

MINUTES OF THE COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON WEDNESDAY, 28 MARCH 2018 AT 10:00

PRESENT

Aldermen and Councillors

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

Officials

Mr D Nasson (Municipal Manager)
Mr J Barnard (Director: Technical Services)
Ms J Krieger (Director: Community Services)
Mr HJ Kritzinger (Director: Finance)
Mr M Mpeluza (Director: Corporate Services)
Ms L Nieuwenhuis (Legal Advisor)
Mr A Hofmeester (IDP Manager)
Mr CG Wessels (Manager: Administration)
Mr C Titus (Committee Clerk)
Ms M Badela (Interpreter)
Ms MJ Prins (Acting Principal Administrative Officer)

Other attendees

Mr N Bettsworth (Ceres Business Initiative)

1. OPENING AND WELCOME

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

The Speaker announced that the whip system has been implemented and only members on the list will be allowed to speak in accordance with the Code of Conduct.

NOTED.

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

An application for leave of absence from the meeting was received from Councillor P Heradien (ICOSA).

Apology for absence from the meeting was received from the Head: Internal Audit.

UNANIMOUSLY RESOLVED

- (a) that the application for leave of absence from the meeting, received from Councillor P Heradien (ICOSA) be approved and accepted.*
- (b) that notice be taken of the apology for absence from the meeting, received from the Head: Internal Audit, and same be approved and accepted.*

The ANC requested a caucus break from 10:10 until 10:25.

Councillor SJ Hugo left the meeting at 10:25.

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

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

Councillor J Phungula conveyed congratulations on behalf of Council to Councillor G Laban on his birthday on 19 March.

NOTED.

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

The Speaker reported that he and three (3) other Councillors had attended the funeral of the former Deputy Executive Mayor of the Witzenberg Municipality, Mr Zola Mdala, in the Eastern Cape.

NOTED

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

The Executive Mayor conveyed best wishes and a blessed Easter on behalf of Council to all in Witzenberg.

NOTED

4. MINUTES

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

The minutes of the council meeting, held on 28 February 2018, are attached as **annexure 4.1**.

UNANIMOUSLY RESOLVED

That the minutes of the Council Meeting, held on 28 February 2018, be approved and signed by the Speaker.

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

Number	File reference	Heading, item no. and date	Directorate	Action	Progress	Target date
4.2.1	16/4/6	5.1 of 25 October 2017 Motion: Naming of streets in Bella Vista housing project without a public participation process	Municipal Manager	To be investigated by Council and if deemed necessary, the applicable changes and corrections be done.	Public meeting scheduled for 12 April 2018.	
4.2.2	17/9/2	8.3.2 van 25 Oktober 2017 Instandhouding van speelparktoerusting	Gemeenskapsdienste	Dat die aangeleentheid oorstaan en na die UBK verwys word vir 'n aanbeveling aan die Raad.	Besig met openbare deelnameproses.	
4.2.3	7/1/4/2	8.4.2 of 5 December 2017 Request to purchase erf 3605, Ceres or a portion thereof	Municipal Manager	That the matter be held in abeyance until the next meeting.	Awaiting outcome of investigation by MEC for Housing on housing needs of Bella Vista community	

Notule: Raadsvergadering 28 Maart 2018
Minutes: Council meeting 28 Maart 2018

4.2.4	17/4/2/1 & 17/4/2/P	12/2/1 of 5 December 2017 Constitutional obligation of municipalities to provide suitable alternative accommodation in evictions	Corporate Services	That the matter be held in abeyance until being workshopped by Council.	Speaker to confirm date for workshop.	
4.2.5	3/1/1/5	9.1 of 24 January 2018 Council's representatives on SALGA Working Groups	Municipal Manager	That the Municipal Manager finalises the matter.	Matter finalised by Speaker.	
4.2.6	3/2/1	Upgrade of tablets for Councillors	Finance	Further quotations of other service providers to be obtained to determine best and most viable option for Councillors	Item will be tabled at April 2018 council meeting.	

Item 4.2.2: Instandhouding van speelarktoerusting

Die Direkteur: Gemeenskapsdienste rapporteer dat die Direktooraat Gemeenskapsdienste terugvoering sal gee rakende die openbare deelnameproses met betrekking tot speelparke.

Raadslid TE Abrahams versoek dat die aangeleentheid rakende erf 1567, Tulbagh ook op die lys vir Uitstaande Sake geplaas word.

RESOLVED

- (a) *that the Director: Community Services will give feedback to Council at the next meeting with regard to the Public Participation Process in respect of the maintenance of play parks.*
- (b) *that the Municipal Manager tables the matter pertaining to erf 1567, Tulbagh as an outstanding item at the next meeting.*
- (c) *that the Municipal Manager tables all outstanding matters on the agenda with target dates at the next council meeting.*
- (d) *that notice be taken of the outstanding matters and same be accepted.*

5. MOTIONS AND NOTICE OF SUGGESTIONS

5.1 Mosie: Ingryping in Afdeling Afvalbestuur en Reiniging (4/10/1)

'n Mosie vanaf raadslid TT Godden, gedateer 5 Maart 2018, word aangeheg as **bylae 5.1**.

