

**MINUTES OF THE COUNCIL MEETING OF WITZENBERG MUNICIPALITY,
HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON WEDNESDAY,
26 FEBRUARY 2025 AT 10:00**

PRESENT

Councillors

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

Officials

Mr D Nasson (Municipal Manager)
Mr HJ Kritzing (Director: Finance)
Ms K Dingilizwe (Acting Director: Technical Services)
Mr M Mpeluza (Director: Corporate Services)
Ms N Oerson (Chief Internal Audit Executive)
Ms L Nieuwenhuis (Senior Manager: Legal Services)
Ms M Arendse-Smith (Acting Manager: Administration)
Mr J Pieterse (Senior ICT Officer)
Ms MJ Prins (Word Processor Operator)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Speaker welcomed everyone present and requested Councillor W Alexander 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)**

- (a) An application for leave of absence from the meeting was received from Councillor A Gili.
- (b) An apology for absence from the meeting was received from the Deputy Director: Finance.

UNANIMOUSLY RESOLVED

- (a) *that the application for leave of absence from the meeting, received from Councillor A Gili, be approved and accepted.*
- (b) *that notice be taken of the apology for absence from the meeting, received from the Deputy Director: Finance, and same be accepted.*

EENPARIG BESLUIT

- (a) *dat die aansoek om verlof tot afwesigheid van die vergadering, ontvang vanaf raadslid A Gili, goedgekeur en aanvaar word.*
- (b) *dat kennis geneem word van die verskoning vir afwesigheid van die vergadering, ontvang vanaf die Adjunk-Direkteur: Finansies, en genoemde aanvaar word.*

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

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

No conflict of interest was declared.

NOTED

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

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

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

- Ms N Ndaba 3 February
- Alderlady E Sidego 16 February
- Ms A Daniels 20 February
- Alderman HJ Smit 25 February

Congratulations were also conveyed to the Executive Deputy Mayor, Councillor JF Nel, and his wife who celebrated their twentieth wedding anniversary, which took place in February 2025.

NOTED.

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

The Speaker, Alderlady EM Sidego, conveyed the following to the meeting:

- That many loved ones have passed on since the last Council meeting, specifically one of our own officials, namely Mr Christo Titus. Councillor J Zalie lost his nephew in a recent tragic accident; Councillor N Phatsoane lost her grandchild; Councillor A Gili lost his brother and Ex-Councillor Lea Salmon has also passed on.

Condolences were conveyed to the family, friends and loved ones during their time of bereavement and a moment of silence was observed for all those who had gone before us.

- All the female Councillors of Council met during February as National SALGA requires a Women's Committee. Decisions made will be communicated and conveyed at the Lekgotla of the SALGA Women's Commission. It is also noted that a representative of the LGBTI community also attended the meeting and will be represented at the Women's committee. Council will be approached to establish a section 79 committee in this regard and SALGA will approach the MEC for the establishment of this committee.

Councillor I Swartz joined the meeting at 10:10.

- Ward Committees met and proposed a change in the Ward Committee Policy, which will be tabled at the next meeting.
- Tulbagh water crisis has been ongoing since December 2024 and the Executive Mayor will engage with the Tulbagh Community tonight.

NOTED.

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

The Executive Mayor conveyed the following to the meeting:

- The Executive Mayor is proud to share that after one (1) year and a few months, there is bigger unity within Council and MayCo and that the focus has shifted to service delivery and stability.
- Project Fix-It is an unknown concept and did not expect that it be successful. Thank you to officials and Councillors who walked the streets and noted what must be fixed. The Municipal Manager is busy with the execution phase of the project with the deadline of the end of March in mind. Assessments will be done thereafter before moving to phase 2. Councillors who were not part of phase 1, such as the proportional Councillors, will be included in phase 2 and it will include our own buildings and yards. Municipal Manager to commence with phase 2 as soon as possible.
- Much criticism was received on social media about the Tulbagh water crisis. Meetings were, however, held yesterday and will be held again tonight with the Tulbagh Community.
- Witzenberg Municipality's social media presence is not up to standard and will be addressed in order to have meaningful engagements.
- The Vredebes learners transport matter is close to having a permanent solution, but the municipality is also awaiting that the Department's processes be finalised after which feedback will be provided to Council.
- Thank you to Law Enforcement for their efforts to maintain law and order through various operations as the boundaries of lawlessness must be pushed back.
- The Local Government summit was attended by the Executive Mayor in terms of the digitization of processes within the municipality and we need to work towards that as we are lagging behind.
- Certificate of excellence received on Monday, 24 February 2024 related to EPWP Programs, which is a big achievement. In terms of the National EPWP Program, the Witzenberg Municipality might see an increase in workers. It is a big project and if accomplished, more than 100 youth can be employed.
- Councillors who have not completed their SASRIA forms are urged to do so and submit by midnight today.

