

**MINUTES OF THE COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON TUESDAY, 30 MAY 2017 AT 10:00**

**PRESENT**

Councillors

TT Godden (Speaker)  
BC Klaasen (Executive Mayor)  
K Adams (Deputy Executive Mayor)  
P Daniels  
P Heradien  
DM Jacobs  
D Kinnear  
C Lottering  
M Mdala  
TP Mgoboza  
ZS 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 J Barnard (Director: Technical Services)  
Ms J Krieger (Director: Community Services)  
Mr HJ Kritzingen (Director: Finance)  
Mr M Mpeluza (Director: Corporate Services)  
Mr G Louw (Head: Internal Audit)  
Mr A Hofmeester (Manager: IDP)  
Mr CG Wessels (Manager: Administration)  
Mr C Titus (Committee Clerk)

Other representatives

Mr N Bettsworth (Ceres Business Initiative)  
Mr J Jonkers (Sentraal-Karoo District Municipality, Beaufort-West)

**1. OPENING AND WELCOME**

The Speaker welcomed everyone present after which he requested Councillor C Lottering to open the meeting with prayer.

**NOTED**

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

Applications for leave of absence from the meeting were received from Councillors TE Abrahams and GG Laban.

The Speaker indicated that he did speak to Councillor Hugo, who will be late for the meeting.

**RESOLVED**

*that notice be taken of the applications for leave of absence from the meeting, received from Councillors TE Abrahams and GG Laban, and same be approved and accepted.*

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

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

The Executive Mayor conveyed on behalf of Council congratulations to the following councillors, spouses and official on their respective birthdays:

- |   |          |
|---|----------|
| • Mr Simon Phungula                           | 3 April  |
| • Councillor P Daniels                        | 8 April  |
| • Alderman J Schuurman                        | 13 April |
| • Councillor C Lottering                      | 21 April |
| • Ms R Schuurman                              | 12 May   |
| • Ms J Krieger (Director: Community Services) | 29 May   |

**NOTED**

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

None

**NOTED**

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

This matter was handled under item 8.1.8.

**NOTED**

**4. MINUTES**

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

The following minutes are attached:

- (a) Council meeting, held on 29 March 2017: **Annexure 4.1(a)**
- (b) Special council meeting, held on 7 April 2017: **Annexure 4.1(b)**
- (c) Special council meeting, held on 16 May 2017: **Annexure 4.1(c)**

**UNANIMOUSLY RESOLVED**

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

- (a) *Council meeting, held on 29 March 2017.*
- (b) *Special council meeting, held on 7 April 2017.*
- (c) *Special council meeting, held on 16 May 2017/*

**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 23 November 2016: **Annexure 7.1(a)**.
- (b) Committee for Technical Services, held on 22 February 2017: **Annexure 7.1(b)**.
- (c) Performance, Risk and Audit Committee meeting, held on 3 March 2017: **Annexure 7.1(c)**.
- (d) Committee for Housing Matters, held on 9 March 2017: **Annexure 7.1(d)**.
- (e) Committee for Local Economic Development and Tourism, held on 15 March 2017: **Annexure 7.1(e)**.
- (f) Committee for Community Development, held on 16 March 2017: **Annexure 7.1(f)**.
- (g) Committee for Corporate and Financial Services, held on 16 March 2017: **Annexure 7.1(g)**.
- (h) Council workshop, held on 28 March 2017: **Annexure 7.1(h)**.

**UNANIMOUSLY RESOLVED**

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

**8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS**

**8.1 Direktooraat Finansies / Directorate Finance**

**8.1.1 Section 71 Reports: Monthly reports: Department Finance: February and March 2017 (09/1/2/2)**

The following items refer:

- (a) Item 6.4.1 of the Performance, Risk and Audit Committee meeting, held on 5 May 2017:

The following matters were highlighted and satisfactorily responded to the Performance, Risk and Audit Committee by the Accounting Officer and Chief Financial Officer:

- (a) Outstanding monies of councillors and indigent households.
- (b) That five (5) appeals were received in respect of the Security Services tender. The matter is under review with the Accounting Officer.

