighted the following:

- That the Spatial Development Framework and the Disaster Plan must be submitted to Council together with the Financial Plan as a core component. No significant changes have been made.
- The inputs received from the communities are taken up in the Financial Plan and will be discussed at the Council workshop meeting.

The Executive Mayor, Alderman HJ Smit, tabled the Draft Budget 2022/2023 and Amended IDP 2022 to 2027 in terms of Section 25(3) (MSA). The applicable budget speech is attached as annexure 8.1.8(f).

UNANIMOUSLY RESOLVED

- (a) *that the annual budget of Witzenberg Municipality for the financial year 2022/2023; and indicative for the two projected years 2023/2024 and 2024/2025, as set out in the schedules contained in Section 4, be approved with the following adjustments:*
- (aa) *That the tariff policy be amended to determine that a second electricity connection to a property not be regarded as an additional consumption unit on condition that the two electricity connections do not exceed 60 Amp.*
- (bb) *That Section 9.3.2 of the Indigent Policy be amended to the following:*
- *Where the applicant(s) are 60 years and older and their application has been approved they only need to provide proof of living for the renewal of their benefits.*
- (cc) *That the increase in property rates for bona fide farms be limited to 12 % for the 2022/2023 financial year.*
- (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 8.1.8(c) and any other municipal tax reflected in Annexure 8.1.8(c) are imposed for the budget year 2022/2023.*
- (c) *Tariffs and charges reflected in Annexure 8.1.8(c) are approved for the budget year 2022/2023.*
- (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 2022/2023.*
- (e) *The measurable performance objectives for each vote reflected in SA8 are approved for the budget year 2022/2023.*

- (f) *that the new amended budget related policies be approved with implementation as from 1 July 2022:*
- (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) *Infrastructure Investment Policy*
  - (xix) *Cost Containment Policy*
- (g) *that the Integrated Development Plan (IDP) 2022 to 2027 (with amendments) be adopted in terms of Section 25(3) (MSA).*
- (h) *that in terms of Section 26 (MSA) the Witzenberg Spatial Development Framework (SDF) be adopted as a core component of the Integrated Development Plan (IDP).*
- (i) *that in terms of Section 26 (MSA) the Witzenberg Disaster Management Plan be adopted as a core component of the Integrated Development Plan (IDP).*
- (j) *that in terms of Section 26 (MSA) the Witzenberg Financial Plan be adopted as a core component of the Integrated Development Plan (IDP).*
- (k) *that Council takes cognisance of the budget circulars issued by National Treasury and Provincial Treasury. (Only for information).*
- (l) *that Council takes cognisance of the SIME/LG MTEC Integrated Planning and Budgeting Assessment and the responses by the municipality.*
- (m) *that Council approves the amended IDP 2022 to 2027 document.*



8.2 Direktooraat Tegnieuse Dienste / Directorate Technical Services

8.2.1 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 8.2.1(a).
- (b) Review and Strategic Input report: Annexure 8.2.1(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.*

8.3 Direktooraat Gemeenskapsdienste / Directorate Community Services

None

NOTED

8.4 Direktooraat Korporatiewe Dienste / Directorate Corporate Services

8.4.1 Proposed Council meetings program: July until December 2022  
(3/1/2/3)

The Council meeting program and meeting schedule for July until December 2022 is attached as annexure 8.4.1.

UNANIMOUSLY RESOLVED

- (a) *that the proposed Council meetings program for July until December 2022 be approved.*
- (b) *that Council and Committee meetings for June 2022 be held virtually except in exceptional circumstances.*
- (c) *that the Acting Municipal Manager and Director: Finance discuss the matter of appointment of an Interpreter and notice of Council meetings in all three official languages of the Western Cape.*

EENPARIG BESLUIT

- (a) *dat die voorgestelde Raadsvergaderingsprogram vir Julie tot Desember 2022 goedgekeur word.*
- (b) *dat Raads- en Komiteevergadering gedurende Julie 2022 virtueel gehou word behalwe in uitsonderlike gevalle.*
- (c) *dat die Waarnemende Munisipale Bestuurder en Direkteur: Finansies **die aangeleentheid omtrent die aanstelling van 'n Tolk** en kennisgewing van Raadsvergaderings in al drie die amptelike tale van die Wes-Kaap bespreek.*

9. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA

None

NOTED

10. FORMAL AND STATUTORY MATTERS

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

The Speaker conveyed to Council that a Provincial SALGA Women Commission (kgotla) was held in May 2022 and that the minutes will be made available.

Furthermore that Alderman BC Klaasen had attended the SALGA Induction training for Energy and Electricity and Water and Sanitation.

The minutes of both meetings are to be submitted six days before the next Council meeting and form part of the meeting.

NOTED

11. QUESTIONS and/or MATTERS RAISED by COUNCILLORS

11.1 Question to the Deputy Executive Mayor in respect of a Facebook post

Councillor A Gili put a question to the Deputy Executive Mayor in respect of a post by GOOD on Facebook. The verbal enquiry of the Councillor is summarised as follows:

Councillor Gili enquired about the WhatsApp line which is being advertised on Facebook as the method of reporting problems. The concern is that none of the Councillors have been informed of this and it is embarrassing to find out about it from community members. The question is then whether it is a product of the GOOD Party or of Witzenberg Municipality.

The Speaker requested that Councillor A Gili submits a written question in order for the Deputy Executive Mayor to respond on the question before Council as prescribed by the Rules of Order for conducting meetings.

The Deputy Executive Mayor responded that the answer to the question will be given at the next Council meeting.

NOTED

11.2 Hand-over of cheque to Witzenberg Municipality

Councillor Yisa enquired with regard to the matter of a cheque hand-over to the municipality by Ms Anroux Marais, the Western Cape Minister for Sport and Cultural Affairs, and the absence of Councillors at the function.

The Director: Corporate Services responded that the office of the Minister had prescribed in terms of attendees. The Executive Mayor informed Council that the Acting Municipal Manager has been instructed to send correspondence to **the Minister's office in terms of protocol of Councillor attendance at such functions.** The Witzenberg Municipality preferred to invite Councillors themselves.

NOTED

12. COUNCIL-IN-COMMITTEE

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

PRESENT

Councillors

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

Officials

Mr D Nasson (Acting Municipal Manager)  
Mr W Mars (Acting Director: Finance)  
Mr J Barnard (Director: Technical Services)  
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)  
Mr J Pieterse (Senior ICT Officer)  
Ms M Arendse-Smith (Chief Administrative Officer)  
Mr J Titus (Committee Clerk)  
Ms MJ Prins (Word Processor Operator)

1. OPENING AND WELCOME

The Speaker welcomed everyone present and requested that Councillor J Cloete opens 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.

None

NOTED

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

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

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

(a) **The Speaker conveyed Council's well wishes and** congratulations to all those who had celebrated birthdays and anniversaries. Condolences were also conveyed to those who had lost loved ones recently.

(b) The Speaker further thanked everyone who had partaken in the Youth Day celebrations on 16 June 2022 and saluted those who were part of the struggle.

- (c) It must be noted that all Ward Committees have received training and that a meeting with all Ward Councillors will be arranged by the Speaker for 29 June 2022. Further details will be communicated in due course.

NOTED

Councillor P Daniels joined the meeting at 10:14.

Councillor J Mouton requested a caucus break on behalf of the ANC, which lasted from 10:14 until 10:35.

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

- (a) The Executive Mayor informed Council of the taxi violence which had taken place earlier the week whereby one person was injured, conveying well wishes and a speedy recovery on behalf of Council.
- (b) Furthermore, that the yearly Christmas in Winter Festival will be taking place in Tulbagh from 25 until 26 June 2022.

**Councillor J Mouton challenged the Executive Mayor's announcements as the Mayor had neglected to inform Council of the matter relating to the Deputy Chief Financial Officer as well as the serious allegations of corruption.**

The Speaker called the house to order and informed Councillor Mouton that it was an incorrect platform and requested the Councillor to make use of the various appropriate remedies to raise the matter.

NOTED

3.3 Matters raised by the Acting Municipal Manager

None

NOTED

4. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

4.1 Direktooraat Finansies / Directorate Finance

4.1.1 Determination of upper limits of salaries, allowance and benefits of Councillors according to Government Gazette no. 46470 (5/11/1)

The following documents are attached:

- (a) Memorandum from Director: Finance, dated 8 June 2022: Annexure 4.1.1 (a).
- (b) **Councillors' details:** Annexure 4.1.1 (b).
- (c) Government Gazette no. 46470 of 2 June 2022: Annexure 4.1.1 (c).

UNANIMOUSLY RESOLVED

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

- (a) Notice be taken of 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 upward salary adjustment for councillors as determined in Government Gazette no. 46470.*
- (d) that Council approves the cell phone allowances for councillors as determined in Government Gazette no. 46470.*
- (e) that the increase of total remuneration be approved retrospectively from 1 July 2021 subject to the concurrence of the Provincial Minister for Local Government.*
- (f) that the Provincial Minister for Local Government notes that Council have not implemented the latest upward salary and allowances adjustment as yet.*
- (g) that councillors submit to the municipality details of property, assets and beneficiaries to be covered by the special risk insurance.*



4.2 Direktooraat Tegnieuse Dienste / Directorate Technical Services

4.2.1 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 4.2.1(a).
- (b) Review and Strategic Input report: Annexure 4.2.1(b).

RESOLVED

*that the item relating to the Small Scale Embedded Generation Policy: Methodology, allowable limit and motivation of renewable tariff be held in abeyance until the next meeting.*

4.2.2 Policy for designing of container dwellings in the Witzenberg area (15/4/P)

The proposed policy for container dwellings in the Witzenberg area is attached as annexure 4.2.2.

UNANIMOUSLY RESOLVED

*that the Policy for the designing of container dwellings in the Witzenberg area be approved and accepted.*

EENPARIG BESLUIT

*dat die Beleid vir die ontwerp van vraghouerhuise in die Witzenberg-area goedgekeur en aanvaar word.*

4.3 Direktooraat Gemeenskapsdienste / Directorate Community Services

4.3.1 Lease of portion of erf 1, Pine Valley, Wolseley: Old Malikhanye Crèche  
(7/1/4/1)

A memorandum from the Acting Manager: Socio-Economic Development, dated 30 May 2022, is attached as annexure 4.3.1.

UNANIMOUSLY RESOLVED

- (a) *that approval be given for leasing of the Old Malikhanye Crèche, situated on erf 1, Pine Valley, Wolseley (portion of plot 1) to the Pine Valley Neighbourhood Watch for a period of three (3) years with an option of renewal for a further three years on the discretion of the municipality.*
- (b) *that the property that is to be leased, is not required for the provision of a minimum level of basic services [MFMA Section 14.2(a)].*
- (c) ***that the property be leased "voetstoots".***
- (d) *that the fair market value not be applicable due to the economic and community value that is received in exchange for the lease of the asset [MFMA Section 14.2(b)]. Council to consider exemption of rental charges and that only municipal services be paid for the building on condition that the municipality leases the building as it is and that the lessee does all repair and applicable maintenance work to the building.*

4.4 Direktooraat Korporatiewe Dienste / Directorate Corporate Services

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

UNANIMOUSLY RESOLVED

(a) *that Ms MC Fagan's term of office be extended for a further 3-year period.*

(b) *that the four positions be advertised during August 2022.*

EENPARIG BESLUIT

(a) *dat me MC Fagan se ampstermyn vir 'n verdere drie jaar verleng word.*

(b) *dat die vier posisies gedurende Augustus 2022 geadverteer word.*

5. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA

None

NOTED

6. COUNCIL-in-COMMITTEE

MINUTES OF THE SPECIAL COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON WEDNESDAY, 10 AUGUST 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 (Acting 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 (IDP Manager)  
 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)

Other representatives

Mr JJ Conradie (Ceres Business Initiative)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Speaker welcomed everyone present and requested Councillor JS Mouton 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  
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)

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

(b) Alderman BC Klaasen declared interest in terms of item 5.1(a): Recruitment and selection process for appointment of Municipal Manager.

Alderman Klaasen was excused from the meeting during the discussion of this item.

NOTED

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

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

Councillor L Hardnek conveyed **Council's congratulations to the following** Councillors and spouses on their birthdays:

❖	Councillor N Phatsoane	2 June
❖	Alderman K Adams	5 June
❖	Mrs C Swartz	17 June
❖	Mrs E Smit	29 June
❖	Councillor J Fredericks	13 July
❖	Councillor I Swartz	15 July
❖	Councillor F Klazen	18 July
❖	Mrs A Klaasen	4 August
❖	Councillor K Yisa	7 August
❖	Councillor P Heradien	28 August

NOTED

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

**The Speaker mentioned that it is Women's Month and that women** are celebrated yearly on 9 August, thus commemorating the women who marched to the Union Buildings in Pretoria to protest against legislation aimed at **tightening the apartheid government's control over the movement of women** in urban areas.

Furthermore, that all female Councillors are requested to attend the meeting following the Council meeting to discuss arrangements for a municipal **Women's Day gathering.**

NOTED

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

**The Executive Mayor congratulated women for Women's Month as it is a** celebration of social, economic, cultural and political achievements of women.

NOTED

### 3.4 Matters raised by the Municipal Manager

The **Acting Municipal Manager highlighted the importance of Women's Day** and the celebration thereof and congratulated all women on behalf of Administration.

NOTED

## 4. RESERVED POWERS

### 4.1 Direktooraat Finansies / Directorate Finance

#### 4.1.1 Draft IDP and Budget Process Plan for 2023/2024 (02/02/1)

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 <b>previous year's performance and current economic and demographic trends</b> 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 2023/2024 cycle is attached as annexure 4.1.1.

UNANIMOUSLY RESOLVED

- (a) *that notice be taken of the Draft IDP and Budget Process Plan for 2023/2024.*
- (b) *that the Draft IDP and Budget Process Plan for 2023/2024 be published for public comments and inputs.*



#### 4.2 Direktooraat Tegnieuse Dienste / Directorate Technical Services

##### 4.2.1 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 4.2.1(a).
- (b) Review and Strategic Input report: Annexure 4.2.1(b).

#### RESOLVED

- (a) *That Council rescinds **Council resolution 8.2.8 "Approval of Energy Plan (Small Scale Embedded Generation – SSEG)"** of 31 October 2018.*
- (b) *that Council takes notice of the co-authored inputs and documentation of the Association of Municipal Electrical Undertakings, Western Cape Provincial Government, Cape Town and Green Cape as the nationally accepted standardised policy related to the implementation of Renewable Energy (Small Scale Embedded Generation) within municipalities.*
- (c) *that Council adopts the NRS 097-2-1 (2010) and NRS 097-2-3 (2014) Grid Interconnection of Embedded Generation, Section 1 – Utility Interface, Section 2 – Simplified utility connection criteria for low-voltage connected generators as the basis of its Energy Plan and Small Scale Embedded Generation Policy.*
- (d) *that the supporting documents, including the undermentioned, are accepted as official documentation related to the application processes related to any consumer intending to install Renewable Energy:*
  - (i) *Requirements for Embedded Generation*
  - (ii) *Contract for Embedded Generation*
  - (iii) *Application Form*
  - (iv) *Commissioning Form*
  - (v) *Decommissioning Form*
- (e) *that any amendments to the relevant NRS standards automatically be **included in the Council's Energy Policy.***
- (f) *that any amendment to the Electrical Bylaws as well as the implementation of a RENEWABLE energy tariff will automatically form **part of Council's Energy Policy as and when approved by Council.***

- (g) That the Municipality includes the principle of the RENEWABLE tariff as explained in the report for approval from NERSA in the 2022/2023 NERSA tariff application. This tariff will be additional and mandatory for new SSEG installations and new approvals and that Council considers the phasing in of the tariff on existing approved installations over a five year period.

Category	Basic/ month	Refit / kWh
Residential	R70.00	R0.50
Commercial, LPU	Solar Basic - Municipal mark-up on sales for the specific tariff x (Energy Generated per Year x 90% / 12) determined annually As per undermentioned table, updated annually.	One for One as per current existing tariff (Zeroed end of each financial year)

Municipal mark-up calculator

2.3 COMMERCIAL CUSTOMERS	
2.3.1 Prepaid customers	100.00
2.3.2 Single phase	100.00
2.3.3 Three phase	87.00
2.4 AGRICULTURAL CUSTOMERS	
100.00	
2.5 BULK CONSUMERS	
2.5.1 Agricultural customers	
2.5.1.1 Time of use customers	
2.5.1.1.1 < 1 MVA High tension	15.00
2.5.1.1.2 Low tension	15.00
2.5.1.2 Normal	15.00
2.5.1.2.1 < 1 MVA High tension	15.00
2.5.1.2.2 < 1 MVA Low tension	15.00
2.5.2 Urban customers	
2.5.2.1 Time of use customers	
2.5.2.1.1 > 1 MVA High tension	24.00
2.5.2.1.2 < 1 MVA High tension	33.00
2.5.2.1.3 < 1 MVA Low tension	31.00
2.5.2.2 Normal	
2.5.2.2.1 > 1 MVA High tension	42.00
2.5.2.2.2 < 1 MVA High tension	40.00
2.5.2.2.3 < 1 MVA Low tension	49.00

- (h) that Council reserves the right to refuse or limit the installation of Small Scale Embedded Generation plants if it is determined that they are having an onerous technical effect on the Quality of Supply of the Electrical Network of the municipality.

- (i) *that any Power Users (greater than 100kVA) applying for permission to install Small Scale Embedded Generation plants must supply proof of their facility having an average power factor of 0,85 or better before any application will be considered.*
- (j) *that all existing Small Scale Embedded Generation installations commissioned prior to the approval of this Energy Policy will be required to comply with the policy as amended from time to time, whilst the municipality reserves the right to install suitable bi-directional four quadrant meters to monitor that connection at the consumers cost.*
- (k) *that any meters currently installed and allowed in writing by the municipality to run in reverse, will be expected to comply with these requirements once the SSEG tariff is implemented.*
- (l) *that for future applicants successfully requesting permission to install Small Scale Embedded Generation plants, the costs of installing the required **bi-directional four quadrant meters are for the applicants' costs.***
- (m) *that domestic conventional or pre-payment meters are not allowed to run backwards.*
- (n) *for continued participation in the SSEG program customers must always be NET consumers.*
- (o) *that permission to install Small Scale Embedded Generation will automatically lapse after 12 months from date of approval, if the installation process has not been started, unless an arrangement, in writing, has been agreed with the Municipality.*

4.2.2 Proposal to allow increased electrical connections without impacting on notified maximum demand  
(16/3/9)

A memorandum from the Senior Manager: Electro-Technical Services, dated 18 January 2022, is attached as annexure 4.2.2.

UNANIMOUSLY RESOLVED

- (a) *that Council notes the report of the Senior Manager Electro-Technical Services regarding the proposed measures to unlock development and increase electricity income despite the current limitation due to ESKOM not being able to supply additional capacity.*
- (b) *that consumers and developers requiring additional electrical capacity **be allowed to apply for an 'out of Munic peak Maximum Demand' if they comply with the undermentioned criteria:***

- (i) *A report from an Electrical Consultant to the Director: Technical Services explaining the concept and methodology of the **proposed load reduction during the council's peak periods based on the consumers current allocated MD (Maximum Demand) versus anticipated 'out of season peak MD'***
- (ii) *Confirmation by the Consultant proving that the proposed concept will prevent the exceeding of the consumers current allocated MD during the Councils Peak Demand.*
- (iii) *That the consumer provides monthly data / graphs to the Director: Technical Services proving that they have not exceeded their allocated Maximum Demand during the municipality's 'in season peak demand period'.*
- (iv) *Council's current peak times are currently **1 February to 30 April** of every year, from 17:00 to 20:30 on weekdays, with Council **reserving the right to adjust the dates and/or times as Council's NMD pattern may change, which change will have to be accommodated by the consumer or developer.***
- (v) *Any proposed Demand Reduction solution must be approved by the Director: Technical Services.*
- (vi) *The costs of the applicant's upgrade from their current allocated capacity (MD) to their requested 'out of season peak capacity (MD)' will be for the applicant's account.*
- (vii) *The costs of the required Consultant's report regarding the applicant's proposal will be for the cost of the applicant.*
- (viii) *These measures will remain in place until ESKOM has sufficiently upgraded their backbone network to such an extent that the Municipality can declare that it has sufficient NMD to supply all new and increased capacity requests.*
- (ix) *Once this is achieved, the consumer's 'out of peak MD' will become that consumer's new MD.*

4.2.3 Partnership agreement of city-to-city partnership between Witzenberg (SA) and Essen (Belgium) relating to the VVSG Municipal International Cooperation 2022 to 2026 Multi-Annual Strategic Plan (10/2/3)

An annexure to the Partnership Agreement is attached as annexure 4.2.3.

UNANIMOUSLY RESOLVED

*that the Partnership Agreement of the city-to-city partnership between Witzenberg (South Africa) and Essen (Belgium) relating to the VVSG Municipal International Cooperation 2022 to 2026 Multi-Annual Strategic Plan, subsidised by the Directorate-general for Development Cooperation (DGD), Belgium, be approved.*

4.3 Direktooraat Korporatiewe Dienste / Directorate Corporate Services

4.3.1 International relations: Twinning agreement with Essen, Belgium:  
Approval for Witzenberg delegation to visit Essen  
(10/2/3)

A copy of the minutes of the meeting between the Mayoral Committees of Essen Gemeente and Witzenberg Municipality is attached as annexure 4.3.1

RESOLVED

*Proposed by Alderman HJ Smit and seconded by Alderman JJ Visagie:*

- (a) that the Executive Mayor (Alderman HJ Smit), Speaker (Councillor EM Sidego), Deputy Executive Mayor (Councillor FE Klazen), Councillor LA Hardnek and the Director: Technical Services (Mr J Barnard) be nominated as the delegation to visit Essen Gemeente, Belgium for the period 30 September 2022 until 7 October 2022.*
- (b) that the purpose of the invite is to coincide with the celebrations of the 20<sup>th</sup> anniversary of the Twinning Agreement between Essen and Witzenberg Municipality.*
- (c) that all the above-mentioned municipal representatives be paid the **travel and subsistence allowances in terms of Council's policy.***
- (d) that the Municipal Manager ensures that in terms of the daily allowances the rand/euro exchange rate the prescriptions of the South African Revenue Services (SARS) be followed.*

4.3.2 Request for long term lease agreement for Nduli Pig Farming (Pty) Ltd  
(7/1/4/1)

Memorandum from Acting Municipal Manager, dated 19 July 2022:

"1. Purpose

To consider a request from Nduli Pig Farming (Pty) Ltd for a long term lease agreement for a portion of land commonly known as farm 368/36 for purposes of pig farming.

2. Deliberation

Council resolved per Council resolution 9.7 of 21 August 2013 to lease a portion of land known as farm 368/36, as per annexure 4.3.2(a), to the Nduli emerging farmers for the purpose of farming with animals. The emerging farmers have over a number of years used this property predominantly for pig farming.

The emerging farmers have, through the PALS Office, established themselves as a private company and are currently operating as the Nduli Pig Farming (Pty) Ltd. The company has applied to the Department of Agriculture Rural Development and Land Reform for funding to assist with cost for the infrastructure development to allow them to conduct the business of piggery on the said premises. A copy **of the Department's internal memorandum is attached as annexure 4.3.2(b).** The indication is that Rural Development will assist the company subject to inter alia that a long term lease agreement be negotiated with the municipality for a period of between 20 to 30 years. The Department has also approved the upgrade of a sewer line of the municipality that runs adjacent to the property which create problems for the other farmers in the area. The Department of Environmental Management has given notice to the municipality of the contravention in terms of the Environmental Management Act as a result of the sewerage spills emanating from the area next to the Onder-Swaarmoed sub-divisional road. The infrastructure upgrade for the company will inter alia be for pigsties and fencing. The benefit of the aforesaid upgrade will be that the premises will be safer for road users of the R44 as well as presenting visually neater and acceptable.

3. Financial implication

There will be no financial implications for the municipality.

4. Legal implications

The property has been previously advertised for public comment. The value of the property is not substantial and does not fall within ambit of the asset transfer regulations of 2008.

In terms of Regulation 40 of the Municipal Finance Management Regulations Council may deviate from market related rates when the public interest or the plight of the poor demands otherwise. The shareholders of the company are all from the emerging farmers of Nduli **who do not have access to other land."**

UNANIMOUSLY RESOLVED

- (a) that a long term lease agreement of fifteen years be approved in favour of the Nduli Pig Farming (Pty) Ltd for a portion as indicated on the annexure of Farm 368/36, subject to resolving the concerns about the beneficiaries of the project.*
- (b) that a meeting be convened between Witzenberg Municipality, potential beneficiaries, PALS, the Department of Rural Development and Land Reform and Mr Lennox Plaatjies as the Project Manager.*
- (c) that an option to renew the lease for a further five years be granted to Nduli Pig Farming (Pty) Ltd.*

- (d) *that the land made available to Nduli Pig Farming (Pty) Ltd is not required for basic service delivery in terms of Section 11 of the Municipal Finance Management Act.*
- (e) *that an annual rental fee of R1 500,00, escalating with 7 % a year, be paid by Nduli Pig Farming (Pty) Ltd to the municipality.*
- (f) *that the Municipal Manager be mandated to sign a long term lease agreement as determined by Council with Nduli Pig Farming (Pty) Ltd.*
- (g) *that **Council's intention to enter into a long term lease agreement** be advertised to the local community for any input or objection.*

4.3.3 **Council's immovable property: Long lease or alienation of Klip River Park Resort, Tulbagh**  
(7/1/4/1)

The following report, dated 22 May 2019, was received from the Municipal Manager:

"Purpose

To recommend to Council to consider extending the lease period of Klip River Park from 15 years to 30 years or alienating the property known as Klip River **Park together with adjacent land in terms of Council's Supply Chain process.**

Background

Council resolved per item 8.1.3 on 28 August 2008:

- (i) That Klip River Park and surrounding land be retained as a holiday resort and a recreational area.
- (ii) That possible developments to be requested from interested parties for consideration by Council in future.
- (iii) That the report of the developers and interested parties be tabled to Council.

A Section 78 investigation as per the Municipal Systems Act of 2000 was then followed to look at the Council resolution with the view of entering into a private public partnership agreement. A report was compiled, which is attached as annexure 4.3.3(a). The report recommended that Council should either alienate the said land or follow a PPP process. During discussions with various stakeholders and National Treasury the option of a PPP was eliminated because of the possible turnover of the project (was being regarded as too small). The item was referred back to Council and it was resolved to follow a Supply Chain process in terms whereof Klip River Park would be leased on a long term period of 30 years.



The Supply Chain process was advertised on two occasions in both the National and Provincial newspapers without any success. An extract from the tender document which was then advertised, is attached as annexure 4.3.3(b). Site meetings during the advertisement process were compulsory and at all the **meetings there were community members claiming that Council's process was** flawed and that they would create problems for any successful bidder. At the last site meeting there were two company representatives who flew from Johannesburg and whom had shown genuine interest in as a potential lessee. They have, however, not submitted any bids after the said site meetings.

Some of the inputs received during the clarification meetings and also from potential interested parties were that the lease period was not long enough and that the capital investment required at the park would not make the park a viable option for the 15 year period.

The area for rental in terms of the said Council resolution is approximately 14.5 ha. A copy of a Google aerial photo is attached as annexure 4.3.3(c).

The green section of Klip River Park is part of Galgeheuwel local nature reserve and cannot be developed whether the land is alienated or being part of a rental agreement. When the lease option was initially considered Council took into account the capital required to upgrade the park. At the time the park had to be re-electrified at a major cost. The swimming pool also required repairs which included a total replacement of the pump system. When the resort was operational it provided the following facilities:

- (i) 18 Chalets
- (ii) 69 Camping Sites
- (iii) 4 Ablution blocks
- (iv) Small office
- (v) Swimming pool

Although the resort is not in operation there are two security guards guarding the property on a 24-hour basis. The cost of the security is approximately R35 000,00 per month. All the previous staff members were transferred and/or placed to other departments within the municipality. The previous report of 2010 has placed an evaluation of R5.2 million on the resort as well as the adjacent land. The resort forms part of commonage of Tulbagh. The municipal valuer has been requested for an updated valuation of the property in question.

#### Legal implication

If Council considers approving the long term lease agreement the process must be advertised in the local newspaper and submitted to Provincial and National Treasury for their comments as well. Council already took a decision that the land in question is not required for basic services as per the requirements of Section 14 of the Municipal Finance Management Act of 2003. The value of the land might be such that it will fall within the threshold of a special process that needs to be followed when such asset is alienated. In the latter instance it must also be advertised and Treasury must also be notified for inputs.

Financial implication

Council is not deriving any financial benefit from the property. Council in fact is losing money on the security spent as well as loss of potential income.  
**Resorts are not a core function of Council."**

UNANIMOUSLY RESOLVED

(a) *that Council resolution 8.1.3 of 28 August 2008, which reads*

***"that Klip River Park Resort and surrounding land be retained as a holiday resort and a recreational area"***

*be rescinded and changed to read:*

***"that Klip River Park Resort be retained as a holiday resort and a recreational area.***

(b) *that the lease period of Klip River Park Resort be extended from 15 years to 20 years with an option to extend with a further 10 years on condition the project is a success.*

4.3.4. Questions raised by Councillors

Council enquired with regard to the provision of the promised Legislation libraries.

NOTED

5. COUNCIL-IN-COMMITTEE / RAAD-IN-KOMITEE

MINUTES OF THE COUNCIL MEETING OF WITZENBERG MUNICIPALITY,  
HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON WEDNESDAY,  
24 AUGUST 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)  
Mr A Hofmeester (IDP Manager)  
Ms L Nieuwenhuis (Manager: Legal Services)  
Ms R Hendricks (Manager: Communication and Marketing)  
Mr CG Wessels (Manager: Administration)  
Mr M Arendse-Smith (Chief Administrative Officer)  
Mr C Titus (Committee Clerk)  
Mr R Rhode (ICT Administrator)  
Mr J Pieterse (Senior ICT Officer)  
Ms MJ Prins (Word Processor Operator)

1. OPENING AND WELCOME

The Speaker welcomed everyone present and requested the Deputy Executive Mayor, Councillor F Klazen, to open the meeting with prayer.

NOTED

Alderman JJ Visagie, on behalf of the DA coalition, requested a twenty minute caucus break.

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 MJ Ndaba.

RESOLVED

*that the application for leave of absence from the meeting, received from Councillor MJ Ndaba, be accepted and approved.*

BESLUIT

*dat die aansoek om verlof tot afwesigheid van die vergadering, ontvang vanaf raadslid MJ Ndaba, goedgekeur en aanvaar word.*

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)

Alderman K Adams **conveyed Council's congratulations to the following** Councillor and official on their birthdays:

- Director: Corporate Services                      24 August
- Councillor P Heradien                                      28 August

NOTED

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

The Speaker informed the meeting of the following:

- (a) That outside bodies and members of the public requested hard copies of the Council agendas, especially those political parties not represented at Council. It is, however, noted that feedback in this regard will be provided at the next meeting.
- (b) There is a request from the IDP Section that Ward Committees schedule their meetings within the first two weeks of a month in order for financial processing to take place timeously. It is also noted that two wards did not have their monthly meetings as required.
- (c) **The Women's Day Wellness Trip function will be held on Tuesday, 30 August 2022 and Ward Councillors are requested to ensure that all female Ward Committee members receive the invitation.**

NOTED

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

The Executive Mayor raised concerns regarding the recent cable theft and stated that Council condemns such acts. Furthermore that all efforts are being made to arrest those involved.

Condolences were also conveyed to the family of the late Mrs S Engelbrecht who tragically passed on at Maudie Kriel Retirement Village.

NOTED

3.4 Matters raised by the Acting Municipal Manager  
(1/1/4)

The Acting Municipal Manager informed the meeting that the Local Government Municipal Systems Act was amended on 17 August 2022 and that it will be workshopped with all Councillors.

RESOLVED

*that the amended Local Government Municipal Systems Act be workshopped.*

4. MINUTES

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

Councillor AL Gili referred to the minutes of the Council meeting held on 23 March 2022 and mentioned that the minutes had been tampered with. The Councillor specifically referred to words uttered by the former Speaker, Councillor JS Mouton, which was not **minuted**. **She said: "Councillors before we start with the next item on the agenda, 3.1.1, I need to ask the Municipal Manager to excuse himself as the legal advisor to me. Due to an incident which occurred in my office last week. I also ask Liza-Mari to be my legal advisor only for today. And as the Speaker of this Council I want a full investigation on the matter which occurred in my office. I will inform the Council on the latest date, but for now I do not want to compromise it, because of the investigation on the matter."**

According to the said Councillor the investigation did not take place. The Councillor proposed and was seconded by Councillor J Mouton that the minutes of Council meetings held on 23 March 2022, 24 May 2022, 30 May 2022 and 22 June 2022 be held in abeyance until the next meeting.

Aldermen JJ Visagie and K Adams, respectively proposer and seconder of a proposal that only the minutes of 23 May 2022 be held in abeyance, withdrew the proposal after a DA coalition caucus break.

UNANIMOUSLY RESOLVED

*that the matter in respect of the corrections to the minutes of the Special Council meeting, held on 23 March 2022, be held in abeyance for the minutes to be workshopped by Council and after that be tabled to Council again.*

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

The following minutes are attached:

- (a) Special Council meeting, held on 23 March 2022: Annexure 4.2(a).
- (b) Special Council meeting, held on 24 May 2022: Annexure 4.2(b).
- (c) Special Council meeting, held on 30 May 2022: Annexure 4.2(c).
- (d) Special Council meeting, held on 22 June 2022: Annexure 4.2(d).

UNANIMOUSLY RESOLVED

*That the approval of the following minutes be held in abeyance and same be tabled again after the minutes of the Special Council meeting held on 23 March 2022 have been workshopped:*

- (a) *Special Council meeting, held on 23 March 2022.*
- (b) *Special Council meeting, held on 24 May 2022.*
- (c) *Special Council meeting, held on 30 May 2022.*
- (d) *Special Council meeting, held on 22 June 2022.*

5. MOTIONS AND NOTICE OF SUGGESTIONS

None

NOTED

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) Performance, Risk and Audit Committee meeting, held on 21 January 2022: Annexure 7.1(a).
- (b) Executive Mayoral Committee meeting, held on 22 February 2022: Annexure 7.1(b).
- (c) Special Performance, Risk and Audit Committee meeting, held on 25 February 2022: Annexure 7.1(c).
- (d) Municipal Public Accounts Committee meeting, held on 10 March 2022: Annexure 7.1(d).

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 Direktooraat Finansies / Directorate Finance

8.1.1 Service Delivery and Budget Implementation Plan (SDBIP):  
2022/2023  
(5/1/5/15)

The Top Layer Service Delivery and Budget Implementation Plan for 2022/2023, as approved by the Executive Mayor, is attached as annexure 8.1.1.

UNANIMOUSLY RESOLVED

*that notice be taken of the Top Layer Service Delivery and Budget Implementation Plan (SDIP) for 2022/2023.*

EENPARIG BESLUIT

*dat kennis geneem word van die Strategiese Dienslewering- en Begrotingsimplementeringsplan vir 2022/2023.*

8.1.2 Performance, Risk and Audit Committee: 1<sup>st</sup> Bi-Annual Report on Performance Management: 2021/2022  
(5/14/4)

The First Bi-Annual Report of the Performance, Risk and Audit Committee on Performance Management for 2021/2022, dated June 2022, is attached as annexure 8.1.2.

UNANIMOUSLY RESOLVED

*that notice be taken of the First Bi-Annual Report of the Performance, Risk and Audit Committee on Performance Management for 2021/2022 and, after consideration, same be approved.*

EENPARIG BESLUIT

*dat kennis geneem word van die Eerste Halfjaarlikse Verslag van die Prestasie-, Risiko- en Ouditkomitee oor Prestasiebestuur vir 2021/2022 en, na oorweging, genoemde verslag goedgekeur word.*

8.1.3 Quarterly Budget Statement [Section 52(d)] Report: 1<sup>st</sup> Quarter 2021/2022 (1 July 2021 to 30 September 2021)  
(9/1/2/2)

The Quarterly Budget Statement [Section 52(d)] Report for the first quarter of 2021/2022 is attached as annexure 8.1.3.

UNANIMOUSLY RESOLVED

- (a) *that the Quarterly Budget Statement Report in terms of Section 52(d) for the first quarter of 2021/2022, after consideration, be accepted.*
- (b) *that the Director: Finance submits a report to Council with all long outstanding debt which cannot be collected with a recommendation that writing off be considered.*
- (c) *that Councillors contact the relevant Director directly with emergency matters for service delivery.*

EENPARIG BESLUIT

- (a) *dat die Kwartaallikse Begrotingsverslag ingevolge Artikel 52(d) vir die eerste kwartaal van 2021/2022, na oorweging, aanvaar word.*
- (b) ***dat die Direkteur: Finansies 'n verslag aan die Raad voorlê ten opsigte van alle lang uitstaande skuld wat nie ingevorder kan word nie met die aanbeveling dat die afskrywing daarvan oorweeg word.***
- (c) *dat Raadslede direk met die relevante Direkteur skakel in geval van noodgevalle ten opsigte van dienslewering.*

8.1.4 Quarterly Budget Statement [Section 52(d)] Report: 2<sup>nd</sup> Quarter 2021/2022 (1 October 2021 to 31 December 2021)  
(9/1/2/2)

The following memorandum, dated 19 January 2022, was received from the Director: Finance:

**"The purpose of** this memorandum is to submit the Section 52(d) Budget Statement Report for the 2<sup>nd</sup> quarter of 2021/2022 to Council for information.

The required report in terms of Section 52(d) is attached as annexure 8.1.4."

UNANIMOUSLY RESOLVED

*that the Quarterly Budget Statement Report in terms of Section 52(d) for the second quarter of 2021/2022, after consideration, be accepted.*

## EENPARIG BESLUIT

*dat die Kwartaallikse Begrotingsverslag ingevolge Artikel 52(d) vir die tweede kwartaal van 2021/2022, na oorweging, aanvaar word.*

### 8.1.5 Quarterly Budget Statement [Section 52(d)] Report: 3<sup>rd</sup> Quarter 2021/2022 (1 January 2022 to 31 March 2022) (9/1/2/2 & 5/1/1/20)

The Quarterly Budget Statement [Section 52(d)] Report for the third quarter of 2021/2022 is attached as annexure 8.1.5.

The following matters were highlighted by the Municipal Public Accounts Committee on 9 June 2022:

- The year-to-date recovery rate excluding traffic fines is 89 % against the annual estimated target of 94 % .
- Government departments and commercial customers which are in arrears are receiving attention.
- A report will be submitted to Council to recommend consideration for writing off of long outstanding debt which cannot be collected.
- The vandalism of municipal assets remains a concern with major damages. The Municipal Public Accounts Committee requested that the communities take ownership of municipal assets and assist in the protection thereof.
- Capital expenditure at the end of March 2022 at 48.4 % of a total capital budget of R81.2 million. The lower percentage is due to delays with the Vredebes Housing Project, Van Breda Bridge and the Tulbagh Dam.
- The Municipal Public Accounts Committee expressed concern with regard to the lack of appointment of a security company. The Acting Municipal Manager explained the complexities of the supply chain process.
- The Municipal Public Accounts Committee also discussed the matter of permits for street stalls in Ceres; attention to electricity disconnections, cooperation with the repair of water breaks and all members were satisfied.

## UNANIMOUSLY RESOLVED

(a) *that the Quarterly Budget Statement Report in terms of Section 52(d) for the third quarter of 2021/2022, after consideration, be accepted.*

(b) *that the Director: Finance provides clarification to the Performance, Risk and Audit Committee on the matters which the Performance, Risk and Audit Committee has listed:*

(i) *Councillors' pension and UIF contributions compared Actuals vs Budget.*

(ii) *Variance of R5,896 million in salaries of municipal staff.*

EENPARIG BESLUIT

- (a) *dat die Kwartaallikse Begrotingsverslag ingevolge Artikel 52(d) vir die derde kwartaal van 2021/2022, na oorweging, aanvaar word.*
- (b) *dat die Direkteur: Finansies duidelikheid aan die Prestasie-, Risiko- en Ouditkomitee verskaf aangaande die volgende sake:*
  - (i) *Raadslede se pensioen- en WVF-bydraes vergelyk Werklikhede vs Begroting.*
  - (ii) *Afwyking van R5,896 miljoen in salarisse van munisipale personeel.*

8.1.6 Quarterly Budget Statement [Section 52(d)] Report: 4th Quarter 2021/2022 (1 April 2022 to 30 June 2022)  
(9/1/1 & 9/1/2/2)

The Quarterly Budget Statement [Section 52(d)] Report for the 4<sup>th</sup> Quarter of 2021/2022 is attached as annexure 8.1.6.

UNANIMOUSLY RESOLVED

- (a) *that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the 4<sup>th</sup> Quarter of 2021/2022.*
- (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.*

EENPARIG BESLUIT

- (a) *dat kennis geneem word van die Kwartaallikse Begrotingsverslag ingevolge Artikel 52(d) vir die 4de Kwartaal van 2021/2022.*
- (b) *dat die verslag supra (a) na die Prestasie-, Risiko- en Ouditkomitee sowel as die Munisipale Publieke Rekeninge Komitee verwys word vir hul aanbevelings aan die Raad.*

8.1.7 Approval of long term contract: Provision of property valuation services in terms of Municipal Property Rates Act (Act 6 of 2004) (5/2/11)

A memorandum from the Director Finance, dated 7 July 2022, is attached as annexure 8.1.7.

UNANIMOUSLY RESOLVED

- (a) *that notice be taken of the outcome of the process undertaken in terms of Section 33 of the Municipal Finance Management Act.*
- (b) *that approval be given to enter into a long term contract with HCB Valuations and Services for bid 8/2/19/20: Service provider for compilation and maintenance of general valuation roll, supplementary valuation roll and other related valuation services until 30 June 2028.*

8.1.8 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 8.1.8. 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 the matter relating to the Witzenberg Municipality Municipal Public Accounts Committee (MPAC) Work Plan for 2022/2023 be held in abeyance.*

EENPARIG BESLUIT

*dat die aangeleentheid rakende die Munisipale Publieke Rekeninge Komitee se Werksplan vir 2022/2023 oorstaan tot die volgende vergadering.*

8.1.9 Supply Chain Management: Paragraph 7(4) Quarterly Report ending 30 June 2022: Implementation of Supply Chain Management Policy (9/1/2/2)

A memorandum from the Manager: Supply Chain, dated 6 July 2022, is attached as annexure 8.1.9.

UNANIMOUSLY RESOLVED

- (a) *that notice be taken of the Supply Chain Management Paragraph 7(4) Quarterly Report ending 30 June 2022.*
- (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.*

EENPARIG BESLUIT

- (a) *dat kennis geneem word van die Voorsieningskanaalbestuur Paragraaf 7(4) Kwartaalverslag eindigende 30 Junie 2022.*
- (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 voorgelê is.*

8.1.10 Witzenberg Whistleblowing Policy (2/12/P)

The Whistleblowing Policy for Witzenberg Municipality is attached as annexure 8.1.10.

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

- (a) 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 relating to the Witzenberg Whistleblowing Policy be held in abeyance until the next meeting.*

## EENPARIG BESLUIT

*dat die aangeleentheid rakende die Witzenberg Fluitjieblaas Beleid oorstaan tot die volgende vergadering.*

### 8.1.11 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 8.1.11.

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 the matter relating to the Witzenberg Fraud and Corruption Prevention Policy and Response Plan be held in abeyance until the next meeting.*

### 8.1.12 Witzenberg Fraud and Corruption Prevention Strategy (2/12/P)

The Fraud and Corruption Prevention Strategy for Witzenberg Municipality is attached as annexure 8.1.12.

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 the matter relating to the Witzenberg Fraud and Corruption Prevention Strategy be held in abeyance until the next meeting.*

8.1.13 Review or amendment of IDP and Budget Process Plan for 2023/2024  
(02/02/1)

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 <b>previous year's performance and current economic and demographic trends</b> 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 2023/2024 cycle for review/amendment is attached as annexure 8.1.13.

UNANIMOUSLY RESOLVED

- (a) *that the Reviewed / Amended IDP and Budget Process Plan for 2023/2024 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.*

8.1.14 Finance: Adjustment budget 2022/2023  
(5/1/1/21)

The following documents are attached:

- (a) Memorandum from Director: Finance: Annexure 8.1.14(a).
- (b) Adjustment budget 2021/2022 to 2022/203: Annexure 8.1.14(b).
- (c) Budget schedules: Annexure 8.1.14(c).

UNANIMOUSLY RESOLVED

*that the adjustment budget of Witzenberg Municipality for the financial year 2022/2023 as set out in the budget documents be approved on condition that expenditure may only be incurred once approval has been obtained from National or Provincial Treasury in respect of roll-over funding and once the Memorandums of Agreements are in place with the partnering organisations:*

- (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.*

#### 8.1.15 Proposed amendment to Leave Policy (4/2/P)

Memorandum from Director: Finance, 17 August 2022:

##### "Purpose

To obtain approval from Council to amend the Leave Policy.

##### Legal framework

The following section of the Indigent Policy was approved on 25 August 2021 by Council:

Section 9.3.1 of the Leave Policy determines that the municipality will not pay out any leave except on termination of employment, which will be payable the month following month of termination.

The Leave Policy with the recommended amendments is attached as annexure 8.1.15.

##### Motivation

It happens from time to time that exceptional circumstances exist that may **merit the pay out of leave to an employee."**

##### UNANIMOUSLY RESOLVED

*That the following paragraphs be added to the Leave Policy:*

- 9.3.4 *The Municipal Manager is authorised to approve the pay out of leave to **an employee in exceptional circumstances (e.g. the employee's ownership of his or her house is at risk due to outstanding debt, excessive medical expenses not covered by medical aid or any other exceptional circumstances according to merit, approved by the Municipal Manager).***
- 9.3.5 *The Municipal Manager is authorised to approve the pay out of leave to an employee if the employee cannot be granted leave due to operational requirements.*

## EENPARIG BESLUIT

*Dat die volgende paragrafe by die Verlofbeleid gevoeg word:*

9.3.4 *Dat die Munisipale Bestuurder gemagtig word om die uitbetaling van verlof aan 'n werknemer in buitengewone omstandighede goed te keur (bv. wanneer die werknemer se eienaarskap van sy of haar huis in gevaar is as gevolg van uitstaande skuld, buitensporige mediese uitgawes wat nie deur mediese fonds gedek word nie of enige ander buitengewone omstandighede volgens meriete, goedgekeur deur die Munisipale Bestuurder).*

9.3.5 *Die Munisipale Bestuurder word gemagtig om die uitbetaling van verlof **aan 'n werknemer goed te keur indien verlof nie aan die werknemer toegestaan kan word nie** as gevolg van operasionele vereistes.*

Councillor P Heradien, on behalf of ICOSA, requested that it be minuted that the party is not in agreement with the resolution.

## 8.2 Direktooraat Tegnieuse Dienste / Directorate Technical Services

### 8.2.1 Wolseley Wind Farm (15/4/2/222)

Memorandum from Manager: Town Planning and Building Control, dated 11 August 2022:

#### "Background

Council previously approved the consent use application for the Wolseley Wind Farm facility. Kindly refer to annexure 8.2.1(a) (letter of consent dated 18 September 2015).

The developer at the time was SAGIT Energy Ventures represented by Mich Nieuwoudt.

Request is now made for the transfer of the consent from SAGIT to Acciona Energy South Africa Global (Pty) Ltd.

#### Purpose

SAGIT was the developer that initially applied to the municipality for the land use rights (consent).

Subsequently Acciona Energy South Africa Global (Pty) Ltd acquired 100 % of the shares in Project Company that holds the development rights to the Wolseley Wind Farm Project.

The Transfer and Cession Undertaking signed by SAGIT with the intention to transfer the permits, licenses, approvals and consents to the Project Company, dated 28 July 2022, is attached as annexure 8.2.1(b).

#### Deliberation

It was made a condition of approval that the land use consent cannot be transferred without agreement of the local authority.

Condition xiii of the consent reads:

'This consent only applies to the owner and cannot be transferred without the agreement of the local authority.'

Acciona Energia submitted a company profile which is attached as annexure 8.2.1(c)."

UNANIMOUSLY RESOLVED

- (a) *that Council agrees to the transfer of the land use consent from SAGIT to Acciona Energy South Africa Global (Pty) Ltd for the purposes of a renewable energy facility as stipulated under letter of consent dated 18 September 2015.*
- (b) *that the Municipal Manager be authorised to arrange with Messrs Acciona Energy South Africa Global (Pty) Ltd to make a presentation in respect of the Wolseley Wind Farm to Council.*
- (c) *that (a) and (b) supra subject to further engagements with the municipality on opportunities that will be created for Witzenberg Municipality.*

### 8.3 Direktooraat Gemeenskapsdienste / Directorate Community Services

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

The following documents are attached:

- (a) Presentation by Ms Karen Siebrits of ASLA: Annexure 8.3.1(a).
- (b) Presentation by Messrs Devco and ASLA: Annexure 8.3.1(b).

The Acting Municipal Manager mentioned that no further consultation was held with the provincial department. The Department is awaiting Council's approval for the Vredebes Incremental Housing project to be a pilot project. Furthermore, the Department is busy with a parallel process to investigate the possibility of any other service provider with a presentation of any other incremental housing project. The purpose is to compare and to determine the best market related proposal. Other possible proposals may therefore be submitted to Council.

UNANIMOUSLY RESOLVED

*that Witzenberg Municipality agrees for the roll-out of the pilot project for the Vredebes Incremental Housing project.*

BESLUIT

*dat Munisipaliteit Witzenberg instem vir die uitrol van die loodsprojek vir die Vredebes Inkrementele Behuisingsprojek.*

#### 8.3.2 Housing: Demolition of vandalised houses: The Island Holiday Resort, Ceres (17/4/1/1/R)

A memorandum from the Manager: Housing, dated 14 March 2022, is attached as annexure 8.3.2.

UNANIMOUSLY RESOLVED

- (a) *that the recyclable material be recycled by the maintenance team of the Department of Housing.*
- (b) *that the ticket office at the entrance of The Island Resort be demolished.*
- (c) *that the five (5) vacant houses be demolished internally with the assistance of a digger loader from the Directorate Technical Services and temporary workers.*

EENPARIG BESLUIT

- (a) *dat alle herwinbare materiaal deur die Departement Behuising se instandhoudingspan herwin word.*
- (b) *dat die kaartjieskantoor by die ingang van die Eiland Vakansieoord gesloop word.*
- (c) ***dat die vyf (5) vakante wonings intern gesloop word met behulp van 'n laalgraaf van Direktooraat Tegniese Dienste en tydelike werkers.***

#### 8.4 Direktooraat Korporatiewe Dienste / Directorate Corporate Services

##### 8.4.1 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 8.4.1.

The Executive Mayoral Committee resolved on 6 October 2021 to recommend to Council:

- (a) that Council considers to lease the old Post Office building in Tulbagh to the Oude Kerk Volksmuseum and Tulbagh Tourism for a period of three years with the option to extend the lease.
- (b) that a Supply Chain process be followed to determine the market related rent for the building.
- (c) that a Public Participation Process be followed for any comments or objections regarding the lease of the old Post Office building.
- (d) that the Municipal Manager be authorised to sign the lease agreement on behalf of Council.

UNANIMOUSLY RESOLVED

*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.*

EENPARIG BESLUIT

*dat die aangeleentheid rakende die ou Poskantoorgebou in Tulbagh (Busy Bee) oorstaan ten einde verdere inligting te bekom en daarna aan die Raad voorgelê word.*

##### 8.4.2 Appointment of employer representatives: SALA Pension Fund (12/1/1/2)

A letter from SALA Pension Fund, dated 6 July 2022, is attached as annexure 8.4.2.

UNANIMOUSLY RESOLVED

- (a) *that Mr Jeffrey Jones be appointed as the employee representative on the provincial forum of the SALA Pension Fund*
- (b) *that in the event that supra (a) cannot be realised, Councillor JP Fredericks be appointed as the employer representative.*



#### EENPARIG BESLUIT

- (a) dat mnr. Jeffrey Jones aangewys word as die werknemerverteenwoordiger op die provinsiale forum van die SALA Pensioenfonds.*
- (b) dat ingeval supra (a) nie uitgevoer kan word nie, raadslid JP Fredericks aangewys word as die werkgewerverteenwoordiger.*

#### 8.4.3 Appointment of Section 80 Committees by Council (03/3/1/1)

In terms of Section 80 of the Structures Act, Council may appoint Committees of Councillors to assist the Executive Committee or the Executive Mayor. Such Committees may not in number exceed the number of members of the Executive Committee or the Mayoral Committee. Therefore, four (4) Section 80 Committees can be established. The Executive Committee or Executive Mayor appoints a Chairperson for each Committee from the Executive Committee or Mayoral Committee and:

- May delegate any powers and duties to the committee
- Is not divested of the responsibility concerning the exercise of the power or performance of the duty.
- May revoke any decision taken by the committee, subject to any vested rights.

Section 80 Committees are usually permanent committees that specialise in one area of work and sometimes are given the right to make decisions over small issues. Section 80 Committees will also advise executive committees on policy matters and make recommendations to Council.

Council will have to decide whether both Section 79 and 80 Committees will be established or whether only Section 79 or only Section 80 Committees will be established. Section 79 Committees report directly to Council, whilst Section 80 Committees report to the Executive Committee or the Executive Mayor.

#### Present Management structure

The present Management structure consists of four directorates as follows:

- Directorate Corporate Services
- Directorate Technical Services
- Directorate Financial Services
- Directorate Community Services

Committees can be established for each of the directorates or for any combination thereof.

#### Functions of the Section 80 Committees

The following functions can be considered for the Section 80 Committees:

1. At least one meeting per month to consider reports from the directors.
2. Deal with matters that have been referred to the committee by the Council or the Executive Committee or Executive Mayor.
3. Review and evaluate policies and make recommendations to the Executive Committee or the Executive Mayor on amendments thereto and the revoking thereof.
4. Make recommendations to the Executive Committee or the Executive Mayor on new policy to be implemented.
5. Evaluate and review bylaws and make recommendations to the Executive Committee or the Executive Mayor thereon.
6. Oversee service delivery within the relevant portfolio.
7. Perform such duties and perform such powers as may be delegated to them by Council in terms of Section 59 of the Structures Act.

#### Acceptance of system of delegations

It is recommended that committees be delegated the power to consider and approve monthly reports from the Directors and various sections within the directorates.

A document indicating the current composition of Section 80 Committees is attached as annexure 8.4.3.

#### UNANIMOUSLY RESOLVED

- (a) *that the matter in respect of the appointment of Section 80 Committees the Executive Mayor be authorised to appoint the members to the Section 79 and 80 Committees after consultation with the Chief Whips of the various political parties.*
- (b) *that an interpreter be appointed to render duties at all Committee and Council meetings.*
- (c) *that Council be informed of all Chairpersons of the Committees.*

9. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA

None

NOTED

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 Question to the Deputy Executive Mayor in respect of a Facebook post  
(3/R)

Councillor A Gili put a question to the Deputy Executive Mayor in respect of a post by GOOD on Facebook. The verbal enquiry of the Councillor is summarised as follows:

Councillor Gili enquired about the WhatsApp line which is being advertised on Facebook as the method of reporting problems. The concern is that none of the Councillors have been informed of this and it is embarrassing to find out about it from community members. The question is then whether it is a product of the GOOD Party or of Witzenberg Municipality.

The Speaker requested that Councillor A Gili submits a written question in order for the Deputy Executive Mayor to respond on the question before Council as prescribed by the Rules of Order for conducting meetings.

The Deputy Executive Mayor responded that the answer to the question will be given at the next Council meeting.

Councillor Gili informed the meeting that no written submission was made and that the matter no longer needed to be dealt with.

RESOLVED

*that the matter relating to the questions to the Deputy Executive Mayor in respect of a Facebook post be removed from the agenda.*

11.2 Various questions to Executive Mayor  
(3/R)

A letter from Councillor A Gili, dated 23 March 2022, is attached as annexure 11.2.

UNANIMOUSLY RESOLVED

*that the matter in respect of questions to the Executive Mayor be held in abeyance and answered at the next meeting.*

EENPARIG BESLUIT

*dat die aangeleentheid rakende vrae aan die Uitvoerende Burgemeester oorstaan en die vrae by die volgende vergadering beantwoord word.*

11.3 Letter of complaint on Public Participation Process in drafting of **Council's** Reviewed IDP and Budget 2022/2023  
(5/1/1/21; 2/2/1)

The following documents are attached:

- (a) Letter from Ward Councillors J Zalie and A Gili, dated 15 March 2022: Annexure 11.3(a).
- (b) Memorandum from the Municipal Manager, dated 30 March 2022: Annexure 11.3(b).

UNANIMOUSLY RESOLVED

*that the matter be removed from the agenda.*

EENPARIG BESLUIT

*dat die aangeleentheid van die agenda verwyder word.*

11.4 Complaint against Witzenberg Municipality: Non-compliance of Private Security Industry Regulation Act (Act 56 of 2001)  
(17/7/5)

The following documents are attached:

- (a) Letter from Mr Jimmy van Wyk that was emailed to the Speaker: Annexure 11.4(a).
- (b) Memorandum from the Municipal Manager, dated 30 March 2022: Annexure 11.4(b).

UNANIMOUSLY RESOLVED

*that the matter in respect of the complaint against Witzenberg Municipality being in non-compliance of the Private Security Industry Regulation Act (PSIRA) (No. 56 of 2001) be held in abeyance pending reports from PSIRA in this regard.*

11.5 Registration of Rooikamp of Ceres District Taxi Association  
(17/14/3)

A letter from the Rooikamp of Ceres District Taxi Association, dated 9 February 2022, is attached as annexure 11.5.

UNANIMOUSLY RESOLVED

*that the matter in respect of the Registration of Rooikamp of Ceres District Taxi Association be held in abeyance to be workshopped by Council and after that be tabled to Council again.*

12. COUNCIL-IN-COMMITTEE

MINUTES OF THE SPECIAL COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON FRIDAY, 23 SEPTEMBER 2022 AT 10:00

PRESENT

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 M Mpeluza (Director: Corporate Services)  
Mr CG Wessels (Manager: Administration)  
Mr R Rhode (ICT Administrator)  
Mr C Titus (Committee Clerk)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Speaker welcomed everyone present and requested Councillor P Heradien 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)

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

No applications for leave of absence have been received.

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.

