

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

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)
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 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 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)
Mr J Pieterse (Senior ICT Officer)

1. OPENING AND WELCOME

The Speaker welcomed everyone with a spiritual scripture reading after which she requested Alderman JJ Visagie 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)

- (a) An application for leave of absence from the meeting was received from Alderman BC Klaasen.
- (b) An apology for absence from the meeting was received from the Director: Corporate Services.

UNANIMOUSLY RESOLVED

- (a) that the application for leave of absence from the meeting, received from Alderman BC Klaasen, be approved and accepted.*
- (b) that the apology for absence from the meeting, received from the Director: Corporate Services, be approved.*

EENPARIG BESLUIT

- (a) dat die aansoek om verlof tot afwesigheid van die vergadering, ontvang vanaf raadsheer BC Klaasen, goedgekeur en aanvaar word.*
- (b) dat die verskoning vir afwesigheid van die vergadering, ontvang vanaf die Direkteur: Korporatiewe Dienste, goedgekeur word.*

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

The Speaker conveyed, on behalf of Council, congratulations to the following Councillors on their birthdays:

	Councillor MJ Ndaba	3 March
	Councillor G Laban	19 March
	Councillor S de Bruin	30 March
	Councillor N Nogcinisa	6 April

NOTED

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

- (a) The Speaker mentioned that a robbery took place at the Ceres Post Office on 24 March 2022. It was the fourth robbery in the Witzenberg area and two arrests were made.
- (b) The Speaker informed Council that Ms Estelle du Plessis had passed away due to a vehicle accident outside Wolseley. She was a nurse working in Ceres. Six others were injured.
- (c) The Speaker referred to COVID 19 being placed on Level 1 by State President Cyril Ramaphosa on 22 March 2022.
- (d) The Speaker mentioned that in Wolseley women are targeted at home whilst the men are at work and then raped and murdered.
- (e) The Speaker informed Council that several cars have been vandalised at the Traffic Department.
- (f) The Speaker referred with concern to the state of service delivery at Ceres Provincial Hospital and the lack of doctors during night time.
- (g) The Speaker congratulated the eight (8) students at Vrolike Vinkies Crèche, Ceres who had successfully completed a course in Home Based Care.
- (h) The Speaker congratulated all learners from various schools in the Witzenberg area who had performed excellently at the Western Cape Athletics Championships.
- (i) The Speaker congratulated the Principal and staff of Matjiesrivier Primary School with completion of a new building to extend the school.

- (j) The Speaker mentioned that the National Minister of Water and Sanitation, Mr Senzo Mchunu, will visit Tulbagh on Friday, 1 April 2022 to hand over certificates to municipalities who had obtained awards for Blue and Green Drop.
- (k) The Speaker mentioned that the husband of the Deputy Executive Mayor has been hospitalised.
- (l) The Speaker announced that an extension was granted by the MEC for the Ward Committee elections in Wards 1 and 12 until 14 April 2022. The nominees will be informed and Councillors will be informed by email.

Various Councillors objected to the matter due to procedures not being followed properly. The Municipal Manager requested that the matter be discussed and solved after the meeting by himself, the Manager: IDP and the applicable Ward Councillors.

NOTED.

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

The Executive Mayor expressed condolences to all bereaved people in the Witzenberg municipal area who had lost loved ones due to road accidents.

NOTED

3.4 Matters raised by the Municipal Manager

None

NOTED

4. MINUTES

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

RESOLVED

that the matter of corrections to the minutes be held in abeyance until the next meeting.

BESLUIT

dat die aangeleentheid rakende regstellings op die notule oorstaan tot die volgende vergadering.

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

The minutes of the Council meeting, held on 23 February 2022, are attached as **annexure 4.2**.

