

**MINUTES OF THE COUNCIL MEETING OF THE WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON TUESDAY, 13 DECEMBER 2016 AT 10:00**

**PRESENT**

Councillors

TT Godden (Speaker)  
BC Klaasen (Executive Mayor)  
K Adams (Deputy Executive Mayor)  
TE Abrahams  
P Daniels  
SJ Hugo  
DM Jacobs  
D Kinnear  
GG Laban  
C Lottering  
M Mdala  
TP Mgoboza  
Z Mzauziwa  
N Phatsoane  
JT Phungula  
EM Sidego  
RJ Simpson  
D Swart  
HF Visagie  
JJ Visagie

Aldermen

JW Schuurman  
HJ Smit

Officials

Mr D Nasson (Municipal Manager)  
Mr HJ Kritzingen (Director: Finance)  
Mr E Lintnaar (Acting Director: Technical Services)  
Ms C Mackenzie (Acting Director: Community Services)  
Mr M Mpeluza (Director: Corporate Services)  
Mr G Louw (Head: Internal Audit)  
Mr A Hofmeester (IDP Manager)  
Mr CG Wessels (Manager: Administration)  
Mr C Titus (Committee Clerk)  
Ms M Badela (Interpreter)

Other representatives

Mr N Bettsworth (Ceres Business Initiative)

**1. OPENING AND WELCOME**

The Speaker requested Councillor C Lottering to open the meeting with a prayer and welcomed everyone thereafter.

**NOTED**

**2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY  
(3/1/2/1)**

Application for leave of absence from the meeting was received from Councillor P Heradien.

Apologies for absence from the meeting were received from the Director: Technical Services and Director: Community Services.

**RESOLVED**

- (a) *that the application for leave of absence from the meeting, received from Councillor P Heradien, be approved and accepted.*
- (b) *that notice be taken of the apologies for absence from the meeting, received from the Director: Technical Services and Director: Community Services.*

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

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

- (a) The Executive Mayor congratulated the following councillors and spouses on their birthdays:
  - Councillor R Simpson 10 November
  - Councillor T Mogoboza 15 November
  - Councillor M Mdala 16 November
  - Ms Dorathea Heradien 22 November
  - Ms Cecillia Jacobs 5 December
  - Councillor T Godden 10 December
  - Ms Sophia Hugo 18 December
  - Councillor S Hugo 19 December
- (b) Councillor J Phungula conveyed, on behalf of the ANC, good wishes to everyone and a blessed festive season.
- (c) Councillor J Phungula, on behalf of the ANC, paid tribute to Comrade Fidel Castro on his passing away.

**NOTED**

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

The Speaker wished everyone a blessed festive season and a prosperous new year.

**NOTED**

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

- (a) That the swearing in of councillors will take place at the next council meeting.
- (b) That the municipality experiences challenges for 2017, but Council is capable to handle it.
- (c) The Executive Mayor expressed condolences to everyone in the municipal area who has lost a loved one during the year.
- (d) That the municipality supported the *16 Days of Activism against Abuse of Women and Children*.
- (e) The Executive Mayor congratulated Councillors R Simpson and Z Mzauziwa on behalf of Council on getting married respectively.
- (f) That service delivery will be upgraded in standard and quality.
- (g) The Executive Mayor wished everyone a blessed festive season and a prosperous new year.

**NOTED**

**4. MINUTES**

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

The minutes of the council meeting, held on 26 October 2016, are attached as **annexure 4.1**.

That item 12.2.3, i.e. *Council and council matters: Application to perform paid work other than that of council business by the newly elected Executive Mayor: Councillor BC Klaasen*, paragraph 6 which reads:

“Councillor T Abrahams said that the DA component will support the application and ensure that the community will not suffer. The DA did not caucus about this matter.” be changed to read:

“Councillor T Abrahams said that the DA component will support the application and ensure that the community will not suffer. The DA did caucus about this matter.”

**RESOLVED**

*that the amended minutes of the council meeting, held on 26 October 2016, be approved and signed by the Speaker.*

**4.2 Outstanding matters  
(3/3/2)**

File reference	Heading, item no. and date	Directorate	Action	Progress	Target date
1/3/1/25	8.4.1 of 26-10-2016 Rules of Order for Conducting of Meetings	Corporate Services	that the matter with regard to the Rules of Order for Conducting of Meetings be workshopped by Council		

**RESOLVED**

*That notice be taken of the outstanding matter with regard to the workshop of the Rules of Order for Conducting of Meetings by Council.*

**5. MOTIONS AND NOTICE OF SUGGESTIONS**

None

**NOTED**

**6. INTERVIEWS WITH DELEGATIONS**

None

**NOTED**

**7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS**

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

The reports/minutes of the following meetings are attached:

- (a) Committee for Local Economic Development and Tourism, held on 21 September 2016: **Annexure 7.1(a)**.
- (b) Executive Mayor and Mayoral Committee, held on 6 October 2016: **Annexure 7.1(b)**.
- (c) Committee for Technical Services, held on 12 October 2016: **Annexure 7.1(c)**.
- (d) Committee for Rural Economic Development and Tourism, held on 12 October 2016: **Annexure 7.1(d)**.
- (e) Committee for Community Development, held on 13 October 2016: **Annexure 7.1(e)**.

The ANC requested that postponed committee meetings be held at a later stage.

**RESOLVED**

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

**8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS**

**8.1 Direktooraat Finansies / Directorate Finance**

**8.1.1 Section 71 Reports: Monthly reports of the Department Finance: September and October 2016 (9/1/2/2)**

The following items refer:

- (a) Item 7.1.1 of the Executive Mayor and Mayoral Committee meeting, held on 25 October 2016.
- (b) Item 7.1.1 of the Executive Mayor and Mayoral Committee meeting, held on 9 December 2016.

The monthly report of the Department Finance for September 2016 is attached as **annexure 8.1.1(a)**.

The Executive Mayor and Mayoral Committee resolved on 25 October 2016 to recommend to Council that the Section 71 Report of the Department Finance for September 2016 be accepted.

Extract from the minutes of the Executive Mayor and Mayoral Committee meeting, held on 9 December 2016:

The monthly report of the Department Finance for October 2016 is attached as **annexure 8.1.1(b)**.

The Director: Finance discussed the monthly report of the Department Finance for October 2016 and highlighted the following:

- The unread meter readings improved from 12 % to 7 % and the ultimate goal is to have 0 % . The matter to replace or repair faulty meters will be contracted out to speed up repairs.
- That the description of goods and services referred to Wilma Roux Attorneys should be "impractical" rather than "emergency".

