

MINUTES OF THE COUNCIL MEETING OF THE WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON WEDNESDAY, 27 MAY 2015 AT 10:00

PRESENT

Councillors

TT Godden (Speaker)
JNED Klazen (Executive Mayor)
K Adams (Deputy Executive Mayor)
R Badela
BJ Chaaban
P Daniels
JJ du Plessis
MC du Toit
JP Fredericks
WJ Hanekom
BC Klaasen
S Louw
JS Mouton
SM Ndwanya
JT Phungula
L Salmon
MI Saula
E M Sidego
RJ Simpson
A Smit
HJ Smit
D Swart
JJ Visagie

Officials

Mr D Nasson (Municipal Manager)
Ms J Krieger (Director: Community Services)
Mr HJ Kritzingen (Director: Finance)
Mr M Mpeluza (Director: Corporate Services)
Mr J Barnard (Director: Technical Services)
Mr G Louw (Head: Internal Audit)
Mr A Raubenheimer (Deputy Director: Finance)
Mr R Rhode (Acting Manager: Administration)
Ms M Arendse (Principal Administrative Officer)
Mr CJ Titus (Committee Clerk)
Ms P Nombayeka (Interpreter)

Other representatives

Mr Lesley Africa (Tashea 32)
Mr Sheraz Rayban (Tashea 32)
Mr Abraham Jooste

1. OPENING AND WELCOME

The Speaker welcomed everyone present and requested Councillor A Smit to open the meeting with prayer.

NOTED.

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

None.

NOTED.

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

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

Councillors J Fredericks and J Phungula conveyed Council's congratulations to the following official, councillors and spouse on their birthdays:

- Ms J Krieger 29 May
- Councillor K Adams 5 June
- Councillor MI Saula 29 June
- Ms Elmarie Smit 29 June

Councillor J Phungula requested a minute of silence for Dr Ruth Segomotsi Mompati, a former member of Parliament and struggle veteran, who passed away on 12 May 2015 at the age of 89.

The Speaker requested Councillor J Visagie to address Council on the celebration of Africa Day on 25 May. Councillor Visagie informed Council that Africa Day promotes the objectives and aims of the African Union and has been celebrated since the end of colonialism and oppression in 1963.

Councillor K Adams requested that parties such as DAWI and ACDP be removed from Council's distribution list for receiving council agendas.

NOTED.

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

The Speaker announced that Council will be in recess from 26 June until 20 July 2015.

Councillor MC du Toit requested that councillors must have mutual respect for each other and that the Speaker takes the leadership during council sittings.

NOTED.

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

The Executive Mayor announced:

- That National Child Protection Week is commemorated annually from 31 May to 7 June.
- That children need to be protected and loved.
- That awareness of children's rights should be raised.

NOTED.

4. MINUTES

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

The minutes of the council meeting, held on 29 April 2015, are attached as **annexure 4.1**.

RESOLVED

That the minutes of the council meeting, held on 29 April 2015, be approved and signed by the Speaker.

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

None.

NOTED.

5. MOSIES EN KENNISGEWINGS VAN VOORSTELLE

Geen.

AANGETEKEN.

6. INTERVIEWS WITH DELEGATIONS

6.1 Unique Rand (UR) Pay Card
(12/1/1/1)

A presentation was made by the director of Unique Rand (UR) Card, Mr Sheraz Rayban, regarding the UR pay card. The presentation is attached as **annexure 6.1**.

RESOLVED

That cognisance be taken of the presentation made by Mr Sheraz Rayban regarding the Unique Rand (UR) Pay Card.

7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

7.1 Notules: Komiteevergaderings
(03/3/2)

Die verslae/notules van die volgende komiteevergaderings word ingebind:

- (a) Municipal Public Accounts Committee, held on 21 February 2014: **Annexure 7.1(a)**.
- (b) Municipal Public Accounts Committee, held on 10 March 2014: **Annexure 7.1(b)**.
- (c) Executive Mayoral Committee, held on 27 March 2015: **Annexure 7.1(c)**.

BESLUIT

Dat kennis geneem word van die notules van die komiteevergaderings.

8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

8.1 Direkoraat Finansies / Directorate Finance

8.1.1 Monthly report of the Department Finance: March 2015
(9/1/2/2)

Item 7.1.1 of the Executive Mayoral Committee meeting, held on 28 April 2015, refers.

The monthly report of the Department Finance for March 2015 is attached as **annexure 8.1.1**.

The Executive Mayoral Committee resolved on 28 April 2015 that cognisance be taken of the monthly report of the Department Finance for March 2015 and same be accepted.