The Performance, Risk and Audit Committee resolved on 5 May 2017 to recommend to the Executive Mayor and Mayoral Committee and Council:

that notice be taken of the Section 71 Reports of the Department Finance for February and March 2017 and same be accepted.

- (b) Item 7.1 of the meeting of the Committee for Corporate and Financial Services, held on 18 May 2017:

The Committee for Corporate and Financial Services resolved on 18 May 2017 to recommend to the Executive Mayor and Mayoral Committee and Council:

that the content of the monthly reports of the Department Finance for February and March 2017 be noted and same be accepted.

- (c) Item 7.1.1 of the Executive Mayor and Mayoral Committee meeting, held on 29 May 2017:

The Executive Mayor and Mayoral Committee resolved on 29 May 2017:

That the Executive Mayor and Mayoral Committee recommend to Council:

that the content of the monthly reports of the Department Finance for February and March 2017 be noted and same be accepted.

The following monthly reports of the Department Finance are attached:

- |     |               |                          |
|-----|---------------|--------------------------|
| (a) | February 2017 | <b>Annexure 8.1.1(a)</b> |
| (b) | March 2017    | <b>Annexure 8.1.1(b)</b> |

**UNANIMOUSLY RESOLVED**

*that the content of the monthly reports of the Department Finance for February and March 2017 be noted and same be accepted.*

**8.1.2 Internal Audit Charter: With effect from 1 July 2016 to 30 June 2017  
(5/14/2)**

The following items refer:

- (a) Item 6.4.6 of the Performance, Risk and Audit Committee meeting, held on 17 January 2017.
- (b) Item 6.1.3 of the Performance, Risk and Audit Committee meeting, held on 3 March 2017.

The Internal Audit Charter with effect from 1 July 2016 to 30 June 2017, dated June 2016, is attached as **annexure 8.1.2**.

The Internal Audit Charter is reviewed annually by PRAC for Council approval. The Head of Internal Audit recommends that PRAC advises Council to adopt the charter without change for 2016.

The following recommendation was tabled to the Performance, Risk and Audit Committee:

To recommend to Council that the Internal Audit Charter with effect from 1 July 2016 to 30 June 2017 be approved and adopted without change.

The Performance, Risk and Audit Committee resolved on 17 January 2017 that the matter in respect of the Internal Audit Charter with effect from 1 July 2016 to 30 June 2017 be held in abeyance until the next meeting.

The following recommendation was tabled to the Performance, Risk and Audit Committee:

To recommend to Council that the Internal Audit Charter with effect from 1 July 2016 to 30 June 2017 be approved and adopted without change.

The Performance, Risk and Audit Committee resolved on 3 March 2017:

- (a) that the Head: Internal Audit re-scrutinises and adapts the Internal Audit Charter for 2017/2018 where applicable and tables to the Performance, Risk and Audit Committee.
- (b) that the Performance, Risk and Audit Committee recommends to Council:  
  
that the Internal Audit Charter with effect from 1 July 2016 to 30 June 2017 be approved and adopted without change.

**UNANIMOUSLY RESOLVED**

*that the Internal Audit Charter with effect from 1 July 2016 to 30 June 2017 be approved and adopted without change.*

**8.1.3 Performance, Risk and Audit Committee: 1<sup>st</sup> Bi-Annual Report on Performance Management: 2016/2017  
(5/14/4)**

The First Bi-Annual Report of the Performance, Risk and Audit Committee to Council on Performance Management for 2016/2017 is attached as **annexure 8.1.3**.

**UNANIMOUSLY RESOLVED**

*that notice be taken of the 1<sup>st</sup> Bi-Annual Report on Performance Management for 2016/2017 and same be accepted.*

**8.1.4 Monthly reports: Service Delivery and Budget Implementation Plan: February, March and April 2017  
(5/1/5/9)**

Item 7.1.2 of the Executive Mayor and Mayoral Committee meeting, held on 29 May 2017, refers.

The following Service Delivery and Budget Implementation Plan monthly reports are attached:

- (a) February 2017: **Annexure 8.1.4(a)**.
- (b) March 2017: **Annexure 8.1.4(b)**.
- (c) April 2017: **Annexure 8.1.4(c)**.