Raadslid T Godden dien 'n mosie in rakende ingryping in die Afdeling Afvalbestuur en Reiniging.

Verskeie raadslede neem deel aan die bespreking en rapporteer:

- dat werkers in Prince Alfred's Hamlet inklok vir diens, maar dan huis toe gaan of in die dorp rondstaan.
- dat werkers onder die invloed van drank aan diens is.
- dat werkers opsetlik nie munisipale werkersdrag dra nie.
- dat die waterslootjies in Wolseley skoongemaak word, maar die vullis bly op die sypaadjies lê.
- dat die kanaal in Wolseley vuil is.
- dat mense in die vullisbakke in Wolseley slaap.
- dat huisvullis in plaas van tuinvullis in die vullisbakke gegooi word.

EENPARIGE BESLUIT

- (a) *dat die Munisipale Bestuurder en Direkteur: Tegniese Dienste die aangeleentheid rakende werkersprobleme in die Afdeling Afvalbestuur en Reiniging deeglik ondersoek en 'n verslag by die volgende vergadering vir die Raad ter tafel lê.*
- (b) *dat raadslede wat oor bewyse beskik van werkerongedissiplineerdheid in terme van die Gedragskode vir Werknemers dit sal aanmeld by die Munisipale Bestuurder.*

6. INTERVIEWS WITH DELEGATIONS

6.1 Presentation: Vredebes Housing Plan (17/04/1/1/1)

A presentation will be made by Ms Karen Siebrits from Messrs ASLA regarding the types of houses to be built for the Vredebes Housing Project.

Ms Karen Siebrits from Messrs ALSA made a presentation with regard to the Vredebes Integrated Residential Project. The presentation is attached as annexure 6.1.

The following matters/remarks/questions were highlighted:

Question: How many houses will be allocated to the military veterans?

Answer: Not yet determined.

Question: When was the housing plans in the presentation approved? The request at the last meeting was that the housing plans be changed.

Answer: This presentation is all about the housing outlay and not to approve the housing plans. That must still be done.

Question: When will the housing process start?

Answer: June 2018.

UNANIMOUSLY RESOLVED

that Council takes notice of the presentation with regard to the Vredebes Integrated Residential Project.

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 Technical Services, held on 15 November 2017: **Annexure 7.1(a)**.
- (b) Committee for Local Economic Development and Tourism, held on 15 November 2017: **Annexure 7.1(b)**.
- (c) Committee for Corporate and Financial Services, held on 16 November 2017: **Annexure 7.1(c)**.
- (d) Performance, Risk and Audit Committee, held on 15 January 2018: **Annexure 7.1(d)**.
- (e) MPAC workshop, held on 16 January 2018: **Annexure 7.1(e)**.
- (f) Municipal Public Accounts Committee, held on 16 January 2018: **Annexure 7.1(f)**.
- (g) Executive Mayoral Committee, held on 23 January 2018: **Annexure 7.1(g)**.
- (h) Committee for Housing Matters, held on 8 February 2018: **Annexure 7.1(h)**.
- (i) Committee for Community Development, held on 15 February 2018: **Annexure 7.1(i)**.

UNANIMOUSLY RESOLVED

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

8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

8.1 Directoraat Finansies / Directorate Finance

8.1.1 Section 71 monthly reports of the Department Finance: December 2017 and January 2018 (9/1/2/2)

The following items refer:

- (a) Item 7.1 of the meeting of the Committee for Corporate and Financial Services, held on 15 March 2018.
- (b) Item 7.1.1 of the Executive Mayoral Committee meeting held on 26 March 2018.

The following Section 71 monthly reports of the Department Finance are attached:

- (a) December 2017 **Annexure 8.1.1(a)**
- (b) January 2018 **Annexure 8.1.1(b)**

The Committee for Corporate and Financial Services resolved on 15 March 2018:

To recommend to the Executive Mayoral Committee and Council:

that notice be taken of the monthly reports of the Department Finance for December 2017 and January 2018 and same be approved and accepted.

The Executive Mayoral Committee resolved on 26 March 2018.

That the Executive Mayoral Committee recommends to Council:

that notice be taken of the Section 71 monthly reports of the Department Finance for December 2017 and January 2018 and same be approved and accepted.

The Director: Finance submitted the Section 71 monthly reports of the Department Finance for December 2017 and January 2018. The following matters were highlighted:

- Alderman J Schuurman expressed appreciation for the decrease in deviations and also the improvement with regard to meter readings.
- The Alderman expressed concern with regard to the writing off of arrear monies and also the payment of municipal accounts.

UNANIMOUSLY RESOLVED

that notice be taken of the Section 71 monthly reports of the Department Finance for December 2017 and January 2018 and same be approved and accepted.

**8.1.2 Disciplinary Board for Financial Misconduct
(5/P)**

The following items refer:

- (a) Item 8.1.6 of the council meeting, held on 27 August 2014.
- (b) Item 7.1.2 of the Executive Mayoral Committee meeting, held on 26 March 2018.

Council resolved on 27 August 2014:

- (a) That a Board be established in terms of Government Gazette 37699 of 30 May 2014 to address any financial misconduct, as described in the Municipal Finance Management Act, in the municipality.
- (b) That any investigation regarding financial irregularities applicable to councillors be conducted in terms of the Code of Conduct for Councillors as regulated by the Municipal Systems Act.
- (c) That the Board does not consist of more than five members, as stated in the Regulations.
- (d) That the Executive Mayoral Committee will have delegated powers to co-opt any person to the Board.