Councillor R Badela enquired about the invoices received for payments made on 9 and 17 March 2015 from Worcester Nissan for the repair of the same vehicle CT 1811 as reflected on the monthly report for March 2015.

The Director: Finance responded that the abovementioned occurred as another fault on vehicle CT 1811 was discovered after the clutch was replaced. Councillor Badela responded that the answer provided by the Director: Finance is unsatisfactory and that the matter be further investigated.

RESOLVED

- (a) *That cognisance be taken of the monthly report of the Department Finance for March 2015 and same be accepted.*
- (b) *That the Municipal Public Accounts Committee investigate the invoice for the repairs of vehicle CT 1811 by Worcester Nissan.*

8.1.2 Monthly report: Service Delivery and Budget Implementation Plan: March 2015
(05/1/5/7)

Item 7.1.2 of the Executive Mayoral Committee meeting, held on 28 April 2015, refers.

The monthly report of the Service Delivery and Budget Implementation Plan for March 2015 is attached as **annexure 8.1.2**.

The Executive Mayoral Committee resolved on 28 April 2015 that cognisance be taken of the monthly report of the Service Delivery and Budget Implementation Plan for March 2015 and same be accepted.

Councillor R Badela enquired about the timeframe regarding agenda distribution as council members would prefer receiving agendas seven days before council meetings.

Council mentioned that issues raised by ward committees at their monthly meetings are not addressed by the various directorates.

RESOLVED

- (a) *That an item be tabled by the Municipal Manager regarding the time frame for the distribution of agendas to Council.*
- (b) *That the Municipal Manager follows up the matter regarding the unaddressed issues raised by ward committees in their minutes submitted to the municipality.*
- (c) *That cognisance be taken of the monthly report of the Service Delivery and Budget Implementation Plan for March 2015 and same be accepted.*

**8.1.3 Report of Auditor-general for year ended 30 June 2014
(5/14/1/10)**

The report of the Auditor-general for the year ended 30 June 2014, dated 30 April 2015, is attached as **annexure 8.1.3**.

RESOLVED

That cognisance be taken of the report of the Auditor-general for the year ended 30 June 2014.

**8.1.4 Finance: Budget, Reviewed IDP and SDBIP for the financial year 2015/2016
(5/1/1/14, 2/2/1 & 5/1/5/8)**

The following documents are attached:

- (a) Memorandum from the Director: Finance, dated 27 May 2015: **Annexure 8.1.4(a)**.
- (b) Draft budget for 2015/2016 – 2017/2018: **Annexure 8.1.4(b)**.
- (c) Reviewed IDP for 2015/2016: **Annexure 8.1.4(c)**.
- (d) Service Delivery and Budget Implementation Plan 2015/2016: **Annexure 8.1.4(d)**.
- (e) Budget related policies 2015/2016: **Annexure 8.1.4(e)**.

RESOLVED

- (a) *That the annual budget of Witzenberg Municipality for the financial year 2015/2016; and indicative for the two projected years 2016/2017 and 2017/2018, as set out in the schedules contained in Section 4, be approved:*
 - (i) *Table A2: WC048 Budgeted Financial Performance (expenditure by standard classification)*
 - (ii) *Table A3: Budgeted Financial Performance (expenditure by municipal vote)*
 - (iii) *Table A4: Budgeted Financial Performance (revenue by source)*
 - (iv) *Table A5: Budgeted Capital Expenditure for both multi-year and single year by vote, standard classification and funding.*
- (b) *Property rates reflected in Annexure 1 and any other municipal tax reflected in Annexure 1 are imposed for the budget year 2015/2016.*

- (c) *Tariffs and charges reflected in Annexure 1 are approved for the budget year 2015/2016.*
- (d) *The measurable performance objectives for revenue from each source reflected in Table A4 - Budgeted Financial Performance (revenue and expenditure) are approved for the budget year 2015/2016.*
- (e) *The measurable performance objectives for each vote reflected in SA8 are approved for the budget year 2015/2016.*
- (f) *That the new amended budget related policies be approved with implementation as from 1 July 2015:*
 - (i) *Tariff Policy*
 - (ii) *Property Rates Policy*
 - (iii) *Credit Control and Debt Collection Policy*
 - (iv) *Cash Management and Investment Policy*
 - (v) *Consumer Payment Incentive Policy*
 - (vi) *Municipal Supply Chain Management Policy*
 - (vii) *Petty Cash Policy*
 - (viii) *Indigent Policy*
 - (ix) *Budget Policy*
 - (x) *Budget Virement Policy*
 - (xi) *Asset Management Policy*
 - (xii) *Funding and Reserves Policy*
 - (xiii) *Cellular telephone and data card policy*
 - (xiv) *Borrowing Policy*
 - (xv) *Long Term Financial Plan Policy*
- (g) *That the reviewed 2015/2016 Integrated Development Plan be approved.*
- (h) *That Council takes cognisance of the Service Delivery and Budget Implementation plan for 2015/2016.*

8.1.5 Draft IDP and Budget Process Plan for 2016/2017 (02/02/1)

In terms of Section 28 of the Municipal Systems Act (Act 32 of 2000), Council must adopt an IDP and Budget Process Plan. The Municipal Finance Management Act (Act 56 of 2003) further stipulates that at least ten months before the start of the budget year, the Executive Mayor should table a time schedule outlining key deadlines in respect of the IDP/Budgetary process.