The Executive Mayor and Mayoral Committee resolved on 29 May 2017:

That the Executive Mayor and Mayoral Committee recommend to Council:

that the content of the Service Delivery and Budget Implementation Plan monthly reports for February, March and April 2017 be noted and same be accepted.

**UNANIMOUSLY RESOLVED**

*that the content of the Service Delivery and Budget Implementation Plan monthly reports for February, March and April 2017 be noted and same be accepted.*

**8.1.5 Quarterly Budget Statement [Section 52(d)] report: 1 January 2017 to 31 March 2017 (9/1/2/2)**

The following items refer:

- (a) Item 6.2.2 of the Performance, Risk and Audit Committee meeting, held on 5 May 2017.
- (b) Item 7.2 of the meeting of the Committee for Corporate and Financial Services, held on 18 May 2017.
- (c) Item 7.1.3 of the Executive Mayor and Mayoral Committee meeting, held on 29 May 2017.

The following memorandum, dated 26 April 2017, was received from the Acting Director: Finance:

“1. Purpose

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

2. Background

The Quarterly Budget Statement [Section 52(d)] report for the period 1 January 2017 to 31 March 2017 is attached as **annexure 8.1.5**.

3. Recommendation

That the Quarterly Budget Statement [Section 52(d)] report for the period 1 January 2017 to 31 March 2017 be tabled to Council.”

The Performance, Risk and Audit Committee unanimously resolved on 5 May 2017 to recommend to the Executive Mayor and Mayoral Committee and Council:

that notice be taken of the Quarterly Budget Statement [Section 52(d)] report for the period 1 January 2017 to 31 March 2017 and same be accepted.

The Committee for Corporate and Financial Services resolved on 18 May 2017 to recommend to the Executive Mayor and Mayoral Committee and Council:

that notice be taken of the content of the Quarterly Budget Statement report for the period 1 January 2017 until 31 March 2017 and same be accepted.

The Executive Mayor and Mayoral Committee resolved on 29 May 2017:

That the Executive Mayor and Mayoral Committee recommend to Council:

that notice be taken of the content of the Quarterly Budget Statement [Section 52(d)] report for the period 1 January 2017 until 31 March 2017 and same be accepted.



**UNANIMOUSLY RESOLVED**

*that notice be taken of the content of the Quarterly Budget Statement [Section 52(d)] report for the period 1 January 2017 until 31 March 2017 and same be accepted.*

**8.1.6 Property Rates By-Law  
(1/3/1/31)**

Item 7.1.4 of the Executive Mayor and Mayoral Committee meeting, held on 29 May 2017, refers.

The following documents are attached:

- (a) Memorandum from the Director: Finance, dated 2 May 2017: **Annexure 8.1.6(a)**.
- (b) Property Rates By-Law: **Annexure 8.1.6(b)**.

The Executive Mayor and Mayoral Committee resolved on 29 May 2017:

That the Executive Mayor and Mayoral Committee recommend to Council:

- (i) that the Property Rates By-Law formulated in terms of Section 3 of the Local Government: Municipal Property Rates Act (Act no. 6 of 2004), as amended, be approved and accepted.
- (ii) that the Property Rates By-Law supra (a) be implemented on 1 July 2017.

**UNANIMOUSLY RESOLVED**

- (a) *that the Property Rates By-Law formulated in terms of Section 3 of the Local Government: Municipal Property Rates Act (Act no. 6 of 2004), as amended, be approved and accepted.*
- (b) *that the Property Rates By-Law supra (a) be implemented on 1 July 2017.*

**8.1.7 Supply Chain Management: Disposal of movable capital assets in terms of Section 14(4) of the Municipal Finance Management Act  
(6/1/P)**

Item 7.1.5 of the Executive Mayor and Mayoral Committee meeting, held on 29 May 2017, refers.

The following documents are attached:

- (a) Memorandum from the Director: Finance, dated 25 January 2017: **Annexure 8.1.7(a)**.
- (b) List of assets to be disposed of: 2016/2017: **Annexure 8.1.7(b)**.
- (c) List of assets to be sold: 2016/2017: **Annexure 8.1.7(c)**.

