

**MINUTES OF THE COUNCIL MEETING OF WITZENBERG MUNICIPALITY,  
HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON TUESDAY,  
6 DECEMBER 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 D Swart (DA)  
Alderman JJ Visagie (DA)  
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 GG Laban (Witzenberg Aksie)  
Councillor IL Swartz (EFF)

**Officials**

Mr D Nasson (Municipal Manager)  
Mr HJ Taljaard (Acting Director: Technical Services)  
Ms L Nieuwenhuis (Manager: Legal Services)  
Mr A Hofmeester (Manager: IDP)  
Ms R Hendricks (Manager: Communication and Marketing)  
Mr CG Wessels (Manager: Administration)  
Mr C Titus (Committee Clerk)  
Mr M Njokweni (Interpreter)  
Ms MJ Prins (Word Processor Operator)

**Other attendees**

Mr J Conradie (Ceres Business Initiative)

**1. OPENING AND WELCOME**

The Speaker welcomed everyone present and after that requested Councillor J 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 (3/1/2/1)**

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

- (a) Applications for leave of absence from the meeting were received from Councillors AL Gili, MJ Ndaba and GJ Franse.
- (b) Apologies for absence from the meeting were received from the Directors: Corporate and Technical Services.

**UNANIMOUSLY RESOLVED**

- (a) *that the applications for leave of absence from the meeting, received from Councillors AL Gili, MJ Ndaba and GJ Franse, be approved and accepted.*
- (b) *that the apologies for absence from the meeting, received from the Directors: Corporate and Technical Services, be accepted.*

**EENPARIG BESLUIT**

- (a) *dat die aansoeke om verlof tot afwesigheid van die vergadering, ontvang vanaf raadslede AL Gili, MJ Ndaba en GJ Franse, goedgekeur en aanvaar word.*
- (b) *dat die verskonings vir afwesigheid van die vergadering, ontvang vanaf die Direkteure: Korporatiewe en Tegniese Dienste, aanvaar word.*

**ISIGQIBO SABUCALA**

- (a) *Ukuba isicelo sekhefu sooCeba u-AL Gili ,MJ Ndaba kunye GJ Franse siphunyezwe kwaye samkelwe.*
- (b) *Ukuba isingxengxezo esithe safakwa nguMlawuli: kwiiNkonzo ezimanyeneyo noBuchwepheshe sokungazimasi intlanganiso, samkelwe.*

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

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

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

**NOTED**

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

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

The Deputy Executive Mayor, Councillor F Klazen, conveyed Council's congratulations to the following Councillors and spouse on their birthdays:

❖	Councillor J Zalie	21 November
❖	Ms D Heradien	22 November
❖	Councillor A Gili	28 November
❖	Councillor G Franse	11 December
❖	Ms M Fredericks	26 December

The Speaker conveyed, on behalf of Council, sincere condolences to the Chief Financial Officer and his family with the passing of his beloved mother and wished them well.

Councillor JS Mouton conveyed, on behalf of the ANC, sincere condolences to:

- (a) The family of Mr Hennie Titus with his passing on;
- (b) The family of Mr Desmond Vergotine with his passing on and also
- (c) The Prins family with the passing of a family member.

Councillor Mouton conveyed, on behalf of the ANC, congratulations to Jadan Baron, the 7's rugby player, who represents the South African Academy Team in the Dubai 7's Tournament.

**NOTED**

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

- (a) The Speaker apologised that the Whippy System did not come into operation for this meeting. The matter is in working process.
- (b) The Speaker thanked Council and announced that this will be the last Council meeting for 2022.

**NOTED**

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

- (a) The Executive Mayor requested Council to inform him in good time of any resident becoming 100 years old in order to convey Council's and Mayoral congratulations.
- (b) The Executive Mayor announced that Witzenberg Municipality obtained a 10<sup>th</sup> consecutive clean audit report. The Executive Mayor conveyed congratulations to the Municipal Manager, financial team and the Witzenberg Municipality.
- (c) The Executive Mayor announced that in terms of the tradition of the municipality that all electricity which has been cut, be reconnected over the festive season, the reconnections will be done from 22 December 2022 until 4 January 2023.
- (d) The Executive Mayor welcomed Councillors J Cloete and N Phatsoane back to Council after a period of being unwell and wished them well.
- (e) Alderman JJ Visagie conveyed, on behalf of Council, congratulations to Ms Ray von Buddenbrock on her centenary of 100 years.
- (f) Alderman K Adams conveyed congratulations on behalf of Council to the Bella Vista Rugby Club on their excellent rugby performance in the Boland Rugby Union Top 12 Competition.
- (g) Councillor K Yisa expressed congratulations on behalf of the ANC to the Municipal Manager, Chief Financial Officer and financial team for obtaining a clean audit for the 10<sup>th</sup> consecutive year.
- (h) Councillor Yisa conveyed a message to Council that copper has been stolen at the Nduli Primary School.
- (i) Councillor J Cloete conveyed, on behalf of Council, congratulations to Darryn Nasson, a player of Bella Vista Rugby Club, for being appointed as the Rugby Player of the Year for the Boland Rugby Union Top 12 Tournament.
- (j) Councillor N Phatsoane referred to the killings and injuries in the Nduli informal settlement and requested that street headlights be erected in the area.
- (k) The Executive Mayor requested that Council held a moment of silence for all Witzenberg residents who passed on.

**NOTED**

### **3.4 Matters raised by the Municipal Manager**

- (a) The Municipal Manager informed Council that the program for the Christmas Market from 16 until 18 December 2022 will be distributed to Councillors in the next week.
- (b) Councillors will be informed in respect of the Arrive Alive campaign.
- (c) The Municipal Manager apologised for the unclear printing on the November 2022 payslip and mentioned that the matter will be rectified.

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

**RESOLVED**

*that the approval of the minutes of the Council meeting, held on 23 February 2022, be held in abeyance until the next meeting.*

**BESLUIT**

*dat die goedkeuring van die notule van die Raadsvergadering, gehou op 23 Februarie 2022, oorstaan tot die volgende vergadering.*

**ISIGQIBO**

*Ukuba ukuphunyezwa kwemizuzu yentlanganiso yeBhunga eyayibanjwe ngomhla wama 23 kweyoMdumba 2022, kurhoxiselwe intlanganiso elandelayo.*

**5. MOTIONS AND NOTICE OF SUGGESTIONS**

None / Geen / Ayikho

**NOTED / AANGETEKEN / IGQALIWE**

**6. INTERVIEWS WITH DELEGATIONS**

None / Geen / Ayikho

**NOTED / AANGETEKEN / IGQALIWE**

**7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS**

None / Geen / Ayikho

**NOTED / AANGETEKEN / IGQALIWE**

**8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS**

**8.1 Direktooraat Finansies / Directorate Finance**

**8.1.1 Quarterly Budget Statement [Section 52(d)] Report: 1<sup>st</sup> Quarter 2022/2023 (1 July 2022 to 30 September 2022)**  
**Kwartaallikse Begrotingsverslag ingevolge Artikel 52(d): 1<sup>ste</sup> Kwartaal 2022/2023 (1 Julie 2022 tot 30 September 2022)**  
**(9/1/2/2)**

The Quarterly Budget Statement [Section 52(d)] Report for the first quarter of 2022/2023 is attached as **annexure 8.1.1**.

