

**MINUTES OF THE COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON WEDNESDAY, 25 OCTOBER 2017 AT 10:00**

**PRESENT**

Councillors

TT Godden (Speaker)  
BC Klaasen (Executive Mayor)  
K Adams (Deputy Executive Mayor)  
TE Abrahams  
P Daniels  
P Heradien  
DM Jacobs  
D Kinnear  
GG Laban  
C Lottering  
M Mdala  
TP Mgoboza  
ZS Mzauziwa  
N Phatsoane  
EM Sidego  
RJ Simpson  
HF Visagie

Aldermen

JW Schuurman  
HJ Smit

Officials

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

**1. OPENING AND WELCOME**

The Speaker welcomed everyone present after which he requested Councillor C Lottering to open the meeting with a prayer.

**NOTED**

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

Applications for leave of absence from the meeting were received from Councillors J Phungula (ANC), D Swart (DA) and JJ Visagie (DA).

Apologies for absence from the meeting were received from the Director: Finance and the Director: Technical Services.

**UNANIMOUSLY RESOLVED**

- (a) *that the applications for leave of absence from the meeting, received from Councillors J Phungula (ANC), D Swart (DA) and JJ Visagie (DA), be approved and accepted.*
- (b) *that notice be taken of the apologies for absence from the meeting, received from the Director: Finance and the Director: Technical Services.*

**3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED**

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

Councillor E Sidego conveyed on behalf of Council congratulations to the following councillors and spouse on their birthdays:

- Councillor T Abrahams 6 October
- Councillor JJ Visagie 17 October
- Ms Karin Swart 20 October

**NOTED.**

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

- (a) The Speaker announced that items 8.1.5, 8.2.3 and 8.2.4 be removed from the agenda.
- (b) The Speaker urged ward councillors to do their duties in the various communities and have at least one (1) ward meeting per month in order to ensure good governance.
- (c) The Speaker mentioned that a function in honour of Aldermanship is being planned and in progress.

**NOTED**

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

- (a) The Executive Mayor conveyed condolences on behalf of Council to the family of the late Mr Kayer, an employee of the municipality.
- (b) The Executive Mayor requested that Council sets the example in respect of water savings and act as ambassadors in that the manner in which water is used, be exemplary and with good consideration.
- (c) The Executive Mayor requested that councillors attend the various IDP meetings which are in progress.
- (d) The Executive Mayor mentioned that service delivery is not on standard and that the challenges must be addressed in order to improve on service delivery.

**NOTED**

**4. MINUTES**

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

The minutes of the council meeting, held on 27 September 2017, are attached as **annexure 4.1**.

**UNANIMOUSLY RESOLVED**

*that the minutes of the council meeting, held on 27 September 2017, be approved and signed by the Speaker.*

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

File reference	Heading, item no. and date	Directorate	Action	Progress	Target date
1/3/1/25	8.4.1 of 27-09-2017	Municipal Manager	that the Municipal Manager, as soon as possible after the closing date for public comments, submits a report to the Executive Mayoral Committee for a recommendation to Council.		

**UNANIMOUSLY RESOLVED**

*that notice be taken that the matter in respect of the Draft By-Law on the Rules of Order for the meetings of the Witzenberg Council and its committees is embarked on a public participation process and after that will be submitted to the Executive Mayoral Committee for consideration.*

**5. MOTIONS AND NOTICE OF SUGGESTIONS**

**5.1 Motion: Naming of streets in Bella Vista housing project without a public participation process  
(16/4/6)**

A motion from the Speaker, Councillor T Godden, is attached as **annexure 5.1**.

**UNANIMOUSLY RESOLVED**

*that the motion in respect of the naming of streets in the Bella Vista housing project be investigated by Council and if deemed necessary, the applicable changes and corrections be done.*

**6. INTERVIEWS WITH DELEGATIONS**

None

**NOTED**

**7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS**

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

The minutes of the following meetings are attached:

- (a) Executive Mayoral Committee, held on 24 July 2017: **Annexure 7.1(a)**.
- (b) Special Executive Mayoral Committee, held on 21 August 2017: **Annexure 7.1(b)**.
- (c) Committee for Housing Matters, held on 14 September 2017: **Annexure 7.1(c)**.
- (d) Committee for Technical Services, held on 20 September 2017: **Annexure 7.1(d)**.
- (e) Committee for Local Economic Development and Tourism, held on 20 September 2017: **Annexure 7.1(e)**.

