



NOTULES VAN DIE / MINUTES OF THE

RAADSVERGADERING VAN DIE CEDERBERG MUNISIPALITEIT SOOS GEHOU OP

30 AUGUSTUS / AUGUST 2017

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COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY, HELD ON

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**MINUTES OF THE COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY HELD ON
30 AUGUST 2017 IN THE COUNCIL CHAMBER AT 2A VOORTREKKER STREET,
CLANWILLIAM.**

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PRESENT AND IN ATTENDANCE:

As per the attendance registers copied into the minutes after the final item:

ABSENT WITHOUT APOLOGY:

Geen / None

1. OPENING

Rules of Order for Internal Arrangement

PART 3: MEETINGS

4. Commencement of meetings of Council

- 4.1 The meeting must commence precisely at a time it is convened for.
- 4.2 The Speaker must assume the chair provided that a quorum is constituted.
- 4.3 The business of the meeting must be outlined at the onset.

5. Quorum

- 5.1 The presence of a majority of the members constitutes a quorum.
- 5.2 In the event that no quorum is present at the time at which the meeting was convened, the commencement of the meeting may be delayed for no longer than 30 minutes on the basis that no quorum exists.
 - 5.2.1 Should a quorum exist within this period, the Speaker must assume the chair immediately upon establishing that the quorum exists.
 - 5.2.2 Should no quorum continue to exist at the end of this period, the meeting must be adjourned by the Speaker to an alternate date, time and if applicable venue at his/her discretion., In this instance, the names of members present must be recorded.
- 5.3 In the event that there is no quorum and the Speaker is absent, the commencement of the meeting must be delayed for no more than 30 minutes and if there is no quorum at the end of this period, the meeting shall be cancelled. In this instance, the municipal manager must record the names of the members present.
- 5.4 A quorum is to be sustained during the course of proceedings of a meeting. Should there be a lack of quorum subsequent to the commencement of the meeting, the Speaker must suspend the proceedings until a quorum is again present, provided that if after 10 minutes there is still no quorum the speaker must adjourn the meeting.
- 5.5 In any instance when a meeting is adjourned as a result of the absence of a quorum, the time of such adjournment, as well as the names of the members present, must be recorded in the minutes.
- 5.6 Names of absentee members are to be recorded and provided by the Speaker to the committee established in terms of section 6 for the purposes of an investigation of a breach of these rules.

At 14h00 the Chairperson, Cllr. W Farmer called the meeting to order and welcomed all present. Miss P Majeni opened the meeting with a prayer.

1.1 Announcement of Councillors birthdays

Cllrs. Pretorius and Nel, on behalf of Council, and mr. R Bent on behalf of the Administration congratulated the Speaker, Cllr. W Farmer and Executive Mayor Cllr. J Barnard on their birthdays. Mr. Bent and the Speaker also congratulated mr. N Mercuur on his birthday.

2. ELECTION OF (ACTING) SPEAKER, IF NECESSARY
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N/A

3. APPLICATIONS FOR LEAVE OF ABSENCE

Rules of Order for Internal Arrangement

Part 3

7. Leave of absence

- 7.1 Leave of absence may be obtained from Municipal Council by a member who wishes to absent himself or herself from meetings. Should a member be prevented from obtaining leave of absence based on special circumstances, the Speaker has the discretion to on grant such leave.
- 7.2 A written application for leave of absence from a meeting of the Municipal Council or a Committee must be addressed to the Speaker by the Member applying for leave.
- 7.3 Written applications include emails sent to the Speaker.
- 7.4 In certain instances, the granting of applications for leave is deemed. These instance include:
- 7.4.1 the Member is acting on behalf of the Municipal Council on other matters elsewhere based on instructions of Council or the Mayor.
- 7.4.2 the Member is required to remove himself/herself from a meeting by the Municipal Council, Mayor or Committee in circumstances envisaged in item 3(b) of Schedule 1 to the Systems Act, or the member recuses him/herself.
- 7.5 The Speaker may also grant leave of absence to a member for the following reasons:
- 7.5.1 illness or any other valid reasonable reason making it impossible for the member to attend;
- 7.5.2 business, personal commitments, or personal circumstances of the member.
- 7.5.3 The failure to deliver notice of a meeting or the delivery of notice less than 72 hours prior to commencement provided that this does not relate to an ordinary meeting of the Council or Committees or changes of addresses of members.
- 7.5.4 The lack of informing the Municipal Manager of a revised address for the service of documentation at least 7 days before the relevant meeting;
- 7.5.5 Where circumstances envisaged in item 3(b) of the Code of Conduct for Councillors in Schedule 1 to the Systems Act occur which prevent the Member from attendance;
- 7.5.6 Other circumstances where the member is prevented from attending the meeting.

3.1 A blank Application for Leave of Absence form is enclosed

- Mr. PL Volschenk (Acting Municipal Manager)
- Mrs. A McCallum (Director Corporate & Strategic Services)

3.2 The Attendance Registers will be available at the meeting

Rules of Order for Internal Arrangement

Part 3

6. Attendance at meetings

- 6.1 An attendance register must be kept in relation to all meetings. Such register is to be signed by every member that attends the meeting/s.
- 6.2 Instances when a member may be absent from a meeting include the following:
- 6.2.1 upon leave of absence being granted in terms of rule 7; and
- 6.2.2 upon withdrawal on the basis of a legal requirement.

4. INTERVIEWS WITH OR PRESENTATIONS BY DEPUTATIONS

Rules of Order for Internal Arrangement

Part 6

6. Deputations

Should deputations seek an interview with council, the municipal manager must be provided with ten working days written notice of the intent of the deputation with details of the representations that are to be made as well as its source. The notice must be submitted to the Speaker by the Municipal Manager with recommendations and comments. The Speaker has the discretion to then grant the interview and instate conditions.

N/A

5. CONFIRMATION OF MINUTES

Rules of Order for Internal Arrangement By-Law 2013 (Provincial Gazette 7118 dated 12 April 2013)

Part Four

1. Minutes

- 1.1 Minutes of the proceedings of meetings must be recorded in writing in a minute book;
- 1.2 Such minutes shall be compiled in printed form and be confirmed by the council at the following meeting of Municipal Council and signed by the speaker.
- 1.3 The minutes shall be deemed to have been read for the purpose of confirmation provided a copy thereof was sent to each member within a reasonable period prior to the following meeting.
- 1.4 Discussions or motions in relation to the accuracy of minutes shall be entertained. No further discussion or motions in relation to any other matters forming part of the minutes shall occur.
- 1.5 Minutes shall consist of recordings of all business discussed as well as the names of members that were in attendance, absent, and granted leave of absence.
- 1.6 Should any member have requested that there dissent, abstention or support be recorded during voting, these are to be recorded in the minutes.
- 1.7 Audio recordings of all meetings of Municipal Council must be kept for a period of three years for administrative purposes.

a) That Council approves the following minutes:

1. Minutes of Council Meeting held on 30 May 2017;
2. Special Council Meeting held on 07 July 2017; and
3. Special Council Meeting held on 01 August 2017.

Proposed: Cllr. R Pretorius

Seconded: Cllr. J Meyer

6. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

a) Speaker informed the meeting that:

1. Officials should ensure to plan and diarise other official meetings as such that it doesn't interfere with scheduled Council meetings.
2. The Speakers Forum went well and that the remuneration for cllrs. matter will be addressed at a next Speakers Forum.

7. STATEMENTS AND COMMUNICATION BY THE EXECUTIVE MAYOR

Geen / None

8. REPORT BY THE EXECUTIVE MAYOR ON DECISIONS TAKEN BY THE EXECUTIVE MAYOR, THE EXECUTIVE MAYOR TOGETHER WITH THE DEPUTY EXECUTIVE MAYOR AND THE EXECUTIVE MAYOR TOGETHER WITH THE MAYORAL COMMITTEE

Rules of Order for Internal Arrangement

Part 5

9. REPORTS OF THE MAYOR

- 9.2 Debate must be allowed by the Speaker in accordance with the rules relating to debate contained herein. Decisions made by the Mayor by way of delegated authority and those made by the Mayor and Mayoral Committee may be debated upon should consent be granted by the Mayor to the Speaker. A member shall request in writing such debate at least 24 (twenty four) hours prior to the meeting. Such request must be issued to the Speaker. The business of meetings of the Council will appear in the following order on the agenda.

The Executive Mayoral Committee resolved on 08 December 2015 as follows:

1. The Executive Mayor reports to the municipal council on all decisions taken by the Executive Mayor (excluding Special Council Meetings).
2. The reports of the Executive Mayor shall be for information and nothing by council and no debate, question, motions, points for information, clarity or points of order on the report shall be allowed save where motions or questions are raised in compliance with the provisions of the Council's Rules of Order.

Resolved:

- a) That Council takes cognisance of the Mayco Report.