RESOLVED

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

BESLUIT

- (a) dat die goedkeuring van die notule van die Raadsvergadering, gehou op 23 Februarie 2022, oorstaan.*
- (b) dat die korrektheid van die notule ondersoek word ten opsigte van die verwydering van die Speaker se woorde: "The motion cannot carry."*
- (c) dat die Munisipale Bestuurder 'n onafhanklike ondersoeker aanstel ingevolge die Munisipale Voorsieningskanaalprosesse.*

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 minutes of the following meetings are attached:

- (a) Executive Mayoral Committee meeting, held on 6 October 2021:
Annexure 7.1(a).
- (b) Executive Mayoral Committee meeting, held on 24 January 2022:
Annexure 7.1(b).

UNANIMOUSLY RESOLVED

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

EENPARIG BESLUIT

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

8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

8.1 Direktooraat Finansies / Directorate Finance

8.1.1 Finance: Draft Budget 2022/2023, Draft Amended IDP 2022 to 2023 and Draft Top Layer SDBIP: 2022/2023 (5/1/1/21; 2/2/1 & 5/1/5/15)

The following documents are attached:

- (a) Draft Top Layer SDBIP for 2022/2023: **Annexure 8.1.1(a)**.
- (b) Draft Amendment of IDP 2022/2023: **Annexure 8.1.1(b)**.
- (c) Draft Budget: 2022/2023 – 2024/2025: **Annexure 8.1.1(c)**.
- (d) Draft Budget Related Policies: 2022/2023: **Annexure 8.1.1(d)**.
- (e) Draft Budget Schedules: 2022/2023 – 2024/2025: **Annexure 8.1.1(e)**.

The Director: Finance tabled the Draft Budget 2022/2023, Draft Amended IDP 2022 to 2023 and Draft Top Layer SDBIP 2022/2023. The following matters were highlighted:

- That the applicable documents cannot be made available at the library in Nduli, because there is no library.
- That the IDP meetings be held at a time when the public is available.
- The Speaker submitted a letter from the municipal Budget and Treasury Department with regard to tariffs being replaced. The letter is attached as **annexure 8.1.1(f)**.
- The Speaker submitted a memorandum from the Director: Finance regarding amendments to the proposed tariffs. The memorandum is attached as **annexure 8.1.1(g)**.

UNANIMOUSLY RESOLVED

- (a) *that Council takes notice of the Draft Budget, the Draft Amendments to the IDP 2022/2023 and the Draft Top Layer SDBIP of the Witzenberg Municipality for the financial year 2022/2023 and the indicative budget for the two years 2023/2024 and 2024/2025 that have been tabled by the Executive Mayor in Council.*
- (b) *that the documents be advertised and made available at all libraries and municipal offices of Council.*
- (c) *that the public meetings, if any, be conducted in accordance with the guidelines of the National State of Disaster (COVID-19).*

(d) *that an executive summary in the form of a pamphlet be distributed to households within the Witzenberg municipal area.*

8.1.2 Performance, Risk and Audit Committee: 2nd Bi-Annual Report on Performance Management: 2020/2021 (5/14/4)

The Second Bi-Annual Report of the Performance, Risk and Audit Committee on Performance Management for 2020/2021, dated October 2021, is attached as **annexure 8.1.2**.

UNANIMOUSLY RESOLVED

that notice be taken of the Second Bi-Annual Report of the Performance, Risk and Audit Committee on Performance Management for 2020/2021.

EENPARIG BESLUIT

dat kennis geneem word van die Tweede Halfjaarlikse Verslag van die Prestasie-, Risiko- en Ouditkomitee oor Prestasiebestuur vir 2020/2021.

8.1.3 Quarterly Budget Statement [Section 52(d)] Report: 4th Quarter of 2020/2021 (1 April 2021 to 30 June 2021) (9/1/2/2)

Memorandum from Director: Finance, dated 20 July 2021:

“Purpose

The purpose of this memorandum is to submit the Quarterly Budget Statement to Council for information.

Background

The Quarterly Budget Statement [Section 52(d)] Report for the 4th quarter of 2020/2021 is attached as **annexure 8.1.3**.

