



# SUPPLEMENTARY AGENDA

**ORDINARY COUNCIL MEETING**

**TUESDAY, 13 DECEMBER 2022**

**At**

**11:00**

| ITEM NO    | SUBJECT                                                                                                                                                     | PAGE       |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>14.</b> | <b>NEW MATTERS SUBMITTED BY THE ACTING MUNICIPAL MANAGER</b>                                                                                                |            |
| 14.11      | REQUEST TO ENTER INTO LEASE AGREEMENT AND CALL FOR PROPOSALS FOR THE SANLAM NEKKIES MALL ON A PORTION OF ERF 255, KNYSNA                                    | <b>2</b>   |
| 14.12      | CESSION OF LEASE AGREEMENT ON A PORTION OF ERF 17047, KNYSNA (BONGANI CRECHE) REFERRED AS ERF 168 ON THE LEASE                                              | <b>20</b>  |
| 14.13      | APPOINTMENT OF NEW AUDIT COMMITTEE MEMBERS                                                                                                                  | <b>52</b>  |
| 14.14      | RELOCATION OF NON-FULLTIME COUNCILLORS TO ALTERNATIVE OFFICE SPACE OUTSIDE MUNICIPAL MAIN OFFICE BUILDING                                                   | <b>73</b>  |
| 14.15      | DETERMINATION OF UPPER LIMITS OF TOTAL REMUNERATION PACKAGES PAYABLE TO MUNICIPAL MANAGERS AND MANAGERS DIRECTLY ACCOUNTABLE TO MUNICIPAL MANAGER – 2021/22 | <b>75</b>  |
| 14.16      | SECURITY SERVICES FOR THE KNYSNA MUNICIPALITY                                                                                                               | <b>109</b> |
| <b>20.</b> | <b>ADJOURNMENT</b>                                                                                                                                          | <b>112</b> |

**14. NEW MATTERS SUBMITTED BY THE ACTING MUNICIPAL MANAGER**

14.11

|                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------|
| <b>C11/12/22      REQUEST TO ENTER INTO LEASE AGREEMENT AND CALL FOR PROPOSALS FOR THE SANLAM NEKKIES MALL ON A PORTION OF ERF 255,</b> |
|-----------------------------------------------------------------------------------------------------------------------------------------|

**REPORT FROM THE ACTING MUNICIPAL MANAGER**

**PURPOSE OF THE REPORT**

To request the Municipal Council to approve;

a) entering into lease agreements with the various tenants at the Sanlam Nekkies Mall for a period of 3 years; and

b) to put out the a call for proposals on a portion of Erf 255, Knysna.

**BACKGROUND**

The Municipal Council on 27 May 2021 inter alia resolved the following:

**FC15/04/21      REPORT ON THE STATUS OF THE SANLAM NEKKIES MALL (THE MASAKHANE BUSINESS CORPORATION) ON A PORTION OF ERF 255, KNYSNA**

**UNANIMOUSLY RESOLVED**

- [a] That the report on the status of the Sanlam Nekkies Mall (The Masakhane Business Corporation) on a portion of Erf 255, Knysna be noted;
- [b] That the calling for proposals for the site be put on hold until the NDPG technical study has been concluded; and
- [c] That the Acting Municipal Manager, enter into negotiations with the current tenants to conclude lease agreements directly with the Knysna Municipality.

File Number: C.79

Execution: Acting Municipal Manager  
Manager: Legal Services

Various letters were sent to the Masakhane Business Corporation to inform them that there are no lease agreement with Knysna Municipality and Masakhane Business Corporation (**See Annexure A**).

The current occupiers of the shops were also informed that they should provide details regarding their stay at the various shops (**See Annexure B**).

As per the Council Resolution, dated 27 May 2021 the NDPG technical study is underway and the preliminary report was submitted to Council already. The area, although with challenges has various opportunities which inter alia includes space for expansion and improvements of

access to node, visible location and views over Knysna and Knysna lagoon, vibrant economic node and also the entrance/gateway to Knysna.

### **DISCUSSION**

The following shop owners are occupying shops at the Sanlam Nekkies Mall:

- 1) Hluleka Bottle Store;
- 2) Lorraine Miles;
- 3) Nomfundo Sylvia Ndunana;
- 4) Siphesihle Basa;
- 5) Zandile Sam; and
- 6) Nekkies Sports Bar.

The abovementioned tenants are willing to enter into an agreement with the Knysna Municipality in order to legalise their stay at the various shops at the Sanlam Nekkies Mall.

### **FINANCIAL IMPLICATIONS**

The current shop owners stated they are paying the following amounts towards rental and security at their different premises:

- 1) Hluleka Bottle Store – R 1 500.00 for rental;
- 2) Lorraine Miles – R 1 000.00 for rental;
- 3) Nomfundo Sylvia Ndunana – R 1 000.00 for rental and R 500 for security;
- 4) Siphesihle Basa – R 2 700.00 for rental and R 1 200 for security;
- 5) Zandile Sam - did not provide any information with regards to payments; and
- 6) Nekkies Sports Bar – R 2 600.00 for rental.

The following valuations was received from the Municipal valuer with regards to the rental (**See Annexure C**):

- 1) Hluleka Bottle Store – R 4 200.00 for rental;
- 2) Lorraine Miles – R 1 000.00 for rental;
- 3) Nomfundo Sylvia Ndunana – R 1 700.00 for rental;
- 4) Siphesihle Basa – R 4 200.00 for rental;
- 5) Zandile Sam - R 1 000.00 for rental;
- 6) Nekkies Sports Bar – R 2 900.00 for rental; and
- 7) Container – R 400 for rental.

### **RELEVANT LEGISLATION**

Local Government: Municipal Finance Management Act, 2003

Local Government: Municipal Finance Management Act (56/2003): Municipal Asset Transfer Regulations

Knysna Municipality Supply Chain Management Policy

**RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER**

- [a] That the report on the request to enter into lease agreements with the current occupiers and call for proposals with regards to the Sanlam Nekkies Mall on a portion of Erf 255, Knysna be noted; and
- [b] That the Acting Municipal Manager be instructed to enter into new lease agreements with the current occupiers;
- [c] That the lease agreements be on the following terms and conditions:
  - i. That the rental be at the market related rental as determined by the Municipal Valuer;
  - ii. That the leases be for a period of three years with an annual escalation as determined by the Valuer; and
  - iii. That the lessee's be responsible for the payment of services used.
- [d] That the Acting Municipal Manager informs the occupiers that a call for proposals will be advertised for the development of the Sanlam Nekkies Mall on a portion of Erf 255, Knysna; and
- [e] That the Acting Municipal Manager be instructed to advertise the call for proposals with regards to the Sanlam Nekkies Mall on a portion of Erf 255, Knysna;

**APPENDIX / ADDENDUM**

Annexure A – Letters to Masakhane Business Corporation

Annexure B – Questionnaires received from the current occupiers

Annexure C – Valuations received

File Number: C. 79  
Execution: Director Corporate Services  
Manager Legal Services

Collab Ref.: 1217072  
File No.: C79/13/R  
Link: 969897  
N Mndebela



08 August 2022

Masakhane Business Corporation  
P.O Box 388  
**KNYSNA**  
6570

Dear Sir & Madam

**TERMINATION OF LEASE AGREEMENT // KNYSNA MUNICIPALITY // MASAKHANE BUSINESS CORPORATION FOR ON A PORTION OF ERF 255, KNYSNA (SANLAM MALL)**

We refer to our previous communication dated 6 June 2021, relating to the termination of the lease agreement between Masakhane Business Corporation and Knysna Municipality.

We hereby confirm that the lease agreement between Knysna Municipality and Masakhane Business Corporation is no longer valid as at 01 August 2021.

All your rights and responsibilities in terms of the above lease agreement have therefore ceased.

We therefore request that you/or any of your directors refrain from exercising any of those rights towards the property.

Should you require any additional information, kindly contact our Head: Properties Ms. Nonhlanhla Mndebela on (044) 302 6476.

We trust that you will be advised accordingly.

Yours faithfully

  
**JOHANNES JONKERS**  
**ACTING MUNICIPAL MANAGER**  
/nm

## DETAILS OF SUB-TENANTS AT SANLAM MALL

### Questionnaire

|                            |                                                                                                                               |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| Name & Surname             | M Fundi                                                                                                                       |
| Address                    | Hluleka Bottle Store<br>Sanlam Centre<br>Nekkies                                                                              |
| Contact Details            | Cell: 071 8452523                                                                                                             |
| Current Business           | Hluleka Bottle Store                                                                                                          |
| Current Rental Paid        | R1,500                                                                                                                        |
| Lease Duration             | 5 years (2021 - 2026)                                                                                                         |
| Concerns with the Premises | - Toilet maintenance<br>- Security<br>- Building maintenance<br>- Rubbish collections<br>- Sewer<br>- Stand pipes connections |

I hereby solemnly declare that the information contained in this application is to my knowledge truthful and accurate.

  
Signature

17/0ct/2022  
DATE

## DETAILS OF SUB-TENANTS AT SANLAM MALL

### Questionnaire

|                            |                       |
|----------------------------|-----------------------|
| Name & Surname             | Lorraine MILES        |
| Address                    | SHOP NR 7             |
|                            | SANLAM                |
|                            | KNYSNA                |
| Contact Details            | Cell: 0813015020      |
| Current Business           | TAKE AWAYS            |
| Current Rental Paid        | R1000                 |
| Lease Duration             |                       |
| Concerns with the Premises | Illegal Dumping       |
|                            | Public Toilets NEEDED |
|                            | Renovations NEEDED    |
|                            | SHOPS GETTING FLOODED |
|                            | Illegal CARWASH       |
|                            | Illegal Taxi RANK     |
|                            | WEAK ELECTRICITY      |

I hereby solemnly declare that the information contained in this application is to my knowledge truthful and accurate.



Signature

23-08-22

DATE

## DETAILS OF SUB-TENANTS AT SANLAM MALL

### Questionnaire

|                            |                               |
|----------------------------|-------------------------------|
| Name & Surname             | NOMFUNDO SYLVIA NDUNANA       |
| Address                    | SHOP NO 7 - (SHARING)         |
|                            | CANLAM                        |
|                            | KNYSNA                        |
| Contact Details            | Cell: 076 415 2886            |
| Current Business           | TAKE AWAYS / CATERING         |
| Current Rental Paid        | R1000 + R500 SECURITY         |
| Lease Duration             |                               |
| Concerns with the Premises | ILLEGAL DUMPING AROUND SANLAM |
|                            | ILLEGAL TAXI RANK & CAR WASH  |
|                            | FILTHY RUNNING WATER RUNNING  |
|                            | THROUGH (INSIDE) THE SHOPS.   |
|                            | FENCING AND RENOVATIONS       |
|                            | PUBLIC TOILETS                |
|                            | 24 HOUR SECURITY              |

I hereby solemnly declare that the information contained in this application is to my knowledge truthful and accurate.

  
Signature

23-08-2022  
DATE



## DETAILS OF SUB-TENANTS AT SANLAM MALL

### Questionnaire

|                            |                                                                                                                                                               |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name & Surname             | Siphesihle Bass                                                                                                                                               |
| Address                    | CSI Maudeni Concordia South                                                                                                                                   |
| Contact Details            | Cell: 0718202625                                                                                                                                              |
| Current Business           | Shop I, 384 Sanlam Mall (3 shops)                                                                                                                             |
| Current Rental Paid        | R2700, security R1200 = R3900                                                                                                                                 |
| Lease Duration             | 7yrs                                                                                                                                                          |
| Concerns with the Premises | The premises need urgent maintenance. Water are entering inside the shops from the ground. Most of the time we spend a lot annually maintaining the premises. |

I hereby solemnly declare that the information contained in this application is to my knowledge truthful and accurate.

  
Signature

23/08/2022  
DATE

docket to cid for further

police investigation .



SWORN AFFIDAVIT

NAME: ZANDILE Sam  
SEX: FEMALE

ID: 840709 1084 086

HOME LANGUAGE: XHOSA

OCCUPATION: Community Health worker

RESIDENTIAL ADDRESS: 489 DUPAD

TELEPHONE NUMBER: 065 031 0301

DECLARE UNDER OATH IN ENGLISH:

I DECLARE I WAS PAYING 300.00 RAND  
TOT JULY

I know and understand the contents of this statement. I have no objection to taking the prescribed oath. I consider/do not consider the oath binding on my conscience;

Z. Sam

Declare/Verklaarder

I certify that the above statement was taken by me and that the deponent has acknowledged that he/she knows and understand the contents of this statement. This statement was sworn to before me at KNYSNA

16:00 ON THE 30 OF August 2022  
(TIME) (DAY) (MONTH)



[Signature]  
COMMISSIONER OF OATHS  
FULL NAMES:  
SOUTH AFRICAN POLICE SERVICE  
11 MAIN ROAD  
RANK: CBT

## DETAILS OF SUB-TENANTS AT SANLAM MALL

### Questionnaire

|                            |                                                                                                       |
|----------------------------|-------------------------------------------------------------------------------------------------------|
| Name & Surname             | Zandile Sam                                                                                           |
| ID Number                  | 840709 1084 086                                                                                       |
| Address                    | 489 Oupad<br>Knysna<br>6570                                                                           |
| Contact Details            | Cell: 065 031 2301                                                                                    |
| Shop number                | CONTAINER NEXT TO SPORT BAR                                                                           |
| Current Business           | Cigarettes / Hot dogs / Sweets & Chips                                                                |
| Current Lease Agreement    | Yes <input type="radio"/> No <input checked="" type="radio"/>                                         |
| Current Rental Paid        |                                                                                                       |
| Lease Duration             |                                                                                                       |
| Concerns with the Property | Smelling and dirty water<br>axis are making dirty<br>carwash boys dont care<br>Proper security needed |
|                            |                                                                                                       |
|                            |                                                                                                       |
|                            |                                                                                                       |
|                            |                                                                                                       |

I hereby solemnly declare that the information contained in this application is to my knowledge truthful and accurate.



Signature of Applicant

21-08-2022

DATE

## DETAILS OF SUB-TENANTS AT SANLAM MALL

### Questionnaire

|                            |                                                                                                                                                                 |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name & Surname             | Donato Lekay 0664758932.<br>Danellene Lekay                                                                                                                     |
| Address                    | 11 Dahlia Street<br>Froaisig<br>Knysna                                                                                                                          |
| Contact Details            | Cell: 073 52 96554                                                                                                                                              |
| Current Business           | Nekkies Sports Bar                                                                                                                                              |
| Current Rental Paid        | R2600                                                                                                                                                           |
| Lease Duration             | 2021                                                                                                                                                            |
| Concerns with the Premises | The leaking of water<br>Dumping, No Rubbish bins<br>No public toilets<br>Security day and night and lights<br>Table and chairs build.<br>Renovation of building |

I hereby solemnly declare that the information contained in this application is to my knowledge truthful and accurate.

Signature

21.08.2022  
DATE



**CDV Waardeerders (Pty) Ltd**  
Nationwide Professional Property Valuers



*St John's Place  
8 St John's Street  
George, 6530  
P.O. Box 1869, George, 6529  
Tel No: 082 832 6445  
Fax No: 086 454 3801  
Also in Pretoria and Johannesburg  
Pretoria @ Suite 90, Lusthof Petronella, 0116*

The Municipal Manager  
Knysna Municipality  
No 5 Clyde Street  
Knysna

0000029  
2022

Your ref: M. Paulsen  
Our Ref: KM  
Date : 14<sup>th</sup> June

Valuation report for Market Related Rental of a Portion of Erf 19212 Knysna.

1. Request information.

- 1.1.1 Situated: Uniondale Road, Khayaletu South, Knysna, Western Cape.
- 1.1.2 Purpose of valuation: Market Related Rental Valuation per month.
- 1.1.3 Instruction received on the 08<sup>th</sup> November 2022.

2. Property – details.

a. Deeds office information – Portion of Erf 19212 Knysna.

- 2.1.1 Legal description : Portion of Erf 19212 Knysna, Western Cape.
- 2.1.2 Title deed number : Unregistered.
- 2.1.3 Area of land : ± 5 000 m<sup>2</sup>.
- 2.1.4 Purchase date : Unknown.
- 2.1.5 Purchase price : Unknown.

b. Registered Owner details.

Knysna Municipality.

c. Location of property.

The subject property is situated in Uniondale Road, Khayaletu South, Knysna, Western Cape.

3. Local authority information.

a. Municipality.

Subject property falls in area administered by the Knysna Municipality.

b. Zoning/Use.

Business – Currently the proposed portion forms part of the Sanlam Mall on erf 19212 Knysna.

4. Improvements.

Subject is a portion of erf 19212 Knysna, proposed portion is currently improved with the following shops.

Shop No's: 1 – 7.

Take away shop, Sports Bar, Liquor Store, container used for selling sweets and cool drinks.

5. Valuation method used.

5.1 Market Value.

Market value can be defined as the probable price that a willing and informed purchaser will pay a willing and informed seller in a normal open market transaction at the date of valuation, when neither party is under any anxiety or compulsion to sell or purchase, other than their normal desire to transact.

5.2 Direct comparable Method of Valuation.

This is the approach or method preferred by our courts and consists of finding suitable recent sales of comparable properties within the same area and using them to help arrive at a market related value for the subject property.

**6. Valuation:**

**A. Comparable rentals in Knysna district.**

No comparable rental information of similar type properties good be found in the subject area.

**Remarks on rental information received of subject property.**

|            |   |                                                   |
|------------|---|---------------------------------------------------|
| Shop 1     | - | Rent with shops 1, 3 and 4 - R 3 900.00 per month |
| Shop 2     | - | No rent received                                  |
| Shop 3     | - | See shop 1                                        |
| Shop 4     | - | See shop 1                                        |
| Shop 5     | - | No rent received                                  |
| Shop 6     | - | No rent received                                  |
| Shop 7     | - | Take away - R 1 500.00 per month                  |
| Sports Bar | - | R 2 600.00 per month                              |
| Container  | - | R 300.00 per month                                |

For the purpose of this valuation we will use information received from the municipality on the current rental paid by the tenants and agents in the surrounding area of Khayaletu South.

**Valuation of subject property.**

**A. Rental valuation per month.**

|        |   |                          |                          |
|--------|---|--------------------------|--------------------------|
| Shop 1 | - | Rent with shops 3 and 4, | R 4 200.00 per month     |
| Shop 2 | - | No rent received         | R 1 000.00 per month     |
| Shop 3 | - | See shop 1               | Included with shop 1 & 4 |
| Shop 4 | - | See shop 1               | Included with shop 1 & 3 |



|            |   |                                  |                      |
|------------|---|----------------------------------|----------------------|
| Shop 5     | - | No rent received                 | R 1 000.00 per month |
| Shop 6     | - | No rent received                 | R 1 000.00 per month |
| Shop 7     | - | Take away – R 1 500.00 per month | R 1 700.00 per month |
| Sports Bar | - | R 2 600.00 per month             | R 2 900.00 per month |
| Container  | - | R 300.00 per month               | R 400.00 per month   |

7. Valuation certificate.

I, J.S. Bosman declare that I have inspected the above-mentioned property and I am of the opinion that the fair and reasonable market related rental valuation per month for the following shops are:

| Shop     | <u>Mall</u>        | <u>MONTHLY RENTALS</u>    |
|----------|--------------------|---------------------------|
| 1, 3 & 4 | Sanlam mall        | <u>R4 200</u>             |
| 2        | Sanlam mall        | <u>R1 000</u>             |
| 3        | Sanlam mall        | <u>Included in shop 1</u> |
| 4        | Sanlam mall        | <u>Included in shop 1</u> |
| 5        | Sanlam mall        | <u>R1 000</u>             |
| 6        | Sanlam mall        | <u>R1 000</u>             |
| 7        | Take away          | <u>R1 700</u>             |
| 8        | Nekkies sports bar | <u>R2 900</u>             |
| 9        | Container          | <u>R400</u>               |

with an estimated 7 % Seven Percent escalation per annum.

The Valuer was not influenced by anybody concerning this valuation. This valuation was done to the best of my ability with information to my disposal.

Thus done and signed on this 09<sup>th</sup> day of November 2022 in George.

Kindly note that neither the whole nor any part of this valuation or any part of this valuation or any reference thereto may be included in any published document, circular or statement, nor published in any way without my written consent or approval of the form and context in which it may appear.

8. Caveats.

- 8.1 I do not have present or contemplated interest in this or any other properties or any other interests, which would affect the statements or values contained in this valuation report.
- 8.2 We have assumed that the property and its value are unaffected by any statutory notice, and that neither the property, nor its condition, nor its use, nor its intended use, is or will be unlawful.
- 8.3 This Certificate is issued without any changes/corrections.
- 8.4 This valuation certificate has been prepared on the basis that full disclosure of all information and factors which may affect the valuation should have been made to ourselves and we cannot accept any liability or responsibility whatsoever for the valuation, unless such full disclosure has been made.



---

J.S. Bosman M.I.V. (SA)  
Professional Valuer 2450  
Nat. Dipl. Prop Valuations  
Appraiser for Master of Supreme Court (Pretoria)

Annexure A – Photo of proposed erf



14.12

|                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------|
| <b>C12/12/22      CESSION OF LEASE AGREEMENT ON A PORTION OF ERF 17047,<br/>KNYSNA (BONGANI CRECHE) REFERRED AS ERF 168 ON THE LEASE</b> |
|------------------------------------------------------------------------------------------------------------------------------------------|

**REPORT FROM: ACTING DIRECTOR: CORPORATE SERVICES**

**PURPOSE OF THE REPORT**

To request the Municipal Council to consider the cession of lease agreement on a Portion of Erf 17047, Knysna (Bongani) in terms of the Asset Transfer Regulations, 2008 and the Management of Immovable Property Policy. Referred

**BACKGROUND/ DETAILS OF APPLICATION**

On 18 April 2006 a Contract was signed between the Municipality and the Knysna Education Trust. The contract, *inter alia*, stated the following:

- The lease shall commence on 1 May 2006 and shall endure until the land is transferred to the Lessee.
- The rental is R1.00 per annum and the lessee pays the Municipal rates and service charges.
- The lessee confirms that it is aware of the fact that the buildings on the land are owned by the State and that written consent was to be obtained from the State.

The Lessee shall not be permitted to utilise the land for any other purposes than bona fide educational purposes. (See attached lease agreement marked as **Annexure A**)

Knysna Education Trust is seeking to cede the lease agreement to Focus on Ithemba (RF) NPC with the same conditions on the lease agreement. (**Annexure B**)

**CURRENT ZONING**

Erf 17047, Knysna (Bongani) is currently zoned "Community Zone 1".