9. MATTERS FOR CONSIDERATION

Rules of Order for Internal Arrangement

Part Four:

2. DECISIONS AND VOTING

- 2.1 In the event that the Speaker enquires from the attendees at a meeting if they are in agreement with recommendation/s and there is no opposition by any member present, recommendations are adopted.
- 2.2 The Speaker must put every apposed motion to the vote by calling upon the members to indicate by a raising of hands unless otherwise prescribed by law, whether they are in favour of or against such motion. The result of the vote must thereafter be declared by the Speaker.
- 2.3 The number of members voting in favour of or against an item, is to be recorded in the minutes. Members may abstain from voting without leaving the meeting and may request that his/her abstention be recorded in the minutes of that meeting. Consequently, subsequent to the speaker's declaration of the result, a member may demand that his or her opposition or support of a decision be recorded in the minutes and the Municipal Manager must accordingly arrange for the same.
- 2.4 All decisions must be taken by a supporting vote of the majority of the members present at any meeting of the Council.
- 2.5 The Municipal Council must reconsider a decision taken if the majority of members lodge a request in writing with the Municipal Manager. This shall apply unless such reconsideration adversely affects existing rights. Motions for the reconsideration of decision must be submitted in terms of Rule 5 of the Rules of Order.
- 2.6 Notwithstanding the provision of this Rule, the Council may at any time following a recommendation by the Mayor, rescind or amend any resolution passed by it.

Part 5

4. Councillor to address chair

A member who speaks at a meeting must address the chair.

Part 5

16. Order of priority

- 16.1 The Speaker must ensure that there is maintenance of order. To this end, the Speaker may, if he / she deems it necessary, at any time in a meeting direct an office to remove or cause the removal of any person, excluding a member, from the Council Chamber. The Speaker may also direct that the public gallery be vacated.
- 16.2 The removal of any person or persons who refuse to carry out any reasonable instruction given by the Speaker or obstructs the carrying out of such instruction may be ordered by the Speaker.

Part 5

3. Precedence of the Speaker

Silence must be observed by all present in meeting when the Speaker addresses meetings in order for the Speaker to be heard without interruption. Whenever the speaker addresses the meeting, all members must be silent so that the speaker may be heard without any interruption. Council must be addressed by members through the Speaker.

13. Relevance

Speeches by members must address the subject or matter under discussion or to an explanation or to a point of order. In this Regard, no discussion shall be tolerated in relation to the anticipation of any matter on the agenda or in respect of any matter in respect of which a decision by a judicial or quasi-judicial body or a commission of inquiry, whether instituted in terms of legislation or not, is pending, provided that such matter may be considered with the permission of Council.

Part 5

5. Right to speak

A member is provided with an opportunity to speak with the permission of the Speaker only once for no longer than 5 (five) minutes on a matter before the meeting unless authorised by the Chairperson.

A member is entitled to speak once on any recommendation, motion or proposal, provided that the Mayor or Member may reply to conclude a debate and shall restrict himself/herself to answering previous speakers rather than the introduction of new matters.

Prior to the consideration of any item contained in the report of the mayor in reply to a specific question or during discussion of the same, the Speaker shall permit the Mayor, MMC or Chairperson of the Committee in terms of section 79 and 80 of the Local Government Municipal Structures Act 117 of 1998 who made the proposal in terms of rule 9 or rule 14 of part 5 of these Rules to make and explanatory statement.

6. Length of speeches

- 6.1 A member may (unless authorised otherwise by the Speaker) only speak once to-
 - 6.1.1 the matter and any amendments to that matter that is before the council;
 - 6.1.2 any motion before the council;
 - 6.1.3 to a matter or an amendment proposed or be proposed by himself or herself;
 - 6.1.4 a point of order or a question of privilege, unless authorised by the speaker or as provided for in terms of these rules.
- 6.2 No new matters may be introduced by a mover that speaks to a motion and replies to previous speakers in a debate. The right of reply shall not extend to the mover of an amendment which, having been carried, has become substantive motion.

9.1 Items submitted by Officials of Council

9.1.1 FINAL IDP/PMS/BUDGET PROCESS PLAN & TIMESCHEDULE 2018/2019

Ref.: 15/5/1 & 5/1/1

Director Corporate & Strategic Services: A McCallum

Compiled: O Fransman

PURPOSE

To table the Final IDP/PMS/Budget Process Plan & Time Schedule for the period 2018-2019 to Council for consideration, this outlines the scheduled consultation sessions and intergovernmental platforms.

BACKGROUND/LEGISLATION

The Municipal Systems Act 32 of 2000; Chapter 5, Section 28

Each municipal council, within a prescribed period after the start of its elected term, must adopt a process set out in writing to guide the planning, drafting, adoption and review of its Integrated Development Plan.

The municipality must through appropriate mechanisms, processes and procedures established in terms of Chapter 4, consult the community before adopting the process. A municipality must give notice to the local community of the process it intends to follow.

Section 29 of the Municipal Systems Act states that (1) the process to be followed by a municipality to draft its integrated development plan, including its consideration and adoption of the draft plan, must –

Be in accordance with a predetermined programme specifying time-frames for the different steps;

The Municipal Finance Management Act No. 56 of 2003 states that (1) the Mayor of a municipality must – (b) at least 10 months before the start of the budget year, table in the municipal council a time schedule outlining key deadlines for-

(i) the preparation, tabling and approval of the annual budget

FINANCIAL IMPLICATIONS

None

COMMENTS OF SECTION 57 MANAGERS

Municipal Manager:	Support Recommendation
Director Corporate Services:	Support Recommendation
Director Community Services:	Support Recommendation
Director Financial Services:	Support Recommendation
Director Technical Services:	Support Recommendation

RECOMMENDATION

**That in respect of the
FINAL IDP/PMS/BUDGET PROCESS PLAN & TIMESCHEDULE 2018/2019
discuss by Council at the Council Meeting held on 30 August 2017:**

- a) That Council considers and approve the Final IDP/PMS/BUDGET Process Plan & Time Schedule for the period 2018-2019.
- b) That the Final Process Plan & Time Schedule be advertise to inform the public about the final time schedules and a copy be submitted to Provincial Government.

RESOLVED

**That in respect of the
FINAL IDP/PMS/BUDGET PROCESS PLAN & TIMESCHEDULE 2018/2019
discuss by Council at the Council Meeting held on 30 August 2017:**

- a) That Council considers and approve the Final IDP/PMS/BUDGET Process Plan & Time Schedule for the period 2018-2019.
- b) That the Final Process Plan & Time Schedule be advertise to inform the public about the final time schedules and a copy be submitted to Provincial Government.

Proposed: Cllr. B Zass
Seconded: Cllr. R Witbooi

9.1.2 ANNUAL PERFORMANCE REPORT 2016/2017

Ref.:4/8/1

Acting Municipal Manager: PL Volschenk

Compiled: O Fransman

PURPOSE

To submit the Annual Performance Report for 2016/2017 to Council for approval.

BACKGROUND

The Annual Performance Report are table to council as prescribed in the MSA 2000, section 46. The Annual Performance Report indicate the performance of the municipality for the year under review (2016/2017 financial year)

APPLICABLE LEGISLATION

Section 46 of the MSA requires that the municipality must, at least once during a year, measure and review its performance against the KPIs and performance targets contained in its Performance Management System and prepare an annual performance report. These measurements will indicate in what areas the municipality performed satisfactorily and where improvements are required.

PERSONNEL IMPLICATION

None

FINANCIAL IMPLICATION

None

COMMENTS WITH SECTION 57 MANAGERS

Acting Municipal Manager:	Support Recommendation
Director Community Development Services:	Support Recommendation
Director Financial Services:	Support Recommendation
Director Technical Services:	Support Recommendation

RECOMMENDATION

That in respect of the

ANNUAL PERFORMANCE REPORT 2016/2017

discuss by Council at the Council Meeting held on 30 August 2017:

- (i) That the 2016/2017 Annual Performance Report of Cederberg Municipality be approved.
- (ii) That the report be submitted to the Auditor General.

RESOLVED

That in respect of the

ANNUAL PERFORMANCE REPORT 2016/2017

discuss by Council at the Council Meeting held on 30 August 2017:

- (i) That the 2016/2017 Annual Performance Report of Cederberg Municipality be approved.
- (ii) That the report be submitted to the Auditor General; and
- (iii) The Audit Committee recommend the Annual Performance Report subject to more explanatory notes on the corrective measures before the Annual Performance Report can be submitted to the Auditor General.

Proposed: Cllr. J Barnard

Seconded: Cllr. R Pretorius

Counter Proposal: Cllr. M Nel:

Seconded: Cllr. N Qunta

Does not support the approval of the report as facts in the report are contradicting each other.

VOTE

FOR	AGAINST	ABSTAIN
6	4	1

**9.1.3 TOP LAYER SERVICE DELIVERY BUDGET IMPLEMENTATION PLAN (SDBIP)
FOR THE FOURTH QUARTER (01 April – 30 JUNE 2017)**

REF: 15/5/1/1

Acting Municipal Manager: PL Volschenk

Compile: O. Fransman

PURPOSE

Herewith to inform Council about the fourth quarter performance report (Top Layer SDBIP: April – June 2017) as part of the obligation arising from section 52 of the Local Government: Municipal Finance Management Act, 2003 (MFMA).

APPLICABLE LEGISLATION:

- o Section 52 of the Local Government: Municipal Finance Management Act, 2003.

