

MINUTES OF THE COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON WEDNESDAY, 30 OCTOBER 2019 AT 09:00

PRESENT

Councillors

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

Officials

Mr D Nasson (Municipal Manager)
Mr J Barnard (Director: Technical Services)
Mr M Mpeluza (Director: Corporate Services)
Mr A Raubenheimer (Acting Director: Finance)
Mr G Louw (Head: Internal Audit)
Mr A Hofmeester (Manager: IDP)
Mr CG Wessels (Manager: Administration)
Ms MJ Prins (Acting Principal Administrative Officer)
Mr CJ Titus (Committee Clerk)

1. OPENING AND WELCOME

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

NOTED

2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

**2.1 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 MJ Ndaba (ANC).

UNANIMOUSLY RESOLVED

that the application for leave of absence from the meeting, received from Councillor MJ Ndaba (ANC), be approved and accepted.

2.2 Confidentiality and Conflict of Interest Declaration

The Confidentiality and Conflict of Interest Declaration was signed by all Councillors.

NOTED

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

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

Speaker conveyed on behalf of Council congratulations to the following Councillors and spouses on their birthdays:

- Ms Anthea Klaasen 4 August
- Councillor P Heradien 28 August
- Ms Clara Laban 12 September
- Mr Joseph Visagie 15 September
- Ms Lorna Visagie 24 September
- Councillor D Swart 30 September
- Councillor T Abrahams 6 October
- Alderman J Visagie 17 October
- Ms Karin Swart 20 October

NOTED

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

The Speaker mentioned that the Ward Councillors and Ward Committee members had been invited to a meeting. Unfortunately only the Ward Committee members pitched for the meeting. The Speaker reprimanded the Ward Councillors and requested them to lead by example.

NOTED

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

- (a) The Executive Mayor mentioned that a symposium is being held by the *Landbouweekblad* in respect of land on 14 and 15 November 2019 in the Witzenberg area. Councillors who are interested to attend are welcome to submit their names to the office of the Speaker.
- (b) The Executive Mayor mentioned that the By-Law: Rules of Order for meetings of the Witzenberg Council is supreme and requested Councillors to honour it.
- (c) The Executive Mayor announced that in terms of the Cost Containment Regulations the annual Christmas Market and yearend function for the elderly cannot be held and that the communities will be informed accordingly.
- (d) The Executive Mayor congratulated Sole Leather as the Best Entrepreneur in the Witzenberg Municipality.
- (e) The Executive Mayor congratulated Cameron Hufke, a resident of Bella Vista, Ceres, who was elected as a Springbok Sevens player for the squad who will be competing in Dubai.
- (f) The Executive Mayor mentioned that the coming festive season is at hand. It is a difficult time for the communities, but Council will assist to manage it to the best of their ability. The announcements of the Minister of Finance are expected and the expectation is that it will impact on the municipality in terms of a decrease in grants. The State President, Mr Cyril Ramaphosa, also announced that the days of *free* and *non-payment* are over and that municipalities must promote regular payments.
- (g) The Executive Mayor mentioned that the matter in respect of the Pine Forest appeal will be heard on 15 November 2019 in the court. Council will be updated after the court decision.
- (h) The Executive Mayor mentioned that the Whippy System was accepted, which defined that all Council meetings will have a Whippy meeting prior to any Council meeting.
- (i) The Executive Mayor congratulated the Rastafarian community on its Day of Festival on 2 November 2019. The Mayor mentioned that the minority Muslim community is important, welcomed, honoured and respected in the Witzenberg municipal area and that their special days are also recognised. The Mayor requested that the minority communities inform him timeously of their special days and/or that Councillors submit the days to him.

NOTED

4. MINUTES

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

The following minutes are attached:

- (a) Council meeting, held on 31 July 2019: **Annexure 4.1(a).**
- (b) Special Council meeting, held on 23 August 2019: **Annexure 4.1(b).**
- (c) Special Council meeting, held on 4 October 2019: **Annexure 4.1(c).**

UNANIMOUSLY RESOLVED

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

- (a) *Council meeting, held on 31 July 2019.*
- (b) *Special Council meeting, held on 23 August 2019.*
- (c) *Special Council meeting, held on 4 October 2019.*

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

Number	File reference	Heading, item no. and date	Directorate	Action	Progress	Target date
4.2.1	15/4/1/1/5	Item 11.1 of 26 March 2019 Ceres Golf Estate development	Municipal Manager	That the matter be held in abeyance to obtain further clarification and after that be submitted again.		
4.2.2	15/4/P	Item 8.2.4 of 31 July 2019 Proposed Integrated Zoning Scheme By-Law for Witzenberg	Manager: Town Planning and Building Control	(d) That the proposed draft Witzenberg Zoning Scheme By-Law and any comments received during public participation be submitted to Council for consideration and final adoption.		

UNANIMOUSLY RESOLVED

That notice be taken of the outstanding matters.

5. MOTIONS AND NOTICE OF SUGGESTIONS

**5.1 Mosie: Raadsheer TT Godden (COPE)
(15/4/1/1/4/5)**

Hierdie aangeleentheid is in-komitee hanteer onder item 12.2.7.

AANGETEKEN.

6. INTERVIEWS WITH DELEGATIONS

None

NOTED

7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

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

The minutes of the following meetings are attached:

- (a) Committee for Local Economic Development and Tourism, held on 18 April 2018: **Annexure 7.1(a).**
- (b) Committee for Local Economic Development and Tourism, held on 13 June 2018: **Annexure 7.1(b).**
- (c) Committee for Local Economic Development and Tourism, held on 19 September 2018: **Annexure 7.1(c).**
- (d) Committee for Corporate and Financial Services, held on 18 October 2018: **Annexure 7.1(d).**
- (e) Municipal Public Accounts Committee, held on 16 January 2019: **Annexure 7.1(e).**
- (f) Committee for Community Development, held on 14 February 2019: **Annexure 7.1(f).**
- (g) Committee for Corporate and Financial Services, held on 19 February 2019: **Annexure 7.1(g).**
- (h) Committee for Local Economic Development and Tourism, held on 20 February 2019: **Annexure 7.1(h).**
- (i) ICT Steering Committee, held on 29 April 2019: **Annexure 7.1(i).**
- (j) Performance, Risk and Audit Committee, held on 17 May 2019: **Annexure 7.1(j).**
- (k) Executive Mayoral Committee, held on 27 May 2019: **Annexure 7.1(k).**
- (l) Committee for Housing Matters, held on 23 July 2019: **Annexure 7.1(l).**
- (m) Committee for Community Development, held on 25 July 2019: **Annexure 7.1(m).**
- (n) Committee for Corporate and Financial Services, held on 25 July 2019: **Annexure 7.1(n).**
- (o) Local Labour Forum, held on 26 July 2019: **Annexure 7.1(o).**
- (p) Performance, Risk and Audit Committee, held on 2 August 2019: **Annexure 7.1(p).**

UNANIMOUSLY RESOLVED

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

8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

8.1 Direkoraat Finansies / Directorate Finance

8.1.1 Section 71 Monthly Budget Statement Reports of the Directorate Finance: April, May, June and July 2019 (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 25 July 2019.
- (b) Item 8.1 of the Performance, Risk and Audit Committee meeting, held on 2 August 2019.
- (c) Item 7.1 of the meeting of the Committee for Corporate and Financial Services, held on 22 August 2019.
- (d) Item 8.1 of the Performance, Risk and Audit Committee meeting, held on 13 September 2019.
- (e) Item 7.1.1 of the Executive Mayoral Committee meeting held on 24 October 2019.

The following Section 71 Monthly Budget Statement Reports of the Directorate Finance are attached:

- (a) April 2019 **Annexure 8.1.1(a)**
- (b) May 2019 **Annexure 8.1.1(b)**
- (c) June 2019 **Annexure 8.1.1(c)**
- (d) July 2019 **Annexure 8.1.1(d)**

The Committee for Corporate and Financial Services resolved on 25 July 2019 that the Committee for Corporate and Financial Services recommends to the Executive Mayoral Committee and Council:

that the Committee for Corporate and Financial Services takes notice, after consideration, of the content of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for April, May and June 2019 and same be accepted.

Extract from the minutes of the Performance, Risk and Audit Committee meeting, held on 2 August 2019:

“The Acting Chief Financial Officer tabled the Section 71 Monthly Budget Statement Reports for April, May and June 2019. The Performance, Risk and Audit Committee decided to focus on the June 2019 report and highlighted the following:

- That the total operational revenue for the period 1 July 2018 until 30 June 2019 is 92,86 %.
- That the total operational revenue for the period supra does not include the fines revenue which stands on R7 million material in nature.
- The problem of the fines revenue is municipal wide in all municipalities with high risks. The representative of AGSA mentioned that Treasury is in a process to assist municipalities with the problems to obtain documentation from the provincial traffic department.
- That the capital expenditure for the period 1 July 2018 until 30 June 2019 is 96,45 %.

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- That government departments are repeatedly requested to pay their outstanding municipal monies, but with limited success.
- That the financial deviations in respect of Mafoko Security Services were due to the increase in vandalism, taxi violence and service delivery protest actions which necessitated armed response.