- CANSA Relay is taking place this Saturday, 1 March 2025, at which the municipality will be honouring Christo Titus this year. Currently there are more than 60 officials partaking in the event and fundraising will also be done.
- The Debt collection Policy was workshopped yesterday and after listening to all inputs, valuable inputs were received, especially related to the concerns in the Op-die-Berg, Prince Alfred's Hamlet and Nduli areas.

Councillor K Robyn conveyed her unhappiness that all Councillors were not involved in phase 1 of Project Fix-It as it looks like a total flop.

Councillor GG Laban noted that the Speaker of the house is responsible to ensure that all Councillors receive the necessary information and must therefore be more hands-on. If there are any operational activities, all Councillors must be informed and thereafter the Councillors can decide for themselves whether to participate or not.

NOTED.

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

None

NOTED

4. MINUTES / NOTULES

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

None

NOTED

4.2 Matters arising from the minutes
(3/1/2/3)

None

NOTED

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

The following minutes are attached:

- (a) Special Council meeting, held on 19 December 2024: **Annexure 4.3(a)**.
- (b) Council meeting, held on 27 January 2025: **Annexure 4.3(b)**.

UNANIMOUSLY RESOLVED

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

- (i) *Special Council meeting, held on 19 December 2024.*
- (ii) *Council meeting, held on 27 January 2025.*

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

| Number | File reference | Heading, item no. and date | Directorate | Action | Progress | Target date |
|--------|----------------|---|--------------------|---|------------------|------------------|
| | 17/3/2 | 8.2.2 of 24-01-2024 Proposed position of waste transfer stations | Technical Services | That proposed positions of waste transfer stations at erf 8714, Bella Vista & Erf 1, PA Hamlet be held in abeyance for PPP. | Work-in-progress | End of Feb. 2025 |

UNANIMOUSLY RESOLVED

that notice be taken of the outstanding matter.

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

None

NOTED

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

None

NOTED

7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

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

The minutes of the following meetings are attached:

- (a) Municipal Public Accounts Committee, held on 12 September 2024:
Annexure 7.1(a).
- (b) Performance, Risk and Audit Committee, held on 20 September 2024:
Annexure 7.1(b).
- (c) Committee for Corporate and Financial Services, held on 8 October 2024: **Annexure 7.1(c).**
- (d) Executive Mayoral Committee, held on 4 November 2024:
Annexure 7.1(d).
- (e) Committee for Housing Matters, held on 29 November 2024:
Annexure 7.1(e).
- (f) Executive Mayoral Committee, held on 10 December 2024:
Annexure 7.1(f).
- (g) Municipal Public Accounts Committee, held on 13 December 2024:
Annexure 7.1(g).

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 Section 71 Monthly Budget Statement Report of the Directorate Finance: January 2025 (9/1/2/2)

The Section 71 Monthly Budget Statement Report of the Directorate Finance for January 2025 is attached as **annexure 8.1.1**.

The Executive Mayoral Committee resolved on 25 February 2025 to recommend to Council:

- (a) that notice be taken of the Section 71 Monthly Budget Statement Report of the Directorate Finance for January 2025.
- (b) that the Section 71 Monthly Budget Statement Report of the Directorate Finance for January 2025 be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary.

UNANIMOUSLY RESOLVED

- (a) *that notice be taken of the Section 71 Monthly Budget Statement Report of the Directorate Finance for January 2025.*
- (b) *that the Section 71 Monthly Budget Statement Report of the Directorate Finance for January 2025 be referred to the Portfolio Committee for Corporate and Financial Services, the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee to take notice or to advise Council if deemed necessary.*

8.1.2 Finance: Adjustment budget and SDBIP Top Layer 2024/2025 (5/1/1/23 & 5/1/5/17)

The following documents are attached:

- (a) Memorandum from Director: Finance, dated 14 February 2025: **Annexure 8.1.2(a)**.
- (b) Adjustment budget 2024/2025 to 2026/2027: **Annexure 8.1.2(b)**.
- (c) Budget schedules 2024/2025: **Annexure 8.1.2(c)**.
- (d) Proposed adjustments: SDBIP Top Layer 2024/2025: **Annexure 8.1.2(d)**.

The Executive Mayoral Committee resolved on 25 February 2025 to recommend to Council:

That the adjustment budget of Witzenberg Municipality for the financial year 2024/2025 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.

The Executive Mayor highlighted the importance of the Adjustment Budget is and that it is the responsibility of the Executive Mayor to table it. Attention was, however, drawn to the following:

- After a few delays, the funding for the Nduli library is available again and the process needs to be orchestrated for the project to be done.
- Disaster funds of R3 million was received to cover the expenses incurred after the damages suffered in the previous rainy season.

Councillor Laban noted the following:

- Whether the Skoonvlei sanitation infrastructure is part of the budget.
- The spending of R10 million on Nduli library is a big concern in light of the municipal accounts not being paid in the said area.
- Whether it is possible to employ more Law Enforcement and Traffic officials.