PERSONNEL IMPLICATIONS:

NONE

FINANCIAL IMPLICATIONS

NONE

COMMENTS WITH SECTION 57 MANAGERS

Acting Municipal Manager:	Support Recommendation
Acting Director Corporate Services	Support Recommendation
Director Community Services:	Support Recommendation
Director Financial Services:	Support Recommendation
Director Technical Services:	Support Recommendation

RECOMMENDATION

That in respect of the

**TOP LAYER SERVICE DELIVERY BUDGET IMPLEMENTATION PLAN (SDBIP) FOR
THE FOURTH QUARTER (01 April – 30 JUNE 2017)**

discuss by Council at the Council Meeting held on 30 August 2017:

- a) That Council take cognisance of the content of the SDBIP report for the fourth quarter.

RESOLVED

That in respect of the

**TOP LAYER SERVICE DELIVERY BUDGET IMPLEMENTATION PLAN (SDBIP) FOR
THE FOURTH QUARTER (01 April – 30 JUNE 2017)**

discuss by Council at the Council Meeting held on 30 August 2017:

- a) That Council take cognisance of the content of the SDBIP report for the fourth quarter.

9.1.4 DEVIATION FROM AND RATIFICATION OF MINOR BREACHES OF, PROCUREMENT PROCESSES

Ref.: 8/1/B

Chief Financial Officer: E Alfred

Background:

- (1) The accounting officer may-
 - (a) dispense with the official procurement processes and to procure any required goods or services through any convenient process in terms of Section 36 of the SCM Regulations.

Discussion:

In terms of Government Notice no 27636 dated 30 May 2005 the Supply Chain Management Regulations states the following to section 36:

- (1) A supply chain management policy may allow the accounting officer-
 - (a) To dispense with the official procurement processes established by the policy and to procure any required goods or services through any convenient process, which may include direct negotiations, but only-
 - (i) in an emergency;
 - (ii) If such goods or services are produced or available from a single provider only;
 - (iii) For the acquisition of special works of art or historical objects where specifications are difficult to compile;
 - (iv) Acquisition of animals for zoos; or
 - (v) In any other exceptional case where it is impractical or impossible to follow the official procurement processes; and
 - (b) To ratify any minor breaches of the procurement processes by an official or committee acting in terms of delegated powers or duties which are purely of a technical nature.
- (2) The accounting officer must record the reasons for any deviations in terms of subregulation (1)(a) and (b) and report them to the next meeting of the council, or board

of directors in the case of a municipal entity, and include as a note to the annual financial statements.

- (3) Subregulation (2) does not apply to the procurement of goods and services contemplated in regulation 11(2).

APPLICABLE LEGISLATION

The Municipal Supply Chain Management Regulations (2005).

FINANCIAL IMPLICATIONS

The attached transaction amounts was processed for the month of July 2017, and are therefore tabled in terms of Sec .36 (2) of SCM policy before Council for information.

Comment of Directorates / Departments concerned:

Acting Municipal Manager:	Noted
Director: Corporate and Strategic Services:	Noted
Director: Financial Services:	Noted
Director: Engineering and Planning Services:	Noted
Director: Community Development Services:	Noted

RECOMMENDATION

That in respect of:

DEVIATION FROM AND RATIFICATION OF MINOR BREACHES OF, PROCUREMENT PROCESSES

discussed by Council at the Council meeting held on 30 August 2017:

1. Council, in terms of section 36 of the Supply Chain Management Regulations, takes cognisance and approve the transactions for the month of July 2017.

RESOLVED

That in respect of:

DEVIATION FROM AND RATIFICATION OF MINOR BREACHES OF, PROCUREMENT PROCESSES

discussed by Council at the Council meeting held on 30 August 2017:

1. Council, in terms of section 36 of the Supply Chain Management Regulations, takes cognisance and approve the transactions for the month of July 2017.

Proposed: Cllr. R Witbooi

Seconded: Cllr. J Meyer

9.1.5 UN-AUDITED FINANCIAL STATEMENTS: CEDERBERG MUNICIPALITY

Ref.: 5/1/2

Chief Financial Officer: ER Alfred

PURPOSE

The purpose of this report is for Council to consider and approve the Un–Audited Financial Statements for the period ending 30 June 2017.

Background:

In terms of section 126 of the Municipal Finance Management Act 56 of 2003:

- (1) The accounting officer of a municipality-
 - (a) must prepare the annual financial statements of the municipality and, within two months after the end of the financial year to which those statements relate, submit the statements to the Auditor-General for auditing; and
 - (b) must in addition, in the case of a municipality referred to in section 122(2), prepare consolidated annual financial statements in terms of that section, and within three months after the end of the financial year to which those statements relate, submit the statements to the Auditor-General for auditing.

- (2) The accounting officer of a municipal entity must prepare the annual financial statements of the entity and, within two months after the end of the financial year which those statements relate, submit the statements to-
 - (a) the parent municipality of the entity; and
 - (b) the Auditor-General for auditing

APPLICABLE LEGISLATION

Municipal Finance Management Act 56 of 2003.

RECOMMENDATION

That in respect of the:

UN-AUDITED FINANCIAL STATEMENTS: CEDERBERG MUNICIPALITY

discussed by Council at the Council meeting held on 30 August 2017:

1. That Council considers and approves the un-audited financial statements for the period ending 30 June 2017.
2. Furthermore it is recommended that Council considers and approves the following assets to be written off.
 - (i) Annexure F (2): R 359 372.96
(These Assets to be written off relates to Missing, Obsolete, End of Lease Term, Duplicate, Replacement of assets and Stolen Assets. Some of these assets should not be included in the fixed asset register as they did not comply with the definition of an asset according to GRAP 17.)

RESOLVED

That in respect of the:

UN-AUDITED FINANCIAL STATEMENTS: CEDERBERG MUNICIPALITY

discussed by Council at the Council meeting held on 30 August 2017:

1. That Council considers and approves the un-audited financial statements for the period ending 30 June 2017.
2. Furthermore it is recommended that Council considers and approves the following assets to be written off.
 - (i) Annexure F (2): R 359 372.96
(These Assets to be written off relates to Missing, Obsolete, End of Lease Term, Duplicate, Replacement of assets and Stolen Assets. Some of these assets should not be included in the fixed asset register as they did not comply with the definition of an asset according to GRAP 17.)

Proposed: Cllr. J Barnard

Seconded: Cllr. R Pretorius

9.1.6 DECLARATION CEDERBERG MUNICIPALITY AREA AS A LOCAL STATE OF DISASTER

Ref.:17/10/2/1

Director Engineering and Planning Services: P. Majeni

Compiled: B Schippers

PURPOSE / AIM OF REPORT

The aim of this report is to request Council to declare Cederberg Municipality as a Disaster area due to continued drought, in terms of Section 55 of the Disaster Management Act. No 57 of 2002.

BACKGROUND

Cederberg Municipality is experiencing a persistent drought that could potentially have severe implications for the municipality and its communities. Despite the implementation of the water restrictions the water level is still not sufficient.

The bulk raw water supply is summarized as follows:

Citrusdal

Citrusdal obtains water directly from the Olifants River but also abstracts water from the boreholes as supplementary. The licensed abstraction from the Olifants River is 0.748 million m³/annum but, only 0.323 million m³/annum is currently being utilized because the quality and the flow in the Olifants River during the summer month when the water is mostly needed. Total licensed abstraction from the boreholes are 0.8 million m³/annum.

Clanwilliam

The town of Clanwilliam is served by the Clanwilliam dam and direct abstraction from the Jan Dissels River. Department of Water and Sanitation (DWS) is currently busy raising the dam wall by 13 m in order to increase the storage capacity and safe yield of the dam. The licensed volume we abstract from the Jan Dissels is 0.445 million m³/annum. Abstraction is not allowed during the summer period therefore Clanwilliam dam is regarded as our primary source.

Eland's Bay

Drinking water is abstracted from six boreholes of which two boreholes yield relatively good quality water. The total abstraction from the boreholes is 829 kl/d.

Graafwater

This town's raw water supply is mainly boreholes which supply a stable yield. The abstraction from the boreholes is 0.109 million m³/annum. The estimated yield of the

boreholes is 0.325 million m³/annum and the municipality will apply for an increase if and when such need occurs.

Lambert's Bay

Raw water is obtained from three boreholes with total abstraction of 0.847 million m³/annum. We are currently busy constructing a 1.7 Ml/d desalination treatment plant to foresee future water supply.

Leipoldtville

One borehole supplies the town of Leipoldtville and yields a current water supply of 0.13 million m³/annum which is sufficient for all present and foreseeable future use.

OTHER

Small communities like Algeria and Wuppertal were extremely affected and most vulnerable during the last drought season and emergency funding was provided by Department of Local Government (DLG) for the development of augmentation boreholes.

PROPOSED WATER RESTRICTIONS ENFORCEMENT PER TOWN:

SUPPLY SYSTEM	SOURCE	RESTRICTION LEVEL	MITIGATION
ELAND'S BAY	BOREHOLES	3	PRESCRIBED RULES
LAMBERT'S BAY	BOREHOLES	3	PRESCRIBED RULES
GRAAFWATER	BOREHOLES	3	PRESCRIBED RULES
CLANWILLIAM	DAM & RIVER	4	DROUGHT TARRIF IMPLEMENTATION
CITRUSDAL	BOREHOLES & RIVER	3	PRESCRIBED RULES

DISCUSSION

The dam that is severely affected by the draught is the Clanwilliam Dam, which serves the whole town and its nearby communities. The current status of the Clanwilliam Dam as stated on the 22 August 2017 is thirty four percent (34%). Keeping in mind that Clanwilliam has no purification plant, this poses another risk with regards to low level water sediment with high levels or substances containing E-coli and Faecal Coliforms, which make the water not suitable for domestic consumption.