The Performance, Risk and Audit Committee resolved on 2 August 2019 that the Performance, Risk and Audit Committee recommends to the Executive Mayoral Committee and Council:

that the Performance, Risk and Audit Committee takes notice of the Section 71 Monthly Budget Statement Reports for April, May and June 2019 and, after consideration, same be approved and accepted.”

The Committee for Corporate and Financial Services resolved on 22 August 2019 that the Committee for Corporate and Financial Services recommends to the Executive Mayoral Committee and Council:

that the Committee for Corporate and Financial Services takes notice, after consideration, of the content of the Section 71 Monthly Budget Statement Report of the Directorate Finance for July 2019 and same be accepted.

Extract from the minutes of the Performance, Risk and Audit Committee meeting, held on 13 September 2019:

“The Manager: Financial Administration tabled the Section 71 Monthly Budget Statement Report for July 2019 and the following was highlighted:

- The Performance, Risk and Audit Committee requested that a comparison be shown between the current and the previous in terms of accounts amounting vs indigent cost (p. 6).
- That the YTD actuals and YTD budget (p. 10) do not correlate.
- That the bulk debt of the organs of state are property rates.

The Performance, Risk and Audit Committee resolved on 13 September 2019 to recommend to Council that the Performance, Risk and Audit Committee, after consideration, takes notice of the Section 71 Monthly Budget Statement Report of the Directorate Finance for July 2019.”

The Executive Mayoral Committee resolved on 24 October to recommend to Council that notice be taken of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for April, May, June and July 2019 and, after consideration, same be approved and accepted.

The Acting Chief Financial Officer presented the Section 71 Monthly Budget Statement Reports for April, May, June and July 2019. The following matters were highlighted:

- Questions were raised in respect of the tender awarded to Mafoko Security with regard to:
 - the period of the tender
 - the reasons for deviations to pay the company

The Acting Chief Financial Officer and Municipal Manager clarified the questions. Council requested that all relevant documentation in respect of the matter of the tender Mafoko Security be tabled to Council.

On request of Council the Speaker granted a caucus break from 10:20 until 11:20.

The following recommendation was tabled to Council:

That the Executive Mayoral Committee recommends to Council:

that notice be taken of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for April, May, June and July 2019 and, after consideration, same be approved and accepted.

UNANIMOUSLY RESOLVED

- (a) *that the Municipal Manager submits all relevant documentation in respect of deviations in favour of Messrs Mafoko Security to Council.*
- (b) *that the Section 71 Monthly Budget Statement Reports of the Directorate Finance for April, May, June and July 2019 be held in abeyance until the next meeting.*

8.1.2 Quarterly Budget Statement [Section 52(d)] Report: 4th Quarter of 2018/2019 (1 April 2019 until 30 June 2019) (9/1/2/2)

The following items refer:

- (a) Item 8.1.4 of the Council meeting, held on 31 July 2019.
- (b) Item 8.3 of the Performance, Risk and Audit Committee meeting, held on 2 August 2019.
- (c) Item 7.1 of the Municipal Public Accounts Committee meeting, held on 20 August 2019.

The Quarterly Budget Statement [Section 52(d)] Report for the fourth quarter of 2018/2019 is not attached again as it was already tabled to Council.

Council unanimously resolved on 31 July 2019:

- (a) that notice be taken of the tabling of the Quarterly Budget Statement Report in terms of Section 52(d) for the fourth quarter of 2018/2019 (period 1 April 2019 to 30 June 2019) and that the report, after consideration, be approved and accepted.
- (b) that the report be referred to Council's Municipal Public Accounts Committee and Performance, Risk and Audit Committee for their recommendations to Council.

The Performance, Risk and Audit Committee resolved on 2 August 2019 that the Performance, Risk and Audit Committee recommends to the Executive Mayoral Committee and Council:

that the Performance, Risk and Audit Committee, after consideration, takes notice of the Quarterly Budget Statement [Section 52(d)] Report for the fourth quarter of 2018/2019 and that same be approved and accepted.

Extract from minutes of Municipal Public Accounts Committee meeting, held on 20 August 2019:

"The Acting Chief Financial Officer submitted the Section 52(d) reports for the periods 1 October 2018 to 31 December 2018; 1 January 2019 to 31 March 2019 and 1 April 2019 to 30 June 2019. The following matters were highlighted:

- Total operational revenue for period 1 July 2018 until 30 June 2019 is 92,42%.
- Total capital expenditure for the period 1 July 2018 until 30 June 2019 is 94,42%.

The Manager: Performance and Projects submitted the Performance Report. The following matters were highlighted.

- The performance has met the expectations of Council and the community. The targets met were high in comparison with other municipalities especially in the Directorate: Technical Services. The targets met of losses were also good.
- That 32 out of 36 targets were met and in cases where the performance targets were not met sufficient reasons were provided.
- Explanations provided for non-achievement are in the case of electricity the theft of electricity in the informal areas which contribute to the non-achievement of the target. In the case of under expenditure in respect of the capital budget in the Community Directorate sufficient reasons were provided as well.
- The impact on the service delivery and expenditure objections in the budget where the capital targets were not met was mainly in the Directorate Community Services funds and this funds will be transferred to the next year.

The Municipal Public Accounts Committee resolved on 20 August 2019 that the Municipal Public Accounts Committee recommends to Council:

that the Municipal Public Accounts Committee (MPAC) takes notice of the quarterly reports of the Mayor on the implementation of the budget and the state of affairs of the municipality [Section 52(d)] and approved and same be accepted."

UNANIMOUSLY RESOLVED

- that notice be taken that the Quarterly Budget Statement [Section 52(d)] Report for the fourth quarter of 2018/2019 has already been tabled to and accepted and approved by Council on 31 July 2019.*
- that notice be taken of the recommendations of the Performance, Risk and Audit Committee and Municipal Public Accounts Committee respectively to Council.*

8.1.3 Terms of Reference: Disciplinary Board for Financial Misconduct (5/P)

The following items refer:

- Item 7.1.7 of the Executive Mayoral Committee meeting, held on 29 July 2019.
- Item 8.1.9 of the Council meeting, held on 31 July 2019.
- Item 7.1.2 of the Executive Mayoral Committee meeting held on 24 October 2019.

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.

The Terms of Reference for the Disciplinary Board for Financial Misconduct, dated July 2019, is attached as **annexure 8.1.3**.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

That the Terms of Reference for the Disciplinary Board for Financial Misconduct, after consideration, be approved and accepted.

The Executive Mayoral Committee resolved on 29 July 2019:

That the Executive Mayoral Committee recommends to Council:

that the matter in respect of the Terms of Reference of the Disciplinary Board for Financial Misconduct be held in abeyance and be workshopped by the Executive Mayoral Committee and after that be submitted to Council with a recommendation.

Council unanimously resolved on 31 July 2019:

that the matter in respect of the Terms of Reference of the Disciplinary Board for Financial Misconduct be held in abeyance and be workshopped by the Executive Mayoral Committee and after that be submitted to Council with a recommendation.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

That the Terms of Reference for the Disciplinary Board for Financial Misconduct, after consideration, be approved and accepted.

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council that the matter in respect of the Disciplinary Board for Financial Misconduct be workshopped by Council.

UNANIMOUSLY RESOLVED

that the matter in respect of the Disciplinary Board for Financial Misconduct be workshopped by Council.

**8.1.4 Library Services: Non-binding VAT ruling
(5/10/5)**

Item 7.1.6 of the Executive Mayoral Committee meeting, held on 24 October 2019, refers.

A memorandum from the Acting Director: Finance, dated 21 October 2019, is attached as **annexure 8.1.4**.

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council that notice be taken of the contents of the memorandum regarding Library Services: Non-binding VAT ruling.

UNANIMOUSLY RESOLVED

- (a) *that Council, after consideration, takes notice of the contents of the memorandum regarding Library Services: Non-binding VAT ruling.*
- (b) *that the matter supra (a) be submitted to SARS.*

**8.1.5 PRAC review: Fraud and Corruption Prevention Policy and Response Plan
(5/14/P)**

Item 7.1 of the Performance, Risk and Audit Committee meeting, held on 2 August 2019, refers.

In terms of the Fraud and Corruption Prevention Policy the Performance Risk and Audit Committee shall annually review this policy and determine its adequacy and effectiveness for current circumstances and recommend to Council for approval of any amendments that may be required.

The Fraud and Corruption Prevention Policy and Response Plan, dated July 2019, is attached as **annexure 8.1.5**.

The Head: Internal Audit tabled the Fraud and Corruption Prevention Policy for revision.

The Performance, Risk and Audit Committee resolved on 2 August 2019:

- (a) that the Head: Internal Audit removes paragraph 10.5 from the policy.
- (b) that the Performance, Risk and Audit Committee recommends to Council:

that the Performance, Risk and Audit Committee takes notice of the amendments to the Fraud and Corruption Prevention Policy and, after consideration, approved and accepted same.

