

MINUTES OF THE COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON WEDNESDAY, 25 JULY 2018 AT 10:00

PRESENT

Aldermen and Councillors

Councillor TT Godden (Speaker)
Councillor BC Klaasen (Executive Mayor)
Councillor K Adams (Deputy Executive Mayor)
Alderman HJ Smit
Alderman JJ Visagie
Councillor TE Abrahams
Councillor P Daniels
Councillor P Heradien
Councillor MD Jacobs
Councillor D Kinnear
Councillor GG Laban
Councillor C Lottering
Councillor M Mdala
Councillor TP Mgoboza
Councillor ZS Mzauziwa
Councillor N Phatsoane
Councillor JT Phungula
Councillor EM Sidego
Councillor RJ Simpson
Councillor D Swart
Councillor HF Visagie

Officials

Mr D Nasson (Municipal Manager)
Mr J Barnard (Director: Technical Services)
Mr HJ Kritzinger (Director: Finance)
Mr CG Wessels (Manager: Administration)
Mr A Hofmeester (IDP Manager)
Ms L Nieuwenhuis (Legal Advisor)
Mr C Titus (Committee Clerk)
Ms MJ Prins (Acting Principal Administrative Officer)
Ms M Badela (Interpreter)

Other attendees

Mr Michael Dennis (Cape Agulhas Municipality)
Mr Neil Bettsworth (Ceres Business Initiative)
Ms Karen Siebrits (ASLA Devco)
Mr SP Minnies (Cape Winelands District Municipality)

1. OPENING AND WELCOME

The Speaker welcomed everyone present and after that requested Councillor P Heradien to open the meeting with a prayer.

NOTED

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

An application for leave of absence from the meeting was received from Alderman JW Schuurman.

An apology for absence from the meeting was received from the Director: Corporate Services.

The Speaker mentioned that a disciplinary hearing was set for Councillor SJ Hugo, but he did not pitch. The problem to get an initiator contributes to the delay to solve the matter. A proper paper trial exists with regard to the matter.

UNANIMOUSLY RESOLVED

- (a) *that the application for leave of absence from the meeting, received from Alderman JW Schuurman, be approved and accepted.*
- (b) *that notice be taken of the apology for absence from the meeting, received from the Director: Corporate Services.*

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

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

- (a) Councillor JJ Visagie conveyed Council's congratulations to the following Councillors and spouses on their birthdays:
 - ❖ Councillor N Phatsoane 2 June
 - ❖ Councillor K Adams 5 June
 - ❖ Ms J Lottering 3 June
 - ❖ Councillor D Kinnear 24 June
 - ❖ Ms E Smit 29 June
 - ❖ Ms M Abrahams 30 June
 - ❖ Councillor ZS Mzauziwa 18 July
- (b) Councillor J Phungula, on behalf of the ANC, conveyed congratulations to all women with the coming of Women's Month during August.

NOTED

The Speaker called a caucus meeting from 10:30 until 10:45.

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

The Speaker announced that at the next Council meeting the conferment of aldermanship will take place and requested that the spouses also be invited.

NOTED

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

None

NOTED

4. MINUTES

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

The following minutes are attached:

- (a) Council meeting held on 29 May 2018: **Annexure 4.1(a)**.
- (b) Special council meeting held on 29 June 2018: **Annexure 4.1(b)**.

UNANIMOUSLY RESOLVED

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

- (a) *Council meeting held on 29 May 2018.*
- (b) *Special council meeting held on 29 June 2018.*

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

Number	File reference	Heading, item no. and date	Directorate	Action	Progress	Target date
4.2.1	16/4/6	Item 5.1 of 25 October 2017 Motion: Naming of streets in Bella Vista housing project without a public participation process	Municipal Manager	To be investigated by Council and if deemed necessary, the applicable changes and corrections be done.	Process tabled in Witzenberg Herald of 19 July 2018.	22-08-2018

4.2.2	7/1/4/2	Item 8.4.2 of 5 December 2017 Request to purchase erf 3605, Ceres or a portion thereof	Municipal Manager	That the matter be held in abeyance until the next meeting.	Awaiting outcome of meeting between MEC for Housing and Bella Vista community	25-07-2018
4.2.3	17/4/2/1 & 17/4/2/P	Item 12/2/1 of 5 December 2017 Constitutional obligation of municipalities to provide suitable alternative accommodation in evictions	Corporate Services	That the matter be held in abeyance until being workshopped by Council.	Workshop date confirmed.	24-07-2018
4.2.4	3/2/1	Upgrading of tablets for Councillors	Finance	Further quotations of other service providers to be obtained to determine best and most viable option for Councillors	Item in current agenda.	25-07-2018

UNANIMOUSLY RESOLVED

- (a) *that notice be taken of the outstanding matters.*
- (b) *that a workshop be held in respect of the upgrading of tablets for Councillors.*

5. MOTIONS AND NOTICE OF SUGGESTIONS

None

NOTED

6. INTERVIEWS WITH DELEGATIONS

6.1 Presentation: Vredebes Housing Plan (17/04/1/1/1)

Ms Karen Siebrits from Messrs ASLA made a presentation regarding the type of houses to be built for the Vredebes Housing Project. The presentation is attached as **annexure 6.1**.

The following questions/answers/remarks were highlighted:

Question: What is the financial implications in terms of costing between a single and a duplex house:

Answer: A duplex house is more expensive due to the top wall. Council can decide on single or single and duplex houses.

Remark: The beneficiaries must decide on attached or single houses. It is not up to Council or ASLA to decide.

Remark: Council are the eyes and ears of the project. We cannot distance ourselves from the project.

Remark: The Nduli people want the same houses as those of Bella Vista, but the toilet must be at the back.

Remark: We must not complicate the houses for the future owners in terms of maintenance, title deeds, back yard dwellers and extensions. Single units may be a better option.

Remark: We requested that the layout be discussed by the Executive Mayor and that a recommendation be made to Council.

Remark: The layout was approved in 2014.

Remark: The sizes are:

- Single layout 10 m² x 15 m²
- Attached 9 m² x 15 m²
- Walk-ups 7.5 m² x 15 m²

For only single houses the total layout will be too small to fit all the houses.

Remark: The first 100 houses are all single houses. We need to see if we can start with the first 100 houses, because the electricity network is intertwined.

Remark: We need to hold a special council meeting to discuss the cost implication.

Remark: The layout consists of 340 single houses, 220 attached and 140 walk-up houses.

UNANIMOUSLY RESOLVED

- (a) *that notice be taken of the presentation of Messrs ASLA in respect of the Vredebes Housing Project.*
- (b) *that a Special Council meeting be held to discuss the layout and costing implications of the Vredebes Housing Project.*

7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

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

The minutes of the following meetings are attached:

- (a) Municipal Public Accounts Committee meeting, held on 23 February 2018: **Annexure 7.1(a).**
- (b) Executive Mayoral Committee meeting, held on 26 February 2018: **Annexure 7.1(b).**
- (c) Committee for Housing Matters special meeting, held on 1 March 2018: **Annexure 7.1(c).**
- (d) Performance, Risk and Audit Committee meeting, held on 2 March 2018: **Annexure 7.1(d).**
- (e) Committee for Housing Matters meeting, held on 8 March 2018: **Annexure 7.1(e).**
- (f) Committee for Technical Services meeting, held on 14 March 2018: **Annexure 7.1(f).**
- (g) Committee for Community Development meeting, held on 15 March 2018: **Annexure 7.1(g).**
- (h) Committee for Corporate and Financial Services meeting, held on 15 March 2018: **Annexure 7.1(h).**
- (i) Local Labour Forum meeting, held on 22 March 2018: **Annexure 7.1(i).**
- (j) Executive Mayoral Committee meeting, held on 26 March 2018: **Annexure 7.1(j).**
- (k) Committee for Housing Matters meeting, held on 12 April 2018: **Annexure 7.1(k).**
- (l) Committee for Technical Services meeting, held on 18 April 2018: **Annexure 7.1(l).**
- (m) Committee for Community Development meeting, held on 19 April 2018: **Annexure 7.1(m).**
- (n) Committee for Housing Matters meeting, held on 10 May 2018: **Annexure 7.1(n).**
- (o) Committee for Technical Services meeting, held on 23 May 2018: **Annexure 7.1(o).**

UNANIMOUSLY RESOLVED

that notice be taken of the minutes of the committee meetings and same be accepted.

8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

8.1 Direkoraat Finansies / Directorate Finance

8.1.1 Section 71 monthly report of the Department Finance: March 2018 (9/1/2/2)

The following items refer:

- (a) Item 8.1 of the Performance, Risk and Audit Committee meeting, held on 4 May 2018.
- (b) Item 7.1 of the meeting of the Committee for Corporate and Financial Services, held on 24 May 2018.
- (c) Item 7.1.1 of the Executive Mayoral Committee meeting held on 23 July 2018.

