

MINUTES OF THE COUNCIL MEETING OF THE WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON WEDNESDAY, 9 DECEMBER 2015 AT 10:00

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

Other attendees

Mr M Jooste	}	MLJL Construction
Mr M Lenjo		
Mr P Duma		

1. OPENING AND WELCOME

The Speaker requested Councillor MC du Toit to open the meeting with prayer, after which he welcomed everyone present.

NOTED.

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

No applications for leave of absence were received. Councillor MI Saula indicated that he will join the meeting at a later stage.

NOTED.

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

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

The Executive Mayor conveyed Council's congratulations to the following councillors and spouses on their birthdays:

▪ Councillor L Salmon	7 September
▪ Councillor J Mouton	8 September
▪ Councillor M du Toit	26 September
▪ Councillor D Swart	30 September
▪ Councillor J Visagie	17 October
▪ Ms Karin Swart	20 October
▪ Councillor A Smit	25 October
▪ Councillor R Simpson	10 November
▪ Ms Ethel Louw	2 December
▪ Councillor T Godden	10 December
▪ Mr Sakkie du Toit	11 December
▪ Ms M Fredericks	26 December

Councillor EM Sidego thanked her colleagues and the Administration for their support during her hospitalisation period and for the bouquet that she had received from Council.

Councillor J Phungula informed the meeting of the passing of Mrs Madela. Mrs Madela assisted the De Bruin Family after the unfortunate rape of their four-month old baby at Vredebes, whilst she resided in Cape Town. She was committed in her quest, after consultation with the Minister of Housing, to assist the De Bruin family in obtaining a house.

It is in this light that it is hoped that the vision of Mrs Madela for the De Bruin family would continue and not be in vain.

Councillor Phungula furthermore reminded the meeting of the gentleman who was brutally murdered in ward 10. Thus requesting that men should also be included in the *16 Days of Activism against Women and Children Abuse* campaign as men are also abused by women.

NOTED.

Councillors MI Saula and J Mouton joined the meeting at 10:20 and thereafter Councillor A Smit joined the meeting at 10:45.

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

The Speaker announced that the *Arrive Alive* campaign is scheduled for Friday, 18 December 2015 from 10:00 at the entrance of Ceres.

The Speaker wished all councillors, the administration of the municipality and their families a blessed festive season and a prosperous new year.

The Speaker announced that Witzenberg Municipality had received a clean audit opinion for the third consecutive year and thanked all officials and role players for their part in receiving this award.

NOTED.

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

The Executive Mayor thanked all councillors and officials for contributing to the Christmas dinner for the aged.

The Executive Mayor announced that the Witzenberg Kersmark will take place the weekend of 11 to 13 December 2015 and that councillors are requested to attend same.

The Executive Mayor wished all councillors and the administration a blessed festive season and that those who will be travelling will have a safe journey.

The Executive Mayor, on behalf of Council, conveyed congratulations to Mrs Dana Linthaar, an ex-employee of the municipality, on her upcoming 80th birthday on 24 December 2015.

The Executive Mayor mentioned that although 2015 was a tough year councillors must enjoy their holiday and that the new year starts in a new spirit as reiterated by the Speaker.

NOTED.

4. MINUTES

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

The following minutes are attached:

- (a) Council meeting, held on 24 August 2015: **Annexure 4.1(a)**.
- (b) Special council meeting, held on 28 August 2015: **Annexure 4.1(b)**.
- (c) Council meeting, held on 28 October 2015: **Annexure 4.1(c)**.

RESOLVED

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

- (i) *Council meeting, held on 24 August 2015.*
- (ii) *Special council meeting, held on 28 August 2015.*
- (iii) *Council meeting, held on 28 October 2015.*

5. MOSIES EN KENNISGEWINGS VAN VOORSTELLE

Geen.

AANGETEKEN.

6. INTERVIEWS WITH DELEGATIONS

**6.1 Housing: Vredebes
(17/4/R)**

A presentation was made by Mr M Jooste of MLJL Construction.

The Speaker enquired as to who will finance GAP Housing for people who do not qualify for housing bonds.

Messrs MLJL Construction mentioned that private investors are on board regarding GAP Housing and that people may rent to own.

The Speaker mentioned that people do not want to rent to own, but rather want to pay the house from the beginning.

The Speaker thanked Messrs MLJL Construction for making the presentation regarding GAP Housing at Vredebes and that Messrs MLJL Construction must come back with better suggestions regarding the funding for the GAP Housing project.

NOTED.

7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

**7.1 Notules: Komiteevergaderings
(03/3/2)**

Die notules van die volgende vergaderings word ingebind:

- (a) Komitee vir Landelike Ekonomiese Ontwikkeling en Toerisme, gehou op 26 Junie 2015: **Bylae 7.1(a).**
- (b) Komitee vir Behuisingsaangeleenthede, gehou op 21 Julie 2015: **Bylae 7.1(b).**
- (c) Committee for Technical Services, held on 22 July 2015: **Annexure 7.1(c).**
- (d) Komitee vir Gemeenskapsontwikkeling, gehou op 23 Julie 2015: **Bylae 7.1(d).**
- (e) Executive Mayoral Committee, held on 27 July 2015: **Annexure 7.1(e).**
- (f) Performance, Risk and Audit Committee (induction meeting), held on 31 July 2015: **Annexure 7.1(f).**
- (g) Performance, Risk and Audit Committee, held on 31 July 2015: **Annexure 7.1(g).**
- (h) Committee for Corporate and Financial Services, held on 4 August 2015: **Annexure 7.1(h).**
- (i) Komitee vir Behuisingsaangeleenthede, gehou op 13 Augustus 2015: **Bylae 7.1(i).**
- (j) Komitee vir Gemeenskapsontwikkeling, gehou op 19 Augustus 2015: **Bylae 7.1(j).**
- (k) Komitee vir Landelike Ekonomiese Ontwikkeling en Toerisme, gehou op 20 Augustus 2015: **Bylae 7.1(k).**
- (l) Performance, Risk and Audit Committee, held on 21 August 2015: **Annexure 7.1(l).**
- (m) Committee for Technical Services, held on 21 August 2015: **Annexure 7.1(m).**
- (n) Committee for Corporate and Financial Services, held on 25 August 2015: **Annexure 7.1(n).**
- (o) Komitee vir Behuisingsaangeleenthede, gehou op 10 September 2015: **Bylae 7.1(o).**
- (p) Committee for Technical Services, held on 16 September 2015: **Annexure 7.1(p).**
- (q) Komitee vir Gemeenskapsontwikkeling, gehou op 17 September 2015: **Bylae 7.1(q).**
- (r) Executive Mayoral Committee, held on 20 August 2015: **Annexure 7.1(r).**
- (s) Performance, Risk and Audit Committee, held on 4 September 2015: **Annexure 7.1(s).**

- (t) Performance, Risk and Audit Committee, held on 11 September 2015: **Annexure 7.1(t)**.
- (u) Komitee vir Behuisingsaangeleenthede, gehou op 8 Oktober 2015: **Bylae 7.1(u)**.

BESLUIT

Dat kennis geneem word van die notules van die komiteevergaderings.