The Executive Mayoral Committee resolved on 28 November 2022 to recommend to Council that notice be taken of the Quarterly Budget Statement Report in terms of Section 52(d) for the 1<sup>st</sup> quarter of 2022/2023 and the report be referred to the Performance, Risk and Audit Committee as well as the Municipal Public Accounts Committee for any recommendations to Council.

**UNANIMOUSLY RESOLVED**

*that notice be taken of the Quarterly Budget Statement Report in terms of Section 52(d) for the 1<sup>st</sup> quarter of 2022/2023 and the report be referred to the Performance, Risk and Audit Committee as well as the Municipal Public Accounts Committee for any recommendations to Council.*

**EENPARIG BESLUIT**

*dat kennis geneem word van die Kwartaallikse Begrotingsverslag ingevolge Artikel 52(d) vir die 1<sup>ste</sup> kwartaal van 2022/2023 en die verslag na die Prestasie-, Risiko- en Ouditkomitee sowel as die Munisipale Publieke Rekeningekomitee verwys word vir enige aanbevelings aan die Raad.*

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

After consideration by members of the Performance, Risk and Audit Committee, 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**.

The Performance, Risk and Audit Committee resolved on 9 September 2022 to recommend to Council that notice be taken of the Performance, Risk and Audit Committee's First Bi-Annual Report on Performance Management for 2021/2022 and, after consideration, same be accepted.

**UNANIMOUSLY RESOLVED**

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

**8.1.3 Annual Risk Assessment Report: 2022  
(2/12/1)**

The Annual Risk Assessment report for 2022, dated June 2022, is attached as **annexure 8.1.3**.

The Performance, Risk and Audit Committee resolved on 9 September 2022 to recommend to Council that notice be taken of the Performance, Risk and Audit Committee's Annual Risk Assessment Report for 2022 and, after consideration, same be accepted.

The following recommendation was tabled to Council:

that the Performance, Risk and Audit Committee recommends to Council:

that notice be taken of the Performance, Risk and Audit Committee's Annual Risk Assessment Report for 2022 and, after consideration, same be accepted.

**UNANIMOUSLY RESOLVED**

*that the Performance, Risk and Audit Committee's Annual Risk Assessment Report for 2022 be held in abeyance to be workshopped by Council.*

**8.1.4 Internal Audit Charter with effect from 1 July 2022  
(5/14/2)**

The Internal Audit Charter with effect from 1 July 2022 is attached as **annexure 8.1.4**.

The Performance, Risk and Audit Committee resolved on 9 September 2022:

- (a) That the Performance, Risk and Audit Committee will duly revisit the Internal Audit Charter with effect from 1 July 2022.

- (b) That the Performance, Risk and Audit Committee recommends to Council:

that notice be taken of the Internal Audit Charter with effect from 1 July 2022 and, after consideration, same be approved.

The following recommendation was tabled to Council:

That the Performance, Risk and Audit Committee recommends to Council:

that notice be taken of the Internal Audit Charter with effect from 1 July 2022 and, after consideration, same be approved.

**UNANIMOUSLY RESOLVED**

*that the Internal Audit Charter with effect from 1 July 2022 be held in abeyance to be workshopped by Council.*

**8.1.5 PRAC Charter with effect from 1 July 2022  
(5/14/4)**

The Performance, Risk and Audit Committee Charter with effect from 1 July 2022 is attached as **annexure 8.1.5**.

The Performance, Risk and Audit Committee resolved on 9 September 2022:

- (a) That the Performance, Risk and Audit Committee will duly revisit the PRAC Charter with effect from 1 July 2022.

- (b) That the Performance, Risk and Audit Committee recommends to Council:

that notice be taken of the PRAC Charter with effect from 1 July 2022 and, after consideration, same be approved.

The following recommendation was tabled to Council:

That the Performance, Risk and Audit Committee recommends to Council:

that notice be taken of the PRAC Charter with effect from 1 July 2022 and, after consideration, same be approved.

**UNANIMOUSLY RESOLVED**

*that the PRAC Charter with effect from 1 July 2022 be held in abeyance to be workshopped by Council.*

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

Council unanimously resolved on 24 August 2022

- (a) that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the Fourth 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.

The Performance, Risk and Audit Committee resolved on 9 September 2022 to recommend to Council that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the Fourth Quarter of 2021/2022 and, after consideration, same be accepted.

**UNANIMOUSLY RESOLVED**

*that notice be taken of the Quarterly Budget Statement [Section 52(d)] Report for the Fourth Quarter of 2021/2022 and, after consideration, same be accepted.*

**8.1.7 Reconnection of electricity over the festive period (5/12/1/R)**

**Purpose**

To consider the reconnection of all electricity consumers over the festive period from 22 December 2022 until 4 January 2023.

**Deliberation**

It has become customary for Council to reconnect the electricity supply of defaulters over the festive period. This is in the spirit of goodwill and also to ensure that all households enjoy the festive season. In the past Council has drawn a distinction between the prepaid and the conventional consumers.

In terms of the conventional consumers they must pay a deposit of R500-00 because the electricity is supplied in advance. If the deposit is not levied Council will incur a loss.

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The Executive Mayoral Committee resolved on 28 November 2022 to recommend to Council:

- (a) that all residents have access to electricity and that no credit controls be implemented for the period 22 December 2022 until 4 January 2023.
- (b) that conventional consumers pay a deposit of R500 as their electricity is supplied in advance.

