

**NOTULE VAN DIE SPESIALE RAADSVERGADERING VAN DIE MUNISIPALITEIT WITZENBERG,
GEHOU OP WOENSDAG, 13 FEBRUARIE 2013 OM 11:00 IN DIE STADSAAL,
VOORTREKKERSTRAAT, CERES**

TEENWOORDIG

Raadslede

TT Godden (Speaker)
S Louw (Uitvoerende Burgemeester)
K Adams (Uitvoerende Onderburgemeester)
R Badela
JJ du Plessis
MC du Toit
WJ Hanekom
P Heradien
BC Klaasen
JNED Klazen
JS Mouton
SM Ndwanya
JT Phungula
L Salmon
MI Saula
EM Sidego
RJ Simpson
HJ Smit
D Swart
JA Veschini
JJ Visagie
P Waterboer

Amptenare

Mnr. D Nasson (Munisipale Bestuurder)
Mnr. M Jacobs (Direkteur: Gemeenskapsdienste)
Mnr. PR Esau (Direkteur: Finansies)
Mnr. M Mpeluza (Direkteur: Korporatiewe Dienste)
Mnr. J Barnard (Direkteur: Tegnieuse Dienste)
Mnr. G Louw (Hoof: Interne Oudit)
Mnr. A Hofmeester (GOP Bestuurder)
Mnr. CG Wessels (Senior Administratiewe Beampte)
Mnr. C Titus (Komiteeklerk)

1. OPENING AND WELCOME

The Speaker welcomed everyone present, especially members of the public and Councillor P Waterboer as re-elected councillor of the ANC.

NOTED.

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

The Municipal Manager informed the meeting that the administration is waiting on the IEC to confirm that Mr BJ Chabaan (NPP) is the new councillor to replace Councillor A de Beer.

NOTED.

4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

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

- (a) The Speaker requested all ward councillors to hold ward committee meetings and ensure that the stipends are being paid.
- (b) The Speaker requested ward councillors to ensure that the attendance list for ward committee members are correct.
- (c) Councillor P Heradien requested that 11 February be acknowledged by Council as a day of celebration for the release of former President Nelson Mandela.

NOTED.

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

None.

NOTED.

5. MOSIES EN KENNISGEWINGS VAN VOORSTELLE

Geen.

AANGETEKEN.

6. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

6.1 Gasheer vir Vodacom-wedstryd: Boland teen Westelike Provinsie (17/5/1)

Item 7.3.1 van die Uitvoerende Burgemeesterskomitee vergadering, gehou op 8 Februarie 2013, verwys.

'n Skrywe is van Boland Rugbyunie ontvang waarin versoek word dat die Munisipaliteit Witzenberg oorweging skenk om as gasheer op te tree vir die wedstryd Boland teen Westelike Provinsie op 9 Maart 2013 te Victoriapark, Ceres. 'n Afskrif van die skrywe word aangeheg as bylae 6.1.

Die Uitvoerende Burgemeesterskomitee versoek dat die Munisipale Bestuurder reëlings met Boland Rugbyunie tref dat Munisipaliteit Witzenberg deel van die Reëlingskomitee vir die Vodacom-wedstryd tussen Boland en Westelike Provinsie vorm. Die verteenwoordigers van die munisipaliteit sal bestaan uit raadslede J Visagie en JNED Klazen, die Direkteur: Gemeenskapsdienste en die Bestuurder: Geriewe en Omgewing.

Die verteenwoordigers van die munisipaliteit sal by die vergadering van die Uitvoerende Burgemeesterskomitee verslag lewer. Die area rondom die klubhuis sal as losie dien.

Die Uitvoerende Burgemeesterskomitee het op 8 Februarie 2013 besluit om by die Raad aan te beveel:

- (i) Dat die Vodacom-rugbywedstryd tussen die Regent Boland Kavaliers en Westelike Provinsie op Saterdag, 9 Maart 2013 te Ceres op die Victoria Sportgronde goedgekeur word.
- (ii) Dat die verteenwoordigers van die Munisipaliteit Witzenberg op die Reëlingskomitee vir die wedstryd supra (a) sal bestaan uit raadslede J Visagie, JNED Klazen, die Direkteur: Gemeenskapsdienste en die Bestuurder: Geriewe en Omgewing.