8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

8.1 Direktooraat Finansies / Directorate Finance

**8.1.1 Monthly reports of the Department Finance: July and August 2015
(9/1/2/2)**

The following items refer:

- (a) Item 7.1.1 of the Executive Mayoral Committee meeting, held on 20 August 2015.
- (b) Item 7.1 of the meeting of the Committee for Corporate and Financial Services, held on 25 August 2015.
- (c) Item 7.1 of the meeting of the Committee for Corporate and Financial Services, held on 15 October 2015.
- (d) Item 7.1.1 of the Executive Mayoral Committee meeting, held on 21 October 2015.
- (e) Item 6.4.1 of the Performance, Risk and Audit Committee meeting, held on 23 October 2015.

The following monthly reports of the Department Finance are attached:

- (a) July 2015 **Annexure 8.1.1(a)**
- (b) August 2015 **Annexure 8.1.1(b)**

The Executive Mayoral Committee resolved on 20 August 2015 that cognisance be taken of the monthly report of the Department Finance for July 2015.

Extract from the minutes of the Committee for Corporate and Financial Services, held on 25 August 2015:

“The Municipal Manager asked the Director: Finance if there are any measures in place to reduce the number of meter reading estimations.

The Director: Finance responded that meter readers were issued with notebooks in order to leave a note at account holders’ homes informing them to visit the municipal offices regarding their unreadable water meters.

The Municipal Manager mentioned that meter readings should not be estimated on more than three occasions as per the policy and requested the Director: Finance to investigate measures to control the estimation of meter readings. The Director: Finance mentioned that meter readers will be instructed to revisit the houses where the estimations were made, but that if the findings are of a technical nature, a report will be forwarded to the Department Technical Services to solve the problem.

The Director: Finance mentioned that the tender for the procurement of hand-held meter reading devices is in the evaluation process. A report regarding the matter will be forwarded in due time.

Councillor Du Plessis enquired about the accumulation of 70,74 % of outstanding debtors and whether control measures are in place to decrease the percentage.

The Municipal Manager informed the meeting that the matter regarding outstanding debtors will be deliberated at the Senior Management meeting.”

The Committee for Corporate and Financial Services resolved on 25 August 2015:

- (a) That cognisance is taken of the monthly report of the Department Finance for July 2015 and same be accepted.
- (b) That the matter pertaining to the outstanding debtors be referred to Senior Management for further deliberations and thereafter a report be tabled at the next meeting of the Committee for Corporate and Financial Services.

The Committee for Corporate and Financial Services resolved on 15 October 2015 that cognisance be taken of the monthly report of the Department Finance for August 2015 and same be accepted.

Extract from the minutes of the Executive Mayoral Committee meeting, held on 21 October 2015:

The Deputy Executive Mayor pointed out the following matters in the monthly report of the Department Finance for August 2015:

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The increased estimation of meter readings for August 2015 in comparison to the previous months and whether any measures have been put in place to decrease the number of meter reading estimations.

The Municipal Manager mentioned that the same meters are not being estimated and that the estimated readings also include meters that cannot be read due to manpower shortage.

The Municipal Manager furthermore mentioned that the tender pertaining to the new meter equipment was approved and awarded for efficient monitoring of the activities of the meter readers. The new devices will be implemented in November 2015.

The Deputy Director: Finance mentioned that damaged meters are reported to the Directorate Technical Services to be repaired. Furthermore the Deputy Director: Finance informed the meeting that notices are also left at houses where meters are estimated, informing the inhabitants to visit the municipality to rectify the problem.

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The increase of debtors' levies and the impact it will have in relation to indigent subsidies.

The Deputy Director: Finance informed the meeting that the indigent consumers are subsidised on their municipal accounts as the subsidy is deducted from their levies.

Councillor S Louw expressed his concern regarding councillors whose municipal accounts are outstanding for more than sixty days, contravening legislation. The Municipal Manager informed the meeting that officials may also arrange to pay off their outstanding municipal accounts as most municipal employees come from different backgrounds where they are already in debt.

The Deputy Executive Mayor enquired about the outstanding municipal accounts of schools and hostels that are more than thirty and ninety days overdue. The Deputy Director: Finance mentioned that letters were forwarded to government departments, informing them that if they do not pay their municipal accounts their electricity will be discontinued. Positive responses were received from the government departments regarding the payment of outstanding accounts.

The Executive Mayoral Committee resolved on 21 October 2015 that cognisance be taken of the monthly report of the Department Finance for August 2015.

The Performance, Risk and Audit Committee resolved on 23 October 2015 that cognisance be taken of the monthly reports of the Department Finance for July and August 2015.

RESOLVED

That cognisance be taken of the monthly reports of the Department Finance for July and August 2015.

**8.1.2 Amendment of the Consumer Payment Incentive Policy
(05/12/4)**

Item 7.2 of the meeting of the Committee for Corporate and Financial Services, held on 25 August 2015, refers.

A memorandum from the Director: Finance, dated 14 August 2015 is attached as **annexure 8.1.2**.

The Committee for Corporate and Financial Services resolved on 25 August 2015 to recommend to Council:

- (a) That paragraph 6.1 of the Consumer Payment Incentive Policy be deleted.
- (b) That schools and hostels be removed from paragraph 5.1 of the Consumer Payment Incentive Policy.

RESOLVED

- (a) *That the matter regarding the amendment of the Consumer Payment Incentive Policy be held in abeyance.*
- (b) *That the amendment of the Consumer Payment Incentive Policy be workshopped by Council.*

**8.1.3 Fees payable for the reconnection of electricity disconnected due to outstanding municipal accounts
(05/12/4)**

The following items refer:

- (a) Item 7.3 of the meeting of the Committee for Corporate and Financial Services, held on 25 August 2015.
- (b) Item 7.1.3 of the Executive Mayoral Committee meeting, held on 21 October 2015.

A memorandum from the Director: Finance, dated 14 August 2015, is attached as **annexure 8.1.3**.

The Municipal Manager mentioned that the implementation of the proposed increase for the reconnection fees will result in significant financial losses for the municipality. It is also noted that a great amount of indigent households will not be able to afford the increase in reconnection fees.

The following options could be considered:

- Subsidise re-connection fees of electricity
- Decrease re-connection fees of electricity
- Maintain re-connection fees of electricity

The Municipal Manager mentioned that the above will not have a significant financial loss for the municipality.

The Committee for Corporate and Financial Services resolved on 25 August 2015 that the matter regarding fees payable for the reconnection of electricity disconnected due to outstanding municipal accounts be referred to the Executive Mayoral Committee for further deliberation.

The Executive Mayoral Committee resolved on 21 October 2015:

- (a) That the matter be held in abeyance in order to obtain more information regarding the rates of conventional and prepaid electricity per unit.
- (b) That a special Executive Mayoral Committee meeting be held before the council meeting of 28 October 2015 after (a) supra has been investigated.

RESOLVED

That the matter regarding fees payable for the reconnection of electricity disconnected due to outstanding municipal accounts be held in abeyance.

8.1.4 MFMA: Section 11 Report: Withdrawals from Municipal Bank Accounts: 1 July 2015 to 30 September 2015 (5/9 & 9/2/5)

The following documents are attached:

- (a) Memorandum from the Director: Finance, dated 6 October 2015: **Annexure 8.1.4(a)**.
- (b) Consolidated Quarterly Section 11 Report for 1 July to 30 September 2015: **Annexure 8.1.4(b)**.