A memorandum from the Head: Internal Audit, dated 5 September 2017, is attached as **annexure 8.1.2**.

The Executive Mayoral Committee resolved on 26 March 2018:

That the Executive Mayoral Committee recommends to Council:

that the current five members be appointed for a further period of three years.

UNANIMOUSLY RESOLVED

that the current five members be appointed for a further period of three years.

**8.1.3 Finance: Draft Budget, Draft Review IDP and Draft Top Layer SDBIP: 2018/2019
(5/1/1/17; 2/2/1 & 5/1/5/11)**

The following memorandum, dated 22 March 2018, was received from the Director: Finance:

“1. Purpose

The purpose of this report is to table the 2018/2019 Draft Budget, the Draft Review IDP and the Draft Top Layer SDBIP for consideration to the Executive Mayor and Council.

2. Legal framework

Section 16 - 18 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) stipulates as follows:

'Annual budgets

16. (1) The council of a municipality must for each financial year approve an annual budget for the municipality before the start of that financial year.
- (2) **In order for a municipality to comply with subsection (1), the mayor of the municipality must table the annual budget at a council meeting at least 90 days before the start of the budget year.**
- (3) Subsection (1) does not preclude the appropriation of money for capital expenditure for a period not exceeding three financial years, provided a separate appropriation is made for each of those financial years.'

'Contents of annual budgets and supporting documents

17. (1) An annual budget of a municipality must be a schedule in the prescribed format –
- (a) setting out realistically anticipated revenue for the budget year from each revenue source;
 - (b) appropriating expenditure for the budget year under the different votes of the municipality;
 - (c) setting out indicative revenue per revenue source and projected expenditure by vote for the two financial years following the budget year;
 - (d) setting out –
 - (i) estimated revenue and expenditure by vote for the current year; and
 - (ii) actual revenue and expenditure by vote for the financial year preceding the current year; and
 - (e) a statement containing any other information required by section 215(3) of the Constitution or as may be prescribed.
- (2) An annual budget must generally be divided into a capital and an operating budget in accordance with international best practice, as may be prescribed.
- (3) When an annual budget is tabled in terms of Section 16 (2), it must be accompanied by the following documents:
- (a) draft resolutions –
 - (i) approving the budget of the municipality;
 - (ii) imposing any municipal tax and setting any municipal tariffs as may be required for the budget year;
 - (iii) approving the budgets for the relevant financial year of each municipal entity under the sole or shared control of the municipality; and
 - (iv) approving any other matter that may be prescribed;
 - (b) measurable performance objectives for each vote in the budget, taking into account the municipality's integrated development plan;
 - (c) a projection of cash flow for the budget year by revenue source, broken down per month;

- (d) any proposed amendments to the municipality's integrated development plan following the annual review of the integrated development plan in terms of section 34 of the Municipal Systems Act;
- (e) any proposed amendments to the budget-related policies of the municipality;
- (f) particulars of the municipality's investments;
- (g) any prescribed budget information on municipal entities under the sole or shared control of the municipality;
- (h) particulars of all proposed new municipal entities which the municipality intends to establish or in which the municipality intends to participate;
- (i) particulars of any proposed service delivery agreements, including material amendments to existing service delivery agreements;
- (j) particulars of any proposed allocations or grants by the municipality to –
 - (i) other municipalities;
 - (ii) any municipal entities and other external mechanisms assisting the municipality in the exercise of its functions or powers;
 - (iii) any other organs of state;
 - (iv) any organisations or bodies referred to in section 67(1);
- (k) the proposed cost to the municipality for the budget year of the salary, allowances and benefits of –
 - (i) each political office-bearer of the municipality;
 - (ii) councillors of the municipality; and
 - (iii) the municipal manager, the chief financial officer, each senior manager of the municipality and any other official of the municipality at a remuneration package at least equal to that of a senior manager;
- (l) the proposed cost for the budget year to a municipal entity under the sole or shared control of the municipality of the salary, allowances and benefits of –
 - (i) each member of the entity's board of directors; and
 - (ii) the chief executive officer and each senior manager of the entity; and
- (m) any other supporting documentation as may be prescribed.'

'Funding of expenditures

- 18. (1) An annual budget may only be funded from –
 - (a) realistically anticipated revenues to be collected;
 - (b) cash-backed accumulated funds from previous years' surpluses not committed for other purposes; and
 - (c) borrowed funds, but only for the capital budget referred to in section 17 (2).
- (2) Revenue projections in the budget must be realistic, taking into account –
 - (a) projected revenue for the current year based on collection levels to date; and
 - (b) actual revenue collected in previous financial years.'

The following documents are attached:

- (a) Draft Budget: 2018/2019 – 2020/2021: **Annexure 8.1.3(a)**.
- (b) Draft Review Integrated Development Plan: 2018/2019: **Annexure 8.1.3(b)**.
- (c) Draft Budget Related Policies: 2018/2019: **Annexure 8.1.3(c)**.
- (d) Draft Budget Schedules: 2018/2019 – 2020-2021: **Annexure 8.1.3(d)**.
- (e) Draft Top Layer SDBIP: 2018/2019: **Annexure 8.1.3(e)**.