**CURRENT USAGE OF PROPERTY (VIALE OR NON VIALE MUNICIPAL LAND)**

The subject property currently a Crèche.

**CURRENT VALUE OF THE PROPERTY AS PER GENERAL VALUATION ROLL**

**INTENDED FUTURE USAGE OF PROPERTY**

The Municipality has no future intended use of the property other than the current use.

**LEGISLATIVE FRAMEWORK**

Clause 43.8 of the Immovable Property Policy state;

"No lessee of immovable property shall without the prior consent in writing of the Council, sublet, ceded such property or any portion thereof or assign any right acquired by him in

respect hereof and any such subletting or assignment without such consent shall be null and void”.

That the applicant (Knysna Education Trust) be responsible for all other costs relating to the leasing of Erf 17, Knysna (Bongani).

### **COMMENTS FROM RELEVANT DEPARTMENTS**

### **PUBLIC PARTICIPATION PROCESS AND OUTCOME**

### **FINANCIAL IMPLICATIONS**

There is no cost for the Municipality of this transaction as the applicant must be liable for all the costs relating to this transaction.

### **RELEVANT LEGISLATION / RELEVANTE WETGEWING**

Local Government: Municipal Finance Management Act, 2003

Local Government: Municipal Finance Management Act (56/2003): Municipal Asset Transfer Regulations

Management of Immovable Property Policy

Knysna Municipality Supply Chain Management Policy

### **RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER**

- [a] That the report and annexure's regarding the cession of lease of Erf 17047, Bongani be noted;
- [b] That the Municipal Council grants approval for the cession of lease of Erf 17047 Knysna (Bongani);
- [c] That in terms of Section 14(2)(a) of the Local Government: Municipal Finance Management Act, 2003, and on reasonable grounds, the Municipal Council confirms Erf 168, Knysna (Bongani) is deemed not needed to provide the minimum level of basic Municipal Services;
- [d] That all the rights, title and interest of the lease agreement for Erf 17047, Knysna (Bongani) be transferred to Focus on Ithemba (RF) NPC

### **ANNEXURES**

**ANNEXURE A – KNYSNA EDUCATION TRUST LEASE AGREEMENT**

**ANNEXURE B – CESSION APPLICATION**

**ANNEXURE B - GIS MAP OF ERF 168 (17047)**

**References:** 7/2/1/2

**Execution:** Acting Director Corporate Services  
Manager: Legal Services  
Head: Properties



**AGREEMENT OF CESSION AND ASSIGNMENT**

entered into between:

**KNYSNA EDUCATION TRUST**

(REGISTRATION NUMBER: NPO 004-286 PRO 95069346)

Represented herein by HUGH BOSMANN, he being duly authorised thereto

(hereinafter referred to as the "CEDENT")

and

**FOCUS ON ITHEMBA (RF) NPC**

(REGISTRATION NUMBER: 2003/009035/08)

Represented herein by Danie van den Heever, he being duly authorised thereto

(hereinafter referred to as the "CESSIONARY")

and

**KNYSNA MUNICIPALITY**

Represented herein by \_\_\_\_\_, he/she being duly authorised  
thereto

(hereinafter referred to as the "Knysna Municipality")



Page 2

**PREAMBLE:**

**WHEREAS** the CEDENT and Knysna Municipality concluded an Agreement of Lease dated 18 April 2006 - a copy of the Agreement of Lease being attached hereto as Annexure "A";

**AND WHEREAS** the CEDENT wishes to cede and assign the terms and conditions of the Agreement of Lease to the CESSIONARY, which cession and assignment the CESSIONARY wishes to accept, subject to the terms and conditions of this Agreement of Cession and Assignment (hereinafter referred to as the "Cession Agreement"), and subject to the consent of the Knysna Municipality being obtained in accordance with clause 15 of the said Agreement of Lease;

**NOW THEREFORE** the Parties hereto agree as follows;

**1. CESSION AND ASSIGNMENT**

- 1.1. With effect from the Effective Date, the CEDENT hereby cedes, assigns and makes over to the CESSIONARY all of its rights, obligations, title and interest in and to the Agreement of Lease.
- 1.2. The Effective Date shall be the date upon which the CEDENT has signed this Cession Agreement.
- 1.3. No compensation shall be payable with respect to this Cession Agreement.

**2. ACCEPTANCE OF CESSION**

- 2.1. The CESSIONARY hereby accepts all rights and obligations arising out of the cession and assignment of the CEDENT's rights and obligations in respect of the Lease Agreement.
- 2.2. Knysna Municipality, by their signature hereto, hereby consent to the cession and assignment of the Cedent's rights and obligations in respect of the Agreement of Lease, to the Cessionary, in accordance with clause 15 of the Agreement of Lease.





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3. **AMENDMENT OF THE LEASE AGREEMENT**

3.1. In addition to the above, the parties hereto hereby agree to amend the Agreement of Lease as follows:

3.1.1. By correcting the property description of the property forming part of the Agreement of Lease, it being herein recorded that the property shall henceforth be described as follows:

Erf 17047 Knysna, as shown on General Plan SG No. 3596/2009  
In extent 4313 (Four Thousand Three Hundred and Thirteen) square metres

3.1.2. By substituting clause 18 of the Agreement of Lease with the following:-

"18. The Lessor and Lessee choose as *domicilium citandi et executandi* for any action which may arise from the Agreement of Lease or cancellation thereof, as follows:

Lessor (Knysna Municipality):

Physical Address: \_\_\_\_\_  
\_\_\_\_\_

Email address: \_\_\_\_\_

Lessee (Focus on iThemba (RF) NPC):

Physical Address: 111 Ngwele Road, Jacob House, Hillcrest,  
KwaZulu Natal, 3650

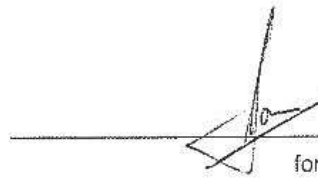
Email address: danie@dheever.com

Page 4

SIGNED at KNYSNA this 3 day of August 2022.

AS WITNESSES :

1.   
2. 

  
\_\_\_\_\_  
for and on behalf of the  
**CEDENT**

SIGNED at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

AS WITNESSES :

1.   
2. 

  
\_\_\_\_\_  
for an on behalf of the  
**CESSIONARY**

SIGNED at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

AS WITNESSES :

1.  
2.

\_\_\_\_\_  
for and on behalf of the  
**KNYSNA MUNICIPALITY**

Page 5

ANNEXURE "A" – AGREEMENT OF LEASE

A handwritten signature in black ink, appearing to be 'JH' followed by a flourish.

M BONTJHUIS  
17/4/R



12 April 2006  
Debi Mann  
P O Box 3579  
KNYSNA  
6570

AGREEMENT OF LEASE FOR ERF 168, BONGANI

Attached hereto please find an agreement of lease in the abovementioned regard for your signature and each page is to be initialed.

Please return this document thereafter for finalisation.

Yours faithfully

DP Daniels  
MUNICIPAL MANAGER

## AGREEMENT OF LEASE

### MEMORANDUM OF AN AGREEMENT OF LEASE

made and entered into by and between

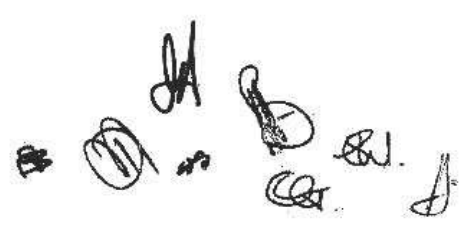
**THE MUNICIPALITY OF KNYSNA**  
(hereinafter referred to as the Lessor) of the one part  
and represented herein by its Municipal Manager

and

**KNYSNA EDUCATION TRUST**  
a Trust, duly authorised as such  
(hereinafter referred to as the Lessee) of the other part  
and herein represented by

RICHARD ANDREW LOHN  
in his/her capacity of a trustee

GILLIAN MATEY CARTER  
duly authorised hereto

A collection of handwritten signatures and initials in black ink, located in the bottom right corner of the document. The signatures are somewhat stylized and overlapping.

**WHEREAS:**

The Lessee has applied to the Lessor for the lease of erf 168, being Municipal property situated in Klein Street, Bengani, Knysna, as indicated on the attached plan, hereinafter referred to as the "land"

and

**WHEREAS:**

The Lessor has approved the application of the Lessee;

**NOW THEREFORE**

The parties bound hereto further agree as follows:

1.

The Lease shall commence on 1 May 2006 and endure at Council's pleasure until the land is transferred to the Lessee

2.

The land is leased at a rental of R 1 – 00 per annum to the Lessee and the Lessee shall be liable to pay all Municipal rates and service charges in respect of the land.

3.

The Lessee hereby confirms that it is aware of the fact that the buildings on the land are owned by the State and that written consent of the relevant State Department must be obtained for the use of the buildings.

4.

The Lessee shall not have the right or be permitted or entitled to establish or conduct or cause or allow to be established or conducted any shop on the land hereby leased without having first obtained the written consent of the Lessor signed by its Municipal Manager.

5.  
The Lessee shall have the right to affix in a proper and neat manner on the land to the satisfaction of the Lessor and shall not be permitted to, or allowed to; display any advertisements or any other signage unless prior written permission has been obtained from the Lessor.

6.  
The Lessee shall not be permitted to utilise the land for any other purposes than bona fide educational purposes.

7.  
In the event of the Lessee failing to pay rental, rates and taxes on due date or on request as the case may be, the Lessor shall have the right to cancel this Lease forthwith and to retake possession of the said land without prejudice however to any claim for arrear rates and taxes or for damages that may be suffered by the Lessor by reason of such breach.

8.  
It is an express condition of this Agreement that the Lessor shall, depending on demands, have the right at any time during this Agreement to retake possession of the whole of the leased land or a portion of the land, as the case may be, should it be required for any Municipal or State purposes. Should the Lessor exercise his right to retake possession of the whole leased land or any portion thereof, the Lessor shall be required to inform the Lessee by written notification three [3] months in advance of his intention in this respect.

9.  
The land is leased voetstoots as it stands on the day when the lease becomes effective and without any guarantees implicitly or impliedly having been given by the Lessor.

10.  
The Lessee shall be responsible for the insurance of all buildings and loose assets on the land.

11.  
The Lessee shall without compensation be obliged to allow electricity cables and / or wires and mains and / or other waterpipes and the sewerage and drainage including stormwater of any other

erf or erven inside or outside this land to be conveyed across the leased land if deemed necessary by the Local Authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access of constructing, altering, removing or inspecting any works in connection with the above.

12.

The Lessee shall permit any duly authorised official of the Lessor to inspect the said land at any reasonable time during the period of lease.

13.

The Lessee undertakes to observe and to comply with all relevant Municipal regulations.

14.

The Lessee hereby undertakes to indemnify and keep the Lessor indemnified against all action, proceedings, claims and demands, costs, damages and expenses which may be levied, brought or made against the Lessor or which the Lessor may pay, sustain or incur by reason of any negligent act on the part of the Lessee, its' employees or persons acting under its control, its members or any person making use of its' facilities.

15.

The Lessee shall not cede or assign this Lease nor sublet the land hereby leased or any portion thereof without having first obtained the written consent of the Lessor, *which consent shall not be unreasonably withheld*

16.

No agreement contrary to the conditions of this Lease Agreement is binding on the parties unless it appears in writing and signed by the parties and no compromise or extension of time granted by the Lessor to the Lessee shall in any way prejudice the Lessor's right in terms hereof or create new rights. The only proposals binding on the Lessor are those contained in this Agreement.

17.

In the event of any dispute regarding the terms of this agreement, the decision of the Lessor, confirmed by its Council at a meeting of the Knysna Town Council after having heard the Lessee shall be final.

*[Handwritten signatures and initials]*



18.

The Lessor and the Lessee choose as *dominium citandi et executandi* for any action which may arise from this Agreement or the cancellation thereof:-

Lessor  
Municipal Offices  
Clyde Street  
PO Box 21  
KNYSNA  
6570

And  
The Lessee at

PO Box 3579  
Knyana  
6570

THUS DONE AND SIGNED AT ..... THIS 18<sup>th</sup>

DAY OF ..... 2005

**WITNESSES:**

1. ....
2. ....

*OT Sambo*  
MUNICIPAL MANAGER

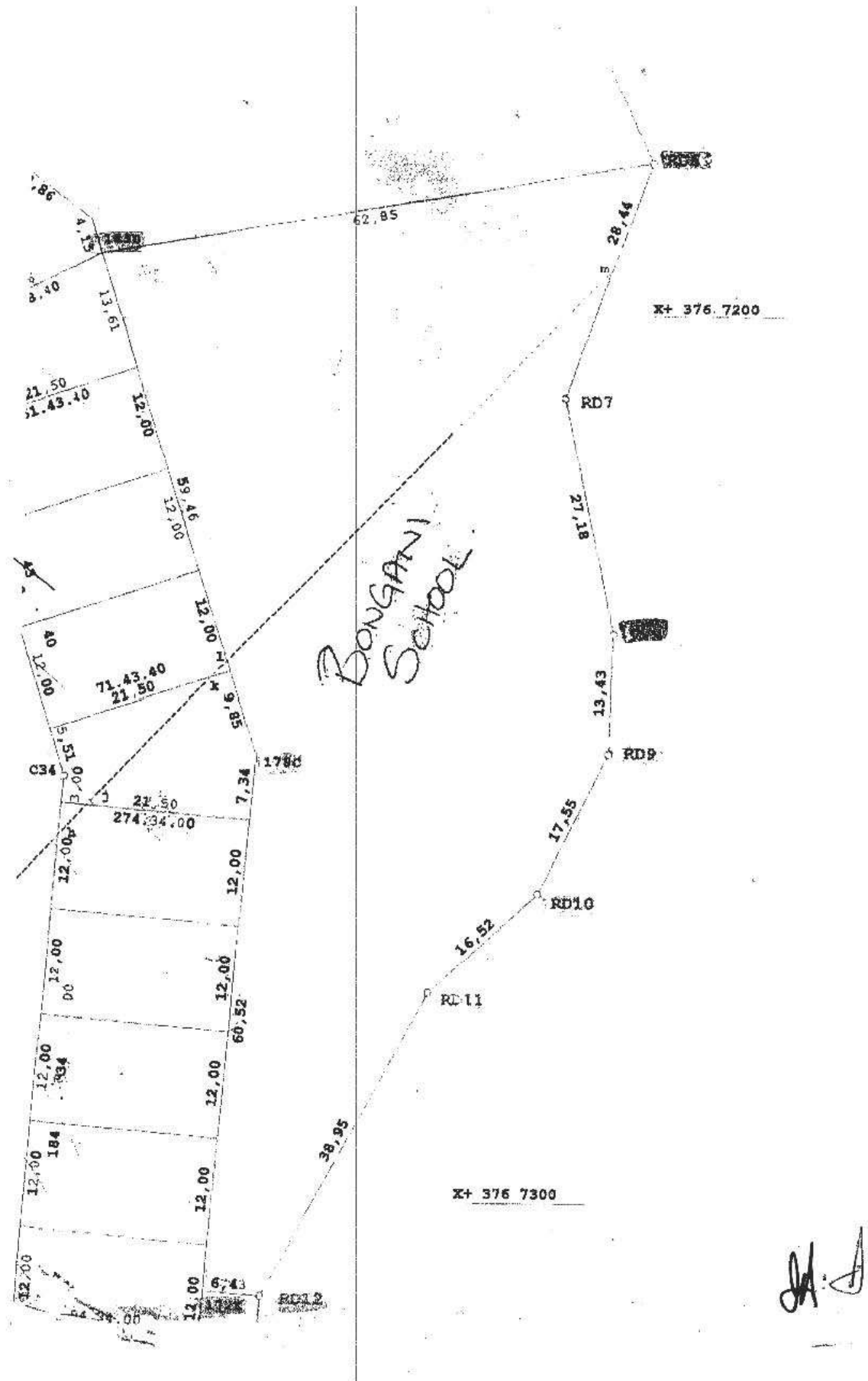
THUS DONE AND SIGNED AT ..... THIS

18<sup>th</sup> DAY OF April 2006 2005

**WITNESSES:**

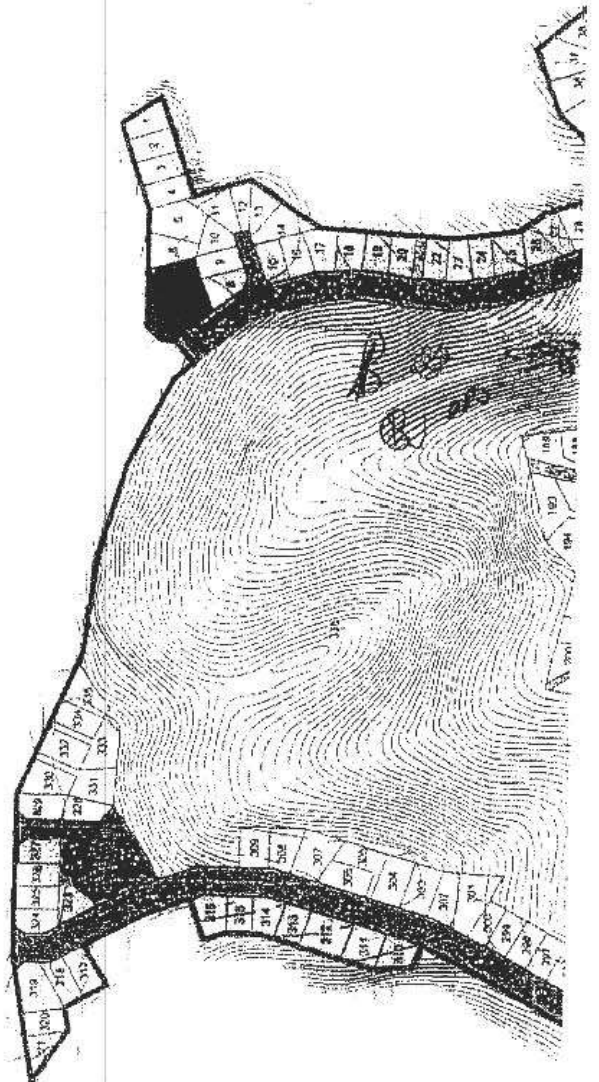
1. ....
2. ....

*[Signature]*  
LESSEE  
for and on behalf of the  
KNYSNA EDUCATION TRUST

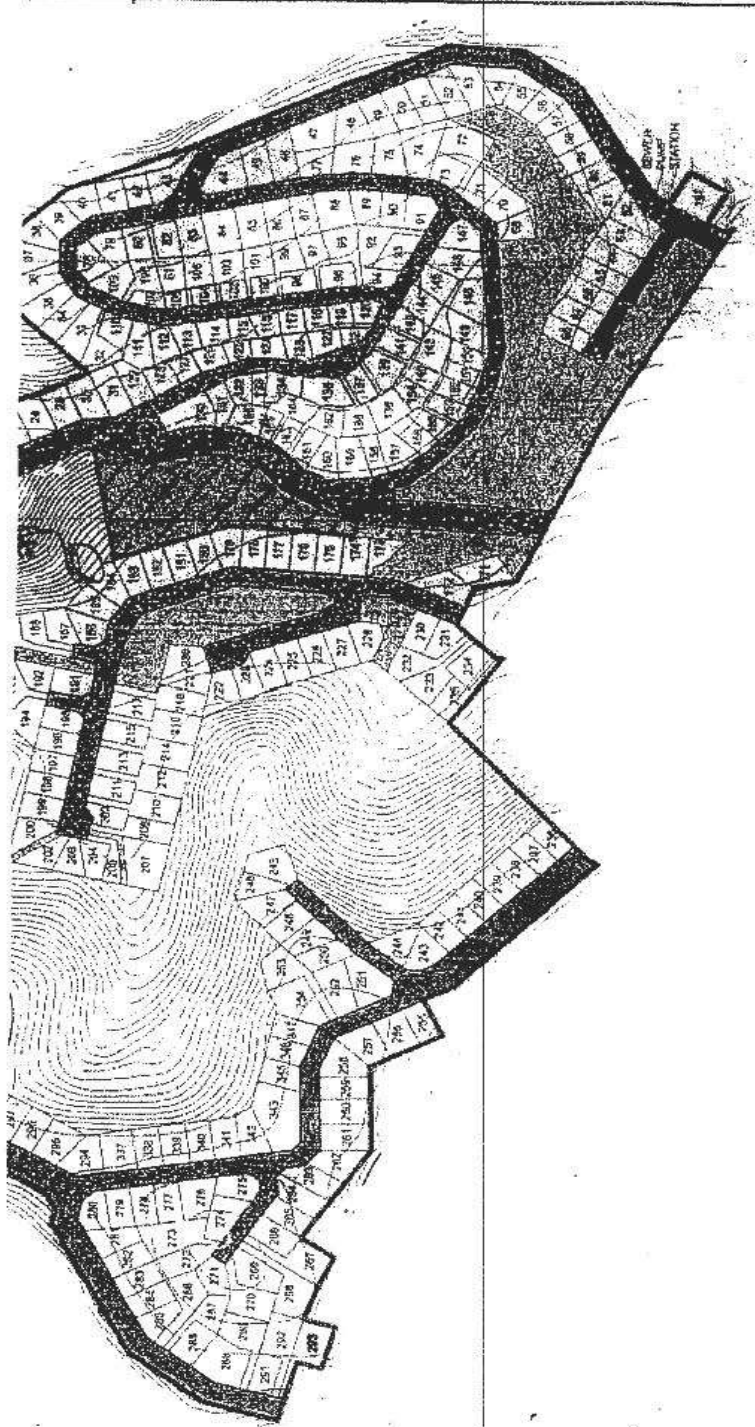


**KNYSNA VISION 2002  
PHASE VII (BONGANI)**

**LOCALITY PLAN**



ORDINARY MUNICIPAL COUNCIL MEETING  
SUPPLEMENTARY AGENDA  
13 DECEMBER 2022



INTEGRATED DEVELOPMENT PLANNING & MANAGEMENT  
TOWN & REGIONAL PLANNING, ENVIRONMENTAL PLANNING  
TRANSPORTATION PLANNING, INTEGRATED ENVIRONMENTAL  
MANAGEMENT

32 Market Street, Suite 110, Kyneton 3579  
Tel: 044 302 5071 / 044 302 7801 Fax: 044 302 7802  
www.vpmplanning.com.au

**VPM**  
PLANNING

Drawing no: Borgan V Date: October 2005

Approved Residential Easement  
Public Open Space  
Road

SCALE 1:3000

*[Handwritten signature]*



**AGREEMENT OF CESSION AND ASSIGNMENT**

entered into between:

**KNYSNA EDUCATION TRUST**

(REGISTRATION NUMBER: NPO 004-286 PBO 98069346)

Represented herein by HUGH BOSMAN, he being duly authorised thereto

(hereinafter referred to as the "CEDENT")

and

**FOCUS ON ITHEMBA (RF) NPC**

(REGISTRATION NUMBER: 2003/009035/08)

Represented herein by Danie van den Heever, he being duly authorised thereto

(hereinafter referred to as the "CESSIONARY")

and

**KNYSNA MUNICIPALITY**

Represented herein by \_\_\_\_\_, he/she being duly authorised  
thereto

(hereinafter referred to as the "Knysna Municipality")



Page 2

**PREAMBLE:**

**WHEREAS** the CEDENT and Knysna Municipality concluded an Agreement of Lease dated 18 April 2006 - a copy of the Agreement of Lease being attached hereto as Annexure "A";

**AND WHEREAS** the CEDENT wishes to cede and assign the terms and conditions of the Agreement of Lease to the CESSIONARY, which cession and assignment the CESSIONARY wishes to accept, subject to the terms and conditions of this Agreement of Cession and Assignment (hereinafter referred to as the "Cession Agreement"), and subject to the consent of the Knysna Municipality being obtained in accordance with clause 15 of the said Agreement of Lease;

**NOW THEREFORE** the Parties hereto agree as follows;

**1. CESSION AND ASSIGNMENT**

- 1.1. With effect from the Effective Date, the CEDENT hereby cedes, assigns and makes over to the CESSIONARY all of its rights, obligations, title and interest in and to the Agreement of Lease.
- 1.2. The Effective Date shall be the date upon which the CEDENT has signed this Cession Agreement.
- 1.3. No compensation shall be payable with respect to this Cession Agreement.