RESOLVED

That cognisance be taken of the Quarterly Section 11 Report for the period 1 July 2015 to 30 September 2015.

**8.1.5 PRAC Performance Management: 1st Bi-annual Report: 2014/2015
(5/14/4)**

The following items refer:

- (a) Item 6.2.3 of the Performance, Risk and Audit Committee meeting, held on 4 September 2015.
- (b) Item 6.1 of the Performance, Risk and Audit Committee meeting, held on 11 September 2015.

The PRAC Performance Management Draft Bi-Annual Report for 2014/2015 is attached as **annexure 8.1.5**.

The Performance, Risk and Audit Committee adjourned at 09:45 to workshop and approve the report. The meeting resumed at 11:17.

The Performance, Risk and Audit Committee resolved on 11 September 2015 that the approved PRAC Performance Management Bi-Annual Report for 2014/2015 be referred to Council for consideration.

RESOLVED

That cognisance be taken of the PRAC Performance Management Bi-Annual Report for 2014/2015.

**8.1.6 Monthly reports: Service Delivery and Budget Implementation Plan: June, July, August and September 2015
(5/1/5/7 & 5/1/5/8)**

Item 7.1.2 of the Executive Mayoral Committee meeting, held on 21 October 2015, refers.

The following monthly SDBIP reports are attached:

- | | | |
|-----|----------------|--------------------------|
| (a) | June 2015 | Annexure 8.1.6(a) |
| (b) | July 2015 | Annexure 8.1.6(b) |
| (c) | August 2015 | Annexure 8.1.6(c) |
| (d) | September 2015 | Annexure 8.1.6(d) |

The Executive Mayoral Committee resolved on 21 October 2015 that cognisance be taken of the SDBIP monthly reports for June, July, August and September 2015.

RESOLVED

That cognisance be taken of the SDBIP monthly reports for June, July, August and September 2015.

**8.1.7 Performance, Risk and Audit Committee Charter
(5/14/4)**

The following items refer:

- (a) Item 5.1.2 of the Performance, Risk and Audit Committee meeting, held on 31 July 2015.
- (b) Item 5.1.2 of the Performance, Risk and Audit Committee meeting, held on 21 August 2015.
- (c) Item 6.1.2 of the Performance, Risk and Audit Committee meeting, held on 4 September 2015.
- (d) Item 6.3 of the Performance, Risk and Audit Committee meeting, held on 11 September 2015.

The Performance, Risk and Audit Committee Charter, dated June 2015, is attached as **annexure 8.1.7**.

The Performance, Risk and Audit Committee resolved on 31 July 2015 that the matter on the Performance, Risk and Audit Committee Charter be held in abeyance until the next meeting.

The Performance, Risk and Audit Committee resolved on 21 August 2015 that the matter on the Performance, Risk and Audit Committee Charter be held in abeyance until the next meeting.

The Performance, Risk and Audit Committee resolved on 11 September 2015:

- (a) That the relevant changes be made as indicated.
- (b) To recommend to Council:

That the Performance, Risk and Audit Committee Charter be adopted by Council.

RESOLVED

That the Performance, Risk and Audit Committee Charter be adopted.

**8.1.8 Revenue forgone
(05/R/)**

Item 7.2 of the meeting of the Committee for Corporate and Financial Services, held on 15 October 2015, refers.

The following memorandum, dated 31 August 2015, was received from the Manager: Income.

“Purpose

According to the Local Government Municipal Property Rates Act Section 15(3)(b) of 2004 ‘The Municipal Manager must annually table in the council of the municipality a statement reflecting the revenue for the municipality foregone during the previous financial year’.

Discussion

The following revenue foregone for the 2014/2015 financial year were approved in terms of the Indigent Policy:

Property rates	R 634 195-00
Services Charges	R16 969 409-00
Total	R17 573 604-00"

The Committee for Corporate and Financial Services resolved on 15 October 2015 to recommend to Council that cognisance be taken of the revenue forgone for the 2014/2015 financial year to the amount of R17 573 604.

RESOLVED

That cognisance be taken of the revenue forgone for the 2014/2015 financial year to the amount of R17 573 604.

**8.1.9 Quarterly Budget Statement: Report for the period 1 April to 30 June 2015
(9/1/2/2)**

Item 7.3 of the meeting of the Committee for Corporate and Financial Services, held on 15 October 2015, refers.

The Quarterly Budget Statement report for the period 1 July 2014 until 30 June 2015 is attached as **annexure 8.1.9**.

The Committee for Corporate and Financial Services resolved on 15 October 2015 to recommend to Council that cognisance be taken of the Quarterly Budget Statement report for the period 1 July 2014 until 30 June 2015.

RESOLVED

That cognisance be taken of the Quarterly Budget Statement report for the period 1 July 2014 until 30 June 2015.

**8.1.10 Rebates granted: 2014/2015 Financial Year
(05/R/)**

Item 7.4 of the meeting of the Committee for Corporate and Financial Services, held on 15 October 2015, refers.

The following memorandum, dated 31 August 2015, was received from the Manager: Income.

"Purpose

According to the Local Government Municipal Property Rates Act Section 15(3)(a) of 2004 'The Municipal Manager must annually table in the council of the municipality a list of all exemption, rebates and reductions granted by the municipality during the previous financial year'.

Discussion

The following instances received rebates during the 2014/2015 financial year in terms of the Rebates Policy:

Acc No 13 846 000 008 Villiersdorp Primêre Koöperasie Bpk	R24 921.99
Acc No 17 364 108 002 & 17 364 960 011 Ceres Fruit Juices (Pty) Ltd	R35 222.13
Acc No 60 0209 390 038 Victoria & Albert Products (Pty) Ltd	R103 011.62
Acc No 60 000 700 021 VV4 Agri (Pty) Ltd	R137 985.83"

The Committee for Corporate and Financial Services resolved on 15 October 2015 to recommend to Council that cognisance be taken of the instances that received rebates during the 2014/2015 financial year in terms of the Rebates Policy.

RESOLVED

That cognisance be taken of the instances that received rebates during the 2014/2015 financial year in terms of the Rebates Policy.

**8.1.11 Quarterly Budget Statement Report: 1 July 2015 to 30 September 2015
(9/1/2/2)**

The following items refer:

- (a) Item 7.1.3 of the Executive Mayoral Committee meeting, held on 23 November 2015.
- (b) Item 7.2 of the meeting of the Committee for Corporate and Financial Services, held on 26 November 2015.

The Quarterly Budget Statement Report for the period 1 July 2015 to 30 September 2015 is attached as **annexure 8.1.11**.

The Executive Mayoral Committee resolved on 23 November 2015 that the matter of the Quarterly Budget Statement Report for the period 1 July 2015 to 30 September 2015 be held in abeyance until the next meeting.

The Committee for Corporate and Financial Services resolved on 26 November 2015 that the Quarterly Budget Statement Report for the period 1 July 2015 to 30 September 2015 be recommended to Council for approval.

RESOLVED

That the Quarterly Budget Statement Report for the period 1 July 2015 to 30 September 2015 be approved.