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

That the Executive Mayor and Mayoral Committee recommend to Council:

- (i) That Council approves the disposal of assets as attached as annexures.
- (ii) That the Supply Chain Management Unit proceeds with the disposal of assets in accordance with paragraph 49(4) of Council's Supply Chain Management Policy.

The Executive Mayor and Mayoral Committee resolved on 29 May 2017 that the matter in respect of the disposal of movable assets in terms of Section 14(4) of the Municipal Finance Management Act be held in abeyance until the next meeting.

Alderman JW Schuurman (ANC) expressed concern with regard to the many assets not being disposed of.

Council resolved that the matter be held in abeyance.

**UNANIMOUSLY RESOLVED**

*that the matter in respect of the disposal of movable assets in terms of Section 14(4) of the Municipal Finance Management Act be held in abeyance until the next meeting.*

**8.1.8 Finance: Budget 2017/2018 and IDP 2017/2018 to 2021/2022  
(5/1/16 & 2/2/1)**

The following documents are attached:

- (a) Memorandum from the Director: Finance, dated 23 May 2017: **Annexure 8.1.8(a)**.
- (b) Budget for 2017/2018 – 2019/2020: **Annexure 8.1.8(b)**.
- (c) Rates and tariffs 2017/2018: **Annexure 8.1.8(c)**.
- (d) IDP for 2017/2018 – 2021/2022: **Annexure 8.1.8(d)**.
- (e) Budget related policies 2017/2018: **Annexure 8.1.8(e)**.
- (f) LG-MTEC Integrated Planning and Budgeting Assessment 2017/2018: **Annexure 8.1.8(f)**.

The Executive Mayor, Councillor BC Klaasen, tabled the Budget 2017/2018 and IDP 2017/2018 to 2021/2022 and delivered the budget speech, which is attached as **annexure 8.1.8(g)**.

The following matters were highlighted:

- Alderman JW Schuurman (ANC) expressed concern with regard to the new water meters, procurement possibilities for the disadvantaged, the housing project at Vredebes and the availability of housing for all the communities.

- Councillor JT Phungula (ANC) referred to the inauguration speech of the Executive Mayor and expressed concern in respect of the elderly, the indigent households, the poor debt collection and the abuse of women and children.

The Executive Mayor responded that this is the first budget of the new political term and the concerns raised will be addressed in future. Council will embark on a public participation process to address the matter of debt.

Councillor P Heradien (ICOSA) requested that it be minuted that ICOSA does not support the budget, inter alia due to the debt of councillors.

## **RESOLVED**

- (a) *That the annual budget of Witzenberg Municipality for the financial year 2017/2018; and indicative for the two projected years 2018/2019 and 2019/2020, as set out in the schedules contained in Section 4, be approved:*
  - (i) *Table A2: Budgeted Financial Performance (expenditure by standard classification).*
  - (ii) *Table A3: Budgeted Financial Performance (expenditure by municipal vote).*
  - (iii) *Table A4: Budgeted Financial Performance (revenue by source).*
  - (iv) *Table A5: Budgeted Capital Expenditure for both multi-year and single year by vote, standard classification and funding.*
- (b) *Property rates reflected in Annexure 8.1.8(c) and any other municipal tax reflected in Annexure 8.1.8(c) are imposed for the budget year 2017/2018.*
- (c) *Tariffs and charges reflected in Annexure 8.1.8(c) are approved for the budget year 2017/2018.*
- (d) *The measurable performance objectives for revenue from each source reflected in Table A4 - Budgeted Financial Performance (revenue and expenditure) are approved for the budget year 2017/2018.*
- (e) *The measurable performance objectives for each vote reflected in SA8 are approved for the budget year 2017/2018.*
- (f) *That the new amended budget related policies be approved with implementation as from 1 July 2017:*
  - (i) *Tariff Policy*
  - (ii) *Property Rates Policy*
  - (iii) *Credit Control and Debt Collection Policy*
  - (iv) *Cash Management and Investment Policy*
  - (v) *Consumer Payment Incentive Policy*
  - (vi) *Municipal Supply Chain Management Policy*
  - (vii) *Petty Cash Policy*
  - (viii) *Indigent Policy*
  - (ix) *Budget Policy*
  - (x) *Budget Virement Policy*
  - (xi) *Asset Management Policy*