The Executive Mayor and Mayoral Committee resolved on 9 December 2016 to recommend to Council that notice be taken of the Section 71 monthly report of the Department Finance for October 2016 and same be accepted.

- Alderman J Schuurman enquired about outstanding supply chain matters and the Municipal Manager reported that it was attended to.
- Alderman J Schuurman enquired about legal claims and the payment thereof and specifically referred to the Pine Forest Resort court case. The Municipal Manager responded that the matter will be appealed and has not been finalized yet.
- Councillor T Abrahams referred to various bids and requested that smaller local businesses be granted the opportunity to grow. The Municipal Manager responded that legislation does not allow the municipality to give business to a specific local business.

**RESOLVED**

*that notice be taken of the Section 71 monthly reports of the Department Finance for September and October 2016 and same be accepted.*

**8.1.2 Monthly reports: Service Delivery and Budget Implementation Plan: September and October 2016  
(5/1/5/9)**

The following items refer:

- (a) Item 7.1.4 of the Executive Mayor and Mayoral Committee meeting, held on 25 October 2016.
- (b) Item 7.1.2 of the Executive Mayor and Mayoral Committee meeting, held on 9 December 2016.

The Service Delivery and Budget Implementation Plan monthly report for September 2016 is attached as **annexure 8.1.2(a)**.

The Executive Mayor and Mayoral Committee resolved on 25 October 2016 to recommend to Council that notice be taken of the Service Delivery and Budget Implementation Plan monthly report for September 2016 and same be accepted.

The Service Delivery and Budget Implementation Plan monthly report for October 2016 is attached as **annexure 8.1.2(b)**.

The Executive Mayor and Mayoral Committee resolved on 9 December 2016 to recommend to Council that notice be taken of the Service Delivery and Budget Implementation Plan monthly report for October 2016 and same be accepted.

**UNANIMOUSLY RESOLVED**

*that notice be taken of the Service Delivery and Budget Implementation Plan monthly reports for September and October 2016 and same be accepted.*

**8.1.3 Draft Witzenberg Annual Report: 2015/2016  
(5/14/2 & 9/1/1)**

Item 7.1.3 of the Executive Mayor and Mayoral Committee meeting, held on 9 December 2016, refers.

The following memorandum, dated 1 December 2016, was received from the Director: Finance:

"Purpose

The purpose of this report is to table the Draft Annual report for 2015/2016 to Council.

Legislature framework

In terms of Section 127 (2) of the Municipal Finance Management Act (Act 56 of 2003), the Mayor of a municipality must, within seven months after the end of a financial year, table in the municipal council the annual report of the municipality and of any municipal entity under the municipality's sole or shared control.

Discussion

The report of Auditor-general of South Africa on the Annual Financial Statements, Predetermined Objectives, Compliance with Legislation and Internal Controls forms part of the Draft Annual Report. The mentioned report was received on 30 November 2016.

The Draft Annual Report for 2015/2016 is attached as **annexure 8.1.3.**"

The following recommendation was tabled to the Executive Mayor and Mayoral Committee:

To recommend to Council:

- (i) That notice be taken of the Draft Witzenberg Municipality Annual Report for 2015/2016.
- (ii) That a public participation process be followed as prescribed by law.
- (iii) That the Municipal Public Accounts Committee compiles a report on the Draft Annual Report as per its delegated powers, not later than 15 January 2017.

The Executive Mayor and Mayoral Committee resolved on 9 December 2016 to recommend to Council:

- (i) That notice be taken of the Draft Witzenberg Municipality Annual Report for 2015/2016.
- (ii) That a public participation process be followed as prescribed by law.
- (iii) That the Municipal Public Accounts Committee compiles a report on the Draft Annual Report as per its delegated powers.

**RESOLVED**

- (a) *That notice be taken of the Draft Witzenberg Municipality Annual Report for 2015/2016.*
- (b) *That a public participation process be followed as prescribed by law.*
- (c) *That the Municipal Public Accounts Committee compiles a report on the Draft Annual Report as per its delegated powers.*

**8.1.4 mSCOA report: December 2016  
(5/8/1)**

Item 7.1.4 of the Executive Mayor and Mayoral Committee meeting, held on 9 December 2016, refers.

The following documents are attached:

- (a) Memorandum from Director: Finance, dated 6 December 2016: **Annexure 8.1.4(a).**
- (b) Project summary document: **Annexure 8.1.4(b).**
- (c) Government Gazette no. 37577, dated 22 April 2014: **Annexure 8.1.4(c).**



- (d) Municipal SCOA Circular no. 1: **Annexure 8.1.4(d)**.
- (e) Municipal SCOA Circular no. 2: **Annexure 8.1.4(e)**.
- (f) Municipal SCOA Circular no. 3: **Annexure 8.1.4(f)**.
- (g) Municipal SCOA Circular no. 4: **Annexure 8.1.4(g)**.
- (h) Municipal SCOA Circular no. 5: **Annexure 8.1.4(h)**.
- (i) Municipal SCOA Circular no. 6: **Annexure 8.1.4(i)**.

The Executive Mayor and Mayoral Committee resolved on 9 December 2016 to recommend to Council:

- (i) that notice be taken of the Municipal Regulations on Standard Chart of Accounts for implementation by 1 July 2017 and that the Annual Budget for 2017/18 must be in the mSCOA framework.
- (ii) that notice be taken of the mSCOA Project Summary document and mSCOA circulars.

**UNANIMOUSLY RESOLVED**

- (a) *that notice be taken of the Municipal Regulations on Standard Chart of Accounts for implementation by 1 July 2017 and that the Annual Budget for 2017/18 must be in the mSCOA framework.*
- (b) *that notice be taken of the mSCOA Project Summary document and mSCOA circulars.*
- (c) *that the Director: Finance arranges that the mSCOA project summary document and mSCOA circulars be workshopped by Council.*

**8.1.5 Municipal Standard Chart of Accounts (mSCOA): ICT due diligence (5/8/1)**

Item 7.1.5 of the Executive Mayor and Mayoral Committee meeting, held on 9 December 2016, refers.

The following memorandum, dated 7 December 2016, was received from the Director: Finance:

“1. Purpose

To submit a report on Municipal Standard Chart of Accounts: ICT Due Diligence to Council for consideration.

2. Background

A separate report is submitted to Council on the mSCOA regulations.

3. Discussion

The report attached as **annexure 8.1.5** was submitted to National and Provincial Treasury for their inputs and/or comments.

It is proposed that the municipality remains with its current package of systems supplied by Bytes Universal Systems (SAMRAS).

- Only three systems have been successful on National Treasury's transversal tender for category B3 municipalities;
- Bytes Universal Systems is the less expensive of the three systems and scored the highest points;
- The additional cost of training for the personnel on a possible new system.
- Possible savings on National Treasury's transversal tender as Witzenberg Municipality already procured some of the modules like Human Resources, Payroll, Assets, etc."