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

(b) Alderman BC Klaasen declared interest in respect of item 4.1: Personnel: Recruitment and selection process for appointment of Director: Community Services.

The Speaker granted approval to Alderman Klaasen to leave the meeting during the discussion of the matter.

NOTED

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

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

The Speaker requested a moment of standing silence in honour of and respect for the two Emergency Services staff members, Ms Thandi Magalakanqa and Mr Mario Vergotine, who passed on in an ambulance accident.

NOTED

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

- (a) The Executive Mayor expressed, on behalf of the Witzenberg Municipality and Council, condolences to the families of the two Emergency Services staff members, Ms Thandi Magalakanqa and Mr Mario Vergotine, who passed on in an ambulance accident.
- (b) The Executive Mayor expressed condolences to Councillor N Phatsoane and her family on the passing on of a beloved family member.
- (c) The Executive Mayor conveyed best wishes to everyone in the Witzenberg region who will be celebrating Heritage Day on 24 September 2022.
- (d) The Executive Mayor invited all Councillors to attend the Mayoral Cup rugby matches between the various municipalities in the Boland region. Witzenberg plays against Drakenstein.

NOTED

3.3 Matters raised by the Municipal Manager

None

NOTED

Councillor MJ Ndaba, on approval of Speaker, conveyed on behalf of the ANC, condolences to Councillor N Phatsoane and her family on the passing of their beloved family member.

4. COUNCIL-IN-COMMITTEE / RAAD-IN-KOMITEE

Alderman BC Klaasen left the meeting at 10:15 for the discussion of item 4.1 due to conflict of interest.

NOTED



Ms. Elizabeth Sedigo  
The Speaker of Council  
Witzenberg Municipality  
50 Voortrekker Street  
Ceres  
6835

Date: 18 October 2022

**DISSATISFIED WITH THE CORRECTNESS OF THE MINUTES OF COUNCIL  
MEETING HELD ON THE 23<sup>RD</sup> OF MARCH 2022**

In terms of Chapter 2 (Meetings) section 11 (6a & b) of the By-Law on the rules of order for the meetings of the Witzenberg Council and its committees, if a councilor is dissatisfied with the correctness of the minutes, the councillor must –

- (a) State the item with which he or she is dissatisfied; and
- (b) Propose a motion clearly outlining the alternative wording to amend the minutes

We, the undersigned councillors of the Witzenberg Municipality hereby propose a motion requesting the amendment of the minutes of the 23<sup>rd</sup> of March 2022 that excluded the words of the former speaker (Johnnerey Mouton) where she requested an independent investigation on what transpired in her office on the 14th of March 2022 following the supply chain policy.

You are requested to give instructions to the Municipal Manager before the next council meeting on October 26, 2022 to amend the Council Minutes of March 23, 2022 and add the words of the former Speaker that are as follows;


"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."

In terms of Chapter 3 (Decisions) section 13 of the By-Law on the rules of order for the meetings of the Witzenberg Council and its committees, whenever Council is called upon to consider a matter before it and there is no opposition from any councillor, a unanimous vote will be recorded in the minutes.

According to the recording of the minutes of the 23<sup>rd</sup> of March 2022, no councillor opposed the request of the Speaker asking for an independent investigation on what transpired in her office therefore an investigation was supposed to be done following the supply chain policy.

Dated and signed at Ceres on the 18<sup>th</sup> of October 2022

1. NOUWENAND NOGGINISA  
Name & Surname

  
Signature

2. Mxolis Joseph Ndaba  
Name & Surname

  
Signature

3. ANDILE GILI  
Name & Surname


  
Signature

4. Johnnerey Mouton  
Name & Surname

  
Signature


5. Manyiso Yiso  
Name & Surname

  
Signature


6.   
Name & Surname

Doc. Petrus Heradison  
Signature

7. JOB Lobe  
Name & Surname

  
Signature

8. Monzame Pualsoane  
Name & Surname

  
Signature

9. \_\_\_\_\_  
Name & Surname

\_\_\_\_\_  
Signature

10. \_\_\_\_\_  
Name & Surname

\_\_\_\_\_  
Signature

11. \_\_\_\_\_  
Name & Surname

\_\_\_\_\_  
Signature

MINUTES OF THE MEETING OF THE COMMITTEE FOR HOUSING MATTERS OF WITZENBERG MUNICIPALITY, HELD IN THE WITZENVILLE COMMUNITY HALL, KAREE STREET, TULBAGH, ON TUESDAY, 21 SEPTEMBER 2021 AT 10:00

NOTULE VAN DIE VERGADERING VAN DIE KOMITEE VIR BEHUISINGSAANGELEENTHEDE VAN DIE MUNISIPALITEIT WITZENBERG, GEHOU OP DINSDAG, 21 SEPTEMBER 2021 OM 10:00 IN DIE WITZENVILLE GEMEENSKAPSAAL, KAREESTRAAT, TULBAGH

PRESENT / TEENWOORDIG

Committee Members / Komiteelede

Councillor / Raadslid E Sidego (Chairperson / Voorsitter) (DA)  
Alderlady / Raadsdame JT Phungula (ANC)  
Councillor / Raadslid ZS Mzauziwa-Mdishwa (DA)

Non-Committee Member / Nie-Komiteelid

Councillor / Raadslid N Phatsoane (ANC)

Officials

Ms / Me C Mackenzie (Manager: Housing / Bestuurder: Behuising)  
Mr / Mnr T Plaatjies (Senior Housing Officer / Senior Behuising Beampte)  
Mr / Mnr C Titus (Committee Clerk / Komiteeklerk)  
Ms / Me W Roode (Word Processor Operator / Woordverwerker Operateur)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Chairperson welcomed everyone present and requested Councillor N Phatsoane 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)

Apologies for absence from the meeting were received from the Municipal Manager; Manager: Administration and Chief Administrative Officer.

Verskonings vir afwesigheid van die vergadering is ontvang vanaf die Munisipale Bestuurder; Bestuurder: Administrasie en Senior Administratiewe Beampte.

RESOLVED

*that notice be taken of the apologies for absence from the meeting, received from the Municipal Manager, Manager: Administration and Chief Administrative Officer.*

BESLUIT

*dat kennis geneem word van die verskonings vir afwesigheid van die vergadering, ontvang vanaf die Munisipale Bestuurder; Bestuurder: Administrasie en Senior Administratiewe Beampte.*

3. NOTULES

3.1 Matters / Corrections form the minutes

None / Geen

NOTED / AANGETEKEN

3.2 Approval of minutes / Goedkeuring van notules  
(3/1/2/3)

None / Geen

NOTED / AANGETEKEN

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

None / Geen

NOTED / AANGETEKEN

4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY CHAIRPERSON / VERKLARINGS,  
MEDEDELINGS OF SAKE INGEDIEN DEUR DIE VOORSITTER

The Chairperson thanked the Committee members and officials for travelling from Ceres to attend the meeting in Tulbagh, therefore taking service delivery to the community.

NOTED

5. INTERVIEWS WITH DELEGATIONS / ONDERHOUDE MET AFGEVAARDIGDES

None / Geen

NOTED / AANGETEKEN

6. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

None / Geen

NOTED / AANGETEKEN

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7. RESERVED POWERS / GERESERVEERDE BEVOEGDHEDE

None /Geen

NOTED / AANGETEKEN

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

None /Geen

NOTED / AANGETEKEN

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 THURSDAY, 30 SEPTEMBER 2021 AT 10:00

NOTULE VAN DIE VERGADERING VAN DIE KOMITEE VIR BEHUISINGSANGELEENTHEDE VAN DIE MUNISIPALITEIT WITZENBERG, GEHOU OP DONDERDAG, 30 SEPTEMBER 2021 OM 10:00 IN DIE RAADSAAL, MUNISIPALE KANTORE, VOORTREKKERSTRAAT 50, CERES

PRESENT / TEENWOORDIG

Committee Members / Komiteelede

Councillor / Raadslid E Sidego (Chairperson / Voorsitter) (DA)  
Alderlady / Raadsdame JT Phungula (ANC)  
Councillor / Raadslid ZS Mzauziwa-Mdishwa (DA)

Non-Committee Member / Nie-Komiteelid

Councillor / Raadslid N Phatsoane (ANC)  
Alderman / Raadsheer K Adams (DA)

Officials

Ms / Me C Mackenzie (Manager: Housing / Bestuurder: Behuising)  
Mr / Mnr T Plaatjies (Senior Housing Officer)  
Mr / Mnr C Titus (Committee Clerk / Komiteeklerk)  
Ms / Me W Roode (Word Processor Operator / Woordverwerker Operateur)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Chairperson welcomed everyone present and requested Alderlady JT Phungula to open the meeting with prayer.

NOTED

2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY / OORWEGING VAN AANSOEKE OM VERLOF TOT AFWESIGHEID, INDIEN ENIGE (3/1/2/1)

Apologies for absence from the meeting were received from the Municipal Manager; Manager: Administration and Chief Administrative Officer.

Verskonings vir afwesigheid van die vergadering is ontvang vanaf die Munisipale Bestuurder; Bestuurder: Administrasie en Hoof Administratiewe Beampete.

RESOLVED

*that notice be taken of the apologies for absence from the meeting, received from the Municipal Manager, Manager: Administration and Chief Administrative Officer.*

BESLUIT

*dat kennis geneem word van die verskonings vir afwesigheid van die vergadering, ontvang vanaf die Munisipale Bestuurder; Bestuurder: Administrasie en Hoof Administratiewe Beampte.*

3. NOTULES

3.1 Matters from / Corrections to 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 Housing Matters, held on 26 August 2021, are attached as annexure 3.2.

Die notule van die vergadering van die Komitee vir Behuisingsaangeleenthede, gehou op 26 Augustus 2021, word ingebind as bylae 3.2.

RESOLVED

*that the minutes of the meeting of the Committee for Housing Matters, held on 26 August 2021, be approved and signed by the Chairperson.*

BESLUIT

*dat die notule van die vergadering van die Komitee vir Behuisingsaangeleenthede, gehou op 26 Augustus 2021, goedgekeur en deur die Voorsitter onderteken word.*

3.3 Outstanding matters  
(3/3/2)

Leër Verwysing snommer / File Ref. Nr.	Item nommer en datum van vergadering / Item nr. and date of meeting	Onderwerp van item / Title of item	Besluit / Resolution	Verantwoordelikheid / Responsibility	Target dat / Teiken datum
3.3.2	3.3 of 09 March 2021 3.3 of 10 June 2021 3.3 of 24 June 2021 3.3 of 10 August 2021 3.3 of 26 August 2021	Outstanding matters	(a) that notice is taken of the feedback from the Senior Housing Officer in respect of the erection of the notice boards along the river in Olifant Street, Tulbagh.	Senior Housing Officer	30 September 2021

			(b) that the matter in respect of (a) above, be held in abeyance until a later stage.		
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RESOLVED

*that notice be taken of the outstanding matter.*

BESLUIT

*dat kennis geneem word van die uitstaande saak*

4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY CHAIRPERSON / VERKLARINGS, MEDEDELINGS OF SAKE INGEDIEN DEUR DIE VOORSITTER

- (a) The Chairperson announced that it is the last meeting of the Committee for Housing Matters and thanked everyone who made a valuable contribution towards service delivery in respect of housing matters for the term of Council.
- (b) The Chairperson especially thanked Councillor N Phatsoane in her absence for making profound contributions in respect of housing matters in Ward 1, Nduli, Ceres.
- (c) The Chairperson thanked the Committee members, Manager: Housing, Senior Housing Officer and Section Administration for travelling from Ceres to attend the Committee meeting for Housing Matters held on Tuesday, 21 September 2021 at Witzenville Community Hall, Tulbagh.

The Manager: Housing reported the following:

- The Housing Administration Policy will be tabled at a Workshop scheduled for Monday, 4 October 2021 at 09:00.
- The defected houses for the Military Veterans of Mr. D & A van Wyk located at Vredebes and Bella Vista, Ceres has been dealt with.
- That Councillor D Kinnear submitted an updated list of Military Veterans and that the Section Housing is awaiting an updated list from Mr. Wouter Swartz.
- That the municipality cannot build top structures due to ESKOM inability to provide additional electricity for development purpose.

NOTED

5. INTERVIEWS WITH DELEGATIONS / ONDERHOUDE MET AFGEVAARDIGDES

None / Geen

NOTED / AANGETEKEN



6. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

6.1 Monthly report of the Section Housing: August 2021/ Maandverslag van die Afdeling Behuising: Augustus 2021 (9/1/2/4)

The monthly report of the Section Housing for August 2021 is attached as annexure 6.1.

Die maandverslag van die Afdeling Behuising vir Augustus 2021 word aangeheg as bylae 6.1.

The Chairperson enquired in respect of the status quo of the outstanding Title Deed handover.

The Manager: Housing reported to the following inter alia:

- Attorney of Council Mr. J. Bezuidenhout directly handover the outstanding Title Deeds as instructed by the Executive Mayor.
- The above mentioned Attorney of Council contract lapse and that the remaining Title Deeds will be handed over by Council newly appointed Attorney.
- Twenty one (21) Title Deeds will be handed over on Friday, 8 October 2021 at the Witzenville Community Hall, Tulbagh.

RESOLVED

*that the Committee for Housing Matters takes notice of the content of the monthly report of the Section Housing for August 2021 and same be accepted.*

BESLUIT

*dat die Komitee vir Behuisingsaangeleenthede kennis neem van die inhoud van die maandverslag van die Afdeling Behuising vir Augustus 2021 en dat die verslag aanvaar word.*

6.2 Risk Management 2020/2021: Risk Management Report: Department Housing / Risikobestuur 2020/2021: Risikobestuursverslag: Departement Behuising (2/12/1)

This is a quarterly item on the agenda / **Hierdie is 'n kwartaallikse item op die agenda.**

None / Geen

NOTED / AANGETEKEN

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

None / Geen

NOTED / AANGETEKEN

9. COMMITTEE FOR HOUSING MATTERS-IN-COMMITTEE / KOMITEE VIR  
BEHUISINGSAANGELEENTHEDE-IN-KOMITEE

**MINUTES OF THE MEETING OF THE COMMITTEE FOR HOUSING MATTERS OF THE WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON THURSDAY, 7 APRIL 2022 AT 11:50**

**NOTULE VAN DIE VERGADERING VAN DIE KOMITEE VIR BEHUISINGSAANGELEENTHEDE VAN DIE MUNISIPALITEIT WITZENBERG, GEHOUD OP DONDERDAG, 7 APRIL 2022 OM 11:50 IN DIE STADSAAL, VOORTREKKERSTRAAT, CERES**

**PRESENT / TEENWOORDIG**

**Committee Members / Komiteelede**

Councillor / Raadslid EM Sidego (Chairperson / Voorsitter)

Councillor / Raadslid S de Bruin

Councillor / Raadslid IJ Swartz

**Other Councillors / Ander Raadslede**

Councillor / Raadslid AL Gili

**Officials / Amptenare**

Ms / Me C Mackenzie (Manager: Housing / Bestuurder: Behuising)

Mr / Mnr C Wessels (Manager: Administration / Bestuurder: Administrasie)

Ms / Me M Arendse-Smith (Chief Administration Officer / Hoof Administratiewe Beampte)

Mr / Mnr C Titus (Committee Clerk / Komiteeklerk)

Ms / Me E Lewis (Word Processor Operator / Woordverwerker Operateur)

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

The Chairperson welcomed everyone present after which a five minute break was taken.

The Chairperson informed the Committee for Housing Matters that since the meeting was delayed by nearly two (2) hours, due to the occurrence of the Special Council meeting, the meeting is not constituted in terms of the Rules of Order for Council meetings.

Furthermore, that interviews with the respective housing applicants would be held, but that decisions could only be made at the next Committee meeting.

Die Voorsitter heet almal teenwoordig welkom waarna 'n vyf minute verdaging aangekondig word.

Die Voorsitter deel die Komitee mee dat die vergadering van die Komitee vir Behuisingsaangeleenthede met byna twee (2) ure vertraag was as gevolg van die Spesiale Raadsvergadering en kan hierdie vergadering dus in terme van die Ordereëls vir vergaderings, nie voortgaan nie.

Die Komitee sal dus voortgaan met die onderhoude van die verskeie applikante, maar dat besluite by die volgende vergadering geneem sal word.

**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)**

Application for leave of absence from the meeting was received from Councillor MJ Ndaba (ANC).

Aansoek om verlof tot afwesigheid van die vergadering is ontvang vanaf Raadslid MJ Ndaba (ANC).

**RESOLVED**

*that the application for leave of absence from the meeting, received from Councillor MN Ndaba (ANC), be approved and accepted.*

**BESLUIT**

*dat die aansoek om verlof tot afwesigheid van die vergadering, ontvang vanaf Raadslid MJ Ndaba (ANC) goedgekeur en aanvaar word.*

**3. MINUTES / NOTULES**

**3.1 Matters / Corrections form the minutes**

The Chairperson informed the Committee for Housing Matters that the item pertaining to the corrections of the minutes, be held in abeyance until the next meeting as the meeting is not constituted.

Die Voorsitter deel die Komitee vir Behuisingsaangeleenthede mee dat die item rakende die regstelling van notules oorstaan tot die volgende vergadering.

**NOTED / AANGETEKEN**

**3.2 Approval of minutes / Goedkeuring van notules (3/1/2/3)**

The following minutes are attached:

- (a) Committee for Housing Matters, held on 21 September 2021: **Annexure 3.2(a).**
- (b) Committee for Housing Matters, held on 30 September 2021: **Annexure 3.2(b).**

The Chairperson informed that the item pertaining to the minutes will be held in abeyance until the next meeting as the meeting is not constituted.

**RESOLVED**

*that the minutes of the meetings of the Committee for Housing Matters, held on 21 September 2021 and 30 September 2021 respectively, be held in abeyance until the next meeting.*

**BESLUIT**

*dat die notules van die vergaderings van die Komitee vir Behuisingsaangeleenthede, gehou op 21 September 2021 en 30 September 2021 onderskeidelik, oorstaan tot die eerskomende vergadering.*

**Minutes: Committee for Housing Matters**  
**Notule: Komitee vir Behuisingsaangeleenthede**  
**7 April 2022**

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

Leër Verwysing snommer / File Ref. Nr.	Item nommer en datum van vergadering / Item nr. and date of meeting	Onderwerp van item / Title of item	Besluit / Resolution	Verantwoordelikeheid / Responsibility	Target dat / Teiken datum
3.3.2	3.3 of 09 March 2021 3.3 of 10 June 2021 3.3 of 24 June 2021 3.3 of 10 August 2021  3.3 of 26 August 2021  3.3 of 30 September 2021	Outstanding matters	(a) that notice is taken of the feedback from the Senior Housing Officer in respect of the erection of the notice boards along the river in Olifant Street, Tulbagh.  (b) that the matter in respect of (a) above, be held in abeyance until a later stage.  that notice be taken of the outstanding matter	Senior Housing Officer	12 April 2022

**RESOLVED**

- (a) *that the Committee for Housing matters takes notice of the outstanding item.*  
(b) *that the matter in respect of supra (a), be held in abeyance until the next meeting.*

**BESLUIT**

- (a) *dat die Komitee vir Behuisingsaangeleenthede kennis neem van die uitstaande item.*  
(b) *dat die aangeleentheid rakende supra (a) oorstaan tot die volgende vergadering.*

**4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED BY CHAIRPERSON / VERKLARINGS, MEDEDELINGS OF SAKE INGEDIEN DEUR DIE VOORSITTER**

None / Geen

**NOTED / AANGETEKEN**

**5. INTERVIEWS WITH DELEGATIONS / ONDERHOUE MET AFGEVAARDIGDES**

None / Geen

**NOTED / AANGETEKEN**

**6. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS**

**6.1 Monthly reports of the Section Housing: September, October, November, December 2021, January and February 2022 / Maandverslae van die Afdeling Behuising: September, Oktober, November, Desember 2021, Januarie en Februarie 2022 (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 2021	<b>Annexure / Bylae 6.1(a)</b>
(b)	October / Oktober 2021	<b>Annexure / Bylae 6.1(b)</b>
(c)	November 2021	<b>Annexure / Bylae 6.1(c)</b>
(d)	December / Desember 2021	<b>Annexure / Bylae 6.1(d)</b>
(e)	January / Januarie 2022	<b>Annexure / Bylae 6.1(e)</b>
(f)	February / Februarie 2022	<b>Annexure / Bylae 6.1(f)</b>

**RESOLVED**

*that the matter in respect of the monthly reports of the Department Housing for September; October; November and December 2021 and January and February 2022 be held in abeyance until the next meeting.*

**BESLUIT**

*dat die aangeleentheid rakende die maandverslae van die Departement Behuising vir September; Oktober; November en Desember 2021 en Januarie en Februarie 2022 oorstaan tot die volgende vergadering.*

**6.2 Risk Management Report: Department Housing / Risiko Bestuursverslag: Departement Behuising (2/12/1)**

This is a quarterly report. / Hierdie is 'n kwartaallikse verslag.

None / Geen

**NOTED / AANGETEKEN**

**Minutes: Committee for Housing Matters**  
**Notule: Komitee vir Behuisingsaangeleenthede**  
**7 April 2022**

MINUTES OF THE EXECUTIVE MAYORAL COMMITTEE MEETING OF  
WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER  
STREET, CERES ON THURSDAY, 26 MAY 2022 AT 09:00

PRESENT

Executive Mayoral Committee

Alderman HJ Smit (Executive Mayor)  
Councillor FE Klazen (Deputy Executive Mayor)  
Councillor J Fredericks  
Alderman BC Klaasen  
Alderman JJ Visagie

Councillors (ex officio)

Councillor EM Sidego (Speaker)  
Councillor L Hardnek (Chairperson: MPAC)

Officials

Mr D Nasson (Acting 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 C Wessels (Manager: Administration)  
Ms M Arendse-Smith (Senior Administrative Officer)  
Mr C Titus (Committee Clerk)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Executive Mayor welcomed everyone present and thereafter requested the  
Director: Finance to open the meeting with prayer.

NOTED

2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY  
AANSOEK OM VERLOF TOT AFWESIGHEID, INDIEN ENIGE  
(3/1/2/1)

None / Geen

NOTED / AANGETEKEN



3. MINUTES / NOTULES

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

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 February 2022, are attached as annexure 3.2.

RESOLVED

*that the minutes of the Executive Mayoral Committee meeting, held on 22 February 2022, be approved and signed by the Executive Mayor.*

BESLUIT

*dat die notule van die Uitvoerende Burgemeesterskomitee vergadering, gehou op 22 Februarie 2022, 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)

None / Geen

NOTED / AANGETEKEN

5. INTERVIEWS WITH DELEGATIONS / ONDERHOUDE MET AFVAARDIGINGS

None / Geen

NOTED / AANGETEKEN

6. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

None / Geen

NOTED / AANGETEKEN

7. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

7.1 Direktooraat Finansies / Directorate Finance

7.1.1 Supply Chain Management: Disposal of movable assets in terms of Section 14(4) of the Municipal Finance Management Act (6/1/2)

The list of assets to be disposed of is attached as annexure 7.1.1."

RESOLVED

*That the Executive Mayoral Committee recommends to Council:*

- (a) that Council approves the disposal of assets as attached to this report as annexure.*
- (b) that the Supply Chain Management Unit proceeds with the disposal of **assets in accordance with paragraph 49(4) of Council's Supply Chain Management Policy.***

7.1.2 Quarterly Budget Statement [Section 52(d)] Report: 3<sup>rd</sup> Quarter 2021/2022 (1 January 2022 to 31 March 2022) (9/1/2/2 & 5/1/1/20)

The Quarterly Budget Statement [Section 52(d)] Report for the third quarter of 2021/2022 is attached as annexure 7.1.2.

RESOLVED

*That the Executive Mayoral Committee recommends to Council:*

- (a) that notice be taken of the Quarterly Budget Statement Report in terms of Section 52(d) for the third quarter of 2021/2022.*
- (b) that the Quarterly Budget Statement Report in terms of Section 52(d) for the third quarter of 2021/2022 be referred to the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee for information.*

7.1.3 Supply Chain Management: Paragraph 7(4) quarterly report ending 31 March 2022: Implementation of Supply Chain Management Policy (09/1/2/2)

A memorandum from the Manager: Supply Chain, dated 4 April 2022, is attached as annexure 7.1.3.

RESOLVED

*That the Executive Mayoral Committee recommends to Council:*

- (a) that the Acting Chief Financial Officer submits the report to the Accounting Officer.*
- (b) that the Accounting Officer submits the report to the Executive Mayor.*
- (c) that the report serves before the relevant Portfolio Committee, the Executive Mayoral Committee and Council for information.*
- (d) that the report 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.*

7.1.4 Section 71 Monthly Budget Statement Reports of the Directorate Finance: July 2021 until February 2022  
(9/1/2/2)

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

- (a) July 2021: Annexure 7.1.4(a)
- (b) August 2021: Annexure 7.1.4(b)
- (c) September 2021: Annexure 7.1.4(c)
- (d) October 2021: Annexure 7.1.4(d)
- (e) November 2021: Annexure 7.1.4(e)
- (f) December 2021: Annexure 7.1.4(f)
- (g) January 2022: Annexure 7.1.4(g)
- (h) February 2022: Annexure 7.1.4(h)

RESOLVED

*That the Executive Mayoral Committee recommends to Council:*

- (a) that notice be taken that the Section 71 Monthly Budget Statement Reports of the Directorate Finance for July and August 2021 have already been tabled to and approved by Council at the Special Council meeting of 8 October 2021.*
- (b) that notice be taken of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for September, October, November and December 2021 as well as January and February 2022 and, after consideration, same be approved and accepted.*

## BESLUIT

*Dat die Uitvoerende Burgemeesterskomitee by die Raad aanbeveel:*

- (a) *dat kennis geneem word dat die Artikel 71 Maandelikse Begrotingsverslae van die Direkoraat Finansies vir Julie en Augustus 2021 reeds aan die Raad voorgelê en goedgekeur was tydens die Spesiale Raadsvergadering van 8 Oktober 2021.*
- (b) *dat kennis geneem word van die Artikel 71 Maandelikse Begrotingsverslae van die Direkoraat Finansies vir September, Oktober, November en Desember 2021 sowel as Januarie en Februarie 2022 en genoemde, na oorweging, goedgekeur en aanvaar word.*

### 7.1.5 Finance: Adjustment budget 2021/2022 (5/1/1/20)

The following documents are attached:

- (a) Memorandum from Director: Finance, dated 19 April 2022: Annexure 7.1.5(a).
- (b) Adjustment budget 2021/2022 to 2023/2024: Annexure 7.1.5(b).

## RESOLVED

*That the Executive Mayoral Committee recommends to Council:*

*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: Adjustment Budget Financial Performance (by standard classification)*
- (iii) *Table B3: Budgeted Financial Performance (Revenue and Expenditure) by Vote*
- (iv) *Table B4: Adjustment Budget Financial Performance (Revenue by source)*
- (v) *Table B5: Budgeted Capital Expenditure by Vote, standard classification and funding.*

7.1.6 Draft Budget 2022/2023 and Amended IDP 2022 to 2027 in terms of Section 25(3) (MSA)  
(5/1/1/21; 2/2/1)

The following documents are attached:

- (a) Amended IDP 2022 to 2027 in terms of Section 25(3) (MSA): Annexure 7.1.6(a).
- (b) Draft Budget: 2022/2023 – 2024/2025: Annexure 7.1.6(b).
- (c) Draft Budget Related Policies: 2022/2023: Annexure 7.1.6(c).
- (d) Draft Budget Schedules: 2022/2023 – 2024/2025 (will be tabled at Council meeting).
- (e) Inputs/comments received from the community: Annexure 7.1.6(e).

RESOLVED

*That the Executive Mayoral Committee recommends to Council:*

- (a) *That the annual budget of Witzenberg Municipality for the financial year 2022/2023; and indicative for the two projected years 2023/2024 and 2024/2025, as set out in the schedules contained in Section 4, 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 8.1.8(c) and any other municipal tax reflected in Annexure 8.1.8(c) are imposed for the budget year 2022/2023.*
- (c) *Tariffs and charges reflected in Annexure 8.1.8(c) are approved for the budget year 2022/2023.*
- (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 2022/2023.*
- (e) *The measurable performance objectives for each vote reflected in SA8 are approved for the budget year 2022/2023.*

- (f) *That the new amended budget related policies be approved with implementation as from 1 July 2022:*
- (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) *Infrastructure Investment Policy*
  - (xix) *Cost Containment Policy*
- (g) *that the Integrated Development Plan (IDP) 2022 to 2027 (with amendments) be adopted in terms of Section 25(3) (MSA).*
- (h) *that in terms of Section 26 (MSA) the Witzenberg Spatial Development Framework (SDF) be adopted as a core component of the Integrated Development Plan (IDP).*
- (i) *that in terms of Section 26 (MSA) the Witzenberg Disaster Management Plan be adopted as a core component of the Integrated Development Plan (IDP).*
- (j) *that in terms of Section 26 (MSA) the Witzenberg Financial Plan be adopted as a core component of the Integrated Development Plan (IDP).*
- (k) *that Council takes cognisance of the budget circulars issued by National Treasury and Provincial Treasury. (Only for information).*
- (l) *that Council takes cognisance of the SIME/LG MTEC Integrated Planning and Budgeting Assessment and the responses by the municipality.*
- (m) *that Council approves the amended IDP 2022 to 2027 document.*

7.2 Direktooraat Tegnieuse Dienste / Directorate Technical Services

7.2.1 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 7.2.1 (a).
- (b) Review and Strategic Input report: Annexure 7.2.1 (b).

RESOLVED

*That the Executive Mayoral Committee recommends to Council:*

- (a) *that Council rescinds **the previous decision 'Approval of Energy Plan (Small Scale Embedded Generation (16/3/P – 31 October 2018).***
- (b) *that Council takes notice of the co-authored inputs and documentation of the Association of Municipal Electrical Undertakings, Western Cape Provincial Government, Cape Town and Green Cape as the nationally accepted standardised policy related to the implementation of Renewable Energy (Small Scale Embedded Generation) within municipalities.*
- (c) *that Council adopts the NRS 097-2-1 (2010) and NRS 097-2-3 (2014) Grid Interconnection of Embedded Generation, Section 1 – Utility Interface, Section 2 – Simplified utility connection criteria for low-voltage connected generators as the basis of its Energy Plan and Small Scale Embedded Generation Policy.*
- (d) *that the supporting documents, including the undermentioned, are accepted as official documentation related to the application processes related to any consumer intending to install Renewable Energy:*
  - (i) *Requirements for Embedded Generation*
  - (ii) *Contract for Embedded Generation*
  - (iii) *Application Form*
  - (iv) *Commissioning Form*
  - (v) *Decommissioning Form*
- (e) *that any amendments to the relevant NRS standards automatically be **included in the Council's Energy Policy.***



- (f) *that any amendment to the Electrical Bylaws as well as the implementation of a RENEWABLE energy tariff will automatically form part of Council's Energy Policy as and when approved by Council.*
- (g) *That the Municipality include the principle of the RENEWABLE tariff as explained in the report for approval from NERSA in the 2022/2023 NERSA tariff application. This tariff will be additional and mandatory for new SSEG installations and new approvals and that Council considers the phasing in of the tariff on existing approved installations over a five year period.*

Category	Basic/ month	Refit / kWh
Residential	R70.00	R0.50
Commercial, LPU	Solar Basic - Municipal mark-up on sales for the specific tariff x (Energy Generated per Year x 90% / 12) determined annually	One for One as per current existing tariff (Zeroed end of each financial year)
	As per undermentioned table, updated annually.	

Municipal Mark-up calculator (2021/2022)

		Municipal Buy from Eskom R/kWh	Municipal Sell to Customer R/kWh	Municipal Mark-up R/kWh	Proposed Municipal Basic on installed panels. R/kWh	Customer Save On Solar R/kWh
<b>Agri Customers</b>	2.4					
<25 kVA	2.4.1	1.131931	2.31	1.178069	1.178	1.132
25kVA--50 kVA	2.4.2	1.131931	2.31	1.178069	1.178	1.132
50kVA--100kVA	2.4.3	1.131931	2.246	1.114069	1.124	1.122
<b>Bulk Customers</b>	2.5					
<b>Agri Customers</b>	2.5.1					
<b>Time Of Use</b>	2.5.1.1					
<b>Customers</b>	2.5.1.1.1	1.131931	1.177583	0.045652	0.16	1.018
<1MW High Tension	2.5.1.1.2	1.131931	1.288571	0.15664	0.16	1.129
<1MW Low Tension	2.5.1.2					
<b>Normal</b>	2.5.1.2.1	1.131931	1.23	0.098069	0.16	1.070
<1MW High Tension	2.5.1.2.2	1.131931	1.100087	-0.03184	0.16	0.940
<1MW Low Tension	2.5.2					
<b>Urban Customers</b>	2.5.2.1					
<b>Time of Use</b>	2.5.2.1.1	1.131931	1.360601	0.22867	0.23	1.131
<b>Customers</b>						
>1MVA High Tension						

<1MVA High Tension	2.5.2.1.2	1.131931	1.451322	<b>0.319391</b>	<b>0.32</b>	<b>1.131</b>
<1MVA Low Tension	2.5.2.1.3	1.131931	1.415728	<b>0.283797</b>	<b>0.284</b>	<b>1.132</b>
<b>Normal</b>	2.5.2.2					
>1MVA High Tension	2.5.2.2.1	1.131931	1.5	<b>0.368069</b>	<b>0.368</b>	<b>1.132</b>
<1MVA High Tension	2.5.2.2.2	1.131931	1.48	<b>0.348069</b>	<b>0.348</b>	<b>1.132</b>
<1MVA Low Tension	2.5.2.2.3	1.131931	1.558435	<b>0.426504</b>	<b>0.427</b>	<b>1.131</b>

- (h) *that Council reserves the right to refuse or limit the installation of Small Scale Embedded Generation plants if it is determined that they are having an onerous technical effect on the Quality of Supply of the Electrical Network of the municipality.*
- (i) *that once the total sum of approved Renewable Energy applications reaches 15 % of the municipality's total ESKOM purchased kWh for the preceding financial year or a 'technical limit' in terms of a network impact study for each town, whichever comes first, no further applications will be considered.*
- (j) *that any Power Users (greater than 100kVA) applying for permission to install Small Scale Embedded Generation plants must supply proof of their facility having an average power factor of 0,85 or better before any application will be considered.*
- (k) *that all existing Small Scale Embedded Generation installations commissioned prior to the approval of this Energy Policy will be required to comply with the policy as amended from time to time, whilst the municipality reserves the right to install suitable bi-directional four quadrant meters to monitor that connection at the consumer's cost.*
- (l) *that any meters currently installed and allowed in writing by the municipality to run in reverse, will be expected to comply with these requirements once the SSEG tariff is implemented.*
- (m) *that for future applicants successfully requesting permission to install Small Scale Embedded Generation plants, the costs of installing the required bi-directional four quadrant meters are for the applicants' costs.*
- (n) *that domestic conventional or pre-payment meters are not allowed to run backwards.*

- (o) *for continued participation in the SSEG program customers must always be NET consumers.*
- (p) *that permission to install Small Scale Embedded Generation will automatically lapse after 12 months from date of approval, if the installation process has not been started, unless an arrangement, in writing, has been agreed with the Municipality.*

### 7.3 Direktooraat Gemeenskapsdienste / Directorate Community Services

None

NOTED

7.4 Direktooraat Korporatiewe Dienste / Directorate Corporate Services

7.4.1 Proposed Council meeting program: July until December 2022  
(3/1/2/3)

The Council meeting program and meeting schedule for July until December 2022 is attached as annexure 7.4.1.

RESOLVED

*That the Executive Mayoral Committee recommends to Council:*

- (a) that the proposed Council meeting program for July until December 2022 be approved.*
- (b) that Council and Committee meetings for June 2022 be held virtually except in exceptional circumstances.*
- (c) that the Acting Municipal Manager and Director: Finance discuss the matter of appointment of an Interpreter and notice of Council meetings in all three official languages of the Western Cape.*

BESLUIT

*Dat die Uitvoerende Burgemeesterskomitee by die Raad aanbeveel:*

- (a) dat die voorgestelde vergaderingsprogram van die Raad vir Julie tot Desember 2022 goedgekeur word.*
- (b) dat Raads- en Komiteevergaderings vir Junie 2022 virtueel gehou word behalwe in uitsonderlike omstandighede.*
- (c) dat die Waarnemende Munisipale Bestuurder en Direkteur: Financies die **aanstelling van 'n Tolk bespreek en kennisgewing van Raadsvergaderings** in al drie die amptelike tale an die Wes-Kaap.*

8. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA

8.1 Outstanding legislation libraries for Councillors

Alderman JJ Visagie enquired in respect of the outstanding legislation libraries for Councillors. The Acting Municipal Manager responded that the Department is experiencing a delay at the printers due to the amendments to be made. The Acting Municipal Manager will follow up and report back to the Executive Mayoral Committee.

NOTED

8.2 Cheque handover to Witzenberg Municipality

Alderman JJ Visagie enquired in respect of a cheque handover to the municipality by Ms Anroux Marais, the Western Cape Minister for Cultural Affairs and Sport. The Acting Municipal Manager explained that only specific Councillors, i.e. the Executive Mayor, Deputy Executive Mayor and Speaker, were invited for the handover of the cheque to the municipality.

The cheque handover at the Bella Vista Community Hall was held for the community. The amount for the municipality is R1,293 million and earmarked for **the development of tennis and netball courts in Prince Alfred's Hamlet.**

NOTED

8.3 Appointment of an interpreter

Alderman JJ Visagie enquired in respect of the appointment of an Interpreter for Council and Committee meetings. The matter will be attended to by the Acting Municipal Manager.

NOTED

9. FORMAL AND STATUTORY MATTERS

None

NOTED

10. ADJOURNMENT

The meeting adjourned at 09:38.

Approved on \_\_\_\_\_ with / without amendments.

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ALDERMAN HJ SMIT  
EXECUTIVE MAYOR

*MJ Prins*

MINUTES OF THE EXECUTIVE MAYORAL COMMITTEE MEETING OF  
WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER  
STREET, CERES ON MONDAY, 20 JUNE 2022 AT 10:00

PRESENT

Executive Mayoral Committee

Alderman HJ Smit (Executive Mayor)  
Councillor FE Klazen (Deputy Executive Mayor)  
Alderman K Adams  
Alderman JJ Visagie

Councillors (ex officio)

Councillor E M Sidego (Speaker)  
Councillor L Hardnek (Chairperson Municipal Public Accounts Committee)

Officials

Mr D Nasson (Acting Municipal Manager)  
Mr W Mars (Acting 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 M Arendse-Smith (Chief Administrative Officer)  
Mr C Titus (Committee Clerk)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Executive Mayor welcomed everyone present and extended a special welcome to Alderman K Adams as the newly elected Mayoral Committee member.

The Director: Corporate Services was requested to open 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)

Applications for absence from the meeting were received from Alderman BC Klaasen and Councillor JP Fredericks.

An apology for absence from the meeting was received from the Director: Finance.

RESOLVED

- (a) *that the applications for leave of absence from the meeting, received from Alderman BC Klaasen and Councillor JP Fredericks, be approved and accepted.*
- (b) *that the apology for absence from the meeting, received from the Director: Finance, be approved.*

BESLUIT

- (a) *dat die aansoeke om verlof tot afwesigheid van die vergadering, ontvang vanaf raadsheer BC Klaasen en raadslid JP Fredericks, goedgekeur en aanvaar word.*
- (b) *dat die verskoning vir afwesigheid van die vergadering, ontvang vanaf die Direkteur: Finansies, goedgekeur word.*

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 26 May 2022, are attached as annexure 3.2.

RESOLVED

*that the minutes of the Executive Mayoral Committee meeting, held on 26 May 2022, be approved and signed by the Executive Mayor.*

BESLUIT

*dat die notule van die Uitvoerende Burgemeesterskomitee vergadering, gehou op 26 Mei 2022, 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)

None / Geen

NOTED / AANGETEKEN

5. INTERVIEWS WITH DELEGATIONS / ONDERHOUDE MET AFVAARDIGINGS

None / Geen

NOTED / AANGETEKEN

6. DELEGATED POWERS / GEDELEGEERDE BEVOEGDHEDE

None / Geen

NOTED / AANGETEKEN



7. RESERVED POWERS / GERESERVEERDE BEVOEGDHEDE

7.1 Directorate Finance / Direktoraat Finansies

7.1.1 Determination of upper limits of salaries, allowance and benefits of Councillors according to Government Gazette no. 46470 (5/11/1)

The following documents are attached:

- (a) Memorandum from Director: Finance, dated 8 June 2022: Annexure 7.1.1(a).
- (b) **Councillors' details:** Annexure 7.1.1(b).
- (c) Government Gazette no. 46470 of 2 June 2022: Annexure 7.1.1(c).

The Acting Municipal Manager explained that the benefit is only for active serving Councillors from 1 July 2021 and not for those not elected at the local government elections held in November 2021.

RESOLVED

*That the Executive Mayoral Committee recommends to Council:*

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

- (a) *notice be taken of 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 upward salary adjustment for councillors as determined in Government Gazette no. 46470.*
- (d) *that Council approves the cell phone allowances for councillors as determined in Government Gazette no. 46470.*
- (e) *that the increase of total remuneration be approved retrospectively from 1 July 2021 subject to the concurrence of the Provincial Minister for Local Government.*
- (f) *that the Provincial Minister for Local Government notes that Council have not implemented the latest upward salary and allowances adjustment as yet.*
- (g) *that councillors submit to the municipality details of property, assets and beneficiaries to be covered by the special risk insurance.*

## 7.2 Directorate Technical Services / Direktoraat Tegniese Dienste

### 7.2.1 Policy for designing of container dwellings in the Witzenberg area (15/4/P)

Memorandum from Manager: Town Planning and Building Control, dated 18 January 2022:

#### "Background

To consider the adoption of a policy for container homes. The proposed policy is attached as annexure 7.2.1.

#### Need

There has been a trend in recent times toward so-called **"tiny homes"**. This trend here in South Africa is mainly due to financial reasons, because the cost of conventional building practices is simply too high for many people. A popular option is the conversion of a decommissioned shipping container into a liveable dwelling.

It has therefore become necessary for the municipality to provide guidance to **applicants with regards to the building requirements for container dwellings."**

#### RESOLVED

*That the Executive Mayoral Committee recommends to Council:*

*that the matter in respect of the policy for the designing of container dwellings be held in abeyance and referred to the Council workshop meeting for discussion and a recommendation to Council for consideration.*

#### BESLUIT

*Dat die Uitvoerende Burgemeesterskomitee by die Raad aanbeveel:*

*dat die aangeleentheid rakende die beleid vir die ontwerp van vraghouerhuise oorstaan en verwys word na die werkswinkel van die Raad vir bespreking en 'n aanbeveling aan die Raad vir oorweging.*

7.3 Directorate Community Services / Direktooraat Gemeenskapsdienste

7.3.1 Lease of portion of erf 1, Pine Valley, Wolseley: Old Malikhanye Crèche (7/1/4/1)

A memorandum from the Acting Manager: Socio-Economic Development, dated 30 May 2022, is attached as annexure 7.3.1.

RESOLVED

*That the Executive Mayoral Committee recommends to Council:*

- (a) that approval be given for leasing of the building in Pine Valley Wolseley (portion of plot 1) for a period of three years with an option of renewal for a further three years on the discretion of the municipality.*
- (b) that the property that is to be leased, is not required for the provision of a minimum level of basic services [MFMA Section 14.2(a)].*
- (c) **that the property be leased "voetstoots".***
- (d) that the fair market value not be applicable due to the economic and community value that is received in exchange for the lease of the asset [MFMA Section 14.2(b)]. Council to consider exemption of rental charges and that only municipal services be paid for the building on condition that the municipality leases the building as it is and that the lessee does all repair and applicable maintenance work to the building.*

#### 7.4 Directorate Corporate Services / Direktoraat Korporatiewe Dienste

##### 7.4.1 Appointment of Performance, Risk and Audit Committee members (5/14/4)

Memorandum from Head: Internal Audit, dated 14 August 2021:

###### "Purpose

MFMA Section 166(5) states the members of an audit committee must be appointed by the council of the municipality.

The purpose of this communication is for the Mayco and Council to consider the appointment of 2 new PRAC members and the appointment of a member for a second 3-year term.

###### Deliberation

The term of office of the PRAC members are currently as following:

Position	Name	Term
Chairperson	Mr J George	Second 3-year term ending 31 October 2022.
Member	Mr J Basson	Resigned with effect from 15 January 2021 due to added work-related responsibilities. Was on second 3-year term ending 31 July 2021.
Member	Mr F Redelinghuys	Second 3-year term ending 31 October 2022.
Member	Mr T Lesihla	Second 3-year term ending 31 July 2021.
Member	Ms C Fagan	First 3-year term ending 31 July 2021.

To ensure continuity it is important to consider the following as stated in the PRAC Charter:

###### 'Term of office

- (1) The Chairperson and members of the Performance, Risk and Audit Committee are appointed for a period of three years subject to annual reappointment during the three-year term.
- (2) Council may consider to extend the term of a member who is a permanent resident of the Witzenberg area should local residents not be represented on the committee.
- (3) A member of the Performance, Risk and Audit Committee shall not serve for longer than two consecutive terms of three years each.

- (4) After serving two consecutive terms of three year, a cooling off period of two years is instituted, before appointing the same member to the Performance, Risk and Audit Committee.' "

RESOLVED

*That the Executive Mayoral Committee recommends to Council:*

- (a) ***that Ms MC Fagan's term of office be extended for a further 3-year period.***  
(b) *that the four positions be advertised during August 2022.*

BESLUIT

*Dat die Uitvoerende Burgemeesterskomitee by die Raad aanbeveel:*

- (a) ***dat me MC Fagan se ampstermyn vir 'n verdere drie jaar verleng word.***  
(b) *dat die vier posisies gedurende Augustus 2022 geadverteer word.*

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. EXECUTIVE MAYORAL COMMITTEE-in-COMMITTEE  
UITVOERENDE BURGEMEESTERSKOMITEE-in-KOMITEE

# Witzenberg Municipality

## MPAC – Annual Work Plan

### 2022-2023

Agenda item no	Activity Agenda Item	Council directive	Frequency	Directorate responsible to provide source information of MPAC	Meeting date
1	The quarterly report of the mayor on the implementation of the budget and the state of affairs of the municipality / SDBIP (Section 52(d))	<p><u>Council Considerations</u></p> <p>The budget of the municipality must contain measurable performance objectives for revenue from each source and for each vote in the budget, taking into account the IDP (MFMA s17(3)(b)). The accounting officer must include these objectives in the annual report and report on performance accordingly.</p> <p><u>Questions<sup>1</sup>:</u></p> <ul style="list-style-type: none"> <li>• <i>Has the performance met the expectations of council and the community</i></li> <li>• <i>Have the objectives (Targets) been met?</i></li> </ul>	Quarterly	Finance and Performance Management	

<sup>1</sup> Item 6 of the annual report review check list

Agenda item no	Activity Agenda Item	Council directive	Frequency	Directorate responsible to provide source information of MPAC	Meeting date
		<ul style="list-style-type: none"> <li><i>What explanations have been provided for any non-achievement?</i></li> <li><i>What was the impact on the service delivery and expenditure objectives in the budget?</i></li> </ul>			
2	Matters raised by the Auditor-General in audit report (Section 131)	Consider progress made towards the implementation of audit findings.	Quarterly	Internal Audit	
3	Unforeseen and unavoidable expenditure (Section 29)	Any unforeseen and unavoidable expenditure incurred as referred to by Council to MPAC;	Quarterly	Finance	
4	Unauthorized, irregular or fruitless and wasteful expenditure	Any unauthorized, irregular or fruitless and wasteful expenditure incurred as referred to by Council to MPAC.	Quarterly	Finance	
5	Task assigned by Council	To perform any functions assigned to MPAC through a resolution of Council.	Quarterly	Corporate Service	

Agenda item no	Activity Agenda Item	Council directive	Frequency	Directorate responsible to provide source information of MPAC	Meeting date
6	Mid-year budget and performance assessment (Section 72)	<p>1. Assess PRAC annual report and progress made towards the implementation of recommendations<sup>2</sup>; and</p> <p>2. An assessment on any arrears on municipal taxes and services charges.</p> <p><u>Questions:</u><sup>3</sup></p> <ul style="list-style-type: none"> <li>• <i>Has an adequate assessment been included?</i></li> <li>• <i>Is there sufficient explanation of the causes of the arrears and of actions to be taken to remedy the situation?</i></li> <li>• <i>Is any other action required to be taken (</i></li> </ul> <p><u>Council Considerations</u></p> <p>The budget of the municipality must contain measurable performance objectives for revenue from each source and for each vote in the budget, taking into account the IDP (MFMA s17(3)(b)). The accounting officer must include these objectives in the annual report and report on performance accordingly.</p>	Bi-Annual	Finance and Performance Management	

<sup>2</sup> Item 9 of the annual Report review check list

<sup>3</sup> Item 4 of the annual report review check list



Agenda item no	Activity Agenda Item	Council directive	Frequency	Directorate responsible to provide source information of MPAC	Meeting date
		<u>Questions<sup>4</sup>:</u> <ul style="list-style-type: none"> <li>• <i>Has the performance met the expectations of council and the community</i></li> <li>• <i>Have the objectives (Targets) been met?</i></li> <li>• <i>What explanations have been provided for any non-achievement?</i></li> <li>• <i>What was the impact on the service delivery and expenditure objectives in the budget?</i></li> </ul>			
7	Annual report and Financial Statements, Good Governance	As per annual review check list	Annually	Finance	
8	Oversight report on the annual report (Section 129)	As per annual review check list	Annually	MPAC	

<sup>4</sup> Item 6 of the annual report review check list



## WHISTLEBLOWING POLICY

July 2022

*It is the responsibility of all employees to report all incidents of fraud, corruption or any other dishonest activities of a similar nature to national fraud hotline 0800-701-701.*

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## 1. Introduction

Witzenberg Municipality is committed to act against fraud and corruption within the municipality, whether the perpetrators are internal or external.

The Whistleblowing **Policy forms part of the Municipality's commitment to work towards** an administration that is open and transparent. Council is aware that when employees of the Municipality realize something is not right within the Municipality, they may not want to express their concerns because they feel that doing so would be disloyal to their colleagues or the Municipality and they may also hold back in fear, for example, fear of harassment or even victimization. Understood correctly, whistle-blowing is not about informing in the negative, anonymous sense but rather about raising concern about malpractice within Witzenberg Municipality.

This policy serves as a tool by which staff can raise concerns where they have reasonable grounds for believing that there is fraud, corruption or maladministration within the municipality.

The policy promises confidentiality and nobody will be penalised or victimised for disclosing in good faith **information that is in the municipality's best interest.**

It is also the purpose of this policy to prevent the cycle of silence and inaction and to prevent fraud and corruption.

## 2. Legal Framework

The Protected Disclosures Act, Act 26 of 2000, which became effective in February 2001, protects employees for disclosures made without malice and in good faith, in defined circumstances. In terms of the Protected Disclosures Act employees can blow the whistle on fraud and corruption in the working environment without the fear of suffering an occupational detriment as defined by the Act. Council encourages employees to raise matters of concern responsibly through the procedures laid down in this policy document.

## 3. Objectives

The objectives of this policy are to:

- Promote zero tolerance on criminal and other irregular conduct within Witzenberg Municipality;
- Encourage the reporting of matters that may cause financial or non-financial loss to the Municipality or **damage to the Municipality's reputation;** and
- Provide for the appropriate systems and mechanisms for reporting.

## 4. Scope

The policy is designed to deal with concerns raised concerning issues relating to fraud, corruption, misconduct and malpractice within Witzenberg Municipality. The policy will not apply to personal grievances, which will be dealt with under existing procedures on grievance, discipline and misconduct. Details of these procedures are obtainable from the Human Resources Department. The policy covers all genuine concerns raised including:

- Financial misconduct, including theft and procurement fraud;
- Health and safety risks;
- Environmental damage;
- Unfair discrimination;
- Corruption and misconduct;
- Bribery; and
- Attempts to suppress or conceal any information relating to any of the above.

If in the course of an investigation any concern raised concerning the above matters appears to the investigator to relate more appropriately to grievance or discipline, those procedures will be evoked.

## 5. Roles and Responsibilities

The identity of the whistleblower person be protected and the matter shall be treated be confidential.

### 5.1 Council

It is the responsibility of the Council to approve and exercise oversight over the implementation and effectiveness of the Whistle Blowing policy.

### 5.2 Performance, Risk and Audit Committee

The Performance, Risk and Audit Committee will advise Council if an investigation (other than a financial misconduct allegation) is needed or to request an investigation.

Allegations of financial misconduct will be reported by a delegated person of the Performance Risk and Audit Committee according to regulation 3 of the Municipal Regulations on Financial and Criminal Proceedings.

### 5.3 Management

It is the responsibility of management to develop sufficient administrative procedures to implement policy approved by Council.

## 5.4 Employees

It is the responsibility of employees (including management) to report all incidents of fraud, corruption or any other dishonest activities of a similar nature to the national fraud hotline 0800- 701- 701 or other additional means provided for in this policy.

## 6. Reporting Procedures

### 6.1 Introduction

It is the responsibility of employees (including line managers) to report all incidents of fraud, corruption or any other dishonest activities of a similar nature to the national fraud hotline 0800-701-701.

The Municipality will respond to concerns. Testing concerns is not the same as either accepting or rejecting them. Where appropriate, the matters raised might be:

- investigated by management, internal audit, or through the disciplinary process;
- referred to the police by either the municipality or the complainant;
- referred to the Auditor-General South Africa or the Public Protector.

The earlier an employee expresses the concern the easier action can be taken. Although it is not expected to prove beyond doubt the truth of an allegation, the employee will need to demonstrate to the person contacted that there are reasonable grounds for the concern. Employees may wish to consider discussing their concerns with a colleague first and they may find it easier to raise the matter if there are two (or more) who have had the same experience or concerns. Employees may invite their trade union representative to be present during any meetings or interviews in connection with the concerns raised.

To protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

Some concerns may be resolved by agreed action without the need for an investigation. If urgent action is required this will be taken before any investigation is conducted.

### 6.2 How to report

Concerns may be raised verbally or in writing. Verbal declarations and a written report should include as much as possible of the following information:

- What is the allegation
- Who is making the allegation? (not specifically required)
- Against whom is the allegation made
- How was the offence committed

- Where was the offence committed? (Town, location etc.)
- What municipal process or transaction has been manipulated
- At which department of the municipality did the offence take place
- Where can documentation, potential witnesses or other information be found to corroborate the allegation.

**Step one:** As a first step, employees of Witzenberg Municipality should raise concerns as soon as possible with their immediate manager and/or superior. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. If you feel departmental avenues are inappropriate then you should contact the national fraud hotline 0800-701-701.

**Step two:** If unable to raise the matter with your manager or through the fraud hotline, for whatever reason, please raise the matter either with:

1. Your Director
2. Municipal Manager
3. Chair Person of the Audit Committee
4. Head of Internal Audit

Contact details for the above mentioned are 023-316-1854 and the contact details of the Chair Person of the Audit Committee is available from the Head of Internal Audit.

**Step three:** If these channels have been followed and the employee still has concerns, or if the employee feels that the matter is so serious that the employee cannot discuss the matter with any of the above, again consider the National Fraud Hotline or report the matter to the Mayor or the Public Protector South Africa. Details are available at <http://www.pprotect.org/>.

## 7. Awareness

Council and the Municipal Manager Officer recognizes that the continuing success of the Whistleblowing Policy, and its credibility, will depend largely on the effectiveness of employees throughout the organisation. To be sustainable, continuous awareness campaigns will be rolled out throughout Witzenberg Municipality.

## 8. Review and Approval of the Policy

The Performance and Risk Audit Committee shall annually review this Policy and determine its adequacy and effectiveness for current circumstances and recommend to Council for approval of any amendments that may be required.



## Fraud and Corruption Prevention Policy and Response Plan

July 2022



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## 1. Introduction

This policy has been developed as a result of the expressed commitment of the Witzenberg Municipality to fight fraud and corruption. The Council is therefore committed to the prevention, detection and investigation of all forms of fraud and corruption whether these are attempted from within or external to the municipality. The policy is also developed to give effect to the various legislative instruments relating to fraud and corruption, as to set down the stance of zero tolerance to fraud and corruption, and to assist internal audit and risk management to reinforce existing policies, systems and procedures. In addition, the Policy provides guidelines as to how to respond should instances of fraud and corruption be identified.

## 2. Objectives

The primary objective of this policy is to:

- assist the Accounting Officer, Council and the Performance Risk and Audit Committee to create an environment in Witzenberg Municipality that is based on the prevention and detection of fraud and corruption;
- To develop and maintain a fraud and corruption prevention hotline that is free to all stakeholders within Witzenberg Municipality;
- To ensure that Witzenberg **Municipality's** Council, Management and staff members are aware of its responsibilities for identifying exposures to fraudulent and corrupt activities or any other dishonest activities of a similar nature and for establishing controls and procedures for preventing such fraudulent and or corrupt activity and/or detecting such fraudulent and corrupt activity when it occurs; and
- To provide a suitable environment for the public and employees to report matters that they suspect may concern corrupt conduct, criminal conduct, criminal involvement or serious improper conduct and to ensure adequate protection to employees in circumstances where they are victimized as a consequence of reporting, or being a witness to, fraudulent and/or corrupt activities.

## 3. Scope of this Policy

This Policy applies to all municipal councillors, municipal staff members, and members of the public. It prohibits all acts of fraud and corruption or any other dishonest activities of a similar nature impacting or having a potential prejudice to the Municipality or members of the public.

**Any investigation required will be conducted without regard to the suspected wrongdoer's length of service, position/title, seniority or relationship to Witzenberg Municipality.**

## 4. Legislative framework

Legislation that is aimed at preventing fraud and corruption is as follow, but not limited:

- Prevention and Combating of Corrupt Activities Act, No. 12 of 2004
- Public Protector Amendment Act, No. 22 of 2003;

- Prevention of Organised Crime Second amendment Act, no. 38 of 1999;
- Protected Disclosures Act, No. 26 of 2000;
- **Municipal Systems Act, No. 32 of 2000 ("MSA");**
- Financial Intelligence Centre Act, No. 38 of 2001 (FICA);
- **Municipal Finance Management Act, No. 56 of 2003 ("MFMA");**
- Protection of Constitutional Democracy Against Terrorist and Related Activities Act, No. 33 of 2004 ("POCDATARA").