The Executive Mayor responded with the following:

- The vandalised swimming pool, library and sport field of Nduli is the end result of service delivery protests. The question remains whether we are doing justice to the youth by saying that their parents caused the damage and they must suffer the consequences thereof. The library is a centre of knowledge and we cannot punish the children and adults wanting to utilise the facilities and trust that all will accept the rebuilding of the facilities.
- The Skoonvlei property refers to the property distributed to the previously disadvantaged business owners. It was later discovered that the bulk services were not implemented as the funding was stopped by Department of Rural Development. In terms of the policy, the bulk services become the responsibility of the developer.

Councillor Ndaba noted his disappointment in Councillor GG Laban and emphasised that the ANC will always support initiatives that benefit Nduli.

Councillor Zalie mentioned that hopefully other wards, such as Pine Valley, Wolseley will also receive a library and swimming pool and that the vandalised sports grounds will also be repaired.

Councillor Phatsoane commended the Executive Mayor for his response to the Nduli matter and noted that Councillors must rejoice for the rebuilding of the Nduli library as it brings back the future and love of the children and that such a scenario can happen to anyone.

The Municipal Manager noted that the municipality is contributing R1 million and that the rest of the funding is covered by the insurance (SASRIA), Perdekraal Windfarm and MIG funding. It is all dedicated funds and cannot be utilised for anything else.

UNANIMOUSLY RESOLVED

- (a) That the adjustment budget of Witzenberg Municipality for the financial year 2024/2025 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.*
- (b) that the adjustments to the SDBIP Top Layer 2024/2025, as proposed by the Manager: Projects and Performance in his memorandum dated 17 February 2025, be approved.*

8.1.3 PRAC Charter with effect from 9 January 2025 (5/14/4)

The Performance, Risk and Audit Committee Charter with effect from 9 January 2025 is attached as **annexure 8.1.3**.

The Performance, Risk and Audit Committee resolved on 17 January 2025:

- (a) that notice be taken of the Performance, Risk and Audit Committee Charter with effect from 9 January 2025 in terms of Section 166 of the Municipal Finance Management Act.
- (b) that the Performance, Risk and Audit Committee recommends to Council:

that notice be taken of the Performance, Risk and Audit Committee Charter with effect from 9 January 2025 and, after consideration, same be approved.

UNANIMOUSLY RESOLVED

that notice be taken of the Performance, Risk and Audit Committee Charter with effect from 9 January 2025 and, after consideration, same be approved.

**8.1.4 Internal Audit Charter with effect from 9 January 2025
(5/14/2)**

The Internal Audit Charter with effect from 9 January 2025 is attached as **annexure 8.1.4**.

The Performance, Risk and Audit Committee resolved on 17 January 2025:

- (a) that notice be taken of the Internal Audit Charter with effect from 9 January 2025 in terms of Section 166 of the Municipal Finance Management Act.
- (b) that the Performance, Risk and Audit Committee recommends to Council:

that notice be taken of the Internal Audit Charter with effect from 9 January 2025 and, after consideration, same be approved.

UNANIMOUSLY RESOLVED

that notice be taken of the Internal Audit Charter with effect from 9 January 2025 and, after consideration, same be approved.

**8.1.5 Finance: Implementation of Debt collection and Credit control Policy
(5/12/1/3)**

A memorandum from the Director: Finance, dated 17 February 2025, is attached as **annexure 8.1.5**.

The Executive Mayoral Committee resolved on 25 February 2025 to recommend to Council, after the item was duly workshopped:

That the following additional credit control steps be implemented:

- (a) Cutting or blocking of electricity
 - (i) Amount equal to two months' debits are payable before restoring connection- (conventional meters).
 - (ii) Portion of electricity purchases to be set off against arrear debt. (Current - Auxiliary – 30 %).
 - (iii) That the Credit Control and Debt Collection Policy be amended to allow the auxiliary percentage to be increased to 60 % for accounts outstanding for more than six months, subject to a Public Participation Process being followed before implementation.
- (b) Indigent households
 - (i) Portion of electricity purchases to be set off against arrear debt. (Auxiliary – 30 %).
 - (ii) Indigent households be moved from conventional electricity to pre-paid electricity.
- (c) Legal collection process
 - (i) Section 129 Notice – (in terms of National Credit Act).
 - (ii) Fourteen days later after Section 129 Notice, summons is compiled.
 - (iii) Clerk of the Court issues the summons.
 - (iv) Sheriff of the Court serves the summons on the defendant.
 - (v) Before any legal process in terms of property is undertaken, the matter must first be referred to Council for approval.
- (d) Pre-payment water meters
 - (i) Installation of pre-paid water meters if other debt collection measures are not successful.
 - (ii) That the water consumption can be limited to a maximum of 300 litres per day (9 kilolitres per month).
 - (iii) That the outstanding service debt of the consumer be written off as an incentive for accepting the pre-payment water meter.