Section 29 of the Municipal Systems Act (Act 32 of 2000), specifies that such a Process Plan must include:

- Programs that set out timeframes for the different planning steps;
- Appropriate mechanisms, processes and procedures for consultation with:
 - Local communities, both in terms of needs and priorities as well as consultation during development;
 - Organs of state, traditional authorities, and other role-players in the drafting process; and

- Binding plans and planning requirements, i.e. policy and legislation.

National Treasury has provided further guidance by the issuing of MFMA Circular 10. That circular provides specific guidance with regard to six distinct steps in compilation of the IDP and the annual Budget. The table below highlights these steps, with a brief description of each step:

Steps	Process
1	Planning
2	Strategizing
3	Preparing
4	Tabling
5	Approving
6	Finalising

In capturing the above steps, this IDP & Budget Process Plan seeks to address, *inter alia*, the:

- Identification of areas requiring additional attention in terms of legislative requirements, proper planning processes and sound financial management;
- Inclusion of the most current Census and own statistical data;
- Consideration and review of any other relevant and new information;
- Addressing comments received from the various role-players;
- Factor-in the shortcomings and weaknesses identified through self-assessment;
- Preparation and review of sector plans and its alignment with the IDP;
- Preparation and review of the Performance Management System (PMS);
- Updating of the 5-year Financial Plan; and
- Finalisation of the annual Budget and IDP in terms of the relevant legislation.

Pursuant to the above statutory requirements, a Draft Process Plan for the 2016/2017 IDP and Budget cycle is attached as **annexure 8.1.5**.

Councillor J Phungula enquired on behalf of the ANC whether Council was consulted regarding the R50.00 deduction from their monthly salary for refreshments. The Municipal Manager mentioned that it was an automatic deduction by the salary system and that the matter will be rectified with the next salary payment.

RESOLVED

That cognisance be taken of the Draft IDP and Budget Process Plan for 2016/2017.

The ANC requested a caucus break for ten minutes. The meeting adjourned at 12:00 for caucus and lunch and resumed at 13:00.

**8.1.6 Budget 2015/2016: Objection to proposed tariffs
(5/1/1/14)**

A memorandum from the Director: Finance, dated 18 April 2015, is attached as **annexure 8.1.6**.

The ANC component requested that all budget related items be dealt with first before the budget is approved.

The ANC coalition granted approval for the subtraction of R60-00 for refreshments. The DA coalition seconded the proposal.

RESOLVED

- (a) *That the property rates tariffs and exemptions as tabled, be approved by Council with the only amendment that the R100 000 exemption will apply to the following tariffs:*
 - (i) *Residential property*
 - (ii) *Informal settlements*
 - (iii) *Business/Commercial property*
 - (iv) *Industrial property*
- (b) *That letters be addressed to all objectors, explaining the effect of the new property rates tariff structure.*

**8.1.7 Budget 2015/2016: Incurrence of external loans
(5/1/1/14)**

A memorandum from the Director: Finance, dated 19 May 2015, is attached as **annexure 8.1.7**.

The ANC raised their concern regarding the incurrence of external loans as the municipality was a project consolidated municipality.

The Director: Finance mentioned that certain processes need to be followed as per legislation. Furthermore the funds are needed for the purchasing of prepaid water meters and vehicles. The term of the loan will be the same as the expected useful life of the asset.

RESOLVED

- (a) *That Council provides the necessary approval to initiate the processes in terms of the Municipal Finance Management Act and Municipal Systems Act for the incurrence of long term debt to finance capital expenditure to the amount of R8 290 000 in the 2015/2016 budget year.*
- (b) *That the Director: Finance tables a report to Council regarding the impact of the rates payable for the incurrence of external loans for final approval.*

8.2 Direktooraat Tegniëse Dienste / Directorate Technical Services

8.2.1 Application for Council's consent for purposes of a wind farm facility
(15/4/2022)

The following items refer:

- (a) Item 6.11 of the Committee for Technical Services meeting, held on 18 March 2015.
- (b) Item 8.2.2 of the council meeting, held on 29 April 2015.