The Section 71 monthly report of the Department Finance for March 2018 is attached as **annexure 8.1.1**.

The Performance, Risk and Audit Committee resolved on 4 May 2018 to recommend to the Executive Mayoral Committee and Council:

that notice be taken of the Section 71 monthly report of the Department Finance for March 2018 and same be accepted.

The Committee for Corporate and Financial Services resolved on 24 May 2018 to recommend to the Executive Mayoral Committee and Council:

that the Committee for Corporate and Financial Services takes notices after consideration of the content of the monthly report of the Department Finance for March 2018 and same be approved and accepted.

The Executive Mayoral Committee resolved on 23 July 2018 that the Executive Mayoral Committee recommends to Council:

that notice be taken of the Section 71 monthly report of the Department Finance for March 2018 and same be accepted.

UNANIMOUSLY RESOLVED

that notice be taken of the Section 71 monthly report of the Department Finance for March 2018 and same be accepted.

**8.1.2 Performance Management Framework
(4/6/P)**

Item 7.1.2 of the Executive Mayoral Committee meeting, held on 23 July 2018, refers.

The Draft Performance Management Framework is attached as **annexure 8.1.2**.

The Executive Mayoral Committee resolved on 23 July 2018 that the Executive Mayoral Committee recommends to Council:

that the matter about the Draft Performance Management Framework be workshopped by Council and after that be accepted.

UNANIMOUSLY RESOLVED

that the Performance Management Framework be approved and accepted.

**8.1.3 Performance, Risk and Audit Committee: 1st Bi-Annual Report on Performance Management: 2017/2018
(5/14/4)**

Item 7.1.3 of the Executive Mayoral Committee meeting, held on 23 July 2018, refers.

The First Bi-Annual Report on Performance Management for 2017/2018, dated March 2018, is attached as **annexure 8.1.3**.

The following memorandum, dated 13 April 2018, was received from the Head: Internal Audit:

"The attached report was received from the Chairperson of the Performance, Risk and Audit Committee.

Background

In terms of the Local Government Municipal Planning and Performance Management Regulations, 14(4)(a), 'A performance audit committee must –

- (i) review the quarterly reports submitted to it in terms of sub regulation (1)(c)(ii);
- (ii) review the municipality's performance management system and make recommendations in this regard to the council of the municipality; and
- (iii) at least twice during a financial year submit an audit report to the municipal council concerned.'

The Performance, Risk and Audit Committee (PRAC) have conducted a mandatory review of the municipality's Performance Management System in terms of the Municipal Planning and Performance Regulations. The purpose of this report is to inform the Municipal Council regarding the result of the review that focuses on economy, efficiency, effectiveness and impact in so far as the key performance indicators and performance targets are concerned."

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

that notice be taken of the First Bi-Annual Report on Performance Management for 2017/2018.

The Executive Mayoral Committee resolved on 23 July 2018 that the matter in respect of the First Bi-Annual Report on Performance Management for 2017/2018 be held in abeyance until the next meeting.

UNANIMOUSLY RESOLVED

that notice be taken that the matter in respect of the First Bi-Annual Report on Performance Management for 2017/2018 was held in abeyance by the Executive Mayoral Committee until the next meeting.

8.1.4 Delegated powers to Performance, Risk and Audit Committee (5/14/P)

The following items refer:

- (a) Item 7.1 of the Performance, Risk and Audit Committee meeting, held on 4 May 2018.
- (b) Item 7.1.4 of the Executive Mayoral Committee meeting held on 23 July 2018.

The Performance, Risk and Audit Committee resolved on 4 May 2018 to recommend to the Executive Mayoral Committee and Council:

that Council, in terms of MFMA Circular 65, considers that the Internal Audit Plan and the Internal Audit Charter have been approved by the Performance, Risk and Audit Committee and that Council takes notice and accepts same.

The Municipal Finance Management Act Section 165, states that the Audit Committee is an independent advisory body which must advise the municipal Council, the political office bearers, the accounting officer and the management staff of the municipality on matters relating to internal financial control and internal audit.

National Treasury Circular 65 under roles and responsibilities states the following:

The audit committee must in relation to internal audit:

- Ensure that the charter, independence and activities of the internal audit function are clearly understood and respond to the objectives of the municipality and the legal framework.
- Regularly review the functional and administrative reporting lines of the internal auditor to ensure that the organizational structure is consistent with the principles of independence and accountability.
- Review and approve the internal audit charter, including internal audit strategic plan.
- Confirm that the annual audit plan makes provision for critical risk areas in the municipality.
- Advise the municipality on resources allocated to give effect to the work outputs of the internal audit function.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

that Council delegates the authority to the Performance, Risk and Audit Committee to approve the Internal Audit Plans and for Council to be advised accordingly.

The Executive Mayoral Committee resolved on 23 July 2018 that the matter in respect of delegated powers to the Performance, Risk and Audit Committee be held in abeyance until the next meeting.

UNANIMOUSLY RESOLVED

that notice be taken that the matter in respect of delegated powers to the Performance, Risk and Audit Committee was held in abeyance by the Executive Mayoral Committee until the next meeting.

8.1.5 Water demand management meters (5/12/4)

Note: Annexure 8.2.3(b) refers.

The following items refer:

- (a) Item 7.1.10 of the Executive Mayoral Committee meeting, held on 26 February 2018.
- (b) Item 8.1.10 of the council meeting, held on 28 February 2018.
- (c) Item 7.1.3 of the Executive Mayoral Committee meeting, held on 26 March 2018.
- (d) Item 8.1.4 of the council meeting, held on 28 March 2018.
- (e) Item 8.1.7 of the council meeting, held on 29 May 2018.

The following memorandum, dated 20 February 2018, was received from the Director: Finance:

“1. Purpose

The purpose of this report is to submit a report to Council for consideration on the installation of water demand management meters.

2. Background

The monthly consumption of water is still above the required norms to address the drought. Eight hundred water demand management meters with prepaid functionality have been procured and must be installed.

3. Legal framework

The Drought Management Plan stipulates that flow reducing devices shall be installed where the prescribed usage limits are exceeded. Except for a registered indigent household, the offender will be charged for the cost of the installation.

4. Discussion

It is proposed that the water demand management meters be installed to identified users/areas after the customers have been informed. The perception that the water demand management meters are discriminating can be partially addressed by installing the water demand management meters to all councillors and senior officials.”

The Executive Mayoral Committee resolved on 26 February 2018 that the matter regarding water demand management meters be referred to Council for further discussion.

The Director: Finance tabled the report in respect of the water demand management meters. The following were highlighted:

- Various Council members debated that the water meters only be installed where people waste water and that the municipality deals with the culprits and not with innocent people. A list must be made available for Council of the high usage home owners of water and they must be attended to. Expenditure must be limited.
- Other Councillors debated that all leakages be repaired before the project is rolled out. The focus will be on the people with at least double the usage as prescribed. The concern raised was about the 800 meters in the stores which need to be installed.

Council referred the matter to the Executive Mayoral Committee for further deliberation and a recommendation to Council.

Council unanimously resolved on 28 February 2018 that the matter in respect of the water demand management meters be referred to the Executive Mayoral Committee for further deliberation and a recommendation to Council.

The Executive Mayoral Committee resolved on 26 March 2018 that the matter in respect of the water demand management meters be held in abeyance until the next meeting.

Council unanimously resolved on 28 March 2018 that the matter in respect of the water demand management meters be held in abeyance until the next meeting.

Council unanimously resolved on 29 May 2018 that the matter in respect of the water demand management meters be held in abeyance until the next meeting.

A presentation regarding Water Management Device is attached as **annexure 8.1.5**.

RESOLVED

- (a) *that a Public Participation Process be held with the community before the project commences.*
- (b) *that Council approves the installation of water demand management meters at the properties of the following categories on a voluntary basis:*
 - (i) *highest usage of water consumers using more than the restricted municipal water threshold when water restrictions are in place.*

- (ii) *that consumers in default of municipal accounts older than 12 months and older accounts be written off if granted permission to install water demand management meters.*
- (iii) *that all households which do not qualify for indigent will receive six kilolitres water free if granted permission for the installation of the water management meter devices.*
- (iv) *that indigent households which are in default of municipal services for 12 months and older be written off on condition that the municipality installs a water demand management device.*
- (c) *that a trial run needs be done by the Task Team at municipal erven in respect of the effectiveness of the water demand management meters.*
- (d) *that notice be taken that two schools in Witzenberg have volunteered to have water demand management meters be installed at their respective premises.*
- (e) *that the municipality will install water demand management meters free of charge at indigent properties as a prerequisite to be registered as an indigent and all water leaks on the property will be repaired by the municipality at the cost of the municipality.*

8.1.6 Finance: Incurrence of long-term debt (5/9 & 8/2/15/39)

Item 7.1.5 of the Executive Mayoral Committee meeting, held on 23 July 2018, refers.