Many of the Province's formally "declared disasters" are triggered by **extreme low rain fall weather and characterised by large-scale informal settlement**, veld and urban fringe fires, severe wind and rain storms, flash floods and drought. Some of these events are evident within the Cederberg Municipal areas.

Declared State of Disaster

In the event of a local disaster, **the council of a municipality**, having primary responsibility for the co-ordination and management of the disaster, may, by notice in the Provincial Gazette, declare a local state of disaster in terms of section 55 (1) of the Act. If a local state of disaster has been declared, the municipal council may make by-laws or issue directions to prevent an escalation of the disaster, or to alleviate, contain and minimise the effects of the disaster amongst others. A municipal state of disaster that has been duly declared lapses three months after it has so been declared, together with any by-laws attached thereto. It may also be extended one month at a time by notice in the Provincial Gazette.

LEGAL IMPLICATIONS

Disaster Management Act 57 of 2002, as amended

*“Disaster **occurring or threatening to occur in municipal areas***

- 49.** (1) *When a disastrous event occurs or is threatening to occur in the area of a Municipality, the disaster management center of the municipality concerned must determine whether the event should be regarded as a disaster in terms of this Act, and, if so, must immediately-*
- (a) *initiate efforts to assess the magnitude and severity or potential magnitude and severity of the disaster;*
 - (b) *inform the National Centre and the relevant provincial disaster management center of the disaster and its initial assessment of the magnitude and severity or potential magnitude and severity of the disaster;*
 - (c) *alert disaster management role-players in the municipal area that may be of assistance in the circumstances; and*
 - (d) *initiate the implementation of any contingency plans and emergency procedures that may be applicable in the circumstances.*
- (2) *When informing the National Centre and the relevant provincial disaster management center in terms of subsection (1)(b), the municipal disaster management centre may make such recommendations regarding the classification of the disaster as may be appropriate.”*

Section 55(1) (a) and (b) of the Disaster Management Act 57 of 2002, reads as follows:

“Declaration of local state of disaster

55(1) In the event of a local disaster the council of a municipality having primary responsibility for the co-ordination and management of the disaster may, by notice in the provincial gazette, declare a local state of disaster if-

- (a) *Existing legislation and contingency arrangements do not adequately provide for that municipality to deal effectively with the disaster; or*
- (b) *Other special circumstances warrant the declaration of a local state of disaster.”*

Section 55(1) stipulates that the Cederberg Municipal Council is the delegated authority whom can initiate the process to declare an area a state of disaster.

Furthermore the municipality can confirm that we did implement the drought plan and water restrictions from October 2016.

FINANCIAL IMPLICATION

Estimated costs for drought relief projects to towns are as follows:

- Algeria – drilling and equipped borehole – R1 850 000 received from DLG;
- Wuppertal – drilling and equipped borehole – R1 000 000 received from DLG;
- Graafwater – drilling of an additional borehole and refurbishment – R3 000 000 received from DWS and
- Clanwilliam – application to DLG for exploration of boreholes – R25 000 000 is pending funding application submission and approval.

COMMENTS OF DIRECTORATES/ DEPARTMENTS

Municipal Manager

Recommendation is in line with the Provincial Declaration on the current state of affairs regarding the water situation in the Western Cape. It is of utmost importance that water restrictions enforced, be policed from a law enforcement perspective. The seriousness of the water situation must also properly be communicated with all residents and businesses.

Director Community Services

The content of the report is noted and the recommendations supported.

Director Financial Services

Support recommendation.

RECOMMENDATION

It is recommended:

1. That the report on the situation of drought in Cederberg Municipal area, be noted;
2. That council makes possible funds available as stated in Section 55 of the Disaster Management Act, Act 57 of 2002 and that shortfall be applied for as stated in the Act;

3. That Council declares the Cederberg Municipal area a disaster area in terms of Section 55 of the Disaster Management Act, Act 57 of 2002 by notice in Provincial Gazette and
4. That the West Coast District Municipality and Province be advised accordingly and that they be requested to support Council's decision in this regard.

RESOLVED

That in respect of the

**DECLARATION CEDERBERG MUNICIPALITY AREA AS A LOCAL STATE OF
DISASTER**

Discuss by Council at the Council Meeting held on 30 August 2017

1. That the report on the situation of drought in Cederberg Municipal area, be noted;
2. That council makes possible funds available as stated in Section 55 of the Disaster Management Act, Act 57 of 2002 and that shortfall be applied for as stated in the Act;
3. That Council declares the Cederberg Municipal area a disaster area in terms of Section 55 of the Disaster Management Act, Act 57 of 2002 by notice in Provincial Gazette and
4. That the West Coast District Municipality and Province be advised accordingly and that they be requested to support Council's decision in this regard.

Proposed: Cllr. J Barnard

Seconded: Cllr. B Zass

9.1.7 PURCHASING OF PORTION 14 OF PETERSFIELD NO. 455 AND REGISTRATION OF SERVITUDE FOR THE CITRUSDAL WASTEWATER TREATMENT WORKS PUMP STATION 2

Ref.:7/2/5/3-1/1

Director: Engineering and Planning Services: P. Majeni

PURPOSE

To obtain Council's approval for the purchasing of a newly created portion 14 of the farm Petersfield No. 455 on which the Citrusdal Wastewater Treatment Works Pump Station No. 2 has been constructed, as well as the registration of a sewer line servitude.

BACKGROUND

A new rising main and two pump stations had to be constructed as part of the establishment of a new wastewater treatment works located North of Citrusdal. One of the pump stations (Pump station No. 2) is located on Mr Hedley Peter's land, Petersfield No. 455.

At the time of the construction in 2012, Mr Peter had given permission to the municipality for the construction of the pump station provided that the footprint be kept as small as possible, that the pump station be located as close to the boundary as possible to allow the owner to develop a rooibos field around the portion used for the pump station.

Further engagements by both parties resulted in the agreement that the portion of land should be valued and purchased from the owner.

Subsequent to the above, in August 2017, Mr Hedley Peter's representative, municipal officials, Citrusdal Wastewater Treatment Works project consultant and Council's town planning consultant discussed the above with the following proposals:

- That Council purchases the newly created portion 14 of the farm Petersfield No. 455 as well as register a sewer line servitude across Mr Peter's land, the total area of which is 2306 m²;
- That the owner has requested an amount of R 21 000.00 for the ownership and registration of servitude of sewer line;
- That cognisance be taken that Mr Peter recently sold a portion of farm Petersfield at a price of R 70 000/ha, and that an offer of R 21 000.00 following negotiations is a fair price considering that a servitude which will be registered on the full length pipeline on Mr Peter's land and a pump station with its access road; therefore

sterilising farm land and making farming in the direct vicinity of the infrastructure problematic;

- That Council bears the cost of subdivision, transfer of land and registration of servitude;
- That the land purchase cost forms part of the Citrusdal Wastewater Treatment Works project amount.

FINANCIAL IMPLICATION

- The purchase of the newly created portion 14 of the farm Petersfield No. 455 as well as registration of a sewer line servitude across Mr Peter's land, the total area of which is 2306 m² for the total amount of R 21 000.00;
- Subdivision, transfer of land and administration of registration of servitude costs for the amount of R 13 000.00 (Vat Excl.)

COMMENTS OF DIRECTORATES/ DEPARTMENTS

Municipal Manager

Supports recommendation with comments of directorates taken into account.

Directorate Corporate Services

Supports recommendation. Item provides all applicable information to Council.

Legal Services

Section 14 of the MFMA is the applicable section and operative in acquiring the portion of land with the stipulated servitude.

We support the recommendation in that Council should just consider the determination in terms of section 14 of the MFMA pertaining to the acquisition of land hence Council should also consider on reasonable grounds that the asset is needed to provide minimum level of basic municipal services.

Council should also consider whether the portion of land with the servitude to be registered is a fair market price as well as that the asset would have economic / community value to be received in exchange for acquiring the asset.

Director Financial Services

Support recommendation. Acquisition of capital asset needed to provide minimum level of basic municipal services. Provision should be made in Adjustment Budget to cover expenses.

RECOMMENDATION

That in respect of the

PURCHASING OF PORTION 14 OF PETERSFIELD NO. 455 AND REGISTRATION OF SERVITUDE FOR THE CITRUSDAL WASTEWATER TREATMENT WORKS PUMP STATION 2

discuss by Council at the Council Meeting held on 30 August 2017:

That:

1. Council approves the purchasing of the newly created portion 14 of the farm Petersfield No. 455 as well as registration of a sewer line servitude, the total area of which is 2306 m² for the total amount of R 21 000.00;
2. Council resolves that the acquisition of the portion of land on which the Citrusdal Wastewater Treatment Works pump station 2 has been constructed, is an asset required to provide the minimum level of basic municipal services;
3. Council considers R 21 000 as a fair value;
4. The administration be mandated to proceed with the process of purchasing and registration of servitude.