The Executive Mayor and Mayoral Committee resolved on 9 December 2016 to recommend to Council that the municipality remains with its current financial systems supplied by Bytes Universal Systems (SAMRAS).

**UNANIMOUSLY RESOLVED**

*that the municipality remains with its current financial systems supplied by Bytes Universal Systems (SAMRAS).*

**8.1.6 2015/2016 Audit Report from the Auditor-general of South Africa (5/14/1/13)**

Item 7.1.6 of the Executive Mayor and Mayoral Committee meeting, held on 9 December 2016, refers.

The following report, dated 7 December 2016, was received from the Director: Finance:

"1. Purpose

To submit the audit report received from the Auditor-general of South Africa.

2. Background

A separate report is submitted to council on the mSCOA regulations.

3. Discussion

The report attached as **annexure 8.1.6** for the 2015/2016 financial year was received from the Auditor-general of South Africa."

The Executive Mayor and Mayoral Committee resolved on 9 December 2016 to recommend to Council that notice be taken of the report for the 2015/2016 financial year received from the Auditor-general of South Africa.

The Municipal Manager reported that the office of the Auditor-general will be invited to the council meeting of 25 January 2017 to discuss the Audit Report.

**UNANIMOUSLY RESOLVED**

*That notice be taken of the report for the 2015/2016 financial year received from the Auditor-general of South Africa.*

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

Item 7.1.7 of the Executive Mayor and Mayoral Committee meeting, held on 9 December 2016, refers.

Purpose

To consider the reconnection of all electricity consumers over the festive period from 19 December 2016 to 4 January 2017.

Deliberation

It has become customary for Council to reconnect the electricity supply of defaulters over the festive period. This is in the spirit of goodwill and also to ensure that all households enjoy the festive season. In the past Council has drawn a distinction between the prepaid and the conventional consumers. In terms of the conventional consumers they must pay a deposit of R300.00 because the electricity is supplied in advance. If the deposit is not levied Council will incur a loss.

The Executive Mayor and Mayoral Committee resolved on 9 December 2016 to recommend to Council:

- (i) That the electricity of prepaid consumers be reconnected free of charge.
- (ii) That the electricity of the suspended conventional consumers be reconnected upon payment of a deposit of R300.00.
- (iii) That the concession of goodwill runs from 19 December 2016 until 4 January 2017.
- (iv) That the Chief Financial Officer ensures that the public be informed of the Council decision via notices placed at all municipal pay points.

**UNANIMOUSLY RESOLVED**

- (a) *That the electricity of prepaid consumers be reconnected free of charge.*
- (b) *That the electricity of the suspended conventional consumers be reconnected upon payment of a deposit of R300.00.*
- (c) *That the concession of goodwill runs from 19 December 2016 until 4 January 2017.*
- (d) *That the Chief Financial Officer ensures that the public be informed of the Council decision via notices placed at all municipal pay points.*

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

**8.2.1    Interim Renewable Energy Requirements  
(16/3/R)**

The following items refer:

- (a)      Item 7.2 of the meeting of the Committee for Technical Services, held on 23 November 2016.
- (b)      Item 7.2.1 of the Executive Mayor and Mayoral Committee meeting, held on 9 December 2016.

A memorandum from the Manager: Electro-Technical Services, dated 10 November 2016, is attached as **annexure 8.2.1**.

- (a)      That Council notes the report regarding the “Interim Renewable Energy Requirements” to be applied to all applicants requesting to install renewable energy plants on their network.
- (b)      That the following requirements be applied to all applicants requesting to install renewable energy plants on their network:
  - (i)      The applicant accepts and acknowledges that this approval is temporary pending the implementation of the municipality’s Renewable Energy Policy, at which time the applicant agrees to formally align with that policy.
  - (ii)      All applicants will be regarded as ‘shared network’ consumers and as such will only be allowed to install Renewable Energy plants to a maximum of 25 % of their Notified Maximum Demand (NMD) in the case of large consumers, or 25 % of their allowable connection maximum load in the case of smaller consumers.
  - (iii)      Once the total amount of approved Renewable Energy applications reach 15 % of the municipality’s Eskom’s NMD, no further approvals will be allowed.
  - (iv)      Only ‘Net Consumers’ will be allowed to connect to the network.
  - (v)      The installation must comply with all relevant NRS standards as contained in NERSA’s regulatory framework and guidelines, as well as the requirements of the National Grid Code. In the case of NMD consumers the compliance of the installation to these standards and framework must be confirmed as such by an appropriately experienced and qualified ECSA registered engineer who must sign the project off.
  - (vi)      Equipment must be installed according to the requirements of the Electrical Installation Regulations of the Occupational Health and Safety Act (85 of 1993) as amended, including the “Notice to Commence Installation Work”.
  - (vii)      Certificates indicating the installers’ accreditation, training and experience must be submitted to the Municipality prior to any work being commenced, in order for the Municipality to apply its mind regarding the appropriateness of such experience, accreditation and training.

- (viii) Proposed equipment compliance certificates indicating the manufacturer, make, type test certificates, capacity and the standards to which the equipment complies must be submitted to the municipality prior to any work being commenced.
- (ix) That a revised Electrical Certificate of Compliance for the installation be timeously submitted once the installation is completed.
- (x) That in order to ensure centralised control, provision must be made for a single isolation point of the installed equipment.
- (xi) That the Municipality reserves the right to implement an appropriate Solar Tariff once the Renewable Energy Policy is approved for implementation.
- (xii) Customers installing small scale SSEG shall have a bi-directional SSEG approved meter. The Municipality shall provide and install the requisite meters at the customers cost. Conventional credit or prepayment meters are not allowed to run backwards.

The Committee for Technical Services unanimously resolved on 23 November 2016:

- (a) that the Committee for Technical Services take notice in respect the matter Interim Renewable Energy Requirements.
- (b) To recommend to the Executive Mayor and Mayoral Committee and Council:  
  
that the matter in respect of the Interim Renewable Energy Requirements be submitted to the Executive Mayor and Mayoral Committee and Council for further discussions and deliberation and applicable resolutions.

The Executive Mayor and Mayoral Committee resolved on 9 December 2016 to recommend to Council:

For further discussion, deliberation and applicable resolutions.

