

MINUTES OF THE VIRTUAL ORDINARY COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD ON WEDNESDAY, 24 FEBRUARY 2021 AT 09:00

PRESENT

Councillors

Alderman TT Godden (Speaker) (COPE)
Alderman BC Klaasen (Executive Mayor) (DA)
Alderman K Adams (Deputy Executive Mayor) (DA)
Councillor TE Abrahams (DA)
Councillor P Daniels (DA)
Councillor P Heradien (ICOSA)
Councillor MD Jacobs (EFF)
Councillor D Kinnear (DA)
Councillor C Lottering (DA)
Councillor M Mdala (ANC)
Councillor TP Mgoboza (ANC)
Councillor ZS Mzauziwa-Mdishwa (DA)
Councillor MJ Ndaba (ANC)
Alderman JW Schuurman (ANC)
Alderman EM Sidego (DA)
Alderman HJ Smit (DA)
Councillor D Swart (DA)
Councillor HF Visagie (ANC)
Alderman JJ Visagie (DA)

Officials

Mr D Nasson (Municipal Manager)
Mr HJ Kritzinger (Director: Finance)
Mr J Barnard (Director: Technical Services)
Mr M Mpeluza (Director: Corporate Services)
Mr G Louw (Head: Internal Audit)
Ms L Nieuwenhuis (Manager: Legal Services)
Mr A Hofmeester (Manager: IDP)
Mr CG Wessels (Manager: Administration)
Mr C Titus (Committee Clerk)
Ms MJ Prins (Word Processor Operator)
Mr R Rhode (ICT Administrator)
Mr J Pieterse (Senior ICT Officer)

1. OPENING AND WELCOME

The Speaker welcomed everyone after which he requested Alderman J Schuurman 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)**

UNANIMOUSLY RESOLVED

that the applications for leave of absence from the meeting, received from Alderlady JT Phungula and Councillors RJ Simpson, GG Laban and N Phatsoane, be approved and accepted on condition that the written applications for leave of absence be submitted in good time.

EENPARIG BESLUIT

dat die aansoeke om verlof tot afwesigheid van die vergadering, ontvang vanaf raadsdame JT Phungula en raadslede RJ Simpson, GG Laban en N Phatsoane, goedgekeur en aanvaar word op voorwaarde dat die skriftelike aansoeke om verlof tot afwesigheid betyds ingedien word.

**2.2 Confidentiality and Conflict of Interest Declaration
(3/2/1)**

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

NOTED

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

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

Council's congratulations were conveyed by Councillor D Swart to the following Councillors and spouses on their birthdays:

❖	Ms N Ndaba	3 February
❖	Councillor MD Jacobs	7 February
❖	Councillor E Sidego	16 February
❖	Ms A Daniels	20 February
❖	Alderman H Smit	25 February

NOTED.

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

- (a) The Speaker congratulated the Administration on obtaining a 7th Clean Audit award. The Speaker especially congratulated the Executive Mayor, Municipal Manager and Deputy Director: Finance for making the municipality proud.
- (b) The Speaker mentioned that the COVID-19 numbers had decreased, but that overcrowding of the various towns on weekends is still a concern.

NOTED

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

- (a) The Executive Mayor thanked all Councillors for being present at the meeting and for the services they render in the community.
- (b) The Executive Mayor mentioned that today's tabling of the Adjustment Budget 2020/2021 to Council is the last for this term of Council. The Executive Mayor thanked the Councillors for all inputs they had made during the term. Much were indeed achieved, however, there are still challenges which need to be addressed. The COVID-19 pandemic brought about the challenge for a recovery plan in the municipality, but also for the households who have lost loved ones and breadwinners. The pandemic left psychological effects on many people. The Executive Mayor mentioned that Council will assist the communities in the healing process.
- (c) The Executive Mayor congratulated all grade 12 learners who had passed the matric exam 2020. The Executive Mayor especially congratulated the following Councillors and officials with the performance of their children and grandchild:
 - Alderman Ronald Visagie
 - Councillor Cornelius Lottering
 - Municipal Manager, Mr David Nasson
 - Mr Danvin Douries, whose daughter had obtained an average of 96 % and was declared as the top student in the Witzenberg area as well as under the Top 20 achievers nationally

The Executive Mayor conveyed his best wishes to all matriculants on their further journey. He encouraged those who had not been successful that it is not too late and that they must grab the second chance to their benefit.