UNANIMOUSLY RESOLVED

- (a) *that Council takes notice of the Draft Budget, the Draft Review IDP and the Draft Top Layer SDBIP of the Witzenberg Municipality for the financial year 2018/2019 and the indicative budget for the two years 2019/2020 and 2020/2021 that have been tabled by the Executive Mayor in Council.*
- (b) *that the public participation process as per the IDP and Budget Process Plan be followed.*

**8.1.4 Water demand management meters
(5/12/4)**

The following items refer:

- (a) Item 7.1.10 of the Executive Mayoral Committee meeting, held on 26 February 2018.
- (b) Item 8.1.10 of the council meeting, held on 28 February 2018.
- (c) Item 7.1.3 of the Executive Mayoral Committee meeting, held on 26 March 2018.

The following memorandum, dated 20 February 2018, was received from the Director: Finance:

“1. Purpose

The purpose of this report is to submit a report to Council for consideration on the installation of water demand management meters.

2. Background

The monthly consumption of water is still above the required norms to address the drought. Eight hundred water demand management meters with prepaid functionality have been procured and must be installed.

3. Legal framework

The Drought Management Plan stipulates that flow reducing devices shall be installed where the prescribed usage limits are exceeded. Except for a registered indigent household, the offender will be charged for the cost of the installation.

4. Discussion

It is proposed that the water demand management meters be installed to identified users/areas after the customers have been informed. The perception that the water demand management meters are discriminating can be partially addressed by installing the water demand management meters to all councillors and senior officials.”

The Executive Mayoral Committee resolved on 26 February 2018 that the matter regarding water demand management meters be referred to Council for further discussion.

The Director: Finance tabled the report in respect of the water demand management meters. The following were highlighted:

- Various Council members debated that the water meters only be installed where people waste water and that the municipality deals with the culprits and not with innocent people. A list must be made available for Council of the high usage home owners of water and they must be attended to. Expenditure must be limited.
- Other Councillors debated that all leakages be repaired before the project is rolled out. The focus will be on the people with at least double the usage as prescribed. The concern raised was about the 800 meters in the stores which need to be installed.

Council referred the matter to the Executive Mayoral Committee for further deliberation and a recommendation to Council.

Council unanimously resolved on 28 February 2018 that the matter in respect of the water demand management meters be referred to the Executive Mayoral Committee for further deliberation and a recommendation to Council.

The Executive Mayoral Committee resolved on 26 March 2018 that the matter in respect of the water demand management meters be held in abeyance until the next meeting.

UNANIMOUSLY RESOLVED

that the matter in respect of the water demand management meters be held in abeyance until the next meeting.

8.1.5 Finance: Writing off of interest and arrear monies: Household debt and other irrecoverable outstanding amounts (5/12/1/3)

Item 7.1.4 of the Executive Mayoral Committee meeting, held on 26 March 2018, refers.

A memorandum from the Director: Finance, dated 23 February 2018, is attached as **annexure 8.1.5**.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

that the irrecoverable arrears to the value of R51 486 498-58 be written off.

The Executive Mayoral Committee resolved on 26 March 2018 that the matter in respect of the writing off of interest and arrear monies be held in abeyance until after the meeting of the Task Team.

UNANIMOUSLY RESOLVED

that the matter in respect of the writing off of interest and arrear monies be held in abeyance until after the meeting of the Task Team.

**8.1.6 Draft 2018/2019 Top Layer SDBIP
(5/1/5/11)**

The matter was dealt with under item 8.1.3.

NOTED

8.2 Direktoraat Tegniese Dienste / Directorate Technical Services

8.2.1 Approval of Water Services Development Plan (16/02/P)

The following items refer:

- (a) Item 7.1 of the meeting of the Committee for Technical Services, held on 14 March 2018.
- (b) Item 7.2.1 of the Executive Mayoral Committee meeting, held on 26 March 2018.

The following documents are attached:

- (a) Memorandum from Manager: Water and Sewerage: **Annexure 8.2.1(a)**.
- (b) Draft Water Services Development Plan: **Annexure 8.2.1(b)**.

The Manager: Water and Sewerage submitted a memorandum with regard to the approval of the Water Services Development Plan.

The Committee for Technical Services resolved on 14 March 2018:

That the Committee for Technical Services recommends to the Executive Mayoral Committee and Council:

- (a) that the draft Water Services Development Plan be advertised in the local newspapers for comment for a period of 30 (thirty) days.
- (b) that the draft Water Services Development Plan be sent to relevant stakeholders within our area of jurisdiction, including business, agriculture and industry.
- (c) that the draft Water Services Development Plan be sent to the Minister, the Minister for Provincial Affairs and Constitutional Development, the relevant Province and neighbouring authorities.
- (d) that a copy of the draft Water Services Development Plan be made available for inspection at the offices of the municipality.