**8.1.12 Fraud and Corruption Prevention Policy and Response Plan
(5/14/P)**

The following items refer:

- (a) Item 6.11 of the Performance, Risk and Audit Committee meeting, held on 11 September 2015.
- (b) Item 6.3.4 of the Performance, Risk and Audit Committee meeting, held on 23 October 2015.

The Fraud and Corruption Prevention Policy and Response Plan, dated June 2015, is attached as **annexure 8.1.12**.

The Performance, Risk and Audit Committee resolved on 11 September 2015 that the matter of the Fraud and Corruption Prevention Policy and Response Plan be held in abeyance until the next meeting.

The Performance, Risk and Audit Committee resolved on 23 October 2015:

- (a) That the minor changes, as specified, be made by the Head: Internal Audit to the Fraud and Corruption Prevention Policy and Response Plan.
- (b) To recommend to Council:

That the Fraud and Corruption Prevention Policy and Response Plan be approved and accepted.

RESOLVED

That the Fraud and Corruption Prevention Policy and Response Plan be approved and accepted.

**8.1.13 Fraud and Corruption Prevention Strategy
(5/14/P)**

The following items refer:

- (a) Item 6.12 of the Performance, Risk and Audit Committee meeting, held on 11 September 2015.
- (b) Item 6.3.5 of the Performance, Risk and Audit Committee meeting, held on 23 October 2015.

The Fraud and Corruption Prevention Strategy, dated June 2015, is attached as **annexure 8.1.13**.

The Performance, Risk and Audit Committee resolved on 11 September 2015 that the matter of the Fraud and Corruption Prevention Strategy be held in abeyance until the next meeting.

The Performance, Risk and Audit Committee resolved on 23 October 2015:

- (a) That cognisance be taken of the Fraud and Corruption Prevention Strategy and same be accepted.
- (b) To recommend to Council:

That the Fraud and Corruption Prevention Strategy be approved and accepted.

RESOLVED

That the Fraud and Corruption Prevention Strategy be approved and accepted.

**8.1.14 Internal Audit Charter: With effect from 1 July 2015 to 30 June 2016
(5/14/3)**

The following items refer:

- (a) Item 6.4 of the Performance, Risk and Audit Committee meeting, held on 11 September 2015.
- (b) Item 6.4.6 of the Performance, Risk and Audit Committee meeting, held on 23 October 2015.

The Internal Audit Charter, dated June 2015, is attached as **annexure 8.1.14**.

The Performance, Risk and Audit Committee resolved on 11 September 2015 that the matter of the Internal Audit Charter be held in abeyance until the next meeting.

The Performance, Risk and Audit Committee resolved on 23 October 2015:

- (a) That the minor changes, as indicated, be made and that the Institute of Internal Auditors' definition of Internal Audit be included.
- (b) That item 10.2 (Performance Auditing) be removed.
- (c) That cognisance be taken of the Internal Audit Charter.
- (d) To recommend to Council:

That the Internal Audit Charter be accepted.

RESOLVED

That the Internal Audit Charter be accepted.

**8.1.15 Finance: Long-term loan
(5/4/R & 5/1/1/14)**

The following documents are attached:

- (a) Memorandum from the Director: Finance, dated 1 December 2015: **Annexure 8.1.15(a)**.
- (b) Information statement to community and Provincial and National Treasuries: **Annexure 8.1.15(b)**.
- (c) Comments from Provincial Treasury: **Annexure 8.1.15(c)**.
- (d) Notice in local newspaper: **Annexure 8.1.15(d)**.

RESOLVED

- (a) *That Council approves the long-term loan in terms of Section 46 of the Municipal Finance Management Act to finance prepaid meters to the value of R2,5 million and the Vehicle Replacement Programme of R5,79 million.*
- (b) *That further consultation be held regarding the implementation of prepaid meters.*

**8.1.16 Adjustment of Credit Control and Debt Collection Policy
(5/12/P)**

The following memorandum, dated 2 December 2015, was received from the Director: Finance:

“1. Purpose

The purpose of this report is:

- To submit adjustments to the credit control and debt collection policy for consideration to Council.

2. Legal Framework

In terms of Section 96 of the Municipal Systems Act (Act 32 of 2000), Council must collect all money that is due and payable to it.

In terms of Section 64 of the MFMA a municipality must have an effective revenue collection system.

Paragraph 35 of the Credit Control and Debt Collection Policy states the following in respect of deceased estates:

'The accounts of deceased estates may be transferred into the names of relatives as determined by the executor of the deceased estate, to allow for the continuation of service delivery to the relevant property on the following conditions:

- The historical debt remains a claim against the deceased estate.
- The executor of the deceased estate together with the new account holder must enter into an agreement with Witzenberg Municipality for the payment of the historical debt.
- The normal service deposit is payable by the new account holder unless a report by the municipal social worker indicates that the new account holder cannot afford to pay the deposit.
- If the property is let out, the service deposit is payable without any exceptions;
- A clearance certificate in terms of Section 118 of the Municipal Systems Act may be issued by Witzenberg Municipality on condition that the executor of the deceased estate provides the municipality with a guarantee that the outstanding debt will be paid on transfer.
- In the instance of a child-headed household the account must remain in the name of the deceased estate, but the estate will qualify for indigent support, if the other criteria for an indigent household are met.'

3. Discussion

The family members of deceased relatives experience problems with the appointment of executors; it is therefore recommended that these cases be referred to the Committee for Housing Matters."

The Municipal Manager explained to Council that the legal right vest within the deceased estate and that the executor is the representative of the Master. The Committee for Housing Matters can therefore not engage in privately owned property.

RESOLVED

That the following paragraph be added to the Credit Control and Debt Collection Policy:

"That the Municipal Manager be mandated to deal with the deceased estate in such a manner that it will give effect to the spirit of Council's Indigent and Credit Control Policy."

**8.1.17 Witzenberg Annual Report: 2014/2015
(5/14/2 & 9/1/1)**

The following memorandum, dated 1 December 2015, was received from the Director: Finance:

"Purpose

The purpose of this report is to table the draft annual report for 2014/2015 to Council.

Legislature framework

In terms of Section 127 (2) of the Municipal Finance Management Act (Act 56 of 2003), the Mayor of a municipality must, within seven months after the end of a financial year, table in the municipal council the annual report of the municipality and of any municipal entity under the municipality's sole or shared control.

Discussion

The report of AGSA on the Annual Financial Statements, Predetermined Objectives, Compliance with Legislation and Internal Controls forms part of the Draft Annual Report. The mentioned report was received on 1 December 2015.

The draft annual report for 2014/2015 is attached as **annexure 8.1.17.**"

RESOLVED

- (a) *That cognisance be taken of the draft Witzenberg Municipality Annual Report for 2014/2015.*
- (b) *That a public participation process be followed as prescribed by law.*
- (c) *That the Municipal Public Accounts Committee compiles a report on the Draft Annual Report as per its delegated powers not later than 21 January 2016.*

**8.1.18 Reconnection of electricity over the festive period
(5/12/1/R)**

Purpose

To consider the reconnection of all electricity consumers over the festive period from 19 December 2014 to 6 January 2015.