The following memorandum, dated 12 June 2018, was received from the Director: Finance:

“1. Purpose

The purpose of this report is to table the proposed incurrence of Long-term Borrowing for consideration to the Executive Mayor and Council.

2. Legal framework

Section 46(3) of the MFMA states the following:

- (3) A municipality may incur long-term debt only if the Accounting Officer of the municipality —
 - (a) has, in accordance with Section 21A of the Municipal Systems Act —

- (i) at least 21 days prior to the meeting of the Council at which approval for the debt is to be considered, made public an information statement setting out particulars of the proposed debt, including the amount of the proposed debt, the purposes for which the debt is to be incurred and particulars of any security to be provided; and
 - (ii) invited the public, the National Treasury and the relevant Provincial Treasury to submit written comments or representations to the Council in respect of the proposed debt; and
- (b) has submitted a copy of the information statement to the municipal Council at least 21 days prior to the meeting of the Council, together with particulars of —
- (i) the essential repayment terms, including the anticipated debt repayment schedule, and
 - (ii) the anticipated total cost in connection with such debt over the repayment period.

3. Discussion

A tender process was followed and it was recommended by the Bid Adjudication Committee that the tender 8/2/15/39 be awarded to NEDBANK.

Particulars of the proposed debt are as follow:

Amount of debt to be incurred: R3 500 000.

Purpose for which the debt is to be incurred:

- Vehicles: R3 100 000 and
- Digger loader: R400 000

Security to be provided: None

Repayment terms are as follow:

Description	Term of loan	Amount of loan required	Fixed lending rate charged by bidder
Acquisition of capital assets	3 years	R3 500 000	9.75 % (All in Rate NACS)

Loan amortization table

Bi-annual date	Capital	Interest	Payment (equal instalments)	Balance
Half-year payment 1	3 500 000	85 079	671 145	2 913 934
Half-year payment 2	2 913 934	144 000	671 145	2 386 789
Half-year payment 3	2 386 789	116 037	671 145	1 831 681

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Minutes: Council meeting: 25 July 2018

Half-year payment 4	1 831 681	89 539	671 145	1 250 074
Half-year payment 5	1 250 074	60 774	671 145	639 703
Half-year payment 6	639 703	31 442	671 145	0
Total		R526 871	R4 026 871	

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

that approval be granted by Council for the incurrence of long-term debt for the purposes as envisaged above.

The Executive Mayoral Committee resolved on 23 July 2018 that the matter in respect of the incurrence of long-term debt be held in abeyance.

The item was removed from the agenda.

NOTED

8.1.7 Draft Review IDP and Budget Process Plan for 2019 - 2020 (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	Schedule dates, establish consultation forums, review previous processes
2	Strategizing	Review IDP, set service delivery objectives for next 3 years, consult on tariffs, indigents, credit control, free basic services etc., and consider local-, provincial- and national issues, the previous year's performance and current economic and demographic trends etc.

3	Preparing	Prepare Budget, revenue and expenditure projections; draft Budget policies; consult and consider local-, provincial and national priorities
4	Tabling	Table draft Budget, draft IDP and Budget-related policies before council; consult and consider local-, provincial and national inputs or responses
5	Approving	Council approves the IDP, the Budget and related policies
6	Finalising	Publish the IDP, Budget and approve the SDBIP and performance targets

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 2019 - 2020 IDP and Budget cycle is attached as **annexure 8.1.7**.

RESOLVED

that Council takes notice of the Draft Review IDP and Budget Process Plan for 2019 - 2020.

8.1.8 Risk Management Report: Fourth Quarter 2017/2018 (5/14/2)

Item 7.1.6 of the Executive Mayoral Committee meeting, held on 23 July 2018, refers.

The Risk Management Report for the fourth quarter of 2017/2018, dated June 2018, is attached as **annexure 8.1.8**.

The Executive Mayoral Committee resolved on 23 July 2018 that the Executive Mayoral Committee recommends to Council:

- (a) that notice be taken of the Risk Management Report for the fourth quarter of 2017/2018.
- (b) that notice be taken that the report (supra) will also be tabled to the Performance, Risk and Audit Committee and that the Performance, Risk and Audit Committee's resolution will be tabled to the Executive Mayoral Committee and Council.

UNANIMOUSLY RESOLVED

- (a) *that notice be taken of the Risk Management Report for the fourth quarter of 2017/2018.*

- (b) *that notice be taken that the report (supra) will also be tabled to the Performance, Risk and Audit Committee and that the Performance, Risk and Audit Committee's resolution will be tabled to the Executive Mayoral Committee and Council.*

8.1.9 Minutes: Municipal Finance and Fiscal Policy (MFFP) Provincial Working Group (12/1/1/11)

The minutes of the SALGA Western Cape Municipal Finance and Fiscal Provincial Working Group meeting, held on 18 May 2018, are attached as **annexure 8.1.9**.

UNANIMOUSLY RESOLVED

that notice be taken of the minutes of the SALGA Western Cape Municipal Finance and Fiscal Provincial Working Group meeting, held on 18 May 2018.

8.1.10 Appointment of Performance, Risk and Audit Committee members (5/14/4)

Item 7.1.7 of the Executive Mayoral Committee meeting, held on 23 July 2018, refers.

A memorandum from the Municipal Manager, dated 21 May 2018, is attached as **annexure 8.1.10**.

The Executive Mayoral Committee resolved on 23 July 2018 that the Executive Mayoral Committee recommends to Council:

that the following persons be appointed as members of the Audit, Risk and Performance Committee:

- (i) Mr Tsepo Lesihla (Nr 4) (Current member for second 3-year term)
- (ii) Mr Jean Willem Rudolf Basson (Nr 12) (Current member for second 3-year term)
- (iii) Ms Mohlekhu Constance Fagan (Nr 13) (New member for 3-year term)

UNANIMOUSLY RESOLVED

that the following persons be appointed as members of the Audit, Risk and Performance Committee:

- (i) *Mr Tsepo Lesihla (Nr 4) (Current member for second 3-year term)*
- (ii) *Mr Jean Willem Rudolf Basson (Nr 12) (Current member for second 3-year term)*
- (iii) *Ms Mohlekhu Constance Fagan (Nr 13) (New member for 3-year term)*

**8.1.11 Submission of Final 2018/2019 Top Layer SDBIP
(5/1/5/11)**

The following items refer:

- (a) Item 8.1.3 of the council meeting, held on 28 March 2018.
- (b) Item 7.1.8 of the Executive Mayoral Committee meeting held on 23 July 2018.

Council resolved on 28 March 2018:

that Council takes notice of the Draft Budget, the Draft Review IDP and the Draft Top Layer SDBIP of the Witzenberg Municipality for the financial year 2018/2019 and the indicative budget for the two years 2019/2020 and 2020/2021 that have been tabled by the Executive Mayor in Council.

The following memorandum, dated 23 March 2018, was received from the Manager: Projects and Performance:

“The Municipal Finance Management Act No. 56 of 2003 (MFMA) and National Treasury MFMA Circular No. 13 requires that municipalities must prepare a Service Delivery Budget Implementation Plan (SDBIP) indicating how the budget and the strategic objectives of Council will be implemented. The SDBIP is prepared in terms of Section 53(1)(c)(ii) of the Municipal Finance Management (MFMA), National Treasury MFMA Circular No. 13 and the Budgeting and Reporting Regulation.

The Top Layer of the SDBIP must be submitted for approval to the Mayor within 14 days after the approval of the budget. The Top Layer SDBIP must be approved by the Mayor within 28 days after the budget has been approved to ensure compliance with the above-mentioned legislation and published on the municipal website.

The Final 2018/19 Top Layer SDBIP is attached as **annexure 8.1.11.**”

The Executive Mayoral Committee resolved on 23 July 2018 that the Executive Mayoral Committee recommends to Council:

that notice be taken of the Final 2018/19 Top Layer SDBIP.

UNANIMOUSLY RESOLVED

that notice be taken of the Final 2018/19 Top Layer SDBIP.

**8.1.12 Tablets for councillors
(3/2/1)**

Item 7.1.9 of the Executive Mayoral Committee meeting, held on 23 July 2018, refers.

The following memorandum, dated 18 July 2018, was received from the Municipal Manager:

“1. Purpose

The purpose of this report is to submit information to council on the replacement of tablets.

2. Background

Council resolved on 28 May 2014:

- (a) That the Director: Corporate Services be allowed to engage with a service provider to purchase the Samsung Galaxy Note 3 tablets.
- (b) That the purchase of the tablets will be for the account of councillors and that there be no obligation for Council.
- (c) That the Director: Finance be mandated to facilitate the deduction of any financial obligation with regard to the purchase of the tablets from the participating councillors.
- (d) That in the event of the financial obligation exceeding the mobile data card allowance, that the difference be deducted from the councillor's salary.
- (e) Where a councillor decides not to purchase a tablet, that Councillor be entitled to continue with the use of the laptop and data card as provided by Council or payment of an allowance as provided for in the Regulations for Public Office Bearers.