**UNANIMOUSLY RESOLVED**

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

**8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS**

**8.1 Direktooraat Finansies / Directorate Finance**

**8.1.1 Section 71 monthly report of the Department Finance: July 2017  
(9/1/2/2)**

The following items refer:

- (a) Item 7.1 of the meeting of the Committee for Corporate and Financial Services, held on 21 September 2017.
- (b) Item 7.1.1 of the Executive Mayoral Committee meeting, held on 23 October 2017.

The Section 71 monthly report of the Department Finance for July 2017 is attached as **annexure 8.1.1**.

Alderman JW Schuurman expressed appreciation for the correct meter readings done.

The Committee for Corporate and Financial Services resolved on 21 September 2017 to recommend to the Executive Mayoral Committee and Council:

that the Committee for Corporate and Financial Services takes notice of the content of the monthly report of the Department Finance for July 2017 and the same be accepted.

The Executive Mayoral Committee resolved on 23 October 2017:

That the Executive Mayoral Committee recommends to Council:

that notice be taken of the content of the Section 71 monthly report of the Department Finance for July 2017 and the same be accepted.

**UNANIMOUSLY RESOLVED**

*that notice be taken of the content of the Section 71 monthly report of the Department Finance for July 2017 and the same be accepted.*

**8.1.2 Monthly reports: Service Delivery and Budget Implementation Plan: July, August and September 2017  
(5/1/5/10)**

Item 7.1.2 of the Executive Mayoral Committee meeting, held on 23 October 2017, refers.

The following Service Delivery and Budget Implementation Plan monthly reports are attached:

- (a) July 2017: **Annexure 8.1.2(a)**.
- (b) August 2017: **Annexure 8.1.2(b)**.
- (c) September 2017: **Annexure 8.1.2(c)**.

The Executive Mayoral Committee resolved on 23 October 2017:

That the Executive Mayoral Committee recommends to Council:

that notice be taken of the Service Delivery and Budget Implementation Plan monthly reports for July, August and September 2017 and the same be accepted.

**UNANIMOUSLY RESOLVED**

*that notice be taken of the Service Delivery and Budget Implementation Plan monthly reports for July, August and September 2017 and the same be accepted.*

**8.1.3 Property Rates Policy: Amendments  
(5/02/P)**

The following items refer:

- (a) Item 7.2 of the meeting of the Committee for Corporate and Financial Services, held on 21 September 2017.
- (b) Item 7.1.3 of the Executive Mayoral Committee meeting, held on 23 October 2017.

The following documents are attached:

- (a) Memorandum from the Director: Finance, dated 13 September 2017: **Annexure 8.1.3(a)**.
- (b) Property Rates Policy: **Annexure 8.1.3(b)**.

The Committee for Corporate and Financial Services resolved on 21 September 2017 to recommend to the Executive Mayoral Committee and Council:

That Section 9.1(b)(i) of the Property Rates Policy be replaced with the following:

Properties owned by not for gain institutions or public benefit organisations and are solely use for the benefit of the institution and or for charitable purposes and performs welfare and humanitarian work as contemplated by part 1 of the ninth Schedule of the Income Tax Act (Act 58 of 1962). Council may grant a rebate of 100 % to social and/or welfare institutions.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

That Section 9.1(b)(i) of the Property Rates Policy be replaced with the following:

Properties owned by not for gain institutions or public benefit organisations and are solely use for the benefit of the institution and or for charitable purposes and performs welfare and humanitarian work as contemplated by part 1 of the ninth Schedule of the Income Tax Act (Act 58 of 1962). Council may grant a rebate of 100 % to social and/or welfare institutions.

The Executive Mayoral Committee resolved on 23 October 2017 that the matter in respect of amendments to the Property Rates Policy be held in abeyance and all applicable figures be obtained.