Deliberation

It has become customary for Council to reconnect the electricity supply of defaulters over the festive period. This is in the spirit of goodwill and also to ensure that all households enjoy the festive season. Over the years it has not been proven that Council suffered any financial loss. In the past Council has drawn a distinction between the prepaid and the conventional consumers. In terms of the conventional consumers they must pay a deposit of R300.00 because the electricity is supplied in advance. If the deposit is not levied Council will incur a loss.

RESOLVED

- (a) *That the electricity of prepaid consumers be reconnected free of charge.*
- (b) *That the electricity of the suspended conventional consumers be reconnected upon payment of a deposit of R300.00.*
- (c) *That the concession of goodwill runs from 21 December 2015 until 6 January 2016.*
- (d) *That the Chief Financial Officer ensures that the public be informed of the Council decision via loud hailing and circulation of pamphlets.*

8.2 Direktoraat Tegniese Dienste / Directorate Technical Services

**8.2.1 Town Planning: Delegation of powers and assignment of duties
(15/04/P)**

Item 7.1 of the meeting of the Committee for Technical Services, held on 16 September 2015, refers.

A memorandum from the Manager: Town Planning and Building Control, dated 9 September 2015, is attached as **annexure 8.2.1**.

The Committee for Technical Services resolved on 16 September 2015 to recommend to Council that the delegation of the powers and assignment of duties, as per the attached annexure, be approved by Council.

RESOLVED

That the delegation of the powers and assignment of duties, as per the attached annexure, be approved by Council.

**8.2.2 Water situation: Witzenberg
(16/02/1/1/1)**

Item 6.9 of the meeting of the Committee for Technical Services, held on 16 September 2015, refers.

A memorandum from the Director: Technical Services, dated 9 September 2015, is attached as **annexure 8.2.2**.

The Committee for Technical Services resolved on 16 September 2015:

- (a) That the following be approved by Council for the Tulbagh area:
 - (i) That due to the low rainfall, a bulk storage dam be constructed on the Kleinberg supply line to the value of R40 million.

- (ii) That the funding of (i) supra be followed up with the Department of Water Affairs.
- (iii) That the Municipal Manager be authorized to take the matter regarding Council's Schalkenbosch water supply license to court if required.
- (iv) That the water restrictions and increased tariffs for excessive usage be reconfirmed, as per council resolution 8.2.2 of 27 May 2015.
- (v) That the Director: Technical Services negotiates with the owners of the Moordenaarskloof water source in order to obtain their water supply quota (Waverenskroon – Paulo Oliveira).
- (vi) That no new developments be allowed in Tulbagh.
- (b) That the following be approved by Council for Ceres, N'duli, Bella Vista and Prince Alfred's Hamlet:
 - (i) That no water restrictions be implemented, but be monitored on a daily basis and if the scenario changes, a report will be tabled to Council.
 - (ii) That no surplus water be sold to the Irrigation Board due to the low water levels of the Koekedouw Dam.
 - (iii) That notices be distributed to consumers informing them to use water sparingly.
- (c) That cognisance is taken of the water situation in Witzenberg.

RESOLVED

- (a) *That cognisance be taken of the resolution of the Committee for Technical Services, dated 16 September 2015.*
- (b) *That cognisance be taken that the matter of the Witzenberg water situation was tabled at the special council meeting on 26 November 2015.*
- (c) *That the micro-structure of Council be amended to make provision for ten additional law enforcers to regulate the usage of water by consumers in the Witzenberg area.*

The ANC requested a caucus break for ten minutes. The meeting adjourned at 12:15 and resumed at 12:35.

8.2.3 Gedeelte Erf 1, Wolseley: Voorgestelde Wolseley Fynbosreservaat (15/4/P)

Item 7.2 van die vergadering van die Komitee vir Tegniese Dienste, gehou op 14 Oktober 2015, verwys.

'n Memorandum vanaf die Bestuurder: Stadsbeplanning en Boubeheer, gedateer 2 Oktober 2015, word aangeheg as **bylae 8.2.3**.

Die Komitee vir Tegniese Dienste het op 14 Oktober 2015 besluit om by die Raad aan te beveel:

- (a) Dat 'n gedeelte van erf 1, Wolseley as beskermde gebied onder kontrak met Cape Nature bewaar word as deel van die rentmeesterskap-program.
- (b) Dat die Munisipale Bestuurder alle nodige dokumentasie / kontrakte in hierdie verband onderteken.
- (c) Dat die volgende voorwaardes van toepassing sal wees:
 - (i) Dat Cape Nature 'n nuwe volledige studie en botaniese opname van die gebied doen om sodoende die algehele stand van die area te bepaal.
 - (ii) Dat Cape Nature die munisipaliteit assisteer / ondersteun in die opstel van die bestuursplan.
 - (iii) Dat Cape Nature die munisipaliteit elke vyf jaar sal assisteer / ondersteun met die hersiening van die bestuursplan.
 - (iv) Dat Cape Nature advies en kundigheid beskikbaar stel met die uitvoering / implementering van die bestuursplan, byvoorbeeld die identifisering van indringerplant spesies, skep van brandbane indien nodig, rehabilitasie van versteurde area (dit wil sê identifisering van endemiese plant spesies wat teruggeplant kan word) ensovoorts.
 - (v) Dat Cape Nature assisteer / ondersteun met die doeltreffende wetstoepassing van die gebied indien nodig.

BESLUIT

- (a) *Dat 'n gedeelte van erf 1, Wolseley as beskermde gebied onder kontrak met Cape Nature bewaar word as deel van die rentmeesterskap-program.*
- (b) *Dat die Munisipale Bestuurder alle nodige dokumentasie / kontrakte in hierdie verband onderteken.*
- (c) *Dat die volgende voorwaardes van toepassing sal wees:*
 - (i) Dat Cape Nature 'n nuwe volledige studie en botaniese opname van die gebied doen om sodoende die algehele stand van die area te bepaal.*
 - (ii) Dat Cape Nature die munisipaliteit assisteer / ondersteun in die opstel van die bestuursplan.*
 - (iii) Dat Cape Nature die munisipaliteit elke vyf jaar sal assisteer / ondersteun met die hersiening van die bestuursplan.*
 - (iv) Dat Cape Nature advies en kundigheid beskikbaar stel met die uitvoering / implementering van die bestuursplan, byvoorbeeld die identifisering van indringerplant spesies, skep van brandbane indien nodig, rehabilitasie van versteurde area (dit wil sê identifisering van endemiese plant spesies wat teruggeplant kan word) ensovoorts.*

- (v) *Dat Cape Nature assisteer / ondersteun met die doeltreffende wetstoepassing van die gebied indien nodig.*

8.2.4 Vredebes Koekedouw Water (16/2/R)

Item 7.2.1 of the Executive Mayoral Committee meeting, held on 21 October 2015, refers.

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

"Purpose

To consider a request from Mr Robert Graaff from Graaff Fruit to purchase the Vredebes 2015/2016 water allocation from the municipality.

Deliberation

The following request has been received from Graaff Fruit:

'Graaff Fruit, is prepared to buy the 15 ha's Koekedouw summer water of Vredebes for the 2015/2016 summer season at the current commercial rates. Please can you discuss this you're your committee next week. Given the limitation of the Koekedouw Dam at 75 % delivery, we are desperately in need of extra water and thus are prepared to pay the full commercial rate.'