Councillor W Alexander expressed his unhappiness about the potential impact of the sheriff coming to the people's residence with a summons where water meters were installed and that the municipality is using this as a credit control measure.

Councillor J Mouton raised concerns about the 60 % collection rate as it is extreme amidst the already struggling communities.

UNANIMOUSLY RESOLVED

That the following additional credit control steps be implemented:

- (a) Cutting or blocking of electricity*
 - (i) Amount equal to two months' debits are payable before restoring connection- (conventional meters).*
 - (ii) Portion of electricity purchases to be set off against arrear debt. (Current - Auxiliary – 30 %).*
 - (iii) That the Credit Control and Debt Collection Policy be amended to allow the auxiliary percentage to be increased to 60 % for accounts outstanding for more than six months, subject to a Public Participation Process being followed before implementation.*
- (b) Indigent households*
 - (i) Portion of electricity purchases to be set off against arrear debt. (Auxiliary – 30 %).*
 - (ii) Indigent households be moved from conventional electricity to pre-paid electricity.*
- (c) Legal collection process*
 - (i) Section 129 Notice – (in terms of National Credit Act).*
 - (ii) Fourteen days later after Section 129 Notice, summons is compiled.*
 - (iii) Clerk of the Court issues the summons.*
 - (iv) Sheriff of the Court serves the summons on the defendant.*
 - (v) Before any legal process in terms of property is undertaken, the matter must first be referred to Council for approval.*

- (d) *Pre-payment water meters*
 - (i) *Installation of pre-paid water meters if other debt collection measures are not successful.*
 - (ii) *That the water consumption can be limited to a maximum of 300 litres per day (9 kilolitres per month).*
 - (iii) *That the outstanding service debt of the consumer be written off as an incentive for accepting the pre-payment water meter.*

8.1.6 Supply Chain Management: Disposal of movable assets, goods, material and equipment in terms of Section 14(4) of the Municipal Finance Management Act (6/1/P)

The following documents are attached:

- (a) Memorandum from Chief Financial Officer, dated 18 February 2025: **Annexure 8.1.6(a).**
- (b) List of disposals: **Annexure 8.1.6(b).**

The Executive Mayoral Committee resolved on 25 February 2025 to recommend to Council:

- (a) That the disposal of assets, goods, material and equipment, attached as annexure 8.1.6(b), be approved.
- (b) That the Supply Chain Management unit proceeds with the disposal of assets in accordance with paragraph 48(4) of Council's Supply Chain Management Policy.

UNANIMOUSLY RESOLVED

- (a) *That the disposal of assets, goods, material and equipment, attached as annexure 8.1.6(b), be approved.*
- (b) *That the Supply Chain Management unit proceeds with the disposal of assets in accordance with paragraph 48(4) of Council's Supply Chain Management Policy.*
- (c) *that the auction be conducted within a period of three (3) months.*

8.1.7 Finance: Possible adjustments to industrial effluent charge (5/12/1/3)

Memorandum from Director: Finance, dated 21 January 2025:

1. Purpose

To consider the possible adjustment of the industrial effluent charge for the second quarter of 2024.

2. Legal framework

The business is allowed to dispose of industrial effluent in terms of the permit issued.

3. Background

The volumes of industrial effluent dumped into the municipal system increased over the last number of years due to increase in production and problems encountered with the industries' own treatment plants.

The total charges per financial year increased as follows:

| Year | Annual charge |
|-------------|----------------------|
| 2021/2022 | 6,365,116 |
| 2022/2023 | 28,270,204 |
| 2023/2024 | 51,847,845 |

The above charges were determined by an external service provider based on the following:

Base rate (T.1) for first 36 260 kg COO dumped per calendar month:

Peak tariff (T.2) of 1.5 times the base tariff for every 1 kg COD dumped above 36 260 kg COD per calendar month up to maximum total monthly mass treatment of 90 000 kg COD:

On top of the Base and Peak Rates:

A penalty rate of 10 times the Base Rate calculated on day-to-day basis and independently the total mass treatment dumped per calendar month may be dumped for every 1 kg of COD above the maximum limit of 3 000 kilolitres or 3 000 kg COD per 24 hours for such period when this deposit exceeds the maximum limit though by the main: Civil Services would be allowed.

The peak tariff and penalty rate are implemented due to the effect of the industrial effluent on the waste water treatment works and the quality of the treated waste water.

If the plant cannot treat all the waste water received the municipality will discharge water that does not meet the requirements back into nature. The risk is that the municipality may lose its Green Drop status.

The abovementioned penalty rate has a large impact on the annual charges.

4. Discussion

To date the latest account has not been paid.

The customer requested that a discount be considered on condition that they use the saving to do some improvements to their treatment plant and possibly the municipal treatment plant."