**UNANIMOUSLY RESOLVED**

- (a) *that all residents have access to electricity and that no credit controls be implemented for the period 22 December 2022 until 4 January 2023.*
- (b) *that conventional consumers pay a deposit of R500 as their electricity is supplied in advance.*

**EENPARIG BESLUIT**

- (a) *dat alle inwoners toegang tot elektrisiteit het en dat daar nie kredietbeheermaatreëls toegepas word vir die tydperk 22 Desember 2022 tot 4 Januarie 2023 nie.*
- (b) *dat konvensionele verbruikers 'n deposito van R500 betaal, aangesien hulle elektrisiteit vooraf verskaf word.*

**ISIGQIBO SABUCALA**

- (a) *Ukuba wonke umhlali abenombane kwaye uLawulo lwamatyala lumiswe Phakathi komhla wama 22 kweyoMnga 2022 ukuyakuthi ga ngomhla wesi 4 kweyoMqungu 2023.*
- (b) *Ukuba abantu abahlawula emveni kokusebenzisa umbane beze ngaphambili benze intlawulo yama R500.*

**8.1.8 Section 71 Monthly Budget Statement Reports of the Directorate Finance: November, December 2021, January, February, March, April and May 2022 (9/1/2/2)**

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

- (a) March 2022: **Annexure 8.1.8(a)**
- (b) April 2022: **Annexure 8.1.8(b)**
- (c) May 2022: **Annexure 8.1.8(c)**
- (d) July 2022: **Annexure 8.1.8(d)**
- (e) August 2022: **Annexure 8.1.8(e)**

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Extract from minutes of Performance, Risk and Audit Committee meeting, held on 24 June 2022:

"The Director: Finance tabled the Section 71 Monthly Budget Statement Reports for November 2021 until May 2022. The Performance, Risk and Audit Committee decided to focus on and discuss the May 2022 report. The following matters were highlighted:

- The Performance, Risk and Audit Committee expressed concerns that the capital expenditure budget will not reach target due to staff problems at the Van Breda Bridge and the vandalism and ESKOM problems at the Vredebes Housing Project.
- At the end of May 2022 R162 million was in the municipal bank account without any investments.
- The cost coverage ratio at the end of May 2022 was 2,9 months.
- The Performance Risk and Audit Committee considered the writing off of long outstanding debt.
- The Performance, Risk and Audit Committee recommended that the Municipal Public Accounts Committee advises Council to hold a workshop to discuss debt collection."

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

- (a) that notice be taken of the Section 71 Monthly Budget Statement Reports for November and December 2021 and January, February, March, April and May 2022.
- (b) that Council considers holding a workshop meeting to discuss the writing off of long outstanding debt.
- (c) that the Municipal Public Accounts Committee considers to advise Council to hold a workshop to discuss debt collection.

The Committee for Corporate and Financial Services resolved on 20 October 2022:

- (a) that the Section 71 Monthly Budget Statement Report of the Directorate Finance for June 2022 be held in abeyance as the report was listed incorrectly in the item.
- (b) that the Committee for Corporate and Financial Services recommends to the Executive Mayoral Committee and Council:

that the Committee for Corporate and Financial Services takes notice, after consideration, of the content of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for March, April, May, July and August 2022 and same be approved and accepted.

Council resolved on 30 May 2022 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.

The Executive Mayoral Committee resolved on 28 November 2022 to recommend to Council:

- (a) that notice be taken that 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 have already been tabled to and accepted by Council on 30 May 2022.
- (b) that notice be taken of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for March, April, May, July and August 2022 and, after consideration, same be approved.
- (c) that a workshop meeting to discuss the writing off of long outstanding debt be considered.

**UNANIMOUSLY RESOLVED**

- (a) that notice be taken that 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 have already been tabled to and accepted by Council on 30 May 2022.*
- (b) that notice be taken of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for March, April, May, July and August 2022 and, after consideration, same be approved.*
- (c) that a workshop meeting to discuss the writing off of long outstanding debt be considered.*

**8.1.9 Mid-year Budget Statement and Performance Assessment (Section 72) Report 2021/2022: 1 July 2021 until 31 December 2021 (9/1/1 & 5/1/5/14)**

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

**“Purpose**

The purpose of this report is to submit the 2021/2022 Section 72 Mid-year Budget and Performance Assessment Report for the period 1 July 2021 to 31 December 2021 to Council, for information.

**Legislature framework**

In terms of Section 72 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003):

- (1) The accounting officer of a municipality must by 25 January of each year –

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- (a) Assess the performance of the municipality during the first half of the financial year.
- (b) Submit the report to the Mayor, National Treasury and Provincial Treasury.

The mayor must, in terms of Section 54(1)(f) of the act submit the report to the Council by 31 January of each year.

**Discussion**

The Mid-year report for the 2021/2022 financial year is attached as **annexure 8.1.9.**"

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

- (a) that notice be taken of the Mid-year Budget Statement and Performance Assessment Report for the period 1 July 2021 until 31 December 2021.
- (b) that Council refers the Mid-year Budget Statement and Performance Assessment (Section 72) Report for the period 1 July 2021 until 31 December 2021 to the Committee for Corporate and Financial Services and the Municipal Public Accounts Committee (MPAC) for consideration and thereafter to Council for approval.

Council unanimously resolved on 26 January 2022:

- (a) that notice be taken of the Mid-year Budget Statement and Performance Assessment Report for the period 1 July 2021 until 31 December 2021.
- (b) that Council refers the Mid-year Budget Statement and Performance Assessment (Section 72) Report for the period 1 July 2021 until 31 December 2021 to the Committee for Corporate and Financial Services and the Municipal Public Accounts Committee (MPAC) for consideration and thereafter to Council for approval.

Extract from minutes of Committee for Corporate and Financial Services meeting, held on 20 October 2022:

"A committee member raised concerns regarding the finances of the municipality and proposed that plans and strategies be put in place to strengthen the municipality's income.

The Chairperson further proposed that all 23 Councillors consider joining in on the concept of going from door to door to encourage citizens to apply for the indigent allowance. Possible solutions must also be considered and enacted with regard to illegal immigrants based on the negative impact it has on the income of the municipality."

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The Committee for Corporate and Financial Services resolved on 20 October 2022 to recommend to the Executive Mayoral Committee and Council:

- (a) that a Credit Control Strategy be workshopped by Council.
- (b) that attention be given to the streaming in of illegal immigrants for possible solutions to curb the influx of illegal immigrants within the Witzenberg area.

The Executive Mayoral Committee resolved on 28 November 2022 to recommend to Council that the Mid-year Budget Statement and Performance Assessment Report for the period 1 July 2021 until 31 December 2021, after consideration, be approved subject to:

- (i) that a Credit Control Strategy be workshopped by Council.
- (ii) that attention be given to the streaming in of illegal immigrants for possible solutions to curb the influx of illegal immigrants within the Witzenberg area.