**UNANIMOUSLY RESOLVED**

*that the matter in respect of amendments to the Property Rates Policy be held in abeyance and all applicable figures be obtained.*

**8.1.4 Cellular Telephone and Data Card Policy: Amendments  
(4/5/P)**

The following items refer:

- (a) Item 7.3 of the meeting of the Committee for Corporate and Financial Services, held on 21 September 2017.
- (b) Item 7.1.4 of the Executive Mayoral Committee meeting, held on 23 October 2017.

The following documents are attached:

- (a) Memorandum from the Director: Finance, dated 13 September 2017: **Annexure 8.1.4(a).**
- (b) Cellular Telephone and Data Card Policy: **Annexure 8.1.4(b).**

The Committee for Corporate and Financial Services resolved on 21 September 2017 to recommend to the Executive Mayoral Committee and Council:

that the amended Cellular Telephone and Data Card Policy be approved.

The Executive Mayoral Committee resolved on 23 October 2017:

That the Executive Mayoral Committee recommends to Council:

that the amended Cellular Telephone and Data Card Policy be approved.

**UNANIMOUSLY RESOLVED**

*that the amended Cellular Telephone and Data Card Policy be approved.*

**8.1.5 Finance: Consideration of Approval of Long Term Loan  
(5/4 & 5/1/1/16)**

The following items refer:

- (a) Item 7.4 of the meeting of the Committee for Corporate and Financial Services, held on 21 September 2017.
- (b) Item 7.1.5 of the Executive Mayoral Committee meeting, held on 23 October 2017.

A memorandum from the Director: Finance, dated 16 August 2017 is attached as **annexure 8.1.5**.

The Committee for Corporate and Financial Services resolved on 21 September 2017 to recommend to the Executive Mayoral Committee and Council:

that Council approves the long term loan in terms of Section 46 of the Municipal Finance Management Act to finance Prepaid Meters to the value of R2,5 million and the Vehicle Replacement Programme of R5,79 million.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

that Council approves the long term loan in terms of Section 46 of the Municipal Finance Management Act to finance Prepaid Meters to the value of R2,5 million and the Vehicle Replacement Programme of R5,79 million.

The Executive Mayoral Committee resolved on 23 October 2017 that the item be removed from the agenda.

**UNANIMOUSLY RESOLVED**

*that the item be removed from the agenda.*

**8.1.6 Supply Chain Management Policy for Infrastructure Procurement  
(8/1/P)**

Item 7.1.6 of the Executive Mayoral Committee meeting, held on 23 October 2017, refers.

The following documents are attached:

- (a) Memorandum from the Director: Finance, dated 18 October 2017: **Annexure 8.1.6(a)**.
- (b) MFMA Circular no. 77 from National Treasury: **Annexure 8.1.6(b)**.
- (c) Witzenberg Supply Chain Management Policy: **Annexure 8.1.6(c)**.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

That the Witzenberg Supply Chain Management Policy for Infrastructure be approved and adopted by Council as an addendum to the Witzenberg Supply Chain Management Policy.

The Executive Mayoral Committee resolved on 23 October 2017 that the matter in respect of the Supply Chain Management Policy for Infrastructure be held in abeyance until the next meeting.

**RESOLVED**

*that the matter in respect of the Supply Chain Management Policy for Infrastructure be held in abeyance until the next meeting.*

## 8.2 Direktooraat Tegniëse Dienste / Directorate Technical Services

### 8.2.1 Proposed entrance wall: Ceres (15/4/P)

The following items refer:

- (a) Item 7.1 of the meeting of the Committee for Technical Services, held on 18 October 2017.
- (b) Item 7.2.1 of the Executive Mayoral Committee meeting, held on 23 October 2017.

The following memorandum, dated 9 October 2017, was received from the Manager: Town Planning and Building Control:

#### Purpose

To obtain approval for the erection of a wall at the entrance of town.

The following annexures are attached:

- (a) Site plan: **Annexure 8.2.1(a)**.
- (b) Wall detail: **Annexure 8.2.1(b)**.
- (c) Letter from Department of Transport and Public Works, dated 28 September 2017: **Annexure 8.2.1(c)**.
- (d) E-mail from JM Group: **Annexure 8.2.1(d)**.

#### Discussion

The proposal is to erect an entrance wall at the Ceres Nature Reserve. The wall will be constructed of brick with stone cladding and stand three metres tall. Aluminium cut out profile of the mountain and lettering displaying the town name Ceres will be affixed on top of the wall.