- (xii) *Funding and Reserves Policy*
- (xiii) *Cellular telephone and data card policy*
- (xiv) *Borrowing Policy*
- (xv) *Long Term Financial Plan Policy*
- (xvi) *Transport, Travel and Subsistence Allowance*
- (xvii) *Post-Employment Medical Aid Contributions*

(g) *That the 2017/2018 to 2021/2022 Integrated Development Plan be approved.*

---

## **8.2 Direktooraat Tegniese Dienste / Directorate Technical Services**

### **8.2.1 Bella Vista taxi rank: Alternative location (15/4/R)**

Item 7.2.1 of the Executive Mayor and Mayoral Committee meeting, held on 29 May 2017, refers.

A memorandum from the Director: Technical Services, dated 9 May 2017, is attached as **annexure 8.2.1**.

The Executive Mayor and Mayoral Committee resolved on 29 May 2017:

That the Executive Mayor and Mayoral Committee recommend to Council:

- (i) that erf 1129 Ceres and erf 1127 Ceres be approved as the preferred site for the development of a new taxi rank for Bella Vista.
- (ii) that Mr Reid's offer to transfer approximately 1000 m<sup>2</sup> of erf 1127 Ceres to the municipality for the purposes of a taxi rank, as an off-set for the under-provision that would occur as a result of the new development of Mica Reid's, be approved,
- (iii) that the rezoning and subdivision and transfer of the remainder of erf 1127 Ceres shall be for the account of Mr Reid.
- (iv) that the municipality enters into a contract with Mr Reid regarding the transfer of the remainder of erf 1127 Ceres and that the Municipal Manager be mandated to sign all documentation in this regard.

Alderman JW Schuurman (ANC) expressed concerns with regard to:

- (i) the matter of less taxi parking at erven 1129 and 1127, Ceres.
- (ii) the matter of safety for taxi users/commuters who will have to cross two streets.
- (iii) the enlarged danger for consumers and pedestrians and
- (iv) the walking distance to the potential new taxi rank is much further.

The Executive Mayor mentioned that:

- (i) the old Nduli taxi rank cannot be expanded.
- (ii) the new potential taxi rank will make provision for taxi's from Wolseley, Tulbagh, Op-die-Berg and Prince Alfred's Hamlet as well.
- (iii) traffic will be channelled not to go through town.
- (iv) the taxi role players will consult directly with Mr Reid.
- (v) Council could not embark on a public participation process without a council resolution.

The following recommendation was tabled to Council:

That the Executive Mayor and Mayoral Committee recommend to Council:

- (a) that erf 1129 Ceres and erf 1127 Ceres be approved as the preferred site for the development of a new taxi rank for Bella Vista.
- (b) that Mr Reid's offer to transfer approximately 1000 m<sup>2</sup> of erf 1127 Ceres to the municipality for the purposes of a taxi rank, as an off-set for the under-provision that would occur as a result of the new development of Mica Reid's, be approved,
- (c) that the rezoning and subdivision and transfer of the remainder of erf 1127 Ceres shall be for the account of Mr Reid.
- (d) that the municipality enters into a contract with Mr Reid regarding the transfer of the remainder of erf 1127 Ceres and that the Municipal Manager be mandated to sign all documentation in this regard.

#### **RESOLVED**

*that the matter in respect of the alternative location for the Bella Vista taxi rank be held in abeyance until the next meeting.*

#### **8.2.2 Wysiging aan Beleid vir Huiswinkels in die Witzenberg munisipale area (15/4/P)**

Die volgende items verwys:

- (a) Item 8.1 van die vergadering van die Komitee vir Tegnieke Dienste, gehou op 27 Maart 2017.
- (b) Item 7.2.2 van die Uitvoerende Burgemeester en Burgemeesterskomitee vergadering, gehou op 29 Mei 2017.

Die volgende memorandum, gedateer 6 Maart 2017, is van die Bestuurder: Stadsbeplanning en Boubeheer ontvang:

“Die Raad het met sy vergadering van 3 Desember 2010 die beleid ten opsigte van huiswinkels goedgekeur (item 8.3.1 van notule van raadsvergadering van 3 Desember 2010).