A report from the Manager: Town Planning and Building Control, dated 17 February 2015, is attached as **annexure 8.2.1**.

The Committee for Technical Services resolved on 18 March 2015 to recommend to Council:

That Council's consent be granted, in terms of the Supplementary Section 8 Scheme Regulations, for the purposes of a wind farm facility consisting of thirty turbines, situated on the following farms:

- Portion 64 of farm Kleineberg 208, Worcester
- Portion 5 of farm De Liefde C 334, Tulbagh
- Remainder farm Vaal Vlei 324, Tulbagh
- Remaining extent portion 6 of farm De Liefde 323, Tulbagh
- Portion 7 (portion of portion 6) of farm De Liefde 323, Tulbagh
- Remainder of farm De Liefde C 334, Tulbagh
- Remaining extent of farm Romans River 320, Tulbagh
- Portion 22 of farm Romansrivier 320, Tulbagh
- Remainder portion 21 of farm Kleineberg 208, Worcester

subject to the following conditions, imposed in terms of Section 42(1) of the Land Use Planning Ordinance no. 15 of 1985:

- (a) For the purposes of these conditions "owner" means the leaseholder, and any successor in title.
- (b) For the purposes of these conditions "landowner" means the person or entity in whose name that land is registered in a deeds registry, and any successor in title.
- (c) The owner shall at his own cost decommission and remove the renewable energy structure and rehabilitate the site when the facility has reached the end of its productive life, or when it has been abandoned or have been discontinued.
- (d) The owner shall within 30 days notify the local authority of the date operations ceased and submit a decommissioning plan for approval.
- (e) The owner shall remove the structure and all its parts within 150 days (or such extended period as approved by the local authority) in accordance with the approved decommissioning plan.
- (f) Pursuant to condition (c) the owner shall make the necessary financial provision to cover the cost of decommissioning and rehabilitation.

- (g) The local authority shall have full access to the financial provision for the purposes of rehabilitation/removal of the facility in the event that the owner fails to fulfil his obligation in terms of condition (c).
- (h) Prior to the submission of building plans, the following conditions shall be met by the owner to the satisfaction of the local authority:
 - (i) The total sum required for decommissioning and rehabilitation purposes shall be determined independently by quantity surveyors and environmental impact practitioners to the satisfaction of the local authority for the cost of the owner.
 - (ii) The quantity surveyors and environmental impact practitioners mentioned above shall declare in writing their independence to the satisfaction of the local authority.
 - (iii) Surety shall be provided by the owner that the necessary financial provision is made to the satisfaction of the local authority.
 - (iv) The form of financial provision shall not be in conflict with the Municipal Finance Management Act, Act 56 of 2003, to the satisfaction of the local authority.
 - (v) if applicable, the owner shall submit proof of registration of the lease areas in the Deeds Office.
 - (vi) The owner shall submit to the local authority a copy of the lease agreement entered into with the landowner.
 - (vii) The owner shall submit a SDP (Site Development Plan) showing compliance with the special provisions applying to renewable energy structures in terms of the regulations promulgated in the Western Cape Provincial Gazette No 7061 on 23 November 2012, and any other parameters as required by the relevant public institutions.
- (i) The sum required for decommissioning and rehabilitation purposes shall be re-evaluated by the owner no later than twelve months from date of commencement of construction activities, and thereafter annually, to the satisfaction of the Council in accordance within conditions (i) and (ii) and -
 - (i) Surety shall be provided for the re-evaluated amount to the satisfaction of the local authority.
- (j) The owner shall give the local authority seven days' notice in writing before commencement of construction activities.
- (k) That in the event that the lease agreements with the landowners are cancelled for whatever reason, the consent hereby approved to develop and operate a renewable energy structure shall also lapse and the owner shall decommission the facility and rehabilitate the site within 150 days in accordance with conditions (d), (e) and (f).
- (l) Changes to the lease agreement may not be in conflict with these conditions and the owner shall submit such revised agreement to the local authority no later than 30 days after it was concluded.