The following recommendation was tabled to Council:

that notice be taken of the Fraud and Corruption Prevention Policy and Response Plan and, after consideration, same be approved and accepted.

UNANIMOUSLY RESOLVED

that the matter in respect of the Fraud and Corruption Prevention Policy and Response Plan be held in abeyance and be workshopped by Council.

8.1.6 PRAC review: Fraud and Corruption Prevention Strategy (5/14/P)

Item 7.2 of the Performance, Risk and Audit Committee meeting, held on 2 August 2019, refers.

In terms of the Fraud and Prevention Policy the Chief Risk Officer shall annually review the Fraud and Corruption Prevention Strategy and seek advice from the Performance Risk and Audit Committee to determine its adequacy and effectiveness for current circumstances and recommend to Council for approval of any amendments that may be required.

The Fraud and Corruption Prevention Strategy, dated 19 July 2019, is attached as **annexure 8.1.6**.

The Performance, Risk and Audit Committee resolved on 2 August 2019 that the Performance, Risk and Audit Committee recommends to Council:

that notice be taken of the Fraud and Corruption Prevention Strategy and, after consideration, approved and accepted same.

The following recommendation was tabled to Council:

that notice be taken of the Fraud and Corruption Prevention Strategy and, after consideration, same be approved and accepted.

UNANIMOUSLY RESOLVED

that the matter in respect of the Fraud and Corruption Prevention Strategy be held in abeyance and be workshopped by Council.

8.1.7 PRAC review: Whistle Blowing Policy (5/14/P)

Item 7.3 of the Performance, Risk and Audit Committee meeting, held on 2 August 2019, refers.

In terms of the Whistle Blowing Policy the Performance and Risk Audit Committee shall annually review this policy and determine its adequacy and effectiveness for current circumstances and recommend to Council for approval of any amendments that may be required.

The Performance, Risk and Audit Committee resolved on 2 August 2019 that the Whistle Blowing Policy be updated and amended and after that be tabled to Council for adoption.

The amended Whistle Blowing Policy, dated July 2019, is attached as **annexure 8.1.7**.

The following recommendation was tabled to Council:

that notice be taken of the Whistle Blowing Policy and, after consideration, same be approved and accepted.

UNANIMOUSLY RESOLVED

that the matter in respect of the Whistle Blowing Policy be held in abeyance and be workshopped by Council.

**8.1.8 Annual Risk Assessment Report: 30 June 2019
(5/14/2)**

Item 7.5 of the Performance, Risk and Audit Committee meeting, held on 2 August 2019, refers.

The Annual Risk Assessment Report, dated June 2019, is attached as **annexure 8.1.8**.

The Performance, Risk and Audit Committee resolved on 2 August 2019 that the Performance, Risk and Audit Committee recommends to Council:

that notice be taken of the Annual Risk Assessment Report ended 30 June 2019 and same, after consideration, be accepted.

UNANIMOUSLY RESOLVED

that notice be taken of the Annual Risk Assessment Report ended 30 June 2019 and same, after consideration, be accepted.

**8.1.9 PRAC Charter with effect from 1 July 2019
(5/14/2)**

Item 8.4 of the Performance, Risk and Audit Committee meeting, held on 2 August 2019, refers.

The PRAC Charter with effect from 1 July 2019, dated July 2019, is attached as **annexure 8.1.9**.

The Performance, Risk and Audit Committee resolved on 2 August 2019 that the Performance, Risk and Audit Committee recommends to Council:

that the PRAC Charter be reviewed and adopted and after that returned to the Performance, Risk and Audit Committee for implementation.

UNANIMOUSLY RESOLVED

that the PRAC Charter with effect from 1 July 2019, after consideration, be adopted and returned to the Performance, Risk and Audit Committee for implementation.

**8.1.10 Internal Audit Report: Compliance with Division of Revenue Act, 2018 (DORA)
(5/14/2)**

Item 8.5 of the Performance, Risk and Audit Committee meeting, held on 2 August 2019, refers.

The Internal Audit Report on Compliance with the Division of Revenue Act, 2018 (DORA), dated June 2019, is attached as **annexure 8.1.10**.

The Head: Internal Audit tabled the Internal Audit Report in respect of the Compliance with the Division of Revenue Act, 2018 (DORA).

The Performance, Risk and Audit Committee accepted the report and requested that the date on page 9 which reads *January 2018* be corrected to read *January 2019*.

The Performance, Risk and Audit Committee resolved on 2 August 2019 that the Performance, Risk and Audit Committee recommends to Council:

that the Performance, Risk and Audit Committee, after consideration, takes notice of the Internal Audit Report in respect of the Compliance with the Division of Revenue Act, 2018 (DORA) and that same be approved and accepted.

UNANIMOUSLY RESOLVED

that notice be taken of the Internal Audit Report in respect of the Compliance with the Division of Revenue Act, 2018 (DORA) and, after consideration, same be approved and accepted.

**8.1.11 Annual confirmation of organisational independence of Internal Audit Activity
(5/14/3)**

Item 8.6 of the Performance, Risk and Audit Committee meeting, held on 2 August 2019, refers.

A memorandum from the Head: Internal Audit, dated 30 July 2019, is attached as **annexure 8.1.11**.

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

That the Performance, Risk and Audit Committee recommends to the Executive Mayoral Committee and Council:

that, based on the above assessment, it is concluded that the Witzenberg Internal Audit Activity is allowed to fulfil its responsibilities and that the Internal Audit Activity is independent.

The Performance, Risk and Audit Committee resolved on 2 August 2019 that the Performance, Risk and Audit Committee recommends to Council:

that the Performance, Risk and Audit Committee, after consideration, takes notice of the matter in respect of the annual confirmation of organisational independence of the Internal Audit Activity and recommends that same be accepted.

UNANIMOUSLY RESOLVED

that notice be taken of the matter in respect of the annual confirmation of organisational independence of the Internal Audit Activity and, after consideration, same be accepted.

**8.1.12 State and Provincial funds: MIG Sport Projects
(5/6/1)**

Item 7.1.3 of the Executive Mayoral Committee meeting, held on 24 October 2019, refers.

A memorandum from the Manager: Projects and Performance, dated 15 August 2019, is attached as **annexure 8.1.12**.

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council:

That virement transfer of abovementioned budgets for the Tulbagh and Wolseley upgrade of sport facilities as set out above be approved with the subsequent adjustment of the 2019/20 budget at the budget adjustment process in February 2020:

UKey	Project name	Budget
20180707024068	Ceres upgrade of Lyell Street sport facilities	12 940 693
20190703064041	Tulbagh sport facilities upgrade	0
20190703064038	Wolseley sport facilities upgrade	0

UNANIMOUSLY RESOLVED

That virement transfer of abovementioned budgets for the Tulbagh and Wolseley upgrade of sport facilities as set out above be approved with the subsequent adjustment of the 2019/20 budget at the budget adjustment process in February 2020:

UKey	Project name	Budget
20180707024068	Ceres upgrade of Lyell Street sport facilities	12 940 693
20190703064041	Tulbagh sport facilities upgrade	0
20190703064038	Wolseley sport facilities upgrade	0

**8.1.13 Municipal Public Accounts Committee (MPAC) Charter: July 2019
(02/01/2)**

Item 7.2 of the Municipal Public Accounts Committee meeting, held on 20 August 2019, refers.

A report from the Head: Internal Audit regarding the Municipal Public Accounts (MPAC) Charter, dated July 2019, is attached as **annexure 8.1.13**.

The Head: Internal Audit submitted the Municipal Public Accounts Committee (MPAC) Charter.

The Municipal Public Accounts Committee resolved on 20 August 2019 that the Committee for Municipal Public Accounts Committee recommends to Council:

that the Municipal Public Accounts Committee (MPAC) after consideration, takes notice of the Municipal Public Accounts Committee (MPAC) Charter and same be approved and accepted.

The following recommendation was tabled to Council:

that notice be taken of the Municipal Public Accounts Committee (MPAC) Charter and, after consideration, same be approved and accepted.

UNANIMOUSLY RESOLVED

that the matter in respect of the Municipal Public Accounts Committee (MPAC) Charter, dated July 2019, be held in abeyance and be workshopped by Council.

8.1.14 Quarterly Budget Statement [Section 52(d)] Report: 1st Quarter of 2019/2020 (1 July 2019 until 30 September 2019) (9/1/22)

Item 7.1.4 of the Executive Mayoral Committee meeting, held on 24 October 2019, refers.

The Quarterly Budget Statement [Section 52(d)] Report for the 1st quarter of 2019/2020 is attached as **annexure 8.1.14**.

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council:

- (a) that notice be taken of the Quarterly Budget Statement Report in terms of Section 52(d) for the period 1 July 2019 until 30 September 2019.
- (b) that the report be tabled to the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee for their recommendations to Council.

UNANIMOUSLY RESOLVED

- (a) *that notice be taken of the Quarterly Budget Statement Report in terms of Section 52(d) for the period 1 July 2019 until 30 September 2019 and, after consideration, same be accepted.*
- (b) *that the report be tabled to the Performance, Risk and Audit Committee and the Municipal Public Accounts Committee for their recommendations to Council.*

8.1.15 Memorandum: Action against water demand management meters (5/12/4)

Item 7.1.5 of the Executive Mayoral Committee meeting, held on 24 October 2019, refers.