Extract from the minutes of the Executive Mayoral Committee, held on 27 July 2021:

“The Executive Mayor noted the excessive expense with regard to overtime and enquired as to the measurements that were put in place to reduce the overtime amount.

The Executive Mayor shared his concerns of delayed reactions to emergencies, thus resulting in overtime being claimed. Specific mention reference made to a pipe burst at Albert Crescent reported the morning of 26 July 2021, but only attended to after 16:30.

It is therefore requested that the matter be addressed and that the cost implication relating to the pipe burst on 26 July 2021 be reported to the Executive Mayoral Committee by the Chief Financial Officer.

Furthermore, it is requested that the Section Finance relook and correct the description noted "Performance bonus" for other municipal staff as contained in the quarterly report for March 2021."

The Executive Mayoral Committee resolved on 27 July 2021:

- (a) That the Chief Financial Officer tables a breakdown to the Executive Mayoral Committee of overtime for each department for further action.
- (b) That the cost implication related to the overtime worked to repair the pipe burst at Albert Crescent, Ceres be reported by the Chief Financial Officer.
- (c) That the Executive Mayoral Committee recommends to Council:
 - (i) that notice be taken of the Quarterly Budget Statement Report in terms of Section 52(d) for the period 1 April 2021 to 30 June 2021.
 - (ii) that the report be referred to the Municipal Public Accounts Committee and the Performance, Risk and Audit Committee for their recommendations to Council.

Council unanimously resolved on 25 August 2021:

- (a) that notice be taken of the Quarterly Budget Statement Report in terms of Section 52(d) for the fourth quarter of 2020/2021.
- (b) that the report be referred to the Municipal Public Accounts Committee and the Performance, Risk and Audit Committee for their recommendations to Council.

The Performance, Risk and Audit Committee resolved on 21 January 2022:

- (a) that notice be taken of the Quarterly Budget Statement Report in terms of Section 52(d) for the fourth quarter of 2020/2021.
- (b) That the Performance, Risk and Audit Committee recommends to Council:

that the Quarterly Budget Statement Report in terms of Section 52(d) for the fourth quarter of 2020/2021, after consideration, be accepted.

UNANIMOUSLY RESOLVED

that the Quarterly Budget Statement Report in terms of Section 52(d) for the fourth quarter of 2020/2021, after consideration, be accepted.

EENPARIG BESLUIT

dat die Kwartaallikse Begrotingsverslag ingevolg Artikel 52(d) vir die vierde kwartaal van 2020/2021, na oorweging, goedgekeur word.

8.1.4 Proposed amendments to Supply Chain Management Policy (8/1/P & 5/1/1/20)

The following documents are attached:

- (a) Memorandum from Director: Finance, dated 16 March 2022: **Annexure 8.1.4(a)**.
- (b) Supply Chain Management Policy (reviewed 26 May 2021): **Annexure 8.1.4(b)**.

Council held a lengthy discussion on the matter.

Councillor D Swart proposed and Alderman K Adams seconded that the recommendation be accepted.

Councillor A Gili proposed and Councillor N Phatsoane seconded that the matter be held in abeyance until the next meeting.

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

• Votes in favour of the recommendation:	11
• Votes abstained:	8
• No vote in terms of voting or abstained	<u>1</u>
Total	20

The Speaker declared in favour of the majority vote.

RESOLVED

that the proposed amendments to the Supply Chain Management Policy be approved with immediate application.

BESLUIT

dat die voorgestelde wysigings aan die Voorsieningskanaalbestuursbeleid goedgekeur word met onmiddellike toepassing.

8.2 Direkoraat Tegniëse Dienste / Directorate Technical Services

8.2.1 Partnership agreement between Essen (Belgium) and Witzenberg Municipality (South Africa) on solid waste management (10/2/3)

Memorandum from Director: Technical Services, dated 17 March 2022:

1. Purpose

To inform Council on the latest developments regarding the federal programme, which was funded by the federal government of Belgium.

2. Background

On 15 April 2017 the partnership agreement was signed between Essen, Witzenberg and the VVSG. This agreement was in place from 2017 and came to an end in December 2021. See agreement attached as **annexure 8.2.1(a)**.