Raadslid J Phungula meld dat die ANC op die Reëlingskomitee uitgelaat is en versoek dat raadslid P Waterboer ook op die komitee dien.

BESLUIT

- (a) *Dat die Vodacom-rugbywedstryd tussen die Regent Boland Kavaliers en Westelike Provinsie op Saterdag, 9 Maart 2013 te Ceres op die Victoria Sportgronde goedgekeur word.*
- (b) *Dat die verteenwoordigers van die Munisipaliteit Witzenberg op die Reëlingskomitee vir die wedstryd sal bestaan uit raadslede J Visagie, JNED Klazen, P Waterboer, die Direkteur: Gemeenskapsdienste en die Bestuurder: Geriewe en Omgewing.*

6.2 Identifisering van eiendomme vir gemeenskap gesondheidsentrums: Prince Alfred's Hamlet: Koste van eiendom (15/2/2/R)

Item 7.4.1 van die Uitvoerende Burgemeesterskomitee vergadering, gehou op 8 Februarie 2013, verwys.

Die volgende verslag, gedateer 29 Januarie 2013, is van die Bestuurder: Projekte en Prestasie ontvang:

"Agtergrond

Die Departement Openbare Werke het in 2011 navraag gedoen om 'n gedeelte munisipale grond te bekom vir doeleindes van die oprigting van 'n dagsorg sentrum te Prince Alfred's Hamlet aangesien die huidige kliniek te klein is.

'n Verslag in dié verband is op 28 September 2011 aan die Raad voorgelê. Die verslag meld dat die Departement versoek is om as deel van die projek publieke toilette op die perseel aan te bring. Die rede vir die versoek was dat daar reeds 'n behoefte bestaan en is die verwagting dat met die kliniek daar gesetel die behoefte sal toeneem aangesien dit te ver is na die bestaande publieke toilette laer af in Prince Alfred's Hamlet. Die Departement het aanvanklik aangedui dat hul dit sal oorweeg, maar het later amptelik meegedeel dat hul dit nie deel van hul konstruksie sal kan maak nie.

Die Raad het op 28 September 2011 per item 8.4.3 besluit:

- (a) Dat die areas soos geïdentifiseer, nie vir basiese munisipale dienslewering benodig word nie en gratis aan die Departement van Openbare Werke vervreem kan word.

Die Departement het egter aangedui dat hul bereid is om die gedeelte grond aan te koop en dan kan die munisipaliteit die inkomste gebruik om publieke toilette op te rig.

'n Waardasie is in September 2012 aangevra van die munisipale waardeerders en is die waarde van die eiendom bepaal op R60/m². Die totale oppervlakte benodig deur die Departement is 4 592m² wat die totale waarde derhalwe meebring op R275 520."

Die Uitvoerende Burgemeesterskomitee het op 8 Februarie 2013 besluit om by die Raad aan te beveel:

Dat raadsbesluit 8.4.3(a) van 28 September 2011 wat lees: "Dat die areas soos geïdentifiseer, nie vir basiese munisipale dienslewering benodig word nie en gratis aan die Departement van Openbare Werke vervreem kan word", gewysig word om te lees: "Dat die gedeelte grond, soos geïdentifiseer, nie vir basiese munisipale dienslewering benodig word nie en aan die Departement Openbare Werke teen R60/m² vervreem kan word soos bepaal deur Rhode Valuations in hul waardasieverslag gedateer 21 September 2012."

BESLUIT

Dat raadsbesluit 8.4.3(a) van 28 September 2011 wat lees: "Dat die areas soos geïdentifiseer, nie vir basiese munisipale dienslewering benodig word nie en gratis aan die Departement van Openbare Werke vervreem kan word", gewysig word om te lees: "Dat die gedeelte grond, soos geïdentifiseer, nie vir basiese munisipale dienslewering benodig word nie en aan die Departement Openbare Werke teen R60/m² vervreem kan word soos bepaal deur Rhode Valuations in hul waardasieverslag gedateer 21 September 2012."

**6.3 Amendment to Section 80 Committees of Council
(03/3/1/1)**

Item 7.4.2 of the Executive Mayoral Committee meeting, held on 8 February 2013, refers.

A report was received from the Executive Mayor on the restructuring of the Section 80 Committees of Council, attached hereto as **annexure 6.3**.