The wall will be located in the same position as the existing stone wall.

The road (R46) is a proclaimed road and hence the Provincial comment was sought. No objection was offered."

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

that the proposed entrance wall to Ceres town be approved.

The Executive Mayoral Committee resolved on 23 October 2017:

that the Executive Mayoral Committee recommends to Council:

that the proposed entrance wall to Ceres town be approved.

**UNANIMOUSLY RESOLVED**

*that the proposed entrance wall to Ceres town be approved.*

**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.

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 Togryers 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 Togryers 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.

**UNANIMOUSLY RESOLVED**

*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.*

**8.2.3 Appeal against decision of Municipal Planning Tribunal: Erf 1259, 18 Renonkel Street, Wolseley (15/4/1/3/52)**

The following memorandum, dated 18 October 2017, was received from the Municipal Manager:

"Purpose

To consider the appeal of Mr Oosthuizen against the decision taken by the Witzenberg Municipal Planning Tribunal on 6 June 2017.

Deliberation

A person whose rights are affected by a decision taken by a Municipal Planning Tribunal may appeal against that decision by giving written notice of the appeal.

No appeal in respect of a decision in terms of the Spatial Planning and Land Management Act of 2013 may be lodged in terms of Section 62 of the Municipal Systems Act.

The municipality's by-law in terms of planning matters (SPLUMA) was published in the Provincial Gazette 7474, dated 21 August 2015. The procedure for the appeal determines that the authorised employee must draft a report assessing the appeal and submit it to the appeal authority. The executive authority is the appeal authority in respect of decisions made in terms of this by-law. A copy of the assessment report is attached as **annexure 8.2.3.**"

**RESOLVED**

*that the item was removed from the agenda.*

**8.2.4 Appeal against decision of Municipal Planning Tribunal: Erf 186: 60 Van der Stel Street, Tulbagh (15/4/1/2/85)**

The following memorandum, dated 18 October 2017, was received from the Municipal Manager:

"Purpose

To consider the appeal of Mr Silberberg (objector) against the decision taken by the Witzenberg Municipal Planning Tribunal on 6 June 2017.

Deliberation

A person whose rights are affected by a decision taken by a Municipal Planning Tribunal may appeal against that decision by giving written notice of the appeal.

No appeal in respect of a decision in terms of the Spatial Planning and Land Management Act of 2013 may be lodged in terms of Section 62 of the Municipal Systems Act.

The municipality's by-law in terms of planning matters (SPLUMA) was published in the Provincial Gazette 7474, dated 21 August 2015. The procedure for the appeal determines that the authorised employee must draft a report assessing the appeal and submit it to the appeal authority. The executive authority is the appeal authority in respect of decisions made in terms of this by-law. A copy of the assessment report is attached as **annexure 8.2.4.**"

**RESOLVED**

*that the item was removed from the agenda.*

**8.3      Direktoraat Gemeenskapsdienste / Directorate Community Services**

**8.3.1    Relocation of homeless people from trading area at corner of Vos and Pretorius Streets, Ceres  
(17/16/R)**

The following items refer:

- (a)      Item 7.3.2 of the Executive Mayoral Committee meeting, held on 26 September 2017.
- (b)      Item 8.3.2 of the council meeting, held on 27 September 2017.
- (c)      Item 7.3.1 of the Executive Mayoral Committee, held on 23 October 2017.

The following report, dated 14 September 2017, was received from the Municipal Manager:

“1.      Purpose

To request the Executive Mayoral Committee to consider the relocation of the homeless people, who is currently occupying the trading area at the corner of Vos and Pretorius Streets (opposite Shoprite Ceres).