**UNANIMOUSLY RESOLVED**

- (a) *that Council notes the report regarding the “Interim Renewable Energy Requirements” to be applied to all applicants requesting to install renewable energy plants on their network.*
- (b) *that the following requirements be applied to all applicants requesting to install renewable energy plants on their network:*
  - (i) *The applicant accepts and acknowledges that this approval is temporary pending the implementation of the municipality’s Renewable Energy Policy, at which time the applicant agrees to formally align with that policy.*
  - (ii) *All applicants will be regarded as ‘shared network’ consumers and as such will only be allowed to install Renewable Energy plants to a maximum of 25 % of their Notified Maximum Demand (NMD) in the case of large consumers, or 25 % of their allowable connection maximum load in the case of smaller consumers.*

- (iii) *Once the total amount of approved Renewable Energy applications reach 15 % of the municipality's Eskom's NMD, no further approvals will be allowed.*
  - (iv) *Only 'Net Consumers' will be allowed to connect to the network.*
  - (v) *The installation must comply with all relevant NRS standards as contained in NERSA's regulatory framework and guidelines, as well as the requirements of the National Grid Code. In the case of NMD consumers the compliance of the installation to these standards and framework must be confirmed as such by an appropriately experienced and qualified ECSA registered engineer who must sign the project off.*
  - (vi) *Equipment must be installed according to the requirements of the Electrical Installation Regulations of the Occupational Health and Safety Act (85 of 1993) as amended, including the "Notice to Commence Installation Work".*
  - (vii) *Certificates indicating the installers' accreditation, training and experience must be submitted to the Municipality prior to any work being commenced, in order for the Municipality to apply its mind regarding the appropriateness of such experience, accreditation and training.*
  - (viii) *Proposed equipment compliance certificates indicating the manufacturer, make, type test certificates, capacity and the standards to which the equipment complies must be submitted to the municipality prior to any work being commenced.*
  - (ix) *That a revised Electrical Certificate of Compliance for the installation be timeously submitted once the installation is completed.*
  - (x) *That in order to ensure centralised control, provision must be made for a single isolation point of the installed equipment.*
  - (xi) *That the Municipality reserves the right to implement an appropriate Solar Tariff once the Renewable Energy Policy is approved for implementation.*
  - (xii) *Customers installing small scale SSEG shall have a bi-directional SSEG approved meter. The Municipality shall provide and install the requisite meters at the customers cost. Conventional credit or prepayment meters are not allowed to run backwards.*
- (c) *that the matter in respect of the Interim Renewable Energy Requirements be workshopped by Council.*

**8.2.2 Annual Water Services Development Plan: 2015/2016: Audit Report  
(16/2/3)**

The following items refer:

- (a) Item 7.8 of the meeting of the Committee for Technical Services, held on 23 November 2016.
- (b) Item 7.2.2 of the Executive Mayor and Mayoral Committee meeting, held on 9 December 2016.

The following documents are attached:

- (a) Memorandum from the Manager: Water and Sewerage: **Annexure 8.2.2(a)**.
- (b) Annual Water Services Development Plan: 2015/2016: **Annexure 8.2.2(b)**.

The Committee for Technical Services unanimously resolved on 23 November 2016 to recommend to the Executive Mayor and Mayoral Committee and Council that the Draft Water Services Development Plan: 2015/2016: Audit Report be approved for submission to the Department of Water and Sanitation.

The following recommendation was tabled to the Executive Mayor and Mayoral Committee:

To recommend to Council:

that the Draft Water Services Development Plan: 2015/2016: Audit Report be approved for submission to the Department of Water and Sanitation.

The Executive Mayor and Mayoral Committee resolved on 9 December 2016 to recommend to Council:

For further discussion, deliberation and applicable resolutions.

**UNANIMOUSLY RESOLVED**

- (a) *that the Draft Water Services Development Plan: 2015/2016: Audit Report be approved for submission to the Department of Water and Sanitation.*
- (b) *that the matter in respect of the Draft Water Services Development Plan: 2015/2016: Audit Report be workshopped by Council.*

**8.2.3 Local Integrated Transport Plan 2016 – 2021: Witzenberg Municipality  
(16/4/5)**

The following items refer:

- (a) Item 7.7 of the meeting of the Committee for Technical Services, held on 23 November 2016.
- (b) Item 7.2.3 of the Executive Mayor and Mayoral Committee meeting, held on 9 December 2016.

The following documents are attached:

- (a) Memorandum from the Manager: Streets and Storm Water: **Annexure 8.2.3(a)**.
- (b) Witzenberg Local Integrated Transport Plan 2016 – 2021: **Annexure 8.2.3(b)**.
- (c) Operating Licence Strategy of Cape Winelands District Integrated Transport Plan 2016 – 2021: **Annexure 8.2.3(c)**.
- (d) Presentation: Local Integrated Transport Plan 2016 – 2021: **Annexure 8.2.3(d)**.

The Committee for Technical Services unanimously resolved on 23 November 2016 to recommend to the Executive Mayor and Mayoral Committee and Council that the Witzenberg Local Integrated Transport Plan 2016 - 2021 and the Operating Licence Strategy of Cape Winelands District Integrated Transport Plan 2016 - 2021 be adopted.

The following recommendation was tabled to the Executive Mayor and Mayoral Committee:

To recommend to Council:

that the Witzenberg Local Integrated Transport Plan 2016 - 2021 and the Operating Licence Strategy of Cape Winelands District Integrated Transport Plan 2016 - 2021 be adopted.

The Executive Mayor and Mayoral Committee resolved on 9 December 2016 to recommend to Council:

For further discussion, deliberation and applicable resolutions.

#### **UNANIMOUSLY RESOLVED**

- (a) *that the Witzenberg Local Integrated Transport Plan 2016 - 2021 and the Operating Licence Strategy of Cape Winelands District Integrated Transport Plan 2016 - 2021 be adopted.*
- (b) *that the matter in respect of the Witzenberg Local Integrated Transport Plan 2016 - 2021 and the Operating Licence Strategy of Cape Winelands District Integrated Transport Plan 2016 - 2021 be workshopped by Council.*

The DA requested a caucus break from 11:25 until 11:40.

#### **8.2.4 Interim adoption of the Section 8 Zoning Scheme and amendment of the “Agriculture” and “Agricultural Industry” definitions (15/4/P)**

The following items refer:

- (a) Item 8.2.2 of the council meeting, held on 18 May 2016.
- (b) Item 7.2.1 of the Executive Mayor and Mayoral Committee meeting, held on 6 October 2016.



- (c) Item 8.2.2 of the council meeting, held on 26 October 2016.
- (d) Item 7.3 of the meeting of the Committee for Technical Services, held on 23 November 2016.
- (e) Item 7.2.4 of the Executive Mayor and Mayoral Committee meeting, held on 9 December 2016.