3. Discussion

The current contracts for tablets expire during August 2018.

Council has the options to continue with the existing contracts or engage with Telkom (State entity) for new contracts or follow a supply chain process for the procurement of tablets.

The different options are attached to this report as **annexure 8.1.12**. The Telkom options have not been received in time for the agenda.

4. Financial implications

The determination of the Public Office Bearers' Act is quoted below:

'12. Upper limits of mobile data bundles for councillors:

A councillor may, in addition to the annual total remuneration packages provided for in terms of items 5 and 8 respectively, be paid an allowance on the use of data bundles not exceeding R300 per month.'

All expenses in excess of R300 per month must be recovered from the relevant councillors."

The Executive Mayoral Committee resolved on 23 July 2018 that the Executive Mayoral Committee recommends to Council:

that the matter regarding tablets for councillors be held in abeyance and be workshopped by Council.

UNANIMOUSLY RESOLVED

that the Chief Financial Officer be mandated to proceed with the procuring of tablets and that the different options be communicated directly with the Councillors.

8.2 Direkoraat Tegniese Dienste / Directorate Technical Services

8.2.1 Parking and tree trunks: White Street from Eeufees Street to Pauling Street, Wolseley (16/4/2)

The following items refer:

- (a) Item 7.2 of the meeting of the Committee for Technical Services, held on 18 April 2018.
- (b) Item 7.2.1 of the Executive Mayoral Committee meeting held on 23 July 2018.

A memorandum from the Manager: Streets and Storm Water, dated 28 March 2018, is attached as **annexure 8.2.1**.

The Manager: Streets and Storm Water reported that an application was received from the Station Commander of the South African Police Services, Wolseley to change White Street from Eeufees Street to Pauling Street in Wolseley to a one-way street in a northerly to a southerly direction. The following problems are experienced:

- Shortage of parking space.
- Not enough space for two-way traffic due to the width of the street.
- Parking at both sides of the street decreases the width of the street to 4.4 meters which is not adequate for a two-way road.

The Committee for Technical Services resolved on 18 April 2018 that the Committee for Technical Services recommends to the Executive Mayoral Committee and Council:

- (a) that White Street in Wolseley be changed to a one-way street from Eeufees Street to Pauling Street in a northerly to a southerly direction.
- (b) that the existing parallel parking bays road marking be removed by way of sandblasting.
- (c) that 29 new 45 degree parking bays be painted on the western side of the road, including three bays reserved for police vehicles and one bay for disabled persons (Refer to attached drawing).
- (d) that the construct sidewalk extensions be constructed at the corners of Eeufees and Pauling Streets.
- (e) that the required road signs and signage be placed for one way streets according to the South African Traffic Signs Manual.
- (f) that in accordance with Provincial Gazette for Western Cape No. 6307, 14 October 2005, Witzenberg Municipality: Bylaw Relating to Streets, Section 35 (2) notice be given of such intention in the local newspaper in at least two official languages.
- (g) that in accordance with Provincial Gazette for Western Cape No. 6307, 14 October 2005, Witzenberg Municipality: Bylaw Relating to Streets, Section 35 (3) any objection against the intended action must be delivered in writing to the Municipal Manager within 30 days from the date of notification for submission to Council to decide upon it.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

- (a) that White Street in Wolseley be changed to a one-way street from Eeufees Street to Pauling Street in a northerly to a southerly direction.
- (b) that the existing parallel parking bays road marking be removed by way of sandblasting.
- (c) that 29 new 45 degree parking bays be painted on the western side of the road, including three bays reserved for police vehicles and one bay for disabled persons (Refer to attached drawing).
- (d) that the construct sidewalk extensions be constructed at the corners of Eeufees and Pauling Streets.
- (e) that the required road signs and signage be placed for one way streets according to the South African Traffic Signs Manual.
- (f) that in accordance with Provincial Gazette for Western Cape No. 6307, 14 October 2005, Witzenberg Municipality: Bylaw Relating to Streets, Section 35 (2) notice be given of such intention in the local newspaper in at least two official languages.
- (g) that in accordance with Provincial Gazette for Western Cape No. 6307, 14 October 2005, Witzenberg Municipality: Bylaw Relating to Streets, Section 35 (3) any objection against the intended action must be delivered in writing to the Municipal Manager within 30 days from the date of notification for submission to Council to decide upon it.

The Executive Mayoral Committee resolved on 23 July 2018 that in respect of parking and tree trunks in White Street from Eeufees Street to Pauling Street, Wolseley a public participation process be conducted and that the matter be tabled to the Executive Mayoral Committee thereafter.

RESOLVED

that the item be removed from the agenda.

**8.2.2 Signage: Ceres Historic Route
(15/4/P)**

The following items refer:

- (a) Item 7.2 of the meeting of the Committee for Technical Services, held on 18 October 2017.
- (b) Item 7.2.2 of the Executive Mayoral Committee meeting, held on 23 October 2017.
- (c) Item 8.2.2 of the council meeting, held on 25 October 2017.
- (d) Item 7.2.2 of the Executive Mayoral Committee meeting held on 23 July 2018.

A memorandum from the Manager: Town Planning and Building Control, dated 10 October 2017, is attached as **annexure 8.2.2**.

The Committee for Technical Services resolved on 18 October 2017 to recommend to the Executive Mayoral Committee and Council:

That the Ceres Historic Route signage be approved subject to the following conditions:

- (i) Final position of signage to be confirmed on site in conjunction with the Technical Department.
- (ii) Where signage is to be placed on private property, the land owner's written consent shall be obtained.
- (iii) The design, font and colour of the signs must comply with the Ceres Central Business District Aesthetics Manual.
- (iv) Signage not to obstruct vehicle traffic or pedestrian walkways.
- (v) The Togyers Museum shall be responsible for maintenance of the signage.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

That the Ceres Historic Route signage be approved subject to the following conditions:

- (i) Final position of signage to be confirmed on site in conjunction with the Technical Department.
- (ii) Where signage is to be placed on private property, the land owner's written consent shall be obtained.
- (iii) The design, font and colour of the signs must comply with the Ceres Central Business District Aesthetics Manual.
- (iv) Signage not to obstruct vehicle traffic or pedestrian walkways.
- (v) The Togyers Museum shall be responsible for maintenance of the signage.

The Executive Mayoral Committee resolved on 23 October 2017 that the Manager of the Ceres Togryers Museum, Ms B Laubscher, makes a presentation in respect of the Ceres Historic Route signage at the next meeting.

Council resolved on 25 October 2017 that the Manager of the Ceres Togryers Museum, Ms B Laubscher, makes a presentation in respect of the Ceres Historic Route signage at the next meeting.

The Executive Mayoral Committee resolved on 23 July 2018 that the matter about the Ceres Historic Route be removed from the agenda.

RESOLVED

that the matter about the Ceres Historic Route be removed from the agenda.

8.2.3 Strategy to address illegal electrical connections in the Witzenberg Municipality's electricity supply area (16/03/P)

The following items refer:

- (a) Item 7.1 of the meeting of the Committee for Technical Services, held on 18 April 2018.
- (b) Item 7.2.1 of the Executive Mayoral Committee meeting, held on 28 May 2018.
- (c) Item 8.2.1 of the council meeting, held on 29 May 2018.

A memorandum from the Manager: Electro-Technical Services, dated March 2018, is attached as **annexure 8.2.3(a)**.

The Senior Manager: Electro-Technical Services reported that the Legal Division was consulted with regard to a strategy to address illegal electrical connections in the Witzenberg Municipality's electricity supply area. After the consultation legal amendments were made to the process and procedures.

The Senior Manager: Electro-Technical Services informed the meeting that they have been monitoring Nduli informal settlement since July 2017 until present. A loss of 82 % of unpaid energy was reported due to illegal connections.

The Committee for Technical Services resolved on 18 April 2018 that the Committee for Technical Services recommends to the Executive Mayoral Committee and Council:

- (a) that the strategy to address illegal electrical connections in the Witzenberg Municipality's electricity supply area to include background information to recommend to Council for approval.
 - (i) that the strategy be discussed with all departments and plan for implementation.
 - (ii) that a Public Participation Process and information session be followed.

- (iii) that a service provider in terms of the Supply Chain Management process be appointed to audit the installation and remove the illegal connections.
 - (iv) that the Electrical Department monitors all areas for illegal connections.
 - (v) that the Electrical Department instructs the service provider to disconnect illegal connections.
- (b) that the strategy to address illegal electricity connections in the Witzenberg Municipality's electricity supply area be workshopped by Council.

The minutes of an Ad hoc Committee meeting of the Task Team, held on 8 May 2018, are attached as **annexure 8.2.3(b)**.