- (d) The Executive Mayor mentioned that the municipality had obtained a 7th Clean Audit award, which is a remarkable performance. However, the Executive Mayor was of the opinion that the historical disadvantages of some communities must be addressed and new opportunities be created.
- (e) The Executive Mayor referred to the Community Trust that was established with the Michells Pass train tourism. The Executive Mayor requested the Municipal Manager to obtain the financial statements of the trust and determine the 5 % interest in the trust. Furthermore that the Municipal Manager claims the said 5 % and use it to the benefit of the municipality.
- (f) The Executive Mayor requested the Municipal Manager to investigate the possible reversal clause in respect of the Victoria Park Sportsgrounds in Ceres. A development was being planned on the grounds, but did not materialise. It is a concern that the Cricket Club cannot use the cricket grounds, because the field has been awarded to a school.
- (g) The Executive Mayor mentioned that answers posed in respect of the Ceres Golf Estate have still not been answered. The Executive Mayor requested the Municipal Manager to investigate possible amendments in respect of the original Council resolutions. If so, that the matter be corrected.
- (h) The Executive Mayor informed the meeting that the Western Cape Government is still utilising the Pine Forest Resort as a COVID-19 quarantine facility. The number of COVID-19 infected people is low and the municipality has requested the department to terminate the quarantine period.
- (i) The Executive Mayor expressed concern with regard to the municipal financial sustainability. The income source of electricity must be protected. Presentations at the Council workshop indicated that the income and expenditure on electricity cancel the one the other out. The electricity source needs to be protected and extended.
- (j) The Executive Mayor referred to matters that Council will prioritise before the end of Council's term. The Executive Mayor called on innovative thoughts by Council.
- (k) The Executive Mayor referred to the current security challenge and mentioned that the matter is investigated and the outcomes awaited.
- (l) The Executive Mayor wished everyone well on further endeavours during the remaining term. The Executive Mayor requested everyone to be safe and keep the social distance.

NOTED

3.4 Matters raised by the Municipal Manager

- (a) The Municipal Manager congratulated Mr Danvin Douries, an official of the municipality, on the performance of his daughter in the matric examination. She obtained 96 %, stands under the top 20 achievers nationally and made not only her school, but the entire Witzenberg area, proud.
- (b) The Municipal Manager mentioned that the Annual Report is being finalised. A few discrepancies occurred in the Declaration of Interest of some Councillors. The forms will be returned and Councillors were requested to complete same correctly.
- (c) The Municipal Manager mentioned that the minutes of the meeting in respect of the Ceres Golf Estate will be distributed at the planned Special Council meeting.

NOTED

4. MINUTES

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

UNANIMOUSLY RESOLVED

that the minutes of the Council meeting, held on 27 January 2021, be approved and signed by the Speaker.

EENPARIG BESLUIT

dat die notule van die Raadsvergadering, gehou op 27 Januarie 2021, goedgekeur en deur die Speaker onderteken word.

4.2 Corrections to the minutes (3/1/2/3)

None

NOTED

Notule: Raadsvergadering 24 Februarie 2021
Minutes: Council meeting 24 February 2021

4.3 Outstanding matters
(3/3/2)

Number	File reference	Heading, item no. and date	Directorate	Action	Progress	Target date
4.3.1	16/4/2	8.2.4 of 25-11-2020 One-way street: Phillip Street, Ceres	Technical Services	(a) Formal traffic impact study to be done. (b) EMC to form ad hoc committee to discuss outcomes of traffic impact study.		31 March 2021
4.3.2	7/1/3	8.3.1 of 17-12-2020 Ceres Bowling Club: Planned expansion of clubhouse	Community Services	that the matter be held in abeyance to obtain more information and after that be tabled again to the Executive Mayoral Committee.	Supply Chain process to appoint valuator is underway and should be completed by end of 2 nd week of March.	31 March 2021
4.3.3	16/2/1/1/1 & 5/4/R	8.1.10 of 27-01-2021 Settling of Rand Merchant Bank (RMB) loan for Koekedouw Dam	Municipal Manager	that a legal opinion be obtained and the matter be referred to PRAC for a recommendation to Council.		31 March 2020
4.3.4	07/01/4/1 & 17/19/1	8.2.4 of 27-01-2021 Application: Relocation of established Nduli Carwash to erf 5145, Nduli, Ceres	Community Services	that the matter be held in abeyance to obtain more information and after that be tabled to Council again.	Referred to Acting Manager: Socio-Economic Development.	31 March 2021
4.3.5	5/P	8.4.2 of 27-01-2021 Mayoral Bursary Policy: Witzenberg Municipality	Corporate Services	that the matter be held in abeyance for further deliberation.		