Council resolved on 18 May 2016:

- (a) that in terms of section 12 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) that the Scheme Regulations in terms of Section 8 of the Draft Land Use Planning Ordinance, 1985 promulgated under P.N. 1048/1988 be adopted as a By-Law;
- (b) that simultaneous with the adoption of the Draft By-Law that the definition of Agricultural industry under P.N. 1048/1988 be substituted with the following:

Agricultural Industry means an enterprise or structure on a farm, of which the building footprint exceeds 2 000 m<sup>2</sup>, constructed for the purpose of packing, packaging, cold storage, preparing or transforming agricultural produce, or goods for non-food use, for final or intermediate consumption.
- (c) that in terms of section 12(3)(b) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) the proposal under A. and B. will be published for public comment,
- (d) that any representations received be submitted to Council for consideration prior to publication of the Draft By-Law.

The Executive Mayor and Mayoral Committee unanimously resolved on 6 October 2016 to recommend to Council that, as no objections were received from the public and other interested parties, Council's resolution 8.2.2 of 18 May 2016 be published in the Provincial Gazette.

The following recommendation was tabled to Council:

that, as no objections were received from the public and other interested parties, Council's resolution 8.2.2 of 18 May 2016 be published in the Provincial Gazette.

Council re-discussed the matter and was initially of the opinion that the size of the facility is not more than 2 000 m<sup>2</sup>. The meeting decided that the Committee for Technical Services must re-look at the matter to make the facility smaller in order to be considered as a bona fide agri facility.

Council resolved on 26 October 2016:

- (a) that the matter be referred to the Committee for Technical Services for further deliberation.
- (b) that the Committee for Technical Services re-look at the facility and consider to make it smaller in order to qualify as a bona fide agri-facility.

The following documents are attached:

- (a) A memorandum from the Manager: Town Planning and Building Control, dated 14 November 2016: **Annexure 8.2.4(a)**.
- (b) Circular 3/2016 from the Department Environmental Affairs and Development Planning, dated 24 February 2016: **Annexure 8.2.4(b)**.

The Committee for Technical Services unanimously resolved on 23 November 2016 to recommend to the Executive Mayor and Mayoral Committee and Council:

- (i) that in terms of Section 12 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), the Scheme Regulations in terms of Section 8 of the Land Use Planning Ordinance, 1985 promulgated under P.N. 1048/1988 be adopted as a By-Law.
- (ii) that simultaneous with the adoption of the By-Law, the definition of Agricultural industry under P.N. 1048/1988 be substituted with the following:

Agricultural Industry means an activity or structure on a farm, of which the footprint exceeds 1000 m<sup>2</sup>, for the purpose of packing, packaging, cold storage, preparing or transforming agricultural produce, or goods for non-food use, for final or intermediate consumption.

Landbounywerheid beteken 'n aktiwiteit of struktuur op 'n plaas, waarvan die voetspoor 1000 m<sup>2</sup> oorskry, vir die doel van pak, verpakking, koelstore, om landbouproduk voor te berei of te verwerk, wat nie-voedsel verwante goedere insluit, vir finale of intermediêre verbruik.

- (iii) that in terms of Section 12(3)(b) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) the proposal under (i) and (ii) will be published for public comment.
- (iv) that any representations received be submitted to Council for consideration prior to publication of the By-Law.

The Executive Mayor and Mayoral Committee resolved on 9 December 2016 to recommend to Council:

- (i) that in terms of Section 12 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), the Scheme Regulations in terms of Section 8 of the Land Use Planning Ordinance, 1985 promulgated under P.N. 1048/1988 be adopted as a By-Law.
- (ii) that simultaneous with the adoption of the By-Law, the definition of Agricultural industry under P.N. 1048/1988 be substituted with the following:

Agricultural Industry means an activity or structure on a farm, of which the footprint exceeds 1000 m<sup>2</sup>, for the purpose of packing, packaging, cold storage, preparing or transforming agricultural produce, or goods for non-food use, for final or intermediate consumption.

Landbounywerheid beteken 'n aktiwiteit of struktuur op 'n plaas, waarvan die voetspoor 1000 m<sup>2</sup> oorskry, vir die doel van pak, verpakking, koelstore, om landbouproduk voor te berei of te verwerk, wat nie-voedsel verwante goedere insluit, vir finale of intermediêre verbruik.

- (iii) that in terms of Section 12(3)(b) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) the proposal under (i) and (ii) will be published for public comment.
- (iv) that any representations received be submitted to Council for consideration prior to publication of the By-Law.

The following recommendation was tabled to Council:

- (a) that in terms of Section 12 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), the Scheme Regulations in terms of Section 8 of the Land Use Planning Ordinance, 1985 promulgated under P.N. 1048/1988 be adopted as a By-Law.
- (b) that simultaneous with the adoption of the By-Law, the definition of Agricultural industry under P.N. 1048/1988 be substituted with the following:

Agricultural Industry means an activity or structure on a farm, of which the footprint exceeds 1000 m<sup>2</sup>, for the purpose of packing, packaging, cold storage, preparing or transforming agricultural produce, or goods for non-food use, for final or intermediate consumption.

Landbounywerheid beteken 'n aktiwiteit of struktuur op 'n plaas, waarvan die voetspoor 1000 m<sup>2</sup> oorskry, vir die doel van pak, verpakking, koelstore, om landbouproduk voor te berei of te verwerk, wat nie-voedsel verwante goedere insluit, vir finale of intermediêre verbruik.

- (c) that in terms of Section 12(3)(b) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) the proposal under (i) and (ii) will be published for public comment.
- (d) that any representations received be submitted to Council for consideration prior to publication of the By-Law.

#### **RESOLVED**

*that the matter in respect of the Interim adoption of the Section 8 Zoning Scheme and amendment of the "Agriculture" and "Agricultural Industry" definitions be held in abeyance until the next meeting.*

**8.2.5 Ceres CBD (Central Business District) Aesthetics Manual: Edition 1: November 2016 (16/4/5)**

The following items refer:

- (a) Item 7.6 of the meeting of the Committee for Technical Services, held on 23 November 2016.
- (b) Item 7.2.5 of the Executive Mayor and Mayoral Committee meeting, held on 9 December 2016.

The following documents are attached:

- (a) Memorandum from the Manager: Streets and Storm Water: **Annexure 8.2.5(a)**.
- (b) Ceres CBD Aesthetics Manual: Edition 1: November 2016: **Annexure 8.2.5(b)**.

The Committee for Technical Services unanimously resolved on 23 November 2016 to recommend to the Executive Mayor and Mayoral Committee and Council:

that the Manager: Streets and Storm Water makes a presentation in respect of the Ceres CBD (Central Business District) Aesthetics Manual: Edition 1: November 2016 for approval by Council.