The Executive Mayoral Committee resolved on 26 March 2018:

That the Executive Mayoral Committee recommends to Council:

- (a) that the draft Water Services Development Plan be advertised in the local newspapers for comment for a period of 30 (thirty) days.
- (b) that the draft Water Services Development Plan be sent to relevant stakeholders within our area of jurisdiction, including business, agriculture and industry.
- (c) that the draft Water Services Development Plan be sent to the Minister, the Minister for Provincial Affairs and Constitutional Development, the relevant Province and neighbouring authorities.

- (d) that a copy of the draft Water Services Development Plan be made available for inspection at the offices of the municipality.

UNANIMOUSLY RESOLVED

- (a) *that the draft Water Services Development Plan be advertised in the local newspapers for comment for a period of 30 (thirty) days.*
- (b) *that the draft Water Services Development Plan be sent to relevant stakeholders within our area of jurisdiction, including business, agriculture and industry.*
- (c) *that the draft Water Services Development Plan be sent to the Minister for Provincial Affairs and Constitutional Development, the relevant Province and neighbouring authorities.*
- (d) *that a copy of the draft Water Services Development Plan be made available for inspection at the offices of the municipality.*

8.2.2 Power X “Proof of Concept” – Memorandum of Understanding – Proposed way forward (16/3/R)

The following items refer:

- (a) Item 7.2 of the meeting of the Committee for Technical Services, held on 14 March 2018.
- (b) Item 7.2.2 of the Executive Mayoral Committee meeting, held on 26 March 2018.

The following documents are attached:

- (a) Memorandum from Senior Manager: Electro-Technical Services: **Annexure 8.2.2(a)**.
- (b) Memorandum between Witzenberg Municipality and Power X (Pty) Ltd: **Annexure 8.2.2(b)**.

The Senior Manager: Electro-Technical Services submitted the memorandum with regard to Power X “Proof of Concept” and the proposed way forward.

- The Senior Manager: Electro-Technical Services informed the Committee that the municipality is not responsible for any cost.

The Committee for Technical Services resolved on 14 March 2018:

That the Committee for Technical Services recommends to the Executive Mayoral Committee and Council:

that a preliminary investigation, no risk, Memorandum of Understanding as attached be finalised and then signed with Power X in order to finalise various studies and enable Power X to compile a proposal that can be acceptable to Council for implementation.

The Executive Mayoral Committee resolved on 26 March 2018:

That the Executive Mayoral Committee recommends to Council:

that a preliminary investigation, no risk, Memorandum of Understanding as attached be finalised and then signed with Power X in order to finalise various studies and enable Power X to compile a proposal that can be acceptable to Council for implementation.

UNANIMOUSLY RESOLVED

- (a) *that a preliminary investigation, no risk, Memorandum of Understanding as attached be finalised and then signed with Power X in order to finalise various studies and enable Power X to compile a proposal that can be acceptable to Council for implementation.*
- (b) *that the Municipal Manager be authorised to sign the Memorandum of Understanding on behalf of Council.*

8.2.3 Water Demand Management: Investigation for extension of grey water network (16/02/R)

The following items refer:

- (a) Item 7.3 of the meeting of the Committee for Technical Services, held on 14 March 2018.
- (b) Item 7.2.3 of the Executive Mayoral Committee meeting, held on 26 March 2018.

A memorandum from the Manager: Water and Sewerage, dated 19 October 2017, is attached as **annexure 8.2.3**.

The Manager: Water and Sewerage submitted the memorandum with regard to an investigation for extension of the grey water network.

- that the network be extended in Tulbagh and Ceres.
- the water is tested for irrigation and comply with all the regulations.

The Committee for Technical Services resolved on 14 March 2018

That the Committee for Technical Services recommends to the Executive Mayoral Committee and Council:

- (a) that the project for the investigation to extend the current grey water networks be approved.
- (b) that Cape Winelands District Municipality be informed that the allocation of R500 000-00 will be utilised for the investigation and upgrade of our current grey water system to irrigate parks, open spaces and school sport grounds.

The Executive Mayoral Committee resolved on 26 March 2018:

That the Executive Mayoral Committee recommends to Council:

- (a) that the project for the investigation to extend the current grey water networks be approved.
- (b) that Cape Winelands District Municipality be informed that the allocation of R500 000-00 will be utilised for the investigation and upgrade of our current grey water system to irrigate parks, open spaces and school sport grounds.

UNANIMOUSLY RESOLVED

- (a) *that the project for the investigation to extend the current grey water networks be approved.*
- (b) *that Cape Winelands District Municipality be informed that the allocation of R500 000-00 will be utilised for the investigation and upgrade of our current grey water system to irrigate parks, open spaces and school sport grounds.*
- (c) *that the Municipal Manager obtains an audit who else utilises the grey water and that a cost analysis thereof be done.*
- (d) *that the matter supra (c) be tabled to Council after the audit process.*

8.2.4 Mandate to adopt a Process to Implement an Integrated Zoning Scheme By-law (15/4/P)

The following items refer:

- (a) Item 8.1 of the meeting of the Committee for Technical Services, held on 14 March 2018.
- (b) Item 7.2.4 of the Executive Mayoral Committee meeting, held on 26 March 2018.

A report from the Directorate Technical Services is attached as **annexure 8.2.4**.

The Manager: Town Planning and Building Control submitted the memorandum with regard to the Mandate to adopt a Process to Implement an Integrated Zoning Scheme By-law.