The Executive Mayoral Committee resolved on 28 May 2018:

That the Executive Mayoral Committee recommends to Council:

- (a) that the strategy to address illegal electrical connections in the Witzenberg Municipality's electricity supply area to include background information to recommend to Council for approval.
 - (i) that the strategy be discussed with all departments and plan for implementation.
 - (ii) that a Public Participation Process and information session be followed.
 - (iii) that a service provider in terms of the Supply Chain Management process be appointed to audit the installation and remove the illegal connections.
 - (iv) that the Electrical Department monitors all areas for illegal connections.
 - (v) that the Electrical Department instructs the service provider to disconnect illegal connections.
- (b) that the strategy to address illegal electricity connections in the Witzenberg Municipality's electricity supply area be workshopped by Council.

Council unanimously resolved on 29 May 2018 that the matter in respect of the strategy to address illegal electrical connections in the Witzenberg Municipality's electricity supply area be held in abeyance until the next meeting.

UNANIMOUSLY RESOLVED

- (a) *that the strategy be discussed with all departments and thereafter planned for implementation.*
- (b) *that a Public Participation Process and information session be followed and that SARPA be part of the process.*

- (c) *that a service provider in terms of the Supply Chain Management process be appointed to audit the installation and remove the illegal connections.*
- (d) *that the Electrical Department monitors all areas for illegal connections.*
- (e) *that the Electrical Department instructs the service provider to disconnect illegal connections.*

8.2.4 Operating procedure for building inspections to prevent occupation of new buildings without approval or services connection fees being paid (15/6/P)

The following items refer:

- (a) Item 7.2 of the meeting of the Committee for Technical Services, held on 23 May 2018.
- (b) Item 7.2.3 of the Executive Mayoral Committee meeting held on 23 July 2018.

The following memorandum from the Manager: Town Planning and Building Control, dated 8 May 2018, refers.

“1. Problem statement

Landowners occupy buildings without occupancy certificates contrary to the National Building Regulations and Buildings Standards Act, Act 103 of 1977 (National Building Regulations).

The National Building Regulations places the onus on the landowner to apply for the occupancy certificate.

Hence an operating procedure is needed to deal with the problem.

2. Purpose

The purpose of the manual is to serve as a permanent reference and working guide for Building Inspectors in day to day building development procedures and practices relating to occupancy certificates.”

A report regarding the operating procedure for building inspections to prevent occupation of new buildings without approval or services connection fees being paid, is attached as **annexure 8.2.4.**

The Manager: Town Planning and Building Control tabled the operating procedure for building inspections to prevent occupation of new buildings without approval or services connection fees being paid.

The following matters were highlighted:

- The document is a tool to guide the municipality to encourage applicants to apply for an occupation certificate for new buildings.

- The standard operation procedure is part of the SDBIP of the Municipal Manager and that the issuing of an occupation certificate confirms that the building is suitable for occupation.

The Committee for Technical Services resolved on 23 May 2018:

To recommend to the Executive Mayoral Committee and Council:

that the operating procedure for building inspections to prevent occupation of new buildings without approval or services connection fees being paid be adopted as a working manual.

The following recommendation is tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

that the operating procedure for building inspections to prevent occupation of new buildings without approval or services connection fees being paid be adopted as a working manual.

The Executive Mayoral Committee resolved on 23 July 2018 that the Executive Mayoral Committee recommends to Council:

- (a) that the operating procedure for building inspections to prevent occupation of new buildings without approval or services connection fees being paid be adopted as a working manual.
- (b) that the Director: Technical Services distributes an information leaflet in the communities in respect of the matter supra (a).

UNANIMOUSLY RESOLVED

- (a) *that the operating procedure for building inspections to prevent occupation of new buildings without approval or services connection fees being paid be adopted as a working manual.*
- (b) *that the Director: Technical Services distributes an information leaflet in the communities in respect of the matter supra (a).*

8.2.5 Notule van vergadering van die Beplanningstribunaal van Munisipaliteit Witzenberg: 20 April 2018 (15/04/P)

Die volgende items verwys:

- (a) Item 7.3 van die vergadering van die Komitee vir Tegnieese Dienste, gehou op 23 Mei 2018.
- (b) Item 7.2.4 van die Uitvoerende Burgemeesterskomitee gehou op 23 Julie 2018.

Die notule van 'n vergadering van die Beplanningstribunaal van Munisipaliteit Witzenberg, gehou op 20 April 2018, word aangeheg as **bylae 8.2.5**.

Die Komitee vir Tegniese Dienste het op 23 Mei 2018 besluit:

Om by die Uitvoerende Burgemeester en Raad aan te beveel:

dat die Raad kennis neem van die notule van 'n vergadering van die Beplanningstribunaal van Munisipaliteit Witzenberg, gehou op 20 April 2018 en dat dit aanvaar word.

Die volgende aanbeveling is aan die Uitvoerende Burgemeesterskomitee voorgelê:

Dat die Uitvoerende Burgemeesterskomitee by die Raad aanbeveel:

dat die Raad kennis neem van die notule van 'n vergadering van die Beplanningstribunaal van Munisipaliteit Witzenberg, gehou op 20 April 2018 en dat dit aanvaar word.

Die Uitvoerende Burgemeesterskomitee het op 23 Julie 2018 besluit dat die aangeleentheid rakende die notule van 'n vergadering van die Beplanningstribunaal van Munisipaliteit Witzenberg, gehou op 20 April 2018, oorstaan tot die eerskomende vergadering.

EENPARIG BESLUIT

dat kennis geneem word dat die aangeleentheid rakende die notule van 'n vergadering van die Beplanningstribunaal van Munisipaliteit Witzenberg, gehou op 20 April 2018, oorgehou is deur die Uitvoerende Burgemeesterskomitee tot die eerskomende vergadering.

8.2.6 Draft Policy: Plant and Equipment Maintenance Programme (6/3/P)

The following items refer:

- (a) Item 6.2 of the meeting of the Committee for Technical Services, held on 13 June 2018.
- (b) Item 7.2.5 of the Executive Mayoral Committee meeting held on 23 July 2018.

The following documents are attached:

- (a) Memorandum from Manager: Fleet and Mechanical Workshop, dated 9 May 2018: **Annexure 8.2.6(a)**.
- (b) Policy: Witzenberg Municipal Workshop: Plant and Equipment Maintenance Programme: **Annexure 8.2.6(b)**.
- (c) Daily vehicle pre-trip inspection form: **Annexure 8.2.6(c)**.
- (d) Vehicle log sheet: **Annexure 8.2.6(d)**.

The Manager: Fleet and Workshop tabled the Draft Policy on Plant and Equipment Maintenance Programme.

The Committee for Technical Services resolved on 13 June 2018:

- (a) that the Committee for Technical Services takes notice of the policy on the Plant and Equipment Maintenance Programme.
- (b) that the Committee for Technical Services recommends to the Executive Mayoral Committee and Council:

that the matter pertaining to the Draft Policy on Plant and Equipment Maintenance Programme be workshopped by Council.

The Executive Mayoral Committee resolved on 23 July 2018 that the Executive Mayoral Committee recommends to Council:

that the matter pertaining to the Draft Policy on Plant and Equipment Maintenance Programme be workshopped by Council.

UNANIMOUSLY RESOLVED

that the matter pertaining to the Draft Policy on Plant and Equipment Maintenance Programme be workshopped by Council.

**8.2.7 NERSA GIS Confirmation Project
(16/3/7)**

The following items refer:

- (a) Item 7.1 of the meeting of the Committee for Technical Services, held on 13 June 2018.
- (b) Item 7.2.6 of the Executive Mayoral Committee meeting held on 23 July 2018.

The following documents are attached:

- (a) Presentation at Confirmation meetings Western Cape: **Annexure 8.2.7(a)**.
- (b) Minutes: NERSA, Eskom Witzenberg: 31 May 2018: **Annexure 8.2.7(b)**.
- (c) Memorandum from Senior Manager: Electro-Technical Services, dated 6 June 2018: **Annexure 8.2.7(c)**.

The Senior Manager: Electro-Technical Services reported on the NERSA GIS Confirmation Project.

The Committee for Technical Services resolved on 13 June 2018 that the Committee for Technical Services recommends to the Executive Mayoral Committee and Council:

- (a) that Council notes the feedback of the Senior Manager: Electro-Technical Services regarding the NERSA GIS area of supply confirmation.
- (b) that Council notes that the Technical Department does not support the NERSA GIS area of supply confirmation process as currently presented.

- (c) that Witzenberg Municipality is of the opinion that NERSA has not followed a consultative process between all affected parties, especially as far as the changing of the definition "electricity supply area is concerned" and that the process be contested.
- (d) that Witzenberg Municipality should have the first option of supplying electricity within their municipal area, as per our existing Distribution Licence.
- (e) that Council does not support of the NERSA supply confirmation process.