#### 4.1 Prevention and Combating of Corrupt Activities Act, 12 of 2004

The Prevention and Combating of Corrupt Activities Act (generally referred to as **"PRECCA"**) is aimed at the strengthening of measures to prevent and combat corrupt activities.

The Act refers to a wide range of offences relating to corrupt activities. In addition to specific offences, the Act also provides for the following:

- The provision of investigative resources;
- The establishment of a register relating to persons convicted of corrupt activities;
- **Placing a duty on persons in a "position of authority" to report certain corrupt transactions; and**
- Extraterritorial jurisdiction in respect of offences relating to corrupt activities.

As far as offences are concerned, the Act defines a general offence of corruption. In addition to the general offence, certain specific offences are defined as relating to specific persons or specific corrupt activities. The offences defined by the Act relates **to the giving or receiving of "gratification"**. The term gratification is defined in the Act and includes a wide variety of tangible and intangible benefits such as money, gifts, status, employment, the release of obligations, granting of rights or privileges and the granting of any valuable consideration such as discounts etc.

The general offence of corruption is contained in Section 3 of the Act. This section provides that any person who gives or accepts or agrees or offers to accept/receive any gratification from another person to influence such other person in a manner that amounts to:

- **The illegal or unauthorised performance of such other person's powers, duties or functions;**
- An abuse of authority, a breach of trust, or the violation of a legal duty or a set of rules;
- The achievement of an unjustified result; or
- Any other unauthorised or improper inducement to do or not to do anything is guilty of the offence of Corruption.

The Act defines specific offences relating to the following categories of persons:

- Public Officers;
- Foreign Public Officials;
- Agents;

- Members of Legislative Authorities;
- Judicial Officers; and
- Members of the Prosecuting Authority.

The Act furthermore defines specific offences in respect of corrupt activities relating to the following specific matters:

- Witnesses and evidential material in certain proceedings;
- Contracts;
- Procuring and withdrawal of tenders;
- Auctions;
- Sporting events; and
- Gambling games or games of chance.

Section 34 of the Act places a duty on any person in a position of authority to report a suspicion of certain corrupt or illegal activities to a police official. These include certain offences of corruption created under the Act as well as fraud, theft, extortion and forgery where the amount involved exceeds R100 000. Failure to report such suspicion **constitutes an offence. “Position of authority” is defined in the Act and includes a wide range of persons in authority in both public and private entities.**

Offences under the Act are subject to penalties including imprisonment for life and fines of up to R250 000. In addition, a fine amounting to five times the value of the gratification involved in the offence may be imposed.

Section 17 of the Act provides that a public officer who acquires or holds a private interest in any contract, agreement or investment connected with the public body in which he/she is employed, is guilty of an offence unless:

- The interest consists of shareholding in a listed company;
- **The public officer’s conditions of employment do not prohibit him/her from acquiring such interests; or**

**In the case of a tender process, the said officer’s conditions of employment do not prohibit him/her from acquiring such interests as long as the interests are acquired through an independent tender process.**

#### 4.2 Public Protector Amendment Act, no 22 of 2003

The Public Protector is a functionary to whom the public has recourse. This functionary is guaranteed independence by the Constitution. The Public Protector is required to be impartial and to exercise his or her powers and functions without fear, favour or prejudice. No person or organ of state may interfere with the Public Protector. Organs of state must protect and assist the office of the Public Protector.

The President appoints a suitably qualified person to this office, based on the recommendation of the National Assembly. The appointment is not renewable and it is for a period of seven years. The Public Protector Act

(23 of 1994) provides for matters incidental to the Office of the Public Protector, as contemplated in the Constitution. In terms of section 182 of the Constitution, the Public Protector has the power as regulated by national legislation to:

- Investigate any conduct in state affairs, or in the public administration in any sphere of government, that is alleged or suspected to be improper or to result in any impropriety or prejudice;
- Report on that conduct; and
- Take appropriate remedial action.

The Act provides for matters necessary to establish and operate the Office of the Public Protector as contemplated in the Constitution. Section 6, for example, sets out the powers of the Public Protector. In terms of this section, any person can approach the Public Protector with information, which could form the subject of an investigation. In terms of section 6(4) the Public Protector is competent to investigate, on his or her initiative or on receipt of a complaint, any alleged:

- Maladministration in connection with the affairs of government at any level;
- Abuse or unjustifiable exercise of power or unfair, capricious, discourteous or other improper conduct or undue delay by a person performing a public function;
- Improper or dishonest act, or omission or corruption, concerning public money;
- Improper or unlawful enrichment, or receipt of any improper advantage, or promise of such enrichment or advantage, by a person as a result of an act or omission in the public administration or relating to the affairs of government at any level or of a person performing a public function; or
- An act or omission by a person in the employ of government at any level, or a person performing a public function, which results in unlawful or improper prejudice to any other person.

Furthermore, it is at the sole discretion of the Public Protector to resolve any dispute or rectify any act or omission by:

- Mediation, conciliation or negotiation;
- Advising, where necessary, any complainant regarding appropriate remedies; or
- Any other means that may be expedient in the circumstances.

At a time prior to, during or after an investigation:

- If the Public Protector is of the opinion that the facts disclose the committing of an offence by any person, to bring the matter to the notice of the relevant authority charged with prosecutions; or
- If he or she deems it advisable, to refer any matter which has a bearing on an investigation, to the appropriate public body or authority affected by it or to make an appropriate recommendation regarding the redress of the prejudice resulting therefrom or make any other appropriate recommendation he or she deems expedient to the affected public body or authority.

Section 7 sets out how the Public Protector carries out his or her investigations:

- In terms of Section 7(1), the Public Protector will take the specific circumstances of each case into account in determining the procedure to be followed. The Public Protector may exclude anyone whose presence is not desirable during the investigation.
- Section 7 (2) provides for the confidentiality of documents in the possession of a member of the office of the Public Protector or the records of any evidence given before the Public Protector, Deputy Public Protector, or any other person contemplated in Section 3(b) during an investigation.
- Section 7(3)(a) gives the Public Protector the power to enlist the assistance (under his or her supervision) of any person at any level of government performing a public function and otherwise subject to the jurisdiction of the Public Protector in the performance of his or her functions. Section 7(3) (b) allows the Public Protector to appoint another person to conduct an investigation or a part of an investigation on his or her behalf.
- Section 7(4) and (5) give the Public Protector the right to subpoena any person to submit an affidavit or affirmed declaration or to appear before him or her to give evidence or to produce any document in his or her possession or under his or her control which has a bearing on the matter being investigated, and to examine such a person.

#### 4.3 Prevention of Organised Crime Second Amendment Act no. 38 of 1999

The **Prevention of Organised Crime Act, as amended, (generally referred to as “POCA”)** contains provisions that are aimed at achieving the following objectives:

- The combating of organised crime, money laundering and criminal gang activities;
- The criminalisation of conduct **referred to as “racketeering”**;
- The provision of mechanisms for the confiscation and forfeiture of the proceeds of crime;
- The creation of mechanisms for the National Director of Public Prosecutions to obtain certain information required for purposes of an investigation; and
- The creation of mechanisms for cooperation between investigators and the South African Revenue Services (SARS).

**Section 4 of the Act defines the “general” offence of money laundering and provides that** a person who knows, or ought reasonably to have known, that property is, or forms part of the proceeds of unlawful activities, commits an offence if he commits an act in connection with that property which has the effect of concealing the nature and source thereof.

Section 5 of the Act creates an offence if a person knows or ought reasonably to have known that another person has obtained the proceeds of unlawful activities and provides assistance to such other person regarding the use or retention of such property.

Section 6 of the Act creates an offence if a person knows or ought reasonably to have known that property is or forms part of the proceeds of unlawful activities and acquires, uses or possesses such property.

The above offences are regarded as very serious and the Act contains exceptionally harsh penalties relating to these offences. A person convicted of one of the above offences is liable to a maximum fine of R100 million or imprisonment for a period not exceeding 30 years.

#### 4.4 Protected Disclosures Act, 26 of 2000

The Protected Disclosures Act was promulgated to facilitate reporting by employees (whistleblowers) of fraud, corruption or other unlawful or irregular actions by their employer(s) or co-employees without fear of any discrimination or reprisal by their employers or co-employees. Any employee who has information of fraud, corruption or other unlawful or irregular action(s) by his/her employer(s) or co-employees can report such actions, provided that he/she has information that:

- A crime has been, is being, or is likely to be committed by the employer or employee(s);
- The employer or employees has/have failed to comply with an obligation imposed by law;
- **A miscarriage of justice has or will likely occur because of the employer's or employee(s) actions;**
- The health or safety of an individual has been, is being, or is likely to be endangered;
- The environment has been, is being or is likely to be endangered;
- Unfair discrimination has been or is being practised; or
- Any of the above has been, is being, or is likely to be concealed.

The Act prohibits the employer from:

- Dismissing, suspending, demoting, harassing or intimidating the employee;
- Subjecting the employee to disciplinary action;
- Transferring the employee against his or her will;
- Refusing due transfer or promotion;
- Altering the employment conditions of the employee unilaterally;
- Refusing the employee a reference or providing him/her with an adverse reference;
- Denying appointment;
- Threatening the employee with any of the above; or
- Otherwise affecting the employee negatively if the disclosure is made in terms of the Act.

### 5. **Municipal Systems Act, No 32 of 2000 ("MSA")**

The MSA sets out procedures to be adopted by municipal management about some aspects affecting the management of a Municipality. The Act also stipulates procedures to be adopted concerning certain aspects related to misconduct and the investigation thereof.

#### 5.1 Human resource development

In section 67, the Act stipulates that a Municipality, in accordance with the Employment Equity Act, 1998, must develop and adopt appropriate systems and procedures to ensure, inter alia, the investigation of allegations of misconduct and complaints against staff.

## 5.2 Code of conduct

Sections 69 and 70 of the Act deal with the Code of Conduct, details of which appear in Schedule 2 of the Act, to be provided to staff members and communicated to the local community. The municipal manager of a municipality must:

- (a) provide a copy of the Code of Conduct to every member of the municipal staff;
- (b) provide every member of staff with any amendments to the Code;
- (c) ensure that the purpose, contents and consequences of the Code of Conduct are explained to staff members who cannot read; and
- (d) communicate sections of the Code of Conduct that affect the public, to the local community.

## 5.3 Rewards, gifts and favours

Under section 9 of the Act, it is stipulated that a councillor may not request, solicit or accept any reward, gift or favour for:

- (a) voting in a particular manner
- (b) persuading the council or any committee regarding the exercise of any power, function or duty;
- (c) making representation to the council; or
- (d) disclosing privileged or confidential information.

## 5.4 Duty of the Speaker municipal council with regard to council property

A councillor may not use, take or acquire or benefit from any property or asset owned, controlled or managed by the council. If the Speaker of the council, on reasonable suspicion, is of the opinion that a provision of this stipulation has been breached, then the speaker is obliged to:

- (a) authorise an investigation of the facts and circumstances of the alleged breach;
- (b) give the councillor a reasonable opportunity to reply in writing regarding the alleged breach; and
- (c) report the matter to a meeting of the municipal council.

The Speaker must furthermore, report the matter to the MEC for local government in the province concerned.

## 6. Financial Intelligence Centre Act, 38 of 2001 (FICA)

**The Financial Intelligence Centre Act, as amended, (generally referred to as “FICA”) was** signed by the President in November 2001. Its provisions were implemented over time, commencing during January 2002.



The Act (FICA) establishes a Financial Intelligence Centre and a Money Laundering Advisory Council. The purpose of these entities is to combat money laundering activities. The Act imposes compliance obligations on so-called “**accountable institutions**” which are defined in Schedule 1 to the Act. These obligations include:

- A duty to identify clients;
- A duty to retain records of certain business transactions;
- A duty to report certain transactions; and
- The adoption of measures to ensure compliance, namely, the implementation of so-called “**internal rules**”, provision of training etc.

Regarding the reporting of suspicious transactions, FICA makes provision for a duty to **report “suspicious or unusual transactions”**. In this regard, it provides that any person who carries on a business or who manages is in charge of or is employed by a business and who knows or suspects certain facts must report their knowledge or suspicion to the FICA within a prescribed period. Matters that require reporting include knowledge or suspicion of the following:

- The receipt of proceeds of unlawful activities;
- Transactions which are likely to facilitate the transfer of proceeds of unlawful activities;
- Transactions conducted to avoid giving rise to a reporting duty under FICA;
- Transactions that have no apparent business or lawful purpose;
- Transactions relevant to the investigation of tax evasion; or
- The use of a business entity for money laundering purposes.

A person who fails to make a report as required commits an offence and is liable to a fine not exceeding R10 million or imprisonment not exceeding 15 years.

## 7. **Municipal Finance Management Act 2003 (“MFMA”)**

The MFMA was promulgated to facilitate the formal management of municipal finances and associated activities. The controls and administrative systems implemented by any Municipality are very relevant to the content of the Act. Certain aspects of the Act refer specifically to activities that might be regarded as being corrupt or fraudulent. Some relevant aspects are as follows:

### 7.1 Unauthorised, irregular or fruitless and wasteful expenditure

Section 32 of the Act indicates that, without limiting the liability of the common law or other legislation, the following office bearers in a Municipality are mandated with certain responsibilities, as follows:

- (a) A political office-bearer of a Municipality is liable for unauthorised expenditure if that office-bearer knowingly instructed an official of the Municipality to incur expenditure, which was likely to be considered unauthorised expenditure;
- (b) The accounting officer is liable for unauthorised expenditure deliberately or negligently incurred by the accounting officer unless the expenditure was incurred following a decision by the mayor or executive committee of the Municipality, resulting in fruitless or wasteful expenditure, provided that the accounting officer

has notified the council, the mayor or the executive committee, in writing, that the expenditure is likely to be considered unauthorised, irregular or fruitless and wasteful;

(c) Any political office-bearer or official of a Municipality who deliberately or negligently committed, made or authorised an irregular expenditure, is liable for that expenditure;

(d) Any political office-bearer or official of a Municipality who deliberately or negligently made or authorised a fruitless and wasteful expenditure is liable for that expenditure.

Furthermore, in the event of such unauthorised, irregular or wasteful expenditure, the Municipality is required to recover the expenditure from the person liable for the expenditure, unless, the council retrospectively authorises/condones the expenditure because it represented an authorised adjustment, or that it is deemed irrecoverable and written off by the council.

The writing off of the expenditure by the council, however, is no excuse in criminal or disciplinary proceedings against the person. The writing off of the expenditure does not signify a condoning of the expenditure. In the event of unauthorised expenditure, the accounting officer is obliged to advise promptly the mayor, the MEC for local government in the province and the Auditor General, in writing, providing details as to:

(a) The fruitless or wasteful expenditure;

(b) Whether any person is responsible or is under investigation about the expenditure; and

(c) The steps taken to recover or rectify such expenditure.

Where irregular expenditure constitutes a criminal offence, or theft or fraud, the accounting officer must report all such cases to the South African Police. If the accounting officer is the person responsible for the unauthorised expenditure, then the Council must take all reasonable steps to ensure that the police are advised accordingly.

## 7.2 Funds transferred to organisations and bodies outside government

Section 67 of the Act refers to the transfer of funds and stipulates, inter alia, that no funds will be transferred from the Municipality unless the accounting officer is satisfied that the organisation or body implements effective, efficient and transparent financial management and internal control systems to guard against fraud theft and financial mismanagement.

## 7.3 Supply chain management policy to comply with prescribed framework

Section 112 stipulates that the supply chain management policy of the Municipality must be fair, equitable, transparent, competitive and cost-effective and comply with the prescribed regulatory framework for municipal supply chain management, which must cover, inter alia, measures for:

(a) Combating fraud, corruption, favouritism and unfair and irregular practices in municipal supply chain management; and

(b) Promoting ethics of officials and other role players involved in municipal supply chain management.

### 7.3.1 Implementation of system

Aligned with the supply chain management policy is section 115 which stipulates that the accounting officer of a Municipality must take all reasonable steps to ensure that proper mechanisms and separation of duties in the supply chain management system are in place to minimise the likelihood of fraud, corruption, favouritism and unfair and irregular practices.

## 7.4 Audit Committees

Section 166 of the Act stipulates the procedures aligned to Audit Committees. Each Municipality must have an Audit Committee, which is regarded as an independent advisory body that must:

(a) advise the municipal council, political office-bearers, the accounting officer and management staff on matters relating to, inter alia:

i. internal financial control and internal audits;

ii. risk management;

iii. effective governance.

(b) carry out such investigations into the financial affairs of the Municipality as the council may request.

## 7.5 Financial misconduct by municipal officials

Section 171 sets out the stipulations relating to disciplinary proceedings to be adopted in the event of financial misconduct by municipal officials. The accounting officer commits financial misconduct if he/she deliberately or negligently:

(a) contravenes the provisions of the Act;

(b) fails to comply with a duty imposed by a provision of the Act on the accounting officer of a Municipality;

(c) permits or instructs another official of the Municipality to make unauthorised, irregular or fruitless and wasteful expenditure;

(d) provides incorrect or misleading information in any document which, in terms of the Act, must be submitted to the mayor, council, Auditor General, National Treasury or other organs of state, or made public.

The Chief Financial Officer of a Municipality commits an act of financial misconduct if he/she fails to carry out delegated duties in terms of the Act. In addition, financial misconduct is committed if he/she permits or instructs another official to make an unauthorised or fruitless and wasteful expenditure, or provides incorrect or misleading information to the accounting officer.

The Act stipulates further, under this paragraph, that a Municipality must:

(a) investigate allegations of financial misconduct against the accounting officer, the chief financial officer, senior manager or other official/s of the Municipality unless those allegations are frivolous; and

(b) if the investigation warrants it, institute disciplinary proceedings against the accounting officer, chief financial officer or any other official in accordance with stipulations set out in the Municipal Systems Act.

## 8. Protection of Constitutional Democracy Against Terrorist and Related Activities Act, Act 33 of 2004 ("POCDATARA")

On May 20, 2005, the Protection of Constitutional Democracy Against Terrorist and Related Activities Act (POCDATARA) came into effect criminalizing terrorist activity and terrorist financing and gave the government investigative and asset seizure powers in cases of suspected terrorist activity. POCDATARA provides for two new reporting obligations under section 28A and section 29 of FICA. The Money Laundering Control Regulations under FICA, have also been amended, with effect from 20 May 2005, for this purpose. The amended regulations now provide for detailed reporting related to terrorist financing, under new sections 28A and 29 of FICA.

The POCDATARA amends section 29 of FICA to extend the reporting of suspicious and unusual transactions to cover transactions relating to "property which is connected to an offence relating to the financing of terrorist and related activities" or to "the financing of terrorist and related activities". The POCDATARA introduces a new section 28A of FICA that requires the reporting of any property that is associated with terrorists and related activities to the FICA.

## 9. Environment and Culture

Witzenberg Municipal Council and Management must create an environment and culture that promote an efficient, effective and transparent local public administration that conforms to constitutional principles. That the municipality must be managed responsibly in which employees believe that dishonest acts will be detected and investigated. To create this environment and culture, they must:

- participate in in-house training programme covering fraud and corruption prevention policy, whistleblowing policy, code of conduct – MSA 32 of 2000 and the municipal code of ethics;
- ensure that staff understand that the internal controls are designed and intended to prevent and detect fraud and corruption or any other dishonest activities of a similar nature;
- encourage staff to report suspected fraud and corruption directly as outlined in the whistleblowing policy to those responsible for investigation without fear of disclosure or retribution; and
- require vendors and contractors to agree in writing as a part of the contract process, to Witzenberg Municipality policies and procedures, and thereby avoid any conflict of interest.

Measures to prevent fraud and corruption should be continually monitored, reviewed and developed, particularly as new systems, programs, contracting or arrangements are introduced or modified.

## 10. Roles and Responsibilities

The following section outlines the fraud and corruption risk management responsibilities associated with different roles within the Municipality.

## 10.1 Councillors

As elected representatives, all members of the Witzenberg Municipal Council have a duty to the residents of Witzenberg Municipality and its staff members to ensure that the Council uses its resources prudently and in accordance with the laws and regulations. As **such they are required to operate and adhere to the Council's** constitution incorporating the Code of Conduct for Councillors. The Code includes rules regarding relationships, personal interests, gifts and hospitality and confidentiality.

## 10.2 Municipal Manager

The Municipal Manager bears the ultimate responsibility for fraud and corruption risk management within the Municipality. This includes the coordination of risk assessments, overseeing the investigation of suspected fraud and corruption, and facilitation of the reporting of such instances.

## 10.3 Senior Management

Senior Management must be committed to eradicating fraud and corruption and ensuring that the Municipality strives to be perceived as ethical in all its dealings with the public and other interested parties.

In this regard, senior management, under the guidance of the Municipal Manager, will ensure that it does not become complacent in dealing with fraud and corruption and that it **will ensure the Municipality's overall fraud** and corruption strategy is reviewed and updated regularly. Furthermore, senior management will ensure that all employees and stakeholders are made aware of its fraud and corruption prevention policy and strategies, also the whistleblowing policy through various initiatives of awareness and training.

## 10.4 Chief Financial Officer

The Chief Financial Officer has key roles in providing advice to Council, Municipal Manager, Staff Members and the public about maladministration, financial impropriety, probity, policy framework and budget issues. The Chief Financial Officer undertakes the statutory responsibility under the Municipal Finance Management Act, No. 56 of 2003, to **ensure the proper arrangements for the administration of the Council's financial affairs.**

## 10.5 Chief Risk Officer

The role of **the Chief Risk Officer is to oversee and implement the Municipality's approach to fraud and** corruption prevention, detection strategies and response to fraud and corruption incidents reported by employees or other external parties. Internal Audit assists on a consulting basis to establish and improve Risk Management processes. Internal Audit has no management responsibilities to manage risks.

## 10.6 Internal Audit

The role of the Internal Audit is to independently review and evaluate the adequacy, efficiency and effectiveness of the internal controls (systems and procedures) within Witzenberg Municipality on the fraud and corruption prevention, detection strategies and response to fraud and corruption incidents reported by employees or other external parties.

## 10.7 Public

The public is required to conduct itself in an ethical and moral way. Ethics are concerned with human character and conduct and deal with questions of right and wrong, appropriate and inappropriate behaviour and what constitutes good or evil. Ethical conduct is based on a set of principles referred to as values or norms.

## 10.8 Disciplinary Board

The Objectives of the Disciplinary Board is to conduct an independent preliminary or full investigation in terms of the Municipal Regulations for Financial Misconduct and Offences.

The board is to investigate allegations of financial misconduct and to monitor the institution of disciplinary proceedings against an alleged transgressor. The disciplinary board is an independent advisory body that assists the Council and provides recommendations on further steps to be taken regarding disciplinary proceedings.

The Disciplinary Board Chairperson must complete the preliminary investigation and submit his report within 30 days or at the first next sitting of Council.

Once a full investigation is completed and the Disciplinary Board Chairperson is satisfied that the allegations are founded and sufficient grounds for a charge of financial misconduct and /or financial offence exist, the Chairperson must submit the Disciplinary Boards report to the designated person or his/her nominee for disciplinary action and inform Provincial and National Treasury.

## 10.9 Performance Risk and Audit Committee (PRAC)

In discharging its oversight responsibilities relating to risk management, PRAC should gain a thorough understanding of the risk management policy, risk management strategy, risk management implementation plan, and fraud risk management policy of the institution to enable them to add value to the risk management process when making recommendations to improve the process.

Reviews the process implemented by Management in respect of fraud prevention and ensures that all fraud-related incidents have been followed up appropriately.

## 10.10 Municipal Public Accounts Committee (MPAC)

MPAC, when instructed by Council, investigate and advise Council in respect of unauthorised, irregular or fruitless and wasteful expenditure.

# 11. Awareness, Training and Development

The Accounting Officer and Council recognize that the continuing success of the fraud and corruption prevention policy, and its credibility, will depend largely on the effectiveness of staff throughout the organisation. Continuous awareness campaigns must be rolled throughout Witzenberg Municipality. Senior Management therefore will be responsible for ensuring that all staff is properly trained in the procedures that they should follow when undertaking their duties.

The training will be provided on the following to staff members and council:

- Code of Conduct for Councillors;
- Code of Conduct for Municipal Staff Members;
- Code of Ethics within Witzenberg Municipality;
- Fraud and Corruption Prevention Policy; and
- Whistle Blowing Policy.

## 12. Whistleblowing

The Protected Disclosures Act, No. 26 of 2000 came into effect on 16 February 2001. This Act makes provisions for procedures in terms of which employees may disclose information regarding unlawful or irregular conduct by their employers or other employees in the employ of their employers without fear of victimization.

To remain in compliance with the Act, the Municipality has created a whistleblowing policy with the following objectives:

- To promote zero tolerance on criminal and other irregular conduct within Witzenberg Municipality;
- To encourage the reporting of matters that may cause financial or non-financial loss to the Municipality or **damage to the Municipality's reputation**;
- To provide for the appropriate systems and mechanisms for reporting.

## 13. Reporting Procedures on Fraud and Corruption

**Consistent with the Auditor General's guidelines, line managers are responsible** for daily operations and the internal control systems within their organizational responsibility. Where managers do not have the expertise to evaluate internal controls, they should call upon support from Enterprise Risk Management and Internal Audit.

It is the responsibility of members of the public and employees (including line managers) to report all incidents of fraud, corruption or any other dishonest activities of a similar nature to the national fraud hotline 0800 701 701.

## 14. Confidentiality and Discretion

It is the responsibility of all employees, management, councillors and community members of the Municipality to report all incidents of fraud or corruption or any other dishonest activities of a similar nature. Any fraudulent or corrupt behaviour must be reported immediately through the mechanisms set out in the whistleblowing policy.

All reported incidents received will be acted upon, will be treated with the requisite confidentiality and will not be disclosed or discussed with parties other than those charged with investigation into such reports.

## 15. Detection and Investigation

All Managers are responsible for the detection, prevention of fraud and corruption or any dishonest activities of a similar nature, within their areas of responsibility. The Human Resources Unit must provide adequately qualified prosecutors (initiators) and presiding officers to deal with disciplinary enquiries relating to serious misconduct.

All incident reports received from the fraud hotline will be registered. Incident of financial misconduct as prescribed by the Municipal Finance Management Act, 56 of 2003, section 171, will be reported to the Witzenberg Disciplinary Board for Financial Misconduct for investigation.

**For the purpose of this policy “serious misconduct” means:**

- Theft, **unauthorized possession of or malicious damage to the employer’s property.**
- Any act of gross dishonesty.
- Gross negligence
- Wrongful disclosure of privileged information.
- Any act of fraud, corruption or bribery.
- Any other act of misconduct that would constitute just cause for dismissal for a first offence.

## 16. Forms of fraud and corruption

The following are examples of different types of corruption:

### 16.1 Bribery

Bribery involves the promise, offering or giving of a benefit that improperly affects the actions or decisions of public servants.

### 16.2 Embezzlement

This involves the theft of resources by persons who control such resources.

### 16.3 Fraud

Commonly defined as the unlawful and intentional making of a misrepresentation that causes actual prejudice or which is potentially prejudicial to another.

Any conduct or behaviour of which a dishonest representation and/or appropriation forms an element.

### 16.4 Abuse of power

The use by a public servant of his or her vested authority to improperly benefit another public servant, person or entity (or using vested authority to improperly discriminate against another public servant, person or entity).

### 16.5 Conflict of interest

The failure by a public servant to act or to consciously fail to act on a matter where the public servant has an interest or another person or entity that has some form of relationship with the public servant has an interest.



## 16.6 Abuse of privileged information

This involves the use, by a public servant of privileged information and knowledge that a public servant possesses as a result of his/ her office to provide an unfair advantage to another person or entity to obtain a benefit.

## 16.7 Favouritism

The provision of services or resources according to a personal affiliation (for example cultural or religious) of a public servant.

## 16.8 Nepotism

A public servant ensuring that family members are appointed to public service positions or that family members receive contracts from the state is regarded as nepotism.

These manifestations are by no means exhaustive as corruption appears in many forms and it is virtually impossible to list all of these. It is the responsibility of Management to report some form of serious misconduct to the South African Police Services. The SA Police Service is empowered by section 205 of the 1996 Constitution to prevent, combat and investigate crime, to maintain public order, to protect and secure the inhabitants of the Republic and their property, and to uphold and enforce the law. Policy for the national police service is developed by the Minister for Safety and Security.

The President appoints the National Commissioner of the SAPS. The SA Police Service Act 68 of 1995 (amended by the SA Police Service Amendment Act 83 of 1998) governs how the SAPS operate. In terms of this Act, the SAPS investigate crimes including corruption and bribery.

## 16.9 Theft

Theft is defined as an unlawful and intentional appropriation of movable corporeal property.

## 16.10 Moonlighting

Moonlighting refers to the situation where an employee holds a second job, whilst in the service of the employer.

# 17. Review and Approval of the Policy

The Performance Risk and Audit Committee shall annually review this Policy and determine its adequacy and effectiveness for current circumstances and recommend to Council for approval of any amendments that may be required.



## FRAUD AND CORRUPTION PREVENTION STRATEGY

July 2022

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## 1. INTRODUCTION

This fraud and corruption prevention strategy outlines the plan on how the Municipality will go about **implementing its fraud and corruption prevention policy**. It links closely to Witzenberg Municipality's vision and supports its values of openness, honesty and performance to the highest standards. Financial sustainability, maintaining a track record of successive unqualified audits and zero tolerance to fraud and corruption will remain crucial priorities, which then must progress towards clean audit outcomes.

National Government has expressed concern about the state of local government and has identified various initiatives to redress the perilous state in which many municipalities across the country find themselves, incl. the following:

- Huge service delivery and backlog challenges (eg. Housing, water and sanitation);
- Poor communication and accountability relationships with communities;
- Problems with political administrative interfaces;
- Corruption and Fraud;
- Poor financial management (eg. negative audit reports);
- Many service delivery protests;
- Weak civil society formations;
- Intra- and inter-political party issues negatively affecting governance and service delivery;
- Insufficient municipal capacity due to scarcity of skills.

Fraud prevention is about changing organisational features that allow fraud to occur and possibly go unnoticed or unreported. Fraud control is an essential element of sound corporate governance and internal risk controls.

## 2. OBJECTIVE

The objective of this strategy is to cover a wide range of activities from such minor transgressions as the misappropriation of office stationery by a staff member to more serious crimes such as misrepresentations by Senior Management and Councillors to Council, the public and creditors, and misuse of confidential information.

## 3. LEADERSHIP

Council and Management must provide policies, procedures and internal controls for Witzenberg Municipality that ensures the public, staff members and government that the municipality promotes a responsive, accountable, effective and efficient municipality.

The strategy is also established to give effect to the various legislative instruments relating to fraud and corruption, as to set down the stance of zero tolerance to fraud and corruption, and to assist risk management to reinforce existing policies, systems and procedures.

#### 4. INTERNAL CONTROL ACTIVITIES

Witzenberg Municipality aims to have sound financial systems and procedures which incorporate efficient and effective internal controls. The municipality utilizes the national anti-corruption hotline, telephone number 0800- 701 701.

Control activities are policies and procedures, which are the actions of people to implement the policies, to **help ensure that management's risk responses are carried out.**

##### Types of Control Activities

Internal Controls are preventative, detective or corrective by nature.

- Preventative Controls are designed to keep errors or irregularities from occurring in the first place;
- Detective Controls are designed to detect errors or irregularities that may have occurred;
- Corrective Controls are designed to correct errors or irregularities that have been detected.

##### Internal Control

Internal control is an integral part of risk management. Control procedures relate to the actual policies and procedures in addition to the control environment that management has established to achieve the **department's objectives. Policies and procedures help** create boundaries and parameters to authority and responsibility, and also provide some scope of organizational precedent for action.

Legislative compliances checklist must be monitored and maintained. The roles and responsibilities are set out in the Fraud and Corruption Prevention Policy.

#### 5. AWARENESS, TRAINING AND DEVELOPMENT

Ensure that staff understands that the internal controls are designed and intended to prevent and detect fraud and corruption or any other dishonest activities of a similar nature. Awareness, training and development programmes should be included in the Risk Management Implementation plan.

#### 6. EMPLOYEE SCREENING

Potential new members of staff must be screened before an appointment, particularly for posts with financial responsibility. For example:

- References shall cover a reasonable, continuous period; and any gaps should be explained;

- **An official employer's reference shall be sought;**
- Doubts about the contents of the reference should be resolved before confirming the appointment;
- Relevant qualifications shall be checked before making an offer of employment;
- Recruitment procedures shall require applicants to declare any associations with existing Councillors or staff. Members of recruitment panels shall similarly be required to declare such associations.

## 7. STANDARD TENDER AND CONTRACT DOCUMENTATION

Senior managers involved in the issue of tender and contract documentation shall ensure anti-corruption clauses are included in the documentation. This will not strengthen the **Municipality's legal position in the event** of attempted or actual corruption, because this is covered by the legislation. However, it may act as an effective reminder to contractors, suppliers and the **Municipality's own employees that selflessness is required in** commercial relationships.

The following is an example of an anti-corruption clause for inclusion in standard tender and contract documentation:

*You shall not give, provide, or offer to our staff and agents any loan, fee, reward, gift (except items of negligible intrinsic value) or any emolument or advantage whatsoever. In the event of any breach of this condition, we shall, without prejudice to any other rights we may possess, be at liberty forthwith to terminate the contract and to recover from you any loss or damage resulting from such termination.*

## 8. DECLARATION OF INTERESTS

Open cultures are less conducive to fraud and irregularity than secretive ones. For this reason, the need for Councillors to declare and register their interests is required. Staff must declare and register their interests where appropriate. Staff at many levels will have an opportunity to influence the choice of suppliers and contractors. Management procedures must recognise this and should ensure that the selection of suppliers and contractors always reflects the best interests of the Municipality and not personal or family interest of any member of the Municipality.

## 9. DETECTION

No system of preventative measures can guarantee that fraud will not occur. The Municipality can, however, implement detection measures to highlight irregular transactions. Correct investigation techniques ensure that any matters highlighted through audit and detection methods are handled in an unbiased, professional manner. Matters need to be handled having regard to Industrial Relations guidelines to minimise the risk of claims for unfair dismissal should this course of action be taken. The requirements of the Whistleblowers policy must also be considered.

## 10. RISK ASSESSMENT

Risk Management is about the identification, evaluation and minimisation of identifiable **risks**. **The Council's** risk assessment process must be ongoing and be sufficiently robust to enable all key fraud risks to be identified. Risk assessment should address both the internal and external environments of the Council and they should cover all functions and operations to establish the level, nature, form and likelihood of risk exposure.

Fraud can be minimised through carefully designed and consistently operated management procedure, which deny opportunities for fraud. The classic way to guard against fraud in financial systems is the separation of duties so that no individual has undue management of payments, income or assets.

Accountability is the key to providing a deterrent to fraud and theft. Training conveys the organisational culture to the staff and gives them sufficient confidence and direction to implement the policies and procedures.

## 11. MONITORING AND REPORTING

The municipality will on an ongoing basis monitor, measure and report on the implementation of fraud **management to evaluate, remedy, and continuously improve the organization's** fraud detection techniques. If deficiencies are found, management should ensure that improvements and corrections are made as soon as possible. Management should institute a follow-up plan to verify that corrective or remedial actions have been taken.

## 12. REVIEW AND APPROVAL OF THE STRATEGY

The Chief Risk Officer shall annually review this strategy and seek advice from the Performance Risk and Audit Committee to determine its adequacy and effectiveness for current circumstances and recommend to the Council for approval of any amendments that may be required.

# WITZENBERG

**MUNISIPALITEIT      UMASIPALA      MUNICIPALITY**

## - MEMORANDUM -

**AAN :**      Komitee vir Tegniese Dienste  
                   Direkteur: Tegniese Dienste

**VAN :**      Bestuurder: Stadsbeplanning en Boubeheer

**DATUM:**      26 Mei 2022

**REF. :**      16/4/2

### **PADSLUITING: HUIS DISA, TULBAGH**

#### **1. Voorstel**

Die voorstel is om 'n 11.02 m (35 voet) padreserwe aanliggend tot Huis Disa se noordgrens te sluit vir verkeer. Ligging word aangetoon deur die **aangehegte** kaart gemerk "locality plan".

#### **2. Agtergrond**

Huis Disa inwoners word verontref deur stof wat veroorsaak word deur motoriste wat teen hoë spoed die pad gebruik. Die pad is nie formeel ontwikkel nie en is slegs 'n gruis straat.

Die sluiting van die pad sal dit moontlik maak vir die munisipaliteit om 'n fisiese versperring soos "bollards" of 'n heining op te rig wat motors sal verhoed om langs Huis Disa se grens af te ry.

Die straat gee toegang tot Van der Stel Straat vanaf Nuwe Straat maar is oorbodige aangesien Waverenstraat alreeds toegang gee. Die Tegniese afdeling se Interne Departemente is gekonsulteer en bied geen beswaar teen die sluiting nie.

Sluiting van strate behels 'n stadsbeplanningsaansoek en volg neergelegde proses en moet aan die publieke adverteer word. Die proses kan eers afskop nadat die Raad oor die beginsel besluit het.

#### **3. Aanbeveling**

Om by die Raad aan te beveel:

✉ 44 Ceres 6835

☎ (023) 316 1854

📞 (023) 316 1877

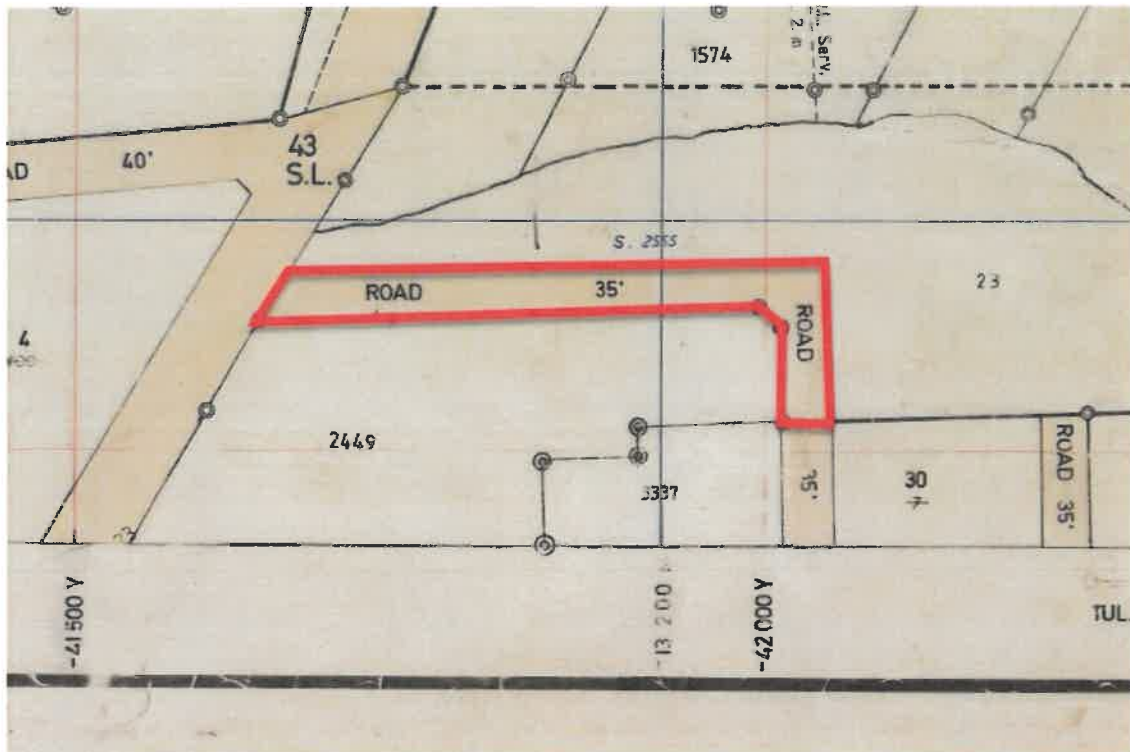


[admin@witzenberg.gov.za](mailto:admin@witzenberg.gov.za)



Dat pad wyd 11.02m (35 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 insluit publieke advertering.

Figuur 1:



H O TALJAARD  
BESTUURDER: STADSBEPANNING EN BOUBEHEER

# LOCALITY PLAN



*Huis Disa*

2449

KRUISVLEET ROAD

NULLEVE STREET

2022/03/08

2365

5

VAN DER STILLES

812

2379

2368

2367

1573

1574

1365

23

- PAD -

43

30

39

41

1341

40

42

28

24

## 8.3.1(a)

national treasury Department of National Treasury REPUBLIC OF SOUTH AFRICA									
Witzenberg Local Municipality									
Calculator Version	v0.65 (2018 / 2 / 15)			Erf No	10915				
Application Number	Ceres 07/2022			Suburb	Ceres				
Applicant	Liza Marie Niewenhuis			Erf Location	Skoonvlei				
Date	2022/09/21			Erf Size (m2)	2315				
Financial Year	2022/23			Approved Building Plan No.	Not approved				
Services				Water	Sewer	Roads	Stormwater	Solid Waste	Electricity
Service Zone				Ceres	Ceres	Ceres	Ceres	Ceres	Ceres
Land Use Category	Unit	Existing Rights	Proposed New Rights	Development Charge levied (excl. VAT)					
Single Residential > 1000m² Erf	Dwelling unit	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Single Residential > 650m² Erf	Dwelling unit	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Single Residential > 350m² Erf	Dwelling unit	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Single Residential < 350m² Erf	Dwelling unit	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
State Funded Housing	Dwelling unit	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
GAP/Affordable Housing	Dwelling unit	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Group Housing	Dwelling unit	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Flat	Dwelling unit	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Second/ Additional Dwelling/Granny Flat	Dwelling unit	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Rural / Undetermined / Agricultural	Dwelling unit	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Rural Intensification / Agri-subdivisions	Dwelling unit	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Hotel	Rooms	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Accommodation Establishments	Rooms	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
General Business	m²	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Office	m²	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Retail/Shop	m²	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Warehouse	m²	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Industrial	m²	0	2315	R 43 640,27	R 27 182,13	R 97 592,35	R 20 337,86	R 77 977,25	R 331 145,65
Early Childhood Development Centres / Home Child Care	Learner	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Universities / Schools	Learner	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Care / Accommodation (Hospitals, Clinics, Old age home)	Bed	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Office/ Consulting rooms (welfare offices, clinics, hospitals & env. facilities)	m²	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Meeting Places (places of assembly, place of worship)	m²	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Open Spaces / Public Open Spaces	m²	0	0	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Land use not included above with actual demands known (proof of a formal study is required)	No			kl/d	kl/d	trips/day	C.ha	kg/day	kVA
Unit Costs Per Service Actual				R 5 026,96	R 3 354,78	R 702,61	R 97 613,91	R 1 403,48	R 1 430,43
Total Development Charge per service				R 43 640,27	R 27 182,13	R 97 592,35	R 20 337,86	R 77 977,25	R 331 145,65
VAT Per Service (%)				R 6 109,64	R 3 805,50	R 13 662,93	R 2 847,30	R 10 916,82	R 46 360,39
Total Development Charge Calculated (Excluding VAT)				R 597 875,50					
VAT				R 83 702,57					
Total Development Charge Calculated (Including VAT)				R 681 578,07					
Subsidy granted (%)									
Subsidy granted (Amount including VAT)				R 0,00					
Reason for subsidy									
Alternative funding source									
Total Development Charge Payable (Including VAT)				R 681 578,07					
Application Processed by:									
Signature									
Date									
Amount Paid:									
Date Payment Received									
Receipt Number									

## Liza-Mari Nieuwenhuis

---

**From:** Hennie Taljaard  
**Sent:** Wednesday, 21 September 2022 10:38 AM  
**To:** Joseph Barnard  
**Cc:** Johan Swanepoel; Liza-Mari Nieuwenhuis  
**Subject:** RE: Aansoek vir die Koop van Erf in Skoonvlei op die hoek van Bank & Forell Straat  
**Attachments:** SKM\_C650i21100114164.pdf

aangeheg

**From:** Joseph Barnard  
**Sent:** Wednesday, 21 September 2022 10:34  
**To:** Hennie Taljaard <htaljaard@witzenberg.gov.za>  
**Cc:** Johan Swanepoel <jswan@witzenberg.gov.za>; Liza-Mari Nieuwenhuis <liza-mari@witzenberg.gov.za>  
**Subject:** FW: Aansoek vir die Koop van Erf in Skoonvlei op die hoek van Bank & Forell Straat

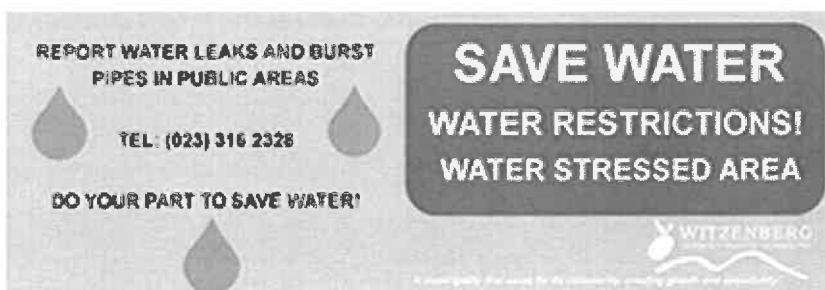
Hennie

Aangehegde uitleg verskil van dit waarop ek n vorige keer die DC's bereken het.

Het jy hierdie uitleg en moontlik die areas per erf?

Regards,

**Joseph Barnard (Pr. CPM)**  
**Director: Technical Services**  
**Witzenberg Municipality**  
**Tel: (023) 316 8540**  
**Fax: (086) 523 6339**  
**E-mail: [joseph@witzenberg.gov.za](mailto:joseph@witzenberg.gov.za)**



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**From:** Liza-Mari Nieuwenhuis <[liza-mari@witzenberg.gov.za](mailto:liza-mari@witzenberg.gov.za)>  
**Sent:** Wednesday, 21 September 2022 08:17  
**To:** Joseph Barnard <[joseph@witzenberg.gov.za](mailto:joseph@witzenberg.gov.za)>; Hennie Taljaard <[htaljaard@witzenberg.gov.za](mailto:htaljaard@witzenberg.gov.za)>; Nathan Jacobs



<nathan@witzenberg.gov.za>; Elton Lintnaar <elton@witzenberg.gov.za>; Pierre Van Den Heever  
<Pierre@witzenberg.gov.za>; Riaan Fick <riaan@witzenberg.gov.za>; Johan Swanepoel <jswan@witzenberg.gov.za>  
**Subject:** Aansoek vir die Koop van Erf in Skoonvlei op die hoek van Bank & Forell Straat

Goeie More

Sien asseblief aangehegte versoek vir die koop van grond in Skoonvlei. Ongeregistreerde erf 10915 of 10918 in Skoonvlei.

Sal u asseblief u insette aan my stuur teen Vrydag 30 September 2022?



**Liza-Mari Nieuwenhuis**  
**Manager Legal Services**  
**Telephone: +27 23 316 1854 / Email: [liza-mari@witzenberg.gov.za](mailto:liza-mari@witzenberg.gov.za)**  
**Physical Address: 50 Voortrekker Street, Ceres, 6835 / Website: [www.witzenberg.gov.za](http://www.witzenberg.gov.za)**

# VALUATION REPORT

## PROPOSED SUBDIVISION ERF 2622 CERES



### HCB Property Valuations

29 Church Street  
Moorreesburg  
7310

**Tel:** 086 142 2669 **Fax:** 086 514 8551

**Email:** [admin@hcb.co.za](mailto:admin@hcb.co.za)

**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



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**2.4 Extent**

The total extents of the subdivided subject portions as per instruction are:

1. Ptn. A = 4551 m<sup>2</sup>
2. Ptn. B = 4289 m<sup>2</sup>
3. Ptn. C = 2315 m<sup>2</sup>
4. Ptn. D = 2255 m<sup>2</sup>
5. Ptn. E = 2255 m<sup>2</sup>
6. Ptn. F = 1020 m<sup>2</sup>
7. Ptn. G = 1786 m<sup>2</sup>
8. Ptn. H = 8535 m<sup>2</sup>
9. Ptn. I = 1400 m<sup>2</sup>
10. Ptn. J = 1937 m<sup>2</sup>

It is however noted that the full extent of the subject property as per the property report is 47.5792ha.

**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 in regards to 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**

Although current zoning of the subject portions is irrelevant as it is the Witzenberg Municipality's intention to subdivide these subject portions for industrial purposes (to sell as vacant industrial erven), information received confirms that the proposed zoning of subject portions is Industrial

## 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.”*

A summary of the features of a “willing” buyer and seller are:

- They should be in a position to enter into a contract (financially and legally);
- They negotiate on equal terms;
- They both are well informed about the property and all its potentialities, as well as the market for such properties, i.e. they are as well informed as the person who has taken all reasonable steps to obtain this information;
- They are not under pressure, i.e. they are not forced to buy or sell a property within a limited time;
- They negotiate the transaction rationally.

## 6. **METHOD OF VALUATION**

The Sales Comparison Approach compares recently-sold local similar properties to the subject property. Price adjustments are made for differences in the comparable and subject property. It is a process used to determine the current market value of a property based on recent sales of comparable properties in the area. The above information is compared to the subject property, which involves judgments as to the degree of similarity with regard to value factors such as location, shape of erf and use to which the subject property can be put.

## 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, financial feasible and which result in the best value of the property to be valued.


Current use of subject property is vacant land and proposed industrial zoned. Property will be valued as if zoned industrial.

### 7.2 **Comparable Properties**


The following vacant sales were noted and used to arrive at a rand/ha tariff. This tariff was adjusted for size, use, location, time and zoning and it is my opinion that for this valuation a tariff of between R350-00/m<sup>2</sup> to R450-00/m<sup>2</sup> (VAT Excluded) should be applicable.

## VALUATION REPORT – PROPOSED SUBDIVISION ERF 2622, CERES


### Ceres Sale 4

	Erf No:	3426
	Suburb:	Ceres
	Extent:	2 500m <sup>2</sup>
	Date of Sale:	2020/08/12
	Sales Price:	R 1 300 000-00
	Price/m <sup>2</sup>	±R520-00m <sup>2</sup>

### Wolseley Sale 1

	Erf No:	226
	Suburb:	Wolseley
	Extent:	1 230m <sup>2</sup>
	Date of Sale:	2018/06/20
	Sales Price:	R 150 000-00
	Price/m <sup>2</sup>	±R122-00m <sup>2</sup>

### Wolseley Sale 2

	Erf No:	929
	Suburb:	Wolseley
	Extent:	2 681m <sup>2</sup>
	Date of Sale:	2017/10/30
	Sales Price:	R 200 000-00
	Price/m <sup>2</sup>	±R74-50m <sup>2</sup>

**8. CERTIFYING OF VALUE**

I hereby certify that I have identified the subject property and obtained all the necessary information to determine the market rental thereof.

**Accordingly, I hereby certify that in my opinion, to the best of my knowledge, skill and expertise, the Market Value of the subject portion as at 1 December 2021 to be:**

1. Ptn. A  
=R1,592,850-00
2. Ptn. B  
=R1,501,150-00
3. Ptn. C  
=R926,000 -00
4. Ptn. D  
=R902,000-00
5. Ptn. E  
=R902,000-00
6. Ptn. F  
=R459,000-00
7. Ptn. G  
=R714,400-00
8. Ptn. H  
=R2,389,800-00
9. Ptn. I  
=R560,000-00
10. Ptn. J  
=R774,800-00



**Hendrik Coenraad Botha**  
**Professional Valuer**  
**Registration Number: 5601**

1 December 2021  
**Date of Signature**

**12. ANNEXURES**

**a. 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: 13 February 2020

PERIOD OF VALIDITY: 28 January 2020 - 30 June 2024

J. Coote  
President

REGISTRATION No: 5601

W.C. Seula  
Registrar

## VALUATION REPORT – PROPOSED SUBDIVISION ERF 2622, CERES

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From: Liza-Mari Nieuwenhuis  
Sent: Monday, 18 October 2021 12:13 PM  
To: Coenraad Botha <[coenraad@nrbc.co.za](mailto:coenraad@nrbc.co.za)>  
Subject: Versoek om kwotasies

Goeie More

Versoek om EEN kwotasie vir drie afsonderlike waardasies:

Sal u asseblief so gaaf wees om vir my 'n kwotasie te stuur teen Vrydag, 22 Oktober 2021 teen 16h00 vir die volgende:

1. Bepaling van markverwante maandelikse huur vir die gebruik van 'n stukkie van ons grond vir die oprigting van 'n netwerk toring. Sien aangehegte kaart. Die gedeelte word in 'n groen blokkie aangedui.
  - Die toring is geleë op 'n gedeelte van Erf 1001, Ceres
  - Die sonering is "undetermined"
  - Die grootte is 3mx3m
  - Munisipaliteit verskaf slegs die grond;
  - Daar is 'n kragpunt en huurder moet self die krag betaal;
2. Die bepaling van Markverwante Koopprijs vir die gedeelte in met rooi stippellyne aangedui.
  - Grootte is +- 17ha
  - Sonering: Agri 1 / Agri 2
  - Gedeelte van die Plaas Remhoogte (Eiendom 212/0)
  - Oorweeg aankoping vir bou van sportgronde
  - Grond nie geskik vir landboudoeleindes nie.
3. Die bepaling van die markverwant verkoopprijs van 10 onderverdeelde Erwe in Skoonvlei, Ceres.  
(Onderverdeel maar nog nie geregistreer nie). Sien aangehegte kaart.  
Erwe: Gedeeltes A-J op die aangehegte Kaart (Groottes op die Kaart)  
Sonerling: Industriële  
Al die erwe is tans nie gediens nie.

# VALUATION REPORT – PROPOSED SUBDIVISION ERF 2622, CERES



44 Ceres 6835  
EMAIL: admin@witzenberg.gov.za

(023) 316 1854  
FAX: (023) 316 1877

## AMPTLIKE BESTELLING OFFICIAL ORDER

BESTEL NR / ORDER NO	DATUM / DATE
111239	15-11-2011

BETALING SAL DEEMAK WORD BINNE 30  
DAE VAN ONTVANGS VAN DIE KAKTJUR. PAYMENT WILL BE MADE WITHIN  
30 DAYS OF RECEIPT OF INVOICE.

FOR VALUATIONS AND SERVICES TO  
PO BOX 741  
HOOVERSTAD

KR NR / CR NO	102429
---------------	--------

Line	Item	Volraad / For NR Block / Vole NO.	Bestelning Description	Unit Qty	Pris BTW Lys Price Excl VAT	BTW VAT	Totale Pris Total Price
1	SPOTTENKOPPE INKASIE				571.34	762.61	6000.00
TOTAAL						R	

Witzenberg is a municipality and cannot be responsible for any consequences, good or bad, arising from the use of this report. A municipality is not responsible for any consequences, good or bad, arising from the use of this report. Witzenberg is a municipality and cannot be responsible for any consequences, good or bad, arising from the use of this report.