The Executive Mayoral Committee resolved on 25 February 2025 to recommend to Council:

- (a) That consideration be given to amending the penalty of Ceres Fruit Processors for the 2023/2024 and 2024/2025 financial years to five (5) times the base rate.
- (b) That the By-law related to Industrial Effluent be amended to contain more levels and thereafter be tabled to Council for approval.

Councillor I Swartz requested that the municipality determine where the water of Bella Frutta goes to as the Bella Vista cemetery is regularly flooded.

The Municipal Manager informed the meeting that the water of Bella Frutta leads into the storm water system but that the matter of the flooded cemetery is being investigated as the water levels are relatively high. The municipality is in the process of appointing an expert to determine whether the underground water in the water table is high.

UNANIMOUSLY RESOLVED

- (a) *that the penalty of Ceres Fruit Processors for the 2023/2024 and 2024/2025 financial years be amended to five (5) times the base rate.*
- (b) *that the By-law related to Industrial Effluent be amended to contain more levels and thereafter be tabled to Council for approval.*

8.2 Direktooraat Tegniese Dienste / Directorate Technical Services

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

A memorandum from the Director: Technical Services, dated 24 May 2023, is attached as **annexure 8.2.1**.

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

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

"Background

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

Discussion

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

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

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

Recommendation

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

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

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

- (i) That a departure application be submitted by the tenant for the use of the property zoned as authority, for the purposes of a recycling facility.
- (ii) Lease will be "voetstoots", leased as it is.

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

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

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

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

The following recommendation was tabled to Council:

That the Executive Mayoral Committee recommends to Council:

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

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

UNANIMOUSLY RESOLVED

That the matter related to the lease of erf 23, Tulbagh to Tulbagh Recycling be held in abeyance.

**8.2.2 Draft House Shop By-law
(1/3/1/33)**

Report from Municipal Manager, dated 17 February 2025:

"Purpose

To consider the Draft House Shop By-law, which will amend Council's current House Shop By-law and to take into consideration the proposal from the National Minister of COGTA to manage spaza/house shop by-laws within the jurisdictional area of the municipality.

Background

A National Disaster has been declared on spaza shops selling contaminated food and items of which the selling date has expired. Council discussed the by-law of COGTA at its Council meeting of December 2024 where it was resolved that Council's current by-law will be amended to incorporate some of the proposals that have been made by COGTA.

The Draft House Shop By-law, which presents some of the amendments made, is attached as **annexure 8.2.2.**"

The Executive Mayoral Committee resolved on 25 February 2025 to recommend to Council that the item be workshopped and thereafter that Council considers the following recommendation:

- (a) That notice be taken of the tabled Draft House Shop By-law.
- (b) That a Public Participation Process be followed to obtain inputs and to refer the draft by-law back to Council for approval.

The following recommendation was tabled to Council:

That the Executive Mayoral Committee recommends to Council that the item be workshopped and thereafter that Council considers the following recommendation:

- (a) That notice be taken of the tabled Draft House Shop By-law.
- (b) That a Public Participation Process be followed to obtain inputs and to refer the draft by-law back to Council for approval.

UNANIMOUSLY RESOLVED

That the matter related to the Draft House Shop By-law be held in abeyance.

8.3 Direktooraat Gemeenskapsdienste / Directorate Community Services

8.3.1 Dilapidated building in Tulbagh cemetery: Approval to demolish (15/6/1/6)

A memorandum from the Manager: Environment and Amenities, dated 25 April 2024, is attached as **annexure 8.3.1**.

The Committee for Community Development resolved on 27 November 2024 to recommend to the Executive Mayoral Committee and Council that the memorial building at the Tulbagh graveyard, after consideration, be demolished.

Council unanimously resolved on 27 January 2025:

- (a) that the matter related to the dilapidated building in Tulbagh cemetery: Approval to demolish be held in abeyance.
- (b) that an inspection in loco be held prior to deciding on the matter.

The Executive Mayoral Committee resolved on 25 February 2025 to recommend to Council that, after consideration, the demolition of the dilapidated building in the Tulbagh cemetery be approved.

UNANIMOUSLY RESOLVED

that, after consideration, the demolition of the dilapidated building in the Tulbagh cemetery be approved.

8.3.2 Draft By-law for Informal Traders (1/3/R)

Report from Manager: Local Economic Development:

"Currently Witzenberg Municipality is utilising the Street Trading By-law of 2002, which is outdated.

The LED Unit has completed a draft for the updated Draft By-law for Informal Traders. Inputs were requested from all relevant municipal departments and responses were considered. The Draft By-law for Informal Traders is attached as **annexure 8.3.2**."

The Executive Mayoral Committee resolved on 25 February 2025 to recommend to Council that the item be workshopped and thereafter that Council considers the following recommendation:

- (a) That notice be taken of the tabled Draft By-law for Informal Traders.
- (b) That a Public Participation Process be followed to obtain inputs and to refer the draft by-law back to Council for approval.