The Executive Mayoral Committee resolved on 23 July 2018 that the Executive Mayoral Committee recommends to Council:

- (a) that Council notes the feedback of the Senior Manager: Electro-Technical Services regarding the NERSA GIS area of supply confirmation.
- (b) that Council notes that the Technical Department does not support the NERSA GIS area of supply confirmation process as currently presented.
- (c) that Witzenberg Municipality is of the opinion that NERSA has not followed a consultative process between all affected parties, especially as far as the changing of the definition "electricity supply area is concerned" and that the process be contested.
- (d) that Witzenberg Municipality should have the first option of supplying electricity within their municipal area, as per our existing Distribution Licence.
- (e) that Council does not support of the NERSA supply confirmation process.

UNANIMOUSLY RESOLVED

- (a) *that Council notes the feedback of the Senior Manager: Electro-Technical Services regarding the NERSA GIS area of supply confirmation.*
- (b) *that Council notes that the Technical Department does not support the NERSA GIS area of supply confirmation process as currently presented.*
- (c) *that Witzenberg Municipality is of the opinion that NERSA has not followed a consultative process between all affected parties, especially as far as the changing of the definition "electricity supply area is concerned" and that the process be contested.*
- (d) *that Witzenberg Municipality should have the first option of supplying electricity within their municipal area, as per our existing Distribution Licence.*
- (e) *that Council does not support of the NERSA supply confirmation process.*

8.2.8 Policy: Standard Conditions for Land Use Planning and Building Development, Civil and Electrical Engineering Services (16/P)

The following items refer:

- (a) Item 8.1 of the meeting of the Committee for Technical Services, held on 13 June 2018.
- (b) Item 7.2.7 of the Executive Mayoral Committee meeting held on 23 July 2018.

The following documents are attached:

- (a) Memorandum from the Manager: Streets and Storm Water, dated 9 May 2018: **Annexure 8.2.8(a)**.
- (b) Policy document regarding the Standard Conditions for Land Use Planning and Building Development, Civil and Electrical Engineering Services, Version 1 of 30 March 2018: **Annexure 8.2.8(b)**.

The Committee for Technical Services resolved on 13 June 2018 that the Committee for Technical Services recommends to the Executive Mayoral Committee and Council:

- (a) that the Standard Conditions for Land Use Planning and Building Development, Civil and Electrical Engineering Services, Version 1 of 30 March 2018, be adopted as a policy document by Council.
- (b) that the Municipal Manager be informed of all large development applications.
- (c) that the Draft Policy in respect of the Standard Conditions for Land Use Planning and Building Development, Civil and Electrical Engineering Services be workshopped by Council.

The Executive Mayoral Committee resolved on 23 July 2018 that the Executive Mayoral Committee recommends to Council:

- (a) that the Standard Conditions for Land Use Planning and Building Development, Civil and Electrical Engineering Services, Version 1 of 30 March 2018, be adopted as a policy document by Council.
- (b) that the Municipal Manager be informed of all large development applications.
- (c) that the Draft Policy in respect of the Standard Conditions for Land Use Planning and Building Development, Civil and Electrical Engineering Services be workshopped by Council.

UNANIMOUSLY RESOLVED

- (a) *that the Standard Conditions for Land Use Planning and Building Development, Civil and Electrical Engineering Services, Version 1 of 30 March 2018, be adopted as a policy document by Council.*
- (b) *that the Municipal Manager be informed of all large development applications.*

- (c) *that the Policy in respect of the Standard Conditions for Land Use Planning and Building Development, Civil and Electrical Engineering Services be workshopped by Council.*

8.2.9 Minutes: Combined Environmental Planning and Climate Resilience (EPCR) and Water, Sanitation and Waste Management (WSWM) Provincial Working Groups (12/1/1/11)

The following minutes of a combined Working Group meeting, held on 15 May 2018, are attached:

- (a) Environmental Planning and Climate Resilience: **Annexure 8.2.9(a)**.
(b) Water, Sanitation and Waste Management: **Annexure 8.2.9(b)**.

UNANIMOUSLY RESOLVED

that notice be taken of the minutes of the combined Environmental Planning and Climate Resilience and Water, Sanitation and Waste Management Provincial Working Groups meeting, held on 15 May 2018.

8.2.10 By-law for house shops (15/4/P)

Item 7.2.8 of the Executive Mayoral Committee meeting, held on 23 July 2018, refers.

The following documents are attached:

- (a) Memorandum from Manager: Town Planning and Building Control, dated 10 July 2018 and public notice, dated 13 April 2018: **Annexure 8.2.10(a)**.
(b) Final by-law in Afrikaans: **Annexure 8.2.10(b)**.
(c) Final by-law in English: **Annexure 8.2.10(c)**.
(d) Final by-law in Xhosa: **Annexure 8.2.10(d)**.

The Executive Mayoral Committee resolved on 23 July 2018 that the Executive Mayoral Committee recommends to Council:

that the By-law for house shops be adopted and published in the Gazette.

UNANIMOUSLY RESOLVED

that the By-law for house shops be adopted and published in the Gazette.

8.3 Direkoraat Gemeenskapsdienste / Directorate Community Services

8.3.1 Community Development: Establishment of Local Drug Action Committee (12/1/2/11)

The following items refer:

- (a) Item 7.2 of the meeting of the Committee for Community Development, held on 15 February 2018.
- (b) Item 7.3.3 of the Executive Mayoral Committee meeting, held on 26 March 2018.
- (c) Item 8.3.2 of the council meeting, held on 28 March 2018.
- (d) Item 7.3.1 of the Executive Mayoral Committee meeting held on 23 July 2018.

A memorandum from the Director: Community Services, dated 17 January 2018, is attached as **annexure 8.3.1**.

The Committee for Community Development resolved on 15 February 2018 to recommend to the Executive Mayoral Committee and Council:

that the Executive Mayoral Committee endorses the implementation of the Local Drug Action Committee.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

that the implementation of the Local Drug Action Committee be endorsed.

The Executive Mayoral Committee resolved on 26 March 2018 that the matter regarding the implementation of the Local Drug Action Committee be held in abeyance until the next meeting.

Council resolved on 28 March 2018 that the matter regarding the implementation of the Local Drug Action Committee be held in abeyance until the next meeting.

The Executive Mayoral Committee resolved on 23 July 2018 that the Executive Mayoral Committee recommends to Council:

that the implementation of the Local Drug Action Committee be endorsed.

UNANIMOUSLY RESOLVED

that the implementation of the Local Drug Action Committee be endorsed.

8.3.2 Report on site meetings and public participation process: Parks innovation programme (17/9/2)

Item 7.3.2 of the Executive Mayoral Committee meeting, held on 23 July 2018, refers.

A report from the Manager: Amenities and Environment, dated 4 April 2018, is attached as **annexure 8.3.2**.

The Executive Mayoral Committee resolved on 23 July 2018 that the matter in respect of the parks innovation programme be held in abeyance until the next meeting.

UNANIMOUSLY RESOLVED

that notice be taken that the matter in respect of the parks innovation programme was held in abeyance by the Executive Mayoral Committee.

8.3.3 Lease agreement: Vrolike Vinkies (7/1/4/1)

The following items refer:

- (a) Item 7.2 of the meeting of the Committee for Community Development, held on 19 April 2018.
- (b) Item 7.3.3 of the Executive Mayoral Committee meeting held on 23 July 2018.

A memorandum from the Director: Community Services, dated 6 April 2018, is attached as **annexure 8.3.3**.

The Committee for Community Development resolved on 19 April 2018 to recommend to the Executive Mayoral Committee and Council:

that Council considers the request for the renewal of the lease agreement and the erection of Nutech building in relation to the future plans of The Island Resort.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

that Council considers the request for the renewal of the lease agreement and the erection of Nutech building in relation to the future plans of The Island Resort.

The Executive Mayoral Committee resolved on 23 July 2018 that the matter in respect of the lease agreement of Vrolike Vinkies be held in abeyance until the next meeting.

UNANIMOUSLY RESOLVED

that notice be taken that the matter in respect of the lease agreement of Vrolike Vinkies was held in abeyance by the Executive Mayoral Committee.

8.3.4 Approval for changing portion of Waboom Street, Bella Vista to a one-way street (16/4/2)

The following items refer:

- (a) Item 7.1 of the meeting of the Committee for Community Development, held on 19 April 2018.
- (b) Item 7.3.4 of the Executive Mayoral Committee meeting held on 23 July 2018.

A memorandum from the Manager: Streets and Storm Water, dated 28 March 2018, is attached as annexure **8.3.4**.

The Committee for Community Development resolved on 29 April 2018 to recommend to the Executive Mayoral Committee and Council:

- (a) that White Street, Wolseley be changed to a one-way street from Eeufees Street to Pauling Street in a northerly to a southerly direction.
- (b) that the existing parallel parking bays road marking be removed by way of sandblasting.
- (c) that 29 new 45 degree parking bays be painted on the western side of the road, including three bays reserved for police vehicles and one bay for disabled persons (refer to attached drawing).
- (d) that the construct sidewalk extensions be constructed at the corners of Eeufees and Pauling Streets.
- (e) that the required road signs and signage be placed for one way streets according to the South African Traffic Signs Manual.
- (f) that in accordance with Provincial Gazette for Western Cape No. 6307, 14 October 2005, Witzenberg Municipality: Bylaw Relating to Streets, Section 35 (2) notice be given of such intention in the local newspaper in at least two official languages.
- (g) that in accordance with Provincial Gazette for Western Cape No. 6307, 14 October 2005, Witzenberg Municipality: Bylaw Relating to Streets, Section 35 (3) any objection against the intended action must be delivered in writing to the Municipal Manager within 30 days from the date of notification for submission to Council to decide upon it.