Input from the Director: Technical Services

With the low Koekedouw dam levels and the Koekedouw Irrigation Board notifying its members that water supply will be restricted the Director is of the view point that the municipality must not sell any of its water.

Financial implication

The municipality is paying the Koekedouw water scheme a yearly amount for its water rights. If the water is sold it will minimise any expenditure for the municipality."

The Executive Mayoral Committee resolved on 21 October 2015 to recommend to Council:

- (a) That due to the low levels of the Koekedouw Dam and the Koekedouw Irrigation Board advising its members that water supply will be restricted, the municipality cannot sell any water to Graaff Fruit.
- (b) That Council will reconsider selling water in future if the water situation improves.

RESOLVED

- (a) *That due to the low levels of the Koekedouw Dam and the Koekedouw Irrigation Board advising its members that water supply will be restricted, the municipality cannot sell any water to Graaff Fruit.*
- (b) *That Council will reconsider selling water in future if the water situation improves.*

8.3 Direktoraat Gemeenskapsdienste / Directorate Community Services

**8.3.1 Fire fighting services: Agreement with Working on Fire
(17/7/2/1)**

Item 7.3.1 of the Executive Mayoral Committee meeting, held on 21 October 2015, refers.

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

"Purpose

To obtain approval from Council to enter into a written agreement with Working on Fire to make available 10 fire fighters for the period 23 September 2015 until 30 June 2016.

Deliberation

The Witzenberg Municipality had been making use of the structural fire fighter programme provided by Working on Fire since 2009. The Working on Fire programme was initially functioning under the custodianship of the National Department of Agriculture, Forestry and Fisheries. The programme has now been moved to the National Department of Environmental Affairs as a key Expanded Public Works programme. During June / July the Working on Fire implementing agent informed relevant municipalities that the structural fire fighting programme will be stopped with immediate effect. The intervention of the Chief Director: Disaster Management and Fire and Rescue Services ensured the continuation of the programme until September 2015. The municipality received a letter from the Western Cape Disaster Management Centre that their programme has indeed come to an end and notified the municipality of the withdrawal of the WOF fire fighters. Before the withdrawal the municipality was assisted by fifteen fire fighters of the WOF. The short term notice posed imminent risk for the municipality and would have left the fire services exposed and incapable of performing their functions in terms of the Act. The Municipal Manager requested that quotations be obtained from WOF to continue with assistance of ten fire fighters. The quotation obtained was in any event cheaper than appointing ten fire fighters. The Council is requested to rectify and condone the Memorandum of Agreement signed by the Municipal Manager.

Financial implication

No provision has been made for the appointment of new fire fighters. The fire fighting department has cut down on certain operational and capital expenditure. The savings will only be enough to accommodate the ten fire fighters until the end of March 2016. Council will be requested to allocate funding in the adjustment budget which will be tabled at the end of February 2016.

Legal implication

Council must approve of the Agreement between the Witzenberg Municipality and Working on Fire."

The Executive Mayoral Committee resolved on 21 October 2015 to recommend to Council:

- (a) That the Municipal Manager be mandated to enter into an agreement with Working on Fire to avail ten fire fighters to work with the municipal Fire Department from 23 September 2015 until 30 June 2016.
- (b) That an amount of R71 240,00 per month be paid to Working on Fire for services rendered.

RESOLVED

- (a) *That the Municipal Manager be mandated to enter into an agreement with Working on Fire to avail ten fire fighters to work with the municipal Fire Department from 23 September 2015 until 30 June 2016.*
- (b) *That an amount of R71 240,00 per month be paid to Working on Fire for services rendered.*

8.4 Direktoraat Korporatiewe Dienste / Directorate Corporate Services

**8.4.1 Rectification of council resolution: Erven identified in the land audit for short term disposal
(7/1/4/2)**

Item 7.2 of the meeting of the Committee for Corporate and Financial Services, held on 4 August 2015, refers.

A memorandum from the Senior Officer Properties, dated 10 June 2015, is attached as **annexure 8.4.1**.

The Committee for Corporate and Financial Services resolved on 4 Augustus 2015 to recommend to Council.

- (a) That the following conditions set by Council on 28 September 2011 regarding the sale of erven identified in the land audit for short term disposal be deleted.
 - “(i) That an evaluator be appointed whenever an application is received for land to appraise the land in question to determine a fair market value for the asset in terms of section 14 (2) (b) of the MFMA.
 - (ii) That preference be given to inhabitants of Witzenberg.”
- (b) That council resolution 9.2(g) of 28 September 2011 be amended to read:

That residential property will only be sold to persons who do not own any property at the time of submission of the bid. That Witzenberg Municipality will have a right of first refusal on the vacant erf, and Council shall exercise its right of first refusal as per the original bid price.
- (c) The sale will be voetstoots.

- (d) That the Municipal Manager be delegated with the power of attorney to sign all the necessary documents to effect the transfer of the properties to be sold.

RESOLVED

- (a) *That the following conditions set by Council on 28 September 2011 regarding the sale of erven identified in the land audit for short term disposal be deleted.*

“(i) *That an evaluator be appointed whenever an application is received for land to appraise the land in question to determine a fair market value for the asset in terms of section 14 (2) (b) of the MFMA.*

(ii) *That preference be given to inhabitants of Witzenberg.”*

- (b) *That council resolution 9.2(g) of 28 September 2011 be amended to read:*

That residential property will only be sold to persons who do not own any property at the time of submission of the bid. That Witzenberg Municipality will have a right of first refusal on the vacant erf, and Council shall exercise its right of first refusal as per the original bid price.

- (c) *The sale will be voetstoots.*

- (d) *That the Municipal Manager be delegated with the power of attorney to sign all the necessary documents to effect the transfer of the properties to be sold.*

8.4.2 Lease agreement(s) with bus service companies in Nduli, Ceres (7/1/4/1)

Item 7.3 of the meeting of the Committee for Corporate and Financial Services, held on 4 August 2015, refers.

A memorandum from the Senior Officer Properties, dated 18 May 2015, is attached as **annexure 8.4.2.**

The Committee for Corporate and Financial Services resolved on 4 August 2015 to recommend to Council.

- (a) That Council considers leasing erf 5143 and portion of erf 5959 for a three year period to Nduli's three bus services (Freddie's Bus Services, Max Bus Services and Mgeba's Bus Services) to utilise the proposed properties to park their busses on.
- (b) That the Public Participation Process be followed regarding Council's intention to lease erf 5143 and portion of erf 5959 for a three year period to Nduli's three bus services (Freddie's Bus Services, Max Bus Services and Mgeba's Bus Services).

RESOLVED

- (a) *That Council considers leasing erf 5143 and portion of erf 5959 for a three year period to Nduli's three bus services (Freddie's Bus Services, Max Bus Services and Mgeba's Bus Services) to utilise the proposed properties to park their busses on.*

- (b) *That the Public Participation Process be followed regarding Council's intention to lease erf 5143 and portion of erf 5959 for a three year period to Nduli's three bus services (Freddie's Bus Services, Max Bus Services and Mgeba's Bus Services).*

8.4.3 Confirmation of previous sale of erven 1238, 1239 and 1240, Tulbagh (7/1/4/2)

Item 7.4 of the meeting of the Committee for Corporate and Financial Services, held on 4 August 2015, refers.