RESOLVED

That in respect of the

PURCHASING OF PORTION 14 OF PETERSFIELD NO. 455 AND REGISTRATION OF SERVITUDE FOR THE CITRUSDAL WASTEWATER TREATMENT WORKS PUMP STATION 2

discuss by Council at the Council Meeting held on 30 August 2017:

That:

1. Council approves the purchasing of the newly created portion 14 of the farm Petersfield No. 455 as well as registration of a sewer line servitude, the total area of which is 2306 m² for the total amount of R 21 000.00;
2. Council resolves that the acquisition of the portion of land on which the Citrusdal Wastewater Treatment Works pump station 2 has been constructed, is an asset required to provide the minimum level of basic municipal services;
3. Council considers R 21 000 as a fair value;
4. The administration be mandated to proceed with the process of purchasing and registration of servitude.

ANNEXURE H

9.1.8 AANWYSING VAN PANEEL VIR DIE WERWINGSPROSES VAN DIE MUNISIPALE BESTUURDER

Verw: 4/3/3

Uitvoerende Burgemeester: Rdl. J Barnard

DOEL

Om 'n paneel aan te stel in terme van regulasie 12 (*Local Government: Municipal Systems Act: Regulations on the appointment and conditions of service of senior managers*) wat die werwingsproses sal hanteer;

AGTERGROND

Die posisie van Munisipale Bestuurder was in die Rapport van 06 Augustus 2017 adverteer, en die proses vir aansoeke is oop tot en met 21 Augustus 2017, waarna kortlysting, toetsing en onderhoude moet geskied. Derhalwe moet die Raad 'n paneel aanwys van minstens drie (3) en maksimum vyf (5) lede om die proses te hanteer en aanbevelings te maak ten opsigte van 'n geskikte kandidaat vir aanstelling as Munisipale Bestuurder

FINANSIËLE IMPLIKASIE / FINANCIAL IMPLICATION

Kwotasies moet ingewin word vir die plasing van 'n advertensie en vir 'n konsultant om die psigometriese toetse en werwingsproses te hanteer.

PERSONEEL IMPLIKASIE / PERSONNEL IMPLICATION

Die Waarnemende Munisipale Bestuurder of sy gevolmagtigde sal verantwoordelik wees vir die aanstellingsproses.

REGSIMPLIKASIE / LEGISLATIVE IMPLICATION

- Volgens die Munisipale Stelselwet Wysigingswet, artikel 54A, berus die bevoegdheid by die Raad om die aanstelling van munisipale Bestuurder te doen.
- Die proses word gedoen ingevolge die "Local Government: Municipal Systems Act 32 of 2000" asook die "*regulations pertaining to the appointment and conditions of*

employment of senior managers." Sien aangeheg as Aanhangsel B "**Extract from legislation**'

The Council may appoint a panel of between 3 and 5 members and which panel must make recommendations regarding the appointment of a suitable candidate to fill the vacancy, and such panel is composed in terms of regulation 12 (3) which reads as follows: -

"(3) The selection panel for the appointment of a municipal manager must consist of at least three (3) and not more than five (5) members, constituted as follows:

- (a) the mayor, who will be the chairperson, or his or her delegate;*
- (b) a councillor designated by the municipal council; 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"*

In terms of regulation 15 (2), the abovementioned panel must remain the same for the duration of the entire recruitment process.

AANBEVELING

Dat ten opsigte van die

AANWYSING VAN PANEEL VIR DIE WERWINGSPROSES VAN DIE MUNISIPALE BESTUURDER

bespreek deur die Raad by die Raadsvergadering van 30 Augustus 2017:

- A. Dat 'n paneel deur die Raad saamgestel word met 'n minimum van drie (3) en 'n maksimum van vyf (5) lede, in terme van regulasie 12, om die kortlysting- en onderhoudsproses te hanteer, en welke komitee as volg saamgestel word:
1. Uitvoerende Burgemeester (Voorsitter)
 2. 'n persoon wat nie 'n werknemer of Raadslid van Cederberg Munisipaliteit is nie, maar wat ervaring en kennis het van die geadverteerde posise (Munisipale Bestuurder)
 3. 'n Raadslid aangewys deur die Raad by name: _____
 4. 'n Raadslid aangewys deur die Raad by name: _____
(opsioneel)

5. 'n Raadslid aangewys deur die Raad by name: _____
(opsioneel)

BESLUIT

Dat ten opsigte van die

AANWYSING VAN PANEEL VIR DIE WERWINGSPROSES VAN DIE MUNISIPALE BESTUURDER

bespreek deur die Raad by die Raadsvergadering van 30 Augustus 2017:

- A. Dat 'n paneel deur die Raad saamgestel word met 'n minimum van drie (3) en 'n maksimum van vyf (5) lede, in terme van regulasie 12, om die kortlysting- en onderhoudsproses te hanteer, en welke komitee as volg saamgestel word:
1. Uitvoerende Burgemeester (Voorsitter)
 2. 'n persoon wat nie 'n werknemer of Raadslid van Cederberg Munisipaliteit is nie, maar wat ervaring en kennis het van die geadverteerde posise (Munisipale Bestuurder)
 3. 'n Raadslid aangewys deur die Raad by name: Rdl. W Farmer
 4. 'n Raadslid aangewys deur die Raad by name: Rdl. B Zass
 5. 'n Raadslid aangewys deur die Raad by name: Rdl. J Meyer

Voorstel: Rdl. R Pretorius

Sekondant: Rdl. R Witbooi

Teen Voorstel: Rdl. M Nel Dat punte 3, 4 en 5 met die volgende Raadslede vervang word:
-Rdl. W Farmer
-Rdl. B Zass
-Rdl. J White

Sekondant: Rdl. J White

VOTE

FOR	AGAINST	ABSTAIN
W Farmer J Barnard B Zass R Pretorius R Witbooi J Meyer	M Nel N Qunta E Majikejela J White	L Scheepers

Teen Voorstel: Rdl. J White (That the person's identity be made known to full council)

9.1.9 SELECTION OF COUNCIL MEMBERS TO SERVE ON PLACEMENT COMMITTEE

Ref.:3/2/2/74

Director Corporate & Strategic Services: A McCallum

PURPOSE

The purpose of the item is to select Two Councillors nominated by Council to form part of the Cederberg Placement Committee.

BACKGROUND

The purpose of the Placement policy is to migrate existing staff members from the previous organogram and place them in a matching position in the new one, in accordance with certain principles and a logical methodology which is explained in the policy document.

It must also be kept in mind that the placement process will be audited by the Auditor-General in respect of the 2017-2018 financial year and the policy is an important source document to ensure that Council's placement process receives a favourable audit outcome.

Furthermore the placement of employees shall be considered by a placement committee consisting of:

- Two Councillors nominated by Council;
- Municipal Manager;
- The Head of the relevant Department;
- Representative of SAMWU;
- Representative of IMATU;
- Director: Corporate Services;
- HR Manager;
- Administrative Support
- No observers will attend meetings of the Placement Committee

RECOMMENDATION

That in respect of the

SELECTION OF COUNCIL MEMBERS TO SERVE ON PLACEMENT COMMITTEE

discuss by Council at the Council Meeting held on 30 August 2017:

- 1) That Council select Two Councillors to form part of the Cederberg Placement Committee; and
- 2) For the Placement Policy to be implemented.

RECOMMENDATION

That in respect of the

SELECTION OF COUNCIL MEMBERS TO SERVE ON PLACEMENT COMMITTEE

discuss by Council at the Council Meeting held on 30 August 2017:

- 1) That Council select Two Councillors to form part of the Cederberg Placement Committee; and
- 2) For the Placement Policy to be implemented.

RESOLVED

That in respect of the

SELECTION OF COUNCIL MEMBERS TO SERVE ON PLACEMENT COMMITTEE

discuss by Council at the Council Meeting held on 30 August 2017:

- 1) That Council select Cllrs. W Farmer and J Barnard to form part of the Cederberg Placement Committee; and
- 2) For the Placement Policy to be implemented.

Proposed: Cllr. R Pretorius

Seconded: Cllr. R Witbooi

VOTE

FOR	AGAINST	ABSTAIN
Cllr. J Barnard	Cllr. L Scheepers	
Cllr. W Farmer	Cllr. M Nel	
Cllr. R Pretorius	Cllr. N Qunta	
Cllr. B Zass	Cllr. E Majikejela	
Cllr. R Witbooi	Cllr. J White	
Cllr. J Meyer		

Counter Proposal: Cllr. J White (That cllrs. can't be allowed to interfere in the appointment processes of workers)

Secondant: Cllr. L Scheepers

9.1.10 DRANKLISENSIES / LIQUOR LICENSES: M WITBOOI

Ref.: 1/2/1/37

Director Corporate and Strategic Services: A. McCallum
Compiled: H Slimmert

DOEL / AIM:

Voorlegging van Aansoek om buite verbruik dranklisensie: Martin Witbooi, Lovestraat 27, Clanwilliam.

Submission of Application for off -consumption Liquor license: Martin Witbooi, 27 Love Street, Clanwilliam.

AGTERGROND / BACKGROUND:

Die Direkoraat versamel en lê informasie voor oor die aansoeke ingevolge die Drank Wetgewing. Die volgende inligting dien gemeld te word:

- Die hele perseel is toegebou.
- Daar is net een bestel/betaalpunt wat deur 'n venster sal geskied.
- Parkering kan slegs in straat geskied wat parkering voor bure sal beteken.
- Die aansoeker was reeds aangekla vir handel in drank sonder 'n lisensie.
- Daar is geen laaisone nie.