Die beleid is met die Raad gewerkswinkel op 24 November 2010 en op 17 Desember 2011 vir publieke kommentaar geadverteer in die Witzenberg Herald. Op 25 Februarie 2011 is die beleid goedgekeur deur die Raad.

Die Beleid vir Huiswinkels word as **bylae 8.2.2** ingebind.

Twee wysigings aan die beleid word voorgestel:

#### Wysiging 1

Met ‘n vergadering van Bella Vista winkeleienaars, gehou op 26 Januarie 2017, was dit versoek dat huiswinkels moet geleë wees buite ‘n radius van 200 meter van mekaar en van bestaande sakepersele. Tans vereis die beleid dat 80 % van die eiendomme in die straat residensieel moet bly ten einde die woonbuurt-karakter te behou.

Die voorstel om ‘n 200 meter radius tussen winkels te handhaaf, is sinvol aangesien dit sal verhoed dat winkels aanmekaarpak. Die radius sal ook dieselfde effek hê as die 80 % beginsel aangesien die woonbuurt-karakter steeds behoue sal bly.

#### Wysiging 2

Daar is ‘n tendens dat nuwe losstaande strukture opgerig word om winkels te bedryf. Dit kom veral voor wanneer eienaars onderverhuur en die strukture word gewoonlik van sink of hout opgerig wat die woonbuurt-karakter negatief beïnvloed. Dit is ook teenstrydig met die bedoeling van ‘n huiswinkel wat in wese neerkom op ‘n kleinhandelsaak wat deur die huiseienaar vanuit sy woning bedryf word. Gevolglik word dit voorgestel om nie verder toe te laat dat losstaande strukture opgerig word om as winkels aangewend te word nie.”

Die Komitee vir Tegniese Dienste het op 27 Maart 2017 eenparig besluit:

- (a) dat die aangeleentheid rakende die wysigings aan die Beleid vir Huiswinkels ontstaan en deur die raad gewerkswinkel word.

Om by die Uitvoerende Burgemeester en Burgemeesterskomitee en Raad aan te beveel:

- (b) dat die wysigings aan die Beleid vir Huiswinkels deur die raad gewerkswinkel word en daarna vir goedkeuring aan die raad voorgelê word.
- (c) dat geen verdere aansoeke rakende huiswinkels vir die interim goedgekeur word totdat die beleid supra (a) deur die raad goedgekeur en aanvaar is nie.

Die Uitvoerende Burgemeester en Burgemeesterskomitee het op 29 Mei 2017 besluit dat die aangeleentheid rakende die wysiging aan die Beleid vir Huiswinkels in die Witzenberg munisipale area ontstaan en deur die Raad gewerkswinkel word.

## BESLUIT

*dat die aangeleentheid rakende die wysiging aan die Beleid vir Huiswinkels in die Witzenberg munisipale area oorstaan en deur die Raad gewerkswinkel word.*

### **8.2.3 Exceeding of ESKOM NMD (Notified Maximum Demand) penalties: Way forward (16/3/3/2)**

Item 7.2.3 of the Executive Mayor and Mayoral Committee meeting, held on 29 May 2017, refers.

A report from the Manager: Electro-technical Services, dated 9 May 2017, is attached as **annexure 8.2.3**.

The Executive Mayor and Mayoral Committee resolved on 29 May 2017:

That the Executive Mayor and Mayoral Committee recommend to Council:

- (i) that Council takes notice that the NMD (Notified Maximum Demand) of Ceres was exceeded in February 2017 and that penalties have been applied by ESKOM accordingly in terms of their NERSA approved MND rules.
- (ii) that Council reviews all new developments, excluding indigent housing, in Ceres in an attempt to slow load growth and limit the financial penalties related to NMD exceedances until such time that ESKOM can increase our NMD around 2022.
- (iii) that Council in the interim only considers developments in Ceres that have a substantial renewable energy component attached to them and subject to the developments' ability to impact minimally on the municipal load during peak seasons.
- (iv) that Council accepts the financial consequences of NMD exceedances in terms of ESKOM's NERSA approved NMD rules.