The ANC component requested a caucus break from 11:20 until 12:45.

A memorandum from the Fighting for Water Justice Coalition regarding the water demand management meters, dated 10 October 2019, is attached as **annexure 8.1.15**.

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council:

- (a) that Council continues with the installation of water management devices.
- (b) that Council confirms that the Indigent Policy is freely accessible to all people.
- (c) that Council does have meetings with the communities for consultation.
- (d) that the Witzenberg Municipality does not intimate women.

Alderman JW Schuurman proposed that Council embarks on a roadshow to explain to the communities the matter with regard to the water demand management meters and that after the information sessions a decision be made by Council. Councillor N Phatsoane seconded.

Councillor BC Klaasen proposed that Council accepts the recommendations of the Executive Mayoral Committee as stated in the agenda. Alderman JJ Visagie seconded.

The Speaker called for a secret vote and the outcomes were as follows:

Votes in favour of the proposal Executive Mayoral Committee recommendations accepted:	11
Votes in favour of the proposal information sessions be held:	9
Votes abstained:	<u>1</u>
Total votes	<u>21</u>

RESOLVED

- (a) *that Council continues with the installation of water management devices.*
- (b) *that Council confirms that the Indigent Policy is freely accessible to all people.*
- (c) *that Council does have meetings with the communities for consultation.*
- (d) *that the Witzenberg Municipality does not intimidate women.*

8.1.16 Travel Management Policy (4/5/P)

The following items refer:

- (a) Item 4.1.1 of the Executive Mayoral Committee meeting, held on 3 October 2019.
- (b) Item 4.1.1 of the Special Council meeting, held on 4 October 2019.

The Travel Management Policy is attached as **annexure 8.1.16**.

The Executive Mayoral Committee resolved on 3 October 2019 that the Travel Management Policy be workshopped by Council and after that be tabled to Council for approval and adoption.

The following recommendation was tabled to Council:

That the Executive Mayoral Committee recommends to Council:

that the Travel Management Policy, after being workshopped and considered, be approved and adopted.

Council unanimously resolved on 4 October 2019 that the matter in respect of the Travel Management Policy be held in abeyance and be workshopped by Council.

UNANIMOUSLY RESOLVED

that the Travel Management Policy, as amended, be approved and adopted.

8.1.17 PRAC review: Internal Audit Charter: 1 July 2019 until 30 June 2020 (5/14/2)

Item 8.2 of the Performance, Risk and Audit Committee meeting, held on 13 September 2019, refers.

In terms of the Internal Audit Charter, the charter should be annually reviewed for Council approval.

The Performance, Risk and Audit Committee resolved on 13 September 2019:

- (a) that the Performance, Risk and Audit Committee, after consideration, accepts the Internal Audit Charter for the period 1 July 2019 until 30 June 2020.
- (b) that the Head: Internal Audit finalise the reviewed document for tabling to Council for approval.

The Internal Audit Charter with effect from 1 July 2019 until 30 June 2020, dated June 2019, is attached as **annexure 8.1.17**.

UNANIMOUSLY RESOLVED

that the Internal Audit Charter, effective from 1 July 2019 until 30 June 2020, after consideration, be accepted.

8.2 Direktooraat Tegniese Dienste / Directorate Technical Services

8.2.1 Waiver of pre-emptive right on erf 3775, Ceres (15/4/1/1/196)

The following items refer:

- (a) Item 7.2.1 of the Executive Mayoral Committee meeting, held on 27 May 2019.
- (b) Item 8.2.1 of the Council meeting, held on 30 May 2019.
- (c) Item 7.2.1 of the Executive Mayoral Committee meeting, held on 29 July 2019.
- (d) Item 8.2.1 of the Council meeting, held on 31 July 2019.
- (e) Item 7.2.1 of the Executive Mayoral Committee meeting held on 24 October 2019.

The following memorandum, dated 21 May 2019, was received from the Municipal Manager:

Purpose

To recommend to Council to consider the waiver of Council's pre-emptive right on a portion of erf 3775, Ceres, more commonly known as the Ceres cricket ground in favour of a property development.

Background

Erf 3775, Ceres is registered in the name of Ceres Agricultural Society. A property developer, Dorpstraat, Stellenbosch, approached the Ceres Agricultural Society to acquire the property for purposes of developing a convenience shopping centre. No lay-out or building plans have been drafted, because the developer first wants an in-principle approval from Council before major expenses are being incurred. In terms of the letter from Dorpstraat the size of the development will be between 6 000 and 7 500 m². The total capital investment will be between R120 million and R130 million. In terms of the presentation done by Dorp Street there will be an anchor tenant and the whole purpose is to attract new traders to Ceres instead of recycling existing shops in town. The existing cricket facility will be moved to Victoria Park where both the rugby and cricket facilities will be upgraded by the developer. Some of the proceeds of the sale agreement will be used to renovate and build new conference facilities at Victoria Park. If the development is approved it will create opportunities for local business people. Permanent job opportunities will be through the small businesses in the centre as well as security, cleansing and maintenance opportunities.

A profile of Dorpstraat Developers is attached as **annexure 8.2.1**. The developers have been involved in several successful centres and malls as listed in their profile. They are currently busy with three centres that are under construction which inter alia includes Robertson.

Municipal services

No detailed plans were submitted to the Directorate Technical Services. The directorate, however, indicated that municipal services will be available within the area. The most challenging service will be that of electricity in terms of the provisional requirement, but coupled with alternative energy the municipality should be in a position to provide electricity to the development. The development will be responsible for all costs related to the upgrade of bulk services to the specific development, which cost will be in terms of Council's approved policy.

Financial implication

There are no financial implications for Council. If the development is approved, it will create additional income for Council.

Legal implication

If Council waives the requirement in terms of the Title Deed that the property must first be offered to Council and that the land may only be used for sports activities, then such decision must be made known to the public through an advertisement in the local newspaper.”

The Executive Mayoral Committee resolved on 27 May 2019:

That the Executive Mayoral Committee recommends to Council:

that the matter in respect of the pre-emptive right on erf 3775, Ceres be held in abeyance until the next meeting.

Council unanimously resolved on 30 May 2019 that the matter in respect of the pre-emptive right on erf 3775, Ceres be held in abeyance until the next meeting.

The Executive Mayoral Committee resolved on 29 July 2019:

That the Executive Mayoral Committee recommends to Council:

that the matter in respect of the waiver of the pre-emptive right on erf 3775, Ceres be held in abeyance pending a presentation in this regard to Council.

Council unanimously resolved on 31 July 2019 that Council takes notice of the presentation by Messrs Dorpstraat Property Development in respect of the proposed development at the entrance of Ceres Town and accepts same.

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council that Council not waive the pre-emptive right on erf 3775, Ceres, but to develop the land for sport activities.

UNANIMOUSLY RESOLVED

that Council not waive the pre-emptive right on erf 3775, Ceres, but that the authorisation be granted to Administration to start a process of acquiring the land and have it developed for sport purposes.

8.2.2 Notariële akte van serwituut en samewerkingsooreenkoms: Ceres Koekedouw Besproeiingsraad: Koekedouw Dam (16/2/1/1/1)

Item 7.2.2 van die Uitvoerende Burgemeesterskomitee vergadering, gehou op 24 Oktober 2019, verwys.

'n Memorandum vanaf die Direkteur: Tegnieuse Dienste, gedateer 14 Oktober 2019, word aangeheg as **bylae 8.2.2**.

Die Uitvoerende Burgemeesterskomitee het op 24 Oktober 2019 besluit om by die Raad aan te beveel dat die Koekedouw Besproeiingsraad ingelig word dat hulle versoek vir addisionele rouwater nie moontlik is nie, aangesien Vlak 1 waterbeperkings volgens alle aanduidings in die tweede kwartaal van 2020 ingestel moet word en dit bots met die "early warning" kriteria soos per die Raad se goedgekeurde droogtebestuursplan.

EENPARIG BESLUIT

Dat die Koekedouw Besproeiingsraad ingelig word dat hulle versoek vir addisionele rouwater nie moontlik is nie, aangesien Vlak 1 waterbeperkings volgens alle aanduidings in die tweede kwartaal van 2020 ingestel moet word en dit bots met die "early warning" kriteria soos per die Raad se goedgekeurde droogtebestuursplan.

8.2.3 Proposed position of the Waste Transfer Station at Wolseley (17/3/2)

The following items refer:

- (a) Item 7.1 of the meeting of the Committee for Technical Services, held on 24 July 2019.
- (b) Item 7.2.3 of the Executive Mayoral Committee meeting held on 24 October 2019.

A memorandum from the Senior Superintendent: Waste and Cleansing Services, dated 3 June 2019, is attached as **annexure 8.2.3**.