**2. ACCEPTANCE OF CESSION**

- 2.1. The CESSIONARY hereby accepts all rights and obligations arising out of the cession and assignment of the CEDENT's rights and obligations in respect of the Lease Agreement.
- 2.2. Knysna Municipality, by their signature hereto, hereby consent to the cession and assignment of the Cedent's rights and obligations in respect of the Agreement of Lease, to the Cessionary, in accordance with clause 15 of the Agreement of Lease.



Page 3

3. **AMENDMENT OF THE LEASE AGREEMENT**

3.1. In addition to the above, the parties hereto hereby agree to amend the Agreement of Lease as follows:

3.1.1. By correcting the property description of the property forming part of the Agreement of Lease, it being herein recorded that the property shall henceforth be described as follows:

Erf 17047 Knysna, as shown on General Plan SG No. 3596/2009  
In extent 4313 (Four Thousand Three Hundred and Thirteen) square metres

3.1.2 By substituting clause 18 of the Agreement of Lease with the following:-

"18. The Lessor and Lessee choose as *domicilium citandi et executandi* for any action which may arise from the Agreement of Lease or cancellation thereof, as follows:

Lessor (Knysna Municipality):

Physical Address: \_\_\_\_\_

Email address: \_\_\_\_\_

Lessee (Focus on iThemba (RF) NPC):

Physical Address: 111 Ngwele Road, Jacob House, Hillcrest,  
KwaZulu Natal, 3650

Email address: danie@dheever.com



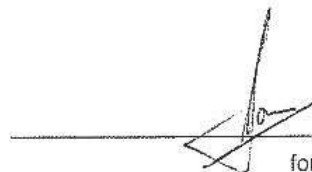


Page 4

SIGNED at KNYSNA this 3 day of August 2022.

AS WITNESSES :

1. 
2. 

  
\_\_\_\_\_  
for and on behalf of the  
**CEDENT**

SIGNED at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

AS WITNESSES :

1. 
2. 

  
\_\_\_\_\_  
for an on behalf of the  
**CESSIONARY**

SIGNED at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

AS WITNESSES :

1. \_\_\_\_\_
2. \_\_\_\_\_

\_\_\_\_\_  
for and on behalf of the  
**KNYSNA MUNICIPALITY**

Page 5

ANNEXURE "A" – AGREEMENT OF LEASE

A handwritten signature in black ink, appearing to be 'JH' followed by a flourish.

MBONTIHS  
17/4/R

Knysna  
Municipality

12 April 2006

Deb: Mann  
P O Box 3570  
KNYSNA  
6570

**AGREEMENT OF LEASE FOR ERF 168, BONGANI**

Attached hereto please find an agreement of lease in the abovementioned regard for your signature and each page is to be initialed.

Please return this document thereafter for finalisation.

Yours faithfully



DP Daniels  
MUNICIPAL MANAGER

## AGREEMENT OF LEASE

### MEMORANDUM OF AN AGREEMENT OF LEASE

made and entered into by and between

**THE MUNICIPALITY OF KNYSNA**  
(hereinafter referred to as the Lessor) of the one part  
and represented herein by it's Municipal Manager

and

**KNYSNA EDUCATION TRUST**  
a Trust, duly authorised as such  
(hereinafter referred to as the Lessee) of the other part  
and herein represented by

RICHARD ANDREW SOHN  
in his/her capacity of a trustee

GILLIAN MARY CARTER  
duly authorised hereto



**WHEREAS:**

The Lessee has applied to the Lessor for the lease of erf 168, being Municipal property situated in Klein Street, Bongani, Knysna, as indicated on the attached plan, hereinafter referred to as the "land"

and

**WHEREAS:**

The Lessor has approved the application of the Lessee;

**NOW THEREFORE**

The parties bound hereto further agree as follows:

1.

The Lease shall commence on 1 May 2006 and endure at Council's pleasure until the land is transferred to the Lessee

2.

The land is leased at a rental of R 1 - 00 per annum to the Lessee and the Lessee shall be liable to pay all Municipal rates and service charges in respect of the land.

3.

The Lessee hereby confirms that it is aware of the fact that the buildings on the land are owned by the State and that written consent of the relevant State Department must be obtained for the use of the buildings.

4.

The Lessee shall not have the right or be permitted or entitled to establish or conduct or cause or allow to be established or conducted any shop on the land hereby leased without having first obtained the written consent of the Lessor signed by its Municipal Manager.

5.  
The Lessee shall have the right to affix its name in a proper and neat manner on the land to the satisfaction of the Lessor and shall not be permitted to, or allowed to; display any advertisements or any other signage unless prior written permission has been obtained from the Lessor.

6.  
The Lessee shall not be permitted to utilise the land for any other purposes than bona fide educational purposes.

7.  
In the event of the Lessee failing to pay rental, rates and taxes on due date or on request as the case may be, the Lessor shall have the right to cancel this Lease forthwith and to retake possession of the said land without prejudice however to any claim for arrear rates and taxes or for damages that may be suffered by the Lessor by reason of such breach.

8.  
It is an express condition of this Agreement that the Lessor shall, depending on demands, have the right at any time during this Agreement to retake possession of the whole of the leased land or a portion of the land, as the case may be, should it be required for any Municipal or State purposes. Should the Lessor exercise his right to retake possession of the whole leased land or any portion thereof, the Lessor shall be required to inform the Lessee by written notification three [3] months in advance of his intention in this respect.

9.  
The land is leased voetstoots as it stands on the day when the lease becomes effective and without any guarantees implicitly or impliedly having been given by the Lessor.

10.  
The Lessee shall be responsible for the insurance of all buildings and loose assets on the land.

11.  
The Lessee shall without compensation be obliged to allow electricity cables and / or wires and mains and / or other waterpipes and the sewerage and drainage including stormwater of any other

erf or erven inside or outside this land to be conveyed across the leased land if deemed necessary by the Local Authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access of constructing, altering, removing or inspecting any works in connection with the above.

12.

The Lessee shall permit any duly authorised official of the Lessor to inspect the said land at any reasonable time during the period of lease.

13.

The Lessee undertakes to observe and to comply with all relevant Municipal regulations.

14.

The Lessee hereby undertakes to indemnify and keep the Lessor indemnified against all action, proceedings, claims and demands, costs, damages and expenses which may be levied, brought or made against the Lessor or which the Lessor may pay, sustain or incur by reason of any negligent act on the part of the Lessee, its' employees or persons acting under its control, its members or any person making use of its' facilities.

15.

The Lessee shall not cede or assign this Lease nor sublet the land hereby leased or any portion thereof without having first obtained the written consent of the Lessor, *which consent shall not be unreasonably withheld*

16.

No agreement contrary to the conditions of this Lease Agreement is binding on the parties unless it appears in writing and signed by the parties and no compromise or extension of time granted by the Lessor to the Lessee shall in any way prejudice the Lessor's right in terms hereof or create new rights. The only proposals binding on the Lessor are those contained in this Agreement.

17.

In the event of any dispute regarding the terms of this agreement, the decision of the Lessor, confirmed by its Council at a meeting of the Knysna Town Council after having heard the Lessee shall be final.

18.

The Lessor and the Lessee choose as *dominium citandi et executandi* for any action which may arise from this Agreement or the cancellation thereof:-

Lessor at Municipal Offices  
Clyde Street  
PO Box 21  
KNYSNA  
6570

And  
The Lessee at

PO Box 3579  
Knyana  
6570

THUS DONE AND SIGNED AT ..... THIS 18<sup>th</sup>

DAY OF ..... 2005

**WITNESSES:**

1. ....
2. ....

OF Daniels  
MUNICIPAL MANAGER

THUS DONE AND SIGNED AT ..... THIS

18<sup>th</sup> DAY OF April 2005 2005

**WITNESSES:**

1. ....
2. ....

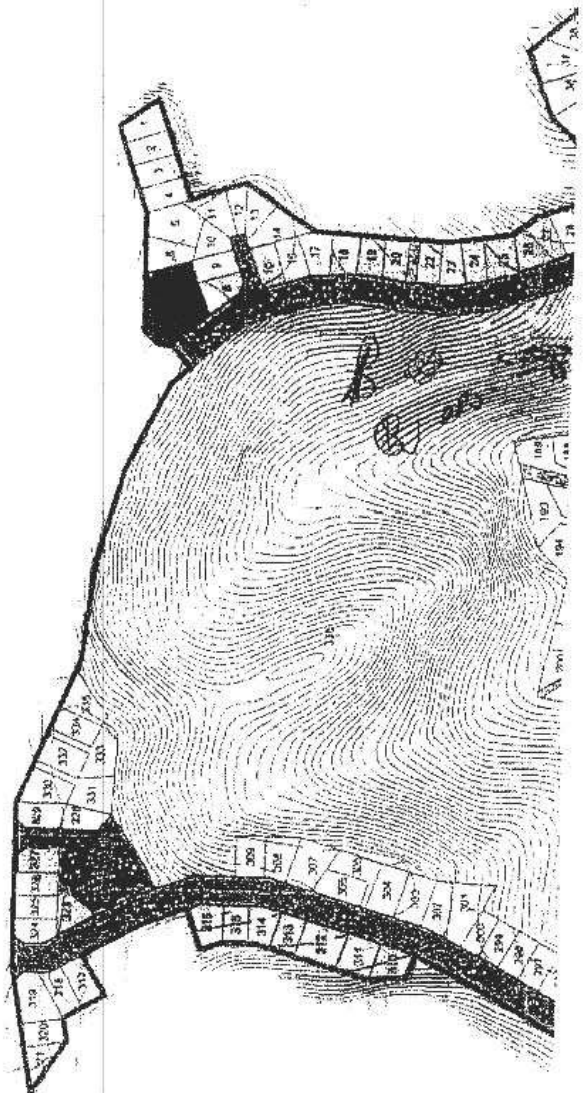
LESSEE  
for and on behalf of the  
KNYSNA EDUCATION TRUST



[illegible]

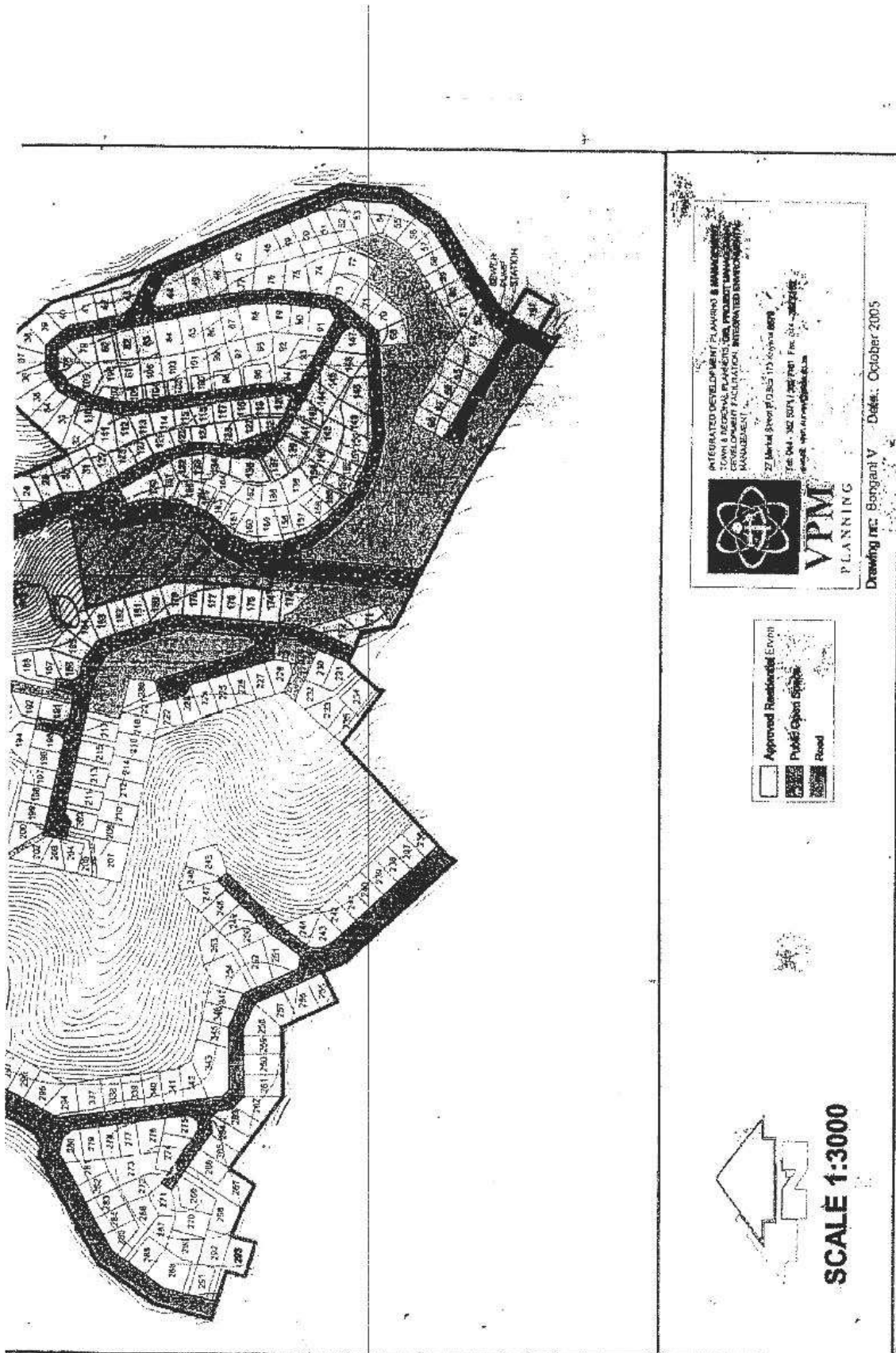
**KNYSNA VISION 2002  
PHASE VII (BONGANI)**

**LOCALITY PLAN**



*[Handwritten signature]*

ORDINARY MUNICIPAL COUNCIL MEETING  
SUPPLEMENTARY AGENDA  
13 DECEMBER 2022



14.13

|                                                                  |
|------------------------------------------------------------------|
| <b>C13/12/22      APPOINTMENT OF NEW AUDIT COMMITTEE MEMBERS</b> |
|------------------------------------------------------------------|

**REPORT FROM THE ACTING MUNICIPAL MANAGER**

**PURPOSE OF THE REPORT**

The purpose of this report is to inform the Municipal Council of the recommendations of the Audit Committee Selection Committee regarding the appointment of new Audit Committee members.

**BACKGROUND**

Council resolved on 29 June 2022 per resolution number M31/06/22

- [a] *That the resignation of Mrs. V. Gericke, be accepted;*
- [b] *That Council notes the contract expiration dates of Mr.'s Prins, Barrell and Thorpe;*
- [c] *That the contracts of the current chairperson, Mr Enrico Prins and audit committee member, Mr Richard Thorpe, be extended up to 31 January 2023, to allow for the finalization of the committee's annual report;*
- [d] *That the vacancies for audit committee members be advertised in the local newspapers and on the Public Service Audit Committee forum's advertising platform;*
- [e] *That the Council appoints Cllr S Sabbagh (Chairperson), Cllr S Campbell and Cllr T Matika to be members of the selection and interview panel; and*
- [f] *That the report from the selection and interview panel be tabled to the Municipal Council with its recommendation once the interview process has been finalized*

The term of office of the Audit Committee members and Chairperson is three years in the first instance. To enhance independence of the Audit Committee, the term of office for members must be strictly adhered to. While rotation of members is encouraged, as it enhances the independence of the Audit Committee, the term of office of members and the Chairperson may be extended for a further term of three years, based on performance. However, members of the Audit Committee should not be contracted continuously for a period exceeding six years, except in the special circumstances set out hereinafter. After serving consecutively for two terms, a cooling off period of two years should be provided for, before appointing the same member to the same Audit Committee.

**DISCUSSION**

The vacancies in the Audit Committee were duly advertised in the press, our official website and the public sector audit committee forum. Attached hereto as **Annexure A** is a copy of the said Advert.

The shortlisting and interviewing of shortlisted candidates for appointment as Audit Committee members was conducted by a committee appointed by Council. The Audit Committee Selection Committee met on 04 November 2022, to duly consider the applications received and to select a shortlist of applicants to be interviewed. The minutes of the shortlisting and list of shortlisted applicants that was interviewed is attached as **Annexure B** and **Annexure C**

The Committee furthermore resolved that the interviews be scheduled for 30 November 2022 and 01 December 2022 in the Council Chambers. Attached hereto as **Annexure D** is the Minutes of the Interviews held on 30 November 2022 and 01 December 2022.

The interviews were conducted by Cllrs Matika, Campbell and Sabbagh and the Acting Municipal Manager as scoring panelists. The following applicants, in order of preference, are recommended for appointment as Audit Committee members :

1. Mr N Vumazonke
2. Mrs R Shaw
3. Mr A Karriem
4. Mrs G Bolton
5. Mr J Jacobs
6. Mr D Block
7. Mrs A Labuschagne

The CV's of the recommended candidates are available for perusal by Councillors in the Office of the Speaker.

It must be mentioned that the approved Audit Committee Charter states that The Audit Committee must comprise at least three members with appropriate experience and skills, who are not Councillors or in the employ of the Municipality, to enable the committee to discharge the roles and responsibilities set out in this Charter.

The members of the Audit Committee must collectively have sufficient qualifications, skills and experience to fulfil their duties, including an understanding of the following:

1. Private and public sector experience;
2. An understanding of service delivery priorities;
3. Good governance and/or financial management experience;
4. An understanding of the role of Council and Councillors;
5. An understanding of the operations of the Municipality;
6. Familiarity with risk management practices;
7. An understanding of internal controls;
8. An understanding of major accounting practices and public sector reporting requirements;
9. An understanding of public sector reforms;
10. Familiarity with legislation applicable to municipalities;
11. An understanding of the roles and responsibilities of Internal and External Auditors;
12. An understanding of the treatment of allegations and investigations;
13. An understanding of the performance management system;
14. Sustainability issues;
15. Information technology governance as it relates to integrated reporting; and
16. Integrated reporting.

Members will at least include:

1. Two members who should preferably have sound financial knowledge;

2. A member with sound performance management knowledge;
3. A member who has the necessary standing and expertise to provide the Municipality with assurance that the risks are being appropriately managed;
4. A member who has sound legal knowledge;
5. A member who has a sound knowledge and experience of local government Information Technology systems and structures; and
6. A member who has community understanding.

### **FINANCIAL IMPLICATIONS**

An amount of R 518 352 in vote 9/203-1-1 is budgeted for the remuneration of the members of the Audit Committee.

### **CURRENT MEMBERS**

The current Audit Committee members, with their primary field of expertise, are as follows :

Chairperson :            Mr Enrico Prins – Accountancy (Extended contract ending 31 January 2023)  
                                 Mr. Richard Thorpe – Accountancy (Extended contract ending 31 January 2023)  
                                 Mr Wiseman Litoli – Community (Term ending 30 June 2024)  
                                 Mr L Tatayi – Community (Term ending 30 June 2024)

### **RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER**

- [a]     That the contents of the report entitled, Appointment of new Audit Committee members, be noted; and
- [b]     That the following applicants be appointed to the Audit Committee, as recommended by the Audit Committee Selection Committee, for a term of three (3) years commencing on 1 January 2023 :
1. Mr N Vumazonke
  2. Mrs R Shaw
  3. Mr A Karriem
  4. Mrs G Bolton
  5. Mr J Jacobs
- [d]     That the appointment letters to the recommended candidates in [b] be issued after successful vetting is completed.
- [c]     That the following applicants be appointed to the Audit Committee, as recommended by the Audit Committee Selection Committee, for a term of three (3) years should one of the members in [b] not accept the appointment or another vacancy arises in the audit committee within the next 12 months, to ensure that the recruitment of members is staggered and to prevent a loss of knowledge and skills in the Audit Committee
1. Mr D Block
  2. Mrs A Labuschagne

- [c] That the contract of the current Chairperson be extended for a further three months, to allow for the smooth transition and handover to the new Chairperson.
- [d] That an item be tabled to Council after the next sitting of the audit committee for the proposal of the new Chairperson.

**APPENDIX / ADDENDUM**

Annexure A - Relevant Advert

Annexure B - Minutes of the Audit Committee Selection Committee meeting held on 04 November 2022 and list of candidates selected for interviews

Annexure C – Minutes of the Audit Committee Interviews held on 30 November 2022 and 01 December 2022

File Number: 9/1/2/14

Execution: Acting Municipal Manager

Director: Corporate Services







1770  
11 August 2022



**Knysna**  
Municipality | Munisipaliteit | uMsisela  
inclusive || innovative || inspired

### VACANCY: AUDIT AND PERFORMANCE AUDIT COMMITTEE MEMBERS

Applications are hereby invited from suitable candidates to serve as members of the Knysna Municipality's Audit and Performance Audit Committee for a period of three years, which may be extended for a further period of three years based on performance and discretion of Council.