4.3.1 One-way street Phillip Street, Ceres

The matter is in working process.

4.3.2 Ceres Bowling Club

A valuator has been appointed for the valuations. It should be completed by the second week of March 2021.

4.3.3 Rand Merchant Bank Loan

The matter is in working process.

4.3.4 Nduli Carwash, Ceres

A request for more information has been sent to the landowner for inputs.

4.3.5 Mayoral Bursary Policy

The Department Human Resources is finalising the amendments to the Mayoral Bursary Policy. The policy will be workshopped at the next Council workshop meeting.

UNANIMOUSLY RESOLVED

that notice was taken of the outstanding matters.

EENPARIG BESLUIT

dat kennis geneem word van die uitstaande sake.

5. MOTIONS AND NOTICE OF SUGGESTIONS

None

NOTED

6. INTERVIEWS WITH DELEGATIONS

None

NOTED

7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

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

UNANIMOUSLY RESOLVED

- (a) that the minutes of the meeting of the Committee for Community Development, held on 10 September 2020, be referred back to the Committee.*
- (b) that notice be taken of the minutes of the following Committee meetings and same be accepted:*
 - (i) Committee for Local Economic Development, held on 9 September 2020.*
 - (ii) Committee for Technical Services, held on 18 November 2020.*
 - (iii) Committee for Corporate and Financial Services, held on 19 November 2020.*

EENPARIG BESLUIT

- (a) dat die notule van die vergadering van die Komitee vir Gemeenskapsontwikkeling, gehou op 10 September 2020, terugverwys word na die Komitee.*
- (b) dat kennis geneem word van die notules van die volgende Komiteevergaderings en genoemde aanvaar word:*
 - (i) Komitee vir Plaaslike Ekonomiese Ontwikkeling, gehou op 9 September 2020.*
 - (ii) Komitee vir Tegniese Dienste, gehou op 18 November 2020.*
 - (iii) Komitee vir Korporatiewe en Finansiële Dienste, gehou op 19 November 2020.*

8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

8.1 Direkoraat Finansies / Directorate Finance

8.1.1 Section 71 Monthly Budget Statement Reports of Directorate Finance: October, November and December 2020 (9/1/2/2)

UNANIMOUSLY RESOLVED

that notice be taken of the Section 71 Monthly Budget Statement Reports of the Directorate Finance for October, November and December 2020 and, after consideration, same be approved and accepted.

EENPARIG BESLUIT

dat kennis geneem word van die Artikel 71 Maandelikse Begrotingsverslae van die Direkoraat Finansies vir Oktober, November en Desember 2020 en genoemde, na oorweging, goedgekeur en aanvaar word.

8.1.2 Proposed revisions to 2020/2021 Service Delivery and Budget Implementation Plan as per Section 54(1)(C) of MFMA (5/1/5/13)

Please read along with item 8.4.3.

UNANIMOUSLY RESOLVED

that notice be taken of the proposed revisions to the 2020/2021 Service Delivery and Budget Implementation Plan as per Section 54(1)(C) of the Municipal Finance Management Act and, after consideration, same be approved and accepted.

EENPARIG BESLUIT

dat kennis geneem word van die voorgestelde wysigings aan die 2020/2021 Dienslewings- en Begrotingsimplementeringsplan volgens Artikel 54(1)(C) van die Wet op Munisipale Finansiële Bestuur en, na oorweging, genoemde goedgekeur en aanvaar word.