The Committee for Technical Services resolved on 24 July 2019 to recommend to the Executive Mayoral Committee and Council

that a portion of erf 72, Wolseley be approved as a suitable area for the construction of a Waste Transfer Station as per the attached sketch plan.

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council that a portion of erf 72, Wolseley be approved as a suitable area for the construction of a Waste Transfer Station as per the attached sketch plan.

UNANIMOUSLY RESOLVED

that a portion of erf 72, Wolseley be approved as a suitable area for the construction of a Waste Transfer Station as per the attached sketch plan.

**8.2.4 Proposed renting of a portion of erf 1, Prince Alfred's Hamlet to Mr Abraham van der Merwe
(7/1/4/1)**

The following items refer:

- (a) Item 7.2 of the meeting of the Committee for Technical Services, held on 24 July 2019.
- (b) Item 7.2.4 of the Executive Mayoral Committee meeting held on 24 October 2019.

A memorandum from the Director: Technical Services, dated 3 June 2019, is attached as **annexure 8.2.4**.

The Committee for Technical Services resolved on 24 July 2019 to recommend to the Executive Mayoral Committee and Council

- (a) that approximately 3 000 m² of erf 1, Prince Alfred's Hamlet be rented to Mr Abraham van der Merwe at a market related price as per the attached sketch plan.
- (b) that the Municipal Manager be authorised to finalise and sign the agreement on behalf of Council.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

- (a) that approximately 3 000 m² of erf 1, Prince Alfred's Hamlet be rented to Mr Abraham van der Merwe at a market related price as per the attached sketch plan.
- (b) that the Municipal Manager be authorised to finalise and sign the agreement on behalf of Council.

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council that the matter regarding the proposed renting of a portion of erf 1, Prince Alfred's Hamlet be held in abeyance until the next meeting.

UNANIMOUSLY RESOLVED

that the matter regarding the proposed renting of a portion of erf 1, Prince Alfred's Hamlet to Mr Abraham van der Merwe, be held in abeyance until the next meeting.

**8.2.5 Waste Characterisation and Brand Audit Report
(17/03/2)**

The following items refer:

- (a) Item 7.3 of the meeting of the Committee for Technical Services, held on 24 July 2019.
- (b) Item 7.2.5 of the Executive Mayoral Committee meeting held on 24 October 2019.

The following documents are attached:

- (a) Memorandum from the Senior Superintendent: Solid Waste and Cleansing Services, dated 4 June 2019: **Annexure 8.2.5(a)**.
- (b) Waste Characterisation and Brand Audit Report, dated 10 May 2019: **Annexure 8.2.5(b)**.

The Committee for Technical Services resolved on 24 July 2019 that the Committee for Technical Services recommends to the Executive Mayoral Committee and Council:

- (a) that the Wellington Association Against the Incinerator (WAAI) do a presentation to Council.
- (b) that notice be taken of the Waste Characterisation and Brand Audit Report of the Witzenberg Waste Streams.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

- (a) that the Wellington Association Against the Incinerator (WAAI) do a presentation to Council.
- (b) that notice be taken of the Waste Characterisation and Brand Audit Report of the Witzenberg Waste Streams.

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council that the matter regarding the Waste Characterisation and Brand Audit Report be held in abeyance until the next meeting.

UNANIMOUSLY RESOLVED

that the matter regarding the Waste Characterisation and Brand Audit Report be held in abeyance until the next meeting.

8.2.6 Town Planning: Additional dwelling units on single residential erven: Effect on bulk infrastructure (15/4/R)

Item 7.2.6 of the Executive Mayoral Committee meeting, held on 24 October 2019, refers.

A memorandum with annexures from the Director: Technical Services, dated 30 September 2019, is attached as **annexure 8.2.6**.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

- (a) That, due to the electricity network being the limiting factor, the maximum number of new connections (or second dwelling units) using the available spare capacity in each town be limited as follows:

Town	Consumption equivalent to the undermentioned low or high consumption users		Area
	Number of low consumption consumers	Number of high consumption users	
Ceres	1 132	377	Throughout the town
Tulbagh	200	66	Throughout the town
Wolseley	254	85	Mainly in the Pine Valley area

- (b) That applications for second dwelling units in ESKOM supply areas (Prince Alfred's Hamlet and Op-die-Berg) must receive ESKOM approval before being considered by the municipality.
- (c) That Council takes notice that the approval of additional dwellings on existing residential erven increases the impact on the existing infrastructure without significant income to Council.
- (d) That all residential erven does not automatically have a right for additional units and shall be approved by the Director.

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council that the matter regarding additional dwelling units on single residential erven be held in abeyance until the next meeting.

UNANIMOUSLY RESOLVED

that the matter in respect of additional dwelling units on single residential erven and the effect on bulk infrastructure be held in abeyance until the next meeting.

8.2.7 Application to install solar panels at Vadersgawe: Esselfontein Road, Ceres (16/03/R)

Item 7.2.7 of the Executive Mayoral Committee meeting, held on 24 October 2019, refers.

A memorandum from the Senior Manager: Electro-Technical Services, dated 22 September 2019, is attached as **annexure 8.2.7**.

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council:

- (i) that Council considers and takes notice of the report regarding the Vadersgawe application to install a Small Scale Embedded Generation (SSEG) plant.
- (ii) that the Vadersgawe application for the installation of 223,65 kWp solar panels be approved by Council.

UNANIMOUSLY RESOLVED

- (a) *that Council considered and took notice of the report regarding the Vadersgawe application to install a Small Scale Embedded Generation (SSEG) plant.*
- (b) *that the Vadersgawe application for the installation of 223,65 kWp solar panels be approved by Council.*

8.2.8 Policy for appointment of consultants as per Cost Containment Regulations (5/P)

The following items refer:

- (a) Item 4.2.1 of the Executive Mayoral Committee meeting, held on 3 October 2019.
- (b) Item 4.2.1 of the Special Council meeting, held on 4 October 2019.

The following memorandum, dated 10 September 2019, was received from the Director: Technical Services:

“1. Purpose

The purpose of the report is to approve the Policy for the Appointment of consultants, 2019.

2. Background

The Minister of Finance has, acting with the concurrence of the Minister of Cooperative Governance and Traditional Affairs, in terms of Section 168(1) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003), made the Regulations for Municipal Cost Containment. These regulations were published by National Treasury in the Government Gazette No. 42514 of 7 June 2019 and will be used as a guideline in drafting the Policy for the Appointment of consultants, 2019.

3. Legal framework

The municipality’s operations are governed by an array of different acts and this policy should be understood within the context of the compilation of all these legislations. The following Acts and prescripts are central in defining the municipality’s boundaries and areas of influence:

- Constitution of the Republic of South Africa, 1996
- Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)
- Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)
- Local Government: Municipal Finance Management Act, 2003 (Act 53 of 2003)
- Municipal Cost Containment Regulations, 2019, herein after referred to as the Regulations.

4. Financial impact

As per clause 5(2) of the Cost Containment Regulations:

An accounting officer must adopt a fair and reasonable remuneration framework for consultants taking into account the rates –

- (a) determined in the 'Guideline on fees for audits undertaken on behalf of the Auditor-general of South Africa', issued by the South African Institute of Chartered Accountants
- (b) set out in the 'Guide on Hourly Fee Rates for Consultants', issued by the Department of Public Service and Administration; or
- (c) as prescribed by the body regulating the profession of the consultant."

The Policy for the appointment of consultants, 2019 is attached as **annexure 8.2.8**.

The Executive Mayoral Committee resolved on 3 October 2019 to recommend to Council that the Policy for the appointment of consultants, 2019, after being workshopped and considered, be approved and adopted.

The following recommendation was tabled to Council:

That the Executive Mayoral Committee recommends to Council:

that the Policy for the appointment of consultants, 2019, after consideration, be approved and adopted.

Council unanimously resolved on 4 October 2019 that the matter in respect of the Policy for the appointment of consultants as per Cost Containment Regulations be held in abeyance and be workshopped by Council.

The matter was workshopped by Council on 29 October 2019.

UNANIMOUSLY RESOLVED

that the Policy for the appointment of consultants as per Cost Containment Regulations, 2019, after consideration, be approved and adopted.

8.3 Direktoraat Gemeenskapsdienste / Directorate Community Services

**8.3.1 Housing: Witzenberg Municipal Housing Pipeline for 2019/2020
(05/06/1)**

The following items refer:

- (a) Item 9.1.4 of the meeting of the Committee for Housing Matters, held on 6 September 2018.
- (b) Item 7.3.5 of the Executive Mayoral Committee meeting held on 30 October 2018.
- (c) Item 8.3.7 of the Council meeting, held on 31 October 2018.
- (d) Item 7.3.1 of the Executive Mayoral Committee meeting, held on 27 May 2019.
- (e) Item 8.3.1 of the Council meeting, held on 30 May 2019.
- (f) Item 7.3.1 of the Executive Mayoral Committee meeting held on 29 July 2019.
- (g) Item 8.3.1 of the Council meeting, held on 31 July 2019.
- (h) Item 7.3.1 of the Executive Mayoral Committee meeting held on 24 October 2019.