The Committee for Technical Services resolved on 14 March 2018:

That the Committee for Technical Services recommends to the Executive Mayoral Committee and Council:

that approval be granted to adopt the Proposed Standard Draft Zoning Scheme By-law to commence a process as described in the subject report for the approval and implementation of an Integrated Zoning Scheme By-law for the Witzenberg Municipality.

The Executive Mayoral Committee resolved on 26 March 2018:

That the Executive Mayoral Committee recommends to Council:

that approval be granted to adopt the Proposed Standard Draft Zoning Scheme By-law to commence a process as described in the subject report for the approval and implementation of an Integrated Zoning Scheme By-law for the Witzenberg Municipality.

UNANIMOUSLY RESOLVED

that approval be granted to adopt the Proposed Standard Draft Zoning Scheme By-law to commence a process as described in the subject report for the approval and implementation of an Integrated Zoning Scheme By-law for the Witzenberg Municipality.

8.2.5 Request for DBSA's infrastructure planning support regarding development of various master plans: Witzenberg Municipality (16/P)

Item 7.2.5 of the Executive Mayoral Committee meeting, held on 26 March 2018, refers.

A memorandum from the Manager: Projects and Performance, dated 20 March 2018, is attached as **annexure 8.2.5**.

The Executive Mayoral Committee resolved on 26 March 2018:

That the Executive Mayoral Committee recommends to Council:

- (a) that the application for identified master plans be approved by Council.
- (b) that Council approves the provision for co-funding to the total amount of R350 000 in the 2018/2019 budget.
- (c) that the Municipal Manager be mandated to sign the necessary Memorandum of Agreement with the Development Bank of South Africa agreements.

UNANIMOUSLY RESOLVED

- (a) *that the application for identified master plans be approved by Council.*
- (b) *that Council approves the provision for co-funding to the total amount of R350 000 in the 2018/2019 budget.*
- (c) *that the Municipal Manager be mandated to sign the necessary Memorandum of Agreement with the Development Bank of South Africa agreements.*

8.3 Direktoraat Gemeenskapsdienste / Directorate Community Services

8.3.1 Lease agreement: Governing Body for Zanokhanyo Crèche: Chris Hani, Tulbagh (7/1/4/1)

The following items refer:

- (a) Item 7.1 of the meeting of the Committee for Community Development, held on 15 February 2018.
- (b) Item 7.3.2 of the Executive Mayoral Committee meeting, held on 26 March 2018.

A memorandum from the Director: Community Services, dated 17 January 2018, is attached as **annexure 8.3.1**.

The Committee for Community Development resolved on 15 February 2018:

To recommend to the Executive Mayoral Committee and Council:

- (a) that the property situated on a portion of erf 389, Tulbagh is not required for the provision of minimum level of basic municipal services in terms of Section 14.2(a) of the Municipal Finance Management Act.
- (b) that Council enters into a lease agreement with Zanokhanyo Crèche for a period of three years for the purposes of operating a crèche.
- (c) that Council considers granting Zanokhanyo Crèche the option for renewal in the new lease agreement on the discretion of the municipality.
- (d) that the fair market value is not applicable due to the economic and community value that are received in exchange for the lease of the asset (Municipal Finance Management Act Section 14.2 b). Council must determine the rental amount.
- (e) that Zanokhanyo Crèche is liable to pay for municipal services.
- (f) that Zanokhanyo Crèche is responsible to maintain the building.
- (g) that Zanokhanyo Crèche is responsible for own security measures, such as alarms, security guards, burglar bars etcetera.
- (h) that the building will remain the property of the Witzenberg Municipality after the lease agreement has expired or is cancelled.
- (i) that the Municipal Manager be authorised to sign the lease agreement on behalf of the Council.

The Executive Mayoral Committee resolved on 26 March 2018:

That the Executive Mayoral Committee recommends to Council:

- (a) that the property situated on a portion of erf 389, Tulbagh is not required for the provision of minimum level of basic municipal services in terms of Section 14.2(a) of the Municipal Finance Management Act.

- (b) that Council enters into a lease agreement with Zanolkhanyo Crèche for a period of three years for the purposes of operating a crèche.
- (c) that Council considers granting Zanolkhanyo Crèche the option for renewal in the new lease agreement on the discretion of the municipality.
- (d) that the fair market value is not applicable due to the economic and community value that are received in exchange for the lease of the asset [Municipal Finance Management Act Section 14.2(b)] and that Council determine the rental amount on R200 per annum.
- (e) that Zanolkhanyo Crèche is liable to pay for municipal services.
- (f) that Zanolkhanyo Crèche is responsible to maintain the building.
- (g) that Zanolkhanyo Crèche is responsible for own security measures, such as alarms, security guards, burglar bars etcetera.
- (h) that the building will remain the property of the Witzenberg Municipality after the lease agreement has expired or is cancelled.
- (i) that the Municipal Manager be authorised to sign the lease agreement on behalf of the Council.