8.1.3 Finance: Adjustment budget 2020/2021
(5/1/1/19)

UNANIMOUSLY RESOLVED

That the Adjustment Budget of Witzenberg Municipality for the financial year 2020/2021 as set out in the budget documents, and as amended, be approved:

- (i) Table B1 - Budget summary*
- (ii) Table B2 - Adjustments Budget Financial Performance (by standard classification)*
- (iii) Table B3 – Budgeted Financial performance (Revenue and Expenditure) by Vote*
- (iv) Table B4 Adjustments Budget Financial Performance (revenue by source); and*
- (v) Table B5 – Budgeted Capital Expenditure by Vote, standard classification and funding.*

8.2 Direkoraat Tegniese Dienste / Directorate Technical Services

8.2.1 Small Scale Embedded Generation (SSEG) proposal: Dedicated connection model options (16/3/P)

UNANIMOUSLY RESOLVED

that the matter be removed from the agenda.

EENPARIG BESLUIT

dat die aangeleentheid van die agenda verwyder word.

8.2.2 Consumers use of generators to prevent peaking in notified maximum demand periods during peak season (16/03/9)

Please read along with item 8.2.1.

UNANIMOUSLY RESOLVED

that the matter be removed from the agenda.

EENPARIG BESLUIT

dat die aangeleentheid van die agenda verwyder word.

8.2.3 Standard Conditions for Land Use Planning and Building Development, Civil and Electrical Engineering Services (15/04/P)

UNANIMOUSLY RESOLVED

that the status quo of the current policy be maintained and that the amended Standard Conditions for Land Use Planning and Building Development, Civil and Electrical Engineering Services, Version 2 of 28 January 2021, after consideration, not be approved by Council.

EENPARIG BESLUIT

dat die status quo van die huidige beleid behou word en dat die gewysigde Standaardvoorwaardes vir Grondgebruikbeplanning en Geboue Ontwikkeling, Siviele en Elektriese Ingenieursdienste, weergawe 2 van 28 Januarie 2021, na oorweging, nie deur die Raad goedgekeur word nie.

**8.2.4 Witzenberg Municipality: Roads and Storm Water Master Plans:
June 2020
(16/4/P)**

UNANIMOUSLY RESOLVED

that the Witzenberg Municipality Roads and Storm Water Master Plans be approved and adopted.

EENPARIG BESLUIT

dat die Paaie- en Stormwater Meesterplanne vir Munisipaliteit Witzenberg goedgekeur en aanvaar word.

8.3 Direkoraat Gemeenskapsdienste / Directorate Community Services

**8.3.1 Lease of portion of erf 1, Pine Valley, Wolseley: Old Malikhanye Crèche
(7/1/4/1)**

UNANIMOUSLY RESOLVED

that the matter be removed from the agenda.

EENPARIG BESLUIT

dat die aangeleentheid van die agenda verwyder word.

8.4 Direkoraat Korporatiewe Dienste / Directorate Corporate Services

**8.4.1 Sale of municipal land: Erf 622, Wolseley
(7/1/4/2)**

UNANIMOUSLY RESOLVED

that the matter in respect of the sale of municipal land (erf 622, Wolseley) be held in abeyance awaiting a written opinion on the matter.

EENPARIG BESLUIT

dat die aangeleentheid aangaande die verkoop van munisipale grond (erf 622, Wolseley) oorstaan in afwagting van 'n skriftelike mening daaromtrent.

**8.4.2 Sale of municipal land: Unregistered erf in Schoonvlei industrial area, Ceres
(7/1/4/2)**

UNANIMOUSLY RESOLVED

that the matter in respect of the sale of municipal land (unregistered erf in Schoonvlei industrial area, Ceres) be held in abeyance awaiting a written opinion on the matter.

EENPARIG BESLUIT

dat die aangeleentheid aangaande die verkoop van munisipale grond (ongeregistreerde erf in Skoonvlei nywerheidsgebied, Ceres) oorstaan in afwagting van 'n skriftelike mening daaromtrent.

**8.4.3 Proposed revisions to 2020/2021 Senior Management performance contracts with regard to SDBIP targets
(5/1/5/13)**

Please read along with item 8.1.2.