Getragtig by Handtekening: Authorised Signature

Ontvanger se Handtekening: Receiver's Signature

Printed by: 2011/11/15 12:17 PM

CONTROL NO



# VALUATION REPORT – PROPOSED SUBDIVISION ERF 2622, CERES

HISTORIC DOCUMENTS (1)				
#	Document	Institution	Amount (R)	Microfilm / Scanned Date
1	T10676/1947	MUN CERS	Unknown	

[illegible]

0861 946 333  
www.44440007.co.uk

2010 2 28

e. Annexure 5 – Photos of Subject Portion



f. **Annexure 6 – Valuation Certificate**

**VALUATION REPORT – PROPOSED SUBDIVISION ERF 2622, CERES**



**HCB**

**Valuations and Services (Pty) Ltd**

Cnr Church Street & Long Street, PO Box 247, Moorreesburg, 7310  
T: +27(0)86 142 2669 M: +27(0)83 663 2140 E: admin@hcb.co.za  
Company No: 2012/168731/07 GPS: -33.1550,18.6625

***Valuation Certificate***

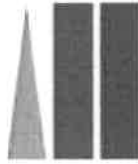
Client: Witzenberg Municipality  
Erf Number: 2622 ptn B  
Address: Bankstreet  
Area/Town: Ceres  
Owner: Mun Ceres  
Erf Extent: 4289m<sup>2</sup>  
Date of Valuation: 2021/12/01  
Reference Number: Ceres/2622/B  
Valuation Amount: R 1,501,150-00  
Valuation Category: Vacant Industrial

**COMMENTS:**

- Property for potential Industrial development
- Un-serviced Vacant Land
- Proposed Property layout attached to this valuation certificate
- Valuation done using various assumptions and market data
- Date issued: 01/12/2021

**Hendrik Coenraad Botha**  
Professional Valuer  
Registration Number: 5601

**VALUATION REPORT – PROPOSED SUBDIVISION ERF 2622, CERES**



**HCB**

**Valuations and Services (Pty) Ltd**

Cnr Church Street & Long Street, PO Box 247, Moorreesburg, 7310  
T: +27(0)86 142 2669 M: +27(0)83 663 2140 E: admin@hcb.co.za  
Company No: 2012/168731/07 GPS: -33.1550,18.6625

***Valuation Certificate***

Client: Witzenberg Municipality  
Erf Number: 2622 ptn D  
Address: Bankstreet  
Area/Town: Ceres  
Owner: Mun Ceres  
Erf Extent: 2255m<sup>2</sup>  
Date of Valuation: 2021/12/01  
Reference Number: Ceres/2622/D  
Valuation Amount: R 902,000-00  
Valuation Category: Vacant Industrial

**COMMENTS:**

- Property for potential Industrial development
- Un-serviced Vacant Land
- Proposed Property layout attached to this valuation certificate
- Valuation done using various assumptions and market data
- Date issued: 01/12/2021

**Hendrik Coenraad Botha**  
**Professional Valuer**  
**Registration Number: 5601**

**VALUATION REPORT – PROPOSED SUBDIVISION ERF 2622, CERES**



**HCB**

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Company No: 2012/168731/07 GPS: -33.1550,18.6625

***Valuation Certificate***

Client: Witzenberg Municipality  
Erf Number: 2622 ptn F  
Address: Bankstreet  
Area/Town: Ceres  
Owner: Mun Ceres  
Erf Extent: 1020m<sup>2</sup>  
Date of Valuation: 2021/12/01  
Reference Number: Ceres/2622/F  
Valuation Amount: R 459,000-00  
Valuation Category: Vacant Industrial

**COMMENTS:**

- Property for potential Industrial development
- Un-serviced Vacant Land
- Proposed Property layout attached to this valuation certificate
- Valuation done using various assumptions and market data
- Date issued: 01/12/2021

**Hendrik Coenraad Botha**  
Professional Valuer  
Registration Number: 5601

**VALUATION REPORT – PROPOSED SUBDIVISION ERF 2622, CERES**



**HCB**

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T: +27(0)86 142 2669 M: +27(0)83 663 2140 E: admin@hcb.co.za  
Company No: 2012/168731/07 GPS: -33.1550,18.6625

***Valuation Certificate***

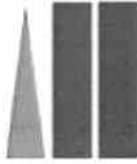
Client: Witzenberg Municipality  
Erf Number: 2622 ptn H  
Address: Bankstreet  
Area/Town: Ceres  
Owner: Mun Ceres  
Erf Extent: 8535m<sup>2</sup>  
Date of Valuation: 2021/12/01  
Reference Number: Ceres/2622/H  
Valuation Amount: R 2,389,800-00  
Valuation Category: Vacant Industrial

**COMMENTS:**

- Property for potential Industrial development
- Un-serviced Vacant Land
- Proposed Property layout attached to this valuation certificate
- Valuation done using various assumptions and market data
- Date issued: 01/12/2021

**Hendrik Coenraad Botha**  
**Professional Valuer**  
**Registration Number: 5601**

**VALUATION REPORT – PROPOSED SUBDIVISION ERF 2622, CERES**



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T: +27(0)86 142 2669 M: +27(0)83 663 2140 E: admin@hcb.co.za  
Company No: 2012/168731/07 GPS: -33.1550,18.6625

***Valuation Certificate***

Client: Witzenberg Municipality  
Erf Number: 2622 ptn J  
Address: Bankstreet  
Area/Town: Ceres  
Owner: Mun Ceres  
Erf Extent: 1937m<sup>2</sup>  
Date of Valuation: 2021/12/01  
Reference Number: Ceres/2622/J  
Valuation Amount: R 774,800-00  
Valuation Category: Vacant Industrial

**COMMENTS:**

- Property for potential Industrial development
- Un-serviced Vacant Land
- Proposed Property layout attached to this valuation certificate
- Valuation done using various assumptions and market data
- Date issued: 01/12/2021

**Hendrik Coenraad Botha**  
Professional Valuer  
Registration Number: 5601





✉ 44, Ceres, 6835  
50 Voortrekker St/ Str, Ceres, 6835  
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☎ +27 23 316 1877  
✉ admin@witzenberg.gov.za  
www.witzenberg.gov.za

## MUNICIPAL TRAINING AND DEVELOPMENT POLICY

Approve date:	Review date:
---------------	--------------

### VISION STATEMENT

**Witzenberg Municipality will aim to develop and implement relevant policies and procedures in order to ensure fair, equitable, effective and transparent human resource management practices. It will also aim to develop and build capacity of employees to perform their tasks in an effective, economic and accountable manner.**

### 1. DEFINITIONS

In this policy , unless the context otherwise indicates -

- 1.1 **“ABET/AET”** means Adult (Basic) Education and Training.
- 1.2 **“ACCREDITATION”** means the quality assurance process to ensure the quality of education and training within South Africa.
- 1.3 **“APPRENTICESHIP”** means a type of Learnership that culminates in an occupational award registered by the Department of Higher Education and Training as a Trade.
- 1.4 **“CONSULTATION”** engages in a meaningful joint consensus-seeking process and attempt to reach consensus. The parties do not have to reach consensus. The process of seeking consensus is sufficient. The **onus to consult is not only on the employer** and it is expected of the employee to engage the employer actively in the joint consensus seeking process. Thus, **Consultation** means to discuss and take cognisance of different views, it does not mean to "negotiate" which implies bargaining in order to reach an agreement. In other words, whilst it often happens that consultation leads to agreement, an employer is not prevented from continuing with the completion of a workplace skills plan in the event that it does not concur/accept the representations put forward by employees – having heard these representations, the employer is entitled to proceed with what it reasonably perceives to be the most appropriate course of action.

- 1.5     **“COUNCIL”** means the Witzenberg Municipality as an Employer.
- 1.6     **“CREDITS”** means the values accredited to unit standards.
- 1.7     **“EMPLOYER”** means Councillors, Senior Management & Management (representing the Employer Component on the Training Committee, “
- 1.8     **“ETQA”** means Education and Training Quality Assurance; bodies that ensure quality assurance within education and training within South Africa.
- 1.9     **“IDP”** means the Integrated Development Plan.
- 1.10    **“IMATU”** means the Independent Municipal and Allied Trade Union (Labour Stakeholder on the Training Committee).
- 1.11    **“LEARNERSHIP”** means a route to an occupational/professional NQF qualification with a strong emphasis on workplace experience.
- 1.12    **“LEARNING INSTITUTIONS”** means accredited private/public institutes (e.g.: FET Colleges and Institutes for Higher Learning, i.e. Universities or Universities of Technology).
- 1.13    **“LGSETA”** means the Local Government Sector Education and Training Authority.
- 1.14    **“MOA”** means a Memorandum of Agreement.
- 1.15    **“MOU”** means a Memorandum of Understanding.
- 1.16    **“NQF”** means National Qualifications Framework; national frame that quality assures all qualifications in South Africa.
- 1.17    **“OHS”** means Occupational Health and Safety.
- 1.18    **“ONA”** means Organizational Needs Analysis.
- 1.19    **“PDP”** means a Personal Development Plan.
- 1.20    **“POE”** means Portfolio of Evidence.
- 1.21    **“PROVINCIAL SDF FORUMS”** means provincially-based platforms for discussion, consultation and coordination regarding Education, Training and Development.
- 1.22    **“REGIONAL SDF FORUMS”** means regionally-based platforms for discussion, consultation and coordination regarding Education, Training and Development.
- 1.23    **“SAMWU”** means the South African Municipal Workers Union (Labour Stakeholder on the Training Committee).
- 1.24    **“SDF”** means the Skills Development Facilitator.

- 1.25 **“SDBIP”** means Service Delivery Budget Implementation Plan.
- 1.26 **“SEMINAR/CONFERENCE”** means occupational information sessions that is usually sector specific.
- 1.27 **“SETA”** means a Sector Education and Training Authority.
- 1.28 **“SHORT COURSES”** means skills programmes that may OR may not be accredited.
- 1.29 **“SKILLS AUDIT”** means a process to determine the organization’s current skills and skills gaps.
- 1.30 **“SKILLS PROGRAMME”** means the same as a Learnership, however, it does not lead to a full qualification.
- 1.31 **“SLA”** means a Service Level Agreement.
- 1.32 **“SSP”** means Sector Skills Plan.
- 1.33 **“TC”** means Training Committee; Organization’s consultative forum for issues pertaining to Education, Training and Skills Development.
- 1.34 **“UNIT STANDARDS”** means the primary building blocks of qualifications, Learnerships and Apprenticeships.
- 1.35 **“WSP”** means the Workplace Skills Plan.
- 1.36 **“EMPLOYEE”** shall mean a person in the employment of the Witzenberg Municipality.
- 1.37 **“SUPERVISOR/LINE MANAGEMENT”** means is a person who directly manages other employees and is responsible for the administrative and functional management of employees.
- 1.38 **“SENIOR MANAGER”** means a municipal manager or acting municipal manager, appointed in terms of section 54A of the Municipal Systems Act and a manager or acting manager directly accountable to a municipal manager appointed in terms of section 56 of the Municipal Systems Act;
- 1.39 **“STAFF OR STAFF MEMBER”** for the purpose of these regulations means an employee of the municipality, but excludes senior managers
- 1.40 **“STRUCTURED LEARNING PROGRAMME”** refers to a short or long credit or non-credit training programme that may include learnership, apprenticeship or a tertiary level programme at under- graduate or post-graduate level
- 1.41 **“QCTO/SETA”** means Quality Council for trades and Occupations/ a Sector Education and Training Authority.

- 1.42 **"STAFF ESTABLISHMENT"** means the approved jobs and number of posts created for the normal and regular requirements of the municipality, also referred to as the organisational structure or organogram

## **2. PREAMBLE**

Witzenberg Municipality is committed to embarking on a process of education, training and development for employees and in meeting the legislative requirements of the Skills Development Act 1998 (Act No 97 of 1998) and the Municipal Staff Regulations as per Municipal Systems Act, 2000 (Act No of 2000) and other relevant legislation. Promotion of employees on development programmes shall be subject to Council's relevant policy and procedure on Recruitment and Selection.

## **3. STATEMENT OF INTENT**

Witzenberg Municipality, Council and employer are fully committed to educating, training and developing all employees within the financial muscle and resources available, and this will be done by:

- 3.1 Development of Training and Skills Development Strategy in line with the stipulations of the Skills Development Act, as amended and other relevant legislation.
- 3.2 Introducing fair, reasonable and objective principles for education, training and development of employees in the employment of Council.
- 3.3 Providing guidelines for training and development of employees in the employment of Council.
- 3.4 Conduct thorough Skills Audits and identify gaps existing and devise strategies in terms of the broader vision of Council.
- 3.5 Allocate significant training resources, within the means of Council.
- 3.6 Putting up comprehensive education, training and development programmes that focus on literacy, numeracy, technical competencies and management and development programmes.
- 3.7 Clarifying the skills required for jobs, identifying relevant skills needs and developing opportunities to satisfy the skills needs;
- 3.8 Identifying new skills and knowledge required by staff to support their career growth and progression;
- 3.9 Creating learning opportunities which will allow their staff to develop the skills and expertise to enable them to compete effectively for opportunities in new or vacant posts; and
- 3.10 Ensuring that skills development is a KPA in senior managers and supervisors performance agreements. This is aimed at promoting career development through consultations with staff members.

- 3.11 The skills development process involves planning, skills assessment, implementation and review.

## **4. OBJECTIVES**

### **4.1 Skills development must:**

- (a) Support the achievement of the municipality's goals set out in the Integrated Development Plan by providing critical skills that ensure the delivery of quality services;
- (b) Promote the development and retention of competent municipal staff, including the development of technical, professional and specialist staff who have the required qualifications and skills;
- (c) Support the employment equity objectives of the municipality;
- (d) Be based on high quality provision and effective workplace learning and development practices, including coaching, mentoring, on-the-job learning and opportunities for the practical application of skills in the workplace;
- (e) Seek to continuously improve its results and the returns on learning investments, by defining measures of success, conducting regular evaluations and improving the impact of learning, training and development; and
- (f) Be designed to support and reinforce other capacity-building programmes in municipalities.
- (g) A staff member must take responsibility for his or her development and own career growth.

## **5. GUIDING PRINCIPLES**

- 5.1 Training will be provided on an in-sourced or out-sourced basis, depending on the internal capacity available and the specific training need.
- 5.2 Providers must be accredited in terms of accredited SETA, relevant legislation and government approved institution, where applicable.
- 5.3 Tender procedures and the selection of training providers will be in terms of the Procurement Policy, and with due consideration for quality control.
- 5.4 Training that is undertaken will support the principle of capacity building.
- 5.5 Whenever possible, training will lead to the acquisition of credits for Learners in terms of the National Qualification Framework.
- 5.6 Training will be provided based on need, first come first serve and within Witzenberg Municipal budgetary constraints.

## **6. SCOPE**

- 6.1 The terms “education, training & development” cover various forms of learning that take place at diverse sites, as well as at specialist and academic institutions.
- 6.2 The content of learning covers technical and non-technical fields, capacity building as well as general employee training (such as Occupational Health and Safety, Life Skills and Adult Education and Training (AET)).

## **7. POLICY APPLICATION**

- 7.1 This Policy applies to all employees of the Witzenberg Municipality.
- 7.2 Some sections of this Policy may also apply to councillors, who may be able to access opportunities for education, training and development which are in line with their roles and responsibilities.
- 7.3 Some sections also apply to people who are not employees, but who are participating in some way in education, training and development programmes at the Witzenberg Municipality e.g. as bursars or Learnership trainees, or as people involved in Witzenberg Municipal community development projects.
- 7.4 This Policy applies to all accredited and non-accredited capacity-building, education and training supported by and/or provided by the Witzenberg Municipality. This includes both in-house delivery, as well as provision which take place at other learning sites. It includes full-time and part-time training delivered through, e.g. –
  - (a) On-the-job training
  - (b) Short courses
  - (c) Learnerships/Apprenticeships and structured skills programmes
  - (d) Seminars and conferences
  - (e) Study at formal learning institutions, and
  - (f) Other education, training and development interventions
  - (g) Internships

## **8. LEGISLATIVE MANDATE**

- 8.1 There are a number of national laws and policies which impact on how an organisation approaches education, training and development. The legislation includes, but is not limited to -
  - (a) Occupational Health and Safety Amendment Act, 1993 (Act No 85 of 1993)
  - (b) South African Qualifications Authority Act, 1995 (Act No 58 of 1995)
  - (c) Labour Relations Act, 1995 (Act No 66 of 1995)
  - (d) Constitution of the Republic of South Africa, 1996
  - (e) Basic Conditions of Employment Act, 1997 (Act No 75 of 1997)
  - (f) Employment Equity Act, 1998 (Act No 55 of 1998)
  - (g) Skills Development Act, 1998 (Act No 97 of 1998)

- (h) Skills Development Levies Act, 1999 (Act No 9 of 1999)
- (i) Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000)
- (j) National Qualifications Authority Act, 1995 (Act No 58 of 1995)
- (k) National Qualifications Framework Act, 2008 (Act No 67 of 2008)

8.2 These laws underpin and inform the Witzenberg Municipalities Education, Training and Development Policy Framework. The local policy context will include the conditions of service of employees, as well as the Procurement Policy.

## 9. EDUCATION, TRAINING AND DEVELOPMENT STRATEGIES

- 9.1 Use the workplace as an active learning environment.
- 9.2 Provide employees with the opportunities to acquire new skills.
- 9.3 Provide opportunities for new entrants to the labour market to gain skills and work experience.
- 9.4 Employ persons who find it difficult to be employed.
- 9.5 Learnerships/Apprenticeships/Internships/In service training and skills programmes.

(a) Learnerships/Apprenticeships and skills programmes contribute to these aims by combining structured learning with structured work experience to obtain an NQF-registered qualification. They are the main ways in which the workplace Skills Development Plan will be implemented.

- (i) **Learnerships** extend traditional Apprenticeships to non-trade learning areas and result in a whole qualification registered by SAQA and related to an occupation.
- (ii) **Apprenticeships** are types of Learnerships which culminates in an occupational award that are registered by the Department of Higher Education and Training as a trade.
- (iii) **Skills programmes** are smaller units of learning which are credit-bearing and may build credits towards a qualification.
- (iv) The **Learnership/Apprenticeship contract** governs the relationship between the employer, the employee/Learner and the accredited training provider. Contracts must be registered with the Sector Education and Training Authority (SETA) before Learnerships commence.
- (v) **Internships/** refers to a specific timeframe/period of employment for qualified graduates in order to gain practical experience within their field of qualification



- (vi) **In Service training/** refers to a specific timeframe/period of employment for students in order to gain practical experience to obtain their qualification within their field of studies
- (b) The Witzenberg Municipality is committed to Learnerships/Apprenticeships and skills programmes which:
  - (i) Are diverse (i.e. cover a lot of different fields).
  - (ii) Are provided on the basis of organisational needs.
  - (iii) Involve partnerships and co-operation between various workplace contexts to provide Learners with the necessary work experience.
  - (iv) May be undertaken in any occupational field, not only traditionally technical trades.
  - (v) Integrate education and skills training and will provide a work-based route to a qualification, or build credits towards a qualification.
  - (vi) Provide a basis for lifelong learning.
  - (vii) Implement the Skills Development Plan.

## 10. CAREER STREAMING

- 10.1 Career streams are vocational pathways along which an employee can move to promote their own development and the organisation's capacity.
- 10.2 Streams must be developed within the strategic priorities of local government and within its responsibilities for service delivery.
- 10.3 Career streams do not necessarily provide "promotion" (upwards), but rather a number of different ways of moving within the organisation.
- 10.4 The Witzenberg Municipality will:
  - (a) Ensure that education, training and development provision is within identified career streams.
  - (b) Assist employees to decide on the career paths they could follow through the Learner Support Programme.
  - (c) Provide study assistance to permanent employees according to organisational needs, capacity and priorities.
  - (d) Provide study assistance to members of the local community within its financial capacity as part of the social responsibility and with a view to making provision for future needs of the organisation.



## 11. ASSESSMENT AND QUALITY ASSURANCE

- 11.1 As the new organising mechanism for all education, training and development in South Africa, the National Qualifications Framework (NQF) will ensure that standards and qualifications have the same value nationally.
- 11.2 This is because the standards and qualifications have been set nationally with the participation of all stakeholders in various fields of learning.
- 11.3 The Witzenberg Municipality is committed to:
  - (a) Ensuring specialist employees are trained and registered in outcomes-based assessment.
  - (b) Establishing and implementing a corporate internal quality assurance system which includes a system of Learner assessment and a record of learning for all employees in terms of national Education and Training Quality Assurance (ETQA) guidelines.
  - (c) Identifying which learning standards and qualifications it will register as a provider of learning.
- 11.4 Recognition of Prior Learning (RPL)
  - (a) Recognition of Prior Learning (RPL) is an assessment process through which Learners may be awarded credits for learning which they have already obtained through work experience or some form of prior learning.
  - (b) During this assessment they have to show that they meet the learning outcomes in the learning standards for a particular qualification through demonstrating what they know and are able to do. It is possible to obtain a whole qualification, or part of a qualification, through RPL.
  - (c) RPL assessments are subject to:
    - (i) Operational requirements
    - (ii) Organisational needs
    - (iii) The availability of financial and human resources
    - (viii) Operational constraints
  - (d) The Witzenberg Municipality is committed to:
    - (i) Advocating RPL as an accessible and developmental tool for building the organisation and its employees, and recognising the rights of employees to participate on a purely voluntary basis.
    - (ii) Establishing and implementing an RPL system starting with a policy which outlines the purposes, methodologies, contexts, procedures and resources of and RPL function.
    - (iii) Provide renewed impetus to employee motivation towards lifelong learning.

## 12. BUDGETS

12.1 The following principles will apply to the structuring of the Education, Training and Development budget:

- (a) The training budget of the Witzenberg Municipality will be determined by the legislative requirements as well as the strategic priorities of the organisation as reflected in the business plans of the departments, and the Workplace Skills Plan.
- (b) Funding for training and development of staff will derive from-
  - i. a municipality's own training budget;
  - ii. the skills development levies as prescribed in terms of Skills Development Levies Act, 9 (Act No 9 of 1999);
  - iii. discretionary and mandatory grants received from LGSETA; and
  - iv. provincial and national government capacity building grants.
- (c) The training budget of the municipality will be centrally located within Human Resources to ensure effective management of training allocations and to facilitate reporting to the Council and the LGSETA.

12.2 The following general principles also apply:

- (a) The Heads of the Department are responsible and accountable for the education, training and development of their employees and must therefore ensure that sufficient financial provision has been made including travel & accommodation funding where necessary.
- (b) The Municipal Manager may from time to time determine compulsory training based on the operational requirements of the organisation within budgetary constraints.
- (d) Heads of Department must ensure that individual training plans are in place and signed
- (e) The Officer: Training and Development / Primary Skills Development Facilitator will play a facilitating, guiding and supportive role to departments.
- (f) The principles of cost effectiveness while ensuring quality in training provision.
- (g) Although all attempts will be made to access the levy grant system, it must be understood that not all training provided would qualify for a grant from the LGSETA. The training budget must therefore accommodate non-grantable training provision.
- (g) All training that is provided internally must be accurately costed for comparative purposes.

### **13. PROCUREMENT**

Procurement will be in terms of Council's Procurement Policy and the ETQA guidelines for the accreditation of providers.

### **14. STAKEHOLDERS: ROLES AND RESPONSIBILITIES**

#### **14.1 Council**

- (a) The Council's role is to encourage and facilitate the education, training and development of all employees and councillors in recognition of the strategic importance thereof.
- (b) The Accounting Officer is responsible for:
  - (i) Ensuring compliance with relevant legislation and national strategies, as well as consultation with the unions with regard to the implementation thereof.
  - (ii) Approving (with due consultation) the Education, Training and Development Policy, the annual Workplace Skills Plan, and the implementation thereof.
  - (iii) Evaluating and assessing results and/or progress.
  - (iv) Providing the required resources as well as the infrastructure for delivery in order to meet strategic objectives, implementation plans and priorities for education, training and development.
  - (v) Ensuring that the WSP is aligned to the Witzenberg Municipality IDP objectives.
  - (vi) Ensuring sufficient budget provision is made to implement these IDP objectives.

#### **14.2 Line Managers/ Supervisors**

- (a) The education, training and development of staff are a key performance area for Line Management. Their role is proactive, developmental and monitoring.
- (b) Line Management is primarily responsible and accountable for and must:
  - (i) Purposely ensuring that employees are educated, developed and trained to do their work competently by continually monitoring performance and identifying developmental needs.
  - (ii) Coaching, counselling and mentoring staff on an on-going basis.
  - (iii) Liaising with the Training and Development Officer to address the identified developmental needs.

- (iii) Facilitating and actively supporting the transfer of skills to the workplace (i.e. the implementation of newly acquired or enhanced skills and knowledge).
- (iv) Monitoring and evaluating the acquisition of and the subsequent transfer of skills, knowledge and attitudes (competencies) in the workplace and taking the necessary action.
- (v) Familiarising themselves with the relevant legislation in order to ensure compliance.
- (vi) Releasing of employees to attend approved learning courses.
- (vii) Monitor and report to the Training Committee via the SDF regarding the Return-on-Investment on all training costs incurred.
- (viii) Ensure that departmental training needs are identified and aligned to the Witzenberg Municipalities IDP and relevant SDBIP's.
- (ix) Ensure the annual timeous submission of departmental training needs to the Training Division for inclusion in the WSP.
- (x) Ensure that the departmental training needs identified in (ix) were a product of consultation with employees
- (xi) Ensure the implementation of training in alignment with the approved WSP.
- (xii) Via proper procurement processes, develop and align departmental Subsistence and Traveling budgets to ensure implementation of training needs identified.
- (xiii) develop, report and review progress with the personal development plans of the staff and relevance thereof in terms of functions of the municipality.

#### 14.3 Employees/Councillors

- (a) Employees should play an active role in the identification of their own developmental needs, whether for their current role or for their future career opportunities, based on their personal development plans and should commit themselves to participation in and ownership of education, training and development programmes in order to ensure the success of learning interventions.
- (b) Their responsibilities include:
  - (i) Liaising with Line Management regarding their competency and performance in order to identify developmental needs.

- (ii) Making use of education, training and developmental opportunities in a responsible manner.
- (iii) Transferring newly acquired or enhanced skills, knowledge and attitudes into the workplace, thus improving performance.
- (iv) Encouraging Learners to submit attendance registers to the Training Division (where and when possible).
- (v) Encouraging Learners to submit originally certified true copies of qualification documents (diplomas/certificates) to the Training Division (where and when possible).
- (vi) Promptly attend all required classes of approved training courses.
- (vii) Ensuring NO clashing of class schedules. If there is a clash of time tables the Learners must inform the Training Division accordingly in writing within two working days after confirmation of the training course time schedule.
- (viii) Completing all assessments (formative and summative) within the prescribed timeframe
- (ix) Participate actively in skills audits
- (x) Provide feedback on outcomes, effectiveness and relevance of training and development received.

#### 14.4 Labour

- (a) The recognised collective employees' organisations are acknowledged as stakeholders in the processes of skills development.
- (b) They should play an active role in consultative forums in order to represent the interests of their members both collectively and individually with regards to education, training and development.
- (c) Their responsibilities include:
  - (i) Informing, encouraging and motivating their members to participate in appropriate education, training and development interventions.
  - (ii) Actively engaging in the consultative forums and processes regarding skills development.
  - (iii) Familiarising themselves with the relevant legislation in order to ensure compliance.

#### 14.5 Human Resources Division

- (a) The Human Resources Division plays a supportive and integrative role with regards to education, training and development.

- (b) The HRD is primarily responsible for:
  - (i) Providing the infrastructure, systems, procedures, policies and tools to ensure compliance with legislative requirements and corporate education, training and development initiatives.
  - (ii) Ensuring that all education, training and development activities and initiatives are aligned with the overall integrated Human Resource Management strategy for the organisation.

#### 14.6 Training and Development Division

- (a) The Training and Development Division within Human Resources plays a strategic, facilitative, consultative and coordinating role with regards to all education, training and development interventions in order to facilitate learning throughout the organisation.
- (b) The Training and Development Division is responsible for:
  - (i) Facilitating, implementing, monitoring, evaluating and assessing all learning interventions as set out in the policy framework.
  - (ii) Advising and providing guidance to all role players with regard to education, training and development initiatives of a corporate or a functional specific nature.
  - (iii) Ensuring the development and implementation of the Workplace Skills Plan.
  - (iv) Establishing and maintaining a database with all relevant information of the education, training and development of any particular employee.
  - (v) Acting as custodian of Training and Development Policies.
  - (vi) Monitoring and reporting on budgets and expenditure relating to education, training and development.
  - (vii) Liaising and co-operating closely with all relevant parties.

#### 14.7 Witzenberg Municipality Training Committee

- (a) The role of the Training Committee is that of a consultative forum for the organisation, primarily responsible for:
  - (i) Interpreting and translating national and local education, training and development issues with a view to informing strategy and policy in the Witzenberg Municipality.

- (ii) Determining the strategic direction of education, training and development in alignment with the corporate vision, mission and values of the municipality.
  - (iii) Developing the Skills Development Plans in accordance with legislative, regulatory and organisational priority requirements.
  - (iv) Ensuring the uniformity of the implementation of education, training and development strategies, interventions and initiatives at a corporate level.
  - (v) Monitoring and evaluating the implementation of the Skills Development Plans.
- b) A senior manager must chair the Training Committee meeting.
  - c) The TC must have an equal number of managers and representatives of staff
  - d) The representatives of the municipality should include the integrated development planning manager, skills development facilitator, the human resources manager, individual and institutional performance manager and chief financial officer.
  - e) The representation of staff members must include representation of the registered trade unions recognised by the municipality

#### 14.8 External Education, Training and Development Providers

- (a) In order to ensure the effective implementation of the Workplace Skills Plan external ETD Providers may be utilised.
- (b) The External Providers are responsible for:
  - (i) Ensuring that they comply with the conditions/requirements as set out in the contract with the Witzenberg municipality.
  - (ii) Conduct continuous integrative assessments where appropriate.

#### 14.9 Primary Skills Development Facilitator

- (a) The roles of the Skills Development Facilitator is to ensure compliance as per legislative requirements and to act as a link with the LGSETA.
- (b) The responsibilities include the following:
  - (i) Establishing consultative structures.
  - (ii) Preparing and submitting the Workplace Skills Plan and Annual Training Report
  - (iii) Facilitate the implementation of the Workplace Skills Plan.

- (iv) Reporting on the implementation of the Workplace Skills Plan.
- (v) Ensuring the effective management and co-ordination of the arrangements related to the skills development levy and levy grants.
- (vi) Acting as convenor of the Witzenberg Municipality Training Committee.
- (vii) Facilitate communication between Employer and the LGSETA.
- (viii) Attend Regional SDF Forum meetings quarterly.
- (ix) Attend and report at Quarterly Provincial SDF Forum meetings.
- (x) Represent the Witzenberg Municipality on all national/provincial/regional educational, training and development platforms.

#### 14.9 Chief Financial Officer

The Chief Financial Officer must ensure that proof is provided to the Lgseta that all funds obtained from the LGSETA and the 1% budgeted towards skills development have been used for skills development purposes

## 15. RIGHTS AND OBLIGATIONS

### 15.1 Employer

- (a) The Employer has the right to determine education, training and development opportunities in accordance with organisational objectives, priorities and budgetary constraints, and to evaluate/determine the developmental needs of employees.
- (b) The obligations of the Council include the provision of equal and equitable access for all employees to learning interventions in accordance with the legislative requirements and national strategies.
- (c) Recover all expenses incurred, as a result of fruitless and/of wasteful expenditure.
- (d) A municipality should prioritise the appointment of staff mentors who are experts in their fields to support structured skills transfers in order to achieve the required specialist and technical skills in respect of priority roles.
- (e) A municipality must ensure the effective management of the quality of learning delivery, especially that which is provided by the external training providers



## 15.2 Supervisors

- a) Supervisors must ensure the development of employees through re-allocation, rotation and secondment of staff members across functions within a municipality with due regard to service delivery requirements, where applicable.
- b) Supervisors must be encouraged to gain coaching skills, and should actively coach and support the development of staff members who report to them

## 15.3 Employees

- (a) Each employee has the right to be educated, trained and developed in accordance with organisational objectives, priorities and financial constraints.
- (b) The employee is also entitled to gain access to information pertaining to career development, as well as his/her competency profile.
- (c) Employees are obliged to attend learning interventions, to actively participate in the learning and to transfer their learning into the workplace.

## 15.4 Labour

- (a) Labour has the right to consult with employees and management, and to be consulted on education, training and development issues.
- (b) They are obliged to communicate with their members regarding all education, training and development issues.

# 16. DISPUTE RESOLUTION MECHANISMS

All disputes/disciplinary enquiries regarding education, training and development which cannot be resolved between the parties concerned will be dealt with in accordance with Council's dispute resolution procedure.

# 17. COMMITTEE STRUCTURES AND LEARNING RESOURCES AND CONSULTATION

## 17.1 Committee Structures

The overarching Training Committee (the Witzenberg Municipality Training Committee) comprises of representation as prescribed in the Guidelines for the Implementation of the Municipal Staff Regulation No.891

## 17.2 Learning Centres

- (a) Learning centres will be identified for the purposes of education, training and development. These learning centres will be equipped with basic training aids and facilities to accommodate the needs of Learners.
- (b) Other suitable venues may be identified and utilised in the vicinity of the delegates' workplace in order to provide learning interventions with the minimum service delivery disruption. Portable training equipment will be made available for this purpose.

## 17.3 Human Resources

The principle of shared capacity will be followed.

## 17.4 Financial Resources

A centralised budget for Education, Training and Development is recommended in order to ensure co-ordination of all learning activities for the purposes of reporting to the LGSETA the implementation of the Skills Development Plan.

## 17.5 Consultation

- (a) In order to give effect to Clause 5(2)(f) of Regulation 35940 of the Skills Development Act (97 of 1998), the following procedures for consultation with stakeholders are advised.
- (b) Although, Training is a Line Management function, when determining departmental training needs for inclusion into the WSP, Line Managers shall consult with employees regarding their training needs.
- (c) Directorates/Departments are advised to nominate a person/s to coordinate the training function within departments/directorates.
- (d) Stakeholders (unions) must nominate Union Representatives to ensure their members interests are adhered too.
- (e) The purpose of these training coordinators is to discuss, identify, monitor, evaluate and make recommendations to the Head of Department/Executive Director on all training related matters pertaining to the training function within that directorate/department.
- (f) HODs` and/or Departmental Training Coordinators will present findings/recommendations etc. to the TC.
- (g) The capacitation and development of employees benefit both the employee and the organisation, thus all effort should be made to reach consensus between stakeholders
- (h) Should consensus not be reached between parties, the Dispute Resolution Mechanism referred to in 16 will be followed.

## **18. COMMITMENT TO TRAINING AND DEVELOPMENT ACTIVITIES AND OPPORTUNITIES**

- 18.1 The Witzenberg Municipality is committed to removing barriers to the education, training and development of staff and will champion employee involvement in such activities. In return, employees and/or councillors are expected to respect the commitment made by the Witzenberg Municipality to their development and to behave responsibly when participating in training and development opportunities.
- 18.2 Training and development is costly to the institution, not only in terms of the time and resources invested in the actual intervention but also the time invested by employees participating in such programmes.
- 18.3 All employees/councillors who participate in training and development interventions are subsidized by the municipality for the cost of their participation. In the event of employees and/or councillors not fulfilling their obligations in terms of a specific course or programme, the value of the opportunity will be repayable by the employee/councillor to the Municipality.
- 18.4 Individual employees and/or councillors may from time to time make poor decisions regarding their involvement in training and development e.g. they may apply or be nominated for a course which is too difficult in terms of their current career development or exposure. Whilst the Line Manager and Human Resources strive to avoid this through its screening processes, this danger always exists. Individuals should not be prejudiced for making poor decisions as this may stunt their willingness to take risks concerning their development.
- (a) Therefore, a distinction will be made between those who fail to meet the requirements of a training and development programme due to negligence and those who are striving to meet the requirements but who fall short due to factors other than personal negligence and indifference.
  - (b) The latter will not be required to refund the cost of the development opportunity.
    - (i) Pre-course assessments will be utilized where possible to limit these scenarios.
- 18.5 Employees/councillors who are not meeting course requirements will be counseled and advised by the Training Division on the implications of continuing to not meet course requirements.
- (a) Reasons for non-compliance will be assessed.
  - (b) Where feasible and appropriate, the Training Division will attempt to help individuals resolve any work related difficulties.
- 18.6 Reasons for employees being removed from a course will include:
- (a) Failure to adhere to the requirements of the programme despite being fully aware of these requirements e.g. not attending required sessions,

not submitting assignments, not starting the course after making a commitment to participate in the course and failing to inform the facilitator of this timeously.

- (b) Failure to communicate difficulties in meeting programme requirements with the relevant Line Manager and/or the Training Division.

18.7 Councillors and/or officials who confirmed their attendance for scheduled training and seminars and fulfil the prerequisites for the intended courses, will be held liable for costs incurred due to the following reasons:

- (a) Non-attendance of training course without a valid reason.
- (b) Non-attendance of the full training course without a valid reason.
- (c) Non-compliance with regard to the assessment criteria of the training course, i.e.:
  - (i) Non-submission of assignments.
  - (ii) Non-submission of Portfolio's of Evidence.
  - (iii) Non-completion the training course without a valid reason (drop outs).
  - (iv) Non-attendance and/or non-completion of formative and summative examinations/tests.

18.8 In the event, where due to operational requirements, the identified candidate can NOT attend the training course:

- (a) The relevant Line Manager/Speaker/Executive Mayor must timeously (two weeks before commencement of training course) submit a written motivation to the Training Division
- (b) Emergency Personnel are excluded from (a), however proof of the emergency must be submitted to the Training Division within TWO working days after attending to the relevant emergency situation
- (c) The relevant Line Manager/Speaker/Executive Mayor must, where possible replace the identified Learner(s) with alternative suitable Learners.
- (d) In the case where all of the above have been complied to, the Training Division in conjunction with the Line Manager/Speaker/Executive Mayor and the Service Provider may negotiate for the rescheduling of the intended training course.

18.9 In the event where the Service Provider cancel/terminate/postpone the training course, the Learner(s) will NOT be held liable for any incurred costs.

- 18.10 The Training and Development Officer will investigate all alleged contravening of this Policy and will make recommendations to the Head of Human Resources in this regard.
- 18.11 Cases for investigation will be done on an ad hoc basis, taking into consideration all merits and context for non-compliance.

## **19. ADULT EDUCATION AND TRAINING (AET)**

- 19.1 The aim of AET is to prepare adults who have very little or no formal education for learning experiences and opportunities.
- 19.2 The Witzenberg Municipality acknowledge the fact that an AET programme calls for more flexibility regarding the progress of Learners
- 19.3 In the case an AET programme, the philosophy and principles of Outcomes Based Education (OBE) will take prevalence. Thus, the following principles will apply:
- (a) AET programmes must be Learner Centred.
  - (b) Critical Cross-Field Outcomes (Essential Life Skills) must underlie any AET programme.
  - (c) Identify and Solve Problems using critical and creative thinking.
  - (d) Work effectively in a team.
  - (e) Organise and manage oneself and one's activities.
  - (f) Collect, analyse, organize and critically evaluate information.
  - (g) Communicate effectively using visual or written/oral mathematical and/or language skills.
  - (h) Use science and technology effectively, safely and critically.
  - (i) Demonstrate an understanding of the world (as a set of related systems) recognizing that problem-solving context do not exists in isolation.
  - (j) Contribute to the full personal development of an individual, through the awareness of:
    - (i) How to learn more effectively;
    - (ii) How to be a more responsible citizen;
    - (iii) How to be culturally and aesthetically aware; and
    - (iv) How to explore education and career opportunities.
- 19.4 Ideally, career pathing in terms of progression onto relevant qualifications and alternative learning programmes must be identified.
- 19.5 Potential AET Learners will be identified in terms of their current qualifications (or lack thereof) and registration will be voluntary.
- 19.6 Potential AET Learners will be pre-assessed and place into the corresponding AET levels.
- 19.7 Progression of Learners on the AET programme will be determined on an individual basis, based upon the pre-assessment and-progress reports received from service providers.

19.8 AET Learners will be required to sign a Learner Commitment form specifying:

- (a) Learning Outcomes to be achieved;
- (b) Learning Timeframes;
- (c) Learning Support needed (Workplace Mentoring and Coaching); and
- (d) Additional Learning Resources needed (if any).

## 20. SKILLS DEVELOPMENT PLANNING

### 20.1 Alignment to strategic planning cycles

- a) The determination of municipal skills needs, priorities and budgets must be-
  - i. developed once every five years at the commencement of the Integrated Development Planning process and may be reviewed annually thereafter; and
- a) aligned to the strategic planning cycles associated with the-
  - i. integrated development plan;
  - ii. municipal budget;
  - iii. human resource planning; and
  - iv. performance management cycle.

### 20.2 Determination of skills needs

- a) Skills needs in municipalities must be determined by conducting-
  - i. skills needs analysis, in which the municipality must identify skills needs at municipal and department levels based on critical roles, job categories and associated competencies; and
  - ii. a staff skills audit, which must identify skills needs for each staff member based on specific competency needs associated with current roles and future career aspirations.
  - iii.

### 20.3 Skills needs analysis

- a) Every municipality must conduct a skills needs analysis that analyses the municipality's skills needs and assesses the skills constraints on service delivery in the municipality as a whole and in each department or function.
- b) The skills needs analysis must identify the priority skills needs, which if effectively developed, will have a marked impact on the municipality's performance.
- c) The process of identifying the skills needs must-
  - i. be guided by the critical and scarce skills lists for the sector published by the Minister for Higher Education and Training and the Local Government: Competency Framework for Occupational Streams as contained in Annexure A.

- II. take into account the related institutional capacity needs and workplace skills plan of the municipality; and
- III. cover all major roles in the municipality, including-
  - management and leadership;
  - technical, specialist, professional and administrative roles; and
  - specified priority skills needs.
- d) The skills needs analysis must be based on-
  - I. a strategic evaluation of skills needs that have constrained the service delivery and performance of the municipality and each of its departments or functions in the current year;
  - II. a review of community feedback information and an assessment as to whether a lack of skills has contributed to the shortcomings in respect of service delivery;
  - III. a review of the effectiveness of the implementation of previous priority skills development programmes and interventions; and
  - IV. an analysis of individual staff member personal development plans to identify common skills needs across job categories.

#### 20.4 Staff skills audit

- a) A municipality must conduct a skills analysis using programmes or systems determined by the Minister to ascertain the skills needs of staff members in respect of their current roles.
- b) Skills audit may comprise-
  - I. biographical audits, which includes information on the educational qualifications and experience of the staff member;
  - II. perception based assessments; and
  - III. evidence based assessments, including assessments using psychometric instruments.
- c) Skills audit must be conducted once every five-years within 24 months from the election of the new council of a municipality.

#### 20.5 Recognition of prior learning assessment

- a) A recognition of prior learning assessment determines a staff member's skills and knowledge acquired through formal or informal training conducted by industry or educational institutions, work experience and on-the-job training.
- b) Recognition of prior learning assessment must be conducted-
  - I. by service providers that are accredited by the relevant Education and Training Quality Assurance Body; and
  - II. in line with the provisions of the National Qualifications Framework established in terms of the National Qualifications Framework Act, 2008 (Act No. 67 of 2008).

#### 20.6 Personal development plans

- a) Every staff member must have a personal development plan that sets out the strategies to-

- I. address the staff member's development needs and specific skills to be developed for their current roles arising from the skills audit, as well as the learning interventions required to build these skills; and
  - II. develop new skills and provide exposure to new areas of work, which are aligned to the municipality's strategic objectives.
- b) The personal development plan must take into account the skills audit and the requirements of the performance management system.
- c) A staff member may only undergo training that is --
  - I. contained in personal development plan or
  - II. approved by the municipal manager or his or her delegate

## 20.7 Workplace skills plan

- a) A municipality must, develop a workplace skills plan arising from the outcomes of institutional skills needs analysis and the individual skills audits.
- b) The workplace skills plan must include-
  - I. The priority skills needs for the municipality and each department or function;
  - II. the associated interventions that the municipality intends conducting; and
  - III. an aggregation of the learning and development initiatives from staff personal development plans.
- c) The workplace skills plan must be included in the municipality's integrated development plan.
- d) A municipality must submit a completed workplace skills plan to the LGSETA on 30 April of each year.

## 21. EVALUATING SKILLS DEVELOPMENT QUALITY AND IMPACT

- a) A municipality must-
  - i. conduct regular evaluations of the workplace skills plan and personal development plans as well as their implementation; and
  - ii. adjust its learning programmes to improve its effectiveness, including the impact on reducing the skills constraint on service delivery.
- b) A municipality must ensure that-
  - i. every supervisor annually report on progress on implementing staff personal development plans and the other programmes contained in the workplace skills plan;
  - ii. the effect of implementing personal development plans for staff is evaluated;
  - iii. evaluations, using standard benchmarks determined by the Minister, respond to priority learning programmes and contribute to the development of skills which result in improved performance and service delivery; and
  - iv. regular skills development reports and evaluation results are-
    - integrated into the wider capacity building initiatives within the municipality; and
    - reported to the relevant provincial and national capacity building structures



## 22. AMENDMENTS

The Council may from time to time amend this policy and introduce any measure(s) to ensure efficient, economic and effective management of Council resources.

## 21. EFFECTIVE DATE

The Education, Training & Development Policy will become effective upon approval thereof by the Council of Witzenberg Municipality.

### AUTHORITY

Formulated by: ***Training and Development Officer*** Date: 27 June 2022

Approved by: ***Training Committee*** Date: 01 September 2022

Consulted: LLF: Date:

MM Approval: \_\_\_\_\_ Date:

Council Approval: Date

## Training Committee Members

Signature Page

### Adoption of Training and Development Policy

Chairperson: Director Corporate Services: Monwabisi Mpeluza

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

NAME & SURNAME	SIGNATURE
Clnr J Fredericks (Additional Member)	Apology
Cobus Kritzinger (Chief Financial Officer)	
Johan Swanepoel (Manager Planning & Performance)	
Adrian Hofmeester (Manager IDP)	Apology
Ingrid Barnard (Senior Manager Human Resources)	
Willy Davids (Skills Development Officer)	
Thuleka Mabala (Chairperson Samwu)	
Lemarco Silver (Samwu Shopsteward)	
Vuyani Sawula (Samwu Shopsteward)	
Loyiso Ntshanga (Chairperson Imatu)	
Mario Scholtz (Imatu Shopsteward)	
Renfrew Onrust (Imatu Shopsteward)	
Sebina Nel (Training Coordinator)	

## **CIRCULAR 3 OF 2022**

**To:**

- Minister of Cooperative Governance and Traditional Affairs**
- MECs of Provincial Departments responsible for Local Government**
- Chairpersons of National & Provincial Houses of Traditional Leaders**
- President of South African Local Government Association**
- Chairperson of Independent Electoral Commission**
- Mayors of affected Metropolitan, District and Local Municipalities**
- National House of Traditional Leaders**
- Provincial House of Traditional Leaders**
- Speakers of all Metropolitan, District and Local Municipalities**
- HOD's of Provincial Departments responsible for Local Government**
- PEO's of Independent Electoral Commission**
- Municipal Managers Metropolitan, District and Local Municipalities**
- Chief Surveyor General**
- Chief Electoral Officer**
- Chief Executive Officer of SALGA**
- Statistician – General**
- Members of extended Ward Delimitation and Boundary Determination Committee**
- Members of Local Elections Technical Committee**

Dear Sir/Madam,

**CIRCULAR 3/2022: REDETERMINATION OF MUNICIPAL BOUNDARIES IN TERMS OF SECTION 21 OF THE LOCAL GOVERNMENT: MUNICIPAL DEMARCATION ACT NO. 27 OF 1998 (MDA): INVITATION TO SUBMIT OBJECTIONS FOR CLASS 1 MUNICIPAL BOUNDARY RE-DETERMINATIONS REQUESTS.**

### **PURPOSE**

1. To provide information regarding the class 1 (technical & minor) municipal boundary redeterminations which the Board has redetermined in terms of Section 21 of the MDA;

2. To provide a comprehensive update on the progress regarding municipal boundary redetermination process; and
3. To request MDB stakeholders to assist in not only sharing information provided in this circular with the affected local stakeholders but participate in the process as and when required.

## **INTRODUCTION AND BACKGROUND**

4. The Municipal Demarcation Board (MDB) determines municipal boundaries in accordance with the MDA and other appropriate legislation enacted in terms of Chapter 7 of the Constitution.
5. To date, the MDB released four (4) circulars to communicate preliminary information regarding the municipal boundary redetermination process to all stakeholders:
  - 5.1 Circular 1/2021 released in March 2021 informed stakeholders that the MDB will be opening the municipal boundary redeterminations process after the Local Government Elections in 2021.
  - 5.2 Circular 2/2021 released in November 2021 dealt with the exact period for making proposals and relevant the information form required for municipal boundary redeterminations.
  - 5.3 Circular 1/2022 released in January 2022 provided the Board approved plan for municipal boundary redeterminations for the period 2022 to 2024.
  - 5.4 Circular 2/2022 released in July 2022 provided the Class 1 (technical and minor) redeterminations which the Board resolved to consider in terms of section 26 of the MDA and invited the public to submit views and representations.

## **CLASS 1 REDETERMINATION PROPOSALS IN TERMS OF SECTION 21 OF THE MDA**

6. The Board has considered all views and representations received and resolved to redetermine the Class 1 (minor and technical) redeterminations in terms of section 21 of the MDA as listed in the attached **Annexure A**.
7. A self-explanatory section 21 notice referred to above is attached as **Annexure B**.
8. The section 21 notices were published in the provincial gazette as follows:

Province	Date of Publication	Gazette Number	Notice Number	Closing date for Objections
Eastern Cape	26 September 2022	4814	387	26 October 2022
Free State	23 September 2022	55	83	23 October 2022
KwaZulu Natal	29 September 2022	2454	327	29 October 2022
Limpopo	30 September 2022	3330	298	30 October 2022
Mpumalanga	30 September 2022	3444	206	30 October 2022
Northwest	27 September 2022	8418	373	27 October 2022
Northern Cape	26 September 2022	2544	275	26 October 2022
Western Cape	22 September 2022	8660	108	22 October 2022

9. Everyone is invited to submit their objections to the MDB within 30 calendar days from the date of publication.
10. The section 21 notices will be available on the MDB's website – [www.demarcation.org.za](http://www.demarcation.org.za)
11. The MDB has also introduced an online objection form which can also be found on the website (Note: As much as it is preferable that the form is utilised for making submissions it is not compulsory).
12. Your objections must strictly be emailed to [registry@demarcation.org.za](mailto:registry@demarcation.org.za), or faxed to 012 3422480, or posted to Private Bag X123, Centurion, 0046 or hand delivered to Eco Origins Office Park, Block C1, 349 Witch-Hazel Avenue, Highveld, 0157. The objections must be addressed for the attention of the Chairperson of the MDB.
13. All objections will be considered by the Board during January 2023.

## **PROGRESS REGARDING CLASSES 2 to 4 MUNICIPAL BOUNDARY REDETERMINATION PROPOSALS**

14. The class 2 to 4 redetermination proposals will be undergoing research studies between September and December 2022.
15. Thereafter, the MDB will take them through the process as outlined in the broad plan in **Table 2** below.

## **PROGRAMME FOR CLASS 2- 4 RE-DETERMINATION PROPOSALS**

16. The programme for classes 2-4 is outlined in Table 2 below:

**TABLE 2: PROGRAMME FOR CLASS 2- 4 RE-DETERMINATION PROPOSALS**

NO	TASKS	START DATE	END DATE
1	Preliminary Analysis on proposals recorded until 31 March 2021	Apr-21	Mar-22
2	Preliminary Analysis on proposals recorded until 31 March 2022	Apr-21	Apr-22
3	Official opening for submission of Redetermination Proposals	Nov-21	Mar-22
4	Conduct studies on class 2 – 4 redetermination proposals	Sept-22	Dec-22
5	Assess Capacity of affected municipalities	Sept-22	Dec-22
6	Intention to consider the redetermination of municipal boundaries in terms of Section 26 of the MDA (Publication of Notice in Newspaper)	Jan-23	Feb-23
7	The Board must consider all views and representations and resolve to determine or re-determine municipal boundaries, decide to hold public meetings, conduct formal investigations/investigation committee hearings, or do both.	Mar-23	Apr-23
8	Hold Public Meetings	Apr-23	May-23
9	Conduct Formal Investigations / Investigation committee hearings in terms of Section 29 and 30 of MDA	Jun-23	Aug-23
10	The Board must consider all inputs from public meetings and formal investigations/investigation hearings and resolve to determine or re-determine municipal boundaries in terms of Section 21 of the MDA (Publication in Provincial Gazettes)	Sep-23	Oct-23
11	The Board must consider all objections received and resolve to confirm, vary or withdraw the determination or re-determination. The final decision must be published in the provincial gazette in terms of Section 21(5) of the MDA.	Nov-23	Jan-24
12	The IEC, Minister of Finance and MECs for local government and all other stakeholders must be notified of the final decision	Nov-23	Jan-24

17. Stakeholders are requested to make copies of the section 21 notices available to the public in their respective premises.
18. For any further queries please contact the MDB at [info@demarcation.org.za](mailto:info@demarcation.org.za) or Mr Fazel Hoosen at 012 342 2481.