The Directorate compiles and submits information about the applications according to the Liquor Act. The following information needs to be mentioned:

- The whole property is being built on.
- There will be only one order/pay point which is through one of the windows.
- There is only street parking that will mean parking in front of neighbours.
- The applicant was previously convicted for dealing in liquor without a licence.
- There is no loading zone.

FINANSIËLE IMPLIKASIE / FINANCIAL IMPLICATION:

Aktiwiteite het geen finansiële implikasies nie.

Activities do not have financial implications.

PERSONEEL IMPLIKASIE / PERSONNEL IMPLICATION:

Geen. / None.

REGSIMPLIKASIE / LEGISLATIVE IMPLICATION:

Alle wetlike vereistes word handhaaf gedurende die proses.

All legislative requirements are observed in the process.

BELEID / POLICY

Wets - Beleidsraamwerke word aan voldoen.

Act and Policy imperatives are adhered to.

KONSULTASIE MET ANDER PARTYE / CONSULTATION WITH OTHER PARTIES

Persone en partye wat geaffekteer word is deel van die proses.

Affected people and parties are made part of the process.

AANBEVELINGS / RECOMMENDATIONS

- B. Dat die Raad kennis neem van die aansoek en insette.
- A. The Council take cognisance of the application and comments.
- C. Dat die Raad 'n aanbeveling maak.
- B. The Council make a recommendation.

BESLUIT

Dat ten opsigte van die

DRANKLISENSIE : M WITBOOI

Bespreek deur die Raad by die Radsvergadering van 30 Augustus 2017

- A. Dat die Raad kennis neem van die aansoek en insette; en
- B. Dat die Raad die aansoek om dranklisensie vir M Witbooi ondersteun.

Proposed: Cllr. J White

Seconded: Cllr. B Zass

9.1.11 DRANKLISENSIES/LIQUOR LICENSES: SHOPRITE LIQUOR STORE

Ref.: 14/1/1/8

Director Corporate and Strategic Services – A. McCallum

Compiled – Henry Slimmert

DOEL / AIM:

Voorlegging van Aansoek om buite verbruik dranklisensie: Shoprite Drankwinkel, Erf 309, Ou Kaapse weg 14, Clanwilliam.

Submission of Application for off -consumption Liquor license: Shoptite Liquorshop, Erf 309, 14 Ou Kaapse Road, Clanwilliam.

AGTERGROND / BACKGROUND:

Die Direkoraat versamel en lê informasie voor oor die aansoeke ingevolge die Drank Wetgewing. Die volgende inligting dien gemeld te word:

- Die perseel grens aan n hoof toegangs roete.
- Daar is die volgende gemeenskaps organisasies in n radius van 500 meter : Sederberg Primere Skool; Clanwilliam Senior Sekondere skool; Clanwilliam Kliniek; Sederville Tehuis vir Bejaardes; Clanwilliam Hospitaal; Kleinbegin Bewaarskool en Kathy Johnson Gemeenskapsaal

The Directorate compiles and submits information about the applications according to the Liquor Act. The following information needs to be mentioned:

- The property is next to a main road.
- There are the following community based organisations in a radius of 500 meters: Cederberg Primary School; Clanwilliam Senior Secondary School; Clanwilliam Clinic; Cederville Old Age Home; Clanwilliam Hospital; Kleibegin Creche and the Kathy Johnson Community Hall

FINANSIËLE IMPLIKASIE / FINANCIAL IMPLICATION:

Aktiwiteite het geen finansiële implikasies nie.

Activities do not have financial implications.

PERSONEEL IMPLIKASIE / PERSONNEL IMPLICATION:

Geen. None.

REGSIMPLIKASIE / LEGISLATIVE IMPLICATION:

Alle wetlike vereistes word handhaaf gedurende die proses.

All legislative requirements are observed in the process.

BELEID / POLICY

Wets - Beleidsraamwerke word aan voldoen.

Act and Policy imperatives are adhered to.

KONSULTASIE MET ANDER PARTYE / CONSULTATION WITH OTHER PARTIES

Persone en partye wat geaffekteer word is deel van die proses.

Affected people and parties are made part of the process.

AANBEVELINGS / RECOMMENDATIONS:

- A. Dat die Raad kennis neem van die aansoek en insette.
- A. The Council take cognisance of the application and comments.

- B. Dat die Raad 'n aanbeveling maak.
- B. The Council make a recommendation.

BESLUIT

Dat ten opsigte van

DRANKLISENSIE: SHOPRITE LIQUOR STORE

Bespreek deur die Raad by die Raadsvergadering van 30 Augustus 2017

- A. Dat die Raad kennis neem van die aansoek en insette.
- B. Dat die Raad nie die aansoek om dranklisensie ondersteun nie.

Voorstel: Rdl. M Nel

Sekondant: Rdl. R Pretorius

Teen Voorstel: Rdl. J White (Dat die Raad sie aansoek moet ondersteun).

9.1.12 DRANKLISENSIES/LIQUOR LICENSES: KARDOUW OENOLOGIE

Ref.: 14/1/1/8

Director Corporate and Strategic Services: A.McCallum
Compiled: Henry Slimmert

DOEL / AIM:

Voorlegging van Aansoek om Mikro- vervaardiging (buiteverbruik) dranklisensie: Kardouw Oenologie (PTY) LTD, Moddervalley Plaas No 494, Karnemelksvlei, Citrusdal.

Submission of Application for Micro- manufacturing (off –consumption) Liquor licence: Kardouw Oenologie (PTY) LTD, Moddervalley Plaas No 494, Karnemelksvlei, Citrusdal.

AGTERGROND / BACKGROUND:

Die Direkoraat versamel en lê informasie voor oor die aansoeke ingevolge die Drank Wetgewing. Die volgende inligting dien gemeld te word. Die tipe lisensie waarvoor aansoek gedoen word is Mikro- vervaardiging (Buiteverbruik) onder die naam Kardouw Wyne. Die doel is om klein hoeveelhede wyn uit geselekteerde boorde te produseer vir persoonlike gebruik en wat oorbly vir boetiek wyne of drankwinkel. Die perseel is gelee in n afgelee deel van die Cederberge.

The Directorate compiles and submits information about the applications according to the Liquor Act. The following information needs to be mentioned. The type of licence applied for is Micro- manufacturing (off-consumption) under the name Kardouw Wines. The aim is to produce small batches of wine from selected vineyards for personal consumption and to offer the excess to a boutique wine or liquor store. The premises are located in a remote part of the Cederberg Mountains.

FINANSIËLE IMPLIKASIE / FINANCIAL IMPLICATION:

Aktiwiteite het geen finansiële implikasies nie.

Activities do not have financial implications.

PERSONEEL IMPLIKASIE / PERSONNEL IMPLICATION

Geen. None.

REGSIMPLIKASIE / LEGISLATIVE IMPLICATION

Alle wetlike vereistes word handhaaf gedurende die proses.

All legislative requirements are observed in the process.

BELEID / POLICY

Wets - Beleidsraamwerke word aan voldoen.

Act and Policy imperatives are adhered to.

KONSULTASIE MET ANDER PARTYE / CONSULTATION WITH OTHER PARTIES

Persone en partye wat geaffekteer word is deel van die proses.

Affected people and parties are made part of the process.

AANBEVELINGS / RECOMMENDATIONS

- A. Dat die Raad kennis neem van die aansoek en insette.
- A. The Council take cognisance of the application and comments.
- B. Dat die Raad 'n aanbeveling maak.
- B. The Council make a recommendation.

BESLUIT

Dat ten opsigte van die

DRANKLISENSIE : KARDOUW OENOLOGIE

Besprek deur die Raad by die Raadsvergadering van 30 Augustus 2017

- A. Dat die Raad kennis neem van die aansoek en insette.
- B. Dat die Raad die Dranklisensie van Kardouw Oenologie ondersteun.

Voorstel: Rdl. J Meyer
Sekondant: Rdl. R Pretorius

Teen Voorstel: Rdl. M Nel (Dat die Raad die proe lokaal ondersteun en nie die buite verbruik nie)

Sekondant: Rdl. J White

VOTE

FOR	AGAINST	ABSTAIN
J Meyer R Witbooi	M Nel N Qunta	

R Pretorius B Zass J Barnard W Farmer	E Majikejela L Scheepers J White	
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**9.1.13 SLUITING VAN MUNISIPALE KANTORE: DESEMBER 2017 / CLOSING
OF MUNICIPAL OFFICES : DECEMBER 2017**

Ref.:4/7/2

Director Corporate & Strategic Services: A McCallum

Compiled: H Witbooi

DOEL VAN ITEM / PURPOSE OF ITEM:

Die doel van hierdie item is om goedkeuring te verkry vir die sluiting van die munisipale kantore tydens die kersseisoen vir drie en 'n halwe (3.5) werksdae vanaf Vrydag 22 Desember 2017 om 12h00 tot en met 29 Desember 2017. Verder word versoek dat die gemelde drie en 'n halwe (3.5) werksdae as 'n verlofvergunning aan die personeel toestaan word.