UNANIMOUSLY RESOLVED

- (a) *that the property situated on a portion of erf 389, Tulbagh is not required for the provision of minimum level of basic municipal services in terms of Section 14.2(a) of the Municipal Finance Management Act.*
- (b) *that Council enters into a lease agreement with Zanolkhanyo Crèche for a period of three years for the purposes of operating a crèche.*
- (c) *that Council considers granting Zanolkhanyo Crèche the option for renewal in the new lease agreement on the discretion of the municipality.*
- (d) *that the fair market value is not applicable due to the economic and community value that are received in exchange for the lease of the asset [Municipal Finance Management Act Section 14.2(b)] and that Council determine the rental amount on R200 per annum.*
- (e) *that Zanolkhanyo Crèche is liable to pay for municipal services.*
- (f) *that Zanolkhanyo Crèche is responsible to maintain the building.*
- (g) *that Zanolkhanyo Crèche is responsible for own security measures, such as alarms, security guards, burglar bars etcetera.*
- (h) *that the building will remain the property of the Witzenberg Municipality after the lease agreement has expired or is cancelled.*
- (i) *that the Municipal Manager be authorised to sign the lease agreement on behalf of the Council.*

**8.3.2 Community Development: Establishment of Local Drug Action Committee
(12/1/2/11)**

The following items refer:

- (a) Item 7.2 of the meeting of the Committee for Community Development, held on 15 February 2018.
- (b) Item 7.3.3 of the Executive Mayoral Committee meeting, held on 26 March 2018.

A memorandum from the Director: Community Services, dated 17 January 2018, is attached as **annexure 8.3.2**.

The Committee for Community Development resolved on 15 February 2018 to recommend to the Executive Mayoral Committee and Council:

that the Executive Mayoral Committee endorses the implementation of the Local Drug Action Committee.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

that the implementation of the Local Drug Action Committee be endorsed.

The Executive Mayoral Committee resolved on 26 March 2018:

that the matter regarding the implementation of the Local Drug Action Committee be held in abeyance until the next meeting.

RESOLVED

that the matter regarding the implementation of the Local Drug Action Committee be held in abeyance until the next meeting.

**8.3.3 Leasing of unregistered erf 740, Op-die-Berg to Witzenberg Honey Bee Farming Primary Co-operative Limited
(17/19/1 & 7/1/4/1)**

Item 7.3.4 of the Executive Mayoral Committee meeting, held on 26 March 2018, refers.

A memorandum from the Legal Advisor and Acting Manager: Socio-Economic Development, dated 13 March 2018, is attached as **annexure 8.3.4**.

The Executive Mayoral Committee resolved on 26 March 2018 that the matter regarding the leasing of unregistered erf 740, Op-die-Berg to Witzenberg Honey Bee Farming Primary Co-operative Limited be referred to the Committee for Local Economic Development for deliberation and after that be tabled to the Executive Mayoral Committee.

RESOLVED

that notice be taken that the matter was referred to the Committee for Local Economic Development by the Executive Mayoral Committee.

8.4 Direktoraat Korporatiewe Dienste / Directorate Corporate Services

**8.4.1 Proposed council meeting program: March until December 2018
(3/1/2/3)**

The following items refer:

- (a) Item 7.4.2 of the Executive Mayoral Committee meeting, held on 26 February 2018.
- (b) Item 7.4.1 of the Executive Mayoral Committee meeting, held on 26 March 2018.

A memorandum from the Manager: Administration, dated 20 February 2018, is attached as **annexure 8.4.1**.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

that the proposed council meeting program for March until December 2018 be approved.

The Executive Mayoral Committee resolved on 26 February 2018 that the matter regarding the proposed council meeting program for March until December 2018 be held in abeyance until the next meeting.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

that the proposed council meeting program for March until December 2018 be approved.

The Executive Mayoral Committee resolved on 26 March 2018 that the matter regarding the proposed council meeting program for March until December 2018 be held in abeyance until the next meeting.

UNANIMOUSLY RESOLVED

that the matter regarding the proposed council meeting program for March until December 2018 be held in abeyance until the next meeting.

**8.4.2 Properties: Consent to make use of route for Ceres Park Run
(7/1/4/1)**

The following items refer:

- (a) Item 7.2 of the meeting of the Committee for Corporate and Financial Services, held on 15 March 2018.
- (b) Item 7.4.2 of the Executive Mayoral Committee meeting, held on 26 March 2018.

A memorandum from the Legal Advisor, dated 5 March 2018, is attached as **annexure 8.4.2**.

The Committee for Corporate and Financial Services resolved on 15 March 2018:

To recommend to the Executive Mayoral Committee and Council:

that Council gives consent to Ceres Park Run to make use of the route as indicated on the attached map.

The Executive Mayoral Committee resolved on 26 March 2018:

That the Executive Mayoral Committee recommends to Council:

that Council gives consent to Ceres Park Run to make use of the route as indicated on the attached map.

UNANIMOUSLY RESOLVED

that Council gives consent to Ceres Park Run to make use of the route as indicated on the attached map.

8.4.3 Versoek vir oorskryding op oopruimte (erf 5892): Buckinghamsingel, Ceres (15/4/R)

Die volgende items verwys:

- (a) Item 7.3 van die vergadering van die Komitee vir Korporatiewe en Finansiële Dienste, gehou op 15 Maart 2018.
- (b) Item 7.4.3 van die Uitvoerende Burgemeesterskomitee vergadering, gehou op 26 Maart 2018.