The presentation of the Manager: Streets and Storm Water is attached as **annexure 8.2.5(c)**.

The following recommendation was tabled to the Executive Mayor and Mayoral Committee:

To recommend to Council:

that the Ceres CBD (Central Business District) Aesthetics Manual: Edition 1: November 2016 be approved by Council.

The Executive Mayor and Mayoral Committee resolved on 9 December 2016 to recommend to Council:

For further discussion, deliberation and applicable resolutions.

**UNANIMOUSLY RESOLVED**

- (a) *that the Ceres CBD (Central Business District) Aesthetics Manual: Edition 1: November 2016 be approved and accepted by Council.*
- (b) *that the establishment of a Ceres Central Business District Aesthetics Committee not be approved.*
- (c) *that matters in respect of Ceres central business district aesthetics be delegated to the Committee for Technical Services.*

**8.3      Direktoraat Gemeenskapsdienste / Directorate Community Services**

**8.3.1    Leasing of Fire Services building, Nduli, Ceres to South African Police Services  
(7/1/4/1)**

The following items refer:

- (a)      Item 7.1 of the Committee for Community Development meeting, held on 24 November 2016.
- (b)      Item 7.3.1 of the Executive Mayor and Mayoral Committee meeting, held on 9 December 2016, refers.

The following documents are attached:

- (a)      Letter from the South African Police Services (Ceres), dated 27 September 2016: **Annexure 8.3.1(a).**
- (b)      Memorandum from the Director: Community Services, dated 27 October 2016: **Annexure 8.3.1(b).**

The Committee for Community Development resolved on 24 November 2016 to recommend to the Executive Mayor and Mayoral Committee and Council:

- (i)      that Council enters into a lease agreement with the South African Police Services (SAPS) Ceres with regard to a satellite police station in Nduli, Ceres on condition that the latter will be responsible for payment of their municipal account for services rendered by the Municipality.
- (ii)      that the lease commences on 1 December 2016 and shall endure for a period of three (3) years unless terminated earlier as provided.
- (iii)      that the lease agreement be subjected to the Supply Chain processes and in accordance with prescriptions of the Municipal Finance Management Act (No. 56 of 2003).
- (iv)      that the Municipal Manager be mandated to sign the lease agreement on behalf of Council.

The Executive Mayor and Mayoral Committee resolved on 9 December 2016 to recommend to Council:

- (i)      that Council enters into a lease agreement with the South African Police Services (SAPS) Ceres with regard to a satellite police station in Nduli, Ceres on condition that the latter will be responsible for payment of their municipal account for services rendered by the Municipality.
- (ii)      that the lease commences on 1 December 2016 and shall endure for a period of three (3) years unless terminated earlier as provided.
- (iii)      that the lease agreement be subjected to the Supply Chain processes and in accordance with prescriptions of the Municipal Finance Management Act (No. 56 of 2003).

- (iv) that the Municipal Manager be mandated to sign the lease agreement on behalf of Council.

**UNANIMOUSLY RESOLVED**

- (a) *that Council enters into a lease agreement with the South African Police Services (SAPS) Ceres with regard to a satellite police station in Nduli, Ceres on condition that the latter will be responsible for payment of their municipal account for services rendered by the Municipality.*
- (b) *that the lease commences on 1 December 2016 and shall endure for a period of three (3) years unless terminated earlier as provided.*
- (c) *that the lease agreement be subjected to the Supply Chain processes and in accordance with prescriptions of the Municipal Finance Management Act (No. 56 of 2003).*
- (d) *that the Municipal Manager be mandated to sign the lease agreement on behalf of Council.*

**8.3.2 Lease agreement with Nduli Primary School: Sizamele building, Nduli, Ceres (7/1/4/1)**

Item 7.3.2 of the Executive Mayor and Mayoral Committee meeting, held on 9 December 2016, refers.

The following documents are attached:

- (a) Letter from Nduli Primary School, dated 21 January 2016: **Annexure 8.3.2(a).**
- (b) Letter from Vrolike Vinkies Pre-primary Educare Centre, dated 29 September 2016: **Annexure 8.3.2(b).**
- (c) Letter from Kaapse Wynland Onderwysdistrik: Kring 9: **Annexure 8.3.2(c).**
- (d) Letter from Nduli Primary School, dated 7 November 2016: **Annexure 8.3.2(d).**
- (e) Memorandum from Director: Community Services, dated 18 November 2016: **Annexure 8.3.2(e).**

The Executive Mayor and Mayoral Committee resolved on 9 December 2016 to recommend to Council:

- (i) that Council enters into a lease agreement with Nduli Primary School with regard to accommodation for Grade R pupils at the Sizamele Crèche at Nduli, Ceres.
- (ii) that the lease commences on 1 February 2017 and shall endure for a period of three (3) years unless terminated earlier as provided.
- (iii) that the lease agreement be subject to the Supply Chain processes.
- (iv) that the Municipal Manager be mandated to sign the contract on behalf of Council.

**UNANIMOUSLY RESOLVED**

- (a) *that Council enters into a lease agreement with Nduli Primary School with regard to accommodation for Grade R pupils at the Sizamele Crèche at Nduli, Ceres.*
- (b) *that the lease commences on 1 February 2017 and shall endure for a period of three (3) years unless terminated earlier as provided.*
- (c) *that the lease agreement be subject to the Supply Chain processes.*
- (d) *that the Municipal Manager be mandated to sign the contract on behalf of Council.*

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**8.4      Direktoraat Korporatiewe Dienste / Directorate Corporate Services**

**8.4.1    Transfer of unregistered Erf 2184, Wolseley  
(05/02/07)**

Item 7.2 of the meeting of the Committee for Corporate and Financial Services, held on 13 October 2016, refers.

A memorandum from the Senior Officer: Properties, dated 15 September 2016, is attached as **annexure 8.4.1**.

The Committee for Corporate and Financial Services unanimously resolved on 13 October 2016 to recommend to the Executive Mayor and Mayoral Committee and Council:

- (a) *that Council confirms the transaction of unregistered erf 2184, Wolseley.*
- (b) *that the Municipal Manager be mandated to sign all the necessary documentation to effect the transfer of erf 2184, Wolseley.*
- (c) *that Mr and Mrs Klazen will be responsible for the cost of the transfer and also ensure that their outstanding municipal account be settled in full to effect the transfer for unregistered erf 2184, Wolseley.*

This matter was already tabled to Council on 26 October 2016 and was erroneously placed on this agenda.

**RESOLVED**

*that the matter has been dealt with at the council meeting of 26 October 2016 and be removed from the agenda.*

**8.4.2 Personnel matters: Closure of municipal offices: 22, 23, 28, 29, 30 December 2016 and 3 January 2017  
(04/2/8)**

Item 7 of the Local Labour Forum meeting, held on 2 December 2016, refers.

