

MINUTES OF THE SPECIAL COUNCIL MEETING OF THE WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON THURSDAY, 26 NOVEMBER 2015 AT 12:00

PRESENT

Councillors

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

Officials

Mr J Barnard (Director: Technical Services)
Ms J Krieger (Director: Community Services)
Mr HJ Kritzing (Director: Finance)
Mr G Louw (Head: Internal Audit)
Mr D Nasson (Municipal Manager)
Ms P Nombayeka (Interpreter)
Mr R Rhode (Acting Manager: Administration)
Mr C Titus (Committee Clerk)

1. OPENING AND WELCOME

The Speaker welcomed everyone present and requested Councillor D Swart to open the meeting with prayer.

NOTED.

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

A written application for leave of absence from the meeting was received from Councillor L Salmon.

Verbal application for leave of absence from the meeting was received from Councillors JNED Klazen and J Phungula.

RESOLVED

- (a) *That the application for leave of absence from the meeting, received from Councillor L Salmon, be approved and accepted.*
- (b) *That the verbal applications for leave of absence from the meeting, received from Councillors JNED Klazen and J Phungula, not be accepted.*

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

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

The Speaker mentioned that councillors should abstain from giving negative information to newspapers regarding council affairs.

The Speaker requested that if any councillor encounters any form of corruption, it must be addressed to the Speaker in writing in order to investigate the allegations.

The Speaker announced that the year-end function will be held on Wednesday, 9 December 2015. The necessary details pertaining to the year-end function will be forwarded in due course.

NOTED.

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

The Executive Mayor reiterated the request of the Speaker in that any form of corruption must be addressed to the Speaker to investigate the allegations.

The Executive Mayor requested that councillors set an example during the *16 Days of Activism against Women and Children Abuse* campaign.

The Executive Mayor also mentioned that Administration will give notice of the year-end function by Tuesday, 8 December 2015.

Councillor M Saula mentioned that the previous Christmas dinner for the aged was not well organised. The Executive Mayor informed Councillor Saula that the only complaint received, was regarding disabled persons not having access to wheel chairs, but was assisted by the Association for People with Disabilities.

NOTED.

4. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

4.1 Establishment of the Municipal Planning Tribunal (15/04/P)

Item 7.1 of the meeting of the Committee for Technical Services, held on 14 October 2015, refers.

A memorandum from the Manager: Town Planning and Building Control, dated 29 September 2015, is attached as **annexure 4.1**.

The Committee for Technical Services resolved on 14 October 2015 to recommend to Council:

- (a) That the nominations from Langeberg and Cape Winelands be accepted and endorsed and that the external members of the Municipal Planning Tribunal shall be as follows:
 - (i) Mr Quinton Balie (Cape Winelands)
 - (ii) Mr Jack van Zyl (Langeberg)
- (b) That the internal members of the Municipal Planning Tribunal shall be as follows:
 - (i) Mr Adrian Hofmeester (Manager: Integrated Development Plan)
 - (ii) Mrs Lize-Mari Nieuwenhuis (Senior Officer: Properties)
 - (iii) Mrs Michelle Klaasen (Environmental Officer)
- (c) That the Chairperson of the Municipal Planning Tribunal shall be Mr Adrian Hofmeester, Manager: Integrated Development Plan.
- (d) That the Deputy Chairperson of the Municipal Planning Tribunal shall be Mrs Lize-Mari Nieuwenhuis, Senior Officer: Properties.
- (e) That Mr Hennie Taljaard be nominated to serve as external member on Langeberg Municipality's Municipal Planning Tribunal.
- (f) That notification of the establishment of the Municipal Planning Tribunal shall be given in the Provincial Gazette.

RESOLVED

- (a) *That the nominations from Langeberg and Cape Winelands be accepted and endorsed and that the external members of the Municipal Planning Tribunal shall be as follows:*
 - (i) *Mr Quinton Balie (Cape Winelands)*
 - (ii) *Mr Jack van Zyl (Langeberg)*
- (b) *That the internal members of the Municipal Planning Tribunal shall be as follows:*
 - (i) *Mr Adrian Hofmeester (Manager: Integrated Development Plan)*
 - (ii) *Mrs Lize-Mari Nieuwenhuis (Senior Officer: Properties)*
 - (iii) *Mrs Michelle Klaasen (Environmental Officer)*
- (c) *That the Chairperson of the Municipal Planning Tribunal shall be Mr Adrian Hofmeester, Manager: Integrated Development Plan.*
- (d) *That the Deputy Chairperson of the Municipal Planning Tribunal shall be Mrs Lize-Mari Nieuwenhuis, Senior Officer: Properties.*
- (e) *That Mr Hennie Taljaard be nominated to serve as external member on Langeberg Municipality's Municipal Planning Tribunal.*
- (f) *That notification of the establishment of the Municipal Planning Tribunal shall be given in the Provincial Gazette.*

**4.2 Water situation Witzenberg
(16/2/1/1/1)**

Item 7.2.1 of the Executive Mayoral Committee meeting, held on 23 November 2015, refers.