Comments of the Municipal Manager:

“Background

The Executive Mayor notified Council at its last meeting of 31 January 2013 of a change in the members of the Executive Mayoral Committee. Councillor BC Klaasen was replaced by Councillor JNED Klazen, necessitating a change in the chairpersons of the Section Committees. The report of the Executive Mayor reflects the change as well as providing for a restructuring of the committees as a result of the filling of the vacancy in ward 10 of Council. At the council meeting of 13 December 2012 certain changes in terms of the committees' scope of work were also accepted. The item erroneously referred to the committees as Section 79 Committees whereas it is indeed Section 80 Committees. This will be referred back to Council for correction.”

The Executive Mayoral Committee took cognisance of the restructuring of the Section 80 Committees on 8 February 2013.

Councillor J Mouton referred to the council meeting held in September 2011 regarding Section 70 and 80 Committees. Council approved the Section 79 Committees as presented. The Executive Mayor cannot change the members and composition of the committees. This is the prerogative of Council.

Furthermore, the Executive Mayor normally consults with the political parties to appoint the members of the various committees for approval by Council.

Councillor J Phungula requested that the ANC be consulted in such matters and Councillor J Veschini also requested that the matter be corrected.

The ANC requested a caucus break from 10:25 until 10:35.

Councillor P Heradien mentioned that it is actually Section 80 Committees and that the Executive Mayor could not change the composition of the committees.

The Municipal Manager confirmed that all the committees of Witzenberg Municipality are Section 80 Committees.

The Speaker called for a break from 11:45 until 12:10 with the purpose to make a study of item 8.4.5 of the council minutes dated 22 June 2011 regarding the appointment of Section 79 and 80 Committees.

Councillor B Klaasen mentioned that the matter was dealt with as Section 80 Committees.

Councillor JNED Klazen proposed and Councillor B Klaasen seconded that cognisance be taken of the restructuring of the Section 80 Committees and same be accepted.

Councillor J Veschini proposed and Councillor M du Toit seconded that the matter be held in abeyance and be discussed at a special council meeting.

The Speaker called for a vote and the outcomes were equal, i.e. eleven votes for each proposal.

The Speaker mentioned that the activities of Council must proceed and that he agrees with Councillors J Klazen and B Klaasen. Therefore his casting vote is in favour of the proposal that cognisance be taken of the restructuring of the Section 80 Committees and same be accepted.

Councillor P Heradien appealed that nobody had consulted with him regarding his participation in any committee. Councillor M du Toit mentioned that all ANC councillors dissociate themselves from the Speaker's decision.

Councillor J Mouton tabled a document according to how the councillors of the ANC component will participate in council committees. The document is attached as **annexure 6.3(b)**.

RESOLVED

That the restructuring of the Section 80 Committees, as amended, is approved.

6.4 Council's representatives on outside bodies (03/1/1/5)

Item 7.4.3 of the Executive Mayoral Committee meeting, held on 8 February 2013, refers.

An amended list of council representatives on outside bodies is attached as **annexure 6.4**.

The Executive Mayoral Committee resolved on 12 July 2011 that the following councillors will represent Council on the various outside bodies:

- (i) Cape Winelands District Municipality Public Transport Forum: Councillor D Swart (DA).
- (ii) PROVCOM / PROVTECH: Councillors MC du Toit (ANC) and JJ Visagie (DA).
- (iii) Transport Riders Museum Ceres: Councillors H Smit (DA) and J Thomas (NPP).
- (iv) Oude Kerk Volksmuseum Tulbagh: Councillors E Sidego (DA) and J Vischini (VIP).
- (v) Tourism:
 - Ceres and Koue Bokkeveld: Councillors L Salmon (ANC) and WJ Hanekom (DA).
 - Tulbagh: Councillor E Sidego (DA).
 - Wolseley: Councillor P Heradien (DA).
 - Prince Alfred's Hamlet: Councillor P Waterboer (DA).