The following recommendation was tabled to Council:

That the Executive Mayoral Committee recommends to Council that the item be workshopped and thereafter that Council considers the following recommendation:

- (a) That notice be taken of the tabled Draft By-law for Informal Traders.
- (b) That a Public Participation Process be followed to obtain inputs and to refer the draft by-law back to Council for approval.

UNANIMOUSLY RESOLVED

that the matter related to the Draft By-law for Informal Traders be held in abeyance.

8.4 Direktooraat Korporatiewe Dienste / Directorate Corporate Services

8.4.1 Request to purchase a property for the purposes of residential as well as a kennel and training facility for dog handlers: Erf 787, Tulbagh (7/1/4/2)

The following documents are attached:

A memorandum from the Senior Manager: Legal Services, dated 19 April 2024 is attached as **annexure 8.4.1(a)**.

The Committee for Corporate and Financial Services resolved on 8 October 2024 that the matter in respect of the request to purchase a portion of erf 1352, Tulbagh be held in abeyance for a site inspection to be held.

A memorandum from the Manager: Legal Service, dated 18 November 2024, was tabled to the Committee for Corporate and Financial Services on 27 November 2024. The said memorandum is attached as **annexure 8.4.1(b)**.

The Committee for Corporate and Financial Services resolved on 27 November 2024 to recommend to the Executive Mayoral Committee and Council that erf 787, Tulbagh is most suited for the purposes of residential as well as a kennel and training facility for dog handlers.

The Executive Mayoral Committee resolved on 25 February 2025 to recommend to Council:

- (a) that erf 787, Tulbagh is most suited for the purposes of residential as well as a kennel and training facility for dog handlers.
- (b) that the municipal property located at erf 787, Tulbagh be alienated in favour of Mr E Meintjies.
- (c) that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), erf 787, Tulbagh is not required for the provision of the minimum level of basic services.
- (d) that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), erf 787, Tulbagh be sold at a market related price.
- (e) that the potential sale be advertised in the local newspaper for public comment and/or any objections.
- (f) that the Municipal Manager be mandated to sign all documentation to affect the transfer of the property to Mr E Meintjies.

UNANIMOUSLY RESOLVED

- (a) *that erf 787, Tulbagh is most suited for the purposes of residential as well as a kennel and training facility for dog handlers.*
- (b) *that the municipal property located at erf 787, Tulbagh be alienated in favour of Mr E Meintjies.*
- (c) *that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), erf 787, Tulbagh is not required for the provision of the minimum level of basic services.*
- (d) *that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), erf 787, Tulbagh be sold at a market related price.*
- (e) *that the potential sale be advertised in the local newspaper for public comment and/or any objections.*
- (f) *that the Municipal Manager be mandated to sign all documentation to affect the transfer of the property to Mr E Meintjies.*

8.4.2 Council's immovable property: Request to sell erf 935, Wolseley (7/1/4/2)

A memorandum from the Manager: Legal Services, dated 17 August 2022, is attached as **annexure 8.4.2**.

The Committee for Corporate and Financial Services resolved on 20 October 2022 that the matter in respect of Request to purchase erf 935, Wolseley be held in abeyance to obtain the inputs of the Ward Councillor, Councillor P Daniels.

The Municipal Manager informed the Committee for Corporate and Financial Services on 17 November 2022 that the Ward Councillor, Councillor P Daniels, had no objection to the purchase of erf 935, Wolseley and that a Public Participation Process will commence.

The Committee for Corporate and Financial Services resolved on 17 November 2022 to recommend to the Executive Mayoral Committee and Council:

- (a) that the municipal property located at erf 935, Wolseley, be alienated in favour of Wolfpack.
- (b) that in terms of Section 14.2 of the Municipal Finance Management Act (56 of 2003), erf 935, Wolseley is not required for the provision of a minimum level of basic services.

- (c) that in terms of Section 14.2 of the Municipal Finance Management Act (56 of 2003), erf 935, Wolseley be sold at a market related price.
- (d) that the potential sale be advertised in the local newspaper for public comment and / or any objections.
- (e) that the Municipal Manager be mandated to sign all documentation to effect the transfer of the property to Wolfpack.
- (f) that a Public Participation Process be followed and the matter then be tabled again to Council.

The Executive Mayoral Committee resolved on 25 February 2025 to recommend to Council:

- (a) that the municipal property located at erf 935, Wolseley, be alienated in favour of Wolfpack.
- (b) that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), erf 935, Wolseley is not required for the provision of a minimum level of basic services.
- (c) that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), erf 935, Wolseley be sold at a market related price.
- (d) that the potential sale be advertised in the local newspaper for public comment and / or any objections.
- (e) that the Municipal Manager be mandated to sign all documentation to effect the transfer of the property to Wolfpack.
- (f) that a Public Participation Process be followed and the matter then be tabled again to Council.
- (g) that the servitude in favour of the Witzenberg Municipality be registered for the area of the Witzenberg storm water canal.
- (h) that Wolfpack continues to provide access to municipal employees for official purposes of cleaning the storm water canal.