The Audit Committee is established in terms of the Local Government Municipal Finance Management Act (MFMA) Act 56 of 2003. The committee members will be responsible for rendering advice to the Municipal Council, the Accounting Officer, political office bearers and management staff on matters relating to internal financial control, internal audits, risk management, performance management, effective governance, compliance with the MFMA, Division of Revenue Act and all other applicable legislation and other matters in line with the Audit Committee Charter.

The Audit Committee further reviews Council's Annual Financial Statements, respond to Council on any issues raised by the Auditor-General in the audit report and carry out investigations into the financial affairs of the municipality as Council may request.

The committee also serves as the Performance Audit Committee, established in term of the Local Government Municipal Systems Act, Act no 32 of 2000. Committee members will be responsible for reviewing the quarterly performance reports, reviewing the municipality's performance management system and make recommendations in this regard to the Council.

Applicants must meet the following requirements:

- Applicants should preferably be a Chartered Accountant/ Certified Internal Auditor/ Advocate/ Strategy Specialist or should possess any similar qualification.
- Applicants should have in-depth and sound knowledge of and relevant experience in any of the following fields:
  - Financial Management
  - Accounting
  - Strategic Planning
  - Performance Monitoring
  - Legal
  - Compliance
  - Internal Control
- In addition, the following skills and attributes would be advantageous:
  - Integrity
  - Independence
  - Sound knowledge and experience of local government
  - Corporate Governance
  - Knowledge of the Municipal Finance Management Act (MFMA)
- Not serving on more than three (3) local government audit committees simultaneously

Remuneration: Members not employed in the public sector will be remunerated in line with the Audit Committee Charter as approved by Council. All members are reimbursed for travelling and related expenses when required to travel to attend meetings.

A person appointed to the Audit Committee may not have any business or contractual dealings with the Knysna Municipality.

Preference may be given to suitable candidates residing in the Knysna area. To apply, please forward a comprehensive Curriculum Vitae (CV) with a covering letter, certified copies of qualifications and identity document to the Acting Municipal Manager at [apacvacancies@knysna.gov.za](mailto:apacvacancies@knysna.gov.za) Direct Enquiries: Mrs Astrid Louw (Chief Audit Executive) at 044-302 6425 or [alouw@knysna.gov.za](mailto:alouw@knysna.gov.za)

**Closing date: Thursday, 25 August 2022.**

If you do not hear from us within four (4) weeks of the closing date, please regard your application as unsuccessful. The Council reserves the right not to make any appointments.



[www.knysna.gov.za](http://www.knysna.gov.za)

14

KNYSNA-LETT HERALD

Dinsdag 11 Augustus, 2022

# Knysna's budding hockey star

■ Blake Linder

**KNYSNA** – We might have our next hockey star on Knysna's shores already. Young Anja Barnard was the only player from the Eden U14 Girls Team to be included in the Western Cape U14 Girls Hockey Team, which went on to win the SA School Sport Winter Championships.

In the four-day tournament, from 12 to 15 July, the WC U14 girls played against North West, KwaZulu-Natal and Limpopo to qualify for the semi-finals against Eastern Cape. After a triumph there, they made the final where they faced Free State and won 2-1.



Anja Barnard in her WC colours, with her winner's medal.

While hockey is a team sport, Anja's contribution to the side was invaluable. As the goalkeeper, she only conceded two goals throughout the duration of the tournament. The WC team also went unbeaten from start to finish.

## More about Anja

Anja Barnard (13) is a born and raised Knysnian. She has been attending Oakhill School from Grade 000 right through to Grade 8 this year. It didn't take long for her interest in hockey to spark up, as she started playing the sport she loves in Grade 2.

"Hitting a ball with a stick looked like fun," Anja quips over why she chose to take up hockey. The bug bit, and two years later, in Grade 4, she started playing goalkeeper.

While she's been playing hockey from a very young age, this year was the first time she was able to attend both Eden and Western Cape trials - and she ensured that the opportunity did not go to waste. After being selected for the U14 Western Cape team and the rest, as they say, is history.

"I enjoyed the challenge of playing hockey at such a high level," Anja says, reminiscing on the tournament. "The other girls on the team are excellent hockey players, and it was amazing to be part of the WC U14 girls team. I was happy to form new friendships with my teammates and I hope to see them on the field again."

She is immensely grateful toward the coaches who've helped hone her skill.



The U14 Western Cape girls team that won the SA Winter Championships.



Anja Barnard, in orange, in action for Western Cape.

"I have to thank my goalie coach, Mandlakhe Phumtse - without his coaching, support and advice I would never have made the team."

"I also have to thank coach Justin Damsos who worked really hard on motivating me and improving my fitness levels, and the other coaches at Oakhill for their continued support," she says.

"Coach Durrty Christians (WC coach) and Inke Neveling (WC team manager) were absolutely awesome during the SA School Sport Winter Championships."

Prior to her success with the WC U14 team, Anja had represented the Knysna Elephants at the PSI Coastal Nationals 2021

and the PSI Coastal InterCity 2022.

"Knysna Elephants didn't have enough players to put together a girls team, and when I was asked to represent the boys team because they needed a goalkeeper, I was ready to take up the challenge. I earned Goalkeeper of the Tournament at the PSI Coastal Nationals (B Section)."

She has some lofty aspirations for the future. "I plan to take my hockey as far as I possibly can. My dream is to play professionally and represent my country internationally. I intend to work really hard to achieve these goals. You might just see me playing at the FIH Hockey Women's World Cup or the 2028 Olympics."



Knysna  
Municipality  
Municipality of Knysna  
Local Government: Cape Town

## VACANCY: AUDIT AND PERFORMANCE AUDIT COMMITTEE MEMBERS

Applications are hereby invited from suitable candidates to serve as members of the Knysna Municipality's Audit and Performance Audit Committee for a period of three years, which may be extended for a further period of three years based on performance and discretion of Council.

The Audit Committee is established in terms of the Local Government Municipal Finance Management Act (MFMA) Act 56 of 2003. The committee members will be responsible for rendering advice to the Municipal Council, the Accounting Officer, political office bearers and management staff on matters relating to internal financial control, internal audit, risk management, performance management, effective governance, compliance with the MFMA, Division of Revenue Act and all other applicable legislation and other matters in line with the Audit Committee Charter.

The Audit Committee further reviews Council's Annual Financial Statements, respond to Council on any issues raised by the Auditor-General in the audit report and carry out investigations into the financial affairs of the municipality at Council's request.

The committee also serves as the Performance Audit Committee, established in terms of the Local Government Municipal Systems Act, Act no. 32 of 2000. Committee members will be responsible for reviewing the quarterly performance reports, reviewing the municipality's performance management system and make recommendations in this regard to the Council.

Applicants must meet the following requirements:

- Applicants should preferably be a Chartered Accountant/ Certified Internal Auditor/ Advocate/ Strategy Specialist or should possess any similar qualification.
- Applicants should have depth and sound knowledge of and relevant experience in any of the following fields:
  - Financial Management
  - Accounting
  - Strategic Planning
  - Performance Monitoring
  - Legal
  - Compliance
  - Internal Control

3) In addition, the following skills and attributes would be advantageous:

- Integrity
- Independence
- Sound knowledge and experience of local government
- Corporate Governance
- Knowledge of the Municipal Finance Management Act (MFMA)

4) Not serving on more than three (3) local government audit committees simultaneously

Reserve members: Members not employed in the public sector will be remunerated in line with the Audit Committee Charter as approved by Council. All members are reimbursed for travelling and related expenses when required to travel to attend meetings.

A person appointed to the Audit Committee may not have any business or contractual dealings with the Knysna Municipality.

Preference may be given to suitable candidates residing in the Knysna area. In applying, please forward a comprehensive Curriculum Vitae (CV) with a covering letter, certified copies of qualifications and identity document to the Acting Municipal Manager at [apoc@cityofknysna.gov.za](mailto:apoc@cityofknysna.gov.za) or Direct Enquiries: Mr. Aydin Louw (Chief Audit Executive) at 066-392 6423 or [ab@cityofknysna.gov.za](mailto:ab@cityofknysna.gov.za)

Closing date: Thursday, 25 August 2022.

If you do not hear from us within four (4) weeks of the closing date, please regard your application as unsuccessful. The Council reserves the right not to make any appointments.



www.cityofknysna.gov.za

CapeNature

## PUBLIC NOTICE

### GOUKAMMA ESTUARY MOUTH MAINTENANCE MANAGEMENT PLAN

#### Invitation for Public Participation - Stakeholder Engagement Process

Section 24 (4)(a) of the National Environmental Management Act, 1998 (Act 107 of 1998)

The objective of the Mouth Maintenance Management Plan is to manage the estuary mouth in order to maintain the healthy ecological conditions of the estuary. The proposed adoption of the Maintenance Management Plan by the competent authority will be in terms of Listing Notice 1 Activity 19A of the Environmental Impact Assessment Regulations (Government Notice 327 of 2017).

Notice is hereby given in terms of Section 24 (4)(a) of the National Environmental Management Act, 1998 (Act 107 of 1998) that the proposed Mouth Maintenance Management Plan for the Goukamma Estuary shall be made available for inspection at the Knysna Public Library, the Sedgwick Public Library and the Goukamma Nature Reserve office (en route to Buffalo Bay) from 12 August 2022 to 12 September 2022. The plan as well as the Afrikaans and isiXhosa version of this notice can be accessed and downloaded via CapeNature's website using the following link: [bit.ly/3GBenPbn](http://bit.ly/3GBenPbn)

#### COMMENTS AND/OR OBJECTIONS

Any comments and/or objections to the proposed plan can be submitted in writing for attention: Monique Oelke:

Email: [mowles@capenature.co.za](mailto:mowles@capenature.co.za)

CapeNature, Private Bag X29, GATESVILLE, 7766

ENQUÊTES Forme de sêlers, Call 082 234 2924 Email: [enquiries@capenature.co.za](mailto:enquiries@capenature.co.za)

CLOSING DATE FOR COMMENTS AND/OR OBJECTIONS:  
13 SEPTEMBER 2022

ORDINARY MUNICIPAL COUNCIL MEETING  
SUPPLEMENTARY AGENDA  
13 DECEMBER 2022



File ref : 3/3/3/6

Collob ref :

| Shortlisting Meeting: Audit Committee Members |                                               |           |                                |                    |     |
|-----------------------------------------------|-----------------------------------------------|-----------|--------------------------------|--------------------|-----|
| Project:                                      | Shortlisting Meeting: Audit Committee Members | Prepared: | Sign-off<br>Siphokazi Mkatsywa | Date<br>07/11/2022 | 1.7 |
| Year:                                         | 2022/2023                                     | Reviewed: | Astrid Louw                    | 07/11/2022         |     |

### Minutes of Shortlisting Meeting

|                         |                                                                                                                                                                                                                                                                                                                                  |                  |                            |
|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|----------------------------|
| Project Name            | Meeting                                                                                                                                                                                                                                                                                                                          |                  |                            |
| Meeting Topic           | Shortlisting Meeting: Audit Committee Members                                                                                                                                                                                                                                                                                    |                  |                            |
| Meeting Objective       | Appointment of the Audit Committee Members                                                                                                                                                                                                                                                                                       |                  |                            |
| Meeting Date            | 04 November 2022                                                                                                                                                                                                                                                                                                                 | Meeting Location | Mayoral Boardroom          |
| Meeting Start Time      | 09:00                                                                                                                                                                                                                                                                                                                            | Meeting End Time | 11:11                      |
| Coordinator/Facilitator | Chief Audit Executive[CAE]                                                                                                                                                                                                                                                                                                       | Requestor        | Chief Audit Executive[CAE] |
| Attendees               | <ul style="list-style-type: none"><li>▪ Councilor Thando Matika-Chairperson</li><li>▪ Councilor Susan Campbell-Panel Member</li><li>▪ Councilor Sharon Sabbagh-Panel Member</li><li>▪ Roland Butler-Acting Municipal Manager</li><li>▪ Astrid Louw-Chief Audit Executive</li><li>▪ Siphokazi Mkatshwa-Internal Auditor</li></ul> |                  |                            |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 1. Agenda item                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Welcoming |
| Discussion                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |           |
| <p>The Chair, Clr. Matika welcomed everyone to the meeting and apologized for being late. He requested the CAE to give a status on the current audit committee.</p> <p>Summary were made as follow:</p> <ul style="list-style-type: none"> <li>Current audit committee consists of seven [7] members.</li> <li>Three members, Mr. Barel, Mr. Richard Thorpe and Mr. Enrico Prins, their contracts came to an end in the month of October; however, both Mr. Thorpe and Mr. Prins's contracts have been extended until the end of January 2023.</li> <li>One member has resigned.</li> <li>Remaining 3 audit committee members do not have any qualifications in financial, risk management, internal audit or performance management which are the required skills and responsibility of the audit committee member as legislated by the Municipal Finance Management Act[MFMA]</li> <li>Current audit committee members have educational qualification, ministerial qualification and matric.</li> <li>There were members who were identified as working for the state and their allowance has since been stopped. Two of those members are still serving on the committee on a voluntary basis, and one has resigned. The Expenditure has been reported to MPAC for investigations.</li> <li>One of these members is not attending audit committee meetings; the member keeps on sending apologies. The matter has been raised with the Chairman and advised to report the non-attendance to Council to consider if the member should come forward and provide her reasons as to why she should not be considered for dismissal.</li> </ul> <p>The CAE also explained to the committee that it is not necessary to fill all 4 vacancies as the current audit committee has 3 members but she strongly advises that the committee should at least appoint 3 members so that the pool of</p> |           |





| Shortlisting Meeting: Audit Committee Members |                                               |           |                                |                    |
|-----------------------------------------------|-----------------------------------------------|-----------|--------------------------------|--------------------|
| Project:                                      | Shortlisting Meeting: Audit Committee Members | Prepared: | Sign-off<br>Siphokazi Mkatshwa | Date<br>07/11/2022 |
| Year:                                         | 2022/2023                                     | Reviewed: | Astrid Louw                    | 07/11/2022         |

1.7

audit committee members can consist of members with the combined required skills and experiences that the municipality needs in the audit committee.

## 2. Agenda Item Shortlisting Criteria

### Discussion

The Chairman thanked the CAE for the background and said that the committee should focus on the applicants that have a background in finance and legal, as the current audit committee do not have the required skill. He proposed that 4 appointments should be made in order to close the skill gap in the current audit Committee.

Councilor Campbell agreed with the chairman and said the audit committee is losing members with accounting and legal background and therefore the panel should be focusing on those skills. She further proposed that the committee should first focus on applicants residing in the Western Cape and Knysna, and if there are no qualified applicants, then the committee can focus on other provinces. Councilor Campbell also raised the issue of traveling should the committee decide on a personal interview.

The Acting MM added and said that the municipality has received the outcome on the assessment that was done by the Presidency office and the report raised concerns that correlates to the issues that have been raised by the panel such as risk management and an increase in the amount irregular, fruitless and wasteful expenditure. The AMM said that even though he does not place the control weakness on these points in the current audit committee structure, the committee cannot afford to have members who are just members just for compliance reasons. The Panel needs to select applicants that can add value and strengthen the structures.

He further said that the reports also emphasized on ethics, that the municipality needs dedicated ethics employees but he suggested these functions can be combined with compliance management as it is a practice in other municipalities. The AMM then said based on that, then the panel should also look at applicants who have experience or qualifications in ethics. He agreed with the proposed criteria that the panel should first look at the Southern Cape and then the Western Cape but the panel should also take into account that at times the Eastern Cape is closer to Knysna than the Western Cape.

The Chairman added that the panel should also look at the quality and not the area only. The Panel should also look at the applicant's qualification and audit experience.

Councilor Sabbagh said that all the points that have been raised by the panel are important but the panel should be aware that the audit committee is a critical committee; that Council relies on their financial perspective and therefore the panel needs to select applicants that have the critical skills. She further mentioned that the panel needs to be mindful of the fact that Council also needs to appoint the chairperson of the committee as currently not all members are adding value. Therefore, the panel has the responsibility to select candidates that could possibly be the chairman of the audit committee when the report is submitted to Council.

Based on the Master list that has been provided to the panel, who falls out, asked Councilor Sabbagh. The CAE responded that one applicant withdrew and there was one who did not attach a CV or certificate and those were not included in the Master list.

## 3. Agenda Item Number of applicants to be shortlisted

ORDINARY MUNICIPAL COUNCIL MEETING  
SUPPLEMENTARY AGENDA  
13 DECEMBER 2022

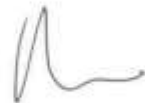


| Shortlisting Meeting: Audit Committee Members |                                               |           |                                   |                    |     |
|-----------------------------------------------|-----------------------------------------------|-----------|-----------------------------------|--------------------|-----|
| Project:                                      | Shortlisting Meeting: Audit Committee Members | Prepared: | Sign-off<br>Siphokazi<br>Mkatshwa | Date<br>07/11/2022 | 1.7 |
| Year:                                         | 2022/2023                                     | Reviewed: | Astrid<br>Louw                    | 07/11/2022         |     |

| Discussion                                                                                                                                                                                                                    |                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| It was agreed to shortlist a minimum of 10 applicants.                                                                                                                                                                        |                     |
| 4. Agenda item                                                                                                                                                                                                                | Applicants selected |
| Discussion                                                                                                                                                                                                                    |                     |
| In total 12 candidates were selected from the master list for shortlisting, 8 Candidates with financial background and 4 candidates with legal background.                                                                    |                     |
| A report has been attached with all the candidates shortlisted.                                                                                                                                                               |                     |
| 5. Agenda item                                                                                                                                                                                                                | Closure             |
| The interviews to be held face to face.<br>The minutes to be drafted and provided to Chairperson for approval.<br>Date of the interviews to be communicated by the CAE.<br>Chairperson thanked all and adjourned the meeting. |                     |

#### 5. Approval

The signatories below relate to the review, approval and acceptance of the audit committee shortlisting minutes.

| Reviewed by:                                                                        |                                                     |                           |
|-------------------------------------------------------------------------------------|-----------------------------------------------------|---------------------------|
|  | Mr. R. Butler<br>Acting Municipal Manager           |                           |
|                                                                                     | <b>Name and Surname</b><br><b>Role</b>              | <b>Date</b><br>7/11/2022  |
| Approved by:                                                                        |                                                     |                           |
|  | Mr. T. Matika<br>Chairperson                        |                           |
|                                                                                     | <b>Name and Surname</b><br><b>Role: Chairperson</b> | <b>Date</b><br>10/11/2022 |
| Accepted by:                                                                        |                                                     |                           |
|  | Ms. S. Campbell<br>Panel Member                     |                           |
|                                                                                     |                                                     | 10/11/2022                |

ORDINARY MUNICIPAL COUNCIL MEETING  
SUPPLEMENTARY AGENDA  
13 DECEMBER 2022



| Shortlisting Meeting: Audit Committee Members |                                               |           |                                |                    |     |
|-----------------------------------------------|-----------------------------------------------|-----------|--------------------------------|--------------------|-----|
| Project:                                      | Shortlisting Meeting: Audit Committee Members | Prepared: | Sign-off<br>Siphokazi Mkatshwa | Date<br>07/11/2022 | 1.7 |
| Year:                                         | 2022/2023                                     | Reviewed: | Astrid Louw                    | 07/11/2022         |     |

| Accepted by:                                                                      | Name and Surname<br>Role                     | Date       |
|-----------------------------------------------------------------------------------|----------------------------------------------|------------|
|  | Ms.S.Sabbagh<br>Panel Member<br>S.T. SABBAGH | 07.12.2022 |
|                                                                                   | Name and Surname<br>Role                     | Date       |









## ATTENDANCE REGISTER



**KNYSNA**

Municipality Munisipaliteit uMasipala

[illegible]



File ref: 3/3/3/3/6

Collab ref: 1325694

| Audit Committee Interviews |                                    |           |               |            |  |
|----------------------------|------------------------------------|-----------|---------------|------------|--|
| Project:                   | Audit Committee Members Interviews | Prepared: | Sign-off      | Date       |  |
|                            |                                    |           | Astrid Louw   | 02/12/2022 |  |
| Year:                      | 2022/2023                          | Reviewed: | Roland Butler | 05/12/2022 |  |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <b>3. Agenda item</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Final outcome             |
| <b>Discussion</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |
| <p>The final scoring and ranking were as follow:</p> <ol style="list-style-type: none"> <li>1. Mr Vumazonke scored 206</li> <li>2. Ms Shaw scored 206</li> <li>3. Mr Karriem scored 204</li> <li>4. Ms Bolton scored 202</li> <li>5. Mr Jacobs scored 188.5</li> <li>6. Ms Labuschagne scored 188</li> <li>7. Mr Block scored 188</li> <li>8. Ms Bongers scored 187</li> <li>9. Ms Kinnes scored 183</li> <li>10. Mr Mattheus scored 167</li> <li>11. Mr Pasiwe scored 148.5</li> <li>12. Mr Brand scored 148</li> </ol> |                           |
| <b>4. Agenda item</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Recommendation to Council |
| <b>Discussion</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           |
| <p>That the committee propose to Council the appointment of candidates 1 to 5<br/>That candidates 6 and 7 be appointed should there arise another vacancy in the committee within the next 12 months<br/>That the Council appoints the Chairperson of the committee, after the committee had its first meeting with the current Chairperson.</p>                                                                                                                                                                         |                           |
| <b>5. Agenda item</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Closure                   |
| The meeting was adjourned at 16h00 on 01 December 2022                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |

### 5. Approval

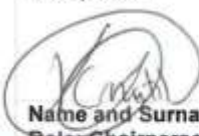
The signatories below relate to the review, approval and acceptance of the audit committee interview minutes.

|                                                                                     |                                           |
|-------------------------------------------------------------------------------------|-------------------------------------------|
| <b>Reviewed by:</b>                                                                 |                                           |
|  | Mr. R. Butler<br>Acting Municipal Manager |
| <b>Name and Surname</b>                                                             | <b>Date</b> 5/12/2022                     |
| <b>Role</b>                                                                         |                                           |