2.      Background

The Witzenberg Municipality resolved on 10 March 2009 under item 9.2 to enter into a lease agreement with The Haven Night Shelter for a period of 10 years. Before the conclusion of the lease agreement the building was known as the *Nagskuiling*, the management of which was overseen by unpaid volunteers. The management at that time decided that The Haven was best equipped to ensure a sustainable management of the programme to reintegrate the homeless people back into society and further to reunite them with their various families. The idea found favour with Council hence the decision to conclude a rental agreement with The Haven. Over the years there were numerous complaints of homeless people not being accommodated at The Haven. Some of the allegations levelled against The Haven were that they catered for people outside of Witzenberg, are demanding too much money and are too strict in discipline. Numerous meetings, over time were conducted with The Haven in an attempt to resolve the problems highlighted by the homeless community. Despite concessions by The Haven it became apparent that some of the homeless people did not want to adhere to the rules of the shelter and instead resorted to either sleep in the main road, the mountains and on the stoeps of certain buildings. The situation deteriorated to such an extent that the municipality was forced to intervene and, as a temporary solution allowed the homeless people to sleep at the facility used by informal traders at the corner of Vos and Pretorius Streets.

3.      Deliberation

Community organisations were called on to assist the municipality with a strategy to reintegrate the homeless people into the community as well as reuniting them with their families. There has been an agreement that the current location does not lend itself to a permanent solution and instead makes it easier for homeless people to fall into a comfort zone.

Complaints have also been received by the informal traders that the presence of the homeless people is affecting their business. Morrisdale Primary School has also raised their concern because of the prevailing conditions and further that it is exposing the youth to unacceptable behaviour and unsavoury characters. The parents of the learners have also signed a petition requesting the municipality to relocate the homeless people.

The business section has given an indication that they will contribute towards the payment of an honorarium for a person who can work with the homeless people, especially motivating them to improve their lifestyle and assisting them to foster a better relationship with the Haven. The Haven is also part of the consulting organisations and has committed themselves to integrating and rebuilding of the homeless person. It emanated from the discussions, which included the homeless people, that they prefer to be as near as possible to the business centre.

The municipality unfortunately has no available property for this purpose. The piece of land marked "X" on **annexure 8.3.1(a)** is regarded as most suited for the relocation mainly because of the following reasons:

1. The property is not too far away from the business corridor.
2. The property is at the back of the Haven. The idea is that some of the Haven's facilities can also be used to the advantage of the homeless people.
3. The same rules of the Haven will not be applicable to those sleeping at the property. The idea was to move one of the steel structures (frame of store) to the property. The municipality still has old corrugated sheets for the roof section. The accommodation will be very much informal.
4. That the Social Workers of both the municipality and The Haven will have easier access to focus on the homeless people.

It needs to be noted that the Uniting Reformed Church has indicated their opposition to this relocation. A letter from the church, dated 10 May 2017, is attached as **annexure 8.3.1(b)**. The latter church was invited to be part of the discussion around the homeless people and has failed to participate. Some of the staff members of The Haven are also objecting despite the support and buy-in of their Provincial CEO who is very much in favour of such an initiative.

4. Legal implications

The property is still registered in the name of the Republic of South Africa and a formal process will be started to have the property transferred into the name of Witzenberg Municipality.

5. Financial implications

No provision was made for any such structure in the budget. The relocation cost will have to be calculated and tabled to Council for possible inclusion in the adjustment budget. The idea was to keep the cost minimal hence the use of old material and municipal labour."

The Executive Mayoral Committee resolved on 26 September 2017 that the matter regarding the relocation of homeless people from the trading area at the corner of Vos and Pretorius Streets, Ceres be held in abeyance.

Council unanimously resolved on 27 September 2017 that the matter regarding the relocation of homeless people from the trading area at the corner of Vos and Pretorius Streets, Ceres be held in abeyance.

The Executive Mayoral Committee resolved on 23 October 2017 that the matter in respect of the relocation of homeless people from the trading area at the corner of Vos and Pretorius Streets, Ceres be dealt with at the IDP meeting with all the relevant role players.

The following recommendation was tabled to Council:

that the matter in respect of the relocation of homeless people from the trading area at the corner of Vos and Pretorius Streets, Ceres be dealt with at the IDP meeting with all the relevant role players.

**UNANIMOUSLY RESOLVED**

*that Council will engage with the communities in Wards 3 and 5 in respect of the relocation of homeless people from the trading area at the corner of Vos and Pretorius Streets, Ceres after the IDP meetings.*

**8.3.2 Instandhouding van speelarktoerusting  
(17/09/2)**

Die volgende items verwys:

- (a) Item 8.1 van die vergadering van die Komitee vir Gemeenskapsontwikkeling, gehou op 21 September 2017.
- (b) Item 7.3.2 van die Uitvoerende Burgemeesterskomitee vergadering, gehou op 23 Oktober 2017.