### **UNANIMOUSLY RESOLVED**

- (a) *that Council takes notice that the NMD (Notified Maximum Demand) of Ceres was exceeded in February 2017 and that penalties have been applied by ESKOM accordingly in terms of their NERSA approved NMD rules.*
- (b) *that Council reviews all new developments, excluding indigent housing, in Ceres in an attempt to slow load growth and limit the financial penalties related to NMD exceedances until such time that ESKOM can increase our NMD around 2022.*
- (c) *that Council in the interim only considers developments in Ceres that have a substantial renewable energy component attached to them and subject to the developments' ability to impact minimally on the municipal load during peak seasons.*
- (d) *that Council accepts the financial consequences of NMD exceedances in terms of ESKOM's NERSA approved NMD rules.*

**8.3      Direktoraat Gemeenskapsdienste / Directorate Community Services**

**8.3.1    International relations: Twinning agreement with Essen, Belgium: Approval of new federal program for Waste Management (10/2/3)**

Item 7.3.1 of the Executive Mayor and Mayoral Committee meeting, held on 29 May 2017, refers.

A memorandum from the Director: Community Services, dated 11 April 2017, is attached as **annexure 8.3.1**.

The Executive Mayor and Mayoral Committee resolved on 29 May 2017:

That the Executive Mayor and Mayoral Committee recommend to Council:

- (i)        that the Federal Funding agreement with Essen Municipality be approved.
- (ii)      that the Executive Mayor be mandated to sign the contract on behalf of Council.
- (iii)     that the Director: Technical Services manages the implementation of the program.
- (iv)      that special leave be granted to Councillor JJ Visagie, Alderman HJ Smit, the Director: Technical Services, Mr J Barnard, and the Director: Finance, Mr HJ Kritzinger, for a working visit to Essen, Belgium.
- (v)      that all the above-mentioned municipal representatives be paid the travel and subsistence allowance in terms of Council's policy.

**RESOLVED**

- (a)        *that the Federal Funding agreement with Essen Municipality be approved.*
- (b)        *that the Executive Mayor be mandated to sign the contract on behalf of Council.*
- (c)        *that the Director: Technical Services manages the implementation of the program.*
- (d)        *that special leave be granted from 9 to 15 July 2017 to Councillor JJ Visagie, Alderman HJ Smit, the Director: Technical Services, Mr J Barnard, and the Director: Finance, Mr HJ Kritzinger, for a working visit to Essen, Belgium.*
- (e)        *that all the above-mentioned municipal representatives be paid the travel and subsistence allowance in terms of Council's policy.*



**8.3.2 Removal of public pay phones: Telkom SA  
(17/15/1)**

Item 7.3.2 of the Executive Mayor and Mayoral Committee meeting, held on 29 May 2017, refers.

A communiqué from Telkom SA is attached as **annexure 8.3.2**.

The Executive Mayor and Mayoral Committee resolved on 29 May 2017:

That the Executive Mayor and Mayoral Committee recommend to Council:

that notice be taken of the removal of unsustainable public pay phones in the Witzenberg area.

**UNANIMOUSLY RESOLVED**

- (a) *that notice be taken of the removal of unsustainable public pay phones in the Witzenberg area.*
- (b) *that the Municipal Manager forwards a correspondence to Telkom SA with the request that the public pay phones at 20 Uxololwethu Street and Phumla Street, Nduli, Ceres not be removed.*

---

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

**8.4.1 Vesting of municipal land: Unregistered Erf 2813, Tulbagh  
(7/11/4/2)**

The following items refer:

- (a) Item 7.3 of the meeting of the Committee for Corporate and Financial Services, held on 16 March 2017.
- (b) Item 7.4.1 of the Executive Mayor and Mayoral Committee meeting, held on 29 May 2017.

A memorandum from the Legal Advisor, dated 21 September 2016, is attached as **annexure 8.4.1**.

The Committee for Corporate and Financial Services resolved on 16 March 2017 to recommend to the Executive Mayor and Mayoral Committee and Council:

- (a) that in terms of the MFMA the subject property erf 2813, Tulbagh is not needed to provide the minimum level of basic municipal services.
- (b) that the asset can be alienated at a fair market price and that the economic and community value be considered.
- (c) that the sale be advertised in the press for possible objections.

- (d) that the applicant shall be liable for all cost related to this approval which may include the cost of the land to be alienated.
- (e) that the Municipal Manager be authorised to sign all documentation.