Regards,



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**MR TM MANYONI**

**CHAIRPERSON: MUNICIPAL DEMARCATION BOARD**

**DATE:** 04-10-2022

### **IMPORTANT INFORMATION**

The Municipal Demarcation Board

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Website: [www.demarcation.org.za](http://www.demarcation.org.za)

Follow us on:   

Province	Contact Person	Email	Phone
Eastern Cape	Ms Ayanda Ntamo	ayanda@demarcation.org.za	087 150 4423
Free State	Mr Fazel Hoosen	fazel@demarcation.org.za	087 150 4424
Gauteng	Mr Daniel Sebake	daniel@demarcation.org.za	087 150 4429
KwaZulu Natal	Mr Mthobisi Manzini	mthobisi@demarcation.org.za	087 150 4432
Limpopo	Mr Tshifhiwa Nethanani	tshifhiwa@demarcation.org.za	087 150 4427
Mpumalanga	Ms Hester Marais	hester@demarcation.org.za	087 150 4430
Northwest	Ms Liz Mazibuko	liz@demarcation.org.za	087 150 4431
Northern Cape	Mr Smiso Dlamini	smiso@demarcation.org.za	087 150 4434
Western Cape	Ms Naomi Ramokgopa	naomi@demarcation.org.za	087 150 4433

# ANNEXURE A: REDETERMINATIONS PROCEEDING TO SECTION 21 OF MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
Eastern Cape	<b>DEM6509</b>	Proposed redetermination of the municipal boundaries of Inxuba Yethemba Local Municipality (EC131), Chris Hani District Municipality (DC13), Dr Beyers Naude Local Municipality (EC101) and Sarah Baartman District Municipality (DC10) by excluding a portion of Farm 66 GRAAFF-REINET from the municipal areas of Inxuba Yethemba Local Municipality (EC131) and Chris Hani District Municipality (DC13), and by including it into the municipal areas of Dr Beyers Naude Local Municipality (EC101) and Sarah Baartman District Municipality (DC10).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Eastern Cape	<b>DEM6510</b>	Proposed redetermination of the municipal boundaries of Inxuba Yethemba Local Municipality (EC131), Chris Hani District Municipality (DC13), Dr Beyers Naude Local Municipality (EC101) and Sarah Baartman District Municipality (DC10) by excluding a portion of Farm 73 GRAAFF – REINET from the municipal areas of Inxuba Yethemba Local Municipality (EC131) and Chris Hani District Municipality (DC13), and by including it into the municipal areas of Dr Beyers Naude Local Municipality (EC101) and Sarah Baartman District Municipality (DC10).	Proceed to redetermine and publish notice terms of Section 21 of the MDA



PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
Eastern Cape	<b>DEM6511</b>	Proposed redetermination of the municipal boundaries of Inxuba Yethemba Local Municipality (EC131), Chris Hani District Municipality (DC13), Dr Beyers Naude Local Municipality (EC101) and Sarah Baartman District Municipality (DC10) by excluding a portion of Farm 75 GRAAFF – REINET from the municipal areas of Inxuba Yethemba Local Municipality (EC131) and Chris Hani District Municipality (DC13), and by including it into the municipal areas of Dr Beyers Naude Local Municipality (EC101) and Sarah Baartman District Municipality (DC10).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Eastern Cape	<b>DEM6512</b>	Proposed redetermination of the municipal boundaries of Inxuba Yethemba Local Municipality (EC131), Chris Hani District Municipality (DC13), Dr Beyers Naude Local Municipality (EC101) and Sarah Baartman District Municipality (DC10) by excluding a portion of farm ROOI KOP A 244 GRAAFF – REINET from the municipal areas of Inxuba Yethemba Local Municipality (EC131) and Chris Hani District Municipality (DC13), and by including it into the municipal areas of Dr Beyers Naude Local Municipality (EC101) and Sarah Baartman District Municipality (DC10).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Eastern Cape	<b>DEM6513</b>	Proposed redetermination of the municipal boundaries of Dr Beyers Naude Local Municipality (EC101) and Kou-Kamma Local Municipality (EC109) by excluding a portion of farm LANGE RIETFONTEIN 96 HUMANSDORP from the municipal area of Dr Beyers Naude Local Municipality (EC101), and by including it into the municipal area of Kou-Kamma Local Municipality (EC109).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
Eastern Cape	<b>DEM6514</b>	Proposed redetermination of the municipal boundaries of Blue Crane Route Local Municipality (EC102) and Dr Beyers Naude Local Municipality (EC101) by excluding a portion of Farm 445 GRAAFF-REINET from the municipal area of Blue Crane Route Local Municipality (EC102), and by including it into the municipal area of Dr Beyers Naude Local Municipality (EC101).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Eastern Cape	<b>DEM6515</b>	Proposed redetermination of the municipal boundaries of Blue Crane Route Local Municipality (EC102) and Dr Beyers Naude Local Municipality (EC101) by excluding a portion of Farm 445 GRAAFF-REINET from the municipal area of Blue Crane Route Local Municipality (EC102), and by including it into the municipal area of Dr Beyers Naude Local Municipality (EC101).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Eastern Cape	<b>DEM6516</b>	Proposed redetermination of the municipal boundaries of Blue Crane Route Local Municipality (EC102) and Dr Beyers Naude Local Municipality (EC101) by excluding a portion of Farm 95 PEARSTON from the municipal area of Dr Beyers Naude Local Municipality (EC101), and by including it into the municipal area of Blue Crane Route Local Municipality (EC102).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Eastern Cape	<b>DEM6517</b>	Proposed redetermination of the municipal boundaries of Dr Beyers Naude Local Municipality (EC101) and Kou-Kamma Local Municipality (EC109) by excluding a portion of farm SPANSRIET GAT 237 WILLOWMORE from the municipal area of Kou-Kamma Local Municipality (EC109), and by including it into the municipal area of Dr Beyers Naude Local Municipality (EC101).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
Eastern Cape	<b>DEM6518</b>	Proposed redetermination of the municipal boundaries of Kou-Kamma Local Municipality (EC109) and Kouga Local Municipality (EC108) by excluding a portion of farm RIETVALLEI 293 HUMANSDORP from the municipal area of Kou-Kamma Local Municipality (EC109), and by including it into the municipal area of Kouga Local Municipality (EC108).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Eastern Cape	<b>DEM6519</b>	Proposed redetermination of the municipal boundaries of Kou-Kamma Local Municipality (EC109) and Kouga Local Municipality (EC108) by excluding a portion of farm RIETVALLEI 293 HUMANSDORP from the municipal area of Kou-Kamma Local Municipality (EC109), and by including it into the municipal area of Kouga Local Municipality (EC108).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Eastern Cape	<b>DEM6520</b>	Proposed redetermination of the municipal boundaries of Kou-Kamma Local Municipality (EC109) and Kouga Local Municipality (EC108) by excluding a portion of farm TWEEFONTEINEN 362 HUMANSDORP from the municipal area of Kou-Kamma Local Municipality (EC109), and by including it into the municipal area of Kouga Local Municipality (EC108).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Eastern Cape	<b>DEM6521</b>	Proposed redetermination of the municipal boundaries of Kou-Kamma Local Municipality (EC109) and Kouga Local Municipality (EC108) by excluding a portion of farm MODDERLAAGTE 355 HUMANSDORP from the municipal area of Kou-Kamma Local Municipality (EC109), and by including it into the municipal area of Kouga Local Municipality (EC108).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
Eastern Cape	<b>DEM6522</b>	Proposed redetermination of the municipal boundaries of Dr Beyers Naude Local Municipality (EC101) and Blue Crane Route Local Municipality (EC102) by excluding a portion of Farm 94 PEARSTON from the municipal area of Dr Beyers Naude Local Municipality (EC101), and by including it into the municipal area of Blue Crane Route Local Municipality (EC102).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Eastern Cape	<b>DEM6523</b>	Proposed redetermination of the municipal boundaries of Dr Beyers Naude Local Municipality (EC101) and Blue Crane Route Local Municipality (EC102) by excluding a portion of Farm 410 SOMERSET EAST from the municipal area of Dr Beyers Naude Local Municipality (EC101), and by including it into the municipal area of Blue Crane Route Local Municipality (EC102).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Eastern Cape	<b>DEM6524</b>	Proposed redetermination of the municipal boundaries of Dr Beyers Naude Local Municipality (EC101) and Blue Crane Route Local Municipality (EC102) by excluding a portion of farm SPEK KOP 284 SOMERSET EAST from the municipal area of Dr Beyers Naude Local Municipality (EC101), and by including it into the municipal area of Blue Crane Route Local Municipality (EC102).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Eastern Cape	<b>DEM6525</b>	Proposed redetermination of the municipal boundaries of Dr Beyers Naude Local Municipality (EC101) and Blue Crane Route Local Municipality (EC102) by excluding a portion of Farm 410 SOMERSET EAST from the municipal area of Dr Beyers Naude Local Municipality (EC101), and by including it into the municipal area of Blue Crane Route Local Municipality (EC102).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
Eastern Cape	<b>DEM6526</b>	Proposed redetermination of the municipal boundaries of Dr Beyers Naude Local Municipality (EC101) and Blue Crane Route Local Municipality (EC102) by excluding a portion of Farm SPEK KOP 284 SOMERSET EAST from the municipal area of Dr Beyers Naude Local Municipality (EC101), and by including it into the municipal area of Blue Crane Route Local Municipality (EC102).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Eastern Cape	<b>DEM6527</b>	Proposed redetermination of the municipal boundaries of Dr Beyers Naude Local Municipality (EC101) and Blue Crane Route Local Municipality (EC102) by excluding a portion of Farm 410 SOMERSET EAST from the municipal area of Dr Beyers Naude Local Municipality (EC101), and by including it into the municipal area of Blue Crane Route Local Municipality (EC102).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Eastern Cape	<b>DEM6528</b>	Proposed redetermination of the municipal boundaries of Nelson Mandela Bay Metropolitan Municipality (NMA), Kouga Local Municipality (EC108) and Sarah Baartman District Municipality (DC10) by excluding a portion of Farm 422 UITENHAGE from the municipal area of Nelson Mandela Bay Metropolitan Municipality (NMA), and by including it into the municipal areas of Kouga Local Municipality (EC108) and Sarah Baartman District Municipality (DC10).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
Eastern Cape	<b>DEM6529</b>	<p>Proposed redetermination of the municipal boundaries of Nelson Mandela Bay Metropolitan Municipality (NMA), Kouga Local Municipality (EC108) and Sarah Baartman District Municipality (DC10) by excluding a portion of farm VAN STADENS RIVER EAST 419 UITENHAGE</p> <p>from the municipal areas of Kouga Local Municipality (EC108) and Sarah Baartman District Municipality (DC10), and by including it into the municipal area of Nelson Mandela Bay Metropolitan Municipality (NMA).</p>	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Eastern Cape	<b>DEM6530</b>	<p>Proposed redetermination of the municipal boundaries of Nelson Mandela Bay Metropolitan Municipality (NMA), Kouga Local Municipality (EC108) and Sarah Baartman District Municipality (DC10) by excluding a portion of farm BOSCHFONTEIN 390 UITENHAGE from the municipal areas of Kouga Local Municipality (EC108) and Sarah Baartman District Municipality (DC10), and by including it into the municipal area of Nelson Mandela Bay Metropolitan Municipality (NMA).</p>	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Eastern Cape	<b>DEM6570</b>	<p>Proposed redetermination of the municipal boundaries of Great Kei Local Municipality (EC123), Amathole District Municipality (DC12) and Buffalo City Metropolitan Municipality (BUF) by excluding a portion of Farm 1411 EAST LONDON and Farm 1412 EAST LONDON from the municipal areas of Great Kei Local Municipality (EC123) and Amathole District Municipality (DC12), and by including them into the municipal area of Buffalo City Metropolitan Municipality (BUF).</p>	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
Eastern Cape	<b>DEM6583</b>	Proposed redetermination of the municipal boundaries of Walter Sisulu Local Municipality (EC145), Joe Gqabi District Municipality (DC14), Enoch Mgijima Local Municipality (EC139) and Chris Hani District Municipality (DC13) by excluding a portion of portion 3 of farm WELTEVREDE 222 ALBERT from the municipal areas of Walter Sisulu Local Municipality (EC145) and Joe Gqabi District Municipality (DC14), and by including it into the municipal areas of Enoch Mgijima Local Municipality (EC139) and Chris Hani District Municipality (DC13).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Free State	<b>DEM6773</b>	Proposed redetermination of the municipal boundaries of Kopanong Local Municipality (FS162) and Letsemeng Local Municipality (FS161) by excluding portions of farm SCHOONHOEK 385 PHILIPPOLIS from Kopanong Local Municipality (FS162), and by including them into the municipal area of Letsemeng Local Municipality (FS161); by excluding portions of farm SCHOONHOEK 385 PHILIPPOLIS from the municipal area of Letsemeng Local Municipality (FS161), and by including them into the municipal area of Kopanong Local Municipality (FS162).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Free State	<b>DEM6774</b>	Proposed redetermination of the municipal boundaries of Kopanong Local Municipality (FS162) and Mohokare Local Municipality (FS163) by excluding a portion of farm KOPPIES FONTEIN 487 ROUXVILLE from the municipal area of Kopanong Local Municipality (FS162) and by including it into the municipal area of Mohokare Local Municipality (FS163).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
Free State	<b>DEM6775</b>	Proposed redetermination of the municipal boundaries of Setsoto Local Municipality (FS191) and Dihlabeng Local Municipality (FS192) by excluding a portion of farm ARRARAT 122 FOURIESBURG from the municipal area of Setsoto Local Municipality (FS191), and by including it into the municipal area of Dihlabeng Local Municipality (FS192).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Free State	<b>DEM6776</b>	Proposed redetermination of the municipal boundaries of Setsoto Local Municipality (FS191) and Dihlabeng Local Municipality (FS192) by excluding portions of farms EENZAAM 263 FICKSBURG and DE HOOP 464 FICKSBURG from the municipal area of Dihlabeng Local Municipality (FS192), and by including them into the municipal area of Setsoto Local Municipality (FS191).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Free State	<b>DEM6777</b>	Proposed redetermination of the municipal boundaries of Moqhaka Local Municipality (FS201), Fezile Dabi District Municipality (DC20), Setsoto Local Municipality (FS191) and Thabo Mofutsanyane District Municipality (DC19) by excluding a portion of farm LANGVERWACHT 117 SENEKAL from the municipal areas of Moqhaka Local Municipality (FS201) and Fezile Dabi District Municipality (DC20), and by including it into the municipal areas of Setsoto Local Municipality (FS191) and Thabo Mofutsanyane District Municipality (DC19).	Proceed to redetermine and publish notice terms of Section 21 of the MDA



PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
Free State	<b>DEM6778</b>	Proposed redetermination of the municipal boundaries of Ngwathe Local Municipality (FS203) and Moqhaka Local Municipality (FS201) by excluding portions of farms ARCADIA 2543 KROONSTAD and DAMPOORTJE 2544 KROONSTAD from the municipal area of Moqhaka Local Municipality (FS201), and by including them into the municipal area of Ngwathe Local Municipality (FS203).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Free State	<b>DEM6779</b>	Proposed redetermination of the municipal boundaries of Mangaung Metropolitan Municipality (MAN), Mohokare Local Municipality (FS163) and Xhariep District Municipality (DC16) by excluding portions of farms MIDDELWATER 622 DEWETSDORP and PELSTERS KRAAL 116 DEWETSDORP from the municipal areas of Mohokare Local Municipality (FS163) and Xhariep District Municipality (DC16), and by including them into the municipal area of Mangaung Metropolitan Municipality (MAN).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
KwaZulu Natal	<b>DEM7290</b>	Proposed redetermination of the municipal boundaries of uMngeni Local Municipality (KZN222) and Mpofana Local Municipality (KZN223) by excluding a portion of Farm 17830 FT from the municipal area of Mpofana Local Municipality (KZN223), and by including it into the municipal area of uMngeni Local Municipality (KZN222).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
KwaZulu Natal	<b>DEM7298</b>	Proposed redetermination of the municipal boundaries of Impendle Local Municipality (KZN224) and uMngeni Local Municipality (KZN222) by excluding a portion of farm WUTHERING HEIGHTS 10079 FS from the municipal area of uMngeni Local Municipality (KZN222), and by including it into the municipal area of Impendle Local Municipality (KZN224).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
KwaZulu Natal	<b>DEM7299</b>	Proposed redetermination of the municipal boundaries of Mpofana Local Municipality (KZN223), Umgungundlovu District Municipality (DC22), Inkosi Langalibalele Local Municipality (KZN237) and Uthukela District Municipality (DC23) by excluding a portion of farm WAKKERFONTEIN 5160 FS from the municipal areas of Mpofana Local Municipality (KZN223) and Umgungundlovu District Municipality (DC22), and by including it into the municipal areas of Inkosi Langalibalele Local Municipality (KZN237) and Uthukela District Municipality (DC23).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
KwaZulu Natal	<b>DEM7300</b>	Proposed redetermination of the municipal boundaries of Mpofana Local Municipality (KZN223), Umgungundlovu District Municipality (DC22), Inkosi Langalibalele Local Municipality (KZN237) and Uthukela District Municipality (DC23) by excluding a portion of farms HARLEIGH 8533 FS, CROSSLANDS OF SANS SOUCI A 8303 FS, ELBOW 10176 FS and NORTHINGTON 8532 FS from the municipal areas of Mpofana Local Municipality (KZN223) and Umgungundlovu District Municipality (DC22), and by including them into the municipal areas of Inkosi Langalibalele Local Municipality (KZN237) and Uthukela District Municipality (DC23); by excluding portions of farms OLD ROAR 8074 FS and SWARRATON 8337 FS from the municipal areas of Inkosi Langalibalele Local Municipality (KZN237) and Uthukela District Municipality (DC23), and by including them into the municipal areas of Mpofana Local Municipality (KZN223) and Umgungundlovu District Municipality (DC22).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
KwaZulu Natal	<b>DEM7301</b>	Proposed redetermination of the municipal boundaries of Mpofana Local Municipality (KZN223), Umgungundlovu District Municipality (DC22), Inkosi Langalibalele Local Municipality (KZN237) and Uthukela District Municipality (DC23) by excluding a portion of Farm 18045 FS and a portion of farm RUDOLPH'S HOEK 2955 FT from the municipal areas of Mpofana Local Municipality (KZN223) and Umgungundlovu District Municipality (DC22), and by including them into the Municipal areas of Inkosi Langalibalele Local Municipality (KZN237) and Uthukela District Municipality (DC23).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
KwaZulu Natal	<b>DEM7302</b>	Proposed redetermination of the municipal boundaries of Mpofana Local Municipality (KZN223), Umgungundlovu District Municipality (DC22), Inkosi Langalibalele Local Municipality (KZN237) and Uthukela District Municipality (DC23) by excluding a portion of farm SHENFIELD 17186 GT from the municipal areas of Inkosi Langalibalele Local Municipality (KZN237) and Uthukela District Municipality (DC23), and by including it into the municipal areas of Mpofana Local Municipality (KZN223) and Umgungundlovu District Municipality (DC22).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
KwaZulu Natal	<b>DEM7303</b>	Proposed redetermination of the municipal boundaries of Impendle Local Municipality (KZN224), Umgungundlovu District Municipality (DC22), Dr Nkosazana Dlamini Zuma Local Municipality (KZN436) and Harry Gwala District Municipality (DC43) by excluding a portion of farm LOT FP 147 IMPENDHLE 8438 FS from the municipal areas of Impendle Local Municipality (KZN224) and Umgungundlovu District Municipality (DC22), and by including it into the municipal areas of Dr Nkosazana Dlamini Zuma Local Municipality (KZN436) and Harry Gwala District Municipality (DC43).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
KwaZulu Natal	<b>DEM7304</b>	Proposed redetermination of the municipal boundaries of Mkhambathini Local Municipality (KZN226) and Richmond Local Municipality (KZN227) by excluding a portion of farm DIEPE KLOOF 17188 FT from the municipal area of Mkhambathini Local Municipality (KZN226), and by including it into the municipal area of Richmond Local Municipality (KZN227).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
KwaZulu Natal	<b>DEM7305</b>	Proposed redetermination of the municipal boundaries of Mkhambathini Local Municipality (KZN226) and Richmond Local Municipality (KZN227) by excluding a portion of farm DIEPE KLOOF 17188 FT from the municipal area of Mkhambathini Local Municipality (KZN226), and by including it into the municipal area of Richmond Local Municipality (KZN227).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
KwaZulu Natal	<b>DEM7306</b>	Proposed redetermination of the municipal boundaries of Mkhambathini Local Municipality (KZN226) and Richmond Local Municipality (KZN227) by excluding a portion of farm DEEP KLOOF 12692 FT from the municipal area of Mkhambathini Local Municipality (KZN226), and by including it into the municipal area of Richmond Local Municipality (KZN227).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
KwaZulu Natal	<b>DEM7307</b>	Proposed redetermination of the municipal boundaries of Mkhambathini Local Municipality (KZN226) and Richmond Local Municipality (KZN227) by excluding a portion of farm NEWLEEDS 17536 FT from the municipal area of Richmond Local Municipality (KZN227), and by including it into the municipal area of Mkhambathini Local Municipality (KZN226).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
KwaZulu Natal	<b>DEM7308</b>	Proposed redetermination of the municipal boundaries of Mkhambathini Local Municipality (KZN226) and Richmond Local Municipality (KZN227) by excluding a portion of farm BUCKAN 14858 FT from the municipal area of Mkhambathini Local Municipality (KZN226), and by including it into the municipal area of Richmond Local Municipality (KZN227); by excluding a portion of farm LELIEFONTEIN 1175 FT and farm TIMSHELL 17942 FT from the municipal area of Richmond Local Municipality (KZN227), and by including them into the municipal area of Mkhambathini Local Municipality (KZN226).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
KwaZulu Natal	<b>DEM7312</b>	Proposed redetermination of the municipal boundaries of KwaDukuza Local Municipality (KZN292), iLembe District Municipality (DC29) and eThekweni Metropolitan Municipality (ETH) by excluding a portion of farm WEWE 17825 FU from the municipal areas of KwaDukuza Local Municipality (KZN292) and iLembe District Municipality (DC29), and by including it into the municipal area of eThekweni Metropolitan Municipality (ETH).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
KwaZulu Natal	<b>DEM7313</b>	Proposed redetermination of the municipal boundaries of Umzumbe Local Municipality (KZN213) and Ray Nkonyeni Local Municipality (KZN216) by excluding a portion of Farm 16397 ET from the municipal area of Umzumbe Local Municipality (KZN213), and by including it into the municipal area of Ray Nkonyeni Local Municipality (KZN216).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
KwaZulu Natal	<b>DEM7317</b>	Proposed redetermination of the municipal boundaries of Richmond Local Municipality (KZN227), Umgungundlovu District Municipality (DC22), Dr Nkosazana Dlamini Zuma Local Municipality (KZN436) and Harry Gwala District Municipality (DC43) by excluding a portion of farm WATERTON 1352 FT from the municipal areas of Richmond Local Municipality (KZN227) and Umgungundlovu District Municipality (DC22), and by including it into the municipal areas of Dr Nkosazana Dlamini Zuma Local Municipality (KZN436) and Harry Gwala District Municipality (DC43).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
KwaZulu Natal	<b>DEM7319</b>	Proposed redetermination of the municipal boundaries of Okhahlamba Local Municipality (KZN235) and Inkosi Langalibalele Local Municipality (KZN237) by excluding a portion of Farm 16271 GS and a portion of farm SNELSTER 16048 GS from the municipal area of Okhahlamba Local Municipality (KZN235), and by including them into the municipal area of Inkosi Langalibalele Local Municipality (KZN237).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Limpopo	<b>DEM7524</b>	Proposed redetermination of the municipal boundaries of Maruleng Local Municipality (LIM335) and Greater Tzaneen Local Municipality (LIM333) by excluding a portion of farm PRETORIA 25 KT from the municipal area of Greater Tzaneen Local Municipality (LIM333), and by including it into the municipal area of Maruleng Local Municipality (LIM335).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Limpopo	<b>DEM7525</b>	Proposed redetermination of the municipal boundaries of Musina Local Municipality (LIM341) and Makhado Local Municipality (LIM344) by excluding a portion of farm JUTLAND 536 MS from the municipal area of Makhado Local Municipality (LIM344), and by including it into the municipal area of Musina Local Municipality (LIM341).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Limpopo	<b>DEM7526</b>	Proposed redetermination of the municipal boundaries of Molemole Local Municipality (LIM353) and Polokwane Local Municipality (LIM354) by excluding a portion of farm LYNPLAATS 547 LS from the municipal area of Polokwane Local Municipality (LIM354), and by including it into the municipal area of Molemole Local Municipality (LIM353).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
Mpumalanga	<b>DEM7753</b>	Proposed redetermination of the municipal boundaries of City of Mbombela Local Municipality (MP326), Ehlanzeni District Municipality (DC32), Chief Albert Luthuli Local Municipality (MP301) and Gert Sibande District Municipality (DC30) by excluding a portion of farm GRANVILLE GROVE 720 JT from the municipal areas of Chief Albert Luthuli Local Municipality (MP301) and Gert Sibande District Municipality (DC30), and by including it into the municipal areas of City of Mbombela Local Municipality (MP326) and Ehlanzeni District Municipality (DC32).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Mpumalanga	<b>DEM7754</b>	Proposed redetermination of the municipal boundaries of Dr Pixley Ka Isaka Seme Local Municipality (MP304) and Lekwa Local Municipality (MP305) by excluding a portion of farm KLIPPLAATDRIT 43 HS from the municipal area of Dr Pixley Ka Isaka Seme Local Municipality (MP304), and by including it into the municipal area of Lekwa Local Municipality (MP305).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Mpumalanga	<b>DEM7755</b>	Proposed redetermination of the municipal boundaries of Emakhazeni Local Municipality (MP314) and Steve Tshwete Local Municipality (MP313) by excluding a portion of farm GENADEULT 1212 JS from the municipal area of Emakhazeni Local Municipality (MP314), and by including it into the municipal area of Steve Tshwete Local Municipality (MP313).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Mpumalanga	<b>DEM7756</b>	Proposed redetermination of the municipal boundaries of Emalahleni Local Municipality (MP312) and Steve Tshwete Local Municipality (MP313) by excluding a portion of farm FINCHAM 82 IS from the municipal area of Steve Tshwete Local Municipality (MP313), and by including it into the municipal area of Emalahleni Local Municipality (MP312).	Proceed to redetermine and publish notice terms of Section 21 of the MDA



PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
Mpumalanga	<b>DEM7757</b>	Proposed redetermination of the municipal boundaries of Emakhazeni Local Municipality (MP314), Nkangala District Municipality (DC31), Chief Albert Luthuli Local Municipality (MP301) and Gert Sibande District Municipality (DC30) by excluding a portion of farm KLIPAN 452 JS and a portion of farm GROOTPAN 546 JS from the municipal areas of Emakhazeni Local Municipality (MP314) and Nkangala District Municipality (DC31), and by including them into the municipal areas of Chief Albert Luthuli Local Municipality (MP301) and Gert Sibande District Municipality (DC30).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Mpumalanga	<b>DEM7758</b>	Proposed redetermination of the municipal boundaries of Emakhazeni Local Municipality (MP314), Nkangala District Municipality (DC31), Chief Albert Luthuli Local Municipality (MP301) and Gert Sibande District Municipality (DC30) by excluding a portion of farm VAN WYKSVLEI 407 JT from the municipal areas of Emakhazeni Local Municipality (MP314) and Nkangala District Municipality (DC31), and by including it into the municipal areas of Chief Albert Luthuli Local Municipality (MP301) and Gert Sibande District Municipality (DC30).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Mpumalanga	<b>DEM7759</b>	Proposed redetermination of the municipal boundaries of Msukaligwa Local Municipality (MP302) and Govan Mbeki Local Municipality (MP307) by excluding a portions of farm VREDE 257 IS and a portion of farm EERSTE GELUK 256S from the municipal area of Msukaligwa Local Municipality (MP302) and including them into the municipal area of Govan Mbeki Local Municipality (MP307).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
North West	<b>DEM8007</b>	Proposed redetermination of the municipal boundaries of Mafikeng Local Municipality (NW383) and Ditsobotla Local Municipality (NW384) by excluding a portion of farm WELVERDIEND 45 IQ from the municipal area of Mafikeng Local Municipality (NW383), and by including it into the municipal area of Ditsobotla Local Municipality (NW384).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
North West	<b>DEM8009</b>	Proposed redetermination of the municipal boundaries of Mafikeng Local Municipality (NW383) and Ratlou Local Municipality (NW381) by excluding a portion of farms DUIVENHOEK 558 IQ and MAREETSANE 515 IQ from the municipal area of Mafikeng Local Municipality (NW383), and by including them into the municipal area of Ratlou Local Municipality (NW381).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
North West	<b>DEM8013</b>	Proposed redetermination of the municipal boundaries of Local Municipality of Madibeng (NW372) and Rustenburg Local Municipality (NW373) by excluding a portion of FARM 118 JQ from the municipal area of Local Municipality of Madibeng (NW372), and by including it into the municipal area of Rustenburg Local Municipality (NW373).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
North West	<b>DEM8014</b>	Proposed redetermination of the municipal boundaries of Rustenburg Local Municipality (NW373) and Local Municipality of Madibeng (NW372) by excluding a portion of farm WONDERKOP 400 JQ from the municipal area of Rustenburg Local Municipality (NW373), and by including it into the municipal area of Local Municipality of Madibeng (NW372).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
North West	<b>DEM8015</b>	Proposed redetermination of the municipal boundaries of Moretele Local Municipality (NW371) and Local Municipality of Madibeng (NW372) by excluding portion of farm KLIPVOOR 159 IQ from the municipal area of Moretele Local Municipality (NW371), and by including it into the municipal area of Local Municipality of Madibeng (NW372).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
North West	<b>DEM8019</b>	Proposed redetermination of the municipal boundaries of JB Marks Local Municipality (NW405) and City of Matlosana Local Municipality (NW403) by excluding a portion of farm BUFFELSFONTEIN 443 IP from the municipal area of JB Marks Local Municipality (NW405), and by including it into the municipal area of City of Matlosana Local Municipality (NW403).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
North West	<b>DEM8020</b>	Proposed redetermination of the municipal boundaries of JB Marks Local Municipality (NW405), Dr Kenneth Kaunda District Municipality (DC40), Kgetlengrivier Local Municipality (NW374) and Bojanala District Municipality (DC37) by excluding a portion of farm WELTEVREDEN 16 IQ from the municipal areas of JB Marks Local Municipality (NW405) and Dr Kenneth Kaunda District Municipality (DC40), and by including it into the municipal areas of Kgetlengrivier Local Municipality (NW374) and Bojanala District Municipality (DC37).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
Northern Cape	<b>DEM8507</b>	Proposed redetermination of the municipal boundaries of Richtersveld Local Municipality (NC061) and Nama Khoi Local Municipality (NC062) by excluding a portion of farm WITKOPPIE 181 NAMAQUALAND from the municipal area of Nama Khoi Local Municipality (NC062), and by including it into the municipal area of Richtersveld Local Municipality (NC061).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Northern Cape	<b>DEM8508</b>	Proposed redetermination of the municipal boundaries of Richtersveld Local Municipality (NC061) and Nama Khoi Local Municipality (NC062) by excluding a portion of farm STEINKOPF 22 NAMAQUALAND from the municipal area of Richtersveld Local Municipality (NC061), and by including it into the municipal area of Nama Khoi Local Municipality (NC062).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Northern Cape	<b>DEM8509</b>	Proposed redetermination of the municipal boundaries of Kamiesberg Local Municipality (NC064) and Nama Khoi Local Municipality (NC062) by excluding a portion of farm ZWART DUINEN 332 NAMAQUALAND from the municipal area of Kamiesberg Local Municipality (NC064), and by including it into the municipal area of Nama Khoi Local Municipality (NC062).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Northern Cape	<b>DEM8510</b>	Proposed redetermination of the municipal boundaries of Karoo Hoogland Local Municipality (NC066) and Hantam Local Municipality (NC065) by excluding a portion of farm WIT KLIP 372 CALVINIA from the municipal area of Hantam Local Municipality (NC065), and by including it into the municipal area of Karoo Hoogland Local Municipality (NC066).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

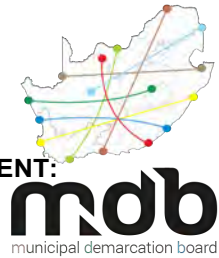
PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
Northern Cape	<b>DEM8511</b>	Proposed redetermination of the municipal boundaries of Khâi-Ma Local Municipality (NC067) and Hantam Local Municipality (NC065) by excluding a portion of farms KLIPRAND 1190 CALVINIA and BITTER K`MAS 209 CALVINIA from the municipal area of Khâi-Ma Local Municipality (NC067), and by including them into the municipal area of Hantam Local Municipality (NC065).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Northern Cape	<b>DEM8512</b>	Proposed redetermination of the municipal boundaries of Gamagara Local Municipality (NC453) and Ga-Segonyana Local Municipality (NC452) by excluding a portion of Farm 219 KURUMAN from the municipal area of Gamagara Local Municipality (NC453), and by including it into the municipal area of Ga-Segonyana Local Municipality (NC452).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Northern Cape	<b>DEM8513</b>	Proposed redetermination of the municipal boundaries of Emthanjeni Local Municipality (NC073) and Renosterberg Local Municipality (NC075) by excluding a portion of farm OOSTHUIS FOUNTAIN 108 PHILIPSTOWN from the municipal area of Emthanjeni Local Municipality (NC073), and by including it into the municipal area of Renosterberg Local Municipality (NC075).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Northern Cape	<b>DEM8514</b>	Proposed redetermination of the municipal boundaries of Khâi-Ma Local Municipality (NC067) and Nama Khoi Local Municipality (NC062) by excluding a portion of farm BRABIS 96 NAMAQUALAND from the municipal area of Emthanjeni Local Municipality (NC073), and by including it into the municipal area of Khâi-Ma Local Municipality (NC067).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
Western Cape	<b>DEM8256</b>	Proposed redetermination of the municipal boundaries of Mossel Bay Local Municipality (WC043) and Hessequa Local Municipality (WC042) by excluding a portion of farm ZAND VLAKTE 2 MOSSEL BAY from the municipal area of Hessequa Local Municipality (WC042), and by including it into the municipal area of Mossel Bay Local Municipality (WC043).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Western Cape	<b>DEM8257</b>	Proposed redetermination of the municipal boundaries of Witzenberg Local Municipality (WC022) and Breede Valley Local Municipality (WC025) by excluding a portion of farm DIEUDONNE 863 WORCESTER from the municipal area of Breede Valley Local Municipality (WC025), and by including it into the municipal area of Witzenberg Local Municipality (WC022).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Western Cape	<b>DEM8258</b>	Proposed redetermination of the municipal boundaries of Swartland Local Municipality (WC015), West Coast District Municipality (DC01), Drakenstein Local Municipality (WC023) and Cape Winelands District Municipality (DC02) by excluding a portion of farm WOODLANDS 874 MALMESBURY from the municipal areas of Drakenstein Local Municipality (WC023) and Cape Winelands District Municipality (DC02), and by including it into the municipal areas of Swartland Local Municipality (WC015) and West Coast District Municipality (DC01).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

PROVINCE	DEM NUMBER	DESCRIPTION	RECOMMENDATION
Western Cape	<b>DEM8259</b>	Proposed redetermination of the municipal boundaries of Lainsburg Local Municipality (WC051), Central Karoo District Municipality (DC05) and Breede Valley Local Municipality (WC025), Cape Winelands District Municipality (DC02) by excluding a portion of farm ANNEX DE VALLEY 169 LAINGSBURG from the municipal areas of Breede and Valley Local Municipality (WC025) and Cape Winelands District Municipality (DC02), and by including it into the municipal areas of Lainsburg Local Municipality (WC051) and Central Karoo District Municipality (DC05).	Proceed to redetermine and publish notice terms of Section 21 of the MDA
Western Cape	<b>DEM8260</b>	Proposed redetermination of the municipal boundaries of Lainsburg Local Municipality (WC051), Central Karoo District Municipality (DC05), Breede Valley Local Municipality (WC025) and Cape Winelands District Municipality (DC02) by excluding a portion of farm GROOT HOEK 161 LAINGSBURG from the municipal areas of Breede Valley Local Municipality (WC025) and Cape Winelands District Municipality (DC02), and by including it into the municipal areas of Lainsburg Local Municipality (WC051) and Central Karoo District Municipality (DC05).	Proceed to redetermine and publish notice terms of Section 21 of the MDA

## PROVINCIAL NOTICE 206 OF 2022

**MUNICIPAL DEMARCATION BOARD  
NOTICE IN TERMS OF SECTION 21 OF THE LOCAL GOVERNMENT:  
MUNICIPAL DEMARCATION ACT, 1998  
(Mpumalanga)**



Notice is hereby given in terms of section 21 of the Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998) that the Municipal Demarcation Board has re-determine the boundaries of the municipalities listed in the second column of the Schedule in order to correct the misalignments that led to split settlements / farms.

Any person aggrieved by the re-determinations listed in the Schedule may submit objections within 30 days of publication of this notice to: [registry@demarcation.org.za](mailto:registry@demarcation.org.za), or faxed to 012 3422480, or posted to Private Bag X123, Centurion, 0046 or hand delivered to Eco Origins Office Park, Block C1, 349 Witch-Hazel Avenue, Highveld, 0157. The objections must be addressed for the attention of the Chairperson of the MDB.

- **All objections must reach the office within 30 days of the publication of this notice. No submissions will be accepted after 16:30pm on the closing date.**
- **Submissions sent to any other email address or fax line will not be considered.**

Objections must be based on the criteria provided for in Sections 24 and 25 of the Demarcation Act and must include the Names and contact details of the person or organisation making objection. The relevant reference number (**DEM Number.**) must please be used in any correspondence with the MDB.

A map for each **DEM Number** can be downloaded from the MDB's web-site ([www.demarcation.org.za](http://www.demarcation.org.za)), or on request from the MDB by sending an email to [hester@demarcation.org.za](mailto:hester@demarcation.org.za) or by calling Hester at 087 150 4430 for more information on how to acquire maps.

*(Where there may be a discrepancy between the information on the map and the information on the notice, the information on the map prevails.)*

The MDB respects your right to privacy and therefore aim to ensure that we comply with the legal requirement of the Protection of Personal Information Act (POPIA) which regulates the manner in which we collect, process, store, share and destroy any personal information which you have provided to us. In this regard, your personal details are only for use by the MDB for the municipal boundary re-determination process.

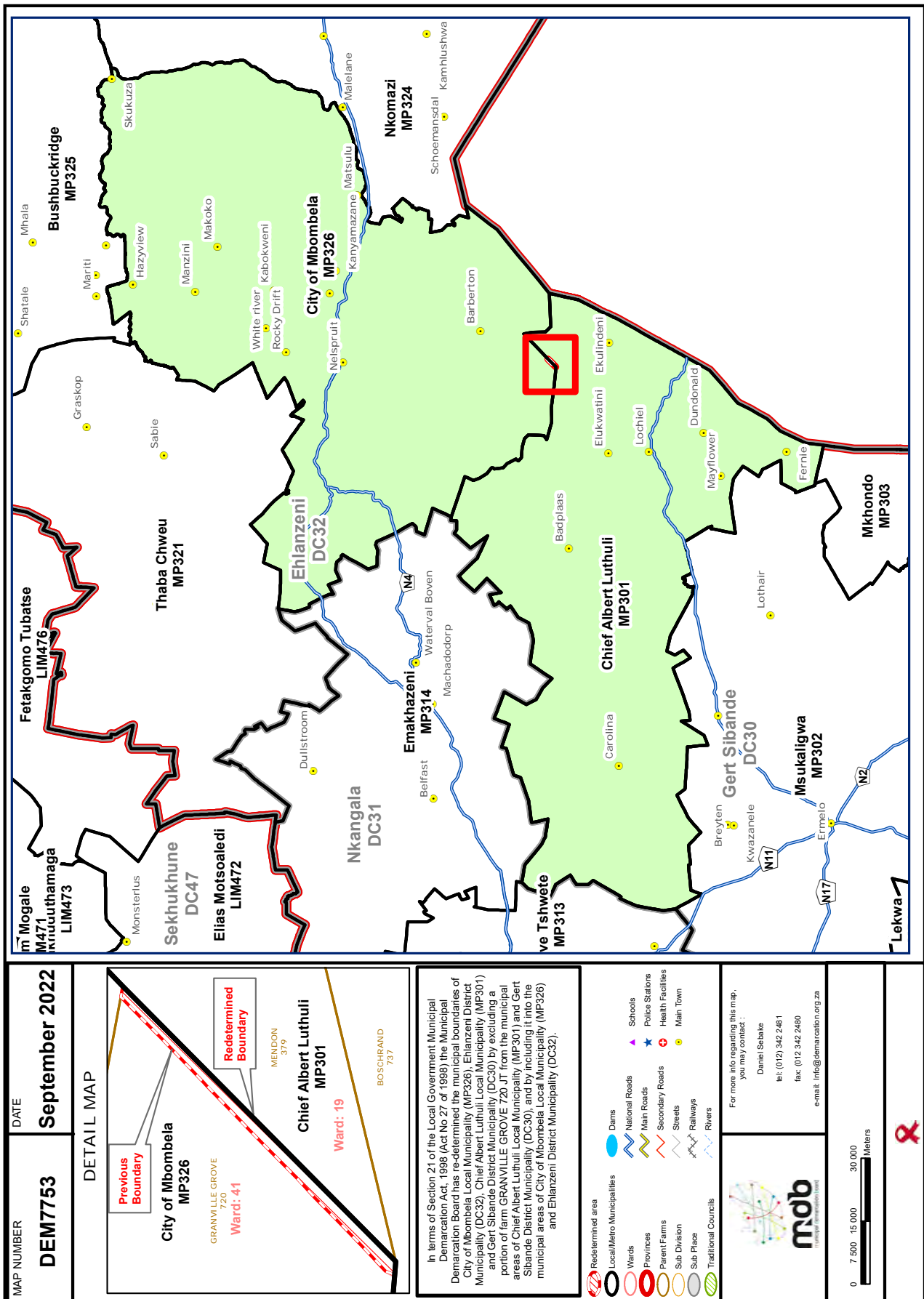
**MS MBALI MYENI  
ACTING CHAIRPERSON: MUNICIPAL DEMARCATION BOARD**

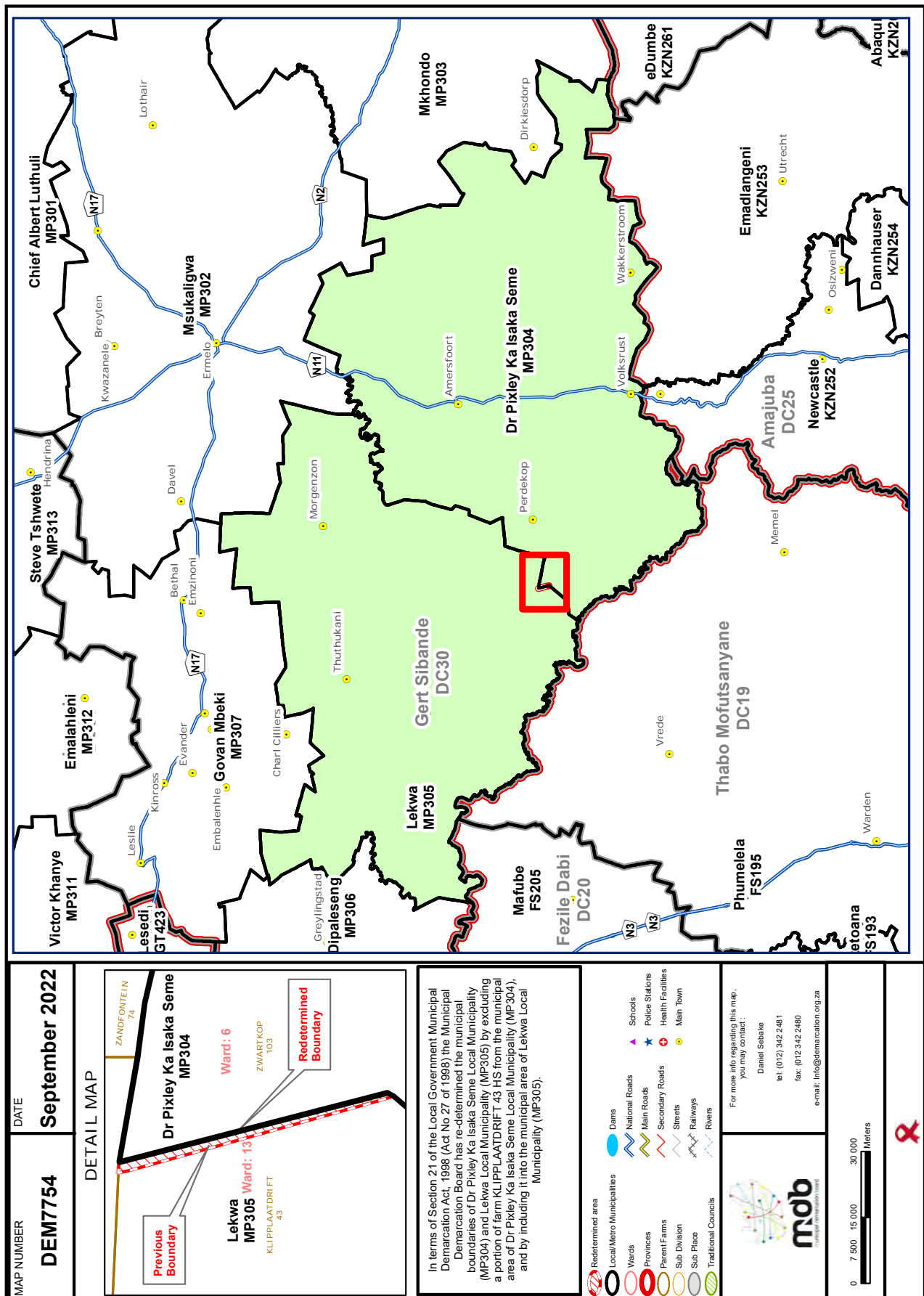


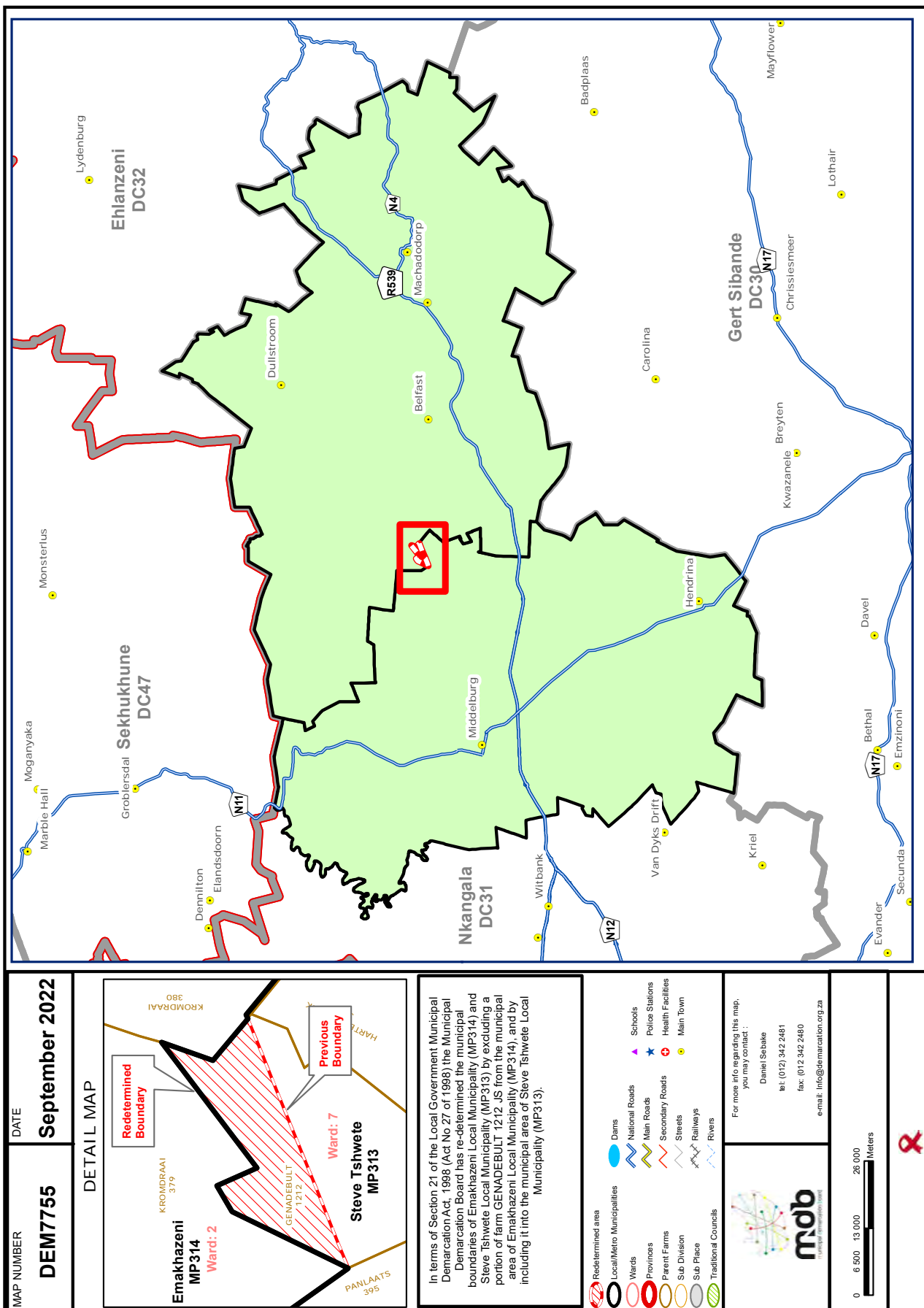
**SCHEDULE**

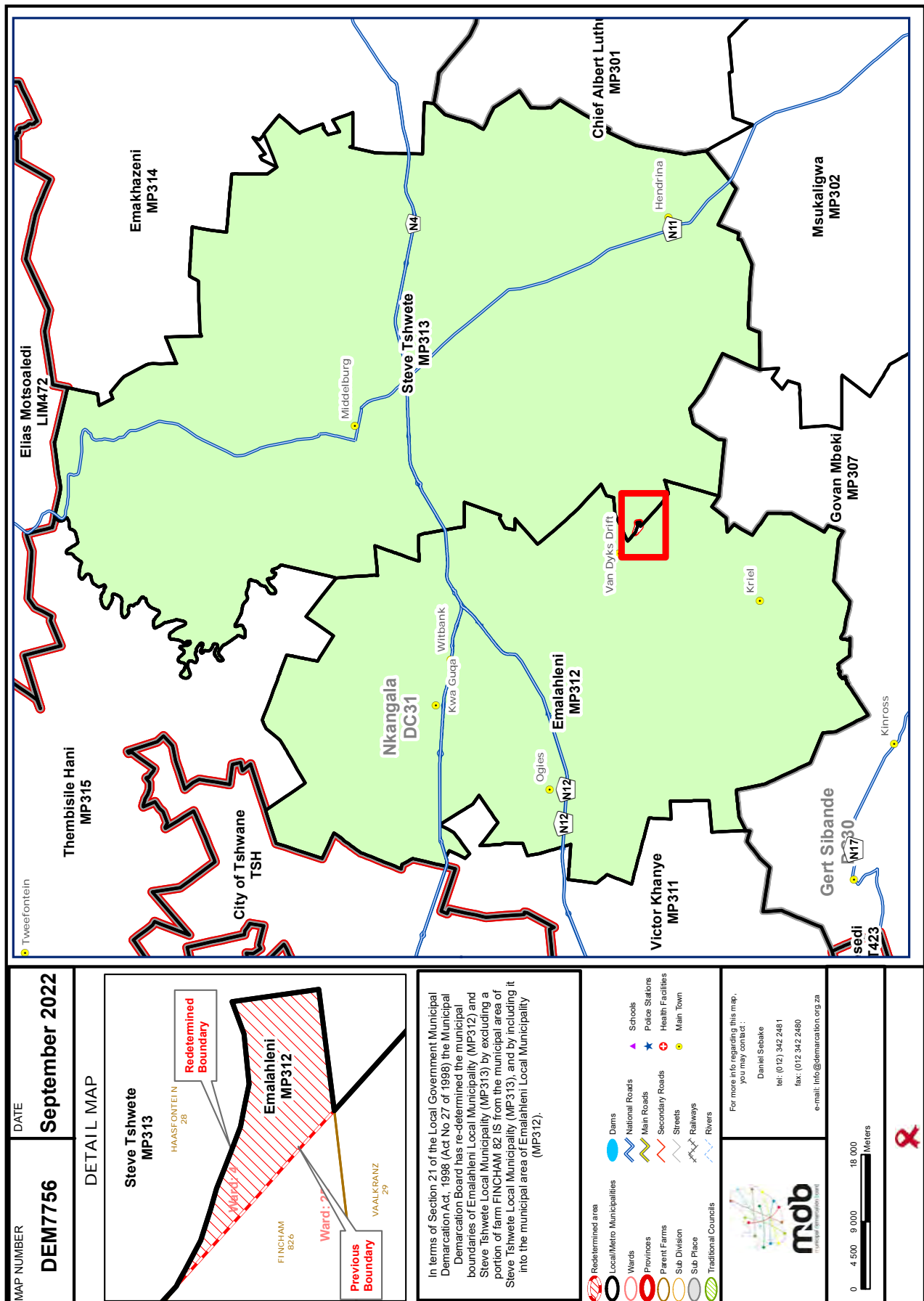
<b>DEM NO</b>	<b>AFFECTED MUNICIPALITIES</b>	<b>DESCRIPTION</b>
DEM7753	City of Mbombela Local Municipality (MP326), Ehlanzeni District Municipality (DC32), Chief Albert Luthuli Local Municipality (MP301) and Gert Sibande District Municipality (DC30)	In terms of Section 21 of the Local Government Municipal Demarcation Act, 1998 (Act No 27 of 1998) the Municipal Demarcation Board has re-determined the municipal boundaries of City of Mbombela Local Municipality (MP326), Ehlanzeni District Municipality (DC32), Chief Albert Luthuli Local Municipality (MP301) and Gert Sibande District Municipality (DC30) by excluding a portion of farm GRANVILLE GROVE 720 JT from the municipal areas of Chief Albert Luthuli Local Municipality (MP301) and Gert Sibande District Municipality (DC30), and by including it into the municipal areas of City of Mbombela Local Municipality (MP326) and Ehlanzeni District Municipality (DC32).
DEM7754	Dr Pixley Ka Isaka Seme Local Municipality (MP304) and Lekwa Local Municipality (MP305)	In terms of Section 21 of the Local Government Municipal Demarcation Act, 1998 (Act No 27 of 1998) the Municipal Demarcation Board has re-determined the municipal boundaries of Dr Pixley Ka Isaka Seme Local Municipality (MP304) and Lekwa Local Municipality (MP305) by excluding a portion of farm KLIPPLAATDRIFT 43 HS from the municipal area of Dr Pixley Ka Isaka Seme Local Municipality (MP304), and by including it into the municipal area of Lekwa Local Municipality (MP305).
DEM7755	Emakhazeni Local Municipality (MP314) and Steve Tshwete Local Municipality (MP313)	In terms of Section 21 of the Local Government Municipal Demarcation Act, 1998 (Act No 27 of 1998) the Municipal Demarcation Board has re-determined the municipal boundaries of Emakhazeni Local Municipality (MP314) and Steve Tshwete Local Municipality (MP313) by excluding a portion of farm GENADEBULT 1212 JS from the municipal area of Emakhazeni Local Municipality (MP314), and by including it into the municipal area of Steve Tshwete Local Municipality (MP313).
DEM7756	Emalahleni Local Municipality (MP312) and Steve Tshwete Local Municipality (MP313)	In terms of Section 21 of the Local Government Municipal Demarcation Act, 1998 (Act No 27 of 1998) the Municipal Demarcation Board has re-determined the municipal boundaries of Emalahleni Local Municipality (MP312) and Steve Tshwete Local Municipality (MP313) by excluding a portion of farm FINCHAM 82 IS from the municipal area of Steve Tshwete Local Municipality (MP313), and by including it into the municipal area of Emalahleni Local Municipality (MP312).
DEM7757	Emakhazeni Local Municipality (MP314), Nkangala District Municipality (DC31), Chief Albert Luthuli Local Municipality (MP301) and Gert Sibande District Municipality (DC30)	In terms of Section 21 of the Local Government Municipal Demarcation Act, 1998 (Act No 27 of 1998) the Municipal Demarcation Board has re-determined the municipal boundaries of Emakhazeni Local Municipality (MP314), Nkangala District Municipality (DC31), Chief Albert Luthuli Local Municipality (MP301) and Gert Sibande District Municipality (DC30) by excluding a portion of farm KLIPAN 452 JS and a portion of farm GROOTPAN 546 JS from the municipal areas of Emakhazeni Local Municipality (MP314) and Nkangala District Municipality (DC31), and by including them into the municipal areas of Chief Albert Luthuli Local Municipality (MP301) and Gert Sibande District Municipality (DC30).

DEM NO	AFFECTED MUNICIPALITIES	DESCRIPTION
DEM7758	Emakhazeni Local Municipality (MP314), Nkangala District Municipality (DC31), Chief Albert Luthuli Local Municipality (MP301) and Gert Sibande District Municipality (DC30)	In terms of Section 21 of the Local Government Municipal Demarcation Act, 1998 (Act No 27 of 1998) the Municipal Demarcation Board has re-determined the municipal boundaries of Emakhazeni Local Municipality (MP314), Nkangala District Municipality (DC31), Chief Albert Luthuli Local Municipality (MP301) and Gert Sibande District Municipality (DC30) by excluding a portion of farm VAN WYKSVLEI 407 JT from the municipal areas of Emakhazeni Local Municipality (MP314) and Nkangala District Municipality (DC31), and by including it into the municipal areas of Chief Albert Luthuli Local Municipality (MP301) and Gert Sibande District Municipality (DC30).
DEM7759	Msukaligwa Local Municipality (MP302) and Govan Mbeki Local Municipality (MP307)	In terms of Section 21 of the Local Government Municipal Demarcation Act, 1998 (Act No 27 of 1998) the Municipal Demarcation Board has re-determined the municipal boundaries of Msukaligwa Local Municipality (MP302) and Govan Mbeki Local Municipality (MP307) by excluding a portions of farm VREDE 257 IS and a portion of farm EERSTE GELUK 256 IS from the municipal area of Msukaligwa Local Municipality (MP302) and including them into the municipal area of Govan Mbeki Local Municipality (MP307).

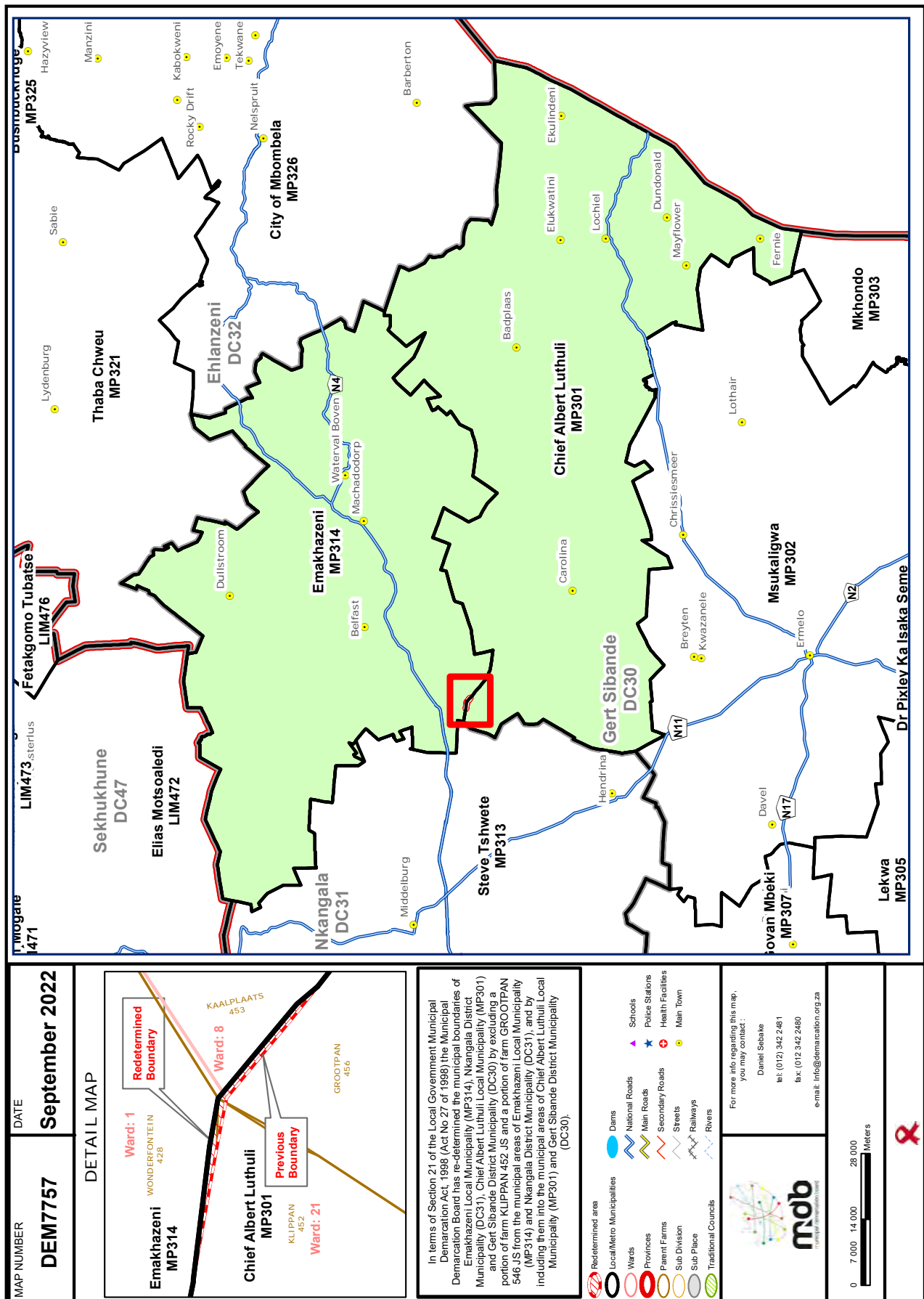


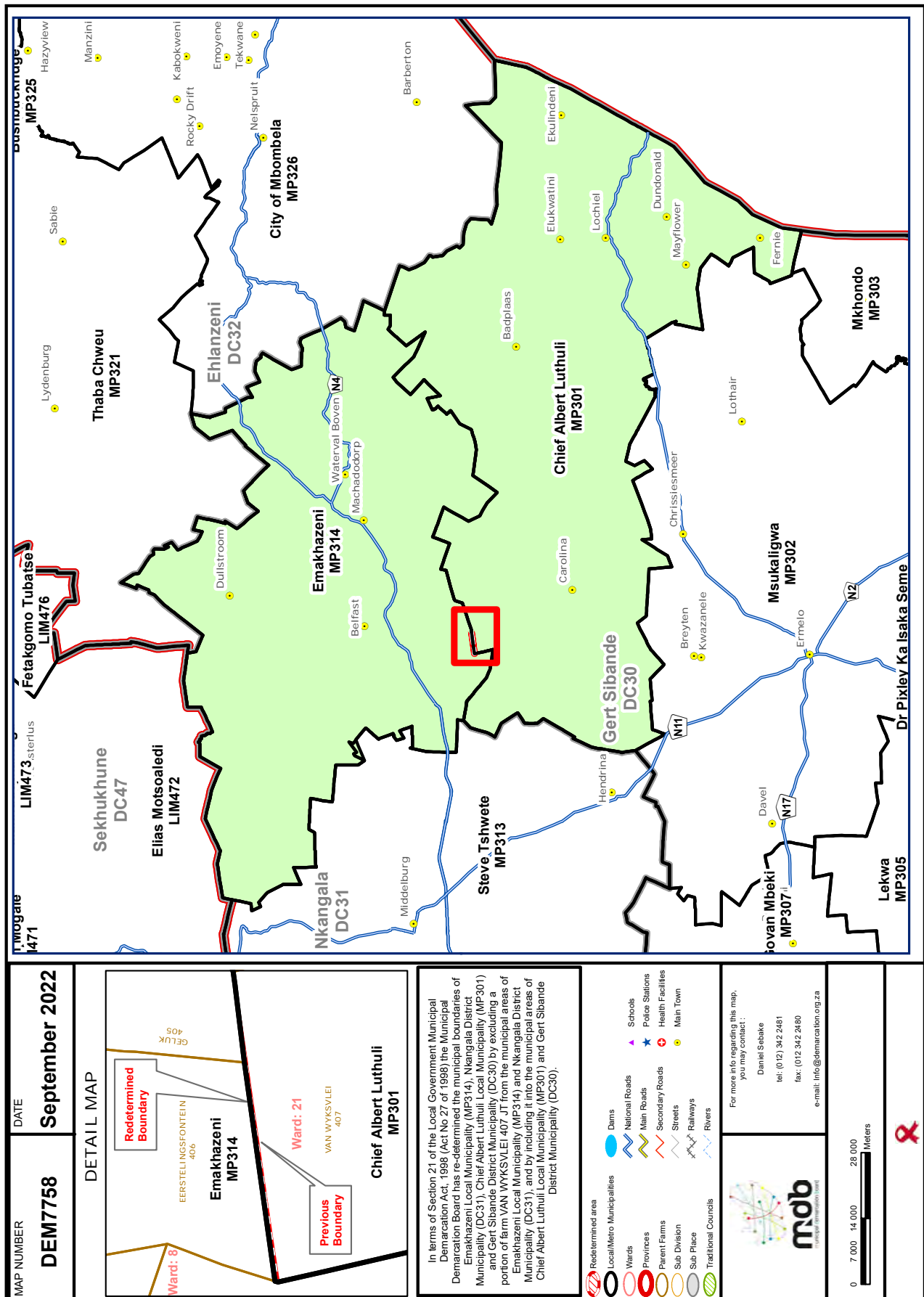




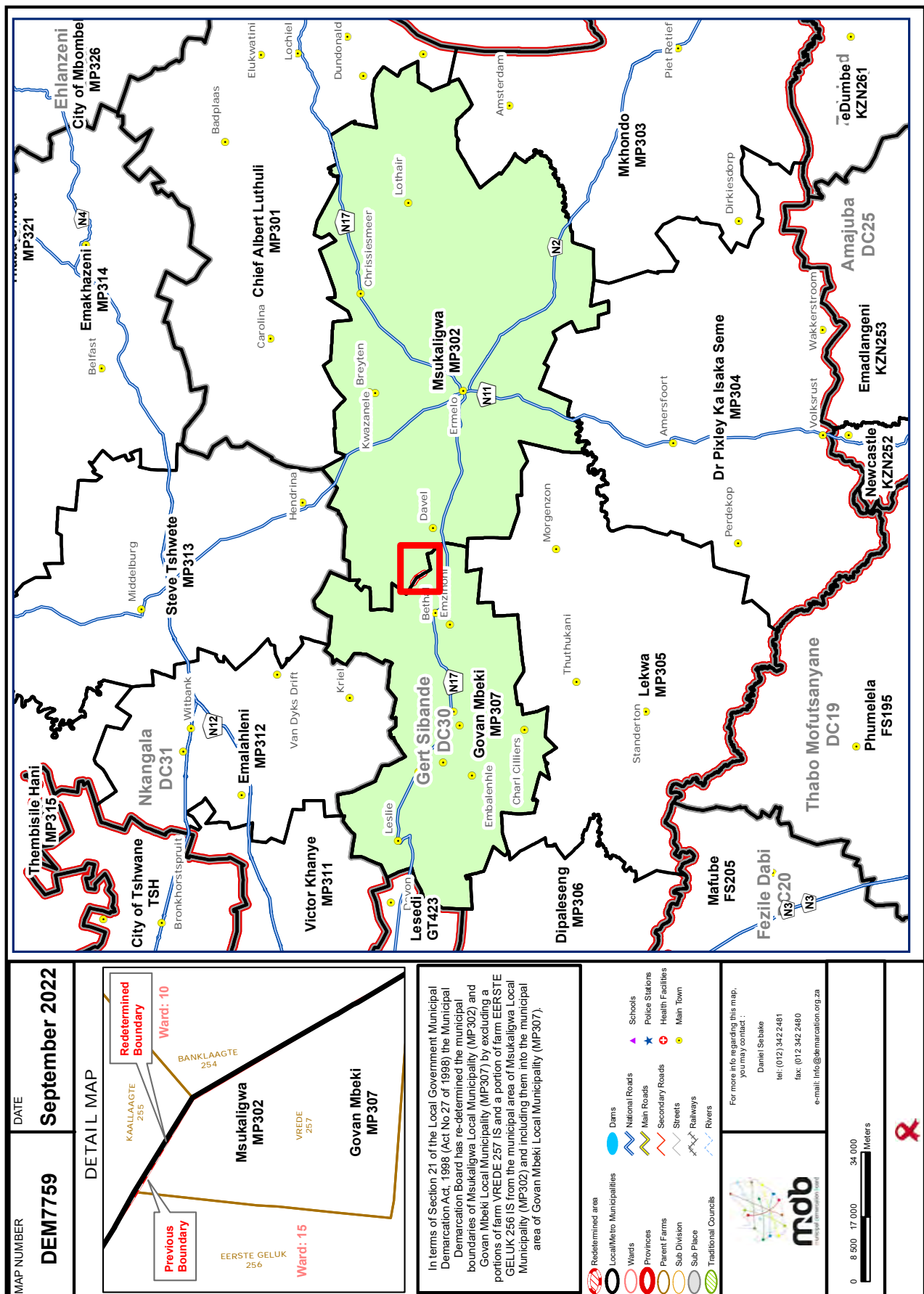












Witzenberg Municipality  
Voortrekker Street  
Ceres  
6830

## **Development Proposal for Tulbagh Tourism and Oude Kerk Volksmuseum**

### **Acquisition of the Old Post Office in Piet Retief Street Tulbagh**

De Oude Kerk Volksmuseum and Tulbagh Tourism would herewith like to apply to lease the Old Post Office building, situated in Piet Retief Street, Tulbagh that formerly housed The Busy Bee Craft Centre.