- (vi) Ceres Koekedouw Management Committee: Councillors J Visagie (DA) and H Smit (DA).
- (vii) Police Advisory Forum:
 - Ceres: Councillors H Smit (DA) and K Adams (Independent).
 - Tulbagh: Councillor E Sidego (DA).
 - Wolseley: Councillor D Swart (DA).
 - Prince Alfred's Hamlet: Councillor P Waterboer (DA).
 - Koue Bokkeveld: Councillor R Simpson (ANC).
 - Breede River: Councillor D Swart (DA).
- (viii) Gemeenskapspoliëringforum: Councillor WJ Hanekom (DA).
- (ix) Taxi Skakelkomitee: Councillor K Adams (Independent).
- (x) Ceres Kersmark Reëlingskomitee: Councillors J Phungula (ANC), T Godden (COPE) and WJ Hanekom (DA).
- (xi) WICT Committee: Councillors T Godden (COPE) and S Louw (DA).
- (xii) Committee for Strategic Housing: Cape Winelands District Municipality: Councillor K Adams (Independent).
- (xiii) Witzenberg Sport and Recreational Council: Councillors WJ Hanekom (DA) and P Waterboer (DA).
- (xiv) Tulbagh Watergebruikersvereniging: Councillors E Sidego (DA) and P Heradien (DA).
- (xv) Local Labour Forum of Council: Councillors H Smit (DA), WJ Hanekom (DA), B Klaasen (DA) and K Adams (Independent).

The item is tabled to amend the resolution and to provide for changes as per the annexure.

The Executive Mayoral Committee took cognisance of the restructuring of Council representatives in accordance with annexure 7.4.3 on 8 February 2013.

Councillor J Mouton tabled a document of the ANC component's participation in Council's representation on outside bodies. Refer to **annexure 6.3(b)**.

RESOLVED

That Council representatives on outside bodies as per annexure 6.4 is approved.

6.5 Twinning agreement with Essen, Belgium: Working visit: April 2013 (10/02/3)

Item 5 of the Executive Mayoral Committee meeting, held on 11 February 2013, refers.

An invitation was extended by VVSG (Association of Flemish Cities and Municipalities), an organisation similar to SALGA, to all participating municipalities in the Federal Programme to a joined planning week which will take place from 29 April 2013 until 3 May 2013 in Vaalbeek, Blanden.

The following annexures are attached:

- (a) Copy of the invitation, dated 11 February 2013: **Annexure 6.5(a)**.
- (b) E-mail, dated 14 January 2013: **Annexure 6.5(b)**.

The Federal Programme only pays for the expenses of officials. Essen proposed that four officials be invited. The Mayor of Essen also indicated that he would like to invite the Mayor of Witzenberg, which will be paid for by themselves. The costs of any other political representative will have to be paid by Witzenberg Municipality. In terms of Council's policy, Council must approve the overseas visit of any official and/or political representative on behalf of Council.

The Executive Mayor mentioned that Councillor Theodore Godden (Speaker) will represent him at Essen.

The Executive Mayoral Committee resolved on 11 February 2013 to recommend to Council:

- (i) That approval for special leave be granted to the Municipal Manager (Mr David Nasson), the Manager: Amenities and Environment (Mr Keith Stuurman), the Manager: Socio-Economic Development (Ms Jo-Ann Krieger), the Environmental Officer (Ms Michelle Klaasen), Councillor Theodore Godden (Speaker) and Councillor JNED Klazen (Chairperson of the Committee for Community Development) to accept an invitation from the VVSG (Association of Flemish Cities and Municipalities) in Belgium with the purpose to attend a workshop.
- (ii) That Council be responsible for the travel and accommodation expenses of Councillor JNED Klazen.
- (iii) That all the above-mentioned representatives supra (a) be paid the travel and subsistence allowance in terms of Council's policy.

The ANC requested a caucus break from 12:35 until 12:45.

Councillor M du Toit requested that the twinning agreement with Essen, Belgium be work shopped with all councillors.

RESOLVED

- (a) *That approval for special leave be granted to the Municipal Manager (Mr David Nasson), the Manager: Socio-Economic Development (Ms Jo-Ann Krieger), Councillor Theodore Godden (the Speaker and representing the Executive Mayor) and Councillor JNED Klazen (Chairperson of the Committee for Community Development) to accept an invitation from the VVSG (Association of Flemish Cities and Municipalities) in Belgium with the purpose to attend a workshop.*
- (b) *That Council be responsible for the travel and accommodation expenses of Councillor JNED Klazen.*
- (c) *That all the representatives mentioned in resolutions (a) and (b) (supra) be paid the travel and subsistence allowance in terms of Council's policy.*
- (d) *That a workshop be held for all councillors to discuss the Twinning Agreement with Essen, Belgium.*

7. COUNCIL-IN-COMMITTEE