- (m) This consent only applies to the owner and cannot be transferred without the agreement of the local authority.
- (n) Construction may not commence prior to the approval of building plans.
- (o) That the landowners may be liable for property tax in future as determined by the local authority in terms of the relevant legislation and policies.
- (p) Any complaints received by the local authority during construction or over the lifetime of the facility shall be referred to the owner whom shall be obliged to resolve the grievance within seven days (or such an extended period as approved by the local authority).
- (q) The turbines and associated activities may not interfere with any public utilities, and in the event that any of the utilities are damaged, it shall be repaired at the appointed time at cost of the owner.
- (r) Hazardous waste shall only be dumped on a registered site and needs to be confirmed by the owner prior to dumping.
- (s) The owner shall furnish the landowners with a copy of these conditions.
- (t) The owner shall take cognisance of the conditions of the following institutions:
 - (i) DEADP environmental authorisation dated 11 June 2013
 - (ii) Transnet letter dated 15 January 2015
 - (iii) ESKOM letter dated 10 December 2013
 - (iv) Road Network Management letter dated 13 December 2013
 - (v) Land Use Management letter dated 24 January 2013
 - (vi) Agriculture, Forestry and Fisheries letter dated 29 July 2013
 - (vii) Cape Nature letter dated 21 December 2012
 - (viii) BOCMA letter dated 31 January 2013
 - (ix) Waste Management letter dated 22 February 2013
 - (x) Pollution Management letter dated 1 August 2012
 - (xi) Civil Aviation Authority letter dated 17 July 2013
- (u) That the developers of the wind farm facility consisting of thirty turbines make a presentation at the next council meeting.

A unanimous decision was taken by Council that a committee be appointed to engage with the wind farm developers on the inclusion of a council representative on the community trust before a decision is taken on the matter.

Council resolved on 29 April 2015:

- (a) That the matter stands over for further discussion.
- (b) That a committee be established to liaise and engage with Messrs SAGIT Energy with regard to the wind farm facility project.

The Municipal Manager mentioned that the matter was held in abeyance at the previous meeting to establish a committee and that a nomination should have been made to engage with the developers of the wind farm facility for the benefit of the community.

Council unanimously proposed that the following councillors serve on the committee to engage with Messrs SAGIT Energy:

- (i) Councillor D Swart (DA)
- (ii) Councillor JJ du Plessis (DA)
- (iii) Councillor B Chaaban (NPP)
- (iv) Councillor P Daniels (DA)
- (v) Councillor MC du Toit (ANC)

RESOLVED

- (a) *That a committee be established to engage with Messrs SAGIT Energy regarding a wind farm facility.*
- (b) *That the committee will consist of the following councillors:*
 - (i) *Councillor D Swart*
 - (ii) *Councillor JJ du Plessis*
 - (iii) *Councillor B Chaaban*
 - (iv) *Councillor P Daniels*
 - (v) *Councillor MC du Toit*
- (c) *That the matter be held in abeyance until feedback regarding the engagement with Messrs SAGIT is received from the committee.*

**8.2.2 Water situation: Tulbagh
(16/2/1/1/1)**

Item 7.2.1 of the Executive Mayoral Committee meeting, held on 25 May 2015, refers.

The following documents are attached:

- (a) Memorandum from the Director: Technical Services, dated 19 May 2015: **Annexure 8.2.2(a)**.
- (b) Tulbagh dam water levels: **Annexure 8.2.2(b)**.

The Executive Mayoral Committee resolved on 25 May 2015 to recommend to Council:

- (i) That a circular be issued to the Tulbagh community to use water economically.
- (ii) That the following be implemented with immediate effect:
 - 1. That no watering of gardens will be allowed.
 - 2. That no washing of vehicles by means of a hosepipe will be allowed.
 - 3. That the water restriction tariffs be charged as follows at Tulbagh to ensure that consumers utilise less water.

Tariff 2014 - 2015, including VAT	Tariff 2014 - 2015, excluding VAT	Water Restriction tariff 2014 - 2015 excluding vat	Proposed Tariffs 2015 - 2016, including VAT	Tariff 2015 - 2016, excluding VAT	Water Restriction tariff 2015 -2016 excluding Vat
-----------------------------------	-----------------------------------	----------------------------------------------------	---------------------------------------------	-----------------------------------	---------------------------------------------------

Water service Tariffs

Consumption per kilo
litre

Block A (Aimed at residential and smaller commercial clients)

0-6 kl	14.0%	R 4.13	R 3.63	R 3.63	R 2.85	R 2.50	R 2.50
7-30 kl	14.0%	R 6.97	R 6.11	R 14.94	R 6.95	R 6.10	R 15.00
31-60 kl	14.0%	R 6.42	R 5.63	R 14.94	R 6.84	R 6.00	R 15.00
61-300 kl	14.0%	R 6.02	R 5.28	R 14.94	R 6.84	R 6.00	R 15.00
Above 300 kl	14.0%	R 29.10	R 25.53	R 14.94	R 29.10	R 25.53	R 15.00

Block B (Aimed at larger commercial and smaller industrial clients)