Tourism plays a major role in the valley and it is imperative that training is done on a regular basis which includes the broader community. Various training courses are available and by having a designated space a concerted effort can be made to encourage more skills training. The central location of the building is ideal and this makes the building easily accessible to all. The ground behind the centre could at a later stage be used for training in food gardening.

De Oude Kerk Volksmuseum presents various programmes mainly aimed at the youth and these programmes could be extended, if more space is available. There are various members in the community that will be happy to share their knowledge and skills in the form of workshops. The building has ample space and a section can be used for much needed storage.

The aim is to promote the diversity of our valley and create opportunities to developing cooking, arts, crafts and other marketable skills.

The venue will further be able to cater for tourism and museum meetings and conferences and this can also be used as a space for entrepreneurs to have their meetings.

We hope that our proposal will be favourably considered as it will add so much value to the community of Tulbagh.



**TULBAGH COMMUNITY DEVELOPMENT FORUM**

POSTAL ADDRESS: 28 JACARANDA STREET, TULBAGH, 6820:WESTERN CAPE

CONTACT DETAIL S: EMAIL: [tulbaghbif@gmail.com](mailto:tulbaghbif@gmail.com):

CHAIR PERSON: N JANSEN: 081 553 7122: SECRETARY: J BEUKES : 073 121 9514

**Date:** 15 July 2022

**Executive Mayor**

**Municipal Manager**

**Witzenberg Municipality**

**Voortrekker Road 50**

**CERES**

**6835.**

**For Attention:**

**SUBJECT: TULBAGH THUSONG CENTRE**

As I refer to the matter mention above I recently spoke to the Municipal Manager in conjunction with the Tulbagh Business Initiative Forum and the Tulbagh Community as a whole to establish a Thusong Centre.

The idea is to establish the under – mention Government Departments on a permanent basis:

**1. SASSA**

**2. Department Employment and Labour**

**3. Department Home Affairs**

The old Post-office also known as "Busy Bee" has been identify to bring these Departments into operation to deliver these services. The Witzenberg Municipality was at many times been approach to

facilitate these particular initiative and to engage with all relevant role players. Our request is to set - up a propose meeting to the particular Departments to by into this Initiative to upgrade the building and deliver these services to the Community of TULBAGH.

The Tulbagh Community development Forum management request a urgent meeting with the relevant Government Departments and their senior management to discussed this particular initiative in more detail.

Sincerely,

Chairperson

Mr N . Jansen

### - MEMORANDUM -

**AAN / TO** : Municipal Manager

**VAN / FROM** : Head of Internal Audit

**DATUM / DATE** : 19 October 2022

**VERW. / REF :** 5/14/4: Appointment of Performance, Risk and Audit Committee members

Dear Mr Nasson,

#### "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 Mayco and Council to consider the appointment of 3 new PRAC members and the extension of the 6-year term of the Chairperson.

#### Deliberation

The composition and term of office of the PRAC members are currently as follows:

Position	Name	Term
Chairperson	Mr J. George	Second 3-year term ending 31 October 2022.
Member	Mr F. Redelinghuys	Second 3-year term ending 31 October 2022.
Member	Ms C. Fagan	Second 3-year term ending 31 July 2024
Member	Mr T. Lesihla	Second 3-year term ended 31 July 2021
Member	J Basson	Resigned-January 2020

It is best practice to maintain independent members, continuity and stability in 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 whereafter a 2-year cooling-off period should be applied.

The way the committee has evolved over the last 3-year has resulted in the committee being compromised to meet the above-noted best practice.:

To maintain stability and to guide incoming new members it is recommended that Mr J George is appointed, as an interim measure, for a future year to ensure stability in the committee.

### Appointment of new Members

The following applications were received for appointment to the Audit Committee

Nr.	SURNAME, NAMES, ID & DRIVER LICENSE	ADDRESS, CONTACT NUMBERS & E-MAIL ADDRESS	QUALIFICATIONS	CURRENT APPOINTMENT	EXPERIENCE
1.	Johan Bester  691111 5276 083  White, Male  English	3 Philip Street Flat 11 Ceres 6835  064 204 1094	<ul style="list-style-type: none"><li>• Grade 12</li><li>• Certificate of Merit FPi</li><li>• Registered as Financial Planner</li><li>• Marketing /Personnel Management</li><li>• National Certificate in Financial Services: Wealth Management : L5</li></ul> View CV	Intern Sales and Letting Agent from 01 Mar 2017 - Currently	Sales Consultant at Tafelberg Furnishers Bellville & Cape Gate from 01 Feb 2016 – 31 Feb 2017  Broker Consultant at AFS Sales Support from 01 June 2012 – 30 Oct 2015  Business Development Manager at ABSA Investments from 01 May 2007 – 31 May 2012  Executive Consultant at ABSA Investments Management Services from 01 Apr 2004 – 30 Apr 2007
2.	Shaakirah Heuwel  750329 0088 083  Female, Coloured  English	1 Owen Street Ceres The Haven night Shelter 6835	<ul style="list-style-type: none"><li>• Computer Training</li><li>• Livingstone Tourism Institute</li><li>• Secretarial School</li></ul> View CV		Sanitizer at Kalkys from 2020 – 2021  Receptionist at Weltevreden  Cashier at Park Vet Clinic in 2009  Shelf packer at Food world from 1994 - 2008

Nr.	SURNAME, NAMES, ID & DRIVER LICENSE	ADDRESS, CONTACT NUMBERS & E-MAIL ADDRESS	QUALIFICATIONS	CURRENT APPOINTMENT	EXPERIENCE
3.	Mogamat Shahied Allie	45 Willow Road Constantia Cape Town  021 671 8554 081 448 8402	<ul style="list-style-type: none"> <li>• Grade 12</li> <li>• National Diploma in Cost and Management Accounting</li> <li>• Postgraduate Diploma in Business Management</li> <li>• <u>Membership</u>  Registered Business Accountant in Practice Public Sector Audit Committee Registered Tax Technician</li> <li>• Short courses View CV</li> </ul>	Business Development Executive for JM Busha Investment Group currently	<p>Consultant, Business Mentor at Coral Business Consultant from Aug 2004 – Current</p> <p>Director Finance &amp; Operations at Tri - Linear from July 1999-July 2004</p> <p>Admin Manager at Fairhead from Jan 1998 – Jun 1999</p> <p>Department Head at Old Mutual from Apr 1987 – Dec 1998</p>

Nr.	SURNAME, NAMES, ID & DRIVER LICENSE	ADDRESS, CONTACT NUMBERS & E-MAIL ADDRESS	QUALIFICATIONS	CURRENT APPOINTMENT	EXPERIENCE
4.	Jacobus Johannes Swarts	06 Bass Street Soneike Kuijs River 7580  078 719 6927	<ul style="list-style-type: none"> <li>• Grade 12</li> <li>• Honours Bachelor of Accounting</li> <li>• Bachelor of Commerce</li> <li>• Btech Internal Auditing</li> <li>• National Diploma internal Auditing</li> </ul> View CV	Audit Director at Enslins Kuils Rivier from Sept 2021 -Currently	<p>Senior Audit Manager at Audit General of South Africa(Nort West Province from Jan 2016 – Mar 2019</p> <p>Enforcement Audit Manager at SARS from May 2015 – Dec 2015</p> <p>Internal Audit Manager of Dept of The Premier from Mar 2013 – Apr 2015</p> <p>Audit Manager at Audit General of SA(Western Cape) from Apr 2008 – Feb 2013</p> <p>Senior Auditor at Gobodo Incorporated from Jan 2005 – Mar 2008</p> <p>Internal Auditor at Old Mutual Group Internal Audit from Jan 2002 – Dec 2004</p> <p>Accounts Officer at Raatz Precision Services from Nov 1999 – June 2000</p>



Nr.	SURNAME, NAMES, ID & DRIVER LICENSE	ADDRESS, CONTACT NUMBERS & E-MAIL ADDRESS	QUALIFICATIONS	CURRENT APPOINTMENT	EXPERIENCE
5.	Lethabo Nkomo	2906 Lever Road 880 Katara Residential Complex Noordewyk Ext 74  082 802 7770 071 679 3451	<ul style="list-style-type: none"> <li>• Grade 12</li> <li>• Baccalaureus Commercii in Accounting Sciences</li> <li>• Bachelor of Laws</li> <li>• Municipal Management Development Programme</li> </ul> View CV	Director and Founder at Kano Consultants Currently	<p>Auditor General Of SA for 3 years</p> <p>Assistant Director : DMR Trust Financial Administrator for 2 years and 3 months</p> <p>Deputy Director: Finance Revenue at City of Johannesburg Metropolitan Municipality for 3 years and 5 months</p> <p>Deputy Director: Revenue(Acting Director: Finance Administration) at City of Tshwane Metropolitan Municipality for 5 years and 4 months</p> <p>Candidate Attorney at Adriaans Attorney Incorporated for 8 Months</p> <p>Senior Manager : Finance at Legal Practice Council for 3 months</p>

Nr.	SURNAME, NAMES, ID & DRIVER LICENSE	ADDRESS, CONTACT NUMBERS & E-MAIL ADDRESS	QUALIFICATIONS	CURRENT APPOINTMENT	EXPERIENCE
6.	<p>Jacques Carstens</p> <p>Male</p> <p>Afrikaans &amp; English</p>	<p>10 Groenvlei Avenue Paarl 7646</p> <p>082 824 8806</p>	<ul style="list-style-type: none"> <li>Master of Business Management and Administration</li> <li>Bachelor of Business Management and Administration</li> </ul> <p><a href="#">View CV</a></p>		<p>Accountant at Knysna Municipality from 1979 – 1981</p> <p>Accountant at Eastern Cape Development Board from 1981 – 1984</p> <p>Assistant Secretary / Treasurer at Drakenstein Divisional Council from 1984 – 1985</p> <p>Town Treasurer at Sedgefield Municipality from 1986 – 1988</p> <p>Manager Financial Services at Naledi Local Municipality from 2003 – 2008</p> <p>Chief Financial Officer at Khara Hais Municipality(Uptinton) from 2008 – 2012</p> <p>Chief Financial Officer at Drakenstein Municipality from 2012 – 2020</p> <p>Acting Chief Financial Officer at Knysna Municipality from Nov 2020 – Feb 2022</p>

Nr.	SURNAME, NAMES, ID & DRIVER LICENSE	ADDRESS, CONTACT NUMBERS & E-MAIL ADDRESS	QUALIFICATIONS	CURRENT APPOINTMENT	EXPERIENCE
7.	Rowan Graham Nicholls  Male, White	The Rustlings 07 Auburn Road Kenilworth 7708 Cape Town  082 560 3539	<ul style="list-style-type: none"> <li>• BACHLOR OF Commerce</li> <li>• Certificate of Membership SA Chartered Accounts</li> <li>• Certified Internal Auditor</li> <li>• Computer Auditing</li> <li>• Examination Certificate for Public Accountants and Auditors</li> </ul> <p>Served as Chairperson of the Audit Committee view CV</p>		<p>Chief Internal Audit Executive at SA Marine Corporation for 18 years</p> <p>External Audit exposure at Peat Marwick from 1971 – 1983 (18 years)</p>

Nr.	SURNAME, NAMES, ID & DRIVER LICENSE	ADDRESS, CONTACT NUMBERS & E-MAIL ADDRESS	QUALIFICATIONS	CURRENT APPOINTMENT	EXPERIENCE
8.	Suren Maharaj  Male	083 556 8677	<ul style="list-style-type: none"> <li>• Certify at Chartered Government Finance Officer</li> <li>• Bachelor of Commerce</li> <li>• Honours Bachelor of Accounting Science</li> <li>• Master's in Business Administration</li> <li>• Municipal Executive Financial Management</li> <li>• Chartered Accountant</li> </ul> View CV	Managing Director at SM Consulting from May 2020 - Currently	<p>Senior Finance Executive at SAA(Joburg) from Mar 2019 – Apr 2020</p> <p>Chief Financial Officer at W &amp; R Seta(Pretoria) from May 2018 – Feb 2019</p> <p>Chief Financial Officer and Acting Managing Director at City of Joburg from Feb 2013 – Apr 2018</p> <p>Group Chief Financial Officer at PRIMEDIA Sport from May 2011 – Jan 2013</p> <p>Chief Financial Officer at Broadband Infracore from July 2008 – Apr 2011</p> <p>Finance and Commercial Director at Motorola Sub-Sahara Africa from Feb 2001 – Jun 2008</p> <p>Commercial Projects Controller at European Marine Contractors Limited from Dec 1998 – Jan 2001</p> <p>Trainee Accountant / Audit Supervisor at Deloitte from Feb 1995 – Nov 1998</p>

Nr.	SURNAME, NAMES, ID & DRIVER LICENSE	ADDRESS, CONTACT NUMBERS & E-MAIL ADDRESS	QUALIFICATIONS	CURRENT APPOINTMENT	EXPERIENCE
9.	Neil Jansen  Male  English & Afrikaans	39 Heerengracht Close Klein Zevenwacht Kuilrivier 7580  083 383 1444	<ul style="list-style-type: none"> <li>• Masters of Business Leadership</li> <li>• Masters of Philosophy(MPhil)</li> <li>• Advanced Corporate Finance</li> <li>• Master HR Practitioner</li> </ul> View CV		<p>Group Human Resources Director at Lewis Group from 01 Sept 2008 – 31 Oct 2016</p> <p>General Manager Human resources at Media24 Limited from 01 September 2005 – 31 August 2008</p> <p>Group Human Resources Manager at Via Afrika, Media 24 from 01 Jan 2004 – 31 Aug 2005</p> <p>Human Resources Manager at Protekon(Pty) LTD from 16 Aug 1996 – 31 Dec 2003</p> <p>Human Resources Practitioner at Spoomet from 16 Feb 1994 – 15 Aug 1996</p>

Nr.	SURNAME, NAMES, ID & DRIVER LICENSE	ADDRESS, CONTACT NUMBERS & E-MAIL ADDRESS	QUALIFICATIONS	CURRENT APPOINTMENT	EXPERIENCE
10.	Magan Virendra Gangaram  590730 5118 086  Male	PO Box 1547 Gallo Manor 2052 South Africa  083 703 3333	<ul style="list-style-type: none"> <li>• Master's Degree in Business Leadership</li> <li>• Certified Internal Auditor(CIA)</li> <li>• Baccalaureus Commerci</li> <li>• Honours Bachelor of Accounting Science</li> <li>• Examination Certificate for Public Accountants and Auditors</li> <li>• Certified Internal Auditor</li> </ul> View CV	Consulting Practice at Megan & Associates from 01 Apr 2020 - Currently	<p>Head Business Assurance Services at Hernic Ferrochrome (Pty) Ltd from Nov 2010 - Mar 2020</p> <p>Executive : Internal Audit at Telkom SA Ltd from Mar 2002 – Sept 2003</p> <p>Manager Internal Audit at Gauteng Shared Services Centre from Dec 2000 – Feb 2002</p> <p>Group Audit Manager at African Oxygen Limited from Apr 1996 – Nov 2000</p> <p>Financial Projects Manager at Xeratech Proprietary Limited from Aug 1991 – Apr 1996</p> <p>Articled Clerk - Audit Senior at External Audit Firms from July 1982 – Dec 1990</p>

Nr.	SURNAME, NAMES, ID & DRIVER LICENSE	ADDRESS, CONTACT NUMBERS & E-MAIL ADDRESS	QUALIFICATIONS	CURRENT APPOINTMENT	EXPERIENCE
11.	Jacqueline Lapoorta Female	17 Driebergen Street Highbury Kuilsriver Cape Town 7580	<ul style="list-style-type: none"> <li>BAcc: Chartered Accountant(CA)</li> <li>BAccHon or PGDip(CA)</li> <li>Initial Test of Competence(Part 1 –Qualifying Examination) Board 1</li> <li>Assessment of Professional Competence(APC) (Part 2 of the Qualifying Examination)</li> <li>Assessment of Professional Competence(APC) (Part 2 of the Qualifying Examination)</li> <li>Course in Administration of Estates</li> <li>National Credit Regulator(NCR) Debt Counselling</li> </ul> <p>View CV</p>	Senior Manager at Kuhumelela Auditors Inc. & Kuhumelela Advisory Services from May 2018 - Currently	<p>Senior Audit Professional at Deloitte from Oct 2016 – Apr 2018</p> <p>Senior Audit Professional for Ernst &amp; Young from Sep 2014 –Aug 2016</p> <p>Consultant at Kuhumelela Auditors Inc. &amp; Kuhumelela Advisory Services from May 2012 – Aug 2014</p> <p>Weizer Mazars From Jan 2012 – Apr 2012</p> <p>Trainee Accountant at Mazars from 2009 - 2011</p>

### Recommendation

*That the Mayco and Council:*

- (a) expresses appreciation towards Mr Redelinghuys for the six years the members served on the PRAC Committee and the contributions made.
- (b) Approves the appointment of Me J George for a 1-year term.
- (c) *approves the appointment of the following 3 members:*
  - a. Jacobus Johannes Swarts
  - b. Rowan Graham Nicholls
  - c. Jacqueline Lapoorta



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 50 Voortrekker St/ Str, Ceres, 6835  
 Suid Afrika/ South Africa  
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 admin@witzenberg.gov.za  
 www.witzenberg.gov.za

23 March 2022

QUESTIONS TO THE MAYOR MR. H SMIT BY ANC CAUCUS IN THE MUNICIPALITY, WARD COUNCILOR, ANDILE GILI

**MAYOR AS A RESULT OF NEWSPAPER REPORTS AS WELL AS YOUR FAILURE TO BRIEF ENLIGHTEN AND TRUST COUNCIL, I HAVE SIX QUESTIONS DIRECTED TO YOU AND I PLEASE DEMAND ANSWERS FROM YOU ALDERMAN SMIT**

1. How could you as a white apartheid beneficiaries allow and authorize the potential use of live ammunition through machine and shot guns by a security company, Mafoko, appointed by your DA, Good, Freedom Front Plus and Witzenberg Party administration against the colored and black citizens of Witzenberg in order to stop an illegal land invasion?
2. Was it your intention to cause a Witzenberg Marikana in Prince Alfred Hamlet to ensure and camouflage the modern continuation of slavery practices caused by agriculture in our area? This house also mandated the MM in our previous meeting to write to the Department of Labour to not give approval to work permits for Farmers in the Witzenberg to transport workers from other countries for cheap labour whilst our people are unemployed,
3. What were the amounts paid to the Mafoko Company for their license to potentially kill our colored and black citizens given the type of weapons stolen from the security company? Can you please provide Council with the tender documentation and payments made to them? What did the company pay where they were staying at the Pine Forest and why they are still being used given the situation that happened?
4. Why were the company still being used after the invasion was stopped during December 2021? Are the same corrupt methods used as before to ensure a private army for David Nasson the municipal manager and Mark Green – Manager at Traffic Services given we had a permanent riot squat in Witzenberg without any riots occurring in the previous years?
5. Will the municipal manager be charged for unlawful participation with the company in actions against the traders and citizens of Witzenberg or can we assume that the matter will be hidden under the mat in order to protect the political interest of your coalition?
6. Why Council was not informed regarding the serious situation given the firearms were stolen at a municipal facility?

  
 .....  
 Councillor Andile Gili  
 Ward Councilor





44, Ceres, 6835  
 3D Voorrekkers St/ Str, Ceres, 6835  
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 ✉ admin@witzenberg.gov.za  
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*Kennis geskied hiermee dat 'n vergadering van die Tender Evalueringskomitee sal plaasvind op Woensdag, 03 April 2019 om 14:00 in die Voorsieningskanaal Raadsaal, Ceres.*

*Notice is hereby that a meeting of the Bid Evaluation Committee will take place in the Supply Chain Management Boardroom on Wednesday, 03 April 2019 at 14:00.*

**Members of the Bid Evaluation Committee:**

**Members of the Bid Evaluation Committee:**

*Manager: Financial Administration*

**14:00**

*Buyer SCM*

**14:00**

*Manager: Administration*

**14:00**

*IT Administrator & Archives*

**14:00**

**Support staff**

*Senior SCM Clerk*

*Senior SCM Clerk*

*SCM Practitioner*

**Observer**

*Internal Auditor*

*Financial Intern*

**For information:**

*Director Financial Services*

*SCM Clerk*

**W MARS**

**MANAGER: FINANCIAL ADMINISTRATION**

**03 April 2019**

# **A G E N D A**

- 1. OPENING AND WELCOMING**
- 2. CONSIDERATION FOR APPROVAL OF LEAVE**
- 3. APPROVAL OF MINUTES**
- 4. BID FOR EVALUATION**
- 4.1 BID 08/2/16/57: PROVISION OF SECURITY SERVICES**

## **RECOMMENDATION TO THE BID EVALUATION COMMITTEE:**

- a) That the Bid Adjudication Committee take note of the following concerns arising from the Bid Evaluation Committee Meeting held 01 April 2019:
  - Budgetary constraints;
  - Lack of Clarity in terms of the Pre-Qualification criteria regarding ICASA licences (e.g. frequency/dealer/repair etc.)
  - Inclusion of the Riot Squad section as questioned at Specification stage. The inclusion eliminates various bidders, which could lead to a lack of competitiveness and would not be in line with s217 of the Constitution.
- b) That the bid for **Provision of Security Services** be cancelled in terms of regulation 13 (1) (b) Procurement Regulations of 2017 due to the fact that funds **are no longer available to cover the total envisaged expenditure.**

**MUNISIPALITEIT WITZENBERG**

**AANSOEK OM VERSKONING TOT AFWESIGHEID VAN VERGADERING**

**(Nota: Moet by die Voorsitter van die betrokke tenderkomitee ingedien word voor die aanvang van die vergadering)**

**Naam van komiteelid:** .....

Graag doen ek aansoek om verskoning tot afwesigheid van die volgende vergadering(s):

<b>VERGADERING</b>	<b>DATUM</b>
Tender Komitee / Bid Committee	
Reason	

.....  
**DATE**

.....  
**SIGNATURE**

## ITEM 4.1

### BID 08/2/16/57: PROVISION OF SECURITY SERVICES

#### 1. PURPOSE

The purpose is to submit a report regarding the bid for the **Provision of Security Services** to the bid evaluation committee for consideration and recommendation to the adjudication committee.

#### 2. BUDGET

The approved budget amount in the operational budget is as follows:

UKEY	DESCRIPTION	AMENDED BUDGET 2018/2019 (Excl. VAT)	AVAILABLE BUDGET 2018/2019 (Excl. VAT)	BUDGET 2019/2020 (Excl. VAT)	BUDGET 2020/2021 (Excl. VAT)

Proof thereof is attached as Annexure A.

#### 3. WRITTEN REQUEST

RELEVANT DATES APPLICABLE					
FINAL REQUEST RECEIVED	FINAL SPECIFICATION MEETING HELD	FINAL APPROVAL	ADVERTISEMENT DATE	CLOSING DATE	FINAL TECHNICAL REPORT RECEIVED
08 February 2019	13 February 2019	13 February 2019	14 February 2019	28 February 2019	01 April 2019

Find attached as Annexure B the written request from the **Manager: Administration**.

#### 4. ADVERTISEMENT

The bid was advertised in the Die Burger & Weekend Argus on 14 February 2019, the municipal website & all municipal notice boards on 14 February 2019. Bid closing date was Wednesday, 28 February 2019. Proof of the advertisements is attached as **Annexure C**.

#### 7. RESPONSES TO THE BID INVITATION

The bids were opened in public immediately after closing time. Nine bids were received and proof thereof is attached as Annexure D as per bid register:

	BIDDER	AMOUNT Rate per hour for all areas	Total Estimated Bid Price	BBBEE Status Level
1	Ukhuselo Training Academy and Security CC	R 25 831.45	R 127 889 431,00	2
2	Mafoko Security Patrols (Pty) Ltd	R 11 884.79	R 34 302 390,67	1
3	Nikao Protection Services	R 27 841.80	R 86 641 753,14	1
4	Farmguard Security CC	R 23 035.49	R 63 199 930,78	1
5	Red Ant Security Relocation and Eviction Services (Pty) Ltd	R 12 718.46	R 37 888 975,81	2
6	Mgebe Security Services CC	R 7 313.74	R 20 809 182,93	1
7	Ensemble Trading 2366 t/a Ensemble Security	R 16 718.67	R 44 464 428,16	1
8	High Speed Projects (Pty) Ltd t/a High Speed Security Services	R 16 901.89		2
9	Witzenberg Crime Prevention Unit (Pty) Ltd	R 11 732.40	R 34 548 836,40	1

## 8. PRE-QUALIFICATION OF BIDS

PRE-QUALIFICATION CRITERIA	UKHUSELO TRAINING ACADEMY AND SECURITY	MAFOKO SECURITY PATROLS	NIKAO PROTECTION SERVICES	FARMGAUARD SECURITY	RED ANT SECURITY	MGEBE SECURITY	ENSAMBLE SECURITY	HIGH SPEED PROJECTS	WITZENBERG CRIME PREVENTION UNIT
An original valid tax clearance certificate must be attached to the bid document	✓	✓	✓	✓	✓	✓	✓	✓	✓
Bidder must submit a certified statement signed by the bidder declaring that the bidder has no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 30 days;	Latest Municipal account were requested and responded positively	✓	✓	✓	✓	✓	✓	✓	✓
The bidders details must be provided	✓	✓	✓	✓	✓	✓	✓	✓	✓
The bidder must adhere to the pricing Instructions;	✓	✓	✓	✓	✓	✓	✓	x	✓
The declaration of Interests by the bidder must be completed and signed	✓	✓	✓	✓	✓ noted	✓	✓	✓	✓
The necessary document authorizing the representative to sign and submit the bid on the bidder's behalf must be completed and signed	✓	✓	✓	✓	✓	✓	✓	✓	✓
Declaration of bidders past supply chain management practice	✓	✓	✓	✓	✓	✓	✓	✓	✓
The certificate of Independent Bid determination must be completed and signed	✓	✓	✓	✓	✓	✓	✓	✓	✓

PRE-QUALIFICATION CRITERIA	UKHUSELO TRAINING ACADEMY AND SECURITY	MAFOKO SECURITY PATROLS	NIKAO PROTECTION SERVICES	FARMGUAARD SECURITY	RED ANT SECURITY	MGEBE SECURITY	ENSAMBLE SECURITY	HIGH SPEED PROJECTS	WITZENBERG CRIME PREVENTION UNIT
<b>Pre-Qualification 1.3.1</b> Service Providers and staff members must be registered with the Private Security Industry Regulatory Authority (PSIRA). Certified proof of registration of the company must accompany the bid document in order to comply with section 20 (1) (a) and 20 (2) (a and b) of the Act 56 of 2001. Failure to submit proof with the bid documents at the closing of the bid may result in the bid not being evaluated and may be deemed non responsive. Proof to be attached.	✓	✓	✓	✓	✓	✓	✓	✓	x
<b>Pre-Qualification 1.3.2</b> Bidders are required to supply proof of ICASA licence (Independent Communications Authority of South Africa Act, 2000 No. 13 of 2000 Licences as amended by: Broadcasting Amendment Act, No. 64 of 2002) of company and/or service provider. ICASA license should be valid for the Western Cape region. Proof to be attached.	✓	✓	✓	✓	✓	x	✓	✓	✓
<b>Pre-Qualification 1.3.3</b> The bidder must list their track record of at least 2 similar contracts successfully completed during the past 5 years. Bidders must complete a table on page 7 of this document indicating their current/ previous experience. Proof to be attached.	✓	✓	✓	✓	✓	x	✓	✓	✓
<b>Pre-Qualification 1.3.4</b> The Riot Squad must have accreditation from a Technical Riot Training Institution with a minimum of two years in a tactical response. Bidders doing in-house training must provide SASSETA accreditation. Proof to be attached.	✓	✓	✓	x	✓	x	✓	✓	x
<b>Pre-Qualification 1.3.5</b> The successful bidder must have had a contract of more than R1 000 000, 00 in Tactical Riot Management and that contract must have had at least a minimum of two years with a municipality, university, provincial department or national department or similar institution. Proof to be attached.	x	✓	✓	x	✓	x	x	x	x

## 9. TECHNICAL REPORT

The revised technical report was received from the **Administrator: IT & Archives** on 01 April 2019. Proof thereof is attached as Annexure E.

The following bidder(s) are considered to be non-responsive in terms of the pre-qualification and technical requirements of the bid document and will not be further evaluated:

BIDDER	REASON FOR NON-COMPLIANCE
<b>Ukhuselo Training Academy and Security CC</b>	<b>Non-compliance in terms of Pre-Qualification 1.3.5</b> The successful bidder must have had a contract of more than R1 000 000, 00 in Tactical Riot Management and that contract must have had at least a minimum of two years with a municipality, university, provincial department or national department or similar institution. <b>Proof to be attached.</b>
<b>Farmguard Security CC</b>	<p><b>Non-compliance in terms of Pre-Qualification 1.3.4</b> The Riot Squad must have accreditation from a Technical Riot Training Institution with a minimum of two years in a tactical response. Bidders doing in-house training must provide SASSETA accreditation. <b>Proof to be attached.</b></p> <p><b>Non-compliance in terms of Pre-Qualification 1.3.5</b> The successful bidder must have had a contract of more than R1 000 000, 00 in Tactical Riot Management and that contract must have had at least a minimum of two years with a municipality, university, provincial department or national department or similar institution. <b>Proof to be attached.</b></p>
<b>Mgebe Security Services CC</b>	<p><b>Non-compliance in terms of Pre-Qualification 1.3.2</b> Bidders are required to supply proof of ICASA licence (Independent Communications Authority of South Africa Act, 2000 No. 13 of 2000 Licences as amended by: Broadcasting Amendment Act, No. 64 of 2002) of company and/or service provider. ICASA license should be valid for the Western Cape region. <b>Proof to be attached.</b></p> <p><b>Non-compliance in terms of Pre-Qualification 1.3.3</b> The bidder must list their track record of at least 2 similar contracts successfully completed during the past 5 years. Bidders must complete a table on page 7 of this document indicating their current/ previous experience. <b>Proof to be attached.</b></p> <p><b>Non-compliance in terms of Pre-Qualification 1.3.4</b> The Riot Squad must have accreditation from a Technical Riot Training Institution with a minimum of two years in a tactical response. Bidders doing in-house training must provide SASSETA accreditation. <b>Proof to be attached.</b></p> <p><b>Non-compliance in terms of Pre-Qualification 1.3.5</b> The successful bidder must have had a contract of more than R1 000 000, 00 in Tactical Riot Management and that contract must have had at least a minimum of two years with a municipality, university, provincial department or national department or similar institution. <b>Proof to be attached.</b></p> <p>Unable to verify Municipal Accounts, and MBD 8 &amp; 9, as bidder did not complete and submit p34-57</p>
<b>Ensemble Trading 2366 t/a Ensemble Security</b>	<b>Non-compliance in terms of Pre-Qualification 1.3.5</b> The successful bidder must have had a contract of more than R1 000 000, 00 in Tactical Riot Management and that contract must have had at least a minimum of two years with a municipality, university, provincial department or national department or similar institution. <b>Proof to be attached.</b>
<b>High Speed Projects (Pty) Ltd t/a High Speed Security Services</b>	<p>Did Not Comply to Pricing Instructions (Additional Sunday Rates)</p> <p><b>Non-compliance in terms of Pre-Qualification 1.3.5</b> The successful bidder must have had a contract of more than R1 000 000, 00 in Tactical Riot Management and that contract must have had at least a minimum of two years with a municipality, university, provincial department or national department or similar institution. <b>Proof to be attached.</b> (New Division)</p>

<b>Witzenberg Crime Prevention Unit (Pty) Ltd</b>	<p><b>Non-compliance in terms of Pre-Qualification 1.3.1</b> Service Providers and staff members must be registered with the Private Security Industry Regulatory Authority (PSIRA). Certified proof of registration of the company must accompany the bid document in order to comply with section 20 (1) (a)) and 20 (2) (a and b) of the Act 56 of 2001. Failure to submit proof with the bid documents at the closing of the bid may result in the bid not being evaluated and may be deemed non responsive. <b>Proof to be attached.</b></p> <p><b>Non-compliance in terms of Pre-Qualification 1.3.4</b> The Riot Squad must have accreditation from a Technical Riot Training Institution with a minimum of two years in a tactical response. Bidders doing in-house training must provide SASSETA accreditation. <b>Proof to be attached.</b></p> <p><b>Non-compliance in terms of Pre-Qualification 1.3.5</b> The successful bidder must have had a contract of more than R1 000 000, 00 in Tactical Riot Management and that contract must have had at least a minimum of two years with a municipality, university, provincial department or national department or similar institution. <b>Proof to be attached.</b></p>
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The following bidders are considered to be responsive in terms of the pre - qualifications and technical requirements of the bid document:

BIDDER
Mafoko Security Patrols
Nikao Protection Services
Red Ant

## 10. EVALUATION OF RESPONSIVE BIDS

The bids are evaluated according to the 80/20 points system as indicated on the bid documents.

The allocation points were as follows:

- 80 points for Price
- 20 points for Preference

### 10.1 EVALUATION OF PRICE

The points awarded for price is set out in the table below:

BIDDER	BID PRICE	POINTS AWARDED (80.00)
Mafoko Security Patrols	R 11 884.79	80.00
Nikao Protection Services	R 27 841.80	27.41
Red Ant Security Relocation And Eviction Services (Pty) Ltd	R 12 718.46	74.34

### 10.2 PREFERENTIAL EVALUATION

In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B- BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18



3	16
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

The points awarded for preference are set out in the table below:

BIDDER	B-BBEE STATUS LEVEL OF CONTRIBUTOR	POINTS ALLOCATED (20.00)
Mafoko Security Patrols	Level 1	80.00
Nikao Protection Services	Level 1	27.41
Red Ant Security Relocation And Eviction Services (Pty) Ltd	Level 2	74.34

#### 11. TOTAL POINTS AWARDED

BIDDER	PRICE POINTS (80.00)	PREFERENCE POINTS (20.00)	TOTAL POINTS AWARDED (100.00)
Mafoko Security Patrols	80.00	20.00	100.00
Nikao Protection Services	27.41	20.00	47.41
Red Ant Security Relocation And Eviction Services (Pty) Ltd	74.34	18.00	92.34

12.

#### TRANSUNION AND NATIONAL TREASURY VERIFICATION

**Mafoko Security Patrols** scored the highest number of points for the items listed above. The recommended bidders, or any of their directors, are not listed as a restricted supplier on National Treasury's database. Proof thereof is attached as annexure F.

As a pro-active approach measure to prevent award being made to persons in the service of the state, the recommended bidder was checked against the database of TransUnion ITC. It was found that the recommended bidder is not in the service of the state. Proof thereof is attached as annexure G.

#### 13. RECOMMENDATION TO THE BID EVALUATION COMMITTEE:

- a) That the Bid Adjudication Committee take note of the following concerns arising from the Bid Evaluation Committee Meeting held 01 April 2019:
  - Budgetary constraints;
  - Lack of Clarity in terms of the Pre-Qualification criteria regarding ICASA licences (e.g. frequency/dealer/repair etc.)
  - Inclusion of the Riot Squad section as questioned at Specification stage. The inclusion eliminates various bidders, which could lead to a lack of competitiveness and would not be in line with s217 of the Constitution.
- b) That the bid for **Provision of Security Services** be cancelled in terms of regulation 13 (1) (b) Procurement Regulations of 2017 due to the fact that funds are no longer available to cover the total envisaged expenditure.

**Kennis geskied hiermee dat 'n vergadering van die Tender Toekeningskomitee sal plaasvind op Donderdag, 04 April 2019 om 11:00 in die Kantoer van die Direkteur Finansies.**

**Notice is hereby that a meeting of the Bid Adjudication Committee will take place on Thursday, 04 April 2019 at 11:00 in the Office of the Director Finance.**

**Members of the Bid Adjudication Committee**

<b>Members of the Bid Adjudication Committee:</b>	<b>Compulsory attendance from:</b>
Acting Director: Finance (Chairperson)	11:00
Director: Technical Services	11:00
Acting Director: Community Services	11:00
Director: Corporate Services	11:00
Manager: Supply Chain	11:00

<b>Relevant line managers/ officials/ consulting engineers</b>	<b>Compulsory attendance from:</b>
Buyer	11:00
Manager: Administration	11:00
IT Administrator & Archives	11:00
Manager: Resorts & Swimming Pools	11:00

<b>SCM Support staff</b>	<b>Compulsory attendance from:</b>
SCM Practitioner	11:00
Senior SCM Clerk	11:00
Financial Intern	11:00

**For information:**

Municipal Manager  
Internal Auditor  
Secretariat  
SCM Clerk  
SCM Clerk

**A RAUBENHEIMER**

**ACTING CHIEF FINANCIAL OFFICER: CHAIRPERSON BID ADJUDICATION COMMITTEE**

**03 April 2019**

**MINUTES OF A BID ADJUDICATION COMMITTEE MEETING OF WITZENBERG MUNICIPALITY HELD ON THE 04 APRIL 2019 AT 11:00 IN THE OFFICE OF THE CFO, CERES.**

**PRESENT:**

<b>MEMBERS OF BID ADJUDICATION COMMITTEE</b>	
A Raubenheimer	Acting Director Finance (Chairperson)
C Mackenzie	Acting Director Community Services
M Mpeluza	Director: Corporate Services
MG Frieslaar	Manager: Supply Chain
<b>MEMBERS OF BID EVALUATION COMMITTEE</b>	
S Mentor	Buyer: SCM
M Lukas	Senior Clerk: SCM
H Snyers	SCM Practitioner
J Samuel	Manager: Resorts & Swimming Pools
R Africa	Resorts
CG Wessels	Manager: Administration
R Rhode	IT Administrator

**1. OPENING AND WELCOMING**

The Chairperson welcomes everybody present.

**2. APOLOGIES**

**3. DECLARATION OF INTEREST BY MEMBERS**

The Chairperson explained the importance of declaring interest that any member of the committee may have, the members indicated that they have any interest in any of the companies/persons involved however none of which are business interest, or any other interest affecting the outcome of this bid.

**4. BIDS FOR ADJUDICATION**

**4.1 BID 08/2/16/57: PROVISION OF SECURITY SERVICES**

**DISCUSSION:**

The relevant Line Manager proceeded to inform all of the findings as per the Agenda and the recommendation after the previous recommendation had been referred back to the Bid Evaluation Committee by the Accounting Officer. The Chairperson required clarity on the recommendation as it had seemed unclear in certain aspects. The Buyer stated that the intention of the recommendation by the Bid Evaluation Committee was that the bid be awarded as per bid price, however the annual bid prices be limited to the annual budgetary figures, as the entire bid price is inclusive of expenditure for a period that has already passed, and that the recommendation for the entire bid price is not to enable over spending for the remaining contract period.

The Chairperson enquires as to the recommendation previously made by the Bid Adjudication Committee. The Manager SCM states that the recommendation was for the full bid price and also states that the estimate expenditure based on the calculations for the approximate contract period would be in the region of R25 million. The Director Corporate Services enquired as to whether provision for any industry increases, minimum wage increases etc. had been made in the bid document. The Chairperson states that the bidders had priced items over a 3 year period, which will be fixed, and that the split of pricing allowed for bidders to make provision for any increase within their unit rates. The bid had been advertised after implementation of minimum wages and that no increases will be applicable. The rates in terms of the previous contract had been revised due to industry increases.

The Chairperson states that he understands the view of the Bid Evaluation Committee and proposes that the award be limited to R30 million over the remaining contract period, in order to accommodate any unforeseen addition expenditure and that the Manager Financial Administration is to provide the budgetary figures. The Director Corporate Services is in agreement with the proposed contract amount.

## Southern Africa Contact Details

◆ Johannesburg  
Tel: +27 11 314 6000  
◆ Durban  
Tel: +27 31 554 9100  
◆ Cape Town  
Tel: +27 21 401 4000

◆ Harare  
Tel: +254 81 227 142  
◆ Botswana  
Tel: +267 390 3535  
◆ Zimbabwe  
Tel: +2534 794 488/9  
◆ Swaziland  
Tel: +265 2502 7844

Email: directsupport@transunion.co.za  
Web: www.transunion.co.za

Client Name : Justice Victoria  
Company : WITZENDEN MUNICIPALITY  
Subscriber : WITZENDEN MUNICIPALITY  
Subscriber Number : 42904  
Year Reference :  
From Place : +27 11 314 6000

From User : TransUnion Credit Bureau  
To Email : justice@witsendengov.co.za  
Reference Number : 0194871463  
Date Requested : 8 March 2019 15:35  
To Phone : +27 23 322741

## Subject Reported On

Subject Name : NARE, NARESHABUS JOSEPHAT  
Surname : NARE  
Consumer Name : NARESHABUS  
Toll Number : 0234871463  
Principal ID : 690317650083  
Address : 16 UNIBEDROVER ST, KENYON PARK ZA, 1619  
TU Member : 690326640  
Employment : Other  
Employment Address : Not Applicable

## Products Ordered

Product	Sub Product	Name
5031	5031	Principal Clearance
5032	5032	Principal Link

## Management Guideline

Risk Summary:

- Consumer Enquiries : 8 consumer enquiries in the name of the principal.
- Business Link : 16 business linked to principal.
- Judgments : No matched records for this subject on our database.
- Defaults : 1 record(s) in the name of the principal for 13 DPA. Most recent record 27 November 2018.
- Notices : No matched records for this subject on our database.
- Trace Alerts : No matched records for this subject on our database.

## Principal Details

## Principal Summary

DISPLAYS A SUMMARY OF THE INFORMATION AVAILABLE ON THE PRINCIPAL ENROLLED ON.

Printed: 08-Mar-2019 15:35

Registered with the National Credit Regulator - Reg No. NCRC08

Page 1 of 2

Surname : NARE  
Name : NARESHABUS  
ID Number : 690317650083  
Date Of Birth : 17 Feb 1969  
Business Telephone : 023 4871463  
AKA Name(s) :  
26 Sep 2018 - NARESHABUS JOSEPHAT.  
30 Jan 2018 - NARESHABUS JOSEPHAT.  
28 Aug 2017 - NARESHABUS JOSEPHAT.  
Address :  
24 Dec 2018 - 16 UNIBEDROVER ST, KENYON PARK, KENYON PARK, GP 1619 ZA  
01 Dec 2018 - 16 UNIBEDROVER ST, KENYON PARK, GP 1619 ZA  
29 Nov 2018 - 1076 HONEY THORN CLOSE, GREENSTONE HILL, EDENBURGH, 24  
23 Aug 2017 - BOX 659, EDEEN, KENYON PARK, GP 1619 ZA  
Employment :  
13 Dec 2018 - FOR MARETJ 032  
21 Nov 2018 - EXECUTIVE FOR MATROOSBURGH PATROUILLAD  
03 Oct 2018 - EXECUTIVE  
Work Telephone (Priv) : 023 3259724  
0270 1334300  
Home Telephone (Priv) : 023 3430462  
0270 2496848

## Adverse Details

## Principal Court Record

DISPLAYS THE ADVERSE INFORMATION RECORDED AGAINST THE PRINCIPAL.

Consumer Number : 000000000  
Monthly Amount : 0000000  
Number Of Defendants : 00  
Number Of Months : 000  
Message : No Judgments on file

## Principal Delinquency

DISPLAYS THE ADVERSE INFORMATION RECORDED AGAINST THE PRINCIPAL.

Action Date : 29 Nov 2018  
Type Of Action : Final Notice  
Type Code : F/N  
Consumer Number : 690325640  
Name : NARESHABUS  
RN Default : 01  
Current Name : NARESHABUS  
Address : 1076 Honey Thorn Close, Greenstone Hill, Edenburg  
Contract Number Code : 031  
Contract Number : 654124  
Subscriber Name : Ruchardwara 360 (Pty) Ltd  
Account : BRICA-02795  
Date Of Birth : 17 Feb 1969  
ID Number : 690317650083  
Amount : 13 159

## Principal Notices

DISPLAYS THE ADVERSE INFORMATION RECORDED AGAINST THE PRINCIPAL.

Consumer Number : 000000000  
Number Of Defendants : 00  
Message : No Notices on file

## Principal Trace Alerts

DISPLAYS THE ALERT INFORMATION RECORDED AGAINST THE PRINCIPAL.

Message : No Trace Alerts on file

## Linked Information

Printed: 08-Mar-2019 15:35

Registered with the National Credit Regulator - Reg No. NCRC08

Page 2 of 2

## Principal Link

DISPLAYS INFORMATION ON ANY OTHER BUSINESSES WHICH ARE ASSOCIATED WITH THE PRINCIPAL.

Date	Business	Registration Number	Status	Judgments	Defaults
21 Dec 2004	MAFORD SECURITY PATROLS (PTY) LTD	20408908017	In Business	-	-
30 Feb 2015	MAFORD AVIATION SERVICES (PTY) LTD	20150022007	In Business	-	-
28 Sep 2014	MAFORD PROPERTY INVESTMENTS (PTY) LTD	20140929107	In Business	-	-
26 Mar 2018	THE ASSOCIATION OF AFRICAN PRIVATE SECURITY OWNERS OF SOUTH AFRICA	20181071004	In Business	-	-
18 Jan 2016	MAFORD SECURITY SERVICES (PTY) LTD	20160471007	In Business	-	-
08 May 1988	WITFIELD TRADING ENTERPRISES CO	19880527003	In Business	-	-
12 Jan 2016	MAFORD AGRICULTURE AND AGRICULTURE FARMING (PTY) LTD	20160108007	In Business	-	-
17 May 2018	NGWEDI FINANCIAL SERVICES (PTY) LTD	20180503009	AR Default	-	-
13 Jan 2016	MAFORD SECURITY SERVICES (PTY) LTD	20160471007	In Business	-	-
18 Mar 2007	MPHOFI FARMING AND MANAGEMENT SERVICES CO	20070327005	AR Final	-	-
04 Nov 2006	EZY COMPUTER TECHNOLOGY CO	20061030423	AR Final	-	-
28 Jul 2004	DIKANE BETULAH ROAD CONSTRUCTION AND SARTYTHORP (PTY) LTD	20040807007	AR Final	-	-
02 Apr 2008	GAULANI MAFUTHO INVESTMENTS TRADING CO	20080904123	In Business	-	-
12 Mar 2001	BONTHE SECURITY PATROLS (PTY) LTD	20010508107	AR Final	-	-
27 Aug 2004	MONTI TRADING AND RECOVERY SERVICES CO	20040808003	In Business	-	-
08 Mar 2004	DIKANE DIAMOND DEALER CO	20040201025	In Business	-	-

## Enquiries

## Consumer Enquiries

DISPLAYS ENQUIRIES DONE ON THE PRINCIPAL AS A CONSUMER

Date	Subscriber	Contact
10 Jan 2018	WEBBANK SPP ADO	Webbank 089148435
24 Dec 2018	ABSA CARD	ABSA Bank Ltd 0200960020
19 Dec 2018	ABSA CARD	ABSA Bank Ltd 0200960020
19 Dec 2018	ABSA CARD	ABSA Bank Ltd 0200960020
20 Oct 2018	WEBBANK SPP ADO	Webbank 020149008
28 Sep 2018	TELECOM FOOTBALL NE	Keenon 018881408
14 Aug 2018	WEBBANK SPP ADO	Webbank 089148435
27 Jan 2018	WEBBANK SPP ADO	WEBBANK ACCOUNT 089148435

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The possible matches module will list possible adverse information that matches the business name provided by the customer. This information is extracted from a database made up of default information, judgments and notices that were not automatically matched. TransUnion Credit Bureau (Pty) Ltd makes no representation and gives no warranty and/or guarantee of whatever nature, whether express, implied in law, or residual in respect of any possible matches furnished to the customer. Use of possible match data requires customers to use their own skill and judgment and customers may not inform credit applicants that data derived from the possible matches module resulted in their credit application being declined.

## Southern Africa Contact Details

♦ Johannesburg Tel: +27 11 214 6000	♦ Harare Tel: +254 01 227 142
♦ Durban Tel: +27 31 564 9300	♦ Botswana Tel: +267 390 3535
♦ Cape Town Tel: +27 21 401 4200	♦ Zimbabwe Tel: +2634 794 488/9
	♦ Swaziland Tel: +268 2505 7644

Email: directsupport@transunion.co.za  
Web: www.transunion.co.za

Client Name : Justice Pienze	From User : TransUnion Credit Bureau
Company : WITZENBERG MUNICIPALITY	To Email : jpienze@wizenberg.gov.za
Subscriber : WITZENBERG MUNICI	Reference Number : 0394070846
Subscriber Number : 43904	Date Requested : 8 March 2019 15:11
Year Reference :	To Phone : +27 31 532741
From Phone : +27 31 214 6000	

## Subject Reported On

Subject Name : MARETUMELI JOSEPH MARETUMELI
Business : MARE
Consumer Name : LERO
Ticket Number : 0394070846
Principal ID : 923295957084
Address : 33 KONO FISHER CRES, PRETORIA, ZA 2
TU Number : 90178818
Equity Reason : Other
Equity Amount : Not Applicable

## Products Ordered

Product	Sub Product	Name
SG01	SG03	Principal Clearance
SG02	SG03	Principal Link

## Management Guideline

<b>Risk Summary:</b>	
• Consumer Enquiries	A consumer enquired to the name of the principal.
• Business Link	4 business linked to principal.
• Judgments	No matched records for this subject on our database.
• Defaults	1 record(s) in the name of the principal for 14 RSD. Most recent record 08 August 2018.
• Notices	No matched records for this subject on our database.
• Trace Alerts	No matched records for this subject on our database.

## Principal Details

## Principal Summary

DISPLAYS A SUMMARY OF THE INFORMATION AVAILABLE ON THE PRINCIPAL INQUIRED ON

Printed:08-Mar-2019 16:21

Registered with the National Credit Regulator - Reg No. NCRC08

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Date	Business	Registration Number	Status	Judgments	Defaults
08 Dec 2018	MAFOKO TEXTILES (PTY) LTD	2018407377	In Business	-	-
20 Feb 2019	MAFOKO AVIATION SERVICES (PTY) LTD	2018406809	In Business	-	-
08 Jul 2018	MANETROMICK (PTY) LTD	201827779407	At Discontinuation Process	-	-
21 Dec 2004	MAFOKO SECURITY PATROLS (PTY) LTD	20040289057	In Business	-	-

## Enquiries

## Consumer Enquiries

DISPLAYS ENQUIRIES DONE ON THE PRINCIPAL AS A CONSUMER

Date	Subscriber	Contact
10 Jan 2019	WESBANK SPP AGC	Wesbank 081148455
10 Jan 2019	ABSA CREDIT	ABSA 081 2000000000
10 Jan 2019	ABSA VOUCHER	ABSA 081 2000000000
30 Oct 2018	WESBANK SPP AGC	Wesbank 081148455
28 Sep 2018	ABSA CARD	CREDIT CARD(CAP) DEPARTMENT 08148021
14 Aug 2018	WESBANK SPP AGC	Wesbank 081148455
19 Apr 2018	STAPAMBEI & AS	Van Van Der Merwe 0000000000
15 Mar 2018	ABSA CARD	ABSA Bank Ltd 081200000000

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Business	MARE	Business Telephone	011 540003
Name	LERO	Home Telephone	011 8955446
Name	TAITE	Marital Status	Single
ID Number	923295957084	Entry Date	06 Apr 2012
Date Of Birth	29 Oct 1992	TU Number	90178818
AKA Name(s)	03 Jan 2019 - LERO TAITE 08 Aug 2018 - MAREL 17 Mar 2012 - MARELASHUN JOSEPHAT. 04 Dec 2018 - PLAT 301 713 CHURCH STREET ARGADIA 0085 02 Oct 2018 - PLAT 301 713 CHURCH STREET ARGADIA 0085 28 Sep 2018 - PLAT 301 713 CHURCH STREET ARGADIA 0085 13 Mar 2019 - 33 KONO FISHER CRES SILVER LAKES PRETORIA 6011 ZA		
Employment	02 Jan 2019 - FOR MAFOKO SECURITY 14 Aug 2018 - EX03 FOR MAFOKO SEC 15 Mar 2018 - FOR MAREL 001		
Home Telephone(Prov)	011 8092242 011 2913799		

## Adverse Details

## Consumer Enquiries

DISPLAYS THE ADVERSE INFORMATION RECORDED AGAINST THE PRINCIPAL

Consumer Number : 000000000	Monthly Amount : 00000000
Number Of Defendants : 00	Number Of Months : 000
Message : No Judgments on file	

## Business Link

DISPLAYS THE ADVERSE INFORMATION RECORDED AGAINST THE PRINCIPAL

Action Date : 08 Aug 2018	Contact Number Date : 043
Type Of Action : Final Notice	Contact Number : 70000002
Type Code : F/A	Subscriber Name : Tenant Profile Network Pty Ltd
Consumer Number : 90178818	Amount : 1794790555-43365
Name : Nere L	Date Of Birth : 29 Oct 1992
Id Number : 01	ID Number : 923295957084
Contact Name : Greg Nere	Amount : 14930
Address : 33 KONO FISHER CRES ARGADIA 0085 ZA	

## Principal Notices

DISPLAYS THE ADVERSE INFORMATION RECORDED AGAINST THE PRINCIPAL

Consumer Number : 000000000	Number Of Defendants : 00
Message : No Notices on file	

## Possible Trace Alerts

DISPLAYS THE ALERT INFORMATION RECORDED AGAINST THE PRINCIPAL

Message : No Trace Alerts on file
-----------------------------------

## Linked Information

## Business Link

DISPLAYS INFORMATION ON ANY OTHER BUSINESSES WHICH ARE ASSOCIATED WITH THE PRINCIPAL

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## Southern Africa Contact Details

♦ Johannesburg	♦ Namibia
Tel: +27 11 234 6000	Tel: +264 81 227 142
♦ Durban	♦ Botswana
Tel: +27 31 504 9100	Tel: +267 390 8535
♦ Cape Town	♦ Zimbabwe
Tel: +27 21 401 4200	Tel: +2634 794 488/9
	♦ Swaziland
	Tel: +268 2505 7844

Email: directsupport@transunion.co.za  
Web: www.transunion.co.za

Client Name	: Quthina Pharmacy	Print User	: TransUnion Credit Bureau
Company	: WITZENBERG MUNICIPALITY	To Email	: jstevens@wittenberg.gov.za
Subscriber	: WITZENBERG MUNICIPALITY	Reference Number	: 039460452
Subscriber Number	: 49504	Data Requested	: 8 March 2019 15:30
Year Reference	:	To Phone	: +27 21 322761
From Phone	: +27 21 234 6000		

## Subject Reported On

Subject Name	: MDAMANE TUMELO, 730305072061
Surname	: MDAMANE
Given Name	: TUMELO
Tel Number	: 039460452
Principal ID	: 730305072061
Address	: UNIT 88 HILL OF GOOD HOPE MIDRAND, ZA 1482
TV Number	: 80503533
Employment	: Other
Employment	: Not Applicable

## Products Ordered

Product	Sub Product	Name
6031	6031	Principal Clearance
6032	6032	Principal Link

## Management Guideline

• Consumer Enquiries	18 consumer enquiries in the name of the principal.
• Matched Link	1 Matched Link to principal.
• Judgments	No matched records for this subject on our database.
• Defaults	No matched records for this subject on our database.
• Notices	No matched records for this subject on our database.
• Trace Alerts	No matched records for this subject on our database.