AGTERGROND / BACKGROUND:

Dit is praktyk dat die munisipale kantore by die onderskeie administratiewe eenhede vir die kersseisoen sluit, met uitsondering van die Kassiere, Rekordsklerke en Nood/Essensiële dienste. Ten einde te verseker dat dienslewering voortgaan, sal die Kassiere oop wees vanaf 08h00 tot 13h00 daaglik, uitgesluit 23 Desember 2016 wanneer kantore oop sal wees vanaf 08h00 tot 12h00.

FINANSIËLE IMPLIKASIE / FINANCIAL IMPLICATION:

Bogemelde drie en 'n halwe (3.5) werksdae sal nie van die werknemers se verlofkrediete verhaal word nie, maar deur die Raad as verlofvergunning toegestaan word.

PERSONEEL IMPLIKASIE / PERSONNEL IMPLICATION:

Die meerderheid van die personeelkorps sal met verlof wees tydens die bogemelde periode. Personeel wat nie oor hierdie tydperk verlof kan neem nie as gevolg van operasionele vereistes, moet toegelaat word om die verlof tot en met einde Januarie 2018 te neem.

REGSIMPLIKASIES / LEGAL IMPLICATION:

Kollektiewe Ooreenkoms van die Bedingingsraad vir Plaaslike Regering

BELEID / POLICY:

Die Kollektiewe Ooreenkoms ten opsigte van diensvoorwaardes, en spesifiek verlof, sal van toepassing wees.

AANBEVELINGS / RECOMMENDATIONS

1. Dat die Raad die versoek om sluiting van die kantore steun soos versoek.

AANBEVELINGS

Ten opsigte van die

SLUITING VAN MUNISIPALE KANTORE: DESEMBER 2017

1. Dat die Raad die versoek om sluiting van die kantore steun soos versoek.

Voorstel: Rdl. R Witbooi

Sekondant: Rdl. R Pretorius

9.2 Urgent matters submitted by the Municipal Manager

9.2.1 LAMBERTS BAY SUMMER FESTIVAL

Director Community Development Services: R Bent

Compiled: N Mercuur

PURPOSE

The purpose of this report is to inform the Council about the request received from the organisers of the Lambert's Bay Summer Festival, and to obtain approval in respect of financial and in-kind support for the event.

BACKGROUND

The organisers of the Lambert's Bay Summer Festival submitted a letter to Cederberg Municipality on 26 July 2017 in respect of the above-mentioned project, scheduled to take place in Lambert's Bay from 15 – 17 December 2017. In short, the letter outlines certain activities and components of the event that organisers are asking the Cederberg Municipality to fund:

No	Description
1	cleaning for the duration of the event (3 days)
2	Paramedics/Ambulance Service/ Fire Services/ sea rescue/law enforcement (3 days)
3	Electrician on standby for duration
4	Generators (2 X100KVA silent type) (3 days)
5	EPWP workers (funded)
6	Hosting of MEC's, invited Municipal leadership and media (3 days)
7	Availability of ablution and toilet facilities

In addition to the above they are also requesting the municipality to contribute an amount of R240,000 to cover all requirements and make sure that the event is staged professionally.

FINANCIAL IMPLICATIONS

As mentioned in the previous section, the organisers have requested for an amount of R240,000. In addition, it is envisaged that the renting of generators, cleaning service, paramedics, liability insurance, etc will cost no less than around R70,000.

The 2017/2018 budget contains a line item for “Contribution to Festivals Hire Charges”. This amount is for the entire Cederberg.

Skills Development, Training and Developmental Projects

In their submission the event organisers also undertook to engage in a number of skills development, training and other developmental projects for the communities within the region. There will be an emphasis on local content, local stallholders, local entrepreneurs and local artists.

Lambert’s Bay Events Calendar

Looking at the events calendar for Lambert’s Bay, there has always been a view that the town does not offer enough in the form of entertainment for holidaymakers, especially during the December holidays. This event therefore will be aimed at providing much-needed entertainment, which can only be good for tourism and the community, if done professionally.

Importance of Events in Cederberg

It must be noted that events are and should be a key component of every municipality’s efforts to promote tourism and grow the local economy. When events are held, people from outside of the region visit the particular municipal area where they need to buy food, fill up their vehicles, visit places, sleep at local establishments. Over the past decade, Cederberg Municipality has become a very popular destination for events, and there is an increasing degree of interest from various sectors for events to be held in the region.

The Cederberg Municipality Integrated Tourism Strategy has prioritised the role of events, and this important role was again emphasised at the recent strategic session with management and councillors. The LED Unit is currently in the process of developing an Events By-law and policy, which will clearly articulate the processes and procedures to be followed when applying to host events, as well as any contributions which may be applied for.

Comments from CFO

The idea is very good, but I would suggest that the event starts off small and grows over a period.

The benefits that this event will bring to Lambert's Bay will have a significant impact on the town its economy. For example, the utilisation of local vendors at the event will ensure that a significant number of people will be trained in operating stalls, and given the opportunity to put up their stalls at the festival.

Looking at the event in a holistic manner, it has all the potential to grow in a similar fashion to the Jazz on the Rocks music festival. Council must be prepared to make some sacrifices in order to reap the benefits for its community over an extended period.

A memorandum of understanding must be entered into to formalise the agreement between Cederberg Municipality and the event organisers, and for a period not exceeding 5 years.

Comments from Director: Community Services

The event is supported in principle as it promotes tourism and investment not only in Lamberts Bay but also the greater Cederberg Municipal area.

As the municipality receives a myriad requests for the hosting of events in the municipal area it is important that a much more formalised administrative process be developed regarding the hosting and endorsement of events. Hence the development and implementation of an events by-law and policy as indicated, which will culminate in the establishment of an events committee. The involvement of the Local Tourism Offices will also be vital in this process, especially considering the Tourism Strategy.

Comments from Disaster Management Unit

From disaster management point of view, the events itself is supported as long as it complies with the relevant legislation in terms of event safety and the SANS codes.

Comments from Municipal Manager

As a municipality we fully support the promotion of events as a mechanism to redress the injustices of the past.

The event has the potential to boost the local economy in a big way, therefore I would like it to continue. I would however advise the organisers to look for sponsors, as this Council cannot afford all the requested expenses.

PERSONNEL IMPLICATIONS

EPWP, LED Unit, electrical department, senior management. The inputs required from the various units will also have a financial implication in respect of overtime and standby.

RECOMMENDATIONS

That:

1. The Council takes cognisance of the report.
2. The Council supports the Lambert's Bay Summer Festival to be held from 15-17 December 2017;
3. Given the financial realities of Cederberg Municipality, a total amount of R50,000 be made available as Council's contribution towards the Lambert's Bay Summer Festival;
4. All the legal requirements in respect of event safety plans, liability insurance and other compliance issues are adhered to and paid for by the event organisers;
5. The relevant LED unit and disaster management unit/traffic must be involved in planning processes relating to the successful hosting of the event;
6. The administration be mandated to sign the Memorandum of Understanding with the event organisers to clarify the roles and responsibilities of the parties;
7. The event organisers apply annually for the staging of the Lambert's Bay Summer Festival to ensure that the event meets the terms, conditions and strategic objectives of Council.

RESOLVED

That in respect of the

LAMBETRS BAY SUMMER FESTIVAL

discuss by Council at the Council Meeting held on 30 August 2017

That:

1. The Council takes cognisance of the report.
2. The Council supports the Lambert's Bay Summer Festival to be held from 15-17 December 2017;
3. Given the financial realities of Cederberg Municipality, a total amount of R50,000 be made available as Council's contribution towards the Lambert's Bay Summer Festival;
4. All the legal requirements in respect of event safety plans, liability insurance and other compliance issues are adhered to and paid for by the event organisers;
5. The relevant LED unit and disaster management unit/traffic must be involved in planning processes relating to the successful hosting of the event;
6. The administration be mandated to sign the Memorandum of Understanding with the event organisers to clarify the roles and responsibilities of the parties;
7. The event organisers apply annually for the staging of the Lambert's Bay Summer Festival to ensure that the event meets the terms, conditions and strategic objectives of Council.

Proposed: Cllr. B Zass

Seconded: Cllr. R Witbooi

9.2.2 VERVREEMDING VAN GROND -UBUNTU KINDER ONTWIKKELING SENTRUM

Verw: 17/2/1/1

Direkteur: Korporatiewe en Strategiese Dienste: A. McCallum

Opgestel deur: H. Slimmert

DOEL:

Die doel van hierdie item is om die raad se ondersteuning en toestemming te kry vir die beskikbaarstelling van grond aan Ubuntu Kinder Ontwikkelingsentrum (NPO nommer: 086-427) vir die oprigting van 'n sorg sentrum wat volgens die ruimtelike ontwikkelingsplan Citrusdal reeds gesoneer is.

AGTERGROND:

Die Burgemeester het 'n ongedateerde skrywe ontvang vanaf Ubuntu Kinder Ontwikkelingsentrum waarin versoek word vir die vervreemding van erwe 4210, 4211, 4212, 4217, 4218 en 4219 Citrusdal aan Ubuntu Kinder Ontwikkelingsentrum, Citrusdal.

Tydens 'n terplaatsse ondersoek het dit egter aan die lig gekom dat volgens die ruimtelike ontwikkelingsplan van Citrusdal, Riverview daar reeds grond gesoneer is vir 'n bewaarskool. Die raad het dan nou ook 'n aansoek vanaf Ubuntu ontvang waarin gevra word vir die toekenning van hierdie grond vir die oprig van 'n Kinder Ontwikkelingsentrum.