A memorandum from the Manager: Housing, dated 6 August 2018, is attached as **annexure 8.3.1**.

The Committee for Housing Matters resolved on 6 September 2018 to recommend to the Executive Mayoral Committee and Council:

that the Witzenberg Municipal Housing Pipeline for 2018/2019 be endorsed by Council.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

that the Witzenberg Municipal Housing Pipeline for 2018/2019 be endorsed by Council.

The Executive Mayoral Committee resolved on 30 October 2018 that the matter regarding the Witzenberg Municipal Housing Pipeline for 2018/2019 be held in abeyance until the next meeting.

Council unanimously resolved on 31 October 2019 that the matter regarding the Witzenberg Municipal Housing Pipeline for 2018/2019 be held in abeyance until the next meeting.

The following recommendation was tabled to the Executive Mayoral Committee on 27 May 2019:

That the Executive Mayoral Committee recommends to Council:

that the Witzenberg Municipal Housing Pipeline for 2018/2019 be endorsed by Council.

The Executive Mayoral Committee resolved on 27 May 2019:

That the Executive Mayoral Committee recommends to Council:

that the matter in respect of the Witzenberg Municipal Housing Pipeline for 2018/2019 be held in abeyance until the next meeting.

Council unanimously resolved on 30 May 2019 that the matter in respect of the Witzenberg Municipal Housing Pipeline for 2018/2019 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 Witzenberg Municipal Housing Pipeline for 2018/2019 be endorsed by Council.

The Executive Mayoral Committee resolved on 29 July 2019:

That the Executive Mayoral Committee recommends to Council:

that the matter in respect of the Witzenberg Municipal Housing Pipeline for 2018/2019 be held in abeyance until the next meeting.

Council unanimously resolved on 31 July 2019 that the matter regarding the Witzenberg Municipal Housing Pipeline for 2018/2019 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 Witzenberg Municipal Housing Pipeline for 2018/2019 be endorsed by Council.

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council that the matter in respect of the Witzenberg Municipal Housing Pipeline for 2019/2020 be held in abeyance until the next meeting.

UNANIMOUSLY RESOLVED

that the matter in respect of the Witzenberg Municipal Housing Pipeline for 2019/2020 be held in abeyance until the next meeting.

8.3.2 Proposal for utilisation of Busy Bee Building: Erf 1567, Piet Retief Street, Tulbagh (7/1/4/1)

The following items refer:

- (a) Item 7.1 of the meeting of the Committee for Local Economic Development and Tourism, held on 20 February 2019.
- (b) Item 7.3.3 of the Executive Mayoral Committee meeting held on 26 February 2019.
- (c) Item 8.3.5 of the Council meeting, held on 27 February 2019.
- (d) Item 7.3.1 of the Executive Mayoral Committee meeting, held on 25 March 2019.
- (e) Item 8.3.1 of the Council meeting, held on 26 March 2019.
- (f) Item 7.3.1 of the Executive Mayoral Committee meeting, held on 27 May 2019.
- (g) Item 8.3.2 of the Council meeting, held on 30 May 2019.
- (h) Item 7.3.2 of the Executive Mayoral Committee meeting held on 29 July 2019.
- (i) Item 8.3.2 of the Council meeting, held on 31 July 2019.
- (j) Item 7.3.2 of the Executive Mayoral Committee meeting held on 24 October 2019.

The following memorandum, dated 27 September 2018, was received from the Acting Manager: Socio-Economic Development:

"Purpose

The purpose of the report is to determine the utilisation of the old Busy Bee building on erf 1567, Piet Retief Street, Tulbagh.

Background

The building on erf 1567, Piet Retief Street, Tulbagh (known as the Busy Bee building) has been vacant since 1st March 2018. DPSA Tulbagh was the previous lessee from 1 October 2013, with the lease not being renewed by the Witzenberg Council. The current lessee was obligated to evacuate the building by the end of February 2018.

Request

It is requested that the Witzenberg Council provides suggestions for the utilisation of the building.

Recommendation

A current proposal is on the table for the building to be provided to Tulbagh Tourism in order to utilise the building to expose local tourism entrepreneurs from Witzenville and Chris Hani to tourists visiting the area. The recommendation is also that the building must contribute towards economic transformation through tourism and skills impartation."

The Committee for Local Economic Development resolved on 20 February 2019 to recommend to the Executive Mayoral Committee and Council:

- (a) that the Acting Manager: Socio-Economic Development investigates and takes control of the municipal assets at the Busy Bee Building, erf 1567, Piet Retief Street, Tulbagh.
- (b) To recommend to the Executive Mayoral Committee and Council:
 - (i) that the building located on erf 1567, Piet Retief Street, Tulbagh be leased to Tulbagh Tourism in order to utilise the premises for local tourism, entrepreneurs from Witzenville and Chris Hani to get exposure to tourists visiting the area.
 - (ii) that the building supra (a) must contribute towards economic transformation through tourism and skills impartation.
 - (iii) that the Municipal Manager be mandated to sign the Service Level Agreement with Tulbagh Tourism.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

- (i) that the building located on erf 1567, Piet Retief Street, Tulbagh be leased to Tulbagh Tourism in order to utilise the premises for local tourism, entrepreneurs from Witzenville and Chris Hani to get exposure to tourists visiting the area.
- (ii) that the building supra (a) must contribute towards economic transformation through tourism and skills impartation.
- (iii) that the Municipal Manager be mandated to sign the Service Level Agreement with Tulbagh Tourism.

The Executive Mayoral Committee resolved on 26 February 2019 that the Executive Mayoral Committee recommends to Council:

that the matter in respect of the utilisation of the Busy Bee building on erf 1567, Piet Retief Street, Tulbagh be held in abeyance until the next meeting and the cost for repairs be determined and done.

Council resolved on 27 February 2019 that the matter in respect of the utilisation of the Busy Bee building on erf 1567, Piet Retief Street, Tulbagh be held in abeyance until the next meeting and the cost for repairs be determined and done.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

- (i) that the building located on erf 1567, Piet Retief Street, Tulbagh be leased to Tulbagh Tourism in order to utilise the premises for local tourism, entrepreneurs from Witzenville and Chris Hani to get exposure to tourists visiting the area.
- (ii) that the building supra (a) must contribute towards economic transformation through tourism and skills impartation.

- (iii) that the Municipal Manager be mandated to sign the Service Level Agreement with Tulbagh Tourism.

The Executive Mayoral Committee resolved on 25 March 2019:

That the Executive Mayoral Committee recommends to Council:

that the matter in respect of the proposal for utilisation of the Busy Bee building, situated on erf 1567, Piet Retief Street, Tulbagh be held in abeyance to obtain clarity and for further deliberations regarding the matter.

Council unanimously resolved on 26 March 2019 that the matter in respect of the proposal for utilisation of the Busy Bee building, situated on erf 1567, Piet Retief Street, Tulbagh be held in abeyance to obtain clarity and for further deliberations regarding the matter.

The following recommendation was tabled to the Executive Mayoral Committee on 27 May 2019:

That the Executive Mayoral Committee recommends to Council:

- (i) that the building located on erf 1567, Piet Retief Street, Tulbagh be leased to Tulbagh Tourism in order to utilise the premises for local tourism, entrepreneurs from Witzenville and Chris Hani to get exposure to tourists visiting the area.
- (ii) that the building supra (a) must contribute towards economic transformation through tourism and skills impartation.
- (iii) that the Municipal Manager be mandated to sign the Service Level Agreement with Tulbagh Tourism.

The Executive Mayoral Committee resolved on 27 May 2019:

That the Executive Mayoral Committee recommends to Council:

that the matter in respect of the proposal for utilisation of the Busy Bee building, situated on erf 1567, Piet Retief Street, Tulbagh be held in abeyance until the next meeting.

Council unanimously resolved on 30 May 2019 that the matter in respect of the proposal for utilisation of the Busy Bee building, situated on erf 1567, Piet Retief Street, Tulbagh be held in abeyance until the next meeting.

The following recommendation was tabled to the Executive Mayoral Committee on 29 July 2019:

That the Executive Mayoral Committee recommends to Council:

- (i) that the building located on erf 1567, Piet Retief Street, Tulbagh be leased to Tulbagh Tourism in order to utilise the premises for local tourism, entrepreneurs from Witzenville and Chris Hani to get exposure to tourists visiting the area.
- (ii) that the building supra (a) must contribute towards economic transformation through tourism and skills impartation.
- (iii) that the Municipal Manager be mandated to sign the Service Level Agreement with Tulbagh Tourism.

The Executive Mayoral Committee resolved on 29 July 2019:

That the Executive Mayoral Committee recommends to Council:

that the matter in respect of the proposal for utilisation of the Busy Bee building, situated on erf 1567, Piet Retief Street, Tulbagh be held in abeyance until the next meeting.

Council unanimously resolved on 31 July 2019 that the matter in respect of the proposal for utilisation of the Busy Bee building, situated on erf 1567, Piet Retief Street, Tulbagh 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:

- (i) that the building located on erf 1567, Piet Retief Street, Tulbagh be leased to Tulbagh Tourism in order to utilise the premises for local tourism, entrepreneurs from Witzenville and Chris Hani to get exposure to tourists visiting the area.
- (ii) that the building supra (a) must contribute towards economic transformation through tourism and skills impartation.
- (iii) that the Municipal Manager be mandated to sign the Service Level Agreement with Tulbagh Tourism.