**UNANIMOUSLY RESOLVED**

*that the Mid-year Budget Statement and Performance Assessment Report for the period 1 July 2021 until 31 December 2021, after consideration, be approved subject to:*

- (i) that a Credit Control Strategy be workshopped by Council.*
- (ii) that attention be given to the streaming in of illegal immigrants for possible solutions to curb the influx of illegal immigrants within the Witzenberg area.*

**EENPARIG BESLUIT**

*dat die Halfjaarbegrotingsverklaring en Prestasiebeoordelingsverslag vir die tydperk 1 Julie 2021 tot 31 Desember 2021, na oorweging, goedgekeur word onderhewig aan:*

- (i) dat 'n Kredietbeheerstrategie deur die Raad op 'n werkswinkel bespreek word.*
- (ii) dat aandag gegee word aan die instroming van onwettige immigrante vir moontlike oplossings om die instroming van onwettige immigrante binne die Witzenberg-omgewing te bekamp.*

**ISIGQIBO SABUCALA**

*Ukuba ingxelo yohlolwabiwomali lwaphakathi enyakeni kunye nokuPhononongwa kukusebenza kwabasebenzi kumhla woku 1 kweyeKhala 2021 ukuya kweyoMnga 2021, ithathelwe ingqalelo kwaye iphunyezwe ngokubhekiselele:*

- (i) Ukuba kubekho uCweyo lweBhunga malunga noLawulo lwamatyala/intlawulo.*
- (ii) Ukuba kugqalwe umba wabo bangena kweli ngokungekho semthethweni ukuze siqande ukugcwala kwabo bangene ngokungekho semthethweni apha kuleNgigqi yaseWitzenberg.*

**8.1.10 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 8.1.10**.

Extract from the minutes of the Committee for Corporate and Financial Services meeting, held on 20 October 2022:

"A committee member enquired about the status of the security tender.

The Municipal Manager informed the meeting that after much consideration and adherence to legislative compliance the tender had been finalised and should be in effect from 1 November 2022."

The Committee for Corporate and Financial Services resolved on 20 October 2022 to recommend to the Executive Mayoral Committee and Council:

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

The Executive Mayoral Committee resolved on 28 November 2022 to recommend to Council:

- (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.

**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.*

**8.2 Direktooraat Tegniëse Dienste / Directorate Technical Services**

None / Geen / Ayikho

**NOTED / AANGETEKEN / IGQALIWE**

### **8.3   Direktoraat Gemeenskapsdienste / Directorate Community Services**

#### **8.3.1 Lease agreement: Zanokhanyo Crèche: Tulbagh (7/1/4/1)**

Memorandum from Acting Manager: Socio-Economic Development, dated 13 July 2022:

##### **“Purpose**

To request Council’s approval for renewal of the lease agreement with the Governance Body for Zanokhanyo Crèche in Chris Hani Tulbagh, situated on a portion of erf 389, Tulbagh.

##### **Background and deliberation**

The crèche is a result of a twinning agreement with the town of Essen, Belgium and Witzenberg Municipality. The crèche was officially opened on 3 October 2009. The Department Social Development requested Grass Roots, an NGO (Non-governmental organisation), to assist the Crèche Committee with training in handling the 76 children in the program on a daily basis.

The crèche is a registered Non-profit organisation and receives a subsidy from Department Social Development. The crèche is registered for 80 children between the ages of six months and five years. Currently they have 80 children attending the facility and a waiting list of more than 100 children. The crèche follows a day program approved by the Department and comprises of four classrooms, a bathroom, office and kitchen. The crèche is functioning well and is managed by a governing body represented by parents from the community, which seems to be managed well. The personnel consist of a principal, four educators, and a cook.

Witzenberg Municipality entered into a lease agreement with the governance body of Zanokhanyo Crèche which expired on 30 August 2022.

##### **Community value**

The children from Chris Hani have the opportunity to be exposed to early childhood development in a facility where vulnerable children are safe and protected.

##### **Sustainability**

The Department Social Development will ensure the sustainability of the daily operations.

##### **Legislation**

Renewal of the lease agreement for a period of three years.

### **Financial implication**

Fair market value is not applicable due to the economic and community value that are received in exchange for the lease of the asset. Council must determine the minimum yearly rental amount, also taking into consideration that the maintenance and repairs of this building are for the account of the Lessee.”

The Committee for Community Development resolved on 20 October 2022 to recommend to Council:

- (i) that Council enters into a further lease agreement with the governance body of Zanokhanyo Crèche for a three-year period for the purposes of operating a crèche.
- (ii) that Council considers granting Zanokhanyo Crèche the option for renewal for a further three years after the new lease agreement has lapsed, on the discretion of the municipality.
- (iii) that Council determines the minimum yearly rental amount.
- (iv) that the property that will be leased, is not required for the provision of a minimum level of basic services. [MFMA Section 14.2(a)].
- (v) that the Zanokhanyo Crèche is liable to pay for municipal services and that they are responsible to maintain the building.
- (vi) that Zanokhanyo Crèche is responsible for own security measures such as alarms, guards, burglar bars etc.
- (vii) that the building will stay the property of the municipality after the lease agreement has expired and/or is cancelled.
- (viii) that the Municipal Manager be authorised to sign the lease agreement on behalf of the Council.

The Executive Mayoral Committee resolved on 28 November 2022 to recommend to Council:

- (a) that Council enters into a further lease agreement with the governance body of Zanokhanyo Crèche for a three-year period for the purposes of operating a crèche.
- (b) that Council considers granting Zanokhanyo Crèche the option for renewal for a further three years after the new lease agreement has lapsed, on the discretion of the municipality.
- (c) that Council determines the minimum yearly rental amount.

- (d) that the property that will be leased, is not required for the provision of a minimum level of basic services. [MFMA Section 14.2(a)].
- (e) that the Zanokhanyo Crèche is liable to pay for municipal services and that they are responsible to maintain the building.
- (f) that Zanokhanyo Crèche is responsible for own security measures such as alarms, guards, burglar bars etc.
- (g) that the building will stay the property of the municipality after the lease agreement has expired and/or is cancelled.
- (h) that the Municipal Manager be authorised to sign the lease agreement on behalf of the Council.

**UNANIMOUSLY RESOLVED**

- (a) *that Council enters into a further lease agreement with the governance body of Zanokhanyo Crèche for a three-year period for the purposes of operating a crèche.*
- (b) *that Council considers granting Zanokhanyo Crèche the option for renewal for a further three years after the new lease agreement has lapsed, on the discretion of the municipality.*
- (c) *that the amount to be paid for annual rent be equal to the insurance amount of which the Zanokhanyo Crèche pays.*
- (d) *that the property that will be leased, is not required for the provision of a minimum level of basic services. [MFMA Section 14.2(a)].*
- (e) *that the Zanokhanyo Crèche is liable to pay for municipal services and is responsible for the maintenance of the building inside while the municipality is responsible for maintenance outside.*
- (f) *that Zanokhanyo Crèche is responsible for own security measures such as alarms, guards, burglar bars etc.*
- (g) *that the building will stay the property of the municipality after the lease agreement has expired and/or is cancelled.*
- (h) *that the Municipal Manager be authorised to sign the lease agreement on behalf of the Council.*

**8.3.2 Lease of portion of erf 1, Pine Valley, Wolseley to Pine Valley Neighbourhood Watch: Old Malikhanye Crèche (7/1/4/1)**

Report from Municipal Manager, dated 25 November 2022:

**“Purpose**

To consider recommending to Council that the Pine Valley Neighbourhood Watch be exempted from paying municipal services, except electricity and that same be included in the lease agreement to be signed between the parties.