ORDINARY MUNICIPAL COUNCIL MEETING  
SUPPLEMENTARY AGENDA  
13 DECEMBER 2022



| Audit Committee Interviews |                                    |           |                         |                    |
|----------------------------|------------------------------------|-----------|-------------------------|--------------------|
| Project:                   | Audit Committee Members Interviews | Prepared: | Sign-off<br>Astrid Louw | Date<br>02/12/2022 |
| Year:                      | 2022/2023                          | Reviewed: | Roland Butler           | 05/12/2022         |

|                                                     |                                                                                     |             |
|-----------------------------------------------------|-------------------------------------------------------------------------------------|-------------|
| <b>Approved by:</b>                                 |                                                                                     |             |
| Mr. T. Matika<br>Chairperson                        |    | 4/12/2022   |
| <b>Name and Surname</b><br><b>Role: Chairperson</b> |                                                                                     | <b>Date</b> |
| <b>Accepted by:</b>                                 |                                                                                     |             |
| Ms. S. Campbell<br>Panel Member                     |   | 4/12/2022   |
| <b>Name and Surname</b><br><b>Role</b>              |                                                                                     | <b>Date</b> |
| <b>Accepted by:</b>                                 |                                                                                     |             |
| Ms. S. Sabbagh<br>Panel Member                      |  | 07/12/2022  |
| <b>Name and Surname</b><br><b>Role</b>              |                                                                                     | <b>Date</b> |

**KNYSNA**  
Municipality Munisipaliteit uMasipala

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ORDINARY MUNICIPAL COUNCIL MEETING  
SUPPLEMENTARY AGENDA  
13 DECEMBER 2022

ATTENDANCE REGISTER



**KNYSNA**  
Municipality Munisipaliteit uMasipala

|                                                                                                                                        |                   |                                    |       |
|----------------------------------------------------------------------------------------------------------------------------------------|-------------------|------------------------------------|-------|
| <b>NATURE OF MEETING:</b>                                                                                                              |                   | <b>AUDIT COMMITTEE INTERVIEWS:</b> |       |
| <b>VENUE:</b>                                                                                                                          |                   | Council Chamber                    |       |
| <b>DATE:</b>                                                                                                                           | 1 DECEMBER 2022   | <b>TIME:</b>                       | 10:00 |
| All municipal officials and all representatives of organisations/institutions are requested to supply their particulars as stipulated. |                   |                                    |       |
| <b>NAME</b>                                                                                                                            | <b>CONTACT NO</b> | <b>SIGNATURE</b>                   |       |
| ACTING MM- R BUTLER                                                                                                                    | 0827748304        |                                    |       |
| AUDIT COMMITTEE CHAIR-<br>E PRINS                                                                                                      | 072 861 2996      |                                    |       |
| CHAIRPERSON- T MATIKA                                                                                                                  | 0609087153        |                                    |       |
| PANEL MEMBER- S SABBAGH                                                                                                                | 083 715 2709      |                                    |       |
| PANEL MEMBER- S CAMPBELL                                                                                                               | MS Campbell       |                                    |       |
| SECRETARY- A LOUW                                                                                                                      | 0609987123        |                                    |       |
| Observer: C Hendricks                                                                                                                  | 0846972509        |                                    |       |
|                                                                                                                                        |                   |                                    |       |
|                                                                                                                                        |                   |                                    |       |
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ORDINARY MUNICIPAL COUNCIL MEETING  
SUPPLEMENTARY AGENDA  
13 DECEMBER 2022

ATTENDANCE REGISTER



|                                                                                                                                        |                                              |                                    |       |
|----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|------------------------------------|-------|
| <b>NATURE OF MEETING:</b>                                                                                                              |                                              | <b>AUDIT COMMITTEE INTERVIEWS:</b> |       |
| <b>VENUE:</b>                                                                                                                          |                                              | Council Chamber                    |       |
| <b>DATE:</b>                                                                                                                           | 30 NOVEMBER 2022                             | <b>TIME:</b>                       | 09:00 |
| All municipal officials and all representatives of organisations/institutions are requested to supply their particulars as stipulated. |                                              |                                    |       |
| <b>NAME</b>                                                                                                                            | <b>CONTACT NO</b>                            | <b>SIGNATURE</b>                   |       |
| RJ BRAND                                                                                                                               | 072 200 0554                                 |                                    |       |
| DJ BLOCK                                                                                                                               | 044 887 0058<br>082 900 0632                 |                                    |       |
| GM BOLTON                                                                                                                              | 072 602 4986                                 |                                    |       |
| M KINNES                                                                                                                               | 083 630 4421                                 |                                    |       |
| J JACOBS                                                                                                                               | 028 754 1073<br>083 274 2879                 |                                    |       |
| A LABUSCHAGNE                                                                                                                          | 072 370 7990<br>044 601 2438<br>044 606 6198 |                                    |       |
| CFB MATTHEUS                                                                                                                           | 083 451 1459                                 |                                    |       |
|                                                                                                                                        |                                              |                                    |       |
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14.14

**C14/12/22 RELOCATION OF NON-FULLTIME COUNCILLORS TO ALTERNATIVE  
OFFICE SPACE OUTSIDE MUNICIPAL MAIN OFFICE BUILDING**

**REPORT FROM THE OFFICE OF THE SPEAKER**

**PURPOSE OF THE REPORT**

To inform Council of the predicament the administration finds itself in regard to limited office space within the main municipal building (Clyde street), and to humbly request Council to agree to relocate all non-fulltime Councilors to an alternative office space outside the main office building.

**BACKGROUND**

The municipality has for a long period struggled with office space to accommodate the municipal employees, as the result the municipality had to opt for the private leasing of buildings with huge financial impact. This has put a financial strain on municipal finances every financial year for more than a decade. In previous council meetings, this Council took several resolutions in attempt to deal with the issue of sufficient office space, but to date has not found a solution. However, one can positively say that the last decision this Council took will bring about the change that is required and also the solution to office space challenge within this municipality.

The Office of the Acting Director Corporate Services after making enquiries in trying to find office space, has come across offices of councilors who are not full time political office bearers and also not chairpersons of any Committees of Council, in consultation with the accounting officer, have resolved that those Councilors can be relocated to alternative offices outside main building with the exception of Whip of Council.

**FINANCIAL IMPLICATIONS**

Potential payment of the container for office space.

**RELEVANT LEGISLATION**

MFMA AND SUPPLY CHAIN POLICY

**RECOMMENDATION BY THE ACTING MUNICIPAL MANAGER**

- [a] That the Council note the report on relocation of non-fulltime Councilors from the main office building to an alternative office.
- [b] That Council mandates the Municipal Manager to immediately effect the relocation of the non-fulltime Councilors with the exception of the Whip of Council to an alternative office space outside the main office building.

14.15

**C15/12/22 DETERMINATION OF UPPER LIMITS OF TOTAL REMUNERATION  
PACKAGES PAYABLE TO MUNICIPAL MANAGERS AND MANAGERS  
DIRECTLY ACCOUNTABLE TO MUNICIPAL MANAGER – 2021/22**

**REPORT FROM THE ACTING MUNICIPAL MANAGER**

**PURPOSE OF THE REPORT**

To request Council to implement the Upper Limits of Total Remuneration packages payable to Municipal Managers and Managers directly accountable to Municipal Managers as promulgated in Government Gazette No. 47538 dated 18 November 2022.

**BACKGROUND**

Upper limits and total remuneration packages payable to Municipal Managers and Managers directly accountable to Municipal Managers are promulgated annually. Government Gazette No. 47538 dated 18 November 2022 sets out the remuneration and benefits applicable for these employees for the period 2021/2022.

The abovementioned Gazette determines the following increase and benefits:

- “(i) a one and half percent (1.5%) cost of living adjustment of the upper limits of the total remuneration packages payable to senior managers for the 2021/22 municipal financial year as set out in the Schedule; and
- (ii) a non-pensionable cash gratuity of –
  - (aa) R1, 695.00 payable monthly to senior managers earning a total remuneration package below R1.900 000 for the 2021/22 municipal financial year; or
  - (bb) R1, 818.00 payable monthly to senior managers earning a total remuneration package of R1,900 000 and above for the 2021/22 financial year.

In terms of Categorization, the Knysna statistics are as follows:

Total Municipal Income for Knysna equates to

2020/2021 – R 771 353 069

2021/2022 – R 827 580 349

53 points

Total Municipal Equitable Share for Knysna equates to

2020/2021 – R 107 996 000

2021/2022 – R 98 572 000

7 points

Total Population for Knysna equates to  
76 587

2 points

**Total points for Knysna**

**62 Points**

The above points raises the Categorization of Knysna Municipality from a Category 3 to a Category 4 Municipality in terms of this Upper Limits.

In terms of the Government Gazette 47538, if there is a change in the categorization of municipality as is the case above, then the following applies in terms of Clause 6 of the Gazette:

*"6(1) If the categorization of a municipality in terms of this Notice, is higher than the categorization for the previous financial year, the municipal council must apply in writing to the Minister to obtain approval, after consultation with the MEC for local government in the province.*

*(2) Notwithstanding sub-item (1), the Minister must: -*

*(a) Confirm the actual values and points scored by the municipality in relation to the factors in items 2, 3 and 4 of the Notice;*

*(b) Determine the –*

*(i) Sustainability of the driving factors that led to the higher categorization of the municipality compared to the categorization of the previous financial year.*

*(ii) Affordability of the higher categorization of the municipality using the following ratios:*

*(aa) municipality's liquidity ratio:*

*(bb) creditors payment period;*

*(cc) debtors collection rate:*

*(dd) remuneration ratio; and*

*(iii) Any other risks as may be identified.*

*(3) After confirmation of the actual values and points scored by the municipality in relation to the total municipal income, population and municipal equitable share, including the driving factors that led to a higher categorization as well as affordability (using the ratio's liquidity ratio, creditors payment period, debtors collection rate and remuneration ratio) and approval by the Minister, the municipal council may implement such a new categorization including adjustment of the total remuneration package of senior manager to the higher category."*

The following remuneration packages will therefore apply if the above change in Categorization is approved:

|                                                    |          |            |
|----------------------------------------------------|----------|------------|
| Municipal Manager                                  | Minimum  | R1 178 260 |
|                                                    | Midpoint | R1 370 071 |
|                                                    | Maximum  | R1 561 882 |
| Senior Managers reporting to the Municipal Manager | Minimum  | R 987 238  |
|                                                    | Midpoint | R1 124 899 |
|                                                    | Maximum  | R1 276 762 |

### **RELEVANT LEGISLATION**

Municipal System Act 32 of 2000

Government Notice on Upper Limits for the Remuneration of Senior Managers, Government Gazette no. 47538 dated 18 November 2022

**APPENDIX / ADDENDUM**

Annexure A - Government Notice no.47538 dated 18 November 2022.

**RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER**

- [a] That the content of the report on the Upper Limits of Total Remuneration packages payable to Municipal Managers and Managers Directly accountable to Municipal Managers, be noted;
- [b] That the process in terms of change of categorization for a higher categorization be followed as outlined in Government Gazette No. 47538 due to Knysna scoring higher points to a Category 4 instead of the previous Category 3.
- [c] That Council resolves to implement the Upper Limits of Total Remuneration packages payable to Municipal Managers and Managers Directly accountable to the Municipal, following the approval of the process for the Change in Categorization to a higher Category 4 by the Minister.

File Number:

Execution:     Acting Municipal Manager  
                   Acting Director : Financial Services  
                   Director : Corporate Services  
                   Manager: Expenditure  
                   Manager: Human Resources

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**DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

NO. 351

20 MARCH 2020

**DEPARTMENT OF COOPERATIVE GOVERNANCE**

**LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000  
(ACT NO. 32 OF 2000)**

**LOCAL GOVERNMENT:  
UPPER LIMITS OF TOTAL REMUNERATION PACKAGES PAYABLE TO MUNICIPAL  
MANAGERS AND MANAGERS DIRECTLY ACCOUNTABLE TO MUNICIPAL  
MANAGERS**

Under the powers vested in me by section 72(1)(g) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), I, Dr Nkosazana Dlamini Zuma, Minister for Cooperative Governance and Traditional Affairs, hereby –

- (a) after consultation with the bargaining council established for municipalities, the Minister of Finance, the Minister for Public Service and Administration, the MECs responsible for local government and organised local government; and
- (b) after taking into consideration the matters as set out in regulation 35 of the Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers, issued in terms of Government Notice No. 21 as published under Government Gazette No. 37245 of 17 January 2014,

determine the upper limits of the total remuneration packages payable to municipal managers and managers directly accountable to municipal managers as set out in the Schedule.

*Nkuma*

**DR NKOSAZANA DLAMINI ZUMA, MP**

**MINISTER FOR COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

**DATE: 14.03.2020**

## SCHEDULE

### Preamble

Having regard to the upper limits of salaries of municipal managers and managers directly accountable to municipal managers as set out below, the need to prioritise service delivery to communities and to sustain viable local government and the fiscal capacity of different categories of municipalities, this Notice provides a strategic framework for remuneration of municipal managers and managers directly accountable to municipal managers across all municipalities.

The development of this Notice took into consideration the core reward principles aimed at ensuring an appropriate remuneration mix and sought to ensure that the remuneration of municipal managers and managers directly accountable to municipal managers is cost-effective, consistent, internally balanced (equitable) and externally competitive and aligned to the achievement of the objectives of municipalities while providing a uniform remuneration framework for local government.

The upper limits constitutes an integral part of the human resource value chain in building resilient administrative institutions underpinned by the intent to enable municipalities to attract, appoint and retain appropriately qualified and competent municipal managers and managers directly accountable to municipal managers necessary for effective performance of their functions.

In order to strengthen the capacity of municipalities, this Notice reinforces the statutory obligation binding on municipalities to appoint municipal managers and managers directly accountable to municipal managers who meet the minimum prescribed competencies, higher education qualifications, work experience, knowledge, including attainment of a competent achievement level or higher as measured against the Local Government: Regulations on Appointment and Conditions of Employment for Senior Managers of 2014.

## Definitions

1. In this Schedule, unless the context otherwise indicates, a word or phrase to which a meaning has been assigned in the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (hereafter referred to as "the Act") and the Local Government: Regulations on Appointment and Conditions of Employment for Senior Managers has that meaning, and –

**"categorisation"** means categorisation of a municipality as determined in terms of item 5 of the Notice;

**"competency framework"** means the Local Government Competency Framework for municipal managers and managers directly accountable to municipal managers as provided in the Local Government: Regulations on Appointment and Conditions of Employment for Senior Managers;

**"Regulations"** means the Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers issued in terms of Government Notice No. 21 as published under Government Gazette No. 37245 of 17 January 2014;

**"remote allowance"** means a non-pensionable allowance payable by a municipality to attract and retain suitably qualified and competent municipal managers and managers directly accountable to municipal managers to a geographically remote area where the approved pay scales are not sufficient to attract such municipal managers and managers directly accountable to municipal managers;

**"remoteness index"** means the remoteness directory of all municipalities in the Republic providing a relative weight in terms of the remoteness of each municipality in relation to another as measured in terms of access to a range of public and private services, including livelihood opportunities;

**"total municipal equitable share"** means the equitable share of revenue that is provided to a metropolitan, district or local municipality for the 2018/19 financial year in terms of section 227(1) of the Constitution of the Republic of South Africa, 1996, to enable the municipality to provide basic services and perform the functions allocated to it, but excludes regional services council replacement grant for district municipalities;

**"total municipal income"** means the gross income in respect of a metropolitan, district or local municipality based on actual income as stated in the audited financial statements of that municipality for the 2017/18 financial year.

(a) The gross income for a municipality includes the following:

(i) rates on property;

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- (ii) fees for services rendered by the municipality or on its behalf by a municipal entity;
  - (iii) surcharges;
  - (iv) other authorised taxes;
  - (v) levies and duties;
  - (vi) income from fines for traffic offences and contravention of municipal by-laws or legislation assigned to the local sphere of government;
  - (vii) regional services council replacement grant for district municipalities;
  - (viii) interest earned on invested funds other than national and provincial conditional grants;
  - (ix) rental for the use of municipal movable or immovable property; and
  - (x) amounts received as agent for other spheres of government.
- (b) The gross income excludes –
- (i) transfers and / or grants from the national fiscus and provincial fiscus, with the exception of regional services council replacement grant for district municipalities; and
  - (ii) all value added tax (VAT) refunds.

**"total population"** means the official statistics of the population residing in the area of jurisdiction of a metropolitan, district or local municipality, as published in the Community Survey 2016: Statistical Release No. P0301, in terms of the *Statistics Act, 1999* (Act No. 6 of 1999);

**"upper limits"** means the applicable total remuneration package values as contained in the Notice.

#### Allocation of number of points for total municipal income

2. The number of points allocated for the total municipal income of a municipality is as follows:

| TOTAL MUNICIPAL INCOME |              |                  |
|------------------------|--------------|------------------|
| From                   | To           | Number of Points |
| R 0                    | R 14,333,687 | 1                |
| R 14,333,688           | R 15,350,389 | 2                |
| R 15,350,390           | R 17,301,006 | 3                |



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| TOTAL MUNICIPAL INCOME |               |                  |
|------------------------|---------------|------------------|
| From                   | To            | Number of Points |
| R 17,301,007           | R 18,575,198  | 4                |
| R 18,575,199           | R 21,411,015  | 5                |
| R 21,411,016           | R 23,073,500  | 6                |
| R 23,073,501           | R 24,754,864  | 7                |
| R 24,754,865           | R 26,918,286  | 8                |
| R 26,918,287           | R 29,250,257  | 9                |
| R 29,250,258           | R 31,813,809  | 10               |
| R 31,813,810           | R 34,608,913  | 11               |
| R 34,608,914           | R 37,626,678  | 12               |
| R 37,626,679           | R 41,330,866  | 13               |
| R 41,330,868           | R 43,727,949  | 14               |
| R 43,727,950           | R 47,140,843  | 15               |
| R 47,140,844           | R 50,475,549  | 16               |
| R 50,475,550           | R 53,809,734  | 17               |
| R 53,809,735           | R 58,424,448  | 18               |
| R 58,424,449           | R 64,824,796  | 19               |
| R 64,824,797           | R 66,195,322  | 20               |
| R 66,195,323           | R 69,233,036  | 21               |
| R 69,233,037           | R 75,812,935  | 22               |
| R 75,812,936           | R 79,692,602  | 23               |
| R 79,692,603           | R 87,714,064  | 24               |
| R 87,714,065           | R 96,504,528  | 25               |
| R 96,504,529           | R 105,455,901 | 26               |
| R 105,455,902          | R 111,543,837 | 27               |
| R 111,543,838          | R 116,113,537 | 28               |
| R 116,113,538          | R 126,638,737 | 29               |
| R 126,638,738          | R 137,663,370 | 30               |
| R 137,663,371          | R 144,109,401 | 31               |
| R 144,109,402          | R 149,627,351 | 32               |

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| TOTAL MUNICIPAL INCOME |                 |                  |
|------------------------|-----------------|------------------|
| From                   | To              | Number of Points |
| R 149,627,352          | R 162,462,183   | 33               |
| R 162,462,184          | R 169,500,543   | 34               |
| R 169,500,544          | R 184,243,978   | 35               |
| R 184,243,979          | R 189,441,837   | 36               |
| R 189,441,838          | R 194,639,695   | 37               |
| R 194,639,696          | R 200,269,820   | 38               |
| R 200,269,821          | R 212,260,656   | 39               |
| R 212,260,657          | R 225,937,764   | 40               |
| R 225,937,765          | R 246,602,697   | 41               |
| R 246,602,698          | R 279,578,865   | 42               |
| R 279,578,866          | R 303,897,091   | 43               |
| R 303,897,092          | R 330,330,560   | 44               |
| R 330,330,561          | R 359,063,250   | 45               |
| R 359,063,251          | R 390,295,161   | 46               |
| R 390,295,162          | R 424,243,673   | 47               |
| R 424,243,674          | R 461,145,082   | 48               |
| R 461,145,083          | R 501,256,236   | 49               |
| R 501,256,237          | R 592,248,818   | 50               |
| R 592,248,819          | R 699,759,202   | 51               |
| R 699,759,203          | R 760,625,402   | 52               |
| R 760,625,403          | R 898,701,030   | 53               |
| R 898,701,031          | R 976,871,517   | 54               |
| R 976,871,518          | R 1,154,202,104 | 55               |
| R 1,154,202,105        | R 1,565,550,837 | 56               |
| R 1,565,550,838        | R 2,513,263,865 | 57               |
| R 2,513,263,866        | R 4,762,197,933 | 58               |
| R 4,762,197,934        | R 9,070,449,161 | 59               |
| R 9,070,449,162        | above           | 60               |

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**Allocation of number of points for total population**

3. The number of points allocated for the total population of a municipality is as follows:

| TOTAL POPULATION |           |        |
|------------------|-----------|--------|
| From             | To        | Points |
| 0                | 65,333    | 1      |
| 65,334           | 76,863    | 2      |
| 76,864           | 86,474    | 3      |
| 86,475           | 98,158    | 4      |
| 98,159           | 111,011   | 5      |
| 111,012          | 121,527   | 6      |
| 121,528          | 133,211   | 7      |
| 133,212          | 144,895   | 8      |
| 144,896          | 157,748   | 9      |
| 157,749          | 175,273   | 10     |
| 175,274          | 195,137   | 11     |
| 195,138          | 218,506   | 12     |
| 218,507          | 246,547   | 13     |
| 246,548          | 276,926   | 14     |
| 276,927          | 318,989   | 15     |
| 318,990          | 368,063   | 16     |
| 368,064          | 426,484   | 17     |
| 426,485          | 495,420   | 18     |
| 495,421          | 576,041   | 19     |
| 576,042          | 671,851   | 20     |
| 671,852          | 782,850   | 21     |
| 782,851          | 912,545   | 22     |
| 912,546          | 1,071,450 | 23     |
| 1,071,451        | 1,254,892 | 24     |
| 1,254,893        | 1,492,081 | 25     |
| 1,492,082        | 1,799,374 | 26     |
| 1,799,375        | 2,172,100 | 27     |

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| TOTAL POPULATION |           |        |
|------------------|-----------|--------|
| From             | To        | Points |
| 2,172,101        | 2,610,256 | 28     |
| 2,610,257        | 3,762,500 | 29     |
| 3,762,501        | above     | 30     |

**Allocation of number of points for total municipal equitable share**

4. The number of points allocated for the total municipal equitable share of a municipality is as follows:

| TOTAL MUNICIPAL EQUITABLE SHARE |                 |                  |
|---------------------------------|-----------------|------------------|
| From                            | To              | Number of Points |
| R 0                             | R 22,240,225    | 1                |
| R 22,240,226                    | R 33,476,473    | 2                |
| R 33,476,474                    | R 43,762,069    | 3                |
| R 43,762,070                    | R 51,360,279    | 4                |
| R 51,360,280                    | R 62,961,507    | 5                |
| R 62,961,508                    | R 89,166,616    | 6                |
| R 89,166,617                    | R 140,903,448   | 7                |
| R 140,903,449                   | R 309,591,115   | 8                |
| R 309,591,116                   | R 2,011,870,725 | 9                |
| R 2,011,870,726                 | above           | 10               |

**Determination of categorisation of municipality**

5. The total number of points allocated to a municipality, in terms of items 2, 3, and 4 respectively, determines the categorisation of such municipality, in accordance with the following table:

| CATEGORISATION OF MUNICIPALITY |      |    |
|--------------------------------|------|----|
| Categorisation                 | From | To |
| 1                              | 1    | 26 |
| 2                              | 27   | 47 |
| 3                              | 48   | 60 |
| 4                              | 61   | 70 |

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| CATEGORISATION OF MUNICIPALITY |      |     |
|--------------------------------|------|-----|
| Categorisation                 | From | To  |
| 5                              | 71   | 78  |
| 6                              | 79   | 85  |
| 7                              | 86   | 91  |
| 8                              | 92   | 96  |
| 9                              | 97   | 98  |
| 10                             | 99   | 100 |

**Change of categorisation of municipality**

6. (1) If the categorisation of a municipality determined in terms of this Notice, is higher than the categorisation for the previous financial year, the municipal council, in consultation with the MEC for local government in the province and approval by the Minister, may implement such new categorisation.