0-300 kl	14.0%	R 8.52	R 7.47	R 7.47	R 8.55	R 7.50	R 7.50
301-1000 kl	14.0%	R 7.16	R 6.28	R 14.94	R 7.52	R 6.60	R 15.00
1001-8000 kl	14.0%	R 6.42	R 5.63	R 14.94	R 6.95	R 6.10	R 15.00
Above 8000 kl	14.0%	R 6.02	R 5.28	R 14.94	R 6.95	R 6.10	R 15.00

Block C (Aimed at larger industrial clients)

Consumption above 20,000 kl per month	14.0%	R 1.72	R 1.51	R 14.94	R 2.28	R 2.00	R 15.00
---------------------------------------	-------	--------	--------	---------	---------------	--------	---------

4. That all water to informal areas will be closed at 22:00 and opened at 04:30 daily.

Councillor J du Plessis enquired when the water restrictions will be implemented. The Municipal Manager responded that the water restrictions will be implemented by 5 June 2015 if the situation remains the same. The Director: Technical Services will inform and refer back to Council as to when the increased tariffs can be lifted.

The Speaker, on behalf of COPE, expressed his concern regarding consumers who are using limited water and subjected to the same rate of R15-00 per kilolitre.

RESOLVED

- (a) That a circular be issued to the Tulbagh community to use water economically.
- (b) That the following be implemented:
1. That no watering of gardens will be allowed.
 2. That no washing of vehicles by means of a hosepipe will be allowed.

3. That the water restriction tariffs be charged as follows at Tulbagh to ensure that consumers utilise less water.

Tariff 2014 - 2015, including VAT	Tariff 2014 - 2015, excluding VAT	Water Restriction tariff 2014 - 2015 excluding vat	Proposed Tariffs 2015 - 2016, including VAT	Tariff 2015 - 2016, excluding VAT	Water Restriction tariff 2015 - 2016 excluding Vat
-----------------------------------	-----------------------------------	----------------------------------------------------	---------------------------------------------	-----------------------------------	----------------------------------------------------

Water service Tariffs

Consumption per kilo litre

Block A (Aimed at residential and smaller commercial clients)

0-6 kl	14.0%	R 4.13	R 3.63	R 3.63	R 2.85	R 2.50	R 2.50
7-30 kl	14.0%	R 6.97	R 6.11	R 14.94	R 6.95	R 6.10	R 15.00
31-60 kl	14.0%	R 6.42	R 5.63	R 14.94	R 6.84	R 6.00	R 15.00
61-300 kl	14.0%	R 6.02	R 5.28	R 14.94	R 6.84	R 6.00	R 15.00
Above 300 kl	14.0%	R 29.10	R 25.53	R 14.94	R 29.10	R 25.53	R 15.00

Block B (Aimed at larger commercial and smaller industrial clients)

0-300 kl	14.0%	R 8.52	R 7.47	R 7.47	R 8.55	R 7.50	R 7.50
301-1000 kl	14.0%	R 7.16	R 6.28	R 14.94	R 7.52	R 6.60	R 15.00
1001-8000 kl	14.0%	R 6.42	R 5.63	R 14.94	R 6.95	R 6.10	R 15.00
Above 8000 kl	14.0%	R 6.02	R 5.28	R 14.94	R 6.95	R 6.10	R 15.00

Block C (Aimed at larger industrial clients)

Consumption above 20,000 kl per month	14.0%	R 1.72	R 1.51	R 14.94	R 2.28	R 2.00	R 15.00
---------------------------------------	-------	--------	--------	---------	--------	--------	---------

4. That all water to informal areas will be closed at 22:00 and opened at 04:30 daily.

- (c) That the council resolution, excluding the tariffs, be implemented as for the decision of the Director: Technical Services.

8.3 Direktooraat Gemeenskapsdienste / Directorate Community Services

Geen.

AANGETEKEN.

8.4 Direktoraat Korporatiewe Dienste / Directorate Corporate Services

8.4.1 Sale of municipal land for church purposes: Erven 3167 and 2994, Pine Valley, Wolseley (15/2/2/7/R)

The following items refer:

- (a) Item 7.4.4 of the Executive Mayoral Committee meeting, held on 27 March 2015.
- (b) Item 7.4.2 of the Executive Mayoral Committee meeting, held on 28 April 2015.

A memorandum from the Senior Officer: Properties, dated 24 March 2015, is attached as **annexure 8.4.1**.

The Executive Mayoral Committee resolved on 27 March 2015 that the matter regarding the sale of municipal land for church purposes (erven 3167 and 2994, Pine Valley, Wolseley) be held in abeyance until the next Executive Mayoral Committee meeting.

The Executive Mayoral Committee resolved on 28 April 2015 to recommend to Council:

- (i) That the municipal erven 3167 and 2994, Pine Valley, Wolseley are not required for a minimum level of basic municipal services.
- (ii) That the sale of erven 3167 and 2994, Pine Valley, Wolseley be subject to the conditions as contained in the attached annexure.
- (iii) That the supply chain process be followed for the alienation of erven 3167 and 2994, Pine Valley, Wolseley for institutional purposes.