**Background**

Council unanimously resolved on 22 June 2022:

- (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.

**Deliberation**

A lease agreement was duly prepared and presented to the Neighbourhood Watch for signing. The said agreement is attached as **annexure 8.3.2**. The Neighbourhood Watch advised that they are a non-profit organisation and that their members are all volunteers serving the community during their free time. The Neighbourhood Watch does not receive any income nor do they generate income and is dependent on contributions from business and public. These contributions are more towards equipment and protective clothing. If the lease agreement is signed as presented it will mean that the Neighbourhood Watch will soon be in breach of the conditions of the agreement. Council is requested to consider exempting the Neighbourhood Watch from payment.

### **Legal implication**

The Community Services Department will have to make provision in its budget for payment, because all services need to be paid for in terms of Council's Credit Control Policy as well as the Municipal Systems Act.

### **Financial implication**

The Community Services Department will apply for additional funding during the adjustment budget to make provision for the additional expenses."

The Executive Mayoral Committee resolved on 28 November 2022 to recommend to Council:

- (a) that approval be given for the 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 [Municipal Finance Management Act Section 14.2(a)].
- (c) 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 [Municipal Finance Management Act Section 14.2(b)].
- (d) that Council approves the exemption of rental charges and municipal services on condition that the lessee does all the repair and applicable maintenance work to the building.
- (e) that the Community Services Department makes provision in its budget for payment, as all services need to be paid for in terms of Council's Credit Control Policy and the Municipal Systems Act.
- (f) that the Community Services Department applies for additional funding during the budget process to make provision for the additional expenses.

### **UNANIMOUSLY RESOLVED**

- (a) *that approval be given for the 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 [Municipal Finance Management Act Section 14.2(a)].*
- (c) 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 [Municipal Finance Management Act Section 14.2(b)].*
- (d) that Council approves the exemption of rental charges and municipal services on condition that the lessee does all the repair and applicable maintenance work to the building.*
- (e) that the Community Services Department makes provision in its budget for payment, as all services need to be paid for in terms of Council's Credit Control Policy and the Municipal Systems Act.*
- (f) that the Community Services Department applies for additional funding during the budget process to make provision for the additional expenses.*
- (g) that the Indigent Policy be amended to provide for NGO's in circumstances that there is justification for same.*
- (h) that the Indigent Policy be workshopped to attend to the amendment in (g) supra.*

### **8.3.3 Investigation on regional graveyard, Ceres Ondersoek na streeksbegraafplaas, Ceres (17/12/1/1)**

A report from the Manager: Amenities and Environment, dated 22 November 2022, is attached as **annexure 8.3.3**.

The Executive Mayoral Committee resolved on 28 November 2022 to recommend to Council:

- (a) that notice be taken of the investigation on a regional graveyard in Ceres.*
- (b) that notice be taken that an application for funding for the infrastructure development of the intended cemetery has already been registered with MIG.*

The following recommendation was tabled to Council:

That the Executive Mayoral Committee recommends to Council:

- (a) that notice be taken of the investigation on a regional graveyard in Ceres.*

- (b) that notice be taken that an application for funding for the infrastructure development of the intended cemetery has already been registered with MIG.

**UNANIMOUSLY RESOLVED**

*that the matter in respect of a regional graveyard in Ceres be held in abeyance until the next meeting.*

**EENPARIG BESLUIT**

*dat die aangeleentheid rakende 'n streeksbegraafplaas in Ceres oorstaan tot die volgende vergadering.*

**ISIGQIBO SABUCALA**

*Ukuba umba wamangcwaba anqongopheleyp apha eCeres urhoxiselwe intlanganiso elandelayo.*

**8.3.4 Project: CCTV Cameras along Voortrekker Road and Vos Street, Ceres (R46 Ceres to Nduli) and Voortrekker and Olienhout Streets in Prince Alfred's Hamlet (17/7/5)**

Report from Municipal Manager, dated 24 November 2022:

**“Purpose**

To consider recommending to Council to enter into a new three (3)-year agreement with Witzenberg Security Forum (Pty) Ltd to maintain and monitor the circuit television cameras installed along Voortrekker Road and Vos Street, Ceres (R46 Ceres to Nduli) and Voortrekker and Olienhout Streets in Prince Alfred's Hamlet.

**Background**

Council resolved on 23 August 2019 to enter into an agreement with Ceres Business Initiative to install CCTV cameras along Voortrekker Road and Vos Street, Ceres (R46 Ceres to Nduli) and Voortrekker and Olienhout Streets in Prince Alfred's Hamlet. At the time the capital investment for the project was R1.056 million and the operational cost R69 575 per month. CBI accepted responsibility for the capital investment as well as a contribution to the operational expenses. The municipality agreed to contribute R50 000-00 per month, escalating at 7 % annually. It was initially agreed that a non-profit company will be registered to enable all the parties to claim back in terms of payment made. Witzenberg Security Forum (Pty) Ltd was eventually established with the directors being elected from the contributors of the project.

### **Deliberation**

The business sector chose to fund their capital over a 5-year period which will end in two years' time. The sustainability of the project is dependent on the financial contribution of the municipality. The last payment in terms of the old agreement to be made on 30 November 2022.

The private company established has requested that the municipality considers to extend its monthly contribution for a further two year period on the same terms and conditions as initially concluded. When the project was initiated LTS Security was selected as the preferred bidder, because of their experience and involvement in a similar project. They have established a control room with a response unit to monitor activities on the cameras. In terms of the agreement the security company reports on a monthly basis on all activities for the month.

### **Legal implication**

Council must approve of the project and provide for it in the budget. Provincial Roads and Transport must give approval for the installation of the cameras on the provincial roads.

### **Financial implication**

If Council so approves of the project the municipality will be responsible for a monthly contribution in the amount of R57 245-00. This commitment will be for a period of two years."

The Executive Mayoral Committee resolved on 28 November 2022 to recommend to Council:

- (a) that the project be approved and the budget provided for with a monthly contribution of R57 245-00.
- (b) that the Department Provincial Roads and Transport approves the installation of the cameras on the provincial roads.
- (c) that the commitment be for a period of two (2) years.