(2) Notwithstanding sub-item (1), the Minister must –

- (a) confirm the actual values and points scored by the municipality in relation to the factors in items 2, 3 and 4 of the Notice;
- (b) determine the –
  - (i) sustainability of the driving factors that led to the higher categorisation of the municipality compared to the categorisation of the previous financial year;
  - (ii) affordability of the higher categorisation of the municipality using the following ratios:
    - (aa) municipality's liquidity ratio;
    - (bb) creditor's payment period;
    - (cc) debtor's collection rate; and
  - (iii) any other risks as may be identified.

(3) After confirmation of the actual values and points scored by the municipality in relation to the total municipal income, population and municipal equitable share, including the driving factors that led to a higher categorisation as well as affordability (using the ratios: liquidity ratio, creditor's payment period and debtor's collection rate) and approval by the Minister, the municipal council may implement such new categorisation including adjusting the total remuneration package of municipal manager and managers directly accountable to municipal manager to the higher category.

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(4) If the categorisation of a municipality determined in terms of this Notice, is lower than the categorisation of the previous financial year, the municipality must retain the categorisation of the previous financial year.

**Annual total remuneration packages of municipal managers**

7. The upper limits of the annual total remuneration packages payable to municipal manager are as follows:

| MUNICIPAL CATEGORISATION | TOTAL REMUNERATION PACKAGE (MINIMUM) | TOTAL REMUNERATION PACKAGE (MIDPOINT) | TOTAL REMUNERATION PACKAGE (MAXIMUM) |
|--------------------------|--------------------------------------|---------------------------------------|--------------------------------------|
| 10                       | R 2,568,755                          | R 3,251,589                           | R 3,934,423                          |
| 9                        | R 2,204,466                          | R 2,755,584                           | R 3,306,702                          |
| 8                        | R 1,903,222                          | R 2,335,240                           | R 2,767,260                          |
| 7                        | R 1,646,643                          | R 1,995,931                           | R 2,345,220                          |
| 6                        | R 1,464,332                          | R 1,705,924                           | R 1,987,402                          |
| 5                        | R 1,277,473                          | R 1,511,803                           | R 1,698,573                          |
| 4                        | R 1,160,847                          | R 1,349,824                           | R 1,538,800                          |
| 3                        | R 1,067,587                          | R 1,227,113                           | R 1,386,637                          |
| 2                        | R 1 030,759                          | R 1,141,500                           | R 1,267, 066                         |
| 1                        | R 992,705                            | R 1,087,143                           | R 1,195,857                          |

**Annual total remuneration packages of managers directly accountable to municipal managers**

8. The upper limits of the annual total remuneration packages payable to managers directly accountable to municipal managers are as follows:

| MUNICIPAL CATEGORISATION | TOTAL REMUNERATION PACKAGE (MINIMUM) | TOTAL REMUNERATION PACKAGE (MIDPOINT) | TOTAL REMUNERATION PACKAGE (MAXIMUM) |
|--------------------------|--------------------------------------|---------------------------------------|--------------------------------------|
| 10                       | R 2,055,005                          | R 2,601,272                           | R 3,147,538                          |
| 9                        | R 1,763,574                          | R 2,204,466                           | R 2,645,361                          |
| 8                        | R 1,522,577                          | R 1,868,192                           | R 2,213,808                          |
| 7                        | R 1,354,200                          | R 1,596,747                           | R 1,876,176                          |
| 6                        | R 1,188,638                          | R 1,415,047                           | R 1,596,747                          |
| 5                        | R 1,055,080                          | R 1,241,269                           | R 1,427,459                          |
| 4                        | R 972,648                            | R 1,108,275                           | R 1,257,894                          |
| 3                        | R 894,447                            | R 1,022,226                           | R 1,133,463                          |
| 2                        | R 846,307                            | R 950,907                             | R 1,040,327                          |
| 1                        | R 815,063                            | R905,626                              | R 996,188                            |

**Offer of remuneration on appointment**

9. (1) The offer of remuneration on appointment to a municipal manager and manager directly accountable to municipal managers will be determined by the competencies, qualifications, experience and knowledge of the candidate considered for appointment.

(2) A municipal council must apply the criteria as set out below to determine the offer of remuneration on appointment:

| TOTAL REMUNERATION PACKAGE | CRITERIA                                                                                                                                                                                                                                                                                                         |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MINIMUM                    | <ul style="list-style-type: none"> <li>Relevant qualification.</li> <li>Applicable to persons who have the relevant 5 years' experience as provided in the Regulations.</li> <li>Applicable to persons who have acquired competent achievement level as measured against the competency framework.</li> </ul>    |
| MIDPOINT                   | <ul style="list-style-type: none"> <li>Relevant qualification.</li> <li>Applicable to persons who have 5 to 10 years' experience as provided in the Regulations.</li> <li>Applicable to persons who have acquired advanced competency achievement level as measured against the competency framework.</li> </ul> |
| MAXIMUM                    | <ul style="list-style-type: none"> <li>Relevant qualification.</li> <li>Applicable to persons who have more than 10 years' experience as provided in the Regulations.</li> <li>Applicable to persons who have demonstrated a superior competency as measured against the competency framework.</li> </ul>        |

(3) Notwithstanding sub-item (1), if a municipal council is unable to offer the relevant total remuneration package or cannot afford to pay the remuneration as determined in this Notice, a lesser offer may be made by such municipality on appointment.

#### Payment of remote allowance

10. (1) A municipal manager or managers directly accountable to municipal manager employed in one of the following municipalities, may be paid a remote allowance not exceeding the percentage of the total annual remuneration package applicable to the relevant municipal manager and managers directly accountable to municipal managers as it appear in the table below:

| PROVINCE     | DISTRICT CODE | MUNICIPAL CODE | NAME OF MUNICIPALITY | %  |
|--------------|---------------|----------------|----------------------|----|
| Eastern Cape | DC10          | EC102          | Blue Crane Route     | 4% |
| Eastern Cape | DC10          | EC106          | Sundays River Valley | 4% |
| Eastern Cape | DC10          | EC109          | Kou-Kamma            | 4% |
| Eastern Cape | DC12          | EC129          | Raymond Mhlaba       | 4% |
| Eastern Cape | DC13          | EC131          | Inxuba Yethemba      | 4% |
| Eastern Cape | DC13          | EC135          | Itsika Yethu         | 4% |
| Eastern Cape | DC13          | EC137          | Engcobo              | 4% |

ORDINARY MUNICIPAL COUNCIL MEETING  
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GOVERNMENT GAZETTE, 20 MARCH 2020

| PROVINCE      | DISTRICT CODE | MUNICIPAL CODE | NAME OF MUNICIPALITY      | %  |
|---------------|---------------|----------------|---------------------------|----|
| Eastern Cape  | DC13          | EC138          | Sakhisizwe                | 4% |
| Eastern Cape  | DC13          | EC139          | Enoch Mgijima             | 4% |
| Eastern Cape  | DC14          | EC141          | Elundini                  | 4% |
| Eastern Cape  | DC15          | EC153          | Ngquza Hill               | 4% |
| Eastern Cape  | DC44          | EC443          | Mbizana                   | 4% |
| Eastern Cape  | DC15          | EC154          | Port St Johns             | 4% |
| Eastern Cape  | DC44          | EC442          | Umzimvubu                 | 4% |
| Eastern Cape  | DC44          | EC444          | Ntabankulu                | 4% |
| Eastern Cape  | DC14          | DC14           | Joe Gqabi                 | 4% |
| Eastern Cape  | DC44          | DC44           | Alfred Nzo                | 4% |
| Free State    | DC16          | FS161          | Letsemeng                 | 4% |
| Free State    | DC16          | FS162          | Kopanong                  | 4% |
| Free State    | DC18          | DC183          | Tswelopele                | 4% |
| Free State    | DC19          | FS191          | Setsoto                   | 4% |
| Free State    | DC19          | FS196          | Mantsopa                  | 4% |
| Free State    | DC20          | FS205          | Mafube                    | 4% |
| Free State    | DC20          | FS204          | Metsimaholo               | 4% |
| Free State    | DC16          | DC16           | Xhariep                   | 4% |
| Free State    | DC20          | DC20           | Fezile Dabi               | 4% |
| KwaZulu Natal | DC21          | KZN214         | UMuziwabantu              | 4% |
| KwaZulu Natal | DC22          | KZN224         | Impendle                  | 4% |
| KwaZulu Natal | DC23          | KZN235         | Okhahlamba                | 4% |
| KwaZulu Natal | DC24          | KZN245         | Umvoti                    | 4% |
| KwaZulu Natal | DC24          | KZN244         | Msinga                    | 4% |
| KwaZulu Natal | DC26          | KZN261         | eDumbe                    | 4% |
| KwaZulu Natal | DC26          | KZN262         | UPhongo                   | 4% |
| KwaZulu Natal | DC26          | KZN265         | Nongoma                   | 4% |
| KwaZulu Natal | DC26          | KZN266         | Ulundi                    | 4% |
| KwaZulu Natal | DC27          | KZN276         | Big Five Hlabisa          | 4% |
| KwaZulu Natal | DC28          | KZN285         | Mthonjaneni               | 4% |
| KwaZulu Natal | DC28          | KZN286         | Nkandla                   | 4% |
| KwaZulu Natal | DC43          | KZN433         | Greater Kokstad           | 4% |
| KwaZulu Natal | DC43          | KZN434         | Ubuhlebezwe               | 4% |
| KwaZulu Natal | DC43          | KZN435         | Umzimkhulu                | 4% |
| KwaZulu Natal | DC26          | DC26           | Zululand                  | 4% |
| KwaZulu Natal | DC43          | DC43           | Harry Gwala               | 4% |
| Limpopo       | DC33          | LIM331         | Greater Giyani            | 4% |
| Limpopo       | DC34          | LIM341         | Musina                    | 4% |
| Limpopo       | DC35          | LIM351         | Blouberg                  | 4% |
| Limpopo       | DC35          | LIM353         | Molemole                  | 4% |
| Limpopo       | DC36          | LIM361         | Thabazimbi                | 4% |
| Limpopo       | DC47          | LIM473         | Makhuduthamaga            | 4% |
| Limpopo       | DC47          | LIM476         | Greater Tubatse/Fetakgomo | 4% |

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| PROVINCE      | DISTRICT CODE | MUNICIPAL CODE | NAME OF MUNICIPALITY      | %  |
|---------------|---------------|----------------|---------------------------|----|
| Mpumalanga    | DC30          | MP301          | Albert Luthuli            | 4% |
| Mpumalanga    | DC30          | MP303          | Mkhondo                   | 4% |
| Mpumalanga    | DC30          | MP304          | Dr Pixley Ka Isaka Seme   | 4% |
| Mpumalanga    | DC32          | MP321          | Thaba Chweu               | 4% |
| Mpumalanga    | DC 32         | MP324          | Nkomazi                   | 4% |
| North West    | DC37          | NW375          | Moses Kotane              | 4% |
| North West    | DC38          | NW381          | Ratlou                    | 4% |
| North West    | DC38          | NW382          | Tswaing                   | 4% |
| North West    | DC38          | NW385          | Ramotshere Moiloa         | 4% |
| North West    | DC39          | NW392          | Naledi (NW)               | 4% |
| North West    | DC39          | NW393          | Mamusa                    | 4% |
| North West    | DC39          | NW394          | Greater Taung             | 4% |
| North West    | DC39          | NW396          | Lekwa-Teemane             | 4% |
| North West    | DC40          | NW404          | Maquassi Hills            | 4% |
| North West    | DC39          | DC39           | Dr Ruth Segomotsi Mompati | 4% |
| Northern Cape | DC8           | NC084          | IKheis                    | 4% |
| Northern Cape | DC7           | NC078          | Siyancuma                 | 4% |
| Northern Cape | DC7           | NC076          | Thembehle                 | 4% |
| Northern Cape | DC9           | NC093          | Magareng                  | 4% |
| Northern Cape | DC9           | NC094          | Phokwane                  | 4% |
| Western Cape  | DC1           | WC013          | Bergvliet                 | 4% |
| Western Cape  | DC1           | WC015          | Swartland                 | 4% |
| Western Cape  | DC3           | WC032          | Overstrand                | 4% |
| Western Cape  | DC3           | WC034          | Swellendam                | 4% |
| Western Cape  | DC3           | WC031          | Theewaterskloof           | 4% |
| Western Cape  | DC4           | WC042          | Hessequa                  | 4% |
| Western Cape  | DC4           | WC041          | Kannaland                 | 4% |
| Western Cape  | DC5           | WC051          | Laingsburg                | 4% |
| Western Cape  | DC5           | WC052          | Prince Albert             | 4% |
| Western Cape  | DC1           | DC1            | West Coast                | 4% |
| Eastern Cape  | DC10          | EC101          | Dr Bayers Naude           | 7% |
| Eastern Cape  | DC14          | EC142          | Senqu                     | 7% |
| Eastern Cape  | DC14          | EC145          | Walter Sisulu             | 7% |
| Eastern Cape  | DC44          | EC441          | Matatiele                 | 7% |
| Free State    | DC16          | FS163          | Mohokare                  | 7% |
| KwaZulu Natal | DC27          | KZN272         | Jozini                    | 7% |
| KwaZulu-Natal | DC27          | DC27           | Umkhanyakude              | 7% |
| KwaZulu-Natal | DC43          | KZN436         | Dr Nkosasana-Dlamini Zuma | 7% |
| Limpopo       | DC36          | LIM362         | Lephalale                 | 7% |
| Northern Cape | DC6           | NC067          | Khai-Ma                   | 7% |
| Northern Cape | DC7           | NC072          | Umsobomvu                 | 7% |
| Northern Cape | DC7           | NC075          | Renosterberg              | 7% |
| Northern Cape | DC8           | NC085          | Tsantsabane               | 7% |

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| PROVINCE      | DISTRICT CODE | MUNICIPAL CODE | NAME OF MUNICIPALITY | %   |
|---------------|---------------|----------------|----------------------|-----|
| Northern Cape | DC8           | NCO86          | Kgatelopele          | 7%  |
| Northern Cape | DC45          | NC453          | Gamagara             | 7%  |
| Northern Cape | DC45          | NC452          | Ga-Segonyana         | 7%  |
| Northern Cape | DC45          | DC45           | John Taolo Gaetsewe  | 7%  |
| Western Cape  | DC1           | WC012          | Cederberg            | 7%  |
| Western Cape  | DC3           | WC033          | Cape Agulhas         | 7%  |
| Western Cape  | DC5           | WC053          | Beaufort West        | 7%  |
| Western Cape  | DC3           | DC3            | Overberg             | 7%  |
| Western Cape  | DC5           | DC5            | Central Karoo        | 7%  |
| KwaZulu Natal | DC27          | KZN271         | Umhlabuyalingana     | 10% |
| North West    | DC39          | NW397          | Kagisano/Molopo      | 10% |
| Northern Cape | DC6           | DC6            | Namakwa              | 10% |
| Northern Cape | DC6           | NC061          | Richtersveld         | 10% |
| Northern Cape | DC6           | NC062          | Nama Khoi            | 10% |
| Northern Cape | DC6           | NC064          | Kamiesberg           | 10% |
| Northern Cape | DC6           | NC065          | Hantam               | 10% |
| Northern Cape | DC6           | NC066          | Karoo Hoogland       | 10% |
| Northern Cape | DC7           | DC7            | Pixley Ka Seme       | 10% |
| Northern Cape | DC7           | NC073          | Emthanjeni           | 10% |
| Northern Cape | DC7           | NC071          | Ubuntu               | 10% |
| Northern Cape | DC7           | NC074          | Kareeberg            | 10% |
| Northern Cape | DC7           | NC077          | Siyathemba           | 10% |
| Northern Cape | DC45          | NC451          | Joe Morolong         | 10% |
| Western Cape  | DC1           | WC011          | Matzikama            | 10% |

(2) A municipal manager or manager directly accountable to municipal manager who receives a market premium allowance, rural or scarce skills allowance in terms of Notice No. 225 as published in Government Gazette No. 37500 of 29 March 2014 or Notice No. 578 as published in Government Gazette No. 38946 of 1 July 2015 is not eligible for remote allowance contemplated in sub-item (1).

(3) A remote allowance referred to in sub-item (1) terminates when –

- (a) the employment contract of the municipal manager or a manager directly accountable to the municipal manager lapses or is terminated; or
- (b) the municipal manager or manager directly accountable to municipal manager vacates office for any reason before the date of expiry of the employment contract, including but not limited to transfer, promotion, dismissal for misconduct, incapacity, operational requirements and retirement.

#### Overpayment and underpayment

11. (1) A municipality must inform all municipal managers and managers directly accountable to municipal managers in writing about the revised cost of living adjustments that

any errors will be rectified, overpayments recovered and underpayments adjusted where necessary.

(2) The expenditure emanating from the implementation of this Notice must be defrayed from the 2019/20 budget of municipalities.

**Information to be submitted to the Minister**

**12.** (1) Every municipality must in terms of section 107 of the Act compile and submit an updated report containing the following information in respect of the municipal manager or managers directly accountable to municipal manager to the MEC responsible for local government as at 1 July 2019:

- (a) Total approved posts;
- (b) Total filled posts;
- (c) Total vacant posts;
- (d) Name of incumbent;
- (e) Designation;
- (f) Gender;
- (g) Nature of contract (i.e. permanent or fixed term contract);
- (h) Date of appointment;
- (i) Date of expiry of contract;
- (j) Total remuneration package for 2019/20 financial year;
- (k) Any allowance(s) payable to the municipal manager or managers directly accountable to municipal manager;
- (l) Total municipal income;
- (m) Total population;
- (n) Total municipal equitable share; and
- (o) Municipal categorisation for 2019/20 financial year.

(2) The report contemplated in sub-item (1) must be submitted to the MEC responsible for local government in the province on or before 20 April 2020 on an official letterhead of the municipality, signed by the executive mayor or mayor manager.

(3) The MEC for local government must submit a consolidated report to the Minister in a format to be determined by the Minister from time to time on or before 20 May 2020.

**Transitional provisions**

**13.** (1) This Notice does not affect the existing employment contract of a municipal manager or a manager directly accountable to municipal manager appointed before 1 July 2014.

(2) A municipality that does not have any municipal income is a category 1 municipality.

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(3) If a municipality has no audited financial statements for 2017/18 financial year by the date of publication of this Notice, the audited financial statements for 2016/17 financial year will *mutatis mutandis* apply.

(4) A municipal council may, in exceptional circumstances and good cause shown, and after consultation with the MEC for local government, apply in writing to the Minister to waive any of the prescribed requirements as set out in this Notice. The Minister will consider each application on merit, based on circumstances and motivation provided by municipalities.

(5) For purposes of the total remuneration packages adjustment for serving municipal managers and managers directly accountable to municipal managers, the following translation key will apply –

(a) Municipal managers:

| TRANSLATION KEY          |                                      |                                       |                                      |                                      |                                       |                                      |
|--------------------------|--------------------------------------|---------------------------------------|--------------------------------------|--------------------------------------|---------------------------------------|--------------------------------------|
| MUNICIPAL CATEGORISATION | 2018/2019                            |                                       |                                      | 2019/2020                            |                                       |                                      |
|                          | TOTAL REMUNERATION PACKAGE (MINIMUM) | TOTAL REMUNERATION PACKAGE (MIDPOINT) | TOTAL REMUNERATION PACKAGE (MAXIMUM) | TOTAL REMUNERATION PACKAGE (MINIMUM) | TOTAL REMUNERATION PACKAGE (MIDPOINT) | TOTAL REMUNERATION PACKAGE (MAXIMUM) |
| 10                       | R 2 568 755                          | R 3 251 589                           | R 3 934 423                          | R 2 568 755                          | R 3 251 589                           | R 3 934 423                          |
| 9                        | R 2 204 466                          | R 2 755 584                           | R 3 306 702                          | R 2 204 466                          | R 2 755 584                           | R 3 306 702                          |
| 8                        | R 1 903 222                          | R 2 335 240                           | R 2 767 260                          | R 1 903 222                          | R 2 335 240                           | R 2 767 260                          |
| 7                        | R 1 646 843                          | R 1 995 931                           | R 2 345 220                          | R 1 646 843                          | R 1 995 931                           | R 2 345 220                          |
| 6                        | R 1 424 447                          | R 1 705 924                           | R 1 987 402                          | R 1 464 332                          | R 1 705 924                           | R 1 987 402                          |
| 5                        | R 1 242 678                          | R 1 470 625                           | R 1 698 573                          | R 1 277 473                          | R 1 511 803                           | R 1 698 573                          |
| 4                        | R 1 129 229                          | R 1 313 058                           | R 1 496 887                          | R 1 160 847                          | R 1 349 824                           | R 1 538 800                          |
| 3                        | R 1 038 509                          | R 1 193 690                           | R 1 348 869                          | R 1 067 587                          | R 1 227 113                           | R 1 386 637                          |
| 2                        | R 988 264                            | R 1 110 409                           | R 1 232 554                          | R 1 030 759                          | R 1 141 500                           | R 1 267 066                          |
| 1                        | R 951 779                            | R 1 057 532                           | R 1 163 285                          | R 992 705                            | R 1 087 143                           | R 1 195 857                          |

(b) Managers directly accountable to municipal managers:

| TRANSLATION KEY          |                                      |                                       |                                      |                                      |                                       |                                      |
|--------------------------|--------------------------------------|---------------------------------------|--------------------------------------|--------------------------------------|---------------------------------------|--------------------------------------|
| MUNICIPAL CATEGORISATION | 2018/2019                            |                                       |                                      | 2019/2020                            |                                       |                                      |
|                          | TOTAL REMUNERATION PACKAGE (MINIMUM) | TOTAL REMUNERATION PACKAGE (MIDPOINT) | TOTAL REMUNERATION PACKAGE (MAXIMUM) | TOTAL REMUNERATION PACKAGE (MINIMUM) | TOTAL REMUNERATION PACKAGE (MIDPOINT) | TOTAL REMUNERATION PACKAGE (MAXIMUM) |
| 10                       | R 2 055 005                          | R 2 601 272                           | R 3 147 538                          | R 2 055 005                          | R 2 601 272                           | R 3 147 538                          |
| 9                        | R 1 763 574                          | R 2 204 466                           | R 2 645 361                          | R 1 763 574                          | R 2 204 466                           | R 2 645 361                          |
| 8                        | R 1 522 577                          | R 1 868 192                           | R 2 213 808                          | R 1 522 577                          | R 1 868 192                           | R 2 213 808                          |
| 7                        | R 1 317 315                          | R 1 596 747                           | R 1 876 176                          | R 1 354 200                          | R 1 596 747                           | R 1 876 176                          |
| 6                        | R 1 156 263                          | R 1 376 505                           | R 1 596 747                          | R 1 188 638                          | R 1 415 047                           | R 1 596 747                          |
| 5                        | R 1 026 342                          | R 1 207 460                           | R 1 388 579                          | R 1 055 080                          | R 1 241 269                           | R 1 427 459                          |
| 4                        | R 932 548                            | R 1 078 089                           | R 1 223 632                          | R 972 648                            | R 1 108 275                           | R 1 257 894                          |
| 3                        | R 857 571                            | R 980 082                             | R 1 102 590                          | R 894 447                            | R 1 022 226                           | R 1 133 463                          |
| 2                        | R 811 416                            | R 911 704                             | R 1 011 991                          | R 846 307                            | R 950 907                             | R 1 040 327                          |
| 1                        | R 781 460                            | R 868 290                             | R 955 118                            | R 815 063                            | R 905 626                             | R 996 188                            |

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**Short title and commencement**

**14.** This Notice is called the upper limits of total remuneration packages payable to municipal managers and managers directly accountable to municipal managers and takes effect from 1 July 2019. The Notice replaces Government Gazette No. 42023 of 8 November 2018.