UNANIMOUSLY RESOLVED

- (a) *that the municipal property located at erf 935, Wolseley, be alienated in favour of Wolfpack.*
- (b) *that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), erf 935, Wolseley is not required for the provision of a minimum level of basic services.*
- (c) *that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), erf 935, Wolseley be sold at a market related price.*

- (d) that a Public Participation process be followed by advertising the potential sale in the local newspaper for public comment and / or any objections and that the matter only be tabled to Council if any objections are received.*
- (e) that the Municipal Manager be mandated to sign all documentation to effect the transfer of the property to Wolfpack.*
- (f) that the servitude in favour of the Witzenberg Municipality be registered for the area of the Witzenberg storm water canal.*
- (g) that Wolfpack continues to provide access to municipal employees for official purposes of cleaning the storm water canal.*

8.4.3 Alienation and subdivision of portion of erf 2622, Skoonvlei industrial area, Ceres (unregistered erf 10915 or erf 10916 or erf 10917) (7/1/4/2)

A report from the Senior Manager: Legal Services, dated 13 February 2025, is attached as **annexure 8.4.3**.

The Executive Mayoral Committee resolved on 25 February 2025 to recommend to Council:

- (a) that the municipal property, portion of erf 2622, Skoonvlei Industrial area, Ceres, be alienated in favour of Werner Pharo Electrical (Pty) Ltd.
- (b) that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), the portion of erf 2622, Skoonvlei Industrial area, Ceres is not required for the provision of a minimum level of basic services.
- (c) that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), portion of erf 2622, Skoonvlei Industrial area, Ceres, be sold at a market related price.
- (d) that the potential sale be advertised in the local newspaper for public comment and / or any objections.
- (e) that the Municipal Manager be mandated to sign all documentation to effect the transfer of the property to Werner Pharo Electrical (Pty) Ltd.
- (f) that a Public Participation Process be followed and the matter then be tabled again to Council.

UNANIMOUSLY RESOLVED

- (a) *that the municipal property, portion of erf 2622 and the unregistered erf 10916, Skoonvlei Industrial area, Ceres, be alienated in favour of Werner Pharo Electrical (Pty) Ltd.*
- (b) *that in terms of Section 14.2 of the Municipal Finance Management Act (Act 56 of 2003), the portion of erf 2622 and the unregistered erf 10916, Skoonvlei Industrial area, Ceres are not required for the provision of a minimum level of basic services.*
- (c) *that the alienated land, portion of erf 2622 and the unregistered erf 10916, Skoonvlei Industrial area, Ceres, not be sold for a market related price, but at a selling price of R100-00 per square metre.*
- (d) *that a Public Participation process be followed by advertising the potential sale in the local newspaper for public comment and / or any objections and that the matter only be tabled to Council if any objections are received.*
- (e) *that the Municipal Manager be mandated to sign all documentation to effect the transfer of the property to Werner Pharo Electrical (Pty) Ltd.*

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

Council unanimously resolved on 12 November 2024:

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

A report from the Senior Manager: Legal Services, dated 13 February 2025, is attached as **annexure 8.4.4**.

The Executive Mayoral Committee resolved on 25 February 2025 to recommend to Council:

That the Council resolution which reads:

- "(a) that Council's intention to lease the Pigeon Society Clubhouse on erf 496, Stamper Street, Wolseley be advertised in the local newspaper.

- (b) that the repair and maintenance of the asset will be for the cost of the successful lessee or tenant."

be rescinded to read as follows:

- "(a) that the property located at erf 496, Stamper Street, Wolseley be sold "voetstoots" to the public and that a Supply Chain process be followed.
- (b) that the asset is not needed in terms of Section 14(2)(a) of the Municipal Finance Management Act (Act 56 of 2003) to provide in the minimum level of basic municipal services.
- (c) that the potential bidder be informed of the report of the Building Control Officer in terms of the safety of the building."

UNANIMOUSLY RESOLVED

That the Council resolution which reads:

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

be rescinded to read as follows:

- "(a) that the property located at erf 496, Stamper Street, Wolseley be sold "voetstoots" to the public and that a Supply Chain process be followed.*
- (b) that the asset is not needed in terms of Section 14(2)(a) of the Municipal Finance Management Act (Act 56 of 2003) to provide in the minimum level of basic municipal services.*
- (c) that the potential bidder be informed of the report of the Building Control Officer in terms of the safety of the building."*

8.4.5 Performance, Risk and Audit Committee: Re-appointment of Mr J George (5/14/4)

A memorandum from the Chief Internal Audit Executive, dated 30 January 2025, is attached as **annexure 8.4.5**.

The Executive Mayoral Committee resolved on 25 February 2025 to recommend to Council that the appointment of Mr J George for a one-year term be approved.