### **UNANIMOUSLY RESOLVED**

- (a) *that the project be approved and the budget provided for with a monthly contribution of R57 245-00.*
- (b) *that the Department Provincial Roads and Transport approves the installation of the cameras on the provincial roads.*
- (c) *that the commitment be for a period of two (2) years.*

**EENPARIG BESLUIT**

- (a) *dat die projek goedgekeur en 'n begroting voorsien word vir 'n maandelikse bedrag van R57 245-00.*
- (b) *dat die Departement Provinsiale Paaie en Vervoer die installasie van die kameras op provinsiale paaie goedkeur.*
- (c) *dat die ooreenkoms vir 'n tydperk van twee jaar sal duur.*

**ISIGQIBO SABUCALA**

- (a) *Ukuba leProjekithi iphunyenze kunye nohlahlolwabiwomali lwayo lwemali elinganiselwa kuma R57 245-00 ngenyanga.*
- (b) *Ukuba iSebe lezeNdlela neziThuthi kwiPhondo liphumeze ukufakelwa kweeKhamera kwiindlela izilawulwa liPhondo.*
- (c) *Ukuba oku kuqukunjelwe kwixesha leminyaka emibini*

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

##### **8.4.1 Council matters: Council recess for festive season 2022/2023 (3/1/2/3)**

The Executive Mayoral Committee resolved on 28 November 2022 to recommend to Council:

- (a) that the recess period of Council for the 2022/2023 festive season will be from 16 December 2022 until 15 January 2023.
- (b) that if the Speaker needs to call a Council meeting all Councillors must be available for a virtual Council meeting at all times.
- (c) that the Executive Mayor and Deputy Executive Mayor will be on standby during the recess period.

#### **UNANIMOUSLY RESOLVED**

- (a) that the recess period of Council for the 2022/2023 festive season will be from 16 December 2022 until 15 January 2023.*
- (b) that if the Speaker needs to call a Council meeting all Councillors must be available for a virtual Council meeting at all times.*
- (c) that the Executive Mayor and Deputy Executive Mayor will be on standby during the recess period.*

#### **EENPARIG BESLUIT**

- (a) dat die Raad vir die 2022/2023 Feesseisoen vanaf 16 Desember 2022 tot 15 Januarie 2023 in reses sal wees.*
- (b) dat alle Raadslede ten alle tye vir 'n virtuele Raadsvergadering beskikbaar moet wees indien dit nodig sou wees dat die Speaker 'n Raadsvergadering belê.*
- (c) dat die Uitvoerende Burgemeester en Uitvoerende Onderburgemeester op bystand sal wees gedurende die reseydperk.*

#### **ISIGQIBO SABUCALA**

- (a) Ukuba iBhunga lithathe iKhefu lwango 2022/2023 kwilixa leziyunguma elizakuqala ngomhla we 16 kweyoMnga ukuya kumhla we 15 kweyoMqungu 2023.*
- (b) Ukuba uSomlomo ubiza intlanganiso engxamisekileyo bonke ooCebe balindeleke ukuba bayizimase maxa onke kambe izakwenziwa ngokobuxhaka-xhaka balemihla.*

(c) *Ukuba uSodolophu noSekela Sodolophu bazakuhlala bengxashile kwelilixa leKhefu labo.*

**8.4.2 SALGA: Minutes of Community Development and Security Working Group meeting: 10 October 2022 (12/1/1/11)**

The minutes of the SALGA Community Development and Security Working Group meeting, held on 10 October 2022, are attached as **annexure 8.4.2**.

**UNANIMOUSLY RESOLVED**

*that notice be taken of the minutes of the SALGA Community Development and Security Working Group meeting, held on 10 October 2022.*

**ISIGQIBO SABUCALA**

*Ukuba kugqalwe imizuzu yentlanganiso yoPhuhliso loLuntu yeSALGA kunye neqela i(Security Working group), eyayibanjwe ngomhla we10 kweyeDwarha 2022.*

**8.4.3 SALGA: Minutes of Governance and Intergovernmental Relations Provincial Working Group meeting: 14 October 2022 (12/1/1/11)**

The minutes of the SALGA Governance and Intergovernmental Relations Provincial Working Group meeting, held on 14 October 2022, are attached as **annexure 8.4.3**.

**UNANIMOUSLY RESOLVED**

*that notice be taken of the minutes of the SALGA Governance and Intergovernmental Relations Provincial Working Group meeting, held on 14 October 2022.*

**ISIGQIBO SABUCALA**

*Ukuba kugqalwe imizuzu yeNtlanganiso yoLawulo lukaSALGA neqela lezentsebenziswano yamaSebe kaRhulumente yePhondo, eyayibanjwe ngomhla we14 kweyeDwarha 2022.*

**8.4.4 SALGA: Minutes of Human Settlements Urban Agenda (HSUA) Provincial Working Group meeting: 17 October 2022 (12/1/1/11)**

The minutes of the SALGA Human Settlements Urban Agenda (HSUA) Provincial Working Group meeting, held on 17 October 2022, are attached as **annexure 8.4.4**.

**UNANIMOUSLY RESOLVED**

*that notice be taken of the minutes of the SALGA Human Settlements Urban Agenda (HSUA) Provincial Working Group meeting, held on 17 October 2022.*

**ISIGQIBO SABUCALA**

*Ukuba kugqalwe imizuzu yentlanganiso yezokuHlaliswa koLuntu kaSALGA kwiPhondo, eyayibanjwe, ngomhla we17 kweyeDwarha 2022.*

**8.4.5 SALGA: Minutes of Economic Development and Job Creation Working Group meeting: 13 October 2022 (12/1/1/11)**

The minutes of the SALGA Economic Development and Job Creation Working Group meeting, held on 13 October 2022, are attached as **annexure 8.4.5**.

**UNANIMOUSLY RESOLVED**

*that notice be taken of the minutes of the SALGA Economic Development and Job Creation Working Group meeting, held on 13 October 2022.*

**ISIGQIBO SABUCALA**

*Ukuba kugqalwe imizuzu yentlanganiso yoPhuhliso lezoQoqosho kaSALGA kunye nokudalwa kwamathuba emisebenzi, eyayibanjwe ngomhla we 13 kweyeDwarha 2022.*

**8.4.6 Proposed Council meeting program: January until December 2023**  
**Voorgestelde Raadsvergaderingsprogram: Januarie tot Desember 2023**  
**Isiphakamiso sentlanganiso yeBhunga: kweyoMqungu ukuya kweyeSilimela 2023**  
**(3/1/2/3)**

The following memorandum, dated 21 November 2022, was received from the Manager: Administration:

**1. Purpose**

To obtain the approval of the Executive Mayoral Committee as well as Council for the proposed Council meeting program for January until December 2023.