## Principal Details

## Principal Summary

DISPLAYS A SUMMARY OF THE INFORMATION AVAILABLE ON THE PRINCIPAL ENCLOSED ON.

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Registered with the National Credit Regulator - Reg No. NCR038

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Bureau	: MIDAMANE	Bureau Telephone	: 021 2420013
Name	: TUMELO	Home Telephone	: 021 2420013
Phone	: 039460452	Marital Status	: 2
Business Name	: 8039460452	Entry Date	: 22 May 1999
ID Number	: 730305072061	TU Number	: 30533033
Date Of Birth	: 08 Mar 1973		
AKA Name(s)	: 16 Jan 2019 - TPL		
	: 17 Aug 2018 - MIDAMANE, TUMELO PRAYER.		
	: 08 Dec 2017 - TUMELO,		
Address	: 05 Mar 2019 - UNIT 88 HILL OF GOOD HOPE 94 NEW RD MIDRAND GP 1482 ZA		
	: 05 Mar 2019 - HILL OF GOOD HOPE UNIT 88 94 NEW RD MIDRAND GP 1482 ZA		
	: 04 Feb 2019 - UNIT 88 HILL OF GOOD HOPE 94 NEW RD MIDRAND GP 1482 ZA		
	: 29 Oct 2018 - UNIT 88 HILL OF GOOD HOPE CARLSWALD HALFWAY HOUSE BP 3485 ZA		
Employment	: 01 Feb 2019 - D000 FOR HARPOD BEC		
	: 24 Aug 2018 - FOR HARPOD SECURITY PATROLS		
	: 17 Aug 2018 - EX11 FOR HARPOD BEC		
Work Telephone (prev)	: 021 6127444		
	: 021 3946466		
Home Telephone (prev)	: 021 2420019		
	: 021 2420049		

## Adverse Details

## Principal Court Records

DISPLAYS THE ADVERSE INFORMATION RECORDED AGAINST THE PRINCIPAL.			
Consumer Number	: 000000000	Monthly Amount	: 0000000
Number Of Defaults	: 00	Number Of Months	: 000
Message	No judgments on file		

## Principal Defaults Data

DISPLAYS THE ADVERSE INFORMATION RECORDED AGAINST THE PRINCIPAL.			
Consumer Number	: 000000000	PI Default	: 00
Message	No Defaults on file		

## Principal Notices

DISPLAYS THE ADVERSE INFORMATION RECORDED AGAINST THE PRINCIPAL.			
Consumer Number	: 000000000	Number Of Defaults	: 00
Message	No Notices on file		

## Principal Trace Alerts

DISPLAYS THE ALERT INFORMATION RECORDED AGAINST THE PRINCIPAL.			
Message	No Trace Alerts on file		

## Linked Information

## Principal Link

DISPLAYS INFORMATION ON ANY OTHER BUSINESS WHICH ARE ASSOCIATED WITH THE PRINCIPAL.

Date	Business	Registration Number	Status	Judgments	Defaults
28 Aug 2018	MAPOLONG SECURITY PATROLS (PTY) LTD	2018403097	In Business	-	-
27 Mar 2017	PRINT CITY (PTY) LTD	2017150397	In Business	-	-

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27 Jul 2018	MDAMANE PRAYER AND SONS PROPERTIES (PTY) LTD	2018388707	All Description Process
14 Jun 2018	MAPOLONG SECURITY SERVICES (PTY) LTD	2018242727	In Business
21 Jan 2018	MAPOLONG SECURITY PATROLS (PTY) LTD	2018030907	In Business
04 May 2017	THULAGANA SECURITY PATROL CO	2017078035	Description

## Enquiries

## Consumer Enquiries

DISPLAYS ENQUIRIES DONE ON THE PRINCIPAL AS A CONSUMER.

Date	Subscriber	Contact
01 Feb 2018	MFC: NEDBANK LTD	MFC, A DIVISION OF NEDBANK 011806000
01 Feb 2018	ASSA VEHICLE ASSE	AVAF 080000000
01 Feb 2018	WEBBANK SPV AGO	WEBBANK 08148432
15 Jan 2018	LI SERVICES (PTY)	LI SERVICES - TOLSON 01148432
15 Jan 2018	KING PRICE WEISSER	KINGPRICEWEISSER 01148432
20 Aug 2018	CITIBANK INSURANCE	CITIBANK 01148432
20 Aug 2018	WEBBANK INSURANCE L	WEBBANK 080000000
20 Aug 2018	HLPOSK 01148432	HLPOSK 01148432
17 Aug 2018	AFRICAN INDEPENDA	Cash and Insurance 08148432
17 Aug 2018	ASSA CPU LINK	ANTON 080000000
17 Aug 2018	ASSA VEHICLE ASSE	AVAF 080000000
17 Aug 2018	WEBBANK SPV AGO	WEBBANK 08148432
17 Aug 2018	MFC: NEDBANK LTD	MFC, A DIVISION OF NEDBANK 011806000
22 Jan 2018	NEDBANK MASTER V1	NEDBANK Ltd 011264444
11 May 2018	DISCOVERY RESERVE	Discovery Reserve 080000000

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Term : 030 Accounts Provided : 2

Term Extended : N

### Supplier Credit Risk Analysis

\* PLEASE NOTE DAYS OVERDUE ARE EXPRESSED AS A PERCENTAGE

Latest Record Listed For Age Analysis 05 November 2018

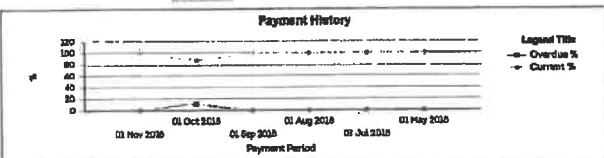
Supplier Number	Term	Credit Limit	Total Credit	Total Current	Total Overdue	30 Days	60 Days	90 Days
SUPP01	30	0	23545	100	0	0	0	0
Total		0	23545	100	0	0	0	0

Distribution of credit limit

### Payment History - 12 Months

Payment Period	Supplier	Credit Limit	Total Credit	Total Current	Total Overdue	30 Days	60 Days	90 Days
Nov 2018	1		23 545	100	0	0	0	0
Oct 2018	1	500 000	897 424	85	0	0	0	0
Sep 2018	2	500 000	888 216	80	0	0	0	0
Aug 2018	1		341 470	100	0	0	0	0
Jul 2018	1		74 928	100	0	0	0	0
May 2018	1		77 342	100	0	0	0	0

Distribution of credit limit



### Trade Reference Details

#### Trade On File

INFORMATION PERTAINING TO THE PAYMENT HABITS OF THE BUSINESS OBTAINED FROM THIRD PARTIES, INCLUDING HOW LONG IT HAS HAD CREDIT WITH VARIOUS PROVIDERS, THE CREDIT AMOUNT, EDICOUNTS AND COMMENT ON THE STATUS.

#### Trade References Obtained:

Reference Date	09 Jun 2017	Purchase	20 000
Reference Name	SMART OFFICE	Terms Offered/Taken	30/30
Shown the/with	3/0	Obtained	Yes
Credit Limit	Unlimited		
Insurance	No insurance or security has been taken on this account.		
Comment	GOOD ACCOUNT, CONTACTED HANDELLE.		

#### Trade References Not Obtained:

Reference Date	09 Jun 2017	Obtained	No
Reference Name	DOCULAM		
Comment	UNABLE TO OBTAIN REFERENCE, RELEVANT PERSON NOT AVAILABLE.		
Reference Date	09 Jun 2017	Obtained	No
Reference Name	GLOBAL TELEHART		
Comment	UNABLE TO OBTAIN REFERENCE, COMPANY UNTRACEABLE.		
Reference Date	09 Jun 2017	Obtained	No
Reference Name	LIQUID BULLET		
Comment	UNABLE TO OBTAIN REFERENCE, NUMBER RING CONTINUOUSLY.		
Reference Date	09 Jun 2017	Obtained	No
Reference Name	CAHON		
Comment	UNABLE TO OBTAIN REFERENCE, COMPANY UNTRACEABLE.		

### Deeds Details

#### Deeds Summary

DISPLAYS A SUMMARY OF THE PROPERTIES OWNED, ON THE TRANSCRIPTION DATABASE, PER EACH DEEDS OFFICE. THIS INFORMATION IS SUPPLIED BY THE DEEDS OFFICE OF SOUTH AFRICA AND IS UPDATED ON A MONTHLY BASIS. THE BOND INFORMATION DISPLAYED SHOWS ACTIVE BONDS LINKED TO THE PROPERTY WHICH MAY NOT BE IN THE NAME OF THE OWNER SEARCHED ON.

Business Name	MAFOMO SECURITY PATROLS (PTY) LTD	Total Property Price	18 263 000
Registration Number	20040369067	Total Bond Amount	19 300 000
No Of Properties	8	Total Bond-Free Amount	0,035 000

Deeds Office	No.	Property Price	Bond Amount	Bond-Free Amount
VRYBURG	1	1675 000	-	1 675 000
PRETORIA	2	9 790 000	9 790 000	0
MPUMALANGA	1	3 800 000	-	3 800 000
KIMBERLEY	1	1 300 000	-	1 300 000
JOHANNESBURG	1	1 000 000	-	1 000 000
CAPE TOWN	1	1 688 000	-	1 688 000

### Enquiries

#### Enquiry History

THIS DISPLAYS A HISTORY OF ENQUIRIES THAT HAVE BEEN MADE ON THE ENTRY BY OTHER ENTITIES, IN RESPECT OF ENTRIES OR CREDIT AGREEMENTS THAT FALL WITHIN THE AMBIT OF THE NATIONAL CREDIT ACT (BOTH AFRICA) ENTRIES ARE RETURNED FOR A PERIOD OF 31 MONTHS FOR ALL OTHER ENTRIES ON CREDIT AGREEMENTS ENTRIES WILL BE DISPLAYED FOR A PERIOD OF 2 YEARS.

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Date	Reason	Subscriber	Contact	Telephone	Enquiry Amount
08 Mar 2019	Other - as per law	WITZENBERG MUNICI	Jacine	11 821362	
08 Mar 2019	Other - as per law	TELKOM DE - AUTOM			
08 Mar 2018	Other - as per law	TELKOM DE - AUTOM			
03 Dec 2018	Credit Risk	DRANDESTEIN PARKS	Amanda	11 8074704	
13 Sep 2018	Credit Risk	FNB N/L OF OPS	Ref	11 6422000	
16 Aug 2018	Other - as per law	TELKOM DE - AUTOM			
16 Aug 2018	Other - as per law	TELKOM DE - AUTOM			
14 Aug 2018	Affordability assessment	ADT SECURITY SERV	Ruf	11 323447	400
28 Jun 2018	Affordability assessment	ADT SECURITY SERV	Ruf	11 323447	400
18 May 2018	Other - as per law	TELKOM DE - AUTOM			
11 May 2018	Credit Risk	CREDITDATA USER		021 525224	
08 May 2018	Credit Risk	URON			
16 Apr 2018	Affordability assessment	NBS RESI SOLUTION			1 000
10 Apr 2018	Affordability assessment	NBS RESI SOLUTION			1 000
09 Apr 2018	Other - as per law	TELKOM DE - AUTOM			
21 Mar 2018	Credit Risk	BASIM CAPITAL O	Hopie	11 939928	1 000 000
21 Feb 2018	Credit Risk	CREDITDATA USER		021 525224	
21 Feb 2018	Credit Risk	WIRMAN CORP ORATE	Balanda	11 8260000	
26 Oct 2017	Credit Risk	SASIM BANK	Givens	11 9454030	
20 Jul 2017	Credit Risk	TELKOM DE - AUTOM			
08 Jun 2017	Other - as per law	TELKOM DE - AUTOM			
08 Jun 2017	Credit Risk	TELKOM DE - AUTOM	ESTHER NANGOME	12210999	
08 Jun 2017	Credit Risk	EDBEN INDUSTRIAL	SHIRAZ WALTERS	11077021	200 000
30 May 2017	Credit Risk	CREDIT GUARANTEE	CREDIT GUARANTEE	0208970000	
29 May 2017	Credit Risk	TELKOM SOUTHERN	RAY GEMOGHA	11829008	
29 May 2017	Credit Risk	FNB LOMAS	EUGENE WILLIAMS	87348077	
09 May 2017	Trading by credit provider	KONO PRICE INSURA	CARA GRAYEN	110013088	
18 Apr 2017	Other - as per law	TELKOM WESTERN CA	TELKOM SA TELKO	08410101	
03 Apr 2017	Credit Risk	MERCANTILE RENTAL	LINDOLE MHELE		
31 Mar 2017	Other - as per law	WEBBANK COOPERATE			
30 Mar 2017	Credit Risk	SAPPHIRE TALE SA	MOHAMMED HADDO	11000000	
30 Mar 2017	Affordability assessment	AGSTYPH	FAREAH HIA	11364751	200 000

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Agency	Department	Project Name	Project ID	Project Status	Project Description	Project Budget	Project Start Date	Project End Date	Project Manager	Project Sponsor	Project Owner	Project Lead	Project Team	Project Contact	Project Email	Project Phone	Project Fax	Project Website	Project Address	Project City	Project State	Project Zip	Project Country
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

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...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

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...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

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**Tax Clearance Certificate Number:**

0700/1/2018/A001859461

### **Tax Clearance Certificate - Tender**

**Enquiries**

0800 00 SARS (7277)

**Approved Date**

2018-04-18

**Expiry Date**

2019-04-18

**Company registration number** 2004/035805/07

**Income Tax** 9539520156  
MAFOKO SECURITY PATROLS (PTY) LTD

**VAT** 4260221108  
MAFOKO SECURITY PATROLS (PTY) LTD

**PAYE** 7140769862  
MAFOKO SECURITY PATROLS (PTY) LTD

**Trading Name** MAFOKO SECURITY PATROLS

It is confirmed that, on the basis of the information at the disposal of the South African Revenue Service (SARS), the above-mentioned taxpayer has complied with the requirements as set out in the Tax Administration Act.

This certificate is valid until the expiry date reflected above, subject to the taxpayer's continued tax compliance.

To verify the validity of this certificate, contact SARS through any of the following channels:

- Via eFiling (Registered eFilers may refer to the "Tax Compliance Status Verification" function)
- By calling the SARS Contact Centre on 0800 00 7277
- At your nearest SARS branch

This certificate is issued in respect of the taxpayer's tax compliance status only, and does not address any other aspect of the taxpayer's affairs.

*This certificate is issued free of charge by SARS*

AFP



Handwritten text: "I hereby certify that this document is a true and correct copy of the original document and that I have not made any alterations or additions to it."

VDC-F03/V3

Generic B-BBEE Certificate

## Mafoko Security Patrols (Pty) Ltd

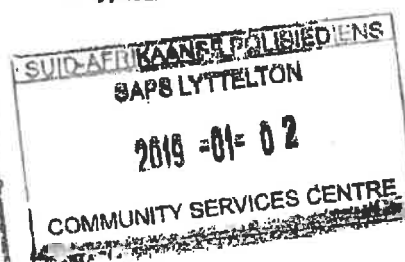
Registration Number: 2004/035905/07

Physical Address: 1080 Pretorius Street, Level 1, Hatfield, Pretoria, 0083

Level One Contributor			
Scorecard Details	Score	Other Details	Results
Ownership	21.00	Recognition Level	135.00%
Management Control	14.77	Black Ownership	100.00%
Skills Development	19.83	Black Women Ownership	0.00%
Enterprise and Supplier Development	43.00	Modified Flow Principle Applied	No
Socio-Economic Development	5.00	Certificate Number	G2018FV0025
Total Score	103.60	Vat Number	4260221108
Discounting Principle Applied	No	Re-Issue Date	27 September 2018
Empowering Supplier	Yes	Expiry Date	26 September 2019
Measurement Period	01 March 2017 – 28 February 2018		

Handwritten signature: 2810  
Technical Signatory

This B-BBEE certificate is based on the information provided to FIDELITY VERIFICATION and represents an impartial and independent opinion. The Department of Trade and Industry's Standard Codes of Good Practice (gazette 36928 of 11 October 2013) has been applied.



+2711 028 0217

info@fidelityverification.co.za

www.fidelityverification.co.za

AKP



**Tax Clearance Certificate Number:**

0700/1/2018/A001859461

### **Tax Clearance Certificate - Tender**

**Enquiries**  
0800 00 SARS (7277)

**Approved Date**  
2018-04-18

**Expiry Date**  
2019-04-18

**Company registration number** 2004/035905/07

**Income Tax** 9539520156  
MAFOKO SECURITY PATROLS (PTY) LTD

**VAT** 4260221108  
MAFOKO SECURITY PATROLS (PTY) LTD

**PAYE** 7140769862  
MAFOKO SECURITY PATROLS (PTY) LTD

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APP

### Result Summary

Entity Details	
Registered Name:	MAFOKO SECURITY PATROLS (PTY) LTD
Trading Name:	MAFOKO SECURITY PATROLS
Reg/CC/Trust No:	200403590507
INCOME_TAX:	9539520156
VAT:	4260221108
PAYE:	7140769862
PIN:	A6310A5101
Date/TIme:	2019-04-01 10:59:44

The response represents the taxpayer's compliance status at the date and time of this response. It is important to note that the overall compliance status is not static and will change as the compliance status changes.

Indicator	Description	Purpose	Refresh	Open
	The taxpayer is registered for tax and is currently compliant in respect of filing and payment responsibilities	TENDER	Refresh	View

# KHUSELO TELECOMS (Pty) Ltd.

Reg. No: 2003/026790/07  
Vat. No: 4030221057



Physical Address:  
Plot 52 A,  
28 Marais street, Monavoni,  
Centurion  
Postal: P.O. BOX 6113  
Halfway House, 1685  
Tel: 012-668-9000  
Info@khuselo.co.za

31 August 2016

## TO WHOM IT MAY CONCERN

The Company Mafoko Security, Account Nr. K-MSP001, is one of our clients to whom Khuselo Telecoms rent radios and airtime. Mafoko Security is using some of our frequencies. Khuselo Telecoms also do the repair and maintenance on these radios.

All our frequencies are ICASA issued and legal.

We have repeaters covering the whole of Gauteng, Mpumalanga, Western Cape and Eastern Cape.

We offer to serve any company that is in need of affordable communications and service.

Khuselo Telecoms can supply, repair and do all the maintenance on the radio's nationally. 2019-01-12

Licence number 498-024-0 is Khuselo Telecoms Radio dealer Licence.

COMMUNITY SERVICES CENTRE

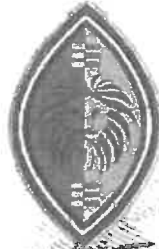
We trust that the above meets your approval and we await to hear from you in the event of any enquires.

Yours Faithfully

Alet Le Riche  
P/A for the Directors

Directors: N. Radem (Marketing Director) | Du Plessis | (Name illegible)

APP



# PSIRA

Private Security Industry Regulatory Authority

This certificate certifies that

**MAFOKO SECURITY PATROLS (PTY) LTD**

Company

Trading As:

Reg Number: 1263819

Date of Registration: 22/08/2005

is duly registered as a Security Service Provider as contemplated in terms of  
Section 21 of the Private Security Industry Regulation Act 2001 (Act No. 56 of 2001)

Date of Issue: 18/04/2018

Valid Until: 17/04/2019

Copy No 0

Certificate No: 9140917

NOTE: This certificate remains at all times the property of the Private Security Industry Regulation Authority and in terms of Section 28(6) of the Private Security Industry Regulation Act, 2001 (Act No. 56 of 2001) must forthwith be returned by the holder to the Authority on withdrawal or suspension of the holder's registration.



000077648

AFP

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

Signature

DIRECTOR GENERAL

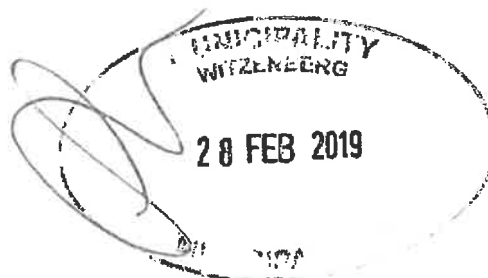
Position

Date

20-02-2019

MAFORD SECURITY

Name of Bidder





# **CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid: **BID 08/216/57: PROVISION OF SECURITY SERVICES** for the bid made by **WITZENBERG MUNICIPALITY** does hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: MAFORD SECURITY PATROLS -that:  
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.

<sup>3</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?

YES ☐ / NO ☒

3.11.1 If yes, furnish particulars

N/A

3.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state?

YES ☐ / NO ☒

3.12.1 If yes, furnish particulars

N/A

3.13 Are any spouse, child or parent of the company's directors trustees, managers, principle shareholders or stakeholders in service of the state?

YES ☐ / NO ☒

3.13.1 If yes, furnish particulars

N/A

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract.

YES ☐ / NO ☒

3.14.1 If yes, furnish particulars

N/A

#### 4. Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	Personal income tax reference number	State Employee Number
ERASMUS JOSEPHAT NARE	6902175750083	1277468144	N/A
TUMELO PRATER MIPAKANE	7303050727081	2689480149	N/A
LEBO TAITE NARE	9210295957084	2156246171	N/A

Signature

DIRECTOR GENERAL  
Capacity

Date

20 FEBRUARY 2019

MAFORD SECURITIES  
Name of Bidder

MUNICIPALITY  
WILDFERD

28 FEB 2019

## DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state<sup>1</sup>.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of bidder or his or her representative: LEBO TAITE HARE

3.2 Identity Number: 9210295957084

3.3 Position occupied in the Company (director, trustee, shareholder): DIRECTOR

3.4 Company Registration Number: 2004/035905/07

3.5 Tax Reference Number: 9539520156

3.6 VAT Registration Number: 4260221108

3.7 The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

3.8 Are you presently in the service of the state? YES ☐ / NO ☒

3.8.1 If yes, furnish particulars. N/A

3.9 Have you been in the service of the state for the past twelve months? ..... YES ☐ / NO ☒

3.9.1 If yes, furnish particulars. N/A

3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? ..... YES ☐ / NO ☒

3.10.1 If yes, furnish particulars. N/A

<sup>1</sup>MSCM Regulations: "in the service of the state" means to be –

(a) a member of –

- (i) any municipal council;
- (ii) any provincial legislature; or
- (iii) the national Assembly or the national Council of provinces;

(b) a member of the board of directors of any municipal entity;

(c) an official of any municipality or municipal entity;

(d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);

(e) a member of the accounting authority of any national or provincial public entity; or

(f) an employee of Parliament or a provincial legislature.

<sup>2</sup> Shareholder<sup>2</sup> means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

**DETAILS OF BIDDER (THE FOLLOWING PARTICULARS MUST BE FURNISHED. FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)**

Name of firm / entity / enterprise	MAFOKO SECURITY PATROLS
Trading as (if different from above)	
Postal address of enterprise	Line 1: P.O. Box 8596 Line 2: Town/city: EDLESTON Postal code: 1625
Physical address of enterprise	Line 1: 14 GROSVENOR ROAD Line 2: DIEP RIVER CAPE Town/city: CAPE TOWN Postal code: 7800
Contact details of the person signing the bid, being duly authorised to do so:	Name: LEO TAITSE MARE Telephone: (021) 712 8405 Fax: 086 011 1160 Cellular telephone: 071 803 5594 E-mail address: info@mafokosp.co.za
Contact details of the senior manager responsible for overseeing contract performance:	Name: IVAN LEON BARLOW Telephone: (021) 712 8405 Fax: 086 011 1160 Cellular telephone: 066 476 1911 E-mail address: info@mafokosp.co.za
Contact Details of the Bidder's proposed Project Manager who will represent the Bidder in the Implementation processes:	Name: LEHLOGONDO TALL Telephone: (021) 712 8405 Fax: 086 011 1160 Cellular telephone: (061) 481 7215 E-mail address: info@mafokosp.co.za
Company income tax number	9539520156
Tax Compliance Status System PIN (issued by SARS)	A6310A5101
VAT registration number	4260221108
Company registration number	2004/035905/07
Any other Registration applicable to this Industry	990000169182-CODA
Banking details	Name of account holder: MAFOKO SECURITY PATROLS Name of bank: STANDARD BANK Account number: 281 094 683 Branch code: 011 245

WILSONS  
26 FEB 2019

# WITZENBERG

**MUNISIPALITEIT      UMASIPALA      MUNICIPALITY**

## **- MEMORANDUM -**

**AAN / TO:** Accounting Officer  
**VAN / FROM:** Chairperson of Bid Adjudication Committee  
**DATUM / DATE:** 4 April 2019  
**VERW/ REF:** 08/2/16/57

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**REQUEST FOR APPROVAL FROM ACCOUNTING OFFICER: BID 08/2/16/57: PROVISION OF SECURITY SERVICES**

**1. Purpose**

To request the Accounting Officer to consider the recommendation to award the bid for **Provision of Security services to Mafoko Security Patrols (Pty) Ltd** based on the tendered rates from **date of contract signing till 30 June 2021**, provided that expenditure is within the available budget and not exceeding **R 30 000 000.00 (Incl. VAT)**

**2. Background**

The abovementioned bid closed on 28 February 2019. The technical analysis of the bid was performed by the Manager: Administration & Administrator: IT & Archives. The bid served before the bid evaluation committee 1 & 3 April 2019 and the bid adjudication committee on 1 & 4 April 2019. Minutes of the meetings and the agenda items with all its annexures are attached.

**3. Discussion**

The bid adjudication committee resolved the following:

- a) That the Bid Adjudication Committee recommend to the Accounting Officer that bid for **Provision of Security services** be awarded to **Mafoko Security Patrols (Pty) Ltd** based on the tendered rates from **date of contract signing till 30 June 2021**, provided that expenditure is within the available budget and not exceeding **R 30 000 000.00 (Incl. VAT)**
- b) *That the bid document serves as a service level agreement.*

**4. Legal framework**

In terms of paragraph 6 (2) (a) of Council's Supply Chain Management Policy:

*"The power to make a final award –*

- a) Above R 10 million (VAT included) may not be sub delegated by the accounting officer"*

**5. RECOMMENDATION TO THE ACCOUNTING OFFICER**

- a) **Provision of Security services** be awarded to **Mafoko Security Patrols (Pty) Ltd** based on the tendered rates from **date of contract signing till 30 June 2021**, provided that expenditure is within the available budget and not exceeding **R 30 000 000.00 (Incl. VAT)**
- b) That the bid document serves as a service level agreement.

Yours sincerely



**AJ RAUBENHEIMER**  
**CHAIRPERSON OF THE BID ADJUDICATION COMMITTEE**

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**DECISION OF THE ACCOUNTING OFFICER**

(Indicate with ✓ where applicable)

The Accounting Officer endorses the recommendation	
The Accounting Officer refers the report to the writer for further investigation	
Any resolution by the Accounting Officer other than the recommendation (Such resolution or amendment is to be clearly specified herein under):	



.....  
**D NASSON**  
**ACCOUNTING OFFICER**

**24/04/19**  
.....  
**DATE**

#### **RESOLUTION OF THE BID ADJUDICATION COMMITTEE**

- a) That the Bid Adjudication Committee recommend to the Accounting Officer that bid for Provision of Security Services be awarded to Mafoko Security Patrols based on the tendered rates (Appendix A) from date of contract signing till 30 June 2021, not exceeding the total amount of R30 000 000.

#### **4.2 BID 08/2/16/33: CUTTING AND REMOVING OF PINE TREES AT PINE FOREST HOLIDAY RESORT**

##### **Discussion:**

The relevant Line Manager proceeds to inform all of the findings as per the Agenda and Technical Report, hence the recommendation. The Director Corporate Services enquires as to the way forward in terms of the current need. The Manager Resorts and Swimming Pools states that cases have been prioritized and will be handled by means of a request for quotations, currently with the SCM unit. The need will be re-assessed after the upcoming winter months and the way forward will depend on the outcome of this. The Chairperson states that a record of the cancellations must be kept in order to comply with the updated Preferential Procurement Regulations.

#### **RESOLUTION OF THE BID ADJUDICATION COMMITTEE**

- a) That the bid for Cutting And Removing Of Pine Trees At Pine Forest Holiday be cancelled in terms of regulation 13 (1) (b) & (c) of the Preferential Procurement Regulations of 2017 due to the fact that funds are no longer available to cover the total envisaged expenditure and that no acceptable bids were received

#### **5. CLOSURE**

The meeting adjourned at 11:35



**A RAUBENHEIMER**  
**CHAIRPERSON OF BID ADJUDICATION COMMITTEE**





# **A G E N D A**

- 1. OPENING AND WELCOMING**
- 2. CONSIDERATION FOR APPROVAL OF LEAVE**
- 3. APPROVAL OF MINUTES**
- 3.1 MINUTES BID ADJUDICATION COMMITTEE**
- 4. BID FOR ADJUDICATION**
- 4.1 BID 08/2/16/57: PROVISION OF SECURITY SERVICES**

## **RECOMMENDATION TO THE BID ADJUDICATION COMMITTEE:**

- a) That the Bid Adjudication Committee recommend to the Accounting Officer that bid for **Provision of Security Services** be awarded to **Mafoko Security Patrols** based on the tendered rates (Appendix A) from date of contract signing till **30 June 2021**, *not exceeding the calculated estimate total equivalent to R 34 302 390.67 over 36 months* and provided that expenditure is within the available budget and adheres to maximum contract period ending 30 June 2021.
- b) That the bid document serves as a service level agreement.

- 4.2 BID 08/2/16/33: CUTTING AND REMOVING OF PINE TREES AT PINE FOREST HOLIDAY**

## **RECOMMENDATION TO THE BID ADJUDICATION COMMITTEE:**

- a) That the bid for **Cutting And Removing Of Pine Trees At Pine Forest Holiday** be cancelled in terms of regulation 13 (1) (b) & (c) of the Preferential Procurement Regulations of 2017 due to the fact that funds are no longer available to cover the total envisaged expenditure and that no acceptable bids were received.

**MUNISIPALITEIT WITZENBERG**

**AANSOEK OM VERSKONING TOT AFWESIGHEID VAN VERGADERING**

**(Nota: Moet by die Voorsitter van die betrokke tenderkomitee ingedien word voor die aanvang van die vergadering)**

**Naam van komiteelid:** .....

Graag doen ek aansoek om verskoning tot afwesigheid van die volgende vergadering(s):

VERGADERING	DATUM
Tender Komitee / Bid Committee	
Reason	

.....  
DATE

.....  
SIGNATURE

## ITEM 4.1

### BID 08/2/16/57: PROVISION OF SECURITY SERVICES

#### 1. PURPOSE

The purpose is to submit a report regarding the bid for the **Provision of Security Services** to the bid evaluation committee for consideration and recommendation to the adjudication committee.

#### 2. BUDGET

The approved budget amount in the operational budget is as follows:

UKEY	DESCRIPTION	AMENDED BUDGET 2018/2019 (Excl. VAT)	AVAILABLE BUDGET 2018/2019 (Excl. VAT)	BUDGET 2019/2020 (Excl. VAT)	BUDGET 2020/2021 (Excl. VAT)

Proof thereof is attached as Annexure A.

#### 3. WRITTEN REQUEST

RELEVANT DATES APPLICABLE					
FINAL REQUEST RECEIVED	FINAL SPECIFICATION MEETING HELD	FINAL APPROVAL	ADVERTISEMENT DATE	CLOSING DATE	FINAL TECHNICAL REPORT RECEIVED
08 February 2019	13 February 2019	13 February 2019	14 February 2019	28 February 2019	01 April 2019

Find attached as Annexure B the written request from the **Manager: Administration**.

#### 4. ADVERTISEMENT

The bid was advertised in the Die Burger & Weekend Argus on 14 February 2019, the municipal website & all municipal notice boards on 14 February 2019. Bid closing date was Wednesday, 28 February 2019. Proof of the advertisements is attached as **Annexure C**.

#### 7. RESPONSES TO THE BID INVITATION

The bids were opened in public immediately after closing time. Nine bids were received and proof thereof is attached as Annexure D as per bid register:

	BIDDER	AMOUNT Rate per hour for all areas	Total Estimated Bid Price	BBBEE Status Level
1	Ukhushelo Training Academy and Security CC	R 25 831.45	R 127 889 431,00	2
2	Mafoko Security Patrols (Pty) Ltd	R 11 884.79	R 34 302 390,67	1
3	Nikao Protection Services	R 27 841.80	R 86 641 753,14	1
4	Farmguard Security CC	R 23 035.49	R 63 199 930,78	1
5	Red Ant Security Relocation and Eviction Services (Pty) Ltd	R 12 718.46	R 37 888 975,81	2
6	Mgebe Security Services CC	R 7 313.74	R 20 809 182,93	1
7	Ensemble Trading 2366 t/a Ensemble Security	R 16 718.67	R 44 464 428,16	1
8	High Speed Projects (Pty) Ltd t/a High Speed Security Services	R 16 901.89		2
9	Witzenberg Crime Prevention Unit (Pty) Ltd	R 11 732.40	R 34 548 836,40	1

## 8. PRE-QUALIFICATION OF BIDS

PRE-QUALIFICATION CRITERIA	UKHUSELO TRAINING ACADEMY AND SECURITY	MAFOKO SECURITY PATROLS	NIKAO PROTECTION SERVICES	FARMGAUARD SECURITY	RED ANT SECURITY	MGEBE SECURITY	ENSAMBLE SECURITY	HIGH SPEED PROJECTS	WITZENBERG CRIME PREVENTION UNIT
An original valid tax clearance certificate must be attached to the bid document	✓	✓	✓	✓	✓	✓	✓	✓	✓
Bidder must submit a certified statement signed by the bidder declaring that the bidder has no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 30 days;	Latest Municipal account were requested and responded positively	✓	✓	✓	✓	✓	✓	✓	✓
The bidders details must be provided	✓	✓	✓	✓	✓	✓	✓	✓	✓
The bidder must adhere to the pricing instructions;	✓	✓	✓	✓	✓	✓	✓	x	✓
The declaration of interests by the bidder must be completed and signed	✓	✓	✓	✓	✓ noted	✓	✓	✓	✓
The necessary document authorizing the representative to sign and submit the bid on the bidder's behalf must be completed and signed	✓	✓	✓	✓	✓	✓	✓	✓	✓
Declaration of bidders past supply chain management practice	✓	✓	✓	✓	✓	✓	✓	✓	✓
The certificate of independent Bid determination must be completed and signed	✓	✓	✓	✓	✓	✓	✓	✓	✓

PRE-QUALIFICATION CRITERIA	UKHUSELO TRAINING ACADEMY AND SECURITY	MAFOKO SECURITY PATROLS	NKAO PROTECTION SERVICES	FARMGAUARD SECURITY	RED ANT SECURITY	MGEBE SECURITY	ENSAMBLE SECURITY	HIGH SPEED PROJECTS	WITZENBERG CRIME PREVENTION UNIT
<b>Pre-Qualification 1.3.1</b> Service Providers and staff members must be registered with the Private Security Industry Regulatory Authority (PSIRA). Certified proof of registration of the company must accompany the bid document in order to comply with section 20 (1) (a) and 20 (2) (a and b) of the Act 56 of 2001. Failure to submit proof with the bid documents at the closing of the bid may result in the bid not being evaluated and may be deemed non responsive. <b>Proof to be attached.</b>	✓	✓	✓	✓	✓	✓	✓	✓	x
<b>Pre-Qualification 1.3.2</b> Bidders are required to supply proof of ICASA licence (Independent Communications Authority of South Africa Act, 2000 No. 13 of 2000 Licences as amended by: Broadcasting Amendment Act, No. 64 of 2002) of company and/or service provider. ICASA license should be valid for the Western Cape region. <b>Proof to be attached.</b>	✓	✓	✓	✓	✓	x	✓	✓	✓
<b>Pre-Qualification 1.3.3</b> The bidder must list their track record of at least 2 similar contracts successfully completed during the past 5 years. Bidders must complete a table on page 7 of this document indicating their current/ previous experience. <b>Proof to be attached.</b>	✓	✓	✓	✓	✓	x	✓	✓	✓
<b>Pre-Qualification 1.3.4</b> The Riot Squad must have accreditation from a Technical Riot Training Institution with a minimum of two years in a tactical response. Bidders doing in-house training must provide SASSETA accreditation. <b>Proof to be attached.</b>	✓	✓	✓	x	✓	x	✓	✓	x
<b>Pre-Qualification 1.3.5</b> The successful bidder must have had a contract of more than R1 000 000, 00 in Tactical Riot Management and that contract must have had at least a minimum of two years with a municipality, university, provincial department or national department or similar institution. <b>Proof to be attached.</b>	x	✓	✓	x	✓	x	x	x	x

## 9. TECHNICAL REPORT

The revised technical report was received from the **Administrator: IT & Archives** on 01 April 2019. Proof thereof is attached as Annexure E.

The following bidder(s) are considered to be non-responsive in terms of the pre-qualification and technical requirements of the bid document and will not be further evaluated:

BIDDER	REASON FOR NON-COMPLIANCE
<b>Ukhuselo Training Academy and Security CC</b>	<b>Non-compliance in terms of Pre-Qualification 1.3.5</b> The successful bidder must have had a contract of more than R1 000 000, 00 in Tactical Riot Management and that contract must have had at least a minimum of two years with a municipality, university, provincial department or national department or similar institution. <b>Proof to be attached.</b>
<b>Farmguard Security CC</b>	<p><b>Non-compliance in terms of Pre-Qualification 1.3.4</b> The Riot Squad must have accreditation from a Technical Riot Training Institution with a minimum of two years in a tactical response. Bidders doing in-house training must provide SASSETA accreditation. <b>Proof to be attached.</b></p> <p><b>Non-compliance in terms of Pre-Qualification 1.3.5</b> The successful bidder must have had a contract of more than R1 000 000, 00 in Tactical Riot Management and that contract must have had at least a minimum of two years with a municipality, university, provincial department or national department or similar institution. <b>Proof to be attached.</b></p>
<b>Mgebe Security Services CC</b>	<p><b>Non-compliance in terms of Pre-Qualification 1.3.2</b> Bidders are required to supply proof of ICASA licence (Independent Communications Authority of South Africa Act, 2000 No. 13 of 2000 Licences as amended by: Broadcasting Amendment Act, No. 64 of 2002) of company and/or service provider. ICASA license should be valid for the Western Cape region. <b>Proof to be attached.</b></p> <p><b>Non-compliance in terms of Pre-Qualification 1.3.3</b> The bidder must list their track record of at least 2 similar contracts successfully completed during the past 5 years. Bidders must complete a table on page 7 of this document indicating their current/ previous experience. <b>Proof to be attached.</b></p> <p><b>Non-compliance in terms of Pre-Qualification 1.3.4</b> The Riot Squad must have accreditation from a Technical Riot Training Institution with a minimum of two years in a tactical response. Bidders doing in-house training must provide SASSETA accreditation. <b>Proof to be attached.</b></p> <p><b>Non-compliance in terms of Pre-Qualification 1.3.5</b> The successful bidder must have had a contract of more than R1 000 000, 00 in Tactical Riot Management and that contract must have had at least a minimum of two years with a municipality, university, provincial department or national department or similar institution. <b>Proof to be attached.</b></p> <p>Unable to verify Municipal Accounts, and MBD 8 &amp; 9, as bidder did not complete and submit p34-57</p>
<b>Ensemble Trading 2366 t/a Ensemble Security</b>	<b>Non-compliance in terms of Pre-Qualification 1.3.5</b> The successful bidder must have had a contract of more than R1 000 000, 00 in Tactical Riot Management and that contract must have had at least a minimum of two years with a municipality, university, provincial department or national department or similar institution. <b>Proof to be attached.</b>
<b>High Speed Projects (Pty) Ltd t/a High Speed Security Services</b>	<p>Did Not Comply to Pricing Instructions (Additional Sunday Rates)</p> <p><b>Non-compliance in terms of Pre-Qualification 1.3.5</b> The successful bidder must have had a contract of more than R1 000 000, 00 in Tactical Riot Management and that contract must have had at least a minimum of two years with a municipality, university, provincial department or national department or similar institution. <b>Proof to be attached.</b></p> <p>(New Division)</p>

<b>Witzenberg Crime Prevention Unit (Pty) Ltd</b>	<p><b>Non-compliance in terms of Pre-Qualification 1.3.1</b> Service Providers and staff members must be registered with the Private Security Industry Regulatory Authority (PSIRA). Certified proof of registration of the company must accompany the bid document in order to comply with section 20 (1) (a)) and 20 (2) (a and b) of the Act 56 of 2001. Failure to submit proof with the bid documents at the closing of the bid may result in the bid not being evaluated and may be deemed non responsive. <b>Proof to be attached.</b></p> <p><b>Non-compliance in terms of Pre-Qualification 1.3.4</b> The Riot Squad must have accreditation from a Technical Riot Training Institution with a minimum of two years in a tactical response. Bidders doing in-house training must provide SASSETA accreditation. <b>Proof to be attached.</b></p> <p><b>Non-compliance in terms of Pre-Qualification 1.3.5</b> The successful bidder must have had a contract of more than R1 000 000, 00 in Tactical Riot Management and that contract must have had at least a minimum of two years with a municipality, university, provincial department or national department or similar institution. <b>Proof to be attached.</b></p>
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The following bidders are considered to be responsive in terms of the pre - qualifications and technical requirements of the bid document:

BIDDER
Mafoko Security Patrols
Nikao Protection Services
Red Ant

## 10. EVALUATION OF RESPONSIVE BIDS

The bids are evaluated according to the 80/20 points system as indicated on the bid documents. The allocation points were as follows:

- 80 points for Price
- 20 points for Preference

### 10.1 EVALUATION OF PRICE

The points awarded for price is set out in the table below:

BIDDER	BID PRICE	POINTS AWARDED (80.00)
Mafoko Security Patrols	R 11 884.79	80.00
Nikao Protection Services	R 27 841.80	27.41
Red Ant Security Relocation And Eviction Services (Pty) Ltd	R 12 718.46	74.34

### 10.2 PREFERENTIAL EVALUATION

In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B- BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	16

4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

The points awarded for preference are set out in the table below:

BIDDER	B-BBEE STATUS LEVEL OF CONTRIBUTOR	POINTS ALLOCATED (20.00)
Mafoko Security Patrols	Level 1	80.00
Nikao Protection Services	Level 1	27.41
Red Ant Security Relocation And Eviction Services (Pty) Ltd	Level 2	74.34

#### 11. TOTAL POINTS AWARDED

BIDDER	PRICE POINTS (80.00)	PREFERENCE POINTS (20.00)	TOTAL POINTS AWARDED (100.00)
Mafoko Security Patrols	80.00	20.00	100.00
Nikao Protection Services	27.41	20.00	47.41
Red Ant Security Relocation And Eviction Services (Pty) Ltd	74.34	18.00	92.34

#### 12. TRANSUNION AND NATIONAL TREASURY VERIFICATION

**Mafoko Security Patrols** scored the highest number of points for the items listed above. The recommended bidders, or any of their directors, are not listed as a restricted supplier on National Treasury's database. Proof thereof is attached as annexure F.

As a pro-active approach measure to prevent award being made to persons in the service of the state, the recommended bidder was checked against the database of TransUnion ITC. It was found that the recommended bidder is not in the service of the state. Proof thereof is attached as annexure G.

#### 13. RECOMMENDATION TO THE BID ADJUDICATION COMMITTEE:

- c) That the Bid Adjudication Committee recommend to the Accounting Officer that bid for **Provision of Security Services** be awarded to **Mafoko Security Patrols** based on the tendered rates (Appendix A) from **date of contract signing till 30 June 2021, not exceeding the calculated estimate total equivalent to R 34 302 390.67 over 36 months** and provided that expenditure is within the available budget and adheres to maximum contract period ending 30 June 2021.
- d) That the bid document serves as a service level agreement.



## ITEM 4.2

### BID 08/2/16/33: CUTTING AND REMOVING OF PINE TREES AT PINE FOREST HOLIDAY RESORT

#### 1. PURPOSE

The purpose is to submit a report regarding the bid for the **Cutting And Removing Of Pine Trees At Pine Forest Holiday Resort** to the bid evaluation committee for consideration and recommendation to the adjudication committee.

#### 2. BUDGET

The approved budget amount in the capital budget is as follows:

VOTE	DESCRIPTION	AMENDED BUDGET 2018/2019 (excl. VAT)	AVAILABLE BUDGET 2018/2019 (excl. VAT)
20180707024090	Contractors: Chipping	R 72 920.46	R 72 920.46

Proof thereof is attached as **Annexure A**.

#### 3. WRITTEN REQUEST

Find attached as **Annexure B** the written request from the **Manager: Resorts and Swimming Pools**

RELEVANT DATES APPLICABLE						
FINAL REQUEST RECEIVED	FINAL SPECIFICATIO N MEETING HELD	FINAL APPROVAL	ADVERTISEME NT DATE	CLOSING DATE	FINAL TECHNICAL REPORT RECEIVED	DTAE OF FINAL BEC
11 September 2018	09 October 2018	19 October 2018	20 October 2018	15 November 2018*	25 March 2019	26 March 2019

*\*Extension of Bid Validity requested and granted: 19 April 2019.*

#### 4. ADVERTISEMENT

The bid was advertised in the Die Burger & Cape Argus 20 October 2018, the municipal website & all municipal notice boards on 22 October 2018. Bid closing date was Tuesday, 25 September 2018. Proof of the advertisements is attached as **Annexure C**.

#### 5. CLARIFICATION MEETING

A compulsory bid clarification meeting was held on Tuesday, 30 October 2018 at 10:00 at the Entrance of the Pine Forest Holiday Resort Ceres **See Annexure D**

#### 6. ADDENDUM NOTICE(S)

Addendum Notice 1 was issued to all attendees of the Clarification Meeting, on 07 November 2018. **See Annexure E**.

## 7. RESPONSES TO THE BID INVITATION

The bids were opened in public immediately after closing time. Eleven bid(s) were received and proof thereof is attached as **Annexure E** as per bid register

BID NO	NAME OF BIDDER	BID PRICE (INCL VAT)	B-BBEE LEVEL
1	Tree Monkeys	R 910 250.00	NCC
2	S Jacobs Contractors	R 447 500.00	NCC
3	Fastfell CC	R 1 645 587.90	Level 4

## 8. PRE-QUALIFICATION OF BIDS

CRITERIA	Tree Monkeys	S Jacobs Contractors	Fastfell CC
An original valid tax clearance certificate must be attached to the bid document;	✓	✓	✓
Bidder must submit a certified statement signed by the bidder declaring that the bidder has no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 90 days;	✓	✓	✓
The bid must adhere to the pricing instructions;	✓	✓	✓ Note B215 no dead trees
The bidder's details must be provided;	✓	✓	✓
The declaration of interests by the bidder must be completed and signed;	✓	✓	✓
The necessary document authorising the representative to sign and submit the bid on the bidder's behalf must be completed and signed;	✓	✓	✓
Declaration of /bidder's past supply chain management practices;	✓	✓	✓
Certificate of Independent Bid Determination	✓	✓	✓
BBBEE Status Level	NCC	L1 09/04/2019	L4 22/10/2019
<b>Pre-Qualification Criteria 1.3.1</b> Bidder must be a qualified Tree Surgeon / Tree Feller (Proof must be attached).	x	x	x
<b>Pre-Qualification Criteria 1.3.2</b> Bidder must provide proof of successfully completed 2 similar projects in the past 5 years.	✓	x	✓

**Tree Monkeys** had been requested to submit the following documentation / information:

- Proof of Pre-Qualification 1.3.1** on p3 of the Bid Document stating "Criteria: **Bidder** must be a qualified Tree Surgeon / Tree Feller (Proof must be attached)."
- Proof of Pre-Qualification 1.3.2** on p3 of the Bid Document stating "Criteria: Bidder must provide proof of successfully completed 2 similar projects in the past 5 years."

**The Bidder responded to the above request for documentation / information. Information provided by the bidder in terms of (a) was for a person and not the bidding entity.**

**S Jacobs Contractors** had been requested to submit the following documentation / information:

- Proof of Pre-Qualification 1.3.1** on p3 of the Bid Document stating "Criteria: **Bidder** must be a qualified Tree Surgeon / Tree Feller (Proof must be attached)."
- Proof of Pre-Qualification 1.3.2** on p3 of the Bid Document stating "Criteria: Bidder must provide proof of successfully completed 2 similar projects in the past 5 years."

**The Bidder responded to the above request for documentation / information. Information provided by the bidder in terms of (a) was for a person and not the bidding entity. See Annexure G**

**Fastfell CC** had been requested to submit the following documentation / information:

- a) **Proof of Pre-Qualification 1.3.1** on p3 of the Bid Document stating "Criteria: Bidder must be a qualified Tree Surgeon / Tree Feller (Proof must be attached)."
- b) **Proof of Pre-Qualification 1.3.2** on p3 of the Bid Document stating "Criteria: Bidder must provide proof of successfully completed 2 similar projects in the past 5 years."
- c) **Latest Municipal Account(s) / Lease Agreement (whichever applicable)** for the bidder and all directors.
- d) **Valid Third Party Tax Compliance Verification Pin.**

**The Bidder responded to the above request for documentation / information. Information provided by the bidder in terms of (a) was for a person and not the bidding entity. See Annexure G**

#### 1. TECHNICAL REPORT

The technical report was received from the **Manager: Resorts and Swimming Pools** on **11 March 2019** for this project. See **Annexure F**.

The following bidder(s) are considered to be non-responsive in terms of the pre-qualification and technical requirements of the bid document and will not be further evaluated:

BIDDER	REASON FOR NON-COMPLIANCE
Tree Monkeys	Bidder did not comply with <b>Pre-Qualification 1.3.1</b> on p3 of the Bid Document stating "Criteria: Bidder must be a qualified Tree Surgeon / Tree Feller (Proof must be attached)."  <b>Information provided by the bidder in terms of (a) was for a person and not the bidding entity. See Annexure G</b>
S Jacobs Contractors	Bidder did not comply with <b>Pre-Qualification 1.3.1</b> on p3 of the Bid Document stating "Criteria: Bidder must be a qualified Tree Surgeon / Tree Feller (Proof must be attached)." <b>Information provided by the bidder in terms of (a) was for a person and not the bidding entity. See Annexure G</b>  Bidder did not comply with <b>Pre-Qualification 1.3.2</b> on p3 of the Bid Document stating "Criteria: Bidder must provide proof of successfully completed 2 similar projects in the past 5 years."  Projects submitted are in terms of pruning, stump grinding and tree felling of trees of a height between 2m and 10m.
Fastfell CC	Bidder did not comply with <b>Pre-Qualification 1.3.1</b> on p3 of the Bid Document stating "Criteria: Bidder must be a qualified Tree Surgeon / Tree Feller (Proof must be attached)."  <b>Information provided by the bidder in terms of (a) was for a person and not the bidding entity. See Annexure G</b>

#### 9. TECHNICAL REPORT

The final technical report was received from **The Manager: Resorts and Swimming Pools** on the 25 March 2019, The Manager confirmed that there are insufficient funds to cover the envisaged expenditure on 12 February 2019 and that no revised Technical Report will be submitted.

#### 10. RECOMMENDATION TO THE BID ADJUDICATION COMMITTEE

That the bid for **Cutting And Removing Of Pine Trees At Pine Forest Holiday** be cancelled in terms of regulation 13 (1) (b) & (c) of the Preferential Procurement Regulations of 2017 due to the fact that funds are **no longer available to cover the total envisaged expenditure** and that **no acceptable bids were received**.

**MINUTES OF A BID ADJUDICATION COMMITTEE MEETING OF WITZENBERG MUNICIPALITY HELD ON THE 09 SEPTEMBER 2020 AT 09:00 VIA MICROSOFT TEAMS.**

**PRESENT:**

<b>MEMBERS OF BID ADJUDICATION COMMITTEE</b>	
A Raubenheimer	Acting Director Finance (Chairperson)
C Mackenzie	Acting Director: Community Services
J Barnard	Director: Technical Services
M Mpeluza	Director: Corporate Services
M Frieslaar	Manager: Supply Chain
<b>MEMBERS OF BID EVALUATION COMMITTEE</b>	
C Stevens	Manager: Income
W Mars	Manager: Financial Administration
J Pieterse	Senior Clerk: SCM
M Lukas	Senior Clerk: SCM
H Snyers	Practitioner: SCM
C Wessels	Manager: Administration
D Greeff	Manager: Electro Technical Services
F Salmon	Storekeeper
L Nieuwenhuis	Senior Manager: Legal Services
O Gatyene	Manager: Fleet & Workshop
R Rhode	Administrator: IT & Archives
R Hendricks	Manager: Marketing & Communications

**1. OPENING AND WELCOMING**

The Chairperson welcomes everybody present.

**2. APOLOGIES**

None

**3. DECLARATION OF INTEREST BY MEMBERS**

Declaration read by H Snyers, Practitioner: SCM. The Chairperson explained the importance of declaring interest that any member of the committee may have, the members indicated that they have any interest in any of the companies/persons involved however none of which are business interest, or any other interest affecting the outcome of this bid.

**4. BIDS FOR ADJUDICATION:**

The chairperson propose that only the urgent bids be dealt with due to other engagements by members of BAC.

**4.1 BID 08/2/17/94: SUPPLY AND DELIVERY OF COPY PAPER**

**RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

- a) That the item stand over to the next Bid Adjudication Committee meeting.

**4.2 BID 08/2/17/74: SUPPLY OF REMOTE METERING (AMR)**

**DISCUSSION:**

The Manager: Electro Technical services request that the item be referred back to the Bid Evaluation committee. The Chairperson states that the BEC can withdraw their recommendation made to the Bid Adjudication Committee.

**RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

- a) That cognisance be taken of the request from the BEC to withdraw their recommendation to the BAC.
- b) That the recommendation be withdrawn from the agenda of the Bid Adjudication committee.

**4.3 BID 08/2/17/14: SUPPLY OF ALARM, MONITORING AND MAINTENANCE SYSTEM AND ARMED RESPONSE SERVICES**

**DISCUSSION:**

The Manager: Administration provides a brief description of the Scope of the bid and proceeds to inform the committee of the findings as per the agenda, leading to the recommendation made by the Bid Evaluation Committee.

The Director: Technical request more clarity regarding when ICASA started experiencing problems to issue licenses and when this bid closed. The Manager: Administration responds by stating that he tried to establish when ICASA started to experience these problems but could not get a response from ICASA. The Manager: Administration request that the committee consider the option to cancel the bid in order for him to commence with the new project. The Director: Technical Services responds that this item be dealt with the same as with the Security bid in terms of the legal opinion and the ICASA licenses that could not be issued. The Director: Technical Services requested when this bid closed. The Manager: Administration responded that this bid closed 26 November 2019. The Chairperson requested information from the Bid Evaluation Committee regarding the ICASA certificate because he is of the opinion that the bidders were in possession of a valid certificate but the certificate provided doesn't comply with the pre-qualification criteria. The Director: Corporate Services stated that he was satisfied with the certificate provided by the recommended bidder covering more than one province in terms of the frequencies.

The Director: Corporate Services requested the Chairperson to consider adjourning the meeting and reschedule because of other engagements by committee members. The Chairperson agree with the recommendation of the Director: Corporate Services and request the SCM unit to reschedule the meeting for Friday 11 September 2020.

**RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

- a) That the item stand over to the next Bid Adjudication Committee meeting.

**4.4 BID 08/2/17/68: TRANSLATION SERVICES FROM ENGLISH TO AFRIKAANS AND VICE VERSA FOR WITZENBERG MUNICIPALITY**

**RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

- a) That the item stand over to the next Bid Adjudication Committee meeting.

#### 4.5 BID 08/2/18/01: PROVISION OF SECURITY SERVICES

##### DISCUSSION:

The Chairperson informs members that the item served before the committee and request the BEC and Technical experts to provide feedback and clarity on the items raised at the previous BAC meeting. The IT: Administrator

The Administrator IT provides clarity with regards item 1.3.3 of the pre-qualification criteria. References were contacted and confirmed projects listed by the recommended bidder. Mr Mbachena from Phalaborwa Local Municipality were contacted and confirmed the contract value and service provided and that he was fairly happy with the service provided. Mr Matola from Umbombela Local Municipality were contacted and confirmed the contract value and service provided and that he was happy with the service provided.

The Administrator IT provides clarity with regards item 1.3.6 (Riot squad) of the pre-qualification criteria. References were contacted and confirmed projects by the recommended bidder. Mr S Mompai from Tshwane University of Technology were contacted and confirmed the contract value was R4 .8 million. The recommended service provider assisted during the student protests and fees must fall campaign. The reference also confirmed they were happy with the service provided.

The Chairperson request the Administrator: IT to give feedback regarding the item 1.4.3 under the special conditions of contract with regards to the response time of four hours. The Administrator: IT responds that all of the bidders are located in the Western Cape and should be able to respond within 2 hours.

The Chairperson gives the Manager: Income an opportunity to raise a question. The Manager: Income informs the committee that the recommendation included were not correctly recorded and decided in the BEC meeting. The Chairperson requested the Manager: Income to look at update sent 08:42 and confirm if the updated recommendation is correct.

The Chairperson states that based on the information provided in 1.3.3 the projects presented by the Administrator: IT only addresses access control and patrolling and according to him no bidder is responsive and we cannot make a recommendation to the Accounting Officer.

The Manager: Administration responds that item 1.3.3 on pg. 7 of the bid document dealt with access and patrolling and 1.3.6 dealt with riot squad. It is clear that all 9 bidders understands the pre-qualification criteria. The Manager: Administration is concerned that the Chairperson goes too deep in definitions. The Chairperson responds that his question is based on what is understood when reading the pre-qualification. We need to be clear of what we ask on not open for interpretation. The chairperson stated he is not comfortable without clear substantiating proof in non-compliance of what has been asked.

The Manager: Administration states that the document goes through committees and if there is a problem it should have corrected it at Bid Specification Committee. The Chairperson and committee should take note that similar is not accepted, and should be corrected in future.

The Director: Corporate Services states that he is comfortable / clear with what is meant by 1.3.3 of the pre-qualification criteria.

The Director: Technical Services refers to pg. 44 of 74 referring to the tables that bidders must complete table to be completed and The Manager: Administration stated that two tables were completed. The Director: Technical Services requested the tables to be shared. The Director: Technical Services after viewing the tables confirmed he is happy with the recommendation of the Bid Evaluation committee.