'n Memorandum vanaf die Direkteur: Gemeenskapsdienste, gedateer 11 September 2017, word ingebind as **bylae 8.3.2**.

Die Voorsitter versoek dat die aangeleentheid met betrekking tot die instandhouding van speelarktoerusting in Witzenberg geneem word na alle wyke en gedryf word deur Wyksraadslede en Wykskomitees om die gemeenskappe in te lig om eienaarskap te neem van speeltoerusting.

Die Komitee stel voor dat die Jeugstruktuur en Jeugfokuspunte van gebruik gemaak word om met innoverende idees na vore te kom met die doel om vandalisme by alle speelarktoerusting aan te spreek.

Die Komitee vir Gemeenskapsontwikkeling het op 21 September 2017 eenparig besluit:

Om by die Uitvoerende Burgemeesterskomitee en Raad aan te beveel:

- (a) dat kennis geneem word van die inhoud van die verslag.

- (b) dat weggedoen word met die swaaie en liefs gefokus word op glyplanke en klimrame wat nie so maklik gevandaliseer word of waar gedeeltes maklik weggedra kan word nie.
- (c) dat waar bestaande swaaie gevandaliseer is, dit van die parke verwyder word en indien nie-winsgewende organisasies / crèches / skole skriftelik sou navraag doen oor skenkings in die verband; dit dan in “as is” toestand geskenk word.
- (d) dat waar ander beskadigde toerusting ekonomies herstel kan word, dit herstel of andersins verwyder word.
- (e) dat indien rondomtalies in die toekoms aangekoop sou word dit die tipe sal wees sonder die horisontale hout trapvlakke en dat huidige rondomtalies wat 'n gevaar inhou, verwyder word.
- (f) dat kennisgewings “gebruik van toerusting is op eie risiko” laat maak en opgerig word by elke parkie waar speelparkapparate geïnstalleer is.
- (g) dat 'n Publieke Deelname Proses gevolg word in alle wyke en die proses gedryf word deur Wyksraadslede in samewerking met die Wykskomitees rakende die Raad se intensie vir enige insette.
- (h) dat die Jeug Struktuur en Jeugfokuspunte 'n sensus opname doen in alle Wyke om innoverende idees te verkry as 'n teenvoeter vir die vandalisering van speelparktoerusting.

Die volgende aanbeveling was aan die Uitvoerende Burgemeesterskomitee voorgelê:

Dat die Uitvoerende Burgemeesterskomitee by die Raad aanbeveel:

- (a) dat kennis geneem word van die inhoud van die verslag.
- (b) dat weggedoen word met die swaaie en liefs gefokus word op glyplanke en klimrame wat nie so maklik gevandaliseer word of waar gedeeltes maklik weggedra kan word nie.
- (c) dat waar bestaande swaaie gevandaliseer is, dit van die parke verwyder word en indien nie-winsgewende organisasies / crèches / skole skriftelik sou navraag doen oor skenkings in dié verband; dit dan in “as is” toestand geskenk word.
- (d) dat waar ander beskadigde toerusting ekonomies herstel kan word, dit herstel of andersins verwyder word.
- (e) dat indien rondomtalies in die toekoms aangekoop sou word, dit die tipe sal wees sonder die horisontale hout trapvlakke en dat huidige rondomtalies wat 'n gevaar inhou, verwyder word.
- (f) dat kennisgewings “gebruik van toerusting is op eie risiko” laat maak en opgerig word by elke parkie waar speelpark-apparate geïnstalleer is.
- (g) dat 'n Publieke Deelname Proses gevolg word in alle wyke en die proses gedryf word deur wyksraadslede in samewerking met die wykskomitees rakende die Raad se intensie vir enige insette.

- (h) dat die Jeugstruktuur en Jeugfokuspunte 'n sensusopname doen in alle wyke om innoverende idees te verkry as 'n teenvoeter vir die vandalisering van speelparktoerusting.

Die Uitvoerende Burgemeesterskomitee het op 23 Oktober 2017 besluit dat die aangeleentheid rakende die instandhouding van speelparktoerusting oorstaan tot die eerskomende vergadering.