**2. For decision**

Council.

**3. Executive summary**

The Council meeting program and meeting schedule for January until December 2023 is attached as **annexure 8.4.6**. It is recommended that the attached program for the period January until December 2023 be approved. SALGA and the Western Cape Government have requested that municipalities finalise their own Council calendar dates in order for them to synchronise dates with everybody.

Council is requested to approve the meeting program for January until December 2023. The Council meeting program of the Witzenberg Municipality has been synchronised with the meeting dates of the Cape Winelands District Municipality and is now submitted to Council for approval.

**4. Discussion**

**4.1 Background and discussion**

In terms of Section 19 of the Local Government Municipal Systems Act (Act 32 of 2000) the Municipal Manager must give notice to the public in a manner determined by the Municipal Council of the time, dates and venues of every ordinary meeting of the Council and special or urgent meetings of the Council except when time constraints make this impossible.

The proposed Council meeting program for January until December 2023 provides the list of scheduled meetings of Council, the Executive Mayoral Committee, the various Section 80 Committees, Municipal Public Accounts Committee (MPAC), Performance, Risk and Audit Committee (PRAC), the Local Labour Forum (LLF) and the Senior Management with the applicable time, date, venue or modus of the meetings.

Senior Management meetings are once again proposed to be held every Monday, Section 80 Committee meetings on the third Tuesday and Thursday of every month, but meetings of the Committee for Housing Matters on the last Thursday of the month, Council workshops on the day prior to the Council meeting and Council meetings on the last Tuesday of the month, depending on specific circumstances. Council meetings are also synchronised with the Council meetings of the Cape Winelands District Municipality. Meetings of the Executive Mayoral Committee are scheduled twice a month. All meetings can be held virtually or in contact depending on circumstances at the time.

#### **4.2 Constitutional and policy implications**

Compliance with any health regulation in case of contact meetings and compliance with municipal IT Policy in case of virtual meetings.

#### **4.3 Environmental implications**

This program has no environmental implications.

#### **4.4 Financial implications**

The monthly Council meetings are published in the local community newspaper, the cost of which is duly budgeted for.

#### **4.5 Legal implications**

In terms of Section 19 of the Local Government Municipals Systems Act (Act 32 of 2000) the Municipal Manager must give notice to the public in a manner determined by the Municipal Council of the time, date and venue or modus of every ordinary meeting of the Council and special or urgent meetings of the Council except when time constraints make this impossible.

Council meetings are planned for every month except for April, June, September and November 2023 and this exceeds the minimum requirement of one meeting per quarter as prescribed.

All legislative and policy requirements are complied with."

The Executive Mayoral Committee resolved on 28 November 2022 to recommend to Council that the proposed Council meeting program for January until December 2023 be approved.

**UNANIMOUSLY RESOLVED**

*that the proposed Council meeting program for January until December 2023 be approved.*

**EENPARIG BESLUIT**

*dat die voorgestelde vergaderingsprogram van die Raad vir Januarie tot Desember 2023 goedgekeur word.*

**ISIGQIBO SABUCALA**

*Ukuba kugqalwe isiphakamiso sentlanganiso yeBhunga kweyoMqungu-kweyoMnga 2023 kwaye iphunyezwe.*

**8.4.7 Request for temporary moving of fence to make provision for extra parking during the construction of the Van Breda Bridge (7/1/4/1)**

A memorandum from the Manager: Legal Services, dated 10 May 2022, is attached as **annexure 8.4.7**.

The Committee for Corporate and Financial Services resolved on 20 October 2022 to recommend to the Executive Mayoral Committee and Council:

- (a) that permission be granted for the fence line of erf 1383 to be moved by approximately 8 meters towards the riverside for extra parking space.
- (b) that the rental amount be determined and lease agreement be entered into for a period of 9 years 11 months.

The Executive Mayoral Committee resolved on 28 November 2022 to recommend to Council:

- (a) that permission be granted for the fence of erf 1383 to be moved by approximately eight (8) meters towards the riverside for extra parking space.
- (b) that the rental amount be determined and lease agreement be entered into for a period of 9 years and 11 months.

**UNANIMOUSLY RESOLVED**

- (a) *that permission be granted for the fence of erf 1383 to be moved by approximately eight (8) meters towards the riverside for extra parking space.*

- (b) *that the rental amount be determined and lease agreement be entered into for a period of 9 years and 11 months.*

**EENPARIG BESLUIT**

- (a) *dat goedkeuring verleen word dat die heining van erf 1383 met ongeveer agt (8) meter na die rivieroewer verskuif word vir ekstra parkeerruimte.*
- (b) *dat 'n huurbedrag vasgestel word en 'n huurooreenkoms aangegegaan word vir 'n tydperk van 9 jaar en 11 maande.*

**ISIGQIBO SABUCALA**

- (a) *Ukuba kunikezwe ngemvume yokubhekeliswa kocingo lweSiza 1383 ngokomgama ozimitha ezisi 8 xa usiya emlanjeni ukuze kubekho isithuba sokumisa iinqwelo-mafutha.*
- (b) *Ukuba kugqalwe intlawulo yerenti kwaye kuvunyelwane ngesivumelwano seminyaka eli 9 ekahtshwa ziinyanga ezili 11.*

**8.4.8 Request to lease erf 5171, Nduli, Ceres for a period of five years (7/1/4/1)**

A report from the Manager: Legal Services, dated 22 November 2022, is attached as **annexure 8.4.8**.

The Executive Mayoral Committee resolved on 28 November 2022 to recommend to Council:

- (a) that a lease agreement be entered into for a period of five years.
- (b) that a fair market related rental amount per month be determined by Council.
- (c) that the building be leased as is and that the lessee do all the repair work on the building.
- (d) that a Public Participation Process be followed and advertised for public comment and/or objections.