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council that the matter regarding the Busy Bee Building, Tulbagh be held in abeyance until the next meeting.

UNANIMOUSLY RESOLVED

that the matter regarding the Busy Bee Building, Tulbagh be held in abeyance until the next meeting.

8.3.3 Witzenberg Municipality: Conditions for the hiring of Community Halls (17/8/3)

The following items refer:

- (a) Item 7.2 of the meeting of the Committee for Community Development, held on 22 August 2019.
- (b) Item 7.3.3 of the Executive Mayoral Committee meeting held on 24 October 2019.

A memorandum received from the Manager: Amenities and Environment, dated 11 July 2019, is attached as **annexure 8.3.3**.

The Committee for Community Development resolved on 22 August 2019 to recommend to the Executive Mayoral Committee and Council:

that the matter with regard to the conditions for hiring community halls in the Witzenberg Municipality be deliberated by Council.

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council that the matter regarding the conditions for the hiring of Community Halls be held in abeyance until the next meeting.

UNANIMOUSLY RESOLVED

that the matter regarding the conditions for the hiring of Community Halls be held in abeyance until the next meeting.

**8.3.4 Draft Air Quality Management Plan: Review 2019
(17/1/4/P)**

Item 7.3.4 of the Executive Mayoral Committee meeting, held on 24 October 2019, refers.

The following report, dated 15 October 2019, was received from the Environmental Officer:

“Background

The Air Quality Management Plan has to be reviewed every five years. The last time the Plan was tabled to and approved by Council was 28 May 2014. The Draft Air Quality Management Plan Review 2019 is attached as **annexure 8.3.4**.

Deliberation

A public notice was placed in the Witzenberg Herald that the Draft Air Quality Management Plan Review 2019 is available for inspection and public inputs on the municipal website and the various libraries and municipal offices. The closing date for comments is 1 November 2019. The Plan will be tabled to Council for approval after the Public Participation Process.”

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council that notice be taken of the Draft Air Quality Management Plan Review 2019.

UNANIMOUSLY RESOLVED

that notice be taken of the Draft Air Quality Management Plan Review 2019.

8.4 Direkoraat Korporatiewe Dienste / Directorate Corporate Services

8.4.1 Council's immovable property: Long lease or alienation of Klip River Park Resort, Tulbagh (7/1/4/1)

The following items refer:

- (a) Item 7.4.4 of the Executive Mayoral Committee meeting, held on 27 May 2019.
- (b) Item 8.4.4 of the Council meeting, held on 30 May 2019.
- (c) Item 7.4.1 of the Executive Mayoral Committee meeting held on 29 July 2019.
- (d) Item 8.4.1 of the Council meeting, held on 31 July 2019.
- (e) Item 7.4.1 of the Executive Mayoral Committee meeting held on 24 October 2019.

The following report, dated 22 May 2019, was received from the Municipal Manager:

Purpose

To recommend to Council to consider extending the lease period of Klip River Park from 15 years to 30 years or alienating the property known as Klip River Park together with adjacent land in terms of Council's Supply Chain process.

Background

Council resolved per item 8.1.3 on 28 August 2008:

- (i) That Klip River Park and surrounding land be retained as a holiday resort and a recreational area.
- (ii) That possible developments to be requested from interested parties for consideration by Council in future.
- (iii) That the report of the developers and interested parties be tabled to Council.

A Section 78 investigation as per the Municipal Systems Act of 2000 was then followed to look at the Council resolution with the view of entering into a private public partnership agreement. A report was compiled, which is attached as **annexure 8.4.1(a)**. The report recommended that Council should either alienate the said land or follow a PPP process. During discussions with various stakeholders and National Treasury the option of a PPP was eliminated because of the possible turnover of the project (was being regarded as too small). The item was referred back to Council and it was resolved to follow a Supply Chain process in terms whereof Klip River Park would be leased on a long term period of 30 years. The Supply Chain process was advertised on two occasions in both the National and Provincial newspapers without any success. An extract from the tender document which was then advertised, is attached as **annexure 8.4.1(b)**. Site meetings during the advertisement process were compulsory and at all the meetings there were community members claiming that Council's process was flawed and that they would create problems for any successful bidder. At the last site meeting there were two company representatives who flew from Johannesburg and whom had shown genuine interest in as a potential lessee. They have, however, not submitted any bids after the said site meetings. Some of the inputs received during the clarification meetings and also from potential interested parties were that the lease period was not long enough and that the capital investment required at the park would not make the park a viable option for the 15 year period.

The area for rental in terms of the said Council resolution is approximately 14.5 ha. A copy of a Google aerial photo is attached as **annexure 8.4.1(c)**.

The green section of Klip River Park is part of Galgeheuwel local Nature Reserve and cannot be developed whether the land is alienated or being part of a rental agreement. When the lease option was initially considered Council took into account the capital required to upgrade the park. At the time the park had to be re-electrified at a major cost. The swimming pool also required repairs which included a total replacement of the pump system. When the resort was operational it provided the following facilities:

- (i) 18 Chalets
- (ii) 69 Camping Sites
- (iii) 4 Ablution blocks
- (iv) Small office
- (v) Swimming pool

Although the resort is not in operation there are two security guards guarding the property on a 24-hour basis. The cost of the security is approximately R35 000,00 per month. All the previous staff members were transferred and/or placed to other departments within the municipality. The previous report of 2010 has placed an evaluation of R5.2 million on the resort as well as the adjacent land. The resort forms part of commonage of Tulbagh. The municipal valuer has been requested for an updated valuation of the property in question.

Legal implication

If Council considers approving the long term lease agreement the process must be advertised in the local newspaper and submitted to Provincial and National Treasury for their comments as well. Council already took a decision that the land in question is not required for basic services as per the requirements of Section 14 of the Municipal Finance Management Act of 2003. The value of the land might be such that it will fall within the threshold of a special process that needs to be followed when such asset is alienated. In the latter instance it must also be advertised and Treasury must also be notified for inputs.

Financial implication

Council is not deriving any financial benefit from the property. Council in fact is losing money on the security spent as well as loss of potential income. Resorts are not a core function of Council.”

The Executive Mayoral Committee resolved on 27 May 2019:

That the Executive Mayoral Committee recommends to Council:

that the matter in respect of the long lease or alienation of Klip River Park Resort, Tulbagh be held in abeyance until the next meeting.

Council unanimously resolved on 30 May 2019 that the matter in respect of the long lease or alienation of Klip River Park Resort, Tulbagh be held in abeyance until the next meeting.

The Executive Mayoral Committee resolved on 29 July 2019:

That the Executive Mayoral Committee recommends to Council:

that the matter in respect of the long lease or alienation of Klip River Park Resort, Tulbagh be held in abeyance until the next meeting.

Council unanimously resolved on 31 July 2019 that the matter in respect of the long lease or alienation of Klip River Park Resort, Tulbagh be held in abeyance until the next meeting and be workshopped by Council.

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council that the matter in respect of the long lease or alienation of Klip River Park Resort, Tulbagh be held in abeyance until the next meeting.

UNANIMOUSLY RESOLVED

that the matter in respect of the long lease or alienation of Klip River Park Resort, Tulbagh be held in abeyance until the next meeting.

8.4.2 Council's immovable property: Pigeon Society Clubhouse: Erf 496, Stamper Street, Wolseley (7/1/4/1)

The following items refer:

- (a) Item 6.4 of the meeting of the Committee for Corporate and Financial Services, held on 28 August 2019.
- (b) Item 7.4.2 of the Executive Mayoral Committee meeting, held on 24 October 2019.

A memorandum from the Senior Legal Advisor, dated 21 January 2019, is attached as **annexure 8.4.2**.

The Committee for Corporate and Financial Services resolved on 28 August 2019 to recommend to the Executive Mayoral Committee and Council:

that Council considers the possibility of a potential Non-Governmental Organisation (NGO) in Ward 2 or 7 in need to lease the Pigeon Society Clubhouse on erf 496 in Stamper Street, Wolseley.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

that Council considers the possibility of a potential Non-Governmental Organisation (NGO) in Ward 2 or 7 in need to lease the Pigeon Society Clubhouse on erf 496 in Stamper Street, Wolseley.

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council that the matter regarding the Pigeon Society Clubhouse, Wolseley be held in abeyance until the next meeting.

UNANIMOUSLY RESOLVED

that the matter regarding the Pigeon Society Clubhouse, Wolseley be held in abeyance until the next meeting.

8.4.3 Delimitation of wards 2019-2020 in preparation for 2021 Local Government elections (3/1/1/2)

A circular from the Municipal Demarcation Board, dated 7 October 2019, is attached as **annexure 8.4.3**.

UNANIMOUSLY RESOLVED

that Council takes notice, after consideration, of the circular from the Municipal Demarcation Board.