A memorandum from the Senior Officer Properties, dated 13 July 2015, is attached as **annexure 8.4.3**.

The Committee for Corporate and Financial Services resolved on 4 August 2015 to recommend to Council.

- (a) That Council considers the alienation of erven 1238, 1239 and 1240, Tulbagh to the Richard Family Webb Trust.
- (b) That a sale agreement between the then Tulbagh Municipality and Le Grange Transport be confirmed.
- (c) That a sale agreement be concluded between the Witzenberg Municipality and the Richard Webb Family Trust.
- (d) That the Municipal Manager be delegated to sign the necessary documents of behalf of Council.

RESOLVED

That the matter be held in abeyance until the next meeting.

8.4.4 Sale of municipal land – a portion of erf 2278, Ceres (7/1/4/2)

Item 7.5 of the meeting of the Committee for Corporate and Financial Services, held on 4 August 2015, refers.

A memorandum from the Senior Officer Properties, dated 15 July 2015, is attached as **annexure 8.4.4**.

The Committee for Corporate and Financial Services resolved on 4 August 2015 to recommend to Council

- (a) That a portion of erf 2278, Ceres is not required for a minimum level of basic municipal services.
- (b) That the portion of erf 2278, Ceres be sold to Eskom and that all the costs relating to the sale be for Eskom's account.

- (c) That Council's intention to sell a portion of erf 2278 be advertised in the local newspaper for a period of thirty days (30) for inputs or objections.
- (d) That the selling of a portion of erf 2278 to Eskom will be subject to the following conditions:
 - (i) That only a portion of erf 2278, Ceres, marked in pink on the map as per annexure 7.5(c), be sold to Eskom.
 - (ii) That Eskom appoints a land surveyor to apply for the closing and consolidation of portion of erf 952, Ceres.
 - (iii) That a three (3) meter servitude of aqueduct be registered as the municipal waterline is running over the portion.

RESOLVED

- (a) *That a portion of erf 2278, Ceres is not required for a minimum level of basic municipal services.*
- (b) *That the portion of erf 2278, Ceres be sold to ESKOM and that all the costs relating to the sale be for Eskom's account.*
- (c) *That Council's intention to sell a portion of erf 2278 be advertised in the local newspaper for a period of thirty days (30) for inputs or objections.*
- (d) *That the selling of a portion of erf 2278 to ESKOM will be subject to the following conditions:*
 - (i) *That only a portion of erf 2278, Ceres, marked in pink on the map as per the annexure, be sold to ESKOM.*
 - (ii) *That ESKOM appoints a land surveyor to apply for the closing and consolidation of portion of erf 952, Ceres.*
 - (iii) *That a three (3) meter servitude of aqueduct be registered as the municipal waterline is running over the portion.*

**8.4.5 Donation or lease of municipal land to CHAIN
(7/1/4/1)**

Item 7.4.1 of the Executive Mayoral Committee meeting, held on 21 October 2015, refers.

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

"Purpose

To consider a request from CHAIN to make land available for purposes of accommodating stray, neglected household animals.

Deliberation

CHAIN is a registered NGO within the Witzenberg area taking care of household animals in need. It further acts as intermediary on behalf of Witzenberg Municipality with all engagements with the local veterinary practises in the event of euthanasia and sterilisation of household animals. CHAIN does not have a registered place of business and many of the members and trustees assist with the accommodation of the animals. This has created tensions within the various communities and has also led to a breach in many instances of the municipal by-law for the number of animals to be kept on a certain erven. CHAIN has now approached the municipality for assistance to make land available where they can treat and take care of the animals.

Financial implication

None.

Legal implication

Council must decide on the lease of land to CHAIN for purposes of an animal shelter. If approved legislation of other sector departments will be applicable."

The Executive Mayoral Committee resolved on 21 October 2015 to recommend to Council:

- (a) That Council enters into a three year lease agreement with the NGO CHAIN to lease a portion of erf 116/1 (old shooting range), Tulbagh.
- (b) That the reconnection of municipal services will be for the account of CHAIN.
- (c) That the Municipal Manager be mandated to sign all necessary documentation on behalf of Council.

RESOLVED

- (a) *That Council enters into a three year lease agreement with the NGO CHAIN to lease a portion of erf 116/1 (old shooting range), Tulbagh.*
- (b) *That the reconnection of municipal services will be for the account of CHAIN.*
- (c) *That the Municipal Manager be mandated to sign all necessary documentation on behalf of Council.*

**8.4.6 Amended By-Law on Liquor Trading Days and Hours
(1/1/1)**

A document with proposed amendments to the By-Law on Liquor Trading Days and Hours is attached as **annexure 8.4.6**.

RESOLVED

- (a) *That the amended By-Law on Liquor Trading Days and Hours be approved and accepted.*
- (b) *That the amended By-Law on Liquor Trading Days and Hours be published in the Gazette.*

8.4.7 Lease of the building (old police station) on erf 2629, Bella Vista, Ceres (7/1/4/1)

Item 7.5 of the meeting of the Committee for Corporate and Financial Services, held on 15 October 2015, refers.

A memorandum from the Senior Officer Properties, dated 28 August 2015, is attached as **annexure 8.4.7**.

The Committee for Corporate and Financial Services resolved on 15 October 2015 to recommend to Council.

That Council consider entering into a three year lease agreement with the non-profit organisation Bella Vista Small Business Empowerment Initiative for the building (old police station) on erf 2629, Bella Vista, Ceres.

RESOLVED

That Council enters into a three year lease agreement with the non-profit organisation Bella Vista Small Business Empowerment Initiative for the building (old police station) on erf 2629, Bella Vista, Ceres.

8.4.8 Huurooreenkoms van die gebou in Stamperstraat, Wolseley (7/1/4/1)

Item 7.6 van die vergadering van die Komitee vir Korporatiewe en Finansiële Dienste, gehou op 15 Oktober 2015, verwys.

'n Memorandum ontvang vanaf die Direkteur: Gemeenskapsdienste en Senior Eiendomsbeampte, gedateer 24 Augustus 2015, word ingebind as **bylae 8.4.8**.

Die Komitee vir Korporatiewe en Finansiële Dienste het op 15 Oktober 2015 besluit om by die Raad aan te beveel:

- (a) Dat die Raad 'n huurooreenkoms met die Wolseley Posduifklub aangaan.
- (b) Dat 'n mandaat aan die Munisipale Bestuurder gegee word om die kontrak namens die Raad te onderteken.

- (c) Dat die ooreenkoms vanaf 1 November 2015 in werking gestel sal word vir drie jaar tensy dit vroeër opgeskort word.
- (d) Dat die opsie ten opsigte van hernuwing die diskresie van die Raad sal wees.