**UNANIMOUSLY RESOLVED**

- (a) *that a lease agreement be entered into for a period of five years.*
- (b) *that a fair market related rental amount per month be determined by Council.*

- (c) *that the building be leased as is and that the lessee do all the repair work on the building.*
- (d) *that a Public Participation Process be followed and advertised for public comment and/or objections.*

**EENPARIG BESLUIT**

- (a) *dat 'n huurooreenkoms vir 'n tydperk van vyf jaar aangegaan word.*
- (b) *dat 'n billike markverwante huurbedrag per maand deur die Raad vasgestel word.*
- (c) *dat die gebou voetstoots verhuur word en dat die huurder alle herstelwerk aan die gebou doen.*
- (d) *dat 'n Publieke Deelnameproses gevolg en geadverteer word vir publieke kommentaar en/of besware.*

**ISIGQIBO SABUCALA**

- (a) *Ukuba kwenziwe isivumelwano sexesha leminyaka emihlanu.*
- (b) *Ukuba iBhunga ligqibe ngentlawulo eyiyo ezekuhlawulwa ngenyanga.*
- (c) *Ukuba kulandelwa inkqubo yeNtathonxaxheba ukwenzela uluntu lukwazi ukuhlomla malunga nalomba.*
- (d) *Ukuba kulandelwa inkqubo yeNtathonxaxheba ukwenzela uluntu lukwazi ukuhlomla malunga nalomba.*

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

**9.1 Draft Annual Report 2021/2022  
(9/1/1)**

Report from Municipal Manager, dated 5 December 2022:

**“Purpose**

The purpose of this report is to table the draft unaudited Annual Report for 2021/2022 to Council.

### **Legislature framework**

In terms of Section 127(2) of the Municipal Finance Management Act (Act 56 of 2003), the Mayor of a municipality must, within seven months after the end of a financial year, table in the municipal council the annual report of the municipality and of any municipal entity under the municipality's sole or shared control. In terms of the Municipal Finance Management Act Council must adopt the final Audit Report within two months after the tabling of the Annual Report. The Annual Report will now be advertised for public comments. In terms of Council's delegations the Municipal Public Accounts Committee is the oversight committee which must compile an oversight report for consideration by Council before the Annual Report is adopted. The Annual Report includes the audited Financial Statements as well as the Audit Report of the Auditor-general of South Africa.

### **Discussion**

The Draft Annual Report for 2021/2022 is attached as **annexure 9.1.**"

### **UNANIMOUSLY RESOLVED**

- (a) *that notice be taken of the Draft Witzenberg Municipality Annual Report for 2021/2022.*
- (b) *that a Public Participation Process be followed as prescribed by law.*
- (c) *that the Municipal Public Accounts Committee compiles an oversight report on the Draft Annual Report as per its delegated powers.*

### **EENPARIG BESLUIT**

- (a) *dat kennis geneem word van die Konsep Jaarverslag van Munisipaliteit Witzenberg vir 2021/2022.*
- (b) *dat 'n Publieke Deelnameproses, soos deur die wet voorgeskryf, gevolg word.*
- (c) *dat die Munisipale Publieke Rekeningekomitee 'n oorsigverslag oor die Konsep Jaarverslag opstel ingevolge hul afgestaande magte.*

### **ISIGQIBO SABUCALA**

- (a) *Ukuba kugqalwe ingxelo yonyaka 2021/2022 kaMasipala waseWitzenberg.*
- (b) *Ukuba kulandelwe inkqubo yentathoxaxheba ngokudakancwe emthethweni.*
- (c) *Ukuba iKomiti yeeNtlawulo zoLuntu iqulunqe ingxelo yohlolo ngokuphathelene nengxelo yonyaka kaMasipala nanjengokuba begunyazisiwe.*

**9.2 Personnel matters: Closure of municipal offices: 23, 27, 28, 29 and 30 December 2022 and 3 January 2023 (04/2/8)**

For the past number of years the municipal offices have been closed in December and January for the festive season.

The Director: Corporate Services proposed:

- (a) That business hours on 22 December 2022 shall be from 07:30 to 13:00.
- (b) That all employees be granted paid leave on 23, 27, 28, 29 and 30 December 2022 and 3 January 2023.
- (c) That essential services staff in all departments be on standby on 23, 24, 25, 26, 27, 28, 29, 30, 31 December 2022 and 1, 2 and 3 January 2023.
- (d) That the municipality resumes full services on 4 January 2023.

**UNANIMOUSLY RESOLVED**

- (a) that business hours on 22 December 2022 shall be from 07:30 to 13:00.*
- (b) that all employees be granted paid leave on 23, 27, 28, 29 and 30 December 2022 as well as 3 January 2023.*
- (c) that essential services staff in all departments be on standby on 23, 24, 25, 26, 27, 28, 29, 30, 31 December 2022 and 1, 2 and 3 January 2023.*
- (d) that the municipality resumes full services on 4 January 2023.*
- (e) that the resolutions supra (a) to (d) be subject to the Local Labour Forum engagement with the unions.*

**EENPARIG BESLUIT**

- (a) dat besigheidsure op 22 Desember 2022 vanaf 07:30 tot 13:00 sal strek.*
- (b) dat betaalde vakansieverlof aan alle amptenare toegestaan word vir 23, 27, 28, 29 en 30 Desember 2022 asook 3 Januarie 2023.*
- (c) dat personeel vir noodsaaklike dienste in alle departemente op bystanddiens vir 23, 24, 25, 26, 27, 28, 29, 30, 31 Desember 2022 en 1, 2 en 3 Januarie 2023 sal wees.*
- (d) dat die munisipaliteit volledige dienste op 4 Januarie 2023 hervat.*

- (e) *dat die bogenoemde besluite (a) tot (d) onderhewig is aan samesprekings tussen die Plaaslike Arbeidsforum en die vakbonde.*

**ISIGQIBO SABUCALA**

- (a) *Ukuba iintsuku zokusebenza ngomhla wama 22 ziyakuqala ngo 07:30-13:00.*
- (b) *ukuba bonke abasebenzi banikwe ikhefu elihlawulwayo ukusuka ngomhla wama 23,27,28,29 nowama 30 kweyoMnga 2022 kunye nomhla wesi 3 kweyoMqungu 2023.*
- (c) *Ukuba abo basebenza kwiiNkonzo eziphambili/ezingundoqo bazakuhlala bengxashile ukusuka ngomhla wama 23,24,25,26,27,28,29,30,31 kweyoMnga 2022 kunye nomhla woku 1,2,3 kweyoMqungu 2023.*
- (d) *Ukuba ukusebenza kuyakuqala ngomhla wesi 4 kuMasipala waseWitzenberg.*
- (e) *Ukuba isigqibo sesupra (a) ukuya ku(d) ukuba sifakwe kwiQumrhu lezabasenzi kunye namaqela amele abasenzi.*

**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 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 11.1**.

Council unanimously resolved on 24 August 2022 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 thereafter be tabled to Council again.

Council decided that the item be removed from the agenda.

**NOTED**

**12. ADJOURNMENT**

The Speaker conveyed to all Councillors best wishes and a prosperous 2023.

The meeting adjourned at 11:50.

Approved on 28 March 2023 without amendments.

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**COUNCILLOR EM SIDEGO**  
**SPEAKER**

*MJ Prins*