RESOLVED

- (a) *That the municipal erven 3167 and 2994, Pine Valley, Wolseley are not required for a minimum level of basic municipal services.*
- (b) *That the sale of erven 3167 and 2994, Pine Valley, Wolseley be subject to the conditions as contained in the attached annexure.*
- (c) *That the supply chain process be followed for the alienation of erven 3167 and 2994, Pine Valley, Wolseley for institutional purposes.*

8.4.2 Sale of municipal land for church purposes: Erf 6138, Bella Vista, Ceres (7/1/4/2)

Item 7.4.3 of the Executive Mayoral Committee meeting, held on 28 April 2015, refers.

A report from the Senior Officer: Properties, dated 1 April 2015, is attached as **annexure 8.4.2**.

The Executive Mayoral Committee resolved on 28 April 2015 to recommend to Council:

- (i) That erf 6138, Bella Vista, Ceres is not required for a minimum level of basic municipal services.

- (ii) That the sale of erf 6138, Bella Vista, Ceres be subject to the conditions as contained in the attached annexure.
- (iii) That the supply chain process be followed for the alienation of erf 6138, Bella Vista, Ceres for institutional purposes.

RESOLVED

- (a) *That erf 6138, Bella Vista, Ceres is not required for a minimum level of basic municipal services.*
- (b) *That the sale of erf 6138, Bella Vista, Ceres be subject to the conditions as contained in the attached annexure.*
- (c) *That the supply chain process be followed for the alienation of erf 6138, Bella Vista, Ceres for institutional purposes.*

**8.4.3 Request for release of an undivided portion of remainder erf 1001 Ceres and a portion of the remainder of erf 2890, Ceres
(7/1/4/2)**

The following items refer:

- (a) Item 7.4.2 of the Executive Mayoral Committee meeting, held on 28 January 2015.
- (b) Item 7.4.1 of the Executive Mayoral Committee meeting, held on 27 March 2015.
- (c) Item 7.4.1 of the Executive Mayoral Committee meeting, held on 28 April 2015.
- (d) Item 7.4.1 of the Executive Mayoral Committee meeting, held on 25 May 2015.

The following memorandum, dated 26 January 2015, was received from the Municipal Manager:

"A written request was received from the Commission on Restitution of Land Rights, requesting the municipality to consider the release of an undivided portion of remainder erf 1001 Ceres and a portion of the remainder of erf 2890, Ceres.

A full report of the Commission is attached as **annexure 8.4.3(a).**"

The Executive Mayoral Committee resolved on 28 January 2015 that the matter pertaining the request for the release of an undivided portion of remainder erf 1001, Ceres and a portion of the remainder of erf 2890, Ceres be held in abeyance until the next Executive Mayoral Committee meeting.

The Executive Mayoral Committee resolved on 27 March 2015 that the matter pertaining to the request for the release of an undivided portion of remainder erf 1001, Ceres and a portion of the remainder of erf 2890, Ceres be held in abeyance until the next Executive Mayoral Committee meeting.

The Municipal Manager reported on the matter and mentioned that a delegation will make a presentation regarding the request for release of an undivided portion of remainder erf 1001, Ceres and portion of remainder of erf 2890, Ceres on 16 May 2015.

The Executive Mayoral Committee resolved on 28 April 2015 that the matter be held in abeyance.

The Executive Mayoral Committee resolved on 25 May 2015 that the Municipal Manager tables a report on the erven required by the Commission on Restitution of Land Rights for submission to Council.

The Municipal Manager informed Council that the Commission of Land Rights had changed their initial request as forwarded to the municipality and requested only eight erven as shown on the diagram attached as **annexure 8.4.3(b)**.

RESOLVED

- (a) *That erf 2890, Ceres comprising of four erven, but excluding land needed for the substation, be released to the land claimants.*
- (b) *That a portion of an undivided portion of remainder erf 1001 Ceres located adjacent to Naude Street, consisting of four erven, be released to the land claimants.*
- (c) *That the erven, identified as per annexure 8.4.3(b), are not required for basic services as per the Municipal Finance Management Act.*
- (d) *That the Municipal Manager be mandated to sign all the necessary documentation to affect the transfer.*

**8.4.4 Draft by-law relating to pounds
(1/3/1/13)**

Item 7.4.2 of the Executive Mayoral Committee meeting, held on 25 May 2015, refers.

A draft by-law relating to pounds is attached as **annexure 8.4.4**.