UNANIMOUSLY RESOLVED

that notice be taken of the proposed revisions to the 2020/2021 Senior Management performance contracts with regard to the Service Delivery and Budget Implementation Plan targets and, after consideration, same be approved and accepted.

EENPARIG BESLUIT

dat kennis geneem word van die voorgestelde wysigings aan die 2020/2021 prestasiekontrakte van Senior Bestuur met betrekking tot die Dienslewering- en Begrotingsimplementeringsplan doelwitte en, na oorweging genoemde goedgekeur en aanvaar word.

**8.4.4 Records Management Policy
(2/6/1/P)**

UNANIMOUSLY RESOLVED

that the Records Management Policy for Witzenberg Municipality for the period 2020 until 2023, after consideration, be approved and accepted.

EENPARIG BESLUIT

dat die Rekordbestuur Beleid vir Munisipaliteit Witzenberg vir die tydperk 2020 tot 2023, na oorweging, goedgekeur en aanvaar word.

**8.4.5 Registry Procedure Manual
(2/6/3)**

UNANIMOUSLY RESOLVED

that the Witzenberg Municipality Registry Procedure Manual, after consideration, be approved and accepted.

EENPARIG BESLUIT

dat die Registrasie Prosedure Handleiding vir Munisipaliteit Witzenberg, na oorweging, goedgekeur en aanvaar word.

9. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA

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

EENPARIG BESLUIT

- (a) *dat die Koekedouw Besproeiingsraad ingelig word dat 2 000 000 kubieke meter water beskikbaar is vanuit Munisipaliteit Witzenberg se allokasie vir die tydperk 1 Maart 2021 tot 30 Junie 2021 teen R0,54/kubieke meter (BTW ingesluit), wat die goedgekeurde raadstarief is.*
- (b) *dat die allokasie van 2 000 000 kubieke meter vir Koekedouw Besproeiingsraad, in oorleg met die Direkteur : Tegniese Dienste, maandeliks ingedeel word.*
- (c) *dat die Munisipale Bestuurder gedelegeer word om jaarliks oorskot water aan Koekedouw Besproeiingsraad te verkoop, onderworpe daaraan dat geen waterbeperkings nodig sal wees vir die twaalf maande wat volg vanaf die datum wat rou water beskikbaar gestel word aan die Koekedouw Besproeiingsraad. Hierdie punt is in lyn met die waterbeperkingsvlakke van die goedgekeurde droogtebestuursplan.*

UNANIMOUSLY RESOLVED

- (a) *that the Koekedouw Irrigation Board be informed that 2 000 000 cubic meters of water are available from Witzenberg Municipality's allocation for the period 1 March 2021 to 30 June 2021 at R0,54/cubic meter (VAT included), which is the approved council tariff.*
- (b) *that the allocation of 2 000 000 cubic meters for Koekedouw Irrigation Board, in consultation with the Director: Technical Services, be divided monthly.*
- (c) *that the Municipal Manager be delegated to sell surplus water to Koekedouw Irrigation Board annually, subject to the fact that no water restrictions will be necessary for the twelve months following the date that raw water is made available to the Koekedouw Irrigation Board. This point is in line with the water restriction levels of the approved drought management plan.*

**9.2 Essential services: Water situation: Tulbagh
(16/2/1/5)**

UNANIMOUSLY RESOLVED

- (a) *that notice be taken of the water restrictions, which are in place in Tulbagh.*
- (b) *that notice be taken of the action plan in place to curb the drought.*
- (c) *that notice be taken that the remaining water in the dam is sufficient for usage of four months.*
- (d) *that the higher tariffs for water restrictions not be implemented in Tulbagh.*

EENPARIG BESLUIT

- (a) *dat kennis geneem word van die waterbeperkings wat tans in Tulbagh geld.*
- (b) *dat kennis geneem word van die aksieplan om die droogte te beveg.*
- (c) *dat kennis geneem word dat die oorblywende water in die dam genoeg is vir vier maande se gebruik.*
- (d) *dat die hoër tariewe vir waterbeperkings nie in Tulbagh ingestel word nie.*

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

None

NOTED

12. COUNCIL-IN-COMMITTEE