Ubuntu Child Development Centre word vir die afgelope 8 jaar bedryf binne die informele nedersetting Citrusdal Riverview. Hulle verskaf onderwys en versorging aan die mees armste en behoevende kinders tussen die ouderdomme van 5 en 12 jr van Citrusdal en omgewing. Tans kan hulle 55 kinders akkommodeer, terwyl die aanvraag soveel groter is.

Die kinders word na hulle verwys deur die SAPS, Maatskaplike Werkers en kerk organisasies. Hulle wil graag die skool se kapasiteit verdubbel, en moet nog klaskamers oprig, asook 'n Naskool Sentrum.

Ubuntu Kinder Ontwikkelingsentrum is 'n nie-winsgewende organisasie wie se uitsluitlike doel is om behoeftige kinders tussen die ouderdom van 5 en 12 jaar gereed te maak vir skool asook versorging te bied.

Ubuntu Kinder Ontwikkelingsentrum se huidige perseel is onvoldoende om in al die opvoedkundige behoeftes van die kinders te voorsien en kan ook nie die huidige aantal kinders ten volle akkommodeer nie .

FINANSIELE DIENSTE KOMMENTAAR:

Die raad die redelike markwaarde van die bate, asook die ekonomiese en gemeenskapswaarde wat ontvang kan word in ruil vir die bate in aanmerking neem.

TEGNIESE DIENSTE KOMMENTAAR:

Die raad die tegniese afdeling mandateer om 'n volledige ondersoek na beskikbaarheid van dienste te doen..

REGSVERWANTE KOMMENTAAR:

Die raad se aandag gevestig word op artikel 14(2) van die MFMA wat as volg stipuleer ten opsigte van vervreemding van munisipale grond:

Artikel 14(2) 'n Munisipaliteit mag eienaarskap van 'n kapitale bate anders soos bedoel in subartikel 1, oordra of andersins vervreem, maar slegs nadat die raad in 'n vergadering oop vir die publiek-

- a) Op redelike gronde besluit het dat die bate nie benodig word om die minimum vlak van basiese munisipale dienste te lewer nie; en
- b) Oorweging geskenk het aan die redelike markwaarde van die bate, asook die ekonomiese en gemeenskapswaarde wat ontvang kan word in ruil vir die bate

Enige oordrag van eienaarskap van 'n kapitale bate moet redelik, billik, deursigtig, kompetierend en konsekwent met die "SCM" beleid van die raad wees.

AANBEVELINGS:

Dat:

1. Die raad kennis neem van die Item;
2. Die raad in beginsel die aansoek van Ubuntu Kinderontwikkeling Sentrum ondersteun.

3. Die raad besluit om die grond te skenk en of 'n aanbeveling gedoen word binne die raamwerk van die Munisipale Finansiële Bestuurswet (Wet 56 van 2003), die Raad se Batebestuursbeleid en ander strategiese beleidsdokumente van die Raad.
4. Ubuntu op hul eie onkoste hul huidige strukture verwyder.

BESLUIT

Ten opsigte van die

VERVREEMDING VAN GROND – UBUNTO KINDER ONTWIKKELING SENTRUM

Bespreek deur die Raad by die Raadsvergadering van 30 Augustus 2017:

Dat:

1. Die raad kennis neem van die Item;
2. Die raad in beginsel die aansoek van Ubuntu Kinderontwikkeling Sentrum ondersteun.
3. Die raad besluit om die grond te skenk en of 'n aanbeveling gedoen word binne die raamwerk van die Munisipale Finansiële Bestuurswet (Wet 56 van 2003), die Raad se Batebestuursbeleid en ander strategiese beleidsdokumente van die Raad.
4. Ubuntu op hul eie onkoste hul huidige strukture verwyder.

Voorstel: Rdl. R Pretorius

Sekondant: Rdl. J Meyer

**9.2.3 EXTENSION FOR NON-COMPLIANCE WITH SECTION 71 OF THE MFMA
FOR THE MONTH OF JULY AND AUGUST 2017**

Ref.: 5/1/1/1

Chief Financial Officer: ER Alfred

PURPOSE

This item serves to inform Council that the municipality has applied for extension to the Budget Process in terms of Section 71(1) of the Municipal Finance Management Act (Act 56 of 2003 and Section 28 of the Municipal Budget Reporting Regulations

BACKGROUND

The municipality was obliged to go over to a New Financial System VESTA effective from 01 July 2017 to be MsCOA compliant.

During the implementation process the municipality experienced a lot of challenges with the implementation of MsCOA.

The following challenges were experienced:

Revenue:

- Although July 2017 is billed a number of accounts were found with errors that will require correction.
- Post Office Payments for July 2017 that was not updated must be updated as soon as the expenditure section finalizes the month end to ensure that these payments will reflect on the August 2017 statements.

Expenditure:

- SCM are still processing orders that were manually issued during July 2017. This action should be completed before end of week.
- CSD validation is still causing issues therefore Cederberg is now following a hybrid approach just to ensure that payments can be processed.

Budget Office and Reporting Section:

- Asset management section will manually generate a depreciation journal that will be captured into Phoenix.
- Reporting to National Treasury: Service Provider to install reporting system. Budget Office is supposed do their reporting in the Case Ware system.

Functionality Issues:

Due to the above challenges the municipality were unable to report on the following sections:

- Revenue Reporting
- Back to Basics Reporting
- Expenditure Reporting

The National and Provincial Treasury were informed by the challenges and it was decided collectively to apply for the extension in terms of Schedule G.

LEGAL FRAMEWORK

Municipal Finance Management Act (Act 56 of 2003), Section 71 (1)

Municipal Budget Reporting Regulations, Section 28

RECOMMENDATION:

That in respect of the:

EXTENSION FOR NON-COMPLIANCE WITH SECTION 71 OF THE MFMA FOR THE MONTH OF JULY 2017 AND AUGUST 2017

discussed by Council at the Council meeting held on 30 August 2017:

1. That Council condone the Schedule G application, and
2. A Full MSCOA Progress Report to be tabled at the next Council Meeting.

RESOLVED

That in respect of the:

**EXTENSION FOR NON-COMPLIANCE WITH SECTION 71 OF THE MFMA FOR THE
MONTH OF JULY 2017 AND AUGUST 2017**

discussed by Council at the Council meeting held on 30 August 2017:

1. That Council condone the Schedule G application, and
2. A Full MSCOA Progress Report to be tabled at the next Council Meeting.

Proposed: Cllr. R Pretorius

Seconded: Cllr. B Zass

9.3 Matters for notification

The Speaker ruled that:

- a) A Meeting be scheduled for Friday, 01 September 2017 at 09h00 in the Council Chambers, Clanwilliam to discuss the outcome of the TMT report; and
- b) That the Speaker, Executive Mayor, Chief Whips, Acting Municipal Manager and Directors be present at this meeting.

9.4 Consideration of notices of motion

Rules of Order for internal Arrangement Part 4

4. Notice of motion

- (1) Unless contained otherwise in these Rules, written notice of intent by a member to introduce a motion must be provided accompanied with a motivation, signature of mover and member seconding the motion as well as the date. Such notice must be delivered to the Municipal Manager at least six working days prior to the date of the meeting on which it is intended to be introduced. It shall incorporate a motivation, signature and date. The speaker may not accept any motion other than motion/s of exigency or motion/s of course unless notice has been provided.

9.5 Consideration of notices of questions

Rules of Order for internal Arrangement Part 4

3. Notice of question

- Unless contained otherwise in these Rules, written notice must be provided of intention by a member to introduce a question. Such notice shall be effected at least six working days before the date of the meeting on which it is intended to be introduced. It shall incorporate a motivation, signature and date.

Cllr. Nel requested that office space be made available for the Chief Whips.

9.6 Consideration of motions of exigency

Rules of Order for internal Arrangement Part 4

8. Motion of exigency

- 8.1 A motion of exigency exists when the attention of Municipal Council is directed to any matter not appearing on the agenda for which no notice was provided. The subject of the matter is briefly stated as well as reference to the fact that the motion to which attention has been directed be considered a matter of exigency.
- 8.2 The attention to the matter is drawn by a member. The matter is brought under the consideration of council by way of motion or question only of the motion is seconded and carried by a majority of the members present.

The ADC tabled a motion to be handled as an urgent matter. A briefing read out loud by Cllr. White pertained the content of which the ADC proposed that the Executive Mayor be removed from office with immediate with immediate effect. This motion was seconded by Cllr. M Nel representing the ANC.

The urgency of the matter was decided by show of hands (vote) which

resulted in the following outcome:

VOTE

FOR (Urgency)	AGAINST	ABSTAIN
Cllr M Nel Cllr. J White Cllr. N Qunta Cllr. E Majikejela Cllr. L Scheepers	Cllr. J Barnard Cllr. W Farmer Cllr. R Witbooi Cllr. B Zass Cllr. R Pretorius Cllr. J Meyer	

RESOLVED

- a) That the written motion be submitted to the secretariat of the meeting.

10. CLOSURE

- Meeting adjourned at 17h20.

VOORSITTER / CHAIRPERSON

DATUM / DATE