At the end of 2021 an application was submitted by VVSG for a follow-up five year programme on solid waste, which was unfortunately not approved by the Federal Government of Belgium.

However, Essen Municipality is working together with the VVSG (Flemish Local Government Association) to apply for an alternative shorter version of the submitted programme.

A letter from Essen Municipality, dated 1 March 2022, explaining the above is attached as **annexure 8.2.1(b)**.

3. Discussion

A draft of the shortened solid waste programme, to be submitted to VVSG, aims to give attention to the following sustainable development goals:

- Result 1
Technical staff and politicians of local authorities and SALGA have strengthened capacity in waste management.
- Result 2
The municipality's infrastructure and equipment are better adapted to a separation at source system.
- Result 4
Local actors involved in waste sector are strengthened to benefit from economic opportunities created within the waste management value chain.

At the meeting held on 16 March 2002 between the Mayoral Committees of Witzenberg and Essen it was highlighted that 2022 marks the twentieth anniversary of the twinning agreement between Witzenberg Municipality and Essen Municipality. It is suggested that a working committee be established to brainstorm on how we can celebrate our long-lasting relationship."

UNANIMOUSLY RESOLVED

- (a) *that notice be taken that the partnership agreement between Essen, Witzenberg and the VVSG (Flemish Local Government Association) on solid waste management came to an end during December 2021.*
- (b) *that notice be taken that Witzenberg Municipality and Essen Municipality are working together with VVSG (Flemish Local Government Association) to apply for an alternative shorter version of the submitted programme for solid waste.*
- (c) *That a working committee be established to brainstorm on how we can celebrate our long-lasting relationship with Essen, comprising of the following designations:*
 - (i) *Councillor for Portfolio Technical Services*
 - (ii) *Councillor for Portfolio Local Economic Development*
 - (iii) *Director: Technical Services*
 - (iv) *Municipal Manager*

EENPARIG BESLUIT

- (a) *dat kennis geneem word dat die vennootskapsooreenkoms tussen Essen, Witzenberg en die VVSG (Vlaamse Vereniging van Steden en Gemeenten) oor vaste-afvalbestuur tot 'n einde geloop het gedurende Desember 2021.*
- (b) *dat kennis geneem word dat Munisipaliteit Witzenberg en Munisipaliteit Essen saamwerk met die VVSG (Vlaamse Vereniging van Steden en Gemeenten) om aansoek te doen vir 'n alternatiewe korter weergawe van die ingediende program vir vaste-afval.*
- (c) *Dat 'n werkskomitee gestig word om te dinkskrum oor hoe ons ons langdurige verhouding met Essen kan vier, bestaande uit die volgende posisies:*
 - (i) *Raadslid vir PortefeuljeTegniese Dienste*
 - (ii) *Raadslid vir Portefeulje Plaaslike Ekonomiese Ontwikkeling*
 - (iii) *Direkteur: Tegniese Dienste*
 - (iv) *Munisipale Bestuurder*

8.3 Direkoraat Gemeenskapsdienste / Directorate Community Services

8.3.1 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 8.3.1**.

UNANIMOUSLY RESOLVED

that the Housing Administration Policy for Witzenberg Municipality be approved and adopted.

EENPARIG BESLUIT

dat die Behuisingsadministrasie Beleid vir Munisipaliteit Witzenberg goedgekeur en aanvaar word.

8.3.2 Housing: Demolition of vandalised houses: The Island Holiday Resort, Ceres Behuising: Sloping van gevandaliseerde huise: Die Eiland Vakansieoord, Ceres (17/4/1/1/R)

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

The following recommendation was tabled to Council:

- (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 two (2) vacant semi-detached houses not be demolished, but rather be made available to the neighbours for restoration at own cost and subsequent occupation.
- (d) that the five (5) vacant houses be demolished internally with the assistance of a digger loader from the Directorate: Technical Services and temporary workers.