#### **BESLUIT**

*dat die aangeleentheid rakende die instandhouding van speelparktoerusting oorstaan en na die Uitvoerende Burgemeesterskomitee verwys word vir 'n aanbeveling aan die Raad.*

#### **8.3.3 Supporting LED project by leasing unregistered erf 740, Op-die-Berg to JJ & Son Honey Bee Business (Pty) Ltd (17/19/1 & 07/1/4/1)**

The following items refer:

- (a) Item 7.1 of the meeting of the Committee for Local Economic Development and Tourism, held on 18 October 2017.
- (b) Item 7.3.3 of the Executive Mayoral Committee meeting, held on 23 October 2017.

A memorandum from the Legal Advisor, dated 26 September 2017, is attached as **annexure 8.3.3**.

The Committee for Local Economic Development and Tourism resolved on 18 October 2017:

To recommend to the Executive Mayoral Committee and Council:

- (a) that the project for extracting honey as a Local Economic Development project be supported.
- (b) that property 740, Op-die-Berg be made available to a co-op to be established as revered to as in supra (a).
- (c) that the lease agreement be concluded with the co-op to be established and that Mr Jantjies be the representative of such co-op.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

- (a) that the project for extracting honey as a Local Economic Development project be supported.
- (b) that property 740, Op-die-Berg be made available to a co-op to be established as revered to as in supra (a).

- (c) that the lease agreement be concluded with the co-op to be established and that Mr Jantjies be the representative of such co-op.

The Executive Mayoral Committee resolved on 23 October 2017 that the matter in respect of supporting an LED project by leasing unregistered erf 740, Op-die-Berg to JJ & Son Honey Bee Business (Pty) Ltd be held in abeyance, awaiting the establishment of a co-op after which the matter will be tabled again to the Executive Mayoral Committee.

**UNANIMOUSLY RESOLVED**

*that the matter in respect of supporting an LED project by leasing unregistered erf 740, Op-die-Berg to JJ & Son Honey Bee Business (Pty) Ltd be held in abeyance, awaiting the establishment of a co-op after which the matter will be tabled again to the Executive Mayoral Committee for a recommendation to Council.*

#### **8.4      Direktoraat Korporatiewe Dienste / Directorate Corporate Services**

##### **8.4.1    Substitution of purchaser's name and sale of portion of erf 6236, Ceres (15/4/1/1/61 & 7/1/4/2)**

The following items refer:

- (a)      Item 7.4.3 of the Executive Mayoral Committee meeting, held on 22 March 2017.
- (b)      Item 3.2 of the Executive Mayoral Committee meeting, held on 26 September 2017.
- (c)      Item 7.4.1 of the Executive Mayoral Committee meeting, held on 23 October 2017.

A report from the Legal Advisor, dated 8 March 2017, is attached as **annexure 8.4.1**.

The Executive Mayoral Committee resolved on 22 March 2017:

- (a)      that the matter in respect of the substitution of the purchaser's name and sale of a portion of erf 6236, Ceres be held in abeyance.
- (b)      that an in loco inspection be held by the Municipal Manager, Executive Mayor and Mayoral Committee at erf 6236, Ceres.

The Municipal Manager reported at the Executive Mayoral Committee meeting of 26 September 2017 that an in loco inspection at erf 6236, Ceres is no longer necessary. The owner removed the gate and Council granted approval for the encroachment of the building lines. Access for pedestrians is not a problem.

The Executive Mayoral Committee resolved on 26 September 2017 that notice be taken that the in loco inspection at erf 6236, Ceres is no longer necessary and that all municipal regulations have been adhered to.

The Executive Mayoral Committee resolved on 23 October 2017 that the matter in respect of the substitution of the purchaser's name and sale of a portion of erf 6236, Ceres be held in abeyance until the next meeting.

#### **RESOLVED**

*that the matter in respect of the substitution of the purchaser's name and sale of a portion of erf 6236, Ceres be held in abeyance and referred to the Executive Mayoral Committee for a recommendation to Council.*

##### **8.4.2    Selling of erf 2536, Kluitjieskraal, Wolseley to the Old Apostolic Church (07/1/4/2)**

The following items refer:

- (a)      Item 7.5 of the meeting of the Committee for Corporate and Financial Services, held on 21 September 2017.
- (b)      Item 7.4.2 of the Executive Mayoral Committee meeting, held on 23 October 2017.