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**Municipal Category 3**  
**Maximum Remuneration Package**

|                    | <b>Current Package</b> | <b>Latest Upper Limits</b> | <b>Difference</b> |
|--------------------|------------------------|----------------------------|-------------------|
| Municipal Manager  | 1 348 869,00           | 1 386 637,00               | (37 768,00)       |
| CFO                | 1 208 519,61           | 1 133 463,00               | 75 056,61         |
| Director Corporate | 1 102 590,00           | 1 133 463,00               | (30 873,00)       |
| Director Technical | 1 102 590,00           | 1 133 463,00               | (30 873,00)       |
| Director Community | 1 102 590,00           | 1 133 463,00               | (30 873,00)       |
| Director Planning  | 1 208 519,61           | 1 133 463,00               | 75 056,61         |

**Diff per month**

(3 147,33)

6 254,72

(2 572,75)

(2 572,75)

(2 572,75)

6 254,72

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF CO-OPERATIVE GOVERNANCE

NO. 2760

18 November 2022

**LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000  
(ACT NO. 32 OF 2000)**

**UPPER LIMITS OF TOTAL REMUNERATION PACKAGES PAYABLE TO  
MUNICIPAL MANAGERS AND  
MANAGERS DIRECTLY ACCOUNTABLE TO MUNICIPAL MANAGERS**

Under the powers vested in me by section 72(1)(g) of the *Local Government: Municipal Systems Act, 2000* (Act No. 32 of 2000), I, Nkosazana Clarice Dlamini Zuma, Minister for Cooperative Governance and Traditional Affairs, hereby after –

- (a) consultation with the bargaining council established for municipalities, the Minister of Finance, the Minister for Public Service and Administration, the MECs for local government, and organised local government; and
- (b) taking into consideration the matters as set out in regulation 35 of the *Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers*, issued in terms of Government Notice No. 21 as published under *Government Gazette* No. 37245 of 17 January 2014,

determine –

- (i) a one and half percent (1.5%) cost of living adjustment of the upper limits of the total remuneration packages payable to senior managers for the 2021/22 municipal financial year as set out in the Schedule; and
- (ii) a non-pensionable cash gratuity of –
  - (aa) R1,695.00 payable monthly to senior managers earning a total remuneration package below R1,900,000 for the 2021/22 municipal financial year; or
  - (bb) R1,818.00 payable monthly to senior managers earning a total remuneration package of R1,900,000 and above for the 2021/22 municipal financial year.

*NC Numa*

DR NKOSAZANA CLARICE DLAMINI ZUMA, MP  
MINISTER FOR COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

DATE: 18.11.2022



## SCHEDULE

### Preamble

Having regard to the upper limits of salaries of senior managers as set out below, the need to prioritise service delivery to communities and to sustain viable local government and the fiscal capacity of different categories of municipalities, this Notice provides a strategic framework for remuneration of senior managers across all municipalities.

The development of this Notice took into consideration the core reward principles aimed at ensuring an appropriate remuneration mix and sought to ensure that the remuneration of senior managers is cost-effective, consistent, internally equitable, externally competitive and aligned to the achievement of the objectives of municipalities while providing a uniform remuneration framework for local government.

The upper limits constitute an integral part of the human resource value chain in building resilient administrative institutions underpinned by the intent to enable municipalities to attract, appoint and retain suitably qualified and competent senior managers necessary for effective performance of their functions.

In order to strengthen the capacity of municipalities, this Notice reinforces the statutory obligation binding on municipalities to appoint senior managers who meet the minimum prescribed competencies, higher education qualifications, work experience, knowledge, including attainment of a competent achievement level or higher as measured against the Local Government: Regulations on Appointment and Conditions of Employment for Senior Managers as published in *Government Gazette* No. 37245 of 17 January 2014.

## Definitions

1. In this Schedule, unless the context indicates otherwise, a word or phrase to which a meaning has been assigned in the *Local Government: Municipal Systems Act, 2000* (Act No. 32 of 2000) (hereafter referred to as "the Act") and the Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers issued in terms of Government Notice No. 21 as published under *Government Gazette* No. 37245 of 17 January 2014 (hereinafter referred to as "the Regulations") has that meaning, and –

"**categorisation**" means a system of classification of municipalities as determined in terms of item 5 of the Notice;

"**competency framework**" means the Local Government: Competency Framework for Senior Managers as provided in the Regulations;

"**Non-pensionable cash gratuity**" means an income that is not subject to a compulsory contribution towards a pension or provident fund;

"**remote allowance**" means a non-pensionable allowance payable by a municipality to attract and retain suitably qualified and competent senior managers to a geographically remote area where the approved pay scales are not sufficient to attract such senior managers;

"**remoteness index**" means the remoteness directory of all municipalities within the Republic providing a relative weight in terms of the remoteness of each municipality in relation to another as measured in terms of access to a range of public and private services, including livelihood opportunities;

"**total municipal equitable share**" means the equitable share of revenue that is provided to a metropolitan, district or local municipality for the 2020/21 financial year in terms of section 227(1) of the Constitution of the Republic of South Africa, 1996, to enable the municipality to provide basic services and perform the functions allocated to it, but excludes the regional services council replacement grant for district municipalities;

"**total municipal income**" means the gross income in respect of a metropolitan, district or local municipality based on actual income as stated in the audited financial statements of that municipality for the 2020/21 financial year. For the purpose of this meaning–

- (a) The gross income for a municipality includes the following:
  - (i) rates on property;
  - (ii) fees for services rendered by the municipality or on its behalf by a municipal entity;
  - (iii) surcharges;
  - (iv) other authorised taxes;
  - (v) levies and duties;
  - (vi) income from fines for traffic offences and contravention of municipal by-laws or legislation assigned to the local sphere of government;
  - (vii) regional services council replacement grant for district municipalities;
  - (viii) interest earned on invested funds other than national and provincial conditional grants;
  - (ix) rental for the use of municipal movable or immovable property; and
  - (x) amounts received as agent for other spheres of government.
- (b) The gross income excludes:
  - (i) transfers and / or grants from the national fiscus and provincial fiscus, with the exception of the regional services council replacement grant for district municipalities; and
  - (ii) all value added tax (VAT) refunds.

"total population" means the official statistics of the population residing in the area of jurisdiction of a metropolitan, district or local municipality, as published in the Community Survey 2016: Statistical Release No. P0301, in terms of the *Statistics Act*, 1999 (Act No. 6 of 1999); and

"upper limits" means the applicable total remuneration package values as contained in the Notice.

#### Allocation of number of points for total municipal income

2. The number of points allocated for the total municipal income of a municipality is as follows:

| TOTAL MUNICIPAL INCOME |               |                  |
|------------------------|---------------|------------------|
| From                   | To            | Number of Points |
| R 0                    | R 14,548,692  | 1                |
| R 14,548,693           | R 15,580,645  | 2                |
| R 15,580,646           | R 17,560,521  | 3                |
| R 17,560,522           | R 18,853,826  | 4                |
| R 18,853,827           | R 21,732,180  | 5                |
| R 21,732,181           | R 23,419,603  | 6                |
| R 23,419,604           | R 25,126,187  | 7                |
| R 25,126,188           | R 27,322,060  | 8                |
| R 27,322,061           | R 29,689,011  | 9                |
| R 29,689,012           | R 32,291,016  | 10               |
| R 32,291,017           | R 35,128,047  | 11               |
| R 35,128,048           | R 38,191,078  | 12               |
| R 38,191,079           | R 41,950,829  | 13               |
| R 41,950,830           | R 44,383,868  | 14               |
| R 44,383,869           | R 47,847,956  | 15               |
| R 47,847,957           | R 51,232,682  | 16               |
| R 51,232,683           | R 54,616,880  | 17               |
| R 54,616,881           | R 59,300,815  | 18               |
| R 59,300,816           | R 65,797,168  | 19               |
| R 65,797,169           | R 67,188,252  | 20               |
| R 67,188,253           | R 70,271,532  | 21               |
| R 70,271,533           | R 79,950,129  | 22               |
| R 79,950,130           | R 80,887,991  | 23               |
| R 80,887,992           | R 89,029,775  | 24               |
| R 89,029,776           | R 97,952,096  | 25               |
| R 97,952,097           | R 107,037,740 | 26               |
| R 107,037,741          | R 113,216,995 | 27               |
| R 113,216,996          | R 117,855,240 | 28               |
| R 117,855,241          | R 128,538,318 | 29               |
| R 128,538,319          | R 139,728,320 | 30               |
| R 139,728,321          | R 146,271,042 | 31               |
| R 146,271,043          | R 151,871,761 | 32               |
| R 151,871,762          | R 164,899,116 | 33               |
| R 164,899,117          | R 172,043,051 | 34               |
| R 172,043,052          | R 187,007,638 | 35               |
| R 187,007,639          | R 192,283,465 | 36               |
| R 192,283,466          | R 197,559,290 | 37               |
| R 197,559,291          | R 203,273,867 | 38               |
| R 203,273,868          | R 213,321,959 | 39               |
| R 213,321,960          | R 229,326,830 | 40               |
| R 229,326,831          | R 250,301,737 | 41               |
| R 250,301,738          | R 283,772,548 | 42               |
| R 283,772,549          | R 308,455,547 | 43               |

| TOTAL MUNICIPAL INCOME |                 |                  |
|------------------------|-----------------|------------------|
| From                   | To              | Number of Points |
| R 308,455,548          | R 330,455,547   | 44               |
| R 330,455,548          | R 364,449,198   | 45               |
| R 364,449,199          | R 396,149,588   | 46               |
| R 396,149,589          | R 430,607,328   | 47               |
| R 430,607,329          | R 468,062,258   | 48               |
| R 468,062,259          | R 508,775,080   | 49               |
| R 508,775,081          | R 601,132,550   | 50               |
| R 601,132,551          | R 710,255,590   | 51               |
| R 710,255,591          | R 772,034,783   | 52               |
| R 772,034,784          | R 912,181,545   | 53               |
| R 912,181,546          | R 991,524,590   | 54               |
| R 991,524,591          | R 1,171,515,136 | 55               |
| R 1,171,515,137        | R 1,589,034,100 | 56               |
| R 1,589,034,101        | R 2,550,962,823 | 57               |
| R 2,550,962,824        | R 4,833,630,902 | 58               |
| R 4,833,630,903        | R 9,206,505,898 | 59               |
| R 9,206,505,899        | Above           | 60               |

**Allocation of number of points for total population**

3. The number of points allocated for the total population of a municipality is as follows:

| TOTAL POPULATION |           |                  |
|------------------|-----------|------------------|
| From             | To        | Number of Points |
| 0                | 65,333    | 1                |
| 65,334           | 76,863    | 2                |
| 76,864           | 86,474    | 3                |
| 86,475           | 98,158    | 4                |
| 98,159           | 111,011   | 5                |
| 111,012          | 121,527   | 6                |
| 121,528          | 133,211   | 7                |
| 133,212          | 144,895   | 8                |
| 144,896          | 157,748   | 9                |
| 157,749          | 175,273   | 10               |
| 175,274          | 195,137   | 11               |
| 195,138          | 218,506   | 12               |
| 218,507          | 246,547   | 13               |
| 246,548          | 276,926   | 14               |
| 276,927          | 318,989   | 15               |
| 318,990          | 368,063   | 16               |
| 368,064          | 426,484   | 17               |
| 426,485          | 495,420   | 18               |
| 495,421          | 576,041   | 19               |
| 576,042          | 671,851   | 20               |
| 671,852          | 782,850   | 21               |
| 782,851          | 912,545   | 22               |
| 912,546          | 1,071,450 | 23               |
| 1,071,451        | 1,254,892 | 24               |
| 1,254,893        | 1,492,081 | 25               |
| 1,492,082        | 1,799,374 | 26               |
| 1,799,375        | 2,172,100 | 27               |
| 2,172,101        | 2,610,256 | 28               |
| 2,610,257        | 3,762,500 | 29               |
| 3,762,501        | above     | 30               |

#### Allocation of number of points for total municipal equitable share

4. The number of points allocated for the total municipal equitable share of a municipality is as follows:

| TOTAL MUNICIPAL EQUITABLE SHARE |                 |                  |
|---------------------------------|-----------------|------------------|
| From                            | To              | Number of Points |
| R 0                             | R 24,086,164    | 1                |
| R 24,086,165                    | R 36,255,020    | 2                |
| R 36,255,021                    | R 47,394,321    | 3                |
| R 47,394,322                    | R 55,623,182    | 4                |
| R 55,623,183                    | R 68,187,312    | 5                |
| R 68,187,313                    | R 96,567,445    | 6                |
| R 96,567,446                    | R 152,598,434   | 7                |
| R 152,598,435                   | R 335,287,178   | 8                |
| R 335,287,179                   | R 2,178,855,995 | 9                |
| R 2,178,855,996                 | above           | 10               |

#### Determination of categorisation of municipality

5. The total number of points allocated to a municipality, in terms of items 2, 3, and 4 respectively, determines the categorisation of such municipality, in accordance with the following table:

| CATEGORISATION OF MUNICIPALITIES |      |     |
|----------------------------------|------|-----|
| Categorisation                   | From | To  |
| 1                                | 1    | 26  |
| 2                                | 27   | 47  |
| 3                                | 48   | 60  |
| 4                                | 61   | 70  |
| 5                                | 71   | 78  |
| 6                                | 79   | 85  |
| 7                                | 86   | 91  |
| 8                                | 92   | 96  |
| 9                                | 97   | 98  |
| 10                               | 99   | 100 |

#### Change of categorisation of municipality

6. (1) If the categorisation of a municipality determined in terms of this Notice, is higher than the categorisation for the previous financial year, the municipal council must apply in writing to the Minister to obtain approval, after consultation with the MEC for local government in the province.

- (2) Notwithstanding sub-item (1), the Minister must –

- (a) confirm the actual values and points scored by the municipality in relation to the factors in items 2, 3 and 4 of the Notice;

(b) determine the –

- (i) sustainability of the driving factors that led to the higher categorisation of the municipality compared to the categorisation of the previous financial year;
- (ii) affordability of the higher categorisation of the municipality using the following ratios:
  - (aa) municipality's liquidity ratio;
  - (bb) creditor's payment period;
  - (cc) debtor's collection rate;
  - (dd) remuneration ratio; and
- (iii) any other risks as may be identified.

(3) After confirmation of the actual values and points scored by the municipality in relation to the total municipal income, population and municipal equitable share, including the driving factors that led to a higher categorisation as well as affordability (using the ratios: liquidity ratio, creditor's payment period, debtor's collection rate and remuneration ratio) and approval by the Minister, the municipal council may implement such a new categorisation including adjustment of the total remuneration package of senior manager to the higher category.

(4) If the categorisation of a municipality determined in terms of this Notice is lower than the categorisation of the previous financial year, the municipality must retain the categorisation of the previous financial year.

#### Annual total remuneration packages of municipal managers

7. The upper limits of the annual total remuneration packages payable to municipal managers are as follows:

| MUNICIPAL CATEGORISATION | TOTAL REMUNERATION PACKAGE (MINIMUM) | TOTAL REMUNERATION PACKAGE (MIDPOINT) | TOTAL REMUNERATION PACKAGE (MAXIMUM) |
|--------------------------|--------------------------------------|---------------------------------------|--------------------------------------|
| 10                       | R 2,607,286                          | R 3,300,363                           | R 3,993,439                          |
| 9                        | R 2,237,533                          | R 2,796,918                           | R 3,356,303                          |
| 8                        | R 1,931,770                          | R 2,370,269                           | R 2,808,769                          |
| 7                        | R 1,671,343                          | R 2,025,870                           | R 2,380,398                          |
| 6                        | R 1,486,297                          | R 1,731,513                           | R 2,017,213                          |
| 5                        | R 1,296,635                          | R 1,534,480                           | R 1,724,052                          |
| 4                        | R 1,178,260                          | R 1,370,071                           | R 1,561,882                          |
| 3                        | R 1,083,601                          | R 1,245,520                           | R 1,407,437                          |
| 2                        | R 1,046,220                          | R 1,158,623                           | R 1,286,072                          |
| 1                        | R 1,007,596                          | R 1,103,450                           | R 1,213,795                          |

**Annual total remuneration packages of managers directly accountable to municipal managers**

8. The upper limits of the annual total remuneration packages payable to managers directly accountable to municipal managers are as follows:

| MUNICIPAL CATEGORISATION | TOTAL REMUNERATION PACKAGE (MINIMUM) | TOTAL REMUNERATION PACKAGE (MIDPOINT) | TOTAL REMUNERATION PACKAGE (MAXIMUM) |
|--------------------------|--------------------------------------|---------------------------------------|--------------------------------------|
| 10                       | R 2,085,830                          | R 2,640 291                           | R 3,194,751                          |
| 9                        | R 1,790,028                          | R 2 237 533                           | R 2,685,041                          |
| 8                        | R 1,545,416                          | R 1,896 215                           | R 2,247,015                          |
| 7                        | R 1,374,513                          | R 1,620 698                           | R 1,904,319                          |
| 6                        | R 1,206,468                          | R 1,436 273                           | R 1,620,698                          |
| 5                        | R 1,070,906                          | R 1,259 888                           | R 1,448,871                          |
| 4                        | R 987,238                            | R 1,124 899                           | R 1,276,762                          |
| 3                        | R 907,864                            | R 1,037 559                           | R 1,150,465                          |
| 2                        | R 859,002                            | R 965,171                             | R 1,055,932                          |
| 1                        | R 827,289                            | R 919,210                             | R 1,011,131                          |

**Non-pensionable cash gratuity**

9. A non-pensionable cash gratuity of –

(1) R1,695.00 payable monthly to senior managers earning a total remuneration package below R1,900,000 for the 2021/22 municipal financial year; or

(2) R1,818.00 payable monthly to senior managers earning a total remuneration package of R1,900,000 and above for the 2021/22 municipal financial year.

(3) The non-pensionable cash gratuity will be backdated from 1 July 2021 and shall be payable until 30 June 2022.

**Offer of remuneration on appointment**

10. (1) The offer of remuneration on appointment to senior managers will be determined by the competencies, qualifications, experience and knowledge of the candidate considered for appointment.

(2) A municipal council must apply the criteria as set out below to determine the offer of remuneration on appointment:

| TOTAL REMUNERATION PACKAGE | CRITERIA                                                                                                                                                                                                                                                                                                      |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MINIMUM                    | <ul style="list-style-type: none"> <li>Relevant qualification.</li> <li>Applicable to persons who have the relevant 5 years' experience as provided in the Regulations.</li> <li>Applicable to persons who have acquired competent achievement level as measured against the competency framework.</li> </ul> |

| TOTAL REMUNERATION PACKAGE | CRITERIA                                                                                                                                                                                                                                                                                                         |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MIDPOINT                   | <ul style="list-style-type: none"> <li>Relevant qualification.</li> <li>Applicable to persons who have 5 to 10 years' experience as provided in the Regulations.</li> <li>Applicable to persons who have acquired advanced competency achievement level as measured against the competency framework.</li> </ul> |
| MAXIMUM                    | <ul style="list-style-type: none"> <li>Relevant qualification.</li> <li>Applicable to persons who have more than 10 years' experience as provided in the Regulations.</li> <li>Applicable to persons who have demonstrated a superior competency as measured against the competency framework.</li> </ul>        |

(3) Notwithstanding sub-item (1), if a municipal council is unable to offer the relevant total remuneration package or cannot afford to pay the remuneration as determined in this Notice, a lesser offer may be considered on appointment.