The Executive Mayoral Committee resolved on 23 July 2018 that the matter in respect of the approval for the changing of a portion of Waboom Street, Bella Vista to a one-way street be removed from the agenda.

RESOLVED

that the matter in respect of the approval for the changing of a portion of Waboom Street, Bella Vista to a one-way street be removed from the agenda.

8.3.5 SALGA: Minutes: Environmental Planning and Climate Resilience Provincial Working Group (12/1/1/11)

Item 6.6 of the meeting of the Committee for Community Development, held on 19 April 2018, refers.

The minutes of a SALGA Provincial Working Group meeting in respect of Environmental Planning and Climate Resilience, held on 20 March 2018, are attached as **annexure 8.3.5**.

The Committee for Community Development resolved on 19 April 2018 that the Committee for Community Development takes notice of the minutes of the SALGA Provincial Working Group meeting in respect of Environmental Planning and Climate Resilience and that same be accepted.

UNANIMOUSLY RESOLVED

that notice be taken of the minutes of the SALGA Provincial Working Group meeting in respect of Environmental Planning and Climate Resilience, held on 20 March 2018, and that same be accepted.

8.3.6 Konsepbeleid vir behuisingstoekennings: Trichardtstraat-woonstelle (17/04/1/1/1)

Die volgende items verwys:

- (a) Item 9.1.6 van die Komitee vir Behuisingaangeleenthede, gehou op 7 Junie 2018.
- (b) Item 7.3.7 van die Uitvoerende Burgemeesterskomitee gehou op 23 Julie 2018.

'n Memorandum vanaf die Bestuurder: Behuising, gedateer 25 Mei 2018, word aangeheg as **bylae 8.3.6**.

Die Komitee vir Behuisingaangeleenthede het op 7 Junie 2018 besluit om by die Uitvoerende Burgemeesterskomitee en Raad aan te beveel:

dat die aangeleentheid rakende die konsepbeleid vir behuisingstoekennings te Trichardtstraat-woonstelle gewerkswinkel word.

Die Uitvoerende Burgemeesterskomitee het op 23 Julie 2018 besluit dat die Uitvoerende Burgemeesterskomitee by die Raad aanbeveel:

dat die aangeleentheid rakende die konsepbeleid vir behuisingstoekennings van die Trichardtstraat-woonstelle gewerkswinkel word.

EENPARIG BESLUIT

dat die aangeleentheid rakende die konsepbeleid vir behuisingstoekennings te Trichardtstraat-woonstelle gewerkswinkel word.

**8.3.7 Behuising: Huistipes en huisplanne: Vredebes-projek
(17/04/1/1/R)**

Die volgende items verwys:

- (a) Item 9.1.9 van die vergadering van die Komitee vir Behuisingsaangeleenthede, gehou op 7 Junie 2018.
- (b) Item 7.3.8 van die Uitvoerende Burgemeesterskomitee gehou op 23 Julie 2018.

'n Memorandum vanaf die Bestuurder: Behuising, gedateer 4 Junie 2018, word aangeheg as **bylae 8.3.7**.

Die Komitee vir Behuisingsaangeleenthede het op 7 Junie 2018 besluit om by die Uitvoerende Burgemeesterskomitee en Raad aan te beveel:

dat die huistipes en huisplanne vir die Vredebes-projek deur die Raad gewerkswinkel word.

Die Uitvoerende Burgemeesterskomitee het op 23 Julie 2018 besluit dat die Uitvoerende Burgemeesterskomitee by die Raad aanbeveel:

dat die aangeleentheid rakende die huistipes en huisplanne van die Vredebes-projek deur die Raad gewerkswinkel word.

Die aangeleentheid is onder item 6 afgehandel.

AANGETEKEN

**8.3.8 Lapse of national state of disaster for drought
(17/7/3/2)**

Item 7.3.9 of the Executive Mayoral Committee meeting, held on 23 July 2018, refers.

Circular no. 2 of 2018 from the National Disaster Management Centre, dated 4 July 2018, is attached as **annexure 8.3.8**.

The following recommendation was tabled to the Executive Mayoral Committee:

that notice be taken of the contents of the circular from the National Disaster Management Centre.

The Executive Mayoral Committee resolved on 23 July 2018 that the matter in respect of the lapse of the national state of disaster for drought be noted.

UNANIMOUSLY RESOLVED

that notice be taken of the lapse of the national state of disaster for drought.

The Deputy Executive Mayor, Councillor K Adams, left the meeting at 13:10 with permission.

**8.3.9 Karoo Small Town Regeneration Initiative
(17/19/1)**

The following items refer:

- (a) Item 7.1 of the meeting of the Committee for Local Economic Development and Tourism, held on 13 June 2018.
- (b) Item 7.3.10 of the Executive Mayoral Committee meeting held on 23 July 2018.

A memorandum from the Director: Community Services, dated 17 May 2018, is attached as **annexure 8.3.9**.

The Committee for Local Economic Development and Tourism resolved on 13 June 2018 to recommend to the Executive Mayoral Committee and Council

- (a) that Council adopts the 2017 De Aar Karoo Small Town Regeneration Conference Declaration as a commitment to participate in the joint coordination and implementation of the conference outcomes.
- (b) that Council proclaims the area as a Region as per section 18(1) and clause 18(3) of the Spatial Planning and Land Use Management Act (Act 16 of 2013) and to gazette a regional spatial development framework for the Karoo region.
- (c) that Council participates in the Inter-Municipal Cooperation Protocol as part of the Karoo Small Town Regeneration Initiative.
- (d) that SALGA will continue to engage with National Government on the municipal social cohesion theme in the role out of projects.
- (e) that SALGA maintains the local identity of municipalities in the Karoo Small Town Regeneration Initiative.

The Executive Mayoral Committee resolved on 23 July 2018:

That the Executive Mayoral Committee recommends to Council:

- (a) that Council adopts the 2017 De Aar Karoo Small Town Regeneration Conference Declaration as a commitment to participate in the joint coordination and implementation of the conference outcomes.
- (b) that Council proclaims the area as a Region as per section 18(1) and clause 18(3) of the Spatial Planning and Land Use Management Act (Act 16 of 2013) and to gazette a regional spatial development framework for the Karoo region.
- (c) that Council participates in the Inter-Municipal Cooperation Protocol as part of the Karoo Small Town Regeneration Initiative.
- (d) that SALGA will continue to engage with National Government on the municipal social cohesion theme in the role out of projects.
- (e) that SALGA maintains the local identity of municipalities in the Karoo Small Town Regeneration Initiative.

UNANIMOUSLY RESOLVED

- (a) *that Council adopts the 2017 De Aar Karoo Small Town Regeneration Conference Declaration as a commitment to participate in the joint coordination and implementation of the conference outcomes.*
- (b) *that Council proclaims the area as a Region as per section 18(1) and clause 18(3) of the Spatial Planning and Land Use Management Act (Act 16 of 2013) and to gazette a regional spatial development framework for the Karoo region.*
- (c) *that Council participates in the Inter-Municipal Cooperation Protocol as part of the Karoo Small Town Regeneration Initiative.*
- (d) *that SALGA will continue to engage with National Government on the municipal social cohesion theme in the role out of projects.*
- (e) *that SALGA maintains the local identity of municipalities in the Karoo Small Town Regeneration Initiative.*
- (f) *that Councillor T Abrahams be appointed as the Witzenberg political champion for the Karoo Small Town Regeneration programme on behalf of Council.*

**8.3.10 Accreditation of the Housing function
(12/1/1/11)**

Item 7.3.5 of the Executive Mayoral Committee meeting, held on 23 July 2018, refers.

A letter from SALGA, dated 13 July 2018, is attached as **annexure 8.3.10**.

The Executive Mayoral Committee resolved on 23 July 2018 that the Executive Mayoral Committee recommends to Council:

that notice be taken of the accreditation of the Housing function.

UNANIMOUSLY RESOLVED

- (a) *that notice be taken of the matter in respect of the accreditation of the Housing function.*
- (b) *that Witzenberg Municipality is not ready for the accreditation of the Housing function and that the national authorities be informed accordingly.*

**8.3.11 Minutes: Economic Empowerment and Employment Creation(EEEEC) Provincial Working Group
(12/1/1/11)**

The minutes of the SALGA Western Cape Economic Empowerment and Employment Creation Provincial Working Group meeting, held on 16 May 2018, are attached as **annexure 8.3.11**.