The Chairperson responds that members must take note that the information provided in the previous meeting for the riot squad amounts does not make sense although the Administrator: IT provided confirmation of 1 similar project completed.

The Chairperson gives opportunity to the Acting Director: Community Services and Manager: Supply Chain for comments and questions.

No comments or questions from the Acting Director: Community Services.

The Manager: Supply Chain requests the Chairperson before the committee vote to provide the project manager the opportunity to provide reasons for the disqualification of bidders and provide feedback to committee regarding the additional information requested and supplied by the bidders after the first Bid Adjudication Committee meeting.

The Manager: Supply Chain also request that the Administrator: IT is afforded another opportunity to elaborate on the question raised by the Chairperson regarding item 1.3.3 of the pre-qualification criteria.

The Chairperson gives an opportunity to the Administrator: IT to respond to the questions raised. The Administrator: IT responds to 1.3.3 by stating that bidders must complete pg. 7 of the bid document and on pg. 7 we specify the type of Service we want. All bidders completed the table with what was requested.

The Chairperson asks members if they have satisfied themselves with the disqualification of bidders or if they want to go through the disqualification of bidders again as per the request of the Manager: Supply Chain.

The Director: Technical Services states that he is comfortable with information provided.

The Chairperson request the Manager: Income to confirm if the recommendation is in line with resolution of the Bid evaluation committee. The Manager: Supply Chain respond that the only change to be made is with regards to the suspensive condition of the ICASA license. The first legal opinion stated that the recommended bidder must within three months from date of award submit the ICASA license and the second opinion stated that the certificate must be submitted within three months from when the licensing authority ICASA starts to issue licences / certificates again.

The Manager: Legal services confirms with the Chairperson of the Bid Evaluation Committee that only the suspensive condition must be included in the recommendation and not the whole legal opinion. The Chairperson of the Bid Evaluation Committee confirmed that only the suspensive condition must be included in the recommendation.

The Chairperson informs the members that the recommendation will be put to a vote. The Chairperson stated that based on the information provided he is of the opinion that no bidder that meets the criteria and therefore cannot make a recommendation to the Accounting Officer for the Provision of security services.

The Director: Corporate Services, Director: Technical and Acting Director: Community services accepts the recommendation of the Bid Evaluation Committee.

The Manager: Supply Chain states that he abstain from voting as the project manager did not respond on the outstanding information requested and received.

The recommendation of the Bid Evaluation committee were put to a vote and the majority of the BAC members voted in favour of the recommendation of the BEC.

The vote was as follows:

- **Against Award** - A Raubenheimer
- **Abstain from voting** – M Frieslaar
- **For Award** – C Mackenzie, J Barnard, M Mpeluza

#### **RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

- a) That the bid for **Provision of Security Services** be considered for award to **Mafoko Security Patrols** based on their tendered rates (**Appendix A**), to the amount of **R24 045 836.25 (Including Vat)**, from the date of contract signing until **30 June 2022**, provided that expenditure is within the available Municipal Budget.



- b) That the Accounting Officer considers the condonement based on the legal opinion received from the Manager: Legal Services;
- c) Provided that the bidder submits information and documentation in terms of s21 of the Municipal Supply Chain Regulations and s23 of the Supply Chain Policy.
- d) That the bid document serves as a Service Level Agreement

**4.6 BID 08/2/17/22: SUPPLY, DELIVERY AND FITMENT OF VEHICLE BATTERIES AND RENDERING OF AUTO ELECTRICAL REPAIRS AND SERVICES**

**RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

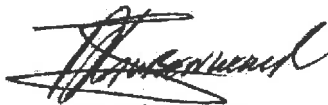
- a) That the item stand over to the next Bid Adjudication Committee meeting.

**4.7 BID 08/2/17/95: SUPPLY AND DELIVERY OF LIQUID CHLORINE GAS CYLINDERS (70 KG)**

**RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

- a) That the item stand over to the next Bid Adjudication Committee meeting.

The meeting adjourned at 09:58.



**A RAUBENHEIMER  
CHAIRPERSON OF BID ADJUDICATION COMMITTEE**



**MINUTES OF A BID ADJUDICATION COMMITTEE MEETING OF WITZENBERG MUNICIPALITY HELD ON THE 04 APRIL 2019 AT 11:00 IN THE OFFICE OF THE CFO, CERES.**

**PRESENT:**

<b>MEMBERS OF BID ADJUDICATION COMMITTEE</b>	
A Raubenheimer	Acting Director Finance ( <b>Chairperson</b> )
C Mackenzie	Acting Director Community Services
M Mpeluza	Director: Corporate Services
MG Frieslaar	Manager: Supply Chain
<b>MEMBERS OF BID EVALUATION COMMITTEE</b>	
S Mentor	Buyer: SCM
M Lukas	Senior Clerk: SCM
H Snyers	SCM Practitioner
J Samuel	Manager: Resorts & Swimming Pools
R Africa	Resorts
CG Wessels	Manager: Administration
R Rhode	IT Administrator

**1. OPENING AND WELCOMING**

The Chairperson welcomes everybody present.

**2. APOLOGIES**

**3. DECLARATION OF INTEREST BY MEMBERS**

The Chairperson explained the importance of declaring interest that any member of the committee may have, the members indicated that they have any interest in any of the companies/persons involved however none of which are business interest, or any other interest affecting the outcome of this bid.

**4. BIDS FOR ADJUDICATION**

**4.1 BID 08/2/16/57: PROVISION OF SECURITY SERVICES**

**DISCUSSION:**

The relevant Line Manager proceeded to inform all of the findings as per the Agenda and the recommendation after the previous recommendation had been referred back to the Bid Evaluation Committee by the Accounting Officer. The Chairperson required clarity on the recommendation as it had seemed unclear in certain aspects. The Buyer stated that the intention of the recommendation by the Bid Evaluation Committee was that the bid be awarded as per bid price, however the annual bid prices be limited to the annual budgetary figures, as the entire bid price is inclusive of expenditure for a period that has already passed, and that the recommendation for the entire bid price is not to enable over spending for the remaining contract period.

The Chairperson enquires as to the recommendation previously made by the Bid Adjudication Committee. The Manager SCM states that the recommendation was for the full bid price and also states that the estimate expenditure based on the calculations for the approximate contract period would be in the region of R25 million. The Director Corporate Services enquired as to whether provision for any industry increases, minimum wage increases etc. had been made in the bid document. The Chairperson states that the bidders had priced items over a 3 year period, which will be fixed, and that the split of pricing allowed for bidders to make provision for any increase within their unit rates. The bid had been advertised after implementation of minimum wages and that no increases will be applicable. The rates in terms of the previous contract had been revised due to industry increases.

The Chairperson states that he understands the view of the Bid Evaluation Committee and proposes that the award be limited to R30 million over the remaining contract period, in order to accommodate any unforeseen addition expenditure and that the Manager Financial Administration is to provide the budgetary figures. The Director Corporate Services is in agreement with the proposed contract amount.

## **RESOLUTION OF THE BID ADJUDICATION COMMITTEE**

- a) That the Bid Adjudication Committee recommend to the Accounting Officer that bid for **Provision of Security Services** be awarded to **Mafoko Security Patrols** based on the tendered rates (Appendix A) from date of contract signing till **30 June 2021**, not exceeding the total amount of **R30 000 000**.

### **4.2 BID 08/2/16/33: CUTTING AND REMOVING OF PINE TREES AT PINE FOREST HOLIDAY RESORT**

#### **Discussion:**

The relevant Line Manager proceeds to inform all of the findings as per the Agenda and Technical Report, hence the recommendation. The Director Corporate Services enquires as to the way forward in terms of the current need. The Manager Resorts and Swimming Pools states that cases have been prioritized and will be handled by means of a request for quotations, currently with the SCM unit. The need will be re-assessed after the upcoming winter months and the way forward will depend on the outcome of this. The Chairperson states that a record of the cancellations must be kept in order to comply with the updated Preferential Procurement Regulations.

## **RESOLUTION OF THE BID ADJUDICATION COMMITTEE**

- a) That the bid for **Cutting And Removing Of Pine Trees At Pine Forest Holiday** be cancelled in terms of regulation 13 (1) (b) & (c) of the Preferential Procurement Regulations of 2017 due to the fact that funds are no longer available to cover the total envisaged expenditure and that no acceptable bids were received

### **5. CLOSURE**

The meeting adjourned at 11:35



**A RAUBENHEIMER**  
**CHAIRPERSON OF BID ADJUDICATION COMMITTEE**

# WITZENBERG

MUNISIPALITEIT

UMASIPALA

MUNICIPALITY

## - MEMORANDUM -

AAN / TO: Accounting Officer  
VAN / FROM: Chairperson of Bid Adjudication Committee  
DATUM / DATE: 10 September 2020  
VERW/ REF: 08/2/18/01

### REQUEST FOR APPROVAL FROM ACCOUNTING OFFICER: BID 08/2/18/01: PROVISION OF SECURITY SERVICES

#### 1. Purpose

To request the Accounting Officer to consider the recommendation to award the bid for **Provision Of Security Services to Mafoko Security Patrols** based on the tendered rates from date of contract signing until 30 June 2022, provided that expenditure is within the available budget.

#### 2. Background

The abovementioned bid closed on 18 August 2020. The technical analysis of the bid was performed by the IT Administrator and Manager Administration. The bid served before the bid evaluation committee on 01, 02 and 08 September 2020 and the bid adjudication committee on 03 & 09 September 2020. Minutes of the meetings and the agenda items with all its annexures are attached.

#### 3. Discussion

The bid adjudication committee resolved the following:

- a) That the **Bid Adjudication Committee recommend to the Accounting Officer** that bid for **Provision of Security Services** be awarded to **Mafoko Security Patrols** based on their tendered rates (**Appendix A**), to the amount of **R24 045 836.25 (Including Vat)**, from the date of contract signing until 30 June 2022, provided that expenditure is within the available Municipal Budget.
- b) That the Accounting Officer considers the condonement based on the legal opinion received from the Manager: Legal Services;
- c) Provided that the bidder submits information and documentation in terms of s21 of the Municipal Supply Chain Regulations and s23 of the Supply Chain Policy.
- d) That the bid document serves as a Service Level Agreement

#### 4. Legal framework

In terms of paragraph 6 (2) (a) of Council's Supply Chain Management Policy:

"The power to make a final award –

- a) Above R 10 million (VAT included) may not be sub delegated by the accounting officer"

#### 5. RECOMMENDATION TO THE ACCOUNTING OFFICER

- a) That bid for **Provision of Security Services** be considered for award to **Mafoko Security Patrols** based on their tendered rates (**Appendix A**), to the amount of **R24 045 836.25 (Including Vat)**, from the date of contract signing until **30 June 2022**, provided that expenditure is within the available Municipal Budget.
- b) That the Accounting Officer considers the condonement based on the legal opinion received from the Manager: Legal Services;
- c) Provided that the bidder submits information and documentation in terms of s21 of the Municipal Supply Chain Regulations and s23 of the Supply Chain Policy.
- d) That the bid document serves as a Service Level Agreement

Yours sincerely



**AJ RAUBENHEIMER**  
**CHAIRPERSON OF THE BID ADJUDICATION COMMITTEE**

#### DECISION OF THE ACCOUNTING OFFICER

(Indicate with ✓ where applicable)

The Accounting Officer endorses the recommendation	✓
The Accounting Officer refers the report to the writer for further investigation	
Any resolution by the Accounting Officer other than the recommendation (Such resolution or amendment is to be clearly specified herein under):	✓
<i>award to be made based on the tendered rates, provided that expenditure is within the available budget and not exceeding R30 000 000.00 (incl. Vat) from date of contract signing until 30 June 2022</i>	

  
.....  
**D NASSON**  
**ACCOUNTING OFFICER**

*11/09/2020*  
.....  
**DATE**

# APPENDIX A



BID NO & DESCRIPTION: BID 0014191: PROVISION FOR SECURITY SERVICES										<div><div></div><div>PITTSBURGH</div><div>MUNICIPAL ITEM</div><div>18 AUG 2021</div></div>	
AMMO SECURITY PATROLS		BIDDER NAME		NUMBER OF BIDDERS	SEPARATE NUMBER OF VOLUMES	ESTIMATED NUMBER OF DAYS	2021				
		YEAR 1	YEAR 2				FROM DATE OF CONTRACT	% NUMBER OF DAYS	TO DATE OF CONTRACT	% NUMBER OF DAYS	
11324	Period Report: Access control (this is)						FROM DATE OF CONTRACT	% NUMBER OF DAYS	TO DATE OF CONTRACT	% NUMBER OF DAYS	
a	Access Control: 1 October until 31 January	\$64.00	\$64.00	1	1	67	2021	100.00	2021	100.00	
b	Access Control: 1 February until 31 January	\$64.00	\$64.00	1	1	67	2021	100.00	2021	100.00	
c	Access Control: 1 February until 31 January	\$64.00	\$64.00	1	1	67	2021	100.00	2021	100.00	
d	Access Control: 1 February until 31 January	\$64.00	\$64.00	1	1	67	2021	100.00	2021	100.00	
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**Annexure A**  
**BEC**  
**01; 02 & 08 September**  
**2020**

**Annexure B**  
**BAC**  
**03 & 09**  
**September 2020**

**MINUTES OF A BID ADJUDICATION COMMITTEE MEETING OF WITZENBERG MUNICIPALITY HELD ON THE 03 SEPTEMBER 2020 AT 12:00 VIA MICROSOFT TEAMS.**

**PRESENT:**

<b>MEMBERS OF BID ADJUDICATION COMMITTEE</b>	
A Raubenheimer	Acting Director Finance (Chairperson)
C Mackenzie	Acting Director: Community Services
J Barnard	Director: Technical Services
M Mpeluza	Director: Corporate Services
M Frieslaar	Manager: Supply Chain
<b>MEMBERS OF BID EVALUATION COMMITTEE</b>	
C Stevens	Manager: Income
W Mars	Manager: Financial Administration
S Mentor	Buyer SCM
J Pieterse	Senior Clerk: SCM
M Lukas	Senior Clerk: SCM
H Snyers	Practitioner: SCM
C Wessels	Manager: Administration
D Greeff	Manager: Electro Technical Services
F Salmon	Storekeeper
L Nieuwenhuis	Legal Adviser
O Gatyene	Manager: Fleet & Workshop
R Rhode	Administrator: IT & Archives
R Hendricks	Manager: Marketing & Communications

**1. OPENING AND WELCOMING**

The Chairperson welcomes everybody present.

**2. APOLOGIES**

S Mentor                                      Buyer: SCM

**3. DECLARATION OF INTEREST BY MEMBERS**

Declaration read by H Snyers, Practitioner: SCM. The Chairperson explained the importance of declaring interest that any member of the committee may have, the members indicated that they have any interest in any of the companies/persons involved however none of which are business interest, or any other interest affecting the outcome of this bid.

**4. BIDS FOR ADJUDICATION:**

**4.1 BID 08/2/17/94: SUPPLY AND DELIVERY OF COPY PAPER**

**RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

- a) That the item stand over to the next Bid Adjudication Committee meeting.

**4.2 BID 08/2/17/74: SUPPLY OF REMOTE METERING (AMR)**

**RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

- a) That the item stand over to the next Bid Adjudication Committee meeting.

**4.3 BID 08/2/17/14: SUPPLY OF ALARM, MONITORING AND MAINTENANCE SYSTEM AND ARMED RESPONSE SERVICES**

**RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

- a) That the item stand over to the next Bid Adjudication Committee meeting.

**4.4 BID 08/2/17/68: TRANSLATION SERVICES FROM ENGLISH TO AFRIKAANS AND VICE VERSA FOR WITZENBERG MUNICIPALITY**

**RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

- a) That the item stand over to the next Bid Adjudication Committee meeting.

**4.5 BID 08/2/18/01: PROVISION OF SECURITY SERVICES**

**DISCUSSION:**

Administrator IT (Project Manager) together with Manager: Administration proceeds to inform of the findings as per the technical report and agenda and confirms that the bidder meets all the pre-requisites. The Manager: Administration request that the legal advisor give clarity regarding the ICASA matter as per pre-requisites.

Chairperson requests members of committee to provide comments. Director: Technical Services asks for clarity regarding the ICASA matter as stated by the Manager Administration. Manager Administration starts by reading pre-qualification 1.3.2 and told the meeting that no bidder were responsive to this pre-qualification because of ICASA can't issue ICASA or dealer licences due to the changes to industry and that ICASA are waiting for new legislation as well as new managerial policy directives, ICASA explained also by a media release that they would like to assure that all stakeholders that they are working on all processes that are to be completed without undue delay however, adherence to due administrative process substantively are more fundamental to this licencing process. The Manager informed the meeting that based on this pre-qualification and feedback from ICASA that the BEC requested a legal opinion from the Legal Advisor.

The Legal Advisor inform the BAC of the opinion, the adviser stated the following: *that she is of the opinion that you cannot penalise a bidder due to the non-performance from a licencing authority, legal advisor advised the BAC to have this pre-qualification as a suspensive condition, if the award is made as soon as the licencing authority which is ICASA starts issue the certificates again to provide it to the municipality within 3 months after the licencing authority starts to issue this certificates again, it would be unfair and not in public interest to penalise bidders due to the licencing authority not issuing these certificates.* The Advisor states that she is not a technical expert and what she understand is that all bidders do have the frequency that will put them in a position that they are still using the frequency. The Legal Advisor also states the recommendation in not as discussed in the BEC.

Director: Technical Services asks for clarity regarding the ICASA licences firstly, what are the duration of the licences and all the licences used what happened to all these licences. Manager Administration advised the BAC that the certificates are valid for 12 months and expires annually on the 31 March. The Chairperson want the to know from the Legal Advisor to be clear that although the providers didn't get a updated licence it will not hamper them in any way to deliver the service to the municipality while ICASA is sorting out their licences. The Legal Advisor confirms that it will not affect any current frequencies according to Manager Administration and Administrator: IT.

The Chairperson states that the legal opinion are critical in the decision making if they go further with the award, that it would not hamper the service delivery of any provider to the Municipality. The Chairperson asks the meeting to go to pre-qualification 1.3.3 on page 7 of the bid document of the prospective bidder and inform them that he don't see how the bidder comply, he only see for guarding services? Administrator: IT said that it is split in two-1.3.6 riot squad and 1.3.3 access control and patrolling. The chairperson believes and asks the meeting to correct him if he is incorrect according to him the bidder must list their track record of at least 2 similar contracts, similar contracts in this nature is what we ask for in totality. Chairperson asked if they have confirmed the totals in the schedule on page 8 for riot squad are measured in compliance with 1.3.6, furthermore special condition of contract 1.3.4 based on the location will the condition be met. Administrator: IT states that on page 7 of the bid document clearly shows in yellow for access control and patrolling for that form and on page 8 clearly in yellow for riot squad. The chairperson states that the facts is that a form in supporting of a pre-qualification, can never override what is stated within pre-qualifications because pre-qualification is yes you comply or no you don't comply unless that you need to stipulated like 1.3.6, we can't infer 1.3.3 and be specific in 1.3.6.

Director: Technical asked if when they are referring to a page to put the page on the screen because he lose track when the officials refer to specific pages.

#### **RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

- a) That the bid for **Provision of Security Services** be considered for award to **Mafoko Security Patrols** based on their tendered rates (**Appendix A**), to the amount of **R24 045 836.25 (Including Vat)**, from the date of contract signing until **30 June 2022**, provided that expenditure is within the available Municipal Budget.
- b) That the Accounting Officer considers the condonement based on the legal opinion received from the Manager: Legal Services;
- c) Provided that the bidder submits information and documentation in terms of s21 of the Municipal Supply Chain Regulations and s23 of the Supply Chain Policy.
- d) That the bid document serves as a Service Level Agreement

The meeting adjourned at 12:54.

**A RAUBENHEIMER**  
**CHAIRPERSON OF BID ADJUDICATION COMMITTEE**

***Endorsement by Committee Members:***

**MINUTES OF A BID ADJUDICATION COMMITTEE MEETING OF WITZENBERG MUNICIPALITY HELD ON THE 09 SEPTEMBER 2020 AT 09:00 VIA MICROSOFT TEAMS.**

**PRESENT:**

<b>MEMBERS OF BID ADJUDICATION COMMITTEE</b>	
A Raubenheimer	Acting Director Finance (Chairperson)
C Mackenzie	Acting Director: Community Services
J Barnard	Director: Technical Services
M Mpeluza	Director: Corporate Services
M Frieslaar	Manager: Supply Chain
<b>MEMBERS OF BID EVALUATION COMMITTEE</b>	
C Stevens	Manager: Income
W Mars	Manager: Financial Administration
J Pieterse	Senior Clerk: SCM
M Lukas	Senior Clerk: SCM
H Snyers	Practitioner: SCM
C Wessels	Manager: Administration
D Greeff	Manager: Electro Technical Services
F Salmon	Storekeeper
L Nieuwenhuis	Senior Manager: Legal Services
O Gatyene	Manager: Fleet & Workshop
R Rhode	Administrator: IT & Archives
R Hendricks	Manager: Marketing & Communications

**1. OPENING AND WELCOMING**

The Chairperson welcomes everybody present.

**2. APOLOGIES**

None

**3. DECLARATION OF INTEREST BY MEMBERS**

Declaration read by H Snyers, Practitioner: SCM. The Chairperson explained the importance of declaring interest that any member of the committee may have, the members indicated that they have any interest in any of the companies/persons involved however none of which are business interest, or any other interest affecting the outcome of this bid.

**4. BIDS FOR ADJUDICATION:**

The chairperson propose that only the urgent bids be dealt with due to other engagements by members of BAC.

**4.1 BID 08/2/17/94: SUPPLY AND DELIVERY OF COPY PAPER**

**RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

- a) That the item stand over to the next Bid Adjudication Committee meeting.

#### **4.2 BID 08/2/17/74: SUPPLY OF REMOTE METERING (AMR)**

##### **DISCUSSION:**

The Manager: Electro Technical services request that the item be referred back to the Bid Evaluation committee. The Chairperson states that the BEC can withdraw their recommendation made to the Bid Adjudication Committee.

##### **RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

- a) That cognisance be taken of the request from the BEC to withdraw their recommendation to the BAC.
- b) That the recommendation be withdrawn from the agenda of the Bid Adjudication committee.

#### **4.3 BID 08/2/17/14: SUPPLY OF ALARM, MONITORING AND MAINTENANCE SYSTEM AND ARMED RESPONSE SERVICES**

##### **DISCUSSION:**

The **Manager: Administration** provides a brief description of the Scope of the bid and proceeds to inform the committee of the findings as per the agenda, leading to the recommendation made by the Bid Evaluation Committee.

The Director: Technical request more clarity regarding when ICASA started experiencing this problem. The Manager: Administration responds by stating that that is what he tried to establish what could not get a response from ICASA.

##### **RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

- a) That the item stand over to the next Bid Adjudication Committee meeting.

#### **4.4 BID 08/2/17/68: TRANSLATION SERVICES FROM ENGLISH TO AFRIKAANS AND VICE VERSA FOR WITZENBERG MUNICIPALITY**

##### **RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

- a) That the item stand over to the next Bid Adjudication Committee meeting.

#### **4.5 BID 08/2/18/01: PROVISION OF SECURITY SERVICES**

##### **DISCUSSION:**

The Chairperson informs members that the item served before the committee and request the BEC and Technical experts to provide feedback and clarity on the items raised at the previous BAC meeting. The IT: Administrator

The Administrator IT provides clarity with regards item 1.3.3 of the pre-qualification criteria. References were contacted and confirmed projects listed by the recommended bidder. Mr Mbachena from Phalaborwa Local Municipality were contacted and confirmed the contract value and service provided and that he was fairly happy with the service provided. Mr Matola from Umbombela Local Municipality were contacted and confirmed the contract value and service provided and that he was happy with the service provided.



The Administrator IT provides clarity with regards item 1.3.6 (Riot squad) of the pre-qualification criteria. References were contacted and confirmed projects by the recommended bidder. Mr S Mompai from Tshwane University of Technology were contacted and confirmed the contract value was R4 .8 million. The recommended service provider assisted during the student protests and fees must fall campaign. The reference also confirmed they were happy with the service provided.

The Chairperson request the Administrator: IT to give feedback regarding the item 1.4.3 under the special conditions of contract with regards to the response time of four hours. The Administrator: IT responds that all of the bidders are located in the Western Cape and should be able to respond within 2 hours.

The Chairperson gives the Manager: Income an opportunity to raise a question. The Manager: Income informs the committee that the recommendation included were not correctly recorded and decided in the BEC meeting. The Chairperson requested the Manager: Income to look at update sent 08:42 and confirm if the updated recommendation is correct.

The Chairperson states that based on the information provided in 1.3.3 the projects presented by the Administrator: IT only addresses access control and patrolling and according to him no bidder is responsive and we cannot make a recommendation to the Accounting Officer.

The Manager: Administration responds that item 1.3.3 on pg. 7 of the bid document dealt with access and patrolling and 1.3.6 dealt with riot squad. It is clear that all 9 bidders understands the pre-qualification criteria. The Manager: Administration is concerned that the Chairperson goes too deep in definitions. The Chairperson responds that his question is based on what is understood when reading the pre-qualification. We need to be clear of what we ask on not open for interpretation. The chairperson stated he is not comfortable without clear substantiating proof in non-compliance of what has been asked.

The Manager: Administration states that the document goes through committees and if there is a problem it should have corrected it at Bid Specification Committee. The Chairperson and committee should take note that similar is not accepted, and should be corrected in future.

The Director: Corporate Services states that he is comfortable / clear with what is meant by 1.3.3 of the pre-qualification criteria.

The Director: Technical Services refers to pg. 44 of 74 referring to the tables that bidders must complete table to be completed and The Manager: Administration stated that two tables were completed. The Director: Technical Services requested the tables to be shared. The Director: Technical Services after viewing the tables confirmed he is happy with the recommendation of the Bid Evaluation committee.

The Chairperson responds that members must take note that the information provided in the previous meeting for the riot squad amounts does not make sense although the Administrator: IT provided confirmation of 1 similar project completed.

The Chairperson gives opportunity to the Acting Director: Community Services and Manager: Supply Chain for comments and questions.

No comments or questions from the Acting Director: Community Services.

The Manager: Supply Chain requests the Chairperson before the committee vote to provide the project manager the opportunity to provide reasons for the disqualification of bidders and provide feedback to committee regarding the additional information requested and supplied by the bidders after the first Bid Adjudication Committee meeting.

The Manager: Supply Chain also request that the Administrator: IT is afforded another opportunity to elaborate on the question raised by the Chairperson regarding item 1.3.3 of the pre-qualification criteria.

The Chairperson gives an opportunity to the Administrator: IT to respond to the questions raised. The Administrator: IT responds to 1.3.3 by stating that bidders must complete pg. 7 of the bid document and on pg. 7 we specify the type of Service we want. All bidders completed the table with what was requested.

The Chairperson asks members if they have satisfied themselves with the disqualification of bidders or if they want to go through the disqualification of bidders again as per the request of the Manager: Supply Chain.

The Director: Technical Services states that he is comfortable with information provided.

The Chairperson request the Manager: Income to confirm if the recommendation is in line with resolution of the Bid evaluation committee. The Manager: Supply Chain respond that the only change to be made is with regards to the suspensive condition of the ICASA license. The first legal opinion stated that the recommended bidder must within three months from date of award submit the ICASA license and the second opinion stated that the certificate must be submitted within three months from when the licensing authority ICASA starts to issue licences / certificates again.

The Manager: Legal services confirms with the Chairperson of the Bid Evaluation Committee that only the suspensive condition must be included in the recommendation and not the whole legal opinion. The Chairperson of the Bid Evaluation Committee confirmed that only the suspensive condition must be included in the recommendation.

The Chairperson informs the members that the recommendation will be put to a vote. The Chairperson stated that based on the information provided he is of the opinion that no bidder that meets the criteria and therefore cannot make a recommendation to the Accounting Officer for the Provision of security services.

The Director: Corporate Services, Director: Technical and Acting Director: Community services accepts the recommendation of the Bid Evaluation Committee.

The Manager: Supply Chain states that he abstain from voting as the project manager did not respond on the outstanding information requested and received.

The recommendation of the Bid Evaluation committee were put to a vote and the majority of the BAC members voted in favour of the recommendation of the BEC.

The vote was as follows:

- **Against Award** - A Raubenheimer
- **Abstain from voting** – M Frieslaar
- **For Award** – C Mackenzie, J Barnard, M Mpeluza

#### **RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

- a) That the bid for **Provision of Security Services** be considered for award to **Mafoko Security Patrols** based on their tendered rates (**Appendix A**), to the amount of **R24 045 836.25 (Including Vat)**, from the date of contract signing until **30 June 2022**, provided that expenditure is within the available Municipal Budget.
- b) That the Accounting Officer considers the condonement based on the legal opinion received from the Manager: Legal Services;
- c) Provided that the bidder submits information and documentation in terms of s21 of the Municipal Supply Chain Regulations and s23 of the Supply Chain Policy.
- d) That the bid document serves as a Service Level Agreement

#### **4.6 BID 08/2/17/22: SUPPLY, DELIVERY AND FITMENT OF VEHICLE BATTERIES AND RENDERING OF AUTO ELECTRICAL REPAIRS AND SERVICES**

##### **RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

- a) That the item stand over to the next Bid Adjudication Committee meeting.

**4.7 BID 08/2/17/95: SUPPLY AND DELIVERY OF LIQUID CHLORINE GAS CYLINDERS (70 KG)**

**RESOLUTION OF THE BID ADJUDICATION COMMITTEE:**

- a) That the item stand over to the next Bid Adjudication Committee meeting.

The meeting adjourned at 09:58.

**A RAUBENHEIMER  
CHAIRPERSON OF BID ADJUDICATION COMMITTEE**

***Endorsement by Committee Members:***

## Shayle Mentor

---

**From:** Corrie CG. Wessels  
**Sent:** Tuesday, 01 September 2020 11:11  
**To:** Michéle Frieslaar  
**Cc:** Shayle Mentor; Reginald Rhode  
**Subject:** FW: Tegniese verslag - Sekuriteitstender

Goeie dag Michele

Meegaande die epos van Liza-Marie soos aangevra vir jou verdere aandag.

Mooi dag.

Corrie Wessels  
Manager Administration - Department Corporate Services - Witzenberg Municipality - 50 Voortrekker Street; 6835  
Tel: 023-3168103 - Fax: 023-3161877 - Mobile: 0828093902 - Email: [cwessels@witzenberg.gov.za](mailto:cwessels@witzenberg.gov.za)

"Challenges are what make life interesting and overcoming them is what makes life meaningful." – Joshua J. Marine



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**From:** Liza-Mari Nieuwenhuis  
**Sent:** Friday, 28 August 2020 12:58 PM  
**To:** Corrie CG. Wessels  
**Cc:** Monwabisi Mpeluza  
**Subject:** Tegniese verslag - Sekuriteitstender

Corrie

Ter aanvulling van jou tegniese verslag kan jy die volgende by sit: Ek weet nie wie die service provider is nie, so ek noem dit net service provider – verander dit asseblief.

One of the tender conditions was to provide us with a certificate of proof of the service provider's ICASA license. Due to the Licencing Authority (ICASA) having administration issues, they cannot issue these certificates. (Please see relevant communication relating to this issue).

This is a disadvantage for the service provider and not due to their own fault. It would be unfair towards the bidder if they are disqualified due to the licensing authority not performing. I am of the opinion that this is a minor breach of a tender condition, and must therefore be condoned. Furthermore the award to the service provider should then be subject to a suspensive condition being that the service provider must provide the Municipality with this certificate within 3 months from the date of award. Please put this suspensive condition as a condition to the tender contract.

Hoop dit is reg so.

Liza-Mari Nieuwenhuis  
Manager Legal Services  
Telephone: +27 23 316 1854 | Email: [liza-mari@witzenberg.gov.za](mailto:liza-mari@witzenberg.gov.za)  
Physical Address: 50 Voortrekker Street, Ceres, 6835 | Website: [www.witzenberg.gov.za](http://www.witzenberg.gov.za)



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## CONTRACT FORM - PURCHASE OF GOODS/ WORKS

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SUCCESSFUL BIDDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SUCCESSFUL BIDDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

## PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/ or works described in the attached bidding documents to **Witzenberg Municipality** in accordance with the requirements and specifications stipulated in bid number **08/2/18/01** at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the purchaser during the validity period indicated and calculated from the closing time of bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Bidding documents, viz
    - Invitation to bid;
    - Tax clearance certificate;
    - Pricing schedule(s);
    - Technical Specification(s);
    - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the revised Preferential Procurement Regulations 2017;
    - Declaration of Interest;
    - Declaration of bidder's past SCM practices;
    - Certificate of Independent Bid Determination;
    - Special Conditions of Contract;
  - (ii) General Conditions of Contract; and
  - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) LEBO THATE HARE  
 CAPACITY DIRECTOR GENERAL  
 SIGNATURE [Signature]  
 NAME OF FIRM MAFOKO SECURITY  
 DATE 11 SEPTEMBER 2020

WITNESSES	
1	<u>[Signature]</u>
2	<u>[Signature]</u>
DATE: <u>11-09-2020</u>	

**CONTRACT FORM - PURCHASE OF GOODS/ WORKS****PART 2 (TO BE FILLED IN BY THE PURCHASER)****BID 08/2/18/01: PROVISION OF SECURITY SERVICES****SUCCESSFUL BIDDER: MAFOKO SECURITY PATROLS (PTY) LTD**

1. I **D Nasson**, in my capacity as **Municipal Manager** accept your bid under reference number: **08/2/18/01** dated **03 August 2020** for the supply of goods/ works indicated hereunder and/ or further specified in the annexure(s).
2. An official order indicating delivery instructions is forthcoming.
3. I undertake to make payment for the goods/ works delivered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

ITEM No.	PRICE (ALL APPLICABLE TAXES INCLUDED)	BRAND	B- BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)
1.	Based on the tendered rates, provided that expenditure is within the available budget and not exceeding <b>R 30 000 000.00 (Incl. VAT)</b> from date of contract signing till <b>30 June 2022</b>	As per specification	Level 1	N/A

4. I confirm that I am duly authorized to sign this contract.

SIGNED AT **CERES 11 SEPTEMBER 2020**NAME (PRINT) **D NASSON**

SIGNATURE

OFFICIAL STAMP

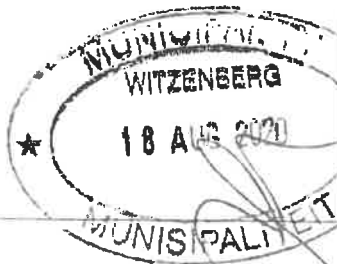


WITNESSES	
1.	
2.	
DATE	11.09.2020



**DETAILS OF BIDDER (THE FOLLOWING PARTICULARS MUST BE FURNISHED. FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)**

Name of firm / entity / enterprise	MAFORD SECURITY PATROLS
Trading as (if different from above)	
Postal address of enterprise	Line 1: P.O. BOX 8596 Line 2: Town/city EDLEEN Postal code: 1625
Physical address of enterprise	Line 1: 1A GROSVENOR ROAD Line 2: DIEP RIVER Town/city CAPE TOWN Postal code: 7800
Contact details of the person signing the bid, being duly authorised to do so:	Name: LERO TATE MARE Telephone: (021) 712 8405 Fax: 086 011 1160 Cellular telephone: 071 803 5594 E-mail address: infoemafordsp.co.za
Contact details of the senior manager responsible for overseeing contract performance:	Name: ANDREW PHUNGWAZO Telephone: (021) 712 8405 Fax: 086 011 1160 Cellular telephone: 060 960 3358 E-mail address: infoemafordsp.co.za
Contact Details of the Bidder's proposed Project Manager who will represent the Bidder in the implementation processes:	Name: LEHLOHONULO TALL Telephone: (021) 712 8405 Fax: 086 011 1160 Cellular telephone: 061 431 7215 E-mail address: infoemafordsp.co.za
Company income tax number	9539520156
Tax Compliance Status System PIN (issued by SARS)	956C1C921Z
VAT registration number	4260221108
Company registration number	2004/035905/07
Any other Registration applicable to this Industry	990000169182 - COIDA
Banking details	Name of account holder: MAFORD SECURITY PATROLS Name of bank: STANDARD BANK Account number: 281 094 683 Branch code: 011 245



**RESOLUTION TAKEN BY THE BOARD OF DIRECTORS / MEMBERS / PARTNERS RESOLUTION of a meeting of the Board of Directors / Members / Partners of**

MAFOKO SECURITY PATROLS

(Name of Bidder)

Held at CAPE TOWN (place)

On 03 AUGUST 2020 (date)

**RESOLVED THAT:**

1. The enterprise submit a bid to Witzenberg Municipality in respect of the following project:

**BID 08/218/01: PROVISION OF SECURITY SERVICES**

2. Mr/Mrs/Ms LEBO TAITE NARE


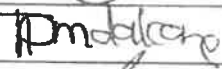
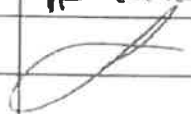
In his/her capacity as DIRECTOR GENERAL

and who will sign as follows:

(Specimen Signature)

be, and is hereby, authorised to sign the bid and any and all other documents and/or correspondence in connection with and relating to the bid, as well as to sign any contract, and or all documentation resulting from the award of the bid to the enterprise mentioned above.

Note: The resolution must be signed by all the directors or members / partners of the bidding enterprise. Should the space provided below not be sufficient for all directors to sign, please provide a separate sheet in the same format as below.

	Name	Capacity	Signature
1	ERASMUS JOSEPHAT NARE	MANAGING DIRECTOR	
2	TUMISO PRAYER MDAKANE	DIRECTOR OPERATIONS	
3	LEBO TAITE NARE	DIRECTOR GENERAL	
4			
5			

Enterprise Stamp	102 TATE STREET, HATFIELD, 0093
	2020-08-03
TEL 011-342 0013 / FAX: 011 342 0019 EMAIL: info@mdakane.co.za	



L.T

**PRICING SCHEDULE – FIRM PRICES (PURCHASES)**

**NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED**

Name of Bidder: MAFORD SECURITY PATROLSBid Number: 08/2/18/01Closing Time: 12:00Closing Date: 18 AUGUST 2020

**OFFER TO BE VALID FOR 120 DAYS FROM THE CLOSING DATE OF BID.**

**BIDDERS MUST QUOTE ON ALL ITEMS IN THE PRICING SCHEDULE AS ATTACHED. IF NOT THE BID WILL BE CONSIDERED TO BE NON-RESPONSIVE.**

SUMMARY	TOTAL BID PRICE (INC VAT)
YEAR ONE (from date of contract signing up until 30 June 2021)	RATE PER HOUR
YEAR TWO (01 July 2021 - 30 June 2022)	RATE PER HOUR
TOTAL (INC VAT)	RATE PER HOUR



The attached Excel Bill of Quantities containing detailed rates must be completed and submitted with the bid document and will be used for evaluation and contract purposes, subject to section J on page 23, Arithmetical Errors. The above is reflective of the total bid price for the entire scope of works and period.

The bid will be evaluated and awarded as a whole and not per item. Bidders must quote on all items in pricing schedule, if not bid will be considered non-responsive.

Bidders must comply with the pricing instructions. Bid prices as indicated by the bidder above will remain fixed for that specific period and is not subject to any change whatsoever.

Required by:

Mr R Rhode

At

50 Voortrekker Street, Ceres

Does offer comply with specification?

\*YES/NO

If not to specification, indicate deviation(s)

N/A



**CONTRACT NO: 08/2/18/01**  
**DESCRIPTION: PROVISION OF SECURITY SERVICES**  
**ADDENDUM NOTICE 1**  
**ISSUED: 31 JULY 2020**

This NOTICE forms an integral part of the Bid Document and must be taken into account when tendering. An undersigned copy of this Notice shall be submitted with the bid documents and failure to do so may invalidate the bid. In addition, the "Acknowledgement of receipt" form hereby attached must be completed immediately upon receipt and returned to Ms. S Mentor.

Page	Section:	CLARITY:
19 & accompanying Excel BOQ	Pricing Instructions	Rate(s) per hour (inc. VAT) are to be used in the Excel Bill of Quantities. Amendment(s) to any formula and / or information made on the Excel sheet provided will <u>not</u> be allowed. Bidders who do not comply with this will be disqualified due to non-compliance in terms of the Pricing Instructions.

Yours faithfully

  
.....  
**R RHODE**  
**PROJECT MANAGER**

  
.....  
**M MPELUZA**  
**DIRECTOR: CORPORATE SERVICES**

  
.....  
**MG FRIESLAAR**  
**MANAGER: SUPPLY CHAIN**

**ATTENTION: S MENTOR**  
**EMAIL: [supplychain@wizenberg.gov.za](mailto:supplychain@wizenberg.gov.za)**  
**FAX NO: 023-312 1934**

**ACKNOWLEDGEMENT OF RECEIPT: NOTICE 1**  
**CONTRACT NO: 08/2/18/01**

**PROVISION OF SECURITY SERVICES**

I, LEBO TATE NAME OF COMPANY MAFORD SECURITY PATROLS hereby acknowledge receipt of Notice no: 1

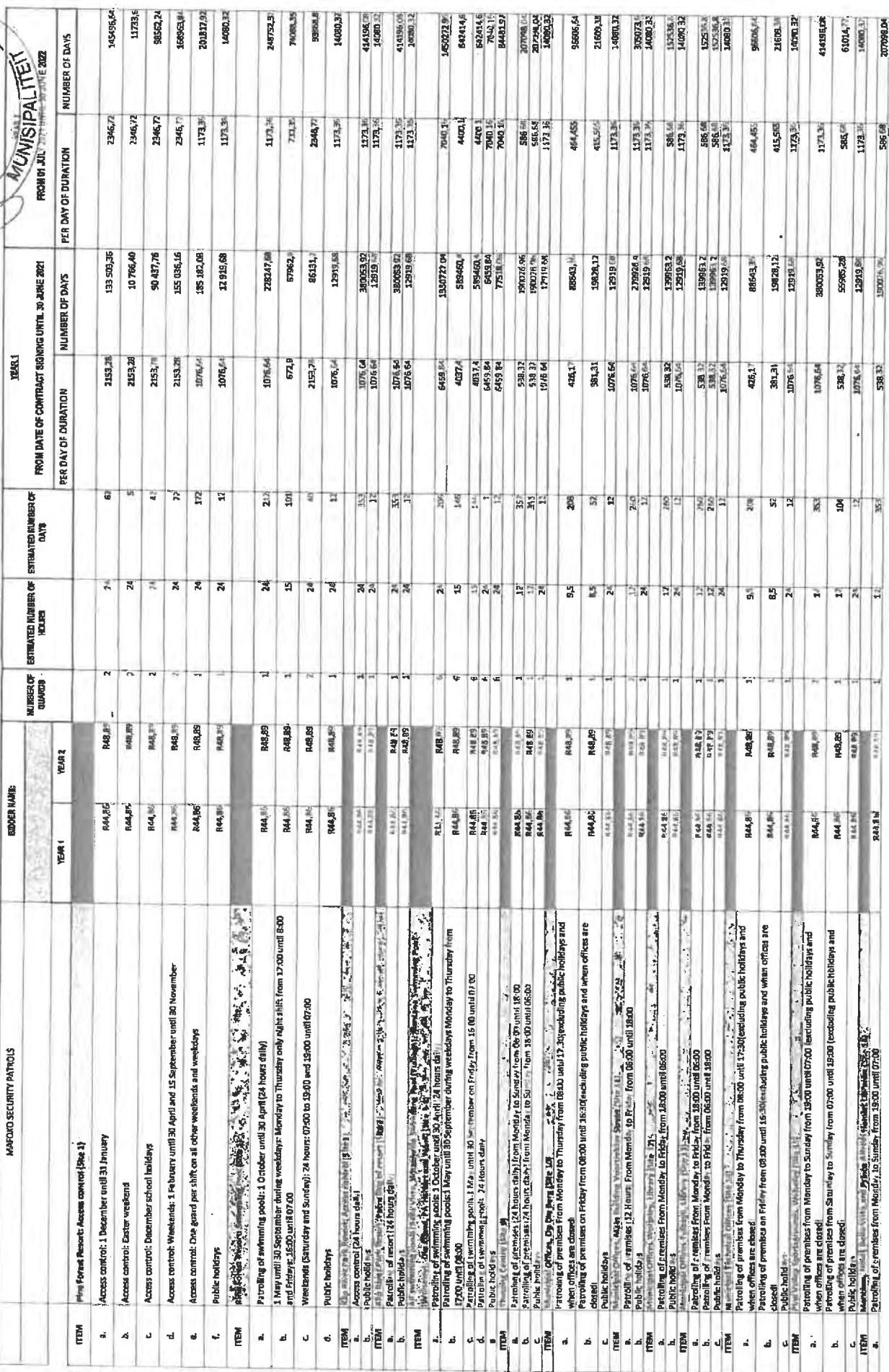
I undertake to take into account the contents thereof in submission of the bid for this contract.

Signed:  .....

Date: 31 JULY 2020

A signed copy of this Notice **MUST** be submitted with the Bid submission. Failure to do so may prejudice the Bid as being an incomplete bid and it may be rejected.





## DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state<sup>1</sup>.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.

3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of bidder or his or her representative: LEBO TAITE NARE

3.2 Identity Number: 9210295957084

3.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>): DIRECTOR

3.4 Company Registration Number: 2004/035905/07

3.5 Tax Reference Number: 9539520156

3.6 VAT Registration Number: 4260221108

3.7 The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

3.8 Are you presently in the service of the state? YES ☐ / NO ☒

3.8.1 If yes, furnish particulars. N/A

3.9 Have you been in the service of the state for the past twelve months? ..... YES ☐ / NO ☒

3.9.1 If yes, furnish particulars. N/A

3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? ..... YES ☐ / NO ☒

3.10.1 If yes, furnish particulars. N/A

<sup>1</sup>MSCM Regulations: "in the service of the state" means to be -

(a) a member of -

- (i) any municipal council;
- (ii) any provincial legislature; or
- (iii) the national Assembly or the national Council of provinces;

(b) a member of the board of directors of any municipal entity;

(c) an official of any municipality or municipal entity;

(d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);

(e) a member of the accounting authority of any national or provincial public entity; or

(f) an employee of Parliament or a provincial legislature.

<sup>2</sup> Shareholder<sup>2</sup> means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? YES ☐ / NO ☒

3.11.1 If yes, furnish particulars

N/A

3.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state? YES ☐ / NO ☒

3.12.1 If yes, furnish particulars

N/A

3.13 Are any spouse, child or parent of the company's directors trustees, managers, principle shareholders or stakeholders in service of the state? YES ☐ / NO ☒

3.13.1 If yes, furnish particulars

N/A

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract. YES ☐ / NO ☒

3.14.1 If yes, furnish particulars

N/A

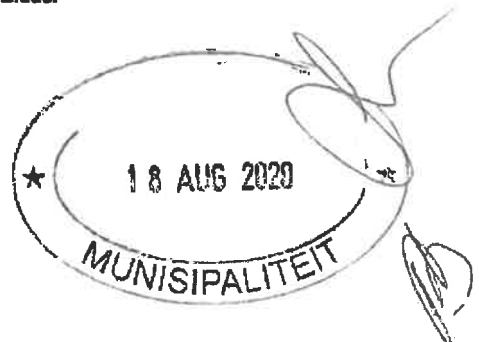
4. Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	Personal income tax reference number	State Employee Number
ERASMUS JOSEPHAT MARE	6902175750083	1277468144	N/A
JUMBO PRAYER MDAKANE	730305072708	2689480149	N/A
LEBO TAITE MARE	9210295957084	2156246171	N/A

Signature  
DIRECTOR GENERAL  
Capacity

03 August 2020  
Date

MAFOKO SECURITY  
Name of Bidder





### CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid: **BID 08/2/18/01: PROVISION OF SECURITY SERVICES** for the bid made by **WITZENBERG MUNICIPALITY** does hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: MAFORD SECURITY PATROLS -that  
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.

<sup>2</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

Signature

DIRECTOR GENERAL

Position

Date

03 August 2020  
MAFORD SEWUZI

Name of Bidder



*[Handwritten signature]*

*[Handwritten signature]*

1.5T



IK BEWYS, FO. I AT HESSE "TCHUL" FOT N WARE NEDON (AVERD B VAN  
DE OORWINDEN. DIT IS 'N WARE NEDON (AVERD B VAN  
EN BEWYS "FO. I AT HESSE" FOT N WARE NEDON (AVERD B VAN  
OF BEWYS "FO. I AT HESSE" FOT N WARE NEDON (AVERD B VAN  
I CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL DOCUMENT  
WHICH WAS HANDLED TO ME FOR ALL INFORMATION. I FURTHER CERTIFY THAT, FROM  
MY OBSERVATION, ALL INFORMATION FOR A CHANGE WAS NOT MADE TO THE  
ORIGINAL DOCUMENT.

MAKESINAMBER  
FORCE NUMBER  
MAAN BY CHIEF  
RANG  
RANG

# PSIRA

Private Security Industry Regulatory Authority

This certificate certifies that

**MAFOKO SECURITY PATROLS (PTY) LTD**

Company

Trading As:

Reg Number : 1263819

Date of Registration : 22/08/2005

is duly registered as a Security Service Provider as contemplated in terms of  
Section 21 of the Private Security Industry Regulation Act, 2001 (Act No. 56 of 2001)

SUID-AFRIKAANSE POLIS  
SAPS LYTTETION

2020-08-03  
COMMUNITY SERVICES CENTRE  
SOUTH AFRICAN POLICE SERVICE

Date of Issue : 17/03/2020

Valid Until : 16/03/2021

Copy No 0

Certificate No : 11941791

NOTE: This certificate remains at all times the property of the Private Security Industry Regulation Authority and in terms of  
Section 26(6) of the Private Security Industry Regulation Act, 2001 (Act No. 56 of 2001) must forthwith be returned by the  
holder to the Authority on withdrawal or suspension of the holder's registration.

0159966



# Frequency Spectrum Licence and/or Radio Station Licence or Radio Dealer Certificate

Issued in terms of the Electronic Communications Act, 2005 (Act No. 36 of 2005)  
and the Radio Regulations currently in force.



Licence number: 530-037-4

Region code: 20886

MAFOKO SECURITY PATROLS (PTY) LTD  
MR EJ NARE  
PO BOX 8546  
EDLEEN  
1625

Region: JOHANNESBURG

Expires on 31 March 2020

Land Mobile Services - General Class (Base/mobile)

Page No: 1 of 11

Call Sign : ZRC 491  
Purpose of communication: CONTROL OF PERSONNEL

## ----- Installation Details -----

Type of station : Base Station  
Operation area : 50KM RADIUS CENTRAL BASE STATION  
Installation Address : 106 DALE STREET  
: CITY POWER MIDRAND DEPOT  
: MIDRAND  
: JOHANNESBURG  
: 2000  
Coordinates : 28 Deg 10 Min 08 Sec East  
: 25 Deg 58 Min 30 Sec South  
Height above sealevel : 1 M  
Frequency(ies) : 152.6000 MHZ  
Equipment : KENWOOD TK 7102  
Number of units : 1  
Channel spacing : 12.500 KHz  
Emission : 11K0F3EJN  
Maximum Power output : 25.00 W  
Receiver sensitivity : 0 Microvolt  
Receiver noise figure : 0 DBM  
Type of antenna : FDC 160  
Polarisation : Vertical  
Antenna Height : 1 M  
Antenna direction : 0 Degrees East of North  
Antenna gain : 0 DBI

## ----- Installation Details -----

Type of station : Base Station  
Continued on next page

2019/03/08

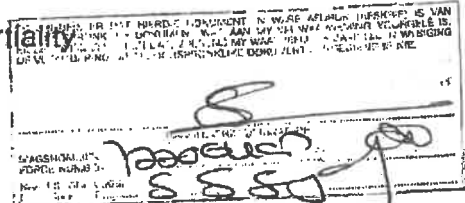
08/18/01



VDCF04/V7

2 van 9 deel 2

time • value • impartiality



## Generic Sector B-BBEE Certificate

### Mafoko Security Patrols (Pty) Ltd

Registration No: 2004/035905/07 VAT No: 4260221108

Address: 1060 Pretorius Street, Hatfield, Pretoria, 0083

Level One Contributor			
Scorecard Details	Score	Other Details	Results
Ownership	21.00	Procurement Recognition	135.00%
Management Control	17.14	Black Ownership	100.00%
Skills Development	24.45	Black Women Ownership	0.00%
Procurement and Supplier Development	42.00	Black Designated Group	10.00%
Socio-Economic Development	5.00	Empowering Supplier	Yes
<b>Total Score</b>	<b>109.59</b>	Certificate Number	G2019FV0010
Discounting Principle Applied	No	Issue Date	25 September 2019
Modified Flow Principle Applied	No	Expiry Date	24 September 2020
Measurement Period	01 March 2018 – 28 February 2019		

  
 Technical Signatory: Fidel Zimbango

WITZENBERG

18 AUG 2020

This B-BBEE certificate is based on the information provided to FIDELITY VERIFICATION and represents an impartial and independent opinion. The Department of Trade and Industry's Amended Codes of Good Practice on Broad Based Black Economic Empowerment gazette 36928 of 11 October 2013 has been applied.

Contribution Level	Qualification Points	Procurement Recognition Level
Level One Contributor	> 100	135.00%
Level Two Contributor	> 95 But < 100	125.00%
Level Three Contributor	> 90 But < 95	110.00%
Level Four Contributor	> 80 But < 90	100.00%
Level Five Contributor	> 75 But < 80	80.00%
Level Six Contributor	> 70 But < 75	60.00%
Level Seven Contributor	> 55 But < 70	50.00%
Level Eight Contributor	> 40 But < 55	10.00%
Non-Compliant Contributor	< 40	0.00%

2020-08-03

BVA243

COMMUNITY SERVICES CENTRE  
SOUTH AFRICAN POLICE SERVICE

+2711 028 0417

info@fidelityverification.co.za

www.fidelityverification.co.za

18 AUG 2020



**TAX COMPLIANCE STATUS****PIN issued**

**MAFOKO SECURITY PATROLS**  
**PO BOX 8596**  
**EDLEEN**  
**1625**

**Enquiries should be addressed to SARS:****Contact Detail**

**SARS**  
**Alberton**  
**1628**

**Contact Centre Tel: 0800 00 SARS (7277)**  
**SARS online: [www.sars.gov.za](http://www.sars.gov.za)**

**Details****Taxpayer Reference Number: 8539520156**

Always quote this reference  
number when contacting SARS

**Issue Date: 2020/03/05****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	Mafoko Security Patrols (Pty) Ltd
Trading Name	MAFOKO SECURITY PATROLS
Tax Reference Number(s)	IT - 8539520156 Vat - 4280221108 PAYE - 7140789882
Purpose of Request	Tender
Request Reference Number	00019011497S0503201104389
PIN	956C1C821Z
PIN Expiry Date	05/03/2021

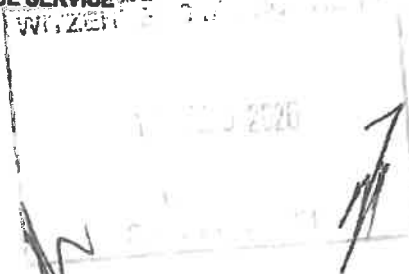
You may authorise a third party to view your TCS by providing them the PIN. The PIN only allows the third party access to your TCS. All other tax information remains secure.

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 this PIN in the event that it was fraudulently issued or obtained.

Should you have any other queries please call the SARS Contact Centre on 0800 00 SARS (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 SOUTH AFRICAN REVENUE SERVICE**

Name	MAFOKO SECURITY PATROLS	Timestamp:	07/03/20
Tax reference No:	8539520156	Year:	2020
Form ID:	RFDTC3	Page of Page:	01/01
Contact Version:	v2019.01.01	Template version:	v2019.01.01

**TAX COMPLIANCE STATUS****PIN Issued**

**MAFOKO SECURITY PATROLS**  
**PO BOX 8596**  
**EDLEEN**  
**1625**

**Enquiries should be addressed to SARS:****Contact Detail**

**SARS**  
**Alberton**  
**1528**

**Contact Centre Tel: 0800 00 SARS (7277)**  
**SARS online: [www.sars.gov.za](http://www.sars.gov.za)**

**Details****Taxpayer Reference Number: 9539520156**

Always quote this reference  
number when contacting SARS

**Issue Date:****2020/03/05****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:**

<b>Taxpayer Name</b>	Mafoko Security Patrols (Pty) Ltd
<b>Trading Name</b>	MAFOKO SECURITY PATROLS
<b>Tax Reference Number(s)</b>	IT - 9539520156 Vat - 4260221108 PAYE - 7140768852
<b>Purpose of Request</b>	Tender
<b>Request Reference Number</b>	0001901148TS0503201104389
<b>PIN</b>	956C1C821Z
<b>PIN Expiry Date</b>	05/03/2021

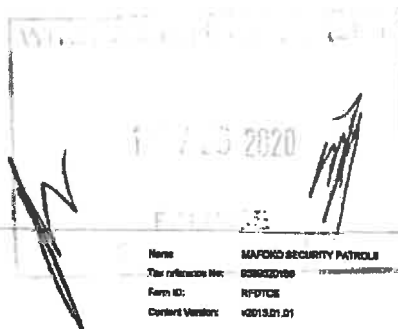
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**Sincerely****ISSUED ON BEHALF OF THE SOUTH AFRICAN REVENUE SERVICE**

Name: MAFOKO SECURITY PATROLS      Timestamp: 07/07/200  
Tax reference No: 0000000000      Page: 2000  
Form ID: RPTCSE      Page of Page: 01/01  
Contact Version: v2013.01.01      Template version: v2013.01.01

## Result Summary

### Entity Details

Registered Name:	MAFOKO SECURITY PATROLS (PTY) LTD
Trading Name:	MAFOKO SECURITY PATROLS
Rag/CC/Trust No:	2004/035905/07
INCOME_TAX:	9539520156
VAT:	4260221108
PAYE:	7140769862
PIN:	956c1c921z
Date/Time:	2020-09-09 10:41:36

The response represents the taxpayer's compliance status at the date and time of this response. It is important to note that this overall compliance status is not static and will change as the compliance status changes.

### Indicator

The taxpayer is registered for tax and is currently compliant in respect of filing and payment responsibilities

### Purpose

TENDER

### Refresh/Open

[Refresh](#)

ASK A QUESTION?

10:41 AM  
9/9/2020