A memorandum from the Director: Technical Services, dated 13 November 2015, is attached as **annexure 4.2(a)**.

The Executive Mayoral Committee resolved on 23 November 2015:

- (a) Tulbagh water supply
 - (i) That the water restrictions and higher tariffs for extreme restrictions be reconfirmed, as per council resolution 8.1.4 of 27 May 2015.

Notule: Spesiale raadsvergadering
Minutes: Special council meeting
26 November 2015

Tariff number	Description	VAT Status	Tariffs 2015 - 2016 (including VAT)
5.1.2 5.1.2.1	Consumption per kilolitre: Extreme restrictions Block A (Aimed at residential and smaller commercial clients) 0-6 kl 7-30 kl 31-60 kl 61-300 kl Above 300 kl	14.0% 14.0% 14.0% 14.0% 14.0%	R 5.70 R 13.91 R 13.68 R 13.68 R 29.10
5.1.2.2	Block B (Aimed at larger commercial and smaller industrial clients) 0-300 kl 301-1000 kl 1001-8000 kl Above 8000 kl	14.0% 14.0% 14.0% 14.0%	R 17.10 R 15.05 R 13.91 R 13.91
5.1.2.3	Block C (Aimed at larger industrial clients) Consumption above 20,000 kl per month	14 %	R 4.56

(ii) That no new developments be allowed in Tulbagh.

(b) Ceres, Nduli, Bella Vista and Prince Alfred's Hamlet water supply

That water restrictions be implemented for moderate restrictions as per council resolution 8.1.4 of 27 May 2015.

Tariff number	Description	VAT Status	Tariffs 2015 - 2016 (including VAT)
5.1.2 5.1.2.1	Consumption per kilolitre: Moderate restrictions Block A (Aimed at residential and smaller commercial clients) 0-6 kl 7-30 kl 31-60 kl 61-300 kl Above 300 kl	14.0% 14.0% 14.0% 14.0% 14.0%	R 4.28 R 10.43 R 10.26 R 10.26 R 29.10
5.1.2.2	Block B (Aimed at larger commercial and smaller industrial clients) 0-300 kl 301-1000 kl 1001-8000 kl Above 8000 kl	14.0% 14.0% 14.0% 14.0%	R 12.83 R 11.29 R 10.43 R 10.43
5.1.2.3	Block C (Aimed at larger industrial clients) Consumption above 20,000 kl per month	14 %	R 3.42

- (c) That no surplus water be sold to the Irrigation Board due to the low levels of the Koekedouw Dam.
- (d) That a notice be issued to consumers regarding the above restrictions and to use water sparingly.
- (e) That the Municipal Manager and Director: Technical Services provide a comprehensive list of restrictions to be imposed by Council.

A memorandum from the Director: Technical Services, dated 23 November 2015, is attached as **annexure 4.2(b)**.

The Executive Mayor proposed that the current tariffs for households using 0 – 6 kilolitre water per month, be maintained. The proposal was seconded by Councillor D Swart.

The Deputy Executive Mayor enquired whether control measures are in place in instances where household water consumption exceeds six kilolitres per month.

The Municipal Manager mentioned that it is the responsibility of each household to monitor its water consumption.

RESOLVED

- (a) *Tulbagh water supply*
 - (i) *That the water restrictions and higher tariffs for extreme restrictions be reconfirmed, as per council resolution 8.1.4 of 27 May 2015.*

Tariff number	Description	VAT Status	Tariffs 2015 - 2016 (including VAT)
5.1.2	Consumption per kilolitre: Extreme restrictions		
5.1.2.1	Block A (Aimed at residential and smaller commercial clients)		
	0-6 kl	14.0%	R 2.85
	7-30 kl	14.0%	R 13.91
	31-60 kl	14.0%	R 13.68
	61-300 kl	14.0%	R 13.68
	Above 300 kl	14.0%	R 29.10
	Block B (Aimed at larger commercial and smaller industrial clients)		
5.1.2.2	0-300 kl	14.0%	R 17.10
	301-1000 kl	14.0%	R 15.05
	1001-8000 kl	14.0%	R 13.91
	Above 8000 kl	14.0%	R 13.91
5.1.2.3	Block C (Aimed at larger industrial clients)		
	Consumption above 20,000 kl per month	14 %	R 4.56

- (ii) *That no new developments be allowed in Tulbagh.*

Notule: Spesiale raadsvergadering
Minutes: Special council meeting
26 November 2015

- (b) Ceres, Nduli, Bella Vista and Prince Alfred's Hamlet water supply

That water restrictions be implemented for moderate restrictions as per council resolution 8.1.4 of 27 May 2015.