#### Payment of remote allowance

11. (1) A senior manager employed in one of the following municipalities, may be paid a remote allowance not exceeding the percentage of the total annual remuneration package applicable to the relevant senior manager, as provided in the table below:

| PROVINCE      | DISTRICT CODE | MUNICIPAL CODE | MUNICIPALITY         | %  |
|---------------|---------------|----------------|----------------------|----|
| Eastern Cape  | DC10          | EC102          | Blue Crane Route     | 4% |
| Eastern Cape  | DC10          | EC106          | Sundays River Valley | 4% |
| Eastern Cape  | DC10          | EC109          | Kou-Kamma            | 4% |
| Eastern Cape  | DC12          | EC129          | Raymond Mhlaba       | 4% |
| Eastern Cape  | DC13          | EC131          | Inxuba Yethemba      | 4% |
| Eastern Cape  | DC13          | EC135          | Intsika Yethu        | 4% |
| Eastern Cape  | DC13          | EC137          | Engcobo              | 4% |
| Eastern Cape  | DC13          | EC138          | Sakhisizwe           | 4% |
| Eastern Cape  | DC13          | EC139          | Enoch Mgijima        | 4% |
| Eastern Cape  | DC14          | EC141          | Elundini             | 4% |
| Eastern Cape  | DC15          | EC153          | Ngquza Hill          | 4% |
| Eastern Cape  | DC44          | EC443          | Mbizana              | 4% |
| Eastern Cape  | DC15          | EC154          | Port St Johns        | 4% |
| Eastern Cape  | DC44          | EC442          | Umzimvubu            | 4% |
| Eastern Cape  | DC44          | EC444          | Ntabankulu           | 4% |
| Eastern Cape  | DC14          | DC14           | Joe Gqabi            | 4% |
| Eastern Cape  | DC44          | DC44           | Alfred Nzo           | 4% |
| Free State    | DC16          | FS161          | Letsemeng            | 4% |
| Free State    | DC16          | FS162          | Kopanong             | 4% |
| Free State    | DC18          | DC183          | Tswelopele           | 4% |
| Free State    | DC19          | FS191          | Setso                | 4% |
| Free State    | DC19          | FS196          | Mantsopa             | 4% |
| Free State    | DC20          | FS205          | Mafube               | 4% |
| Free State    | DC20          | FS204          | Metsimaholo          | 4% |
| Free State    | DC16          | DC16           | Xhariep              | 4% |
| Free State    | DC20          | DC20           | Fezile Dabi          | 4% |
| KwaZulu Natal | DC21          | KZN214         | UMuziwabantu         | 4% |
| KwaZulu Natal | DC22          | KZN224         | Impendle             | 4% |
| KwaZulu Natal | DC23          | KZN235         | Okhahlamba           | 4% |



ORDINARY MUNICIPAL COUNCIL MEETING  
SUPPLEMENTARY AGENDA  
13 DECEMBER 2022

12 No. 47538

GOVERNMENT GAZETTE, 18 NOVEMBER 2022

| PROVINCE      | DISTRICT CODE | MUNICIPAL CODE | MUNICIPALITY               | %  |
|---------------|---------------|----------------|----------------------------|----|
| KwaZulu Natal | DC24          | KZN245         | Umvoti                     | 4% |
| KwaZulu Natal | DC24          | KZN244         | Msinga                     | 4% |
| KwaZulu Natal | DC26          | KZN261         | eDumbe                     | 4% |
| KwaZulu Natal | DC26          | KZN262         | UPhongo                    | 4% |
| KwaZulu Natal | DC26          | KZN265         | Nongoma                    | 4% |
| KwaZulu Natal | DC26          | KZN266         | Ulundi                     | 4% |
| KwaZulu Natal | DC27          | KZN276         | Big Five Hlabisa           | 4% |
| KwaZulu Natal | DC28          | KZN285         | Mthonjaneni                | 4% |
| KwaZulu Natal | DC28          | KZN286         | Nkandla                    | 4% |
| KwaZulu Natal | DC43          | KZN433         | Greater Kokstad            | 4% |
| KwaZulu Natal | DC43          | KZN434         | Ubuhlebezwe                | 4% |
| KwaZulu Natal | DC43          | KZN435         | Umzimkhulu                 | 4% |
| KwaZulu Natal | DC26          | DC26           | Zululand                   | 4% |
| KwaZulu Natal | DC43          | DC43           | Harry Gwala                | 4% |
| Limpopo       | DC33          | LIM331         | Greater Giyani             | 4% |
| Limpopo       | DC34          | LIM341         | Musina                     | 4% |
| Limpopo       | DC35          | LIM351         | Blouberg                   | 4% |
| Limpopo       | DC35          | LIM353         | Molemole                   | 4% |
| Limpopo       | DC36          | LIM361         | Thabazimbi                 | 4% |
| Limpopo       | DC47          | LIM473         | Makhuduthamaga             | 4% |
| Limpopo       | DC47          | LIM476         | Greater Tlokoeng/Fetakgomo | 4% |
| Mpumalanga    | DC30          | MP301          | Albert Luthuli             | 4% |
| Mpumalanga    | DC30          | MP303          | Mkhondo                    | 4% |
| Mpumalanga    | DC30          | MP304          | Dr Pixley Ka Isaka Seme    | 4% |
| Mpumalanga    | DC32          | MP321          | Thaba Chweu                | 4% |
| Mpumalanga    | DC 32         | MP324          | Nkomazi                    | 4% |
| North West    | DC37          | NW375          | Moses Kotane               | 4% |
| North West    | DC38          | NW381          | Ratlou                     | 4% |
| North West    | DC38          | NW382          | Tswaing                    | 4% |
| North West    | DC38          | NW385          | Ramotshere Moiloa          | 4% |
| North West    | DC39          | NW392          | Naledi (NW)                | 4% |
| North West    | DC39          | NW393          | Mamusa                     | 4% |
| North West    | DC39          | NW394          | Greater Taung              | 4% |
| North West    | DC39          | NW396          | Lekwa-Teemane              | 4% |
| North West    | DC40          | NW404          | Maquassi Hills             | 4% |
| North West    | DC39          | DC39           | Dr Ruth Segomotsi Mompati  | 4% |
| Northern Cape | DC8           | NC084          | IKheis                     | 4% |
| Northern Cape | DC7           | NC078          | Siyancuma                  | 4% |
| Northern Cape | DC7           | NC076          | Thembelihle                | 4% |
| Northern Cape | DC9           | NC093          | Magareng                   | 4% |
| Northern Cape | DC9           | NC094          | Phokwane                   | 4% |
| Western Cape  | DC1           | WC013          | Bergvliet                  | 4% |
| Western Cape  | DC1           | WC015          | Swartland                  | 4% |
| Western Cape  | DC3           | WC032          | Overstrand                 | 4% |
| Western Cape  | DC3           | WC034          | Swellendam                 | 4% |
| Western Cape  | DC3           | WC031          | Theewaterskloof            | 4% |
| Western Cape  | DC4           | WC042          | Hessequa                   | 4% |
| Western Cape  | DC4           | WC041          | Kannaland                  | 4% |
| Western Cape  | DC5           | WC051          | Laingsburg                 | 4% |
| Western Cape  | DC5           | WC052          | Prince Albert              | 4% |
| Western Cape  | DC1           | DC1            | West Coast                 | 4% |
| Eastern Cape  | DC10          | EC101          | Dr Bayers Naude            | 7% |
| Eastern Cape  | DC14          | EC142          | Senqu                      | 7% |
| Eastern Cape  | DC14          | EC145          | Walter Sisulu              | 7% |
| Eastern Cape  | DC44          | EC441          | Matatiele                  | 7% |
| Free State    | DC16          | FS163          | Mohokare                   | 7% |

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| PROVINCE      | DISTRICT CODE | MUNICIPAL CODE | MUNICIPALITY              | %   |
|---------------|---------------|----------------|---------------------------|-----|
| KwaZulu Natal | DC27          | KZN272         | Jozini                    | 7%  |
| KwaZulu-Natal | DC27          | DC27           | Umkhanyakude              | 7%  |
| KwaZulu-Natal | DC43          | KZN436         | Dr Nkosazana Dlamini Zuma | 7%  |
| Limpopo       | DC36          | LIM362         | Lephalale                 | 7%  |
| Northern Cape | DC6           | NC067          | Khai-Ma                   | 7%  |
| Northern Cape | DC7           | NC072          | Umsobomvu                 | 7%  |
| Northern Cape | DC7           | NC075          | Renosterberg              | 7%  |
| Northern Cape | DC8           | NC085          | Tsantsabane               | 7%  |
| Northern Cape | DC8           | NC086          | Kgatelopele               | 7%  |
| Northern Cape | DC45          | NC453          | Gamagara                  | 7%  |
| Northern Cape | DC45          | NC452          | Ga-Segonyana              | 7%  |
| Northern Cape | DC45          | DC45           | John Taolo Gaetsewe       | 7%  |
| Western Cape  | DC1           | WC012          | Cederberg                 | 7%  |
| Western Cape  | DC3           | WC033          | Cape Agulhas              | 7%  |
| Western Cape  | DC5           | WC053          | Beaufort West             | 7%  |
| Western Cape  | DC3           | DC3            | Overberg                  | 7%  |
| Western Cape  | DC5           | DC5            | Central Karoo             | 7%  |
| KwaZulu Natal | DC27          | KZN271         | Umhlabyalingana           | 10% |
| North West    | DC39          | NW397          | Kagisano/Molopo           | 10% |
| Northern Cape | DC6           | DC6            | Namakwa                   | 10% |
| Northern Cape | DC6           | NC061          | Richtersveld              | 10% |
| Northern Cape | DC6           | NC062          | Nama Khoi                 | 10% |
| Northern Cape | DC6           | NC064          | Kamiesberg                | 10% |
| Northern Cape | DC6           | NC065          | Hantam                    | 10% |
| Northern Cape | DC6           | NC066          | Karoo Hoogland            | 10% |
| Northern Cape | DC7           | DC7            | Pixley Ka Seme            | 10% |
| Northern Cape | DC7           | NC073          | Ernthanjeni               | 10% |
| Northern Cape | DC7           | NC071          | Ubuntu                    | 10% |
| Northern Cape | DC7           | NC074          | Kareeberg                 | 10% |
| Northern Cape | DC7           | NC077          | Siyathemba                | 10% |
| Northern Cape | DC45          | NC451          | Joe Morolong              | 10% |
| Western Cape  | DC1           | WC011          | Matzikama                 | 10% |

(2) A senior manager who receives a market premium allowance, rural or scarce skills allowance in terms of Notice No. 225 as published in *Government Gazette* No. 37500 of 29 March 2014 or Notice No. 578 as published in *Government Gazette* No. 38946 of 1 July 2015 is not eligible for the remote allowance contemplated in sub-item (1).

(3) A remote allowance referred to in sub-item (1) terminates when –

- (a) the employment contract of a senior manager lapses or is terminated; or
- (b) the senior manager vacates office for any reason before the date of expiry of the employment contract, including but not limited to transfer, promotion, dismissal for misconduct, incapacity, operational requirements and retirement.

#### Overpayment and underpayment

12. (1) A municipal council must inform a senior manager in writing about the revised cost of living adjustments, and this information must include that overpayments will be recovered, and underpayments adjusted, where necessary.

(2) The expenditure for implementation of this Notice must be defrayed from the 2022/23 budget of municipalities.

#### Furnishing of information to Minister

**13** (1) A municipal council must compile and submit updated information as at 1 July 2021 in respect of the senior managers, in terms of section 107 of the Act, to the MEC for local government in the province:

- (a) Total approved posts;
- (b) Total filled posts;
- (c) Total vacant posts;
- (d) Name of incumbent;
- (e) Designation;
- (f) Gender;
- (g) Nature of contract (either permanent or fixed term contract);
- (h) Date of appointment;
- (i) Date of expiry of contract;
- (j) Total remuneration packages and any allowances that are payable to municipal manager, managers directly accountable to municipal managers and divisional managers (third level managers) for the 2021/22 municipal financial year, including the T-scale levels where applicable;
- (k) Total municipal income;
- (l) Total population;
- (m) Total municipal equitable share; and
- (n) Municipal categorisation for the 2021/22 municipal financial year.

(2) The information contemplated in sub-item (1) must be submitted to the MEC for local government in the province within 14 days from the date of publication of this Notice on an official letterhead of the municipality, signed by the executive mayor or mayor.

(3) The MEC for local government must submit information consolidated for all municipalities in the province to the Minister within 30 days from the date of publication of this Notice.

#### Transitional provisions

**14.** (1) This Notice does not affect the existing employment contract of a senior manager appointed before 1 July 2014.

(2) A municipality that does not have any municipal income is a category 1 municipality.

(3) If a municipality has no audited financial statements for the 2020/21 municipal financial year by the date of publication of this Notice, the audited financial statements for 2019/20 municipal financial year will *mutatis mutandis* apply.

(4) A municipal council may, in exceptional circumstances and on good cause shown, and after consultation with the MEC for local government, apply in writing to the Minister to waive any of the prescribed requirements as set out in this Notice. The Minister will consider each application on merit, based on circumstances and motivation provided by municipalities.

(5) The following translation key will apply –

(a) Municipal managers:

| TRANSLATION KEY          |                                      |                                       |                                      |                                      |                                       |                                      |
|--------------------------|--------------------------------------|---------------------------------------|--------------------------------------|--------------------------------------|---------------------------------------|--------------------------------------|
| MUNICIPAL CATEGORISATION | 2020/2021                            |                                       |                                      | 2021/2022                            |                                       |                                      |
|                          | TOTAL REMUNERATION PACKAGE (MINIMUM) | TOTAL REMUNERATION PACKAGE (MIDPOINT) | TOTAL REMUNERATION PACKAGE (MAXIMUM) | TOTAL REMUNERATION PACKAGE (MINIMUM) | TOTAL REMUNERATION PACKAGE (MIDPOINT) | TOTAL REMUNERATION PACKAGE (MAXIMUM) |
| 10                       | R 2,568,755                          | R 3,251,589                           | R 3,934,423                          | R 2,607,286                          | R 3,300,363                           | R 3,993,439                          |
| 9                        | R 2,204,466                          | R 2,755,584                           | R 3,306,702                          | R 2,237,533                          | R 2,796,918                           | R 3,356,303                          |
| 8                        | R 1,903,222                          | R 2,335,240                           | R 2,767,260                          | R 1,931,770                          | R 2,370,269                           | R 2,808,769                          |
| 7                        | R 1,646,643                          | R 1,995,931                           | R 2,345,220                          | R 1,671,343                          | R 2,025,870                           | R 2,380,398                          |
| 6                        | R 1,464,332                          | R 1,705,924                           | R 1,987,402                          | R 1,486,297                          | R 1,731,513                           | R 2,017,213                          |
| 5                        | R 1,277,236                          | R 1,511,803                           | R 1,698,573                          | R 1,296,395                          | R 1,534,480                           | R 1,724,052                          |
| 4                        | R 1,160,847                          | R 1,349,824                           | R 1,538,780                          | R 1,178,260                          | R 1,370,071                           | R 1,561,862                          |
| 3                        | R 1,067,587                          | R 1,227,113                           | R 1,386,637                          | R 1,083,601                          | R 1,245,520                           | R 1,407,437                          |
| 2                        | R 1,030,759                          | R 1,141,500                           | R 1,267,066                          | R 1,046,220                          | R 1,158,623                           | R 1,286,072                          |
| 1                        | R 992,705                            | R 1,087,143                           | R 1,195,857                          | R 1,007,596                          | R 1,103,450                           | R 1,213,795                          |

(b) Managers directly accountable to municipal managers:

| TRANSLATION KEY          |                                      |                                       |                                      |                                      |                                       |                                      |
|--------------------------|--------------------------------------|---------------------------------------|--------------------------------------|--------------------------------------|---------------------------------------|--------------------------------------|
| MUNICIPAL CATEGORISATION | 2020/2021                            |                                       |                                      | 2021/2022                            |                                       |                                      |
|                          | TOTAL REMUNERATION PACKAGE (MINIMUM) | TOTAL REMUNERATION PACKAGE (MIDPOINT) | TOTAL REMUNERATION PACKAGE (MAXIMUM) | TOTAL REMUNERATION PACKAGE (MINIMUM) | TOTAL REMUNERATION PACKAGE (MIDPOINT) | TOTAL REMUNERATION PACKAGE (MAXIMUM) |
| 10                       | R 2,055,005                          | R 2,601,272                           | R 3,147,538                          | R 2,085,830                          | R 2,640,291                           | R 3,194,751                          |
| 9                        | R 1,763,574                          | R 2,204,466                           | R 2,645,361                          | R 1,790,028                          | R 2,237,533                           | R 2,685,041                          |
| 8                        | R 1,522,577                          | R 1,868,192                           | R 2,213,808                          | R 1,545,416                          | R 1,896,215                           | R 2,247,015                          |
| 7                        | R 1,354,200                          | R 1,596,747                           | R 1,876,176                          | R 1,374,513                          | R 1,620,698                           | R 1,904,319                          |
| 6                        | R 1,188,638                          | R 1,415,047                           | R 1,596,747                          | R 1,206,468                          | R 1,436,273                           | R 1,620,698                          |
| 5                        | R 1,055,060                          | R 1,241,269                           | R 1,427,459                          | R 1,070,906                          | R 1,259,888                           | R 1,448,871                          |
| 4                        | R 972,648                            | R 1,108,275                           | R 1,257,894                          | R 987,238                            | R 1,124,899                           | R 1,276,762                          |
| 3                        | R 894,447                            | R 1,022,226                           | R 1,133,463                          | R 907,864                            | R 1,037,559                           | R 1,150,465                          |
| 2                        | R 846,307                            | R 950,907                             | R 1,040,327                          | R 859,002                            | R 965,171                             | R 1,055,932                          |
| 1                        | R 815,063                            | R 905,626                             | R 996,188                            | R 827,289                            | R 919,210                             | R 1,011,131                          |

#### Short title and commencement

15. This Notice is called the Upper Limits of Total Remuneration Packages Payable to Municipal Managers and Managers Directly Accountable to Municipal Managers and takes effect from 1 July 2021. The Notice replaces *Government Gazette* No. 46062 as published on 18 March 2022.

14.16

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| <b>C16/12/22      SECURITY SERVICES FOR THE KNYSNA MUNICIPALITY</b> |
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**REPORT FROM THE DIRECTOR COMMUNITY SERVICES**

**PURPOSE OF THE REPORT**

This report flows directly from the Council Resolution SC03//12/22 at a Special Council meeting held on 08 November 2022. The overall objective being to outline a supply chain management process which will be followed in order to ensure ongoing safeguarding and security of municipal assets as well as infrastructure since the extension of the current Service Provider as granted by Council on 8 November 2022, expires at the end January 2023.

**PREVIOUS RESOLUTIONS**

**RESOLVED BY MAJORITY**

*That Council consider the report and approve extension of the existing security contract for additional two months i.e. December 2022 until January 2023 to follow finalisation of the new contract which is being adjudicated.*

**BACKGROUND & DISCUSSION**

The above Council Resolution, therefore warrants that proactive measures be put in place before the expiry of the extension period (until January 2023) to ensure that the municipal assets and infrastructure continue to be safeguarded by a security company as there is current no internal capacity to execute duties associated with security services. It must be noted that the new security tender is currently being adjudicated and no award has been made yet.

Vandalism is one of the biggest problems facing the municipal infrastructure. If one does not attend to repairing the social fabric holistically, South Africa's infrastructure will eventually be stripped bare. Anything less than an overall societal approach merely provides a band-aid when open-heart surgery is required. The breakdown of social fabric and the socio-economic factors faced by many people include, but is not limited to, inequality, the cycle of poverty, and drug abuse. While the big all-encompassing solutions to fixing the social fabric are the focus of national government, municipalities need to protect their assets as best they can to ensure they can still provide basic services. Community engagement is vital in building trust, educating communities, and preventing vandalism and theft.

Costs are incurred wherever vandalism has been committed, however vandalism may have further reaching impacts than the mere cost of repairing the vandalism. The funding, which is spent on repairing the vandalism, could have been spent on other high priority services. It has become paramount to evaluate the conventional systems, materials, and respective alternatives to prevent the reoccurrence of vandalism. The facts provided above as well as the risks highlighted in the Security Assessment Report for Knysna presented by TDH May Management Consultants (2022) confirm that municipal assets and infrastructure cannot be left unguarded while the adjudication process of the new tender process is underway.

This report is concluded with short to medium term recommendations which are aimed at improving and providing sustainable solutions towards an effective security services in the jurisdiction of Knysna Municipality.

**RECOMMENDATIONS OF THE ACTING MUNICIPAL MANAGER**

- [a] That the report from the Director Community Services, be noted;
- [b] That it be noted that the current tender for the appointment of an external Security Service Provider for the next 3 years will be cancelled based on the discrepancies and risk associated with the lack of effective security as well as proper safeguarding of municipal assets and infrastructure;
- [c] That it be noted that a revised Bid Specification document will be developed to accommodate the recommendations as contained in the Independent Security Assessment Report for Knysna and thereafter the advert for a new security tender process will commence;
- [d] That cognisance be taken of the fact that the extension of the current Service Provider as granted by Council on 8 November 2022 (see Council Resolution attached as an Addendum) expires at the end January 2023;
- [d] That it be noted that an interim arrangement to mitigate a risk of not having a Servicer Provider for Security Services will be put in place guided by the supply chain process which permits an accelerated process to invite quotations from at least three (3) credible service providers followed by a deviation process in terms of Paragraph 34 of the Council approved Supply Chain Management Policy;
- [e] That it be noted the services of a successful bidder acquired through the supply chain management process as reflected in [d] above will only be required for a period not exceeding five (5) months while allowing the process mentioned in [c] above to be concluded.

**APPENDIX / ADDENDUM**

**ADDENDUM A: Council Resolution –SC03/11/22**

File Number: 9/2/1/5  
Execution: Director Community Services

**SC03/11/22 REPORT FLOWING FROM SPECIAL COUNCIL MEETING HELD ON 14 OCTOBER 2022: REQUEST FOR EXTENSION OF TENDER 63/2018/19- PROVISION OF SECURITY SERVICES FOR THE KNYSNA MUNICIPALITY**

**PROPOSAL 1**

*That Council considers the report and approve extension of the existing security contract for additional two months i.e. December 2022 until January 2023 to allow finalisation of the new contract which is being adjudicated.*

*Proposer: Cllr N Louw  
Seconder: Cllr B Charlie*

**PROPOSAL 2**

*That the Tender 63/2018/19 provision of Security Services be extended for 6 weeks to be advertise for public comments and thereafter be extended until January 2023.*

*Proposer: Cllr S Campbell  
Seconder: Cllr M Willemse*

*The Speaker then put the matter to a vote:*

*In favour: 11  
Against: 9*

*The proposal of Cllr N Louw was carried.*

**RESOLVED BY MAJORITY**

*That Council considers the report and approve extension of the existing security contract for additional two months i.e. December 2022 until January 2023 to allow finalisation of the new contract which is being adjudicated.*

*File Number: 9/1/2/5  
Execution: Acting Chief Financial Officer*

20. **ADJOURNMENT**

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