Die volgende dokumente word aangeheg:

- (a) Skrywe vanaf mnr. G Isaacs: **Bylae 8.4.3(a)**.
- (b) Verslag vanaf Bestuurder: Stadsbeplanning en Boubeheer: **Bylae 8.4.3(b)**.

Die Komitee vir Korporatiewe en Finansiële Dienste het op 15 Maart 2018 besluit:

Dat die Komitee vir Korporatiewe en Finansiële Dienste by die Uitvoerende Burgemeesterskomitee en Raad aanbeveel:

Dat die aansoek van erf 5891, Ceres om toegang te neem oor erf 5892, Ceres toegestaan word, onderhewig aan die volgende voorwaardes:

- (i) dat 'n oorskrydingsooreenkoms met die munisipaliteit aangegaan word.
- (ii) dat slegs 'n twee meter gedeelte, gemeet vanaf die erf grens, benut mag word.
- (iii) dat slegs 'n heining opgerig mag word.

- (iv) dat die eienaar die Bestuurder: Water en Riool sal kontak om 'n inspeksie te doen alvorens die heining opgerig word.
- (v) dat hierdie vergunning tydelik van aard is en deur die Raad opgeskort kan word.
- (vi) dat geen dienste verskuif kan word nie.
- (vii) dat hierdie vergunning op eie risiko verleen word en kan die Munisipaliteit Witzenberg nie verantwoordelik gehou word vir enige verlies, skade, dood of beserings wat daaruit mag voortspruit nie.

Die Uitvoerende Burgemeesterskomitee het op 26 Maart 2018 besluit:

Dat die Uitvoerende Burgemeesterskomitee by die Raad aanbeveel:

Dat die aansoek van erf 5891, Ceres om toegang te neem oor erf 5892, Ceres toegestaan word, onderhewig aan die volgende voorwaardes:

- (i) dat 'n oorskrydingssooreenkoms met die munisipaliteit aangegaan word.
- (ii) dat slegs 'n twee meter gedeelte, gemeet vanaf die erfrens, benut mag word.
- (iii) dat slegs 'n heining opgerig mag word.
- (iv) dat die eienaar die Bestuurder: Water en Riool sal kontak om 'n inspeksie te doen alvorens die heining opgerig word.
- (v) dat hierdie vergunning tydelik van aard is en deur die Raad opgeskort kan word.
- (vi) dat geen dienste verskuif kan word nie.
- (vii) dat hierdie vergunning op eie risiko verleen word en kan die Munisipaliteit Witzenberg nie verantwoordelik gehou word vir enige verlies, skade, dood of beserings wat daaruit mag voortspruit nie.

BESLUIT

Dat die aansoek van erf 5891, Ceres om toegang te neem oor erf 5892, Ceres toegestaan word, onderhewig aan die volgende voorwaardes:

- (i) dat 'n oorskrydingssooreenkoms met die munisipaliteit aangegaan word.*
- (ii) dat slegs 'n twee meter gedeelte, gemeet vanaf die erfrens, benut mag word.*
- (iii) dat slegs 'n heining opgerig mag word.*
- (iv) dat die eienaar die Bestuurder: Water en Riool sal kontak om 'n inspeksie te doen alvorens die heining opgerig word.*
- (v) dat hierdie vergunning tydelik van aard is en deur die Raad opgeskort kan word.*
- (vi) dat geen dienste verskuif kan word nie.*

- (vii) *dat hierdie vergunning op eie risiko verleen word en kan die Munisipaliteit Witzenberg nie verantwoordelik gehou word vir enige verlies, skade, dood of beserings wat daaruit mag voortspruit nie.*

9. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA

None

NOTED

10. FORMAL AND STATUTORY MATTERS

**10.1 Feedback on matters of outside bodies
(3/R)**

None

NOTED

11. QUESTIONS and/or MATTERS RAISED by COUNCILLORS

**11.1 Ceres golf estate development
(3/1/2/2 & 15/4/1/1/5)**

Item 11.1 of the council meeting, held on 5 December 2017, refers.

An e-mail message from Alderman JW Schuurman to the Speaker, dated 6 November 2017, is attached as **annexure 11.1**.

Council resolved on 5 December 2017 that the matter in respect of the Ceres golf development be held in abeyance until the next meeting.

Alderman J Schuurman responded on his e-mail to the Speaker, dated 6 November 2017.

The Alderman, on behalf of the ANC, raised various questions of concern with regard to the Ceres Golf Estate development. This includes inter alia the role of Black Economic Empowerment companies and agreements not being honoured.

UNANIMOUSLY RESOLVED

- (a) *that the Municipal Manager submits a report to Council with regard to the status quo of the Ceres Golf Estate development in respect of the role of Black Empowerment companies and agreements concluded previously which are not honoured.*
- (b) *that Council further deliberates the matter supra (a) after the investigation and report from the Municipal Manager.*

**11.2 Sale of municipal land during the period 2013 until 2018
(7/1/4/2)**

A report from the Legal Advisor, dated 14 March 2018, on a question by Councillor J Phungula is attached as **annexure 11.2**.

UNANIMOUSLY RESOLVED

that Council takes notice of the sale of municipal land during the period 2013 until 2018 and it be approved and accepted.

12. COUNCIL-IN-COMMITTEE