The Executive Mayor and Mayoral Committee resolved on 29 May 2017:

That the Executive Mayor and Mayoral Committee recommend to Council:

- (i) that in terms of the Municipal Finance Management Act the subject property, erf 2813, Tulbagh is not needed to provide the minimum level of basic municipal services.
- (ii) that the asset can be alienated at a fair market price and that the economic and community value be considered.
- (iii) that the sale be advertised in the press for possible objections.
- (iv) that the applicant shall be liable for all cost related to this approval which may include the cost of the land to be alienated.
- (v) that the Municipal Manager be authorised to sign all documentation.

**UNANIMOUSLY RESOLVED**

- (a) *that in terms of the Municipal Finance Management Act the subject property, erf 2813, Tulbagh is not needed to provide the minimum level of basic municipal services.*
- (b) *that the asset can be alienated at a fair market price and that the economic and community value be considered.*
- (c) *that the sale be advertised in the press for possible objections.*
- (d) *that the applicant shall be liable for all cost related to this approval which may include the cost of the land to be alienated.*
- (e) *that the Municipal Manager be authorised to sign all documentation.*

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

**9.1 Composition of Section 79 and 80 Committees of Council  
(03/3/1/1)**

Item 7.4.3 of the Executive Mayor and Mayoral Committee meeting, held on 29 May 2017, refers.

The composition of members of the Section 79 and 80 Committees of Council is attached as **annexure 9.1**.

The following report, dated 26 May 2017, was received from the Executive Mayor:

"Purpose

To recommend to Council to remove Councillor S Hugo from the Committee for Housing Matters and to appoint him on the Committee for Corporate and Financial Services.

Deliberation

The absence of Councillor Hugo from council activities, more specifically, the Committee for Housing Matters, has created operational issues for the committee. If any of the other members of the committee are absent, then there is no quorum for the committee to proceed with its agenda and/or matters of the day. The proposal is to move Councillor Hugo to the Committee for Corporate Services, which will not have any negative impact on the committee, even if one other member is absent. The quorum for the Committee for Housing Matters will then only be two councillors and for the Committee for Corporate Services still three councillors. The future of Councillor Hugo will be for Council's consideration and if any new councillor is to be appointed, then Council can revert to the initial situation as at 2 September 2016."

The Executive Mayor and Mayoral Committee resolved on 29 May 2017:

That the Executive Mayor and Mayoral Committee recommend to Council:

that Councillor S Hugo be moved from the Committee for Housing Matters to the Committee for Corporate and Financial Services.

**UNANIMOUSLY RESOLVED**

*that Councillor S Hugo be moved from the Committee for Housing Matters to the Committee for Corporate and Financial Services.*

**9.2 Finance: Adjustment budget 2016/2017  
(5/1/1/15)**

The following documents are attached:

- (a) Memorandum from the Director: Finance, dated 26 May 2017: **Annexure 9.2(a)**.
- (b) Adjustment budget 2016/2017: **Annexure 9.2(b)**.

**UNANIMOUSLY RESOLVED**

- (a) *That the adjustment budget of Witzenberg Municipality for the financial year 2016/2017 as set out in the budget documents be approved:*
  - (i) *Table B1 - Budget summary.*
  - (ii) *Table B2 - Adjustments Budget Financial Performance (by standard classification).*
  - (iii) *Table B3 - Budgeted Financial performance (Revenue and Expenditure) by Vote.*
  - (iv) *Table B4 - Adjustments Budget Financial Performance (revenue by source).*
  - (v) *Table B5 - Budgeted Capital Expenditure by Vote, standard classification and funding.*
- (b) *That the SDBIP be updated with the financial amendments if the amendments are approved by Council.*

**10. FORMAL AND STATUTORY MATTERS**

None

**NOTED**

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

- (a) Alderman JW Schuurman (ANC) requested a standing item on the agenda to report back for councillors of the municipality on outside bodies.
- (b) Councillor P Heradien expressed concern with regard to the late submission of Executive Mayor and Mayoral Committee resolutions to Council, which affects effective political party preparation.

**NOTED**

**12. COUNCIL-IN-COMMITTEE**