UNANIMOUSLY RESOLVED

That the appointment of Mr J George for a one-year term be approved.

8.4.6 Appointment of new Performance, Risk and Audit Committee member (5/14/4)

The following documents are attached:

- (a) Long list: Appointment of PRAC members: **Annexure 8.4.6(a)**.
- (b) Memorandum from Chief Internal Audit Executive, dated 6 February 2025: **Annexure 8.4.6(b)**.

The Executive Mayoral Committee resolved on 25 February 2025 to recommend to Council that Adv. Nino-Lee Hendricks be appointed on the Performance, Risk and Audit Committee.

UNANIMOUSLY RESOLVED

that Adv. Nino-Lee Hendricks be appointed on the Performance, Risk and Audit Committee.

8.4.7 Tulbagh Feeding Scheme: Request to lease a portion of erf 1326, Tulbagh (7/1/4/1)

The following documents are attached:

- (a) Report from Senior Manager: Legal Services and Manager: Socio-Economic Development, dated 3 December 2024: **Annexure 8.4.7(a)**.
- (b) Report from Manager: Socio-Economic Development, dated 7 June 2024: **Annexure 8.4.7(b)**.
- (c) Proposal: Witzenville Park by Care4Tulbagh: **Annexure 8.4.7(c)**.

Council unanimously resolved on 12 December 2024 that the matter regarding the Tulbagh Feeding Scheme: Request to lease a portion of erf 1326, Tulbagh be held in abeyance until the next meeting.

Council unanimously resolved on 27 January 2025:

- (a) that the matter related to the Tulbagh Feeding Scheme: Request to lease a portion of erf 1326, Tulbagh be held in abeyance.

- (b) that an inspection in loco be arranged prior to decision making.
- (c) that the portfolio Chairperson of the Committee for Corporate and Financial Services arrange a meeting and engage with the other soup kitchens in this regard.

The Executive Mayoral Committee resolved on 25 February 2025 to recommend to Council:

- (a) that one flank of the Community Hall be made available to the feeding scheme.
- (b) that the house at the back of the community hall will not be made available.
- (c) that an updated map be prepared and be made available for purposes of a food garden.
- (d) that clarity be obtained regarding ownership or representation of Food4Good and Pantry Partners.
- (e) that Food4Good enters into engagements with the current interested parties wanting to run a food garden in the area.
- (f) that preference be given to Food4Good and Pantry Partners and a further report be submitted to the Executive Mayoral Committee for other available land for a play park.
- (g) that the word "beggars" be removed from the document and be replaced with "food insecure residents/individuals".
- (h) that a clause be included in the contract stating that should there be no developments in the project within three (3) years, the property defaults back to the municipality.

UNANIMOUSLY RESOLVED

- (a) *that one part of the Community Hall be made available to the feeding scheme.*
- (b) *that the house at the back of the community hall will not be made available.*
- (c) *that an updated map be prepared and be made available for purposes of a food garden.*
- (d) *that clarity be obtained regarding ownership or representation of Food4Good and Pantry Partners.*
- (e) *that Food4Good enters into engagements with the current interested parties wanting to run a food garden in the area.*

- (f) *that preference be given to Food4Good and Pantry Partners and a further report be submitted to the Executive Mayoral Committee for other available land for a play park.*
- (g) *that the word "beggars" be removed from the document and be replaced with "food insecure residents/individuals".*
- (h) *that a clause be included in the agreement stating that should there be no developments in the project within two (2) years, the property defaults back to the municipality.*
- (i) *that a lease agreement be signed for a period of three (3) years with a rental amount of R1 per year.*
- (j) *that a Public Participation process be followed by advertising the potential lease in the local newspaper for public comment and / or any objections and that the matter only be tabled to Council if any objections are received.*

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

9.1 Review of policy: Tools of Trade for Councillors
(3/1/P)

The revised Tools of Trade for Councillors Policy (with proposed highlighted amendments) is attached as **annexure 9.1**.

UNANIMOUSLY RESOLVED

that the revised Tools of Trade for Councillors Policy be adopted.

10. FORMAL AND STATUTORY MATTERS
FORMELE EN STATUTÊRE SAKE

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

10.1.1 Report: Provincial Working Group on Governance and Intergovernmental Relations
(12/1/1/11)

A report from Alderlady EM Sidego on the Provincial Working Group on Governance and Intergovernmental Relations, dated 13 February 2025, is attached as **annexure 10.1.1**.

The Speaker informed the meeting that Councillors are to submit their reports within three (3) days after attending workshops or meetings.

UNANIMOUSLY RESOLVED

that notice be taken of the report on the Provincial Working Group on Governance and Intergovernmental Relations, dated 13 February 2025.

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

None

NOTED

12. ADJOURNMENT

The meeting adjourned at 12:20.

Approved on 31 March 2025 without amendments.

**ALDERLADY EM SIDEGO
SPEAKER**

*/M Arendse-Smith
/MJ Prins*