The Executive Mayoral Committee resolved on 25 May 2015 to recommend to Council that the draft by-law relating to pounds be approved and accepted.

RESOLVED

That the draft by-law relating to pounds be approved and accepted in principle and that certain individual cases may be negotiated through the municipality such as the need for grazing areas.

**8.4.5 Proposed amendment to by-law on liquor trading days and hours
(1/1/1)**

Item 7.4.3 of the Executive Mayoral Committee meeting, held on 25 May 2015, refers.

The following documents are attached:

- (a) Memorandum from Senior Officer: Properties, dated 28 April 2015:
Annexure 8.4.5(a).

- (b) By-law on liquor trading days and hours: **Annexure 8.4.5(b)**.

The Executive Mayoral Committee resolved on 25 May 2015 to recommend to Council:

- (i) That Council considers the amendments proposed.
- (ii) That the amendments be advertised in the local newspaper for public participation.
- (iii) That the inputs and amendment be re-tabled for further Council consideration.

RESOLVED

- (a) *That the proposed amendments be approved by Council.*
- (b) *That the amended by-law on liquor trading days and hours be published in the Government Gazette and the local newspaper.*

8.4.6 Confirmation of sale agreement: Erf 1376: Estate late Frans Harris (15/2/27/R)

Item 7.4.4 of the Executive Mayoral Committee meeting, held on 25 May 2015, refers.

The following memorandum, dated 20 May 2015, was received from the Municipal Manager:

"Purpose

To consider the confirmation of a sale agreement between the then Wolseley Municipality and the estate of the late Frans Harris in terms of erf 1376 still to be registered in the Deeds Office.

Deliberation

Mr Frans Harris passed away on 29 March 2013. Mr Readen Van Der Riet has been appointed as the Executor of the estate. A copy of the appointment is attached as **annexure 8.4.6(a)**. The Executor has advised that he is struggling to liquidate and distribute the estate because of the late Mr Harris not being shown as the registered owner of erf 1376 Wolseley. A copy of the Plan which indicates where the erf is situated is attached as **annexure 8.4.6(b)**. The municipal history reflects Mr Harris as being the registered owner. Mr Harris and the Executor have also paid the municipal rates and taxes on the property to the Wolseley Municipality and since amalgamation to the Witzenberg Municipality. It however appears that the subdivision of the erf was never registered with the Land Surveyor's Office. There is also no record of the Deed of Sale between the Wolseley Municipality and the late Mr Harris, the only documentation being that of our billing system. There is currently no value being placed on the property because of the Rates Act which stipulates that an erf may not be valued unless it is registered in the Deeds Office. It appears that the late Mr Harris has also always been regarded as the registered owner of the erf. Council is requested to consider the following recommendation:

1. That the erf was indeed sold by the then Wolseley Municipality to the late Mr Harris.
2. That the MFMA is not applicable to the Sale Agreement.
3. That the Municipal Manager be mandated to sign an agreement on behalf of Council to effect the transfer of the erf in favour of the late Mr Frans Harris.

4. That the estate be responsible for all cost involved incidental to the transfer which also includes the registration of the erf in favour of Mr Harris.
5. Confirmation that in the absence of any documentation to the contrary it be confirmed that the full purchased price for the erf has been paid."

The Executive Mayoral Committee resolved on 25 May 2015 to recommend to Council:

- (i) That the erf was indeed sold by the then Wolseley Municipality to the late Mr Harris.
- (ii) That the MFMA is not applicable to the Sale Agreement.
- (iii) That the Municipal Manager be mandated to sign an agreement on behalf of Council to effect the transfer of the erf in favour of the late Mr Frans Harris.
- (iv) That the estate be responsible for all cost involved incidental to the transfer which also includes the registration of the erf in favour of Mr Harris.
- (v) Confirmation that in the absence of any documentation to the contrary it be confirmed that the full purchased price for the erf has been paid.

RESOLVED

- (a) That the erf was indeed sold by the then Wolseley Municipality to the late Mr Harris.*
- (b) That the MFMA is not applicable to the Sale Agreement.*
- (c) That the Municipal Manager be mandated to sign an agreement on behalf of Council to effect the transfer of the erf in favour of the late Mr Frans Harris.*
- (d) That the estate be responsible for all cost involved incidental to the transfer which also includes the registration of the erf in favour of Mr Harris.*
- (e) Confirmation that in the absence of any documentation to the contrary it be confirmed that the full purchased price for the erf has been paid.*

9. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA

None.

NOTED.

10. FORMAL AND STATUTORY MATTERS

None.

NOTED.

11. QUESTIONS and/or MATTERS RAISED by COUNCILLORS

None.

NOTED.

12. COUNCIL-IN-COMMITTEE