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

The Municipal Manager proposed:

- (a) That business hours on 22 December 2016 shall be from 08:00 to 13:00.
- (b) That all employees be granted paid leave on 23, 28, 29, 30 December 2016 and 3 January 2017.
- (c) That essential staff in all departments be on standby on 23, 28, 29, 30 December 2016 and 3 January 2017.
- (d) That the salaries of all employees be paid out on 20 December 2016.
- (e) That the municipality resumes full services on 4 January 2017.

The Local Labour Forum resolved on 2 December 2016 to recommend to Council:

- (i) That business hours on 22 December 2016 shall be from 08:00 to 13:00.
- (ii) That all employees be granted paid leave on 23, 28, 29, 30 December 2016 and 3 January 2017.
- (iii) That essential staff in all departments be on standby on 23, 28, 29, 30 December 2016 and 3 January 2017.
- (iv) That the salaries of all employees be paid out on 20 December 2016.
- (v) That the municipality resumes full services on 4 January 2017.

**UNANIMOUSLY RESOLVED**

- (a) *That business hours on 22 December 2016 shall be from 08:00 to 13:00.*
- (b) *That all employees be granted paid leave on 23, 28, 29, 30 December 2016 and 3 January 2017.*
- (c) *That essential staff in all departments be on standby on 23, 28, 29, 30 December 2016 and 3 January 2017.*
- (d) *That the salaries of all employees be paid out on 20 December 2016.*
- (e) *That the municipality resumes full services on 4 January 2017.*



**8.4.3 Appointment of Chairperson and members of Municipal Public Accounts Committee (MPAC)  
(2/1/2)**

The following memorandum, dated 6 December 2016, was received from the Municipal Manager:

"Purpose

To consider the appointment of the Chairperson and members of the Municipal Public Accounts Committee of the Witzenberg Municipal Council.

Deliberation

The Municipal Public Accounts Committee is a Section 79 Committee of Council as established per council resolution 8.1.7 of 23 August 2012, attached as **annexure 8.4.3(a)**.

In terms of the said resolution Council resolved:

- "(a) That the Municipal Public Accounts Committee be established in terms of Section 79 of the Municipal Structures Act.
- (b) That the Municipal Public Accounts Committee consists of five councillors represented by each political party.
- (c) That Councillor J Veschini be appointed as chairperson of the Municipal Public Accounts Committee.
- (d) That in the case of Witzenberg Municipality the chairperson of the Municipal Accounts Committee not be a full-time councillor."

In terms of the guidelines published by National Treasury on the establishment of Municipal Public Accounts Committees, the Chairperson of the committee will be appointed by a council resolution. The Minister for Cooperative Governance and Traditional Affairs published a notice in the Government Gazette 904 of 2011 in terms of which a Chairperson of a committee established in terms of Section 79 with forty or more councillors may be designated as fulltime. The Chairperson of the Municipal Public Accounts Committee of the Witzenberg Council will in terms of this notice not be fulltime. The actual size of the Municipal Public Accounts Committee is determined by the number of councillors in the municipality. Municipalities between fifteen and thirty councillors may nominate up to nine councillors for the Municipal Public Accounts Committee.

Council adopted a Municipal Public Accounts Charter per council resolution 8.1.15 of 10 December 2014. A copy of the charter is attached as **annexure 8.4.3(b)**. The charter prescribes the roles and responsibilities of the committee which are as follows:

- '(a) MPAC has no executive powers.
- (b) The oversight role of MPAC is to review the Municipality of Witzenberg's Annual Report with specific focus on the financial aspects as contained in the Auditor-general's Report on the Annual Financial Statements of the Municipality and also when instructed by Council to advise Council in respect of unauthorised, irregular or fruitless and wasteful expenditure.
- (c) The Municipality's oversight report as envisaged in Section 129 of the MFMA is prepared for adoption by Council by following due process. MPAC's due process entails –

- (i) consider and make recommendations on the report to Council regarding specific reports of the Auditor-general; and queries, comments and responses in respect thereof;
  - (ii) investigate the alleged financial misconduct by Councillors and report thereon to Council as the case may be;
  - (iii) recommend on any proposals in respect of the oversight process for improving efficiency, effectiveness and economy in the financial sphere of the Municipality; and
  - (iv) liaise with the Performance, Risk and Audit Committee and any other relevant combined assurance committees and role-players.
- (d) Investigate unauthorised, irregular or fruitless and wasteful expenditure in terms of Section 32 of the MFMA, as instructed by Council, and as guided by the National Treasury Circular 68: Unauthorised, Irregular and Fruitless and Wasteful Expenditure. The purpose being to recommend to Council whether such expenditure –
  - (i) resulted in the Municipality receiving “value-for-money” (i.e. services received within a reasonable price);
  - (ii) is irrecoverable or not (financial implications);
  - (iii) resulted from non-compliance in following due process and subsequent disciplinary action is necessary, including whether legal action (common law) is appropriate; and / or
  - (iv) was as a result of control failures or gaps and what remedial and disciplinary actions are proposed.
- (e) To follow up that corrective action has been taken in respect of the comments and resolutions of MPAC during the oversight reporting process.
- (f) To promote good governance, transparency and accountability on the use of municipal resources.’ “

The following recommendation was tabled to Council:

Council is requested to consider:

- (i) The appointment of the Chairperson.
- (ii) The ratification of the number as well as members of the Municipal Public Accounts Committee.

**RESOLVED**

*that the matter in respect of the appointment of a chairperson and members of the Municipal Public Accounts Committee (MPAC) be held in abeyance until the next meeting.*

**8.4.4 Alienation of municipal property: Erf 935, Wolseley  
(7/1/4/2)**

Item 7.4.2 of the Executive Mayor and Mayoral Committee meeting, held on 9 December 2016, refers.

The following memorandum, dated 6 December 2016, was received from the Municipal Manager:

"Purpose

To consider recommending to Council the selling of erf 935, Wolseley (extent 5 505 m<sup>2</sup>) to Wolseley Fruit Packers (Pty) Ltd (Wolfpack).

Deliberation

Council is the owner of erf 935, Wolseley, in extent 5 505 m<sup>2</sup>, and which is situated between the current Wolfpack premises and portion 13 of Farm 301. See in this regard **annexure 8.4.4**.

Wolfpack has concluded a transaction to purchase portion 13 of Farm 301 from Rassie Bester Family Trust. This transaction is subject to a suspensive condition that a successful transaction also be concluded with the Witzenberg Municipality for the purchase of erf 935, Wolseley. Wolfpack intends to extend their current operations with an investment of approximately R50 million which will provide employment opportunities for at least a further hundred people.