UNANIMOUSLY RESOLVED

that notice be taken of the minutes of the SALGA Western Cape Economic Empowerment and Employment Creation Provincial Working Group meeting, held on 16 May 2018.

8.4 Direktooraat Korporatiewe Dienste / Directorate Corporate Services

8.4.1 Monthly report: Section Tourism: March 2018 (9/1/2/1)

The following items refer:

- (a) Item 6.2 of the meeting of the Committee for Local Economic Development and Tourism, held on 18 April 2018.
- (b) Item 7.4.1 of the Executive Mayoral Committee meeting held on 23 July 2018.

The monthly report of the Section Tourism for March 2018 is attached as **annexure 8.4.1**.

The Director: Corporate Services submitted the monthly report of the Section Tourism for March 2018. The following matters were highlighted.

- That the meeting with Mr Nazime Joseph was postponed and consequently could the report of the tourism routes not be completed timeously. The Chairperson and Manager: Communications and Marketing set up the meeting and requested a R250 000-00 donation.
- That a recommendation is awaited from the office of the MEC for Tourism in respect of financial support for the tourism routes.

The Committee for Local Economic Development and Tourism resolved on 18 April 2018:

- (a) that the Manager: Communication and Marketing write a letter to Mr Nazime Joseph and request a donation of R250 00-00 to support the development of the tourism routes.
- (b) that the Committee for Local Economic Development and Tourism takes notice of the content of the monthly report of the Section Tourism for March 2018 and same be accepted.
- (c) To recommend to the Executive Mayoral Committee and Council:

that notice be taken of the engagement with MEC for Tourism in respect of the tourism route development.

The Executive Mayoral Committee resolved on 23 July 2018 that the Executive Mayoral Committee recommends to Council:

that notice be taken of the engagement with the MEC for Tourism in respect of the tourism route development and that an application for funding be made.

UNANIMOUSLY RESOLVED

that notice be taken of the engagement with the MEC for Tourism in respect of the tourism route development and that an application for funding be made.

8.4.2 SALGA: Minutes: Governance and Intergovernmental Relations Provincial Working Group: 15 February 2018 (12/1/1/11)

Item 6.3 of the meeting of the Committee for Corporate and Financial Services, held on 19 April 2018, refers.

The minutes of the SALGA Provincial Working Group meeting in respect of Governance and Intergovernmental Relations, held on 15 February 2018, are attached as **annexure 8.4.2**.

The Committee for Corporate and Financial Services resolved on 19 April 2018 that the Committee for Corporate and Financial Services recommends to Council that notice be taken of the SALGA minutes of the Governance and Intergovernmental Relations Provincial Working Group, dated 15 February 2018, and same be accepted.

UNANIMOUSLY RESOLVED

that notice be taken of the minutes of the SALGA Provincial Working Group meeting in respect of Governance and Intergovernmental Relations, held on 15 February 2018, and that same be accepted.

8.4.3 Local Government: Municipal Structures Amendment Bill (12/1/1/11)

The Local Government: Municipal Structures Amendment Bill is attached as **annexure 8.4.3**.

UNANIMOUSLY RESOLVED

that notice be taken of the matter in respect of the Municipal Structures Amendment Bill and same be accepted.

8.4.4 Council matters: Conferment of Alderman status to Councillor Joachem Jacobus Visagie (3/P)

The following memorandum, dated 18 July 2018, was received from the Municipal Manager:

“1. Purpose

To recommend to Council conferring Alderman status to Councillor JJ Visagie in terms of Council's policy *Conferment of Aldermanship on Councillors of the Witzenberg Municipality*.

2. Background

Councillor Visagie became a member of the Witzenberg Council after the local government elections in and during March 2006. The Councillor is currently serving his 12th year as a Councillor of this Council. In terms of the policy a Councillor must obtain a minimum of 20 points before Aldermanship can be confirmed.

The policy, inter alia, further provides that a Councillor will be awarded one point for each completed year as Councillor and two additional points for each completed year served as a member of the Executive Mayoral Member Committee or Chairperson of Portfolio of Council. In terms of these criteria the Councillor has accumulated 24 points. If Aldermanship is awarded the Councillor will be entitled to the benefits and privileges as contained in Council's policy.

3. Legal implications

None.

4. Financial implications

None."

UNANIMOUSLY RESOLVED

That Aldermanship be conferred on Councillor JJ Visagie and that the Speaker conducts the ceremony in terms of the said policy at the next Council meeting.

8.4.5 Appointment of shortlisting / selection panel for vacant position of Director: Community Services (4/3/2/1)

Item 7.4.2 of the Executive Mayoral Committee meeting, held on 23 July 2018, refers.

The following memorandum, dated 18 July 2018, was received from the Municipal Manager:

"1. Purpose

To recommend to Council the names of the members of the shortlisting committee for the vacant Section 56 position of Director: Community Services.

2. Background

Council resolved on 29 June 2018 to advertise the vacant position of Director: Community Services. The advertisement will appear in the Sunday Times and Die Burger on 28 and 29 July 2018 respectively. The closing date for applications is 13 August 2018.

In terms of the regulations on appointment and conditions of employment for senior managers Council must appoint a selection panel to make recommendations for the appointment of candidates to vacant senior manager posts. The selection panel for the appointment of the manager directly accountable to a Municipal Manager must consist of at least three (3) and not more than five (5) members, constituted as follows:

- (a) The Municipal Manager, who will be the chairperson;
- (b) A member of the Mayoral Committee or councillor who is the portfolio head of the relevant portfolio and

- (c) At least one other person who is not a councillor or a staff member of the municipality and who has expertise or experience in the area of the advertised post.

The shortlisting must be finalised within 30 days of the closing date of the advertisement. The selection panel must conduct interviews within 21 days of screening the candidates. The selection panel for a specific post must remain the same throughout the screening and interviewing process.

3. Legal implication

The Local Government regulations on appointment and conditions of employment of senior managers as published on 17 January 2014 under Government Gazette Notice Number 37245 are applicable.

4. Financial implication

Council will be responsible for the subsistence and travelling allowance of the outside member of the panel.”

The Executive Mayoral Committee resolved on 23 July 2018 that the matter in respect of the appointment of a shortlisting/selection panel for the vacant position of Director: Community Services be held in abeyance until the next meeting.

UNANIMOUSLY RESOLVED

that notice be taken that the matter in respect of the appointment of a shortlisting/selection panel for the vacant position of Director: Community Services was held in abeyance by the Executive Mayoral Committee.

9. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA

9.1 Quarterly Budget Statement (Section 52) Report: 1 April 2018 to 30 June 2018 (9/1/2/2)

The following memorandum, dated 23 July 2018, was received from the Director: Finance:

“1. Purpose

The purpose of this memorandum is to submit the Quarterly Budget Statement to Council for information.

2. Background

The required report in terms of Section 52(d) is attached as **annexure 9.1.**”

RESOLVED

- (a) *that notice be taken of the tabling of the Quarterly Budget Statement Report in terms of Section 52(d) for the period 1 April 2018 to 30 June 2018.*

- (b) *that the report be referred to Council's Municipal Public Accounts Committee and Performance, Risk and Audit Committee for their recommendations to Council.*

10. FORMAL AND STATUTORY MATTERS

**10.1 Feedback on matters of outside bodies
(3/R)**

None

NOTED

11. QUESTIONS and/or MATTERS RAISED by COUNCILLORS

**11.1 Non-attendance of ward committee members, Pine Valley Hall and municipal grading
(3/3/1/5; 17/8/3 & 2/7)**

Item 11.1 of the council meeting, held on 29 May 2018, refers.

The ANC Chief Whip, Councillor JT Phungula, requested that the following matters be placed on the agenda:

- (a) Non-attendance of ward committee members
- (b) Pine Valley Hall
- (c) Municipal grading

Council unanimously resolved on 29 May 2018 that the matters in respect of the non-attendance of ward committee members, the Pine Valley Hall and the municipal grading be held in abeyance until the next council meeting due to the absence of Councillor Phungula from the meeting.

Councillor J Phungula, on behalf of the ANC, mentioned that certain ward committee members do not attend the committee meetings, but get paid. The attendance register is signed at home. The names of the applicable members are also not removed from the list.

Councillor J Phungula, on behalf of the ANC, mentioned that a resident of Pine Valley had passed away and that the funeral services had been held at the RDP house, because the hall was not available due to a party being booked already.

RESOLVED

- (a) *that the Speaker will convene a meeting between himself, the Municipal Manager and the ward councillors to discuss the matter about the non-attendance of ward committee members.*
- (b) *that the Municipal Manager will address the matter in respect of the Pine Valley Hall, Wolseley to prevent future unhappiness.*

(c) *that notice be taken that the grading of the municipality is as follows:*

- (i) *The Municipal Manager and directors are on grade 3.*
- (ii) *All other officials and Councillors are on grade 4.*

Councillor P Heradien left the meeting at 11:10 with permission.

12. COUNCIL-IN-COMMITTEE