Councillor D Swart proposed and Alderman HJ Smit seconded that the matter be held in abeyance and referred to the Portfolio Committee for Housing Matters.

Councillor A Gili proposed and Councillor K Yisa seconded that recommendations (a), (b) and (d) be approved and recommendation (c) be held in abeyance and referred to the Committee for Housing Matters.

The Speaker called for a vote and the outcomes were:

• Votes in favour of the matter be referred back to the Committee for Housing Matters	11
• Votes abstained	9
• Absentees/apologies	<u>2</u>
TOTAL	22

The Speaker ruled in favour of the majority of votes that the matter be referred back to the Committee for Housing Matters.

RESOLVED

that the matter in respect of the demolition of vandalised houses in The Island Holiday Resort, Ceres be held in abeyance and be referred to the Committee for Housing Matters and after that to Council again.

BESLUIT

dat die aangeleentheid rakende die sloping van gevandaliseerde huise in Die Eiland Vakansieoord, Ceres oorsaak en na die Komitee vir Behuisingsaangeleenthede verwys word en daarna weer na die Raad.

8.4 Direkoraat Korporatiewe Dienste / Directorate Corporate Services

8.4.1 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 8.4.1**.

Council unanimously resolved on 23 February 2022 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.

UNANIMOUSLY RESOLVED

that the list of Council's representatives on outside bodies, as decided at the workshop and attached as annexure 8.4.1, be accepted.

EENPARIG BESLUIT

dat die lys van die Raad se verteenwoordigers op buite-organisasies, soos besluit by die werkwinkel en aangeheg as bylae 8.4.1, aanvaar word.

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 Progress report on restoration of Nduli Library and upgrade of Polocrosse Hall, Nduli, Ceres (17/6/2 & 17/8/2)

The following documents are attached:

- (a) Letter from Councillor A Gili, dated 14 March 2022: **Annexure 11.1(a).**
- (b) Memorandum from the Municipal Manager, dated 30 March 2022: **Annexure 11.1(b).**

UNANIMOUSLY RESOLVED

- (a) *that the Municipal Manager tries to obtain an agreement with regard to the restoration of the Nduli Library between Witzenberg Municipality and the Provincial Department for libraries.*
- (b) *that the Municipal Manager tries to obtain a building to temporarily serve as a library for Nduli.*

EENPARIG BESLUIT

- (a) *dat die Munisipale Bestuurder poog om 'n ooreenkoms met die Provinsiale Departement vir biblioteke te sluit ten opsigte van die restourasie van die Nduli Biblioteek.*
- (b) *dat die Munisipale Bestuurder poog om 'n gebou te bekom wat tydelik as 'n biblioteek vir Nduli gebruik kan word.*

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 various questions to the Executive Mayor be held in abeyance until the next meeting.

EENPARIG BESLUIT

dat die aangeleentheid rakende verskeie vrae aan die Uitvoerende Burgemeester tot die volgende vergadering oorstaan.

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 in respect of the letter of complaint on the Public Participation Process in drafting of Council's Reviewed IDP and Budget for 2022/2023 be held in abeyance until the next meeting.

EENPARIG BESLUIT

dat die klagbrief rakende die Publieke Deelnameproses tydens die opstel van die Raad se Hersiene Geïntegreerde Ontwikkelingsplan en Begroting vir 2022/2023 tot die volgende vergadering oorstaan.

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's non-compliance of the Private Security Industry Regulation Act (Act 56 of 2001) be held in abeyance until the next meeting.

EENPARIG BESLUIT

dat die aangeleentheid ten opsigte van die klagte teen Munisipaliteit Witzenberg vir die nie-nakoming van die Wet op die Regulering van die Privaat Sekuriteitsbedryf (Wet 56 van 2001) tot die volgende vergadering oorstaan.

12. ADJOURNMENT

The meeting adjourned at 15:20.

Approved on _____ with / without amendments.

COUNCILLOR JS MOUTON
SPEAKER

/MJ Prins