The municipal property is vacant land and is only encumbered with a municipal storm water canal. The municipal property holds no value for any other person except that of the adjacent landowners, because there is no access from the provincial road. The municipality obtains access through the property of Wolfpack. The property is only accessed to clean and maintain the storm water canal. If Council sells the property to Wolfpack they will consolidate and join the two properties and build a bridge over the storm water canal to incorporate their new development with their existing operations. The Director: Technical Services has indicated that there is no objection to the selling of the municipal property subject to a servitude of three meter on both sides of the canal being registered in favour of the municipality. It will be a further condition that Wolfpack will continue to give access to the canal via their current property. (Wolfpack has already agreed to these conditions).

Legal requirements

It is trite law that Council can only sell property through a competitive process unless the sale is important for local economic development and further where the participation of other members of public in the process is impractical. Council needs to resolve in terms of the Municipal Finance Management Act that the land is not required for basic minimum services and that it be sold at a market related price.

Financial implication

There is no negative financial implication attached to the transaction. If Council considers the sale it will enhance and improve the value of the properties if consolidated. This will effectively mean that Council will generate more income through services and rates. This development ties in perfectly with the new development of an economic zone which Council wants to embark on in Wolseley. This will allow Wolfpack to expand and potentially supply products to the logistic HUB for export purposes."

The following recommendation was tabled to the Executive Mayor and Mayoral Committee:

To recommend to Council:

- (i) that the Executive Mayoral Committee considers recommending to Council the alienation of the municipal property in favour of Wolfpack.
- (ii) that erf 935, Wolseley is not required for minimum basic services.
- (iii) that erf 935, Wolseley be sold at a market related price.
- (iv) that the potential sale be advertised in the local newspaper for public comment and/or any objection.
- (v) that the Municipal Manager be mandated to sign all documentation to effect the transfer of the property to Wolfpack.

The Executive Mayor and Mayoral Committee resolved on 9 December 2016:

- (a) that the Municipal Manager arranges an in loco site inspection in respect of erf 935, Wolseley for the Executive Mayor and Mayoral Committee.
- (b) that the matter in respect of the alienation of erf 935, Wolseley be held in abeyance until the site inspection has taken place.

**RESOLVED**

*that the matter in respect of the alienation of erf 935, Wolseley be held in abeyance until the next meeting.*

**8.4.5 Proposed council meeting program: 2017  
(3/1/2/3)**

A memorandum from the Manager: Administration, dated 23 November 2016, is attached as **annexure 8.4.5**.

**RESOLVED**

*that Council approves the proposed council meeting program for 2017.*

**8.4.6 Appointment of project manager: Agri-processing and fresh produce hub  
(17/19/1)**

Item 7.4.1 of the Executive Mayor and Mayoral Committee meeting, held on 9 December 2016, refers.

A memorandum from the Municipal Manager, dated 5 December 2016, is attached as **annexure 8.4.6**.

The following recommendation was tabled to the Executive Mayor and Mayoral Committee:

To recommend to Council:

- (i) That Council will consider the unsolicited bid.
- (ii) If Council approves that the proposal falls within the ambit of an unsolicited bid, that it be dealt with in terms of Council's Supply Chain Management Policy.
- (iii) That approval be granted to the Chief Financial Officer to adjust Council's budget with an amount of R800 000 to provide for the necessary funding for the feasibility study.
- (iv) That the Municipal Manager be mandated to negotiate on Council's behalf for an option to purchase adequate land for the purposes of the Witzenberg agri-processing and Fresh Produce Hub.
- (v) That the Municipal Manager will table a report of his negotiations on the possible acquisition of land at the next council meeting.
- (vi) That a full report of the supply chain process on the unsolicited bid be tabled at the next council meeting.

The Executive Mayor and Mayoral Committee resolved on 9 December 2016 to recommend to Council:

- (i) that Messrs Silverdale Projects (Pty) Ltd be appointed as project manager for the proposed agri-processing and fresh produce hub.
- (ii) that the process of the appointment be dealt with as an unsolicited bid as prescribed by Council's Supply Chain Policy as well as the Municipal Finance Management Act.
- (iii) that approval be granted to the Chief Financial Officer to adjust Council's budget with an amount of R800 000 to provide for the necessary funding for the feasibility study.
- (iv) that the Municipal Manager be mandated to negotiate on Council's behalf for an option to purchase adequate land for the purposes of the Witzenberg agri-processing and Fresh Produce Hub.
- (v) that the Municipal Manager will table a report of his negotiations on the possible acquisition of land at the next council meeting.
- (vi) that a full report of the supply chain process on the unsolicited bid be tabled at the next council meeting.

**RESOLVED**

- (a) *that Messrs Silverdale Projects (Pty) Ltd be appointed as project manager for the proposed agri-processing and fresh produce hub.*
- (b) *that the process of the appointment be dealt with as an unsolicited bid as prescribed by Council's Supply Chain Policy as well as the Municipal Finance Management Act.*
- (c) *that approval be granted to the Chief Financial Officer to adjust Council's budget with an amount of R800 000 to provide for the necessary funding for the feasibility study.*

- (d) *that the Municipal Manager be mandated to negotiate on Council's behalf for an option to purchase adequate land for the purposes of the Witzenberg agri-processing and Fresh Produce Hub.*
- (e) *that the Municipal Manager will table a report of his negotiations on the possible acquisition of land at the next council meeting.*
- (f) *that a full report of the supply chain process on the unsolicited bid be tabled at the next council meeting.*

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

### **9.1 Logistical arrangements: Council recess 2016/2017 (3/1/2/3)**

The following report from the Speaker, dated 13 December 2016, refers:

#### Purpose

To request Council to consider whether Council will go in recess and the period thereof.

#### Deliberation

It has been practice that the Speaker of Council decides on the recess period taken by the Council. In terms of the Structures Act, the Speaker determines the date, time and place of council meetings unless the majority of councillors request otherwise. In the absence of any Council delegation I propose that Council takes recess from 15 December 2016 until 8 January 2017.

#### Recommendation

That Council goes in recess from 15 December 2016 until 8 January 2017."

### **RESOLVED**

- (a) *that Council goes in recess for the festive season from 15 December 2016 until 8 January 2017.*
- (b) *that the Speaker be authorised to call a special council meeting in case of emergency.*

## **10. FORMAL AND STATUTORY MATTERS**

None

**NOTED**

**11. QUESTIONS and/or MATTERS RAISED by COUNCILLORS**

None

**NOTED**

**12. COUNCIL-IN-COMMITTEE**