8.4.4 Personnel matters: Retirement Policy: Witzenberg Municipality (4/2/P & 1/3/1/32)

The following items refer:

- (a) Item 4.4.1 of the Executive Mayoral Committee meeting, held on 3 October 2019.
- (b) Item 4.4.1 of the Special Council meeting, held on 4 October 2019.

The proposed Retirement Policy for Witzenberg Municipality is attached as **annexure 8.4.4**.

The policy was workshopped by Council on 29 May 2019.

The Executive Mayoral Committee resolved on 3 October 2019 to recommend to Council that the Retirement Policy for Witzenberg Municipality, after consideration, be approved and adopted.

The following recommendation was tabled to Council:

That the Executive Mayoral Committee recommends to Council:

that the Retirement Policy for Witzenberg Municipality, after consideration, be approved and adopted.

Council unanimously resolved on 4 October 2019 that the matter in respect of the Retirement Policy for Witzenberg Municipality be held in abeyance until the next meeting.

The following recommendation was tabled to Council:

That the Executive Mayoral Committee recommends to Council:

that the Retirement Policy for Witzenberg Municipality, after consideration, be approved and adopted.

UNANIMOUSLY RESOLVED

that the Retirement Policy for Witzenberg Municipality be workshopped by Council and after that be tabled to Council for approval.

**8.4.5 Personnel matters: Leave Policy: Witzenberg Municipality
(4/2/P & 1/3/1/32)**

The following items refer:

- (a) Item 4.4.2 of the Executive Mayoral Committee meeting, held on 3 October 2019.
- (b) Item 4.4.2 of the Special Council meeting, held on 4 October 2019.

The proposed Leave Policy for Witzenberg Municipality is attached as **annexure 8.4.5**.

The policy was workshopped by Council on 29 May 2019.

The Executive Mayoral Committee resolved on 3 October 2019 to recommend to Council that the Leave Policy for Witzenberg Municipality, after consideration, be approved and adopted.

The following recommendation was tabled to Council:

That the Executive Mayoral Committee recommends to Council:

that the Leave Policy for Witzenberg Municipality, after consideration, be approved and adopted.

Council unanimously resolved on 4 October 2019 that the matter in respect of the Leave Policy for Witzenberg Municipality be held in abeyance until the next meeting.

The following recommendation was tabled to Council:

That the Executive Mayoral Committee recommends to Council:

that the Leave Policy for Witzenberg Municipality, after consideration, be approved and adopted.

UNANIMOUSLY RESOLVED

that the Leave Policy for Witzenberg Municipality be workshopped by Council and after that be tabled to Council for approval.

8.4.6 Mayoral Bursary Fund Policy: Witzenberg Municipality (5/P)

The following items refer:

- (a) Item 4.4.3 of the Executive Mayoral Committee meeting, held on 3 October 2019.
- (b) Item 4.4.3 of the Special Council meeting, held on 4 October 2019.

The proposed Mayoral Bursary Fund Policy for Witzenberg Municipality is attached as **annexure 8.4.6**.

The policy was workshopped by Council on 29 May 2019.

The Executive Mayoral Committee resolved on 3 October 2019 to recommend to Council that the Mayoral Bursary Fund Policy for Witzenberg Municipality, after being workshopped and considered, be approved and adopted.

The following recommendation was tabled to Council:

That the Executive Mayoral Committee recommends to Council:

that the Mayoral Bursary Fund Policy for Witzenberg Municipality, after consideration, be approved and adopted.

Council unanimously resolved on 4 October 2019 that the matter in respect of the Mayoral Bursary Fund Policy for Witzenberg Municipality be held in abeyance until the next meeting.

The following recommendation was tabled to Council:

that the Mayoral Bursary Fund Policy for Witzenberg Municipality, after consideration, be approved and adopted.

UNANIMOUSLY RESOLVED

that the Mayoral Bursary Fund Policy for Witzenberg Municipality be workshopped by Council and after that be tabled to Council for approval.

8.4.7 Property exchange transaction: Erf 5957 Nduli and Nduli commonage (erf 5958), Ceres (7/1/1/1 & 7/1/4/2)

Item 7.4.3 of the Executive Mayoral Committee meeting, held on 24 October 2019, refers.

The following report, dated 22 October 2019, was received from the Municipal Manager:

“Purpose

To consider recommending to Council to approve a possible property exchange transaction between the owner of a portion of erf 5957, Nduli, Ceres and the Witzenberg Municipality who is the owner of a portion of the Nduli commonage, erf 5958.

Deliberation

Mr Petrus Johannes Mostert is the registered owner of erf 5957, Nduli, Ceres. A copy of the Deeds Registry enquiry to this effect is attached as **annexure 8.4.7(a)**.

A portion of this erf is covered with graves and is generally been regarded by the public as part of the Nduli cemetery. This confusion crept as a result of a fence that was erroneously erected as a border fence between the graveyard and the private erf. The owner is frustrated, because he cannot use his property for the purpose required. He has proposed, in an attempt to resolve the impasse, that the municipality considers alienating a portion of commonage 5958, which is reflected on the attached **annexure 8.4.7(b)** with an X, in favour of himself. The portion of the commonage marked with an X is the property where the mobile post office has been erected. (The post office has been vandalised and the indication is that it will not be repaired or replaced). The Post Office previously indicated, prior to the destruction of the building, that they will rather sub-lease the building than conducting any services themselves. The size of the property in question is 775 square metres.

The owner, Mr Mostert, will in exchange for the commonage transfer a portion of erf 5957, marked as Y on the Google map, to the municipality for incorporation to the graveyard. The size of the portion marked Y is 993 square metres. The proposal further includes that no financial considerations be given for the transfer of the properties.

Legal implication

The alienation of the municipal property must be dealt with in terms of Section 14 of the Municipal Finance Act. In this instance the municipality must take a decision that the property is not required for minimum service delivery. The municipality is currently impeding on the rights of the owner of erf 5957. The market value of the asset to be received will in any event be higher than the value of the asset to be alienated.

Financial implication

There will be no financial implications except for the cost of any subdivision, consolidation, transfer cost and any other incidental costs relating to the transfer of the property.”

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council that the matter regarding a property exchange transaction in Nduli, Ceres be held in abeyance until the next meeting.

UNANIMOUSLY RESOLVED

that the matter regarding a property exchange transaction in Nduli, Ceres be held in abeyance until the next meeting.

8.4.8 Legislation: Amendments to AARTO Act (17/7/4/P)

Item 7.4.4 of the Executive Mayoral Committee meeting, held on 24 October 2019, refers.

A memorandum from the Manager: Traffic Services, dated 29 August 2019, is attached as **annexure 8.4.8**.

The Executive Mayoral Committee resolved on 24 October 2019 to recommend to Council that notice be taken of the current status of AARTO.

UNANIMOUSLY RESOLVED

that Council takes notice of the matter in respect of the amendments to the AARTO Act.

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)**

10.1.1 SALGA conference: Western Cape

The Executive Mayor gave the following feedback on the SALGA conference:

- (a) That SALGA be authorised to institute action against the Pension Fund and make a decision on the current members. Councillors affected in the municipality are Councillors BC Klaasen, D Swart and Alderman JJ Visagie. The matter will be tabled to Council to deliberate on same.
- (b) SALGA discussed the matter of water management in the Western Cape.
- (c) SALGA discussed the status of the economy in the country and the impact thereof on municipalities as well as the expected announcements of the Minister of Finance.
- (d) Meeting was adjourned earlier, because of unrest in Piketberg and could not continue on the second day.

NOTED

11. QUESTIONS and/or MATTERS RAISED by COUNCILLORS

**11.1 Questions raised by Alderlady JT Phungula on behalf of ANC
(3/1/2/2)**

A list of questions received from the ANC Chief Whip, Alderlady JT Phungula, is attached as **annexure 11.1**.

(a) Mafoko Security

That a brief overview be given in respect of Mafoko Security with regard to the timeframe of the contract.

(b) Vacancy: Manager: Resorts and Swimming Pools

Questions were raised in respect of the filling of the vacant position of Manager: Resorts and Swimming Pools.

The Municipal Manager responded that nobody is acting due to a lack of criteria.

(c) EPWP Projects

That EPWP workers are requested to borrow money in exchange for jobs. Complaints have been made to Councillors that these workers do not know anything about their future.

(d) Abuse of women

Concern was expressed about the abuse of women and that the names of the culprits are known.

(e) Ward committees

Concern was expressed about the allocations of the wards in respect of the Cost Containment Regulations. The Executive Mayor mentioned that Ward Committee members had complained directly to the MEC.

(f) Year-end function for the elderly

The annual year-end function for the elderly has been terminated due to the Cost Containment Regulations.

RESOLVED

(a) *that the matter in respect of the contract with Messrs Mafoko Security will be dealt with in detail at the next meeting.*

(b) *that the vacant position of Manager: Resorts and Swimming Pools will be advertised and filled.*

(c) *that more information in respect of the EPWP workers matter be given to the Municipal Manager to deal with same.*

12. COUNCIL-IN-COMMITTEE