Tariff number	Description	VAT Status	Tariffs 2015 - 2016 (including VAT)
5.1.2	Consumption per kilolitre: Moderate restrictions		
5.1.2.1	Block A (Aimed at residential and smaller commercial clients) 0-6 kl 7-30 kl 31-60 kl 61-300 kl Above 300 kl	14.0% 14.0% 14.0% 14.0% 14.0%	R 2.85 R 10.43 R 10.26 R 10.26 R 29.10
5.1.2.2	Block B (Aimed at larger commercial and smaller industrial clients) 0-300 kl 301-1000 kl 1001-8000 kl Above 8000 kl	14.0% 14.0% 14.0% 14.0%	R 12.83 R 11.29 R 10.43 R 10.43
5.1.2.3	Block C (Aimed at larger industrial clients) Consumption above 20,000 kl per month	14 %	R 3.42

- (c) *That no surplus water be sold to the Irrigation Board due to the low levels of the Koekedouw Dam.*
- (d) *That a notice be issued to consumers regarding the above restrictions and to use water sparingly.*
- (e) *That the following additional measures be implemented to ensure that sufficient savings on water consumption occur at Bella Vista, Ceres, Prince Alfred's Hamlet and Nduli areas:*
- (i) *The mechanical irrigation of gardens is prohibited.*
- (ii) *Gardens may be watered only on the following days between 19:00 and 21:00:*
- *Even numbered households: Only Mondays and Thursdays*
 - *Uneven numbered households: Only Tuesdays and Fridays*
- If a garden house is used, it must be hand-held.*
- (iii) *The irrigation or watering of all sport fields is prohibited. Exemption from restrictions in the following instances only: golf course greens, bowling greens and cricket pitches which may only be watered between 19:00 and 21:00.*

- (iv) *The washing of vehicles with a garden hose, except by a commercial enterprise whose business it is to wash cars, is prohibited.*
- (v) *The cleaning of any area by means of water is prohibited.*
- (vi) *The filling of swimming pools is prohibited.*
- (vii) *Water restrictions become effective immediately after being advertised in the media and in public places.*
- (viii) *Any person who contravenes these restrictions is guilty of an offence and is, upon conviction, liable to a fine as published in the by-law or six months imprisonment.*
- (ix) *Secondary offenders will be fined double the amount referred to in (viii) above;*
- (x) *Where own water from a borehole or reservoir is used, the appropriate notice shall be displayed on the premises, e.g. "own water".*
- (xi) *Applications for exemptions are to be submitted to the Department: Technical Engineering Services for approval. Once approved, a written exemption shall be provided and individual applications assessed.*
- (xii) *Each household shall be limited to 20 kilolitre per month.*
- (xiii) *Other users, businesses and the entertainment industries shall reduce consumption by 15 % of the average use over the previous twelve months. Failure to comply will result in a fine as published in the by-laws.*
- (xiv) *Industries shall reduce consumption by 10 % of the average use over the previous twelve months. Failure to comply will result in a fine as published in the by-laws.*
- (xv) *Flow reducing devices shall be installed where the above limits are exceeded. Except for a registered indigent household, the offender will be charged for the cost of the installation.*
- (xvi) *That stand-up water pipes in informal areas be closed from 22:00 until 05:00.*
- (xvii) *That the Director: Technical Services be delegated to implement any further emergency measures to ensure that water is utilised effectively and if the situation should become critical, the matter be tabled to Council.*
- (f) *The following additional measures are to be implemented to ensure that sufficient savings on water consumption occur at the Tulbagh area:*
 - (i) *Any person who contravenes these restrictions is guilty of an offence and is, upon conviction, liable to a fine as published in the by-laws or six months imprisonment.*
 - (ii) *Secondary offenders will be fined double the amount referred to in (i) above;*

- (iii) *Where own water from a borehole or reservoir is used, the appropriate notice shall be displayed on the premises e.g. "own water".*
- (iv) *Applications for exemptions are to be submitted to the Department Technical Engineering Services for approval. Once approved, a written exemption shall be provided and individual applications assessed.*
- (v) *Each household shall be limited to 15 kilolitre a month.*
- (vi) *Other users, businesses and the entertainment industries shall reduce consumption by 15 % of the average use over the previous twelve months. Failure to comply will result in a fine as published in the by-laws.*
- (vii) *Industries shall reduce consumption by 10 % of the average use over the previous twelve months. Failure to comply will result in a fine as published in the by-laws.*
- (viii) *Flow reducing devices shall be installed where the above limits are exceeded. Except for a registered indigent household, the offender will be charged for the cost of the installation.*
- (g) *That the Director: Technical Services be given the discretion to implement all necessary measures to protect, save and maintain the water resources of Council.*

5. COUNCIL-IN-COMMITTEE