BESLUIT

- (a) *Dat die Raad 'n huurooreenkoms met die Wolseley Posduifklub aangaan.*
- (b) *Dat 'n mandaat aan die Munisipale Bestuurder gegee word om die kontrak namens die Raad te onderteken.*
- (c) *Dat die ooreenkoms vanaf 1 November 2015 in werking gestel sal word vir drie jaar tensy dit vroeër opgeskort word.*
- (d) *Dat die opsie ten opsigte van hernuwing die diskresie van die Raad sal wees.*

8.4.9 Logistical arrangements: Council recess 2015/2016 (3/1/2/3)

The following report from the Speaker, dated 2 December 2015, refers:

Purpose

To request Council to consider whether Council will go in recess and the period thereof.

Deliberation

It has been practice that the Speaker of Council decides on the recess period taken by the Council. In terms of the Structures Act, the Speaker determines the date, time and place of council meetings unless the majority of councillors request otherwise. In the absence of any Council delegation I propose that Council takes recess from 14 December 2015 until 14 January 2016.

Recommendation

That Council goes in recess from 14 December 2015 until 14 January 2016."

RESOLVED

- (a) *That Council goes in recess for the festive season from 14 December 2015 until 14 January 2016.*
- (b) *That the Committee for Corporate Services be allowed to convene a meeting regarding applications for extended liquor trading hours.*

**8.4.10 Draft meetings calendar: January to June 2016
(3/1/2/3)**

The draft meetings calendar for January to June 2016 will be distributed at the council meeting for consideration.

RESOLVED

That the matter of the draft meetings calendar for January to June 2016 be held in abeyance until the next council meeting on 25 January 2016.

9. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA

**9.1 Special report of AGSA on delay in submission of Audit Report for financial year ended 30 June 2015
(5/14/1/11)**

The following memorandum, dated 4 December 2015, was received from the Director: Finance:

"Purpose

The purpose of this report is to submit the special report received from the Auditor-general of South Africa to Council for information.

Legislature framework

As required by Section 126(4) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) the Auditor-general of South Africa must report to the municipality, as well as to the provincial legislature and parliament, the reasons for the delay if he is unable to complete the audit within three months of receiving the financial statements.

Discussion

The financial statements of the Witzenberg Municipality for the 2014/2015 financial year were submitted on 31 August 2015 to the Auditor-general of South Africa and in terms of Section 126(3)(b) of the MFMA the audit report should have been submitted to the Accounting Officer of Witzenberg Municipality by 30 November 2015.

The audit report has subsequently been issued on 1 December 2015.

The special report received from the Auditor-general of South Africa is attached as **annexure 9.1.**"

RESOLVED

That cognisance be taken of the special report, received from the Auditor-general of South Africa.

9.2 Personnel matters: Closure of municipal offices: 24, 28, 29, 30 and 31 December 2015 (04/2/8)

For the last couple of years the municipal offices have been closed in December and January for the festive season.

The Director: Corporate Services proposed:

- (a) That business hours on 23 December 2015 shall be from 08:00 until 13:00.
- (b) That all employees be granted paid leave on 24, 28, 29, 30 and 31 December 2015.
- (c) That essential staff in all departments be on standby on 24, 25, 28, 29, 30 and 31 December 2015 and 1 January 2016.
- (d) That the salaries of all employees be paid out on 18 December 2015.

RESOLVED

- (a) *That business hours on 23 December 2015 shall be from 08:00 until 13:00.*
- (b) *That all employees be granted leave on 24, 28, 29, 30 and 31 December 2015.*
- (c) *That all employees submit leave applications for the abovementioned dates in terms of Council policy.*
- (d) *That essential staff in all departments be on standby on 24, 25, 28, 29, 30, 31 December 2015 and 1 January 2016.*
- (e) *That the salaries of all employees be paid out on 18 December 2015.*
- (f) *That the normal business of Council will resume on 4 January 2016.*

10. FORMAL AND STATUTORY MATTERS

The Speaker announced that Council's year-end function will be held at the Charlie Hofmeyr High School clubhouse on 9 December 2015 at 18:00.

NOTED.

11. QUESTIONS and/or MATTERS RAISED by COUNCILLORS

**11.1 Speelparkie en saal te Op-die-Berg
(17/9/2 & 5/5/1)**

Die volgende e-pos, gedateer 25 November 2015, is vanaf raadslid R Simpson ontvang:

"Goeiedag Speaker

Speaker ek rdl. Simpson wil graag net hoor of die volgende punte op ons agenda vir ons volgende raadsvergadering geplaas kan word vir bespreking. U weet na verkeie besprekings in ons wykskomitee vergadering rondom die gehalte van ons speelparkie te Op-die-Berg en die hoë prys van die saal en geen terugvoering vanaf die relevante departement gemoeid met genoemde kwessies voel ek dat dit in 'n volle raadsvergadering bespreek moet word sodat daar 'n slag ernstig na genoemde probleme gekyk kan word. Soos u self behoort te weet, is dit 'n onsmaklike storie as die mense elke keer vrae vra rondom die kwessies en ons kan nie vir die mense voldoende antwoorde gee nie. Vir my as raadslid is dit n skreiende skande dat my wyk wat uitgebrei het met nog 250 huise nie 'n ordentlike speelparkie het vir die kinders in my wyk nie nadat sommige van die wyke tot twee speelparkies het. Verder dink ek nie die persone wat verantwoordelik is vir speelparke sal dat hulle kinders op daardie tipe van gemors wat veronderstel is om 'n speelpark te wees laat speel nie. Dan die huurkoste van die saal is hopeloos te hoog vir 'n gemeenskap soos Op-die-Berg. Toe die saal onder die NGO was het die mense R160 betaal en weer n R50 teruggekry as hulle die sleutel terugvat. So na regte het hulle R110 betaal vir gebruik van die saal, maar nou dat die saal onder die munisipaliteit is moet daardie arm gemeenskap se mense meer as dubbel die bedrag betaal, en vir my is dit 'n skande.

Speaker ek hoop u sal voldoen aan my versoek."

Raadslid R Simpson meld dat die aanbeveling soos deur die administrasie verskaf, aanvaarbaar is tot voordeel van die Op-die-Berg gemeenskap.

Die volgende was deur raadslid Simpson gemeld rakende die goedkeuring van die volgende vir die 2016/2017 finansiële jaar:

- Die plant van bome
- Die aanbring van 'n voetpaadjie
- Herstel van huidige speelparkie
- Installering van nuwe speelparktoerusting

Raadslid MC du Toit spreek haar kommer uit ten opsigte van die volgende:

- Dat die Raad uitnodigings vir die jaareindfunksie laat ontvang het.
- Dat daar voorsiening gemaak moet word vir parkering vir raadslede wanneer vergaderings plaasvind.
- Dat dit onaanvaarbaar is dat politieke partye versoek dat persoonlike briewe geopenbaar word.

Councillor D Swart thanked councillors and the administration for their hard work during the year and wished everyone a blessed festive season and a prosperous new year.

Raadslid J Mouton bedank raadslede R Simpson en H Smit vir die skenking van kaartjies vir die Kersete vir bejaardes.

Raadslid J Mouton bedank raadslede sowel as amptenare vir hul harde werk gedurende die jaar en wens almal 'n voorspoedige nuwe jaar toe.

AANGETEKEN.

12. ADJOURNMENT

The meeting adjourned at 13:26.

Approved on _____ .

COUNCILLOR TT GODDEN
SPEAKER

/MJ Prins