A memorandum from the Legal Advisor, dated 4 September 2017, is attached as **annexure 8.4.2**.

The Committee for Corporate and Financial Services resolved on 21 September 2017 to recommend to the Executive Mayor and Mayoral Committee and Council:

- (a) that erf 2536, Kluitjieskraal, Wolseley is not needed in terms of Section 14 of the Municipal Financial Management Act to provide in minimum level of basic municipal services.
- (b) that the erf supra (a) be alienated at the fair market related value.
- (c) that the Municipal Manager be authorised to sign all necessary documents on behalf of Council in order to effect the sale.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

- (a) that erf 2536, Kluitjieskraal, Wolseley is not needed in terms of Section 14 of the Municipal Financial Management Act to provide in minimum level of basic municipal services.
- (b) that the erf supra (a) be alienated at the fair market related value.
- (c) that the Municipal Manager be authorised to sign all necessary documents on behalf of Council in order to effect the sale.

The Executive Mayoral Committee resolved on 23 October 2017:

That the Executive Mayoral Committee recommends to Council:

- (a) that erf 2536, Kluitjieskraal, Wolseley is not needed in terms of Section 14 of the Municipal Financial Management Act to provide in minimum level of basic municipal services.
- (b) that in the interest of the community the erf supra (a) be alienated at the nominal price of R1 000-00.
- (c) that the Municipal Manager be authorised to sign all necessary documents on behalf of Council in order to effect the sale.

Councillor P Heradien proposed that the policy in respect of the alienation of land be consulted and that other churches have the opportunity to tender for the land.

Councillor BC Klaasen mentioned that the land was transferred by the Department Water Affairs to the municipality for free and as a gift. In the interest of the community it can be sold for R1 000-00.

The Municipal Manager reported that a public participation process was followed by means of an advertisement and notices, which was put up in the Kluitjieskraal community. No objections were received.

**RESOLVED**

- (a) *that erf 2536, Kluitjieskraal, Wolseley is not needed in terms of Section 14 of the Municipal Financial Management Act to provide in minimum level of basic municipal services.*
- (b) *that in the interest of the community the erf supra (a) be alienated at the nominal price of R1 000-00.*
- (c) *that the Municipal Manager be authorised to sign all necessary documents on behalf of Council in order to effect the sale.*
- (d) *that the purchaser be responsible for all transfer costs.*
- (e) *that Council takes notice that no objections were raised against the proposed alienation.*

Councillor P Heradien requested that his objection of the resolution be minuted.

**8.4.3 Restructuring of Ceres Tourism Office  
(10/2/R)**

The following items refer:

- (a) Item 7.4.2 of the Executive Mayoral Committee meeting, held on 26 September 2017.
- (b) Item 8.4.2 of the council meeting, held on 27 September 2017.
- (c) Item 7.4.3 of the Executive Mayoral Committee meeting, held on 23 October 2017.

The following memorandum, dated 20 September 2017, was received from the Municipal Manager:

“1. Purpose

To consider the report dealing with the restructuring of the Ceres Tourism Office.

2. Deliberation

The following reports were received from Ceres Tourism:

- (i) Restructuring of Ceres Tourism Office: **Annexure 8.4.3(a).**
- (ii) Job description of the new Destination Officer: **Annexure 8.4.3(b).”**

The Executive Mayoral Committee resolved on 26 September 2017 that the matter regarding the restructuring of the Ceres Tourism Office be held in abeyance.

Council unanimously resolved on 27 September 2017 that the matter regarding the restructuring of the Ceres Tourism Office be held in abeyance.

The Executive Mayoral Committee resolved on 23 October 2017 that the item be removed from the agenda.

**RESOLVED**

*that the item be removed from the agenda.*

**8.4.4 Request to purchase erf 3605, Ceres or a portion thereof  
(7/1/4/2)**

The following items refer:

- (a) Item 7.4.3 of the Executive Mayor and Mayoral Committee meeting, held on 26 September 2017.
- (b) Item 8.4.3 of the council meeting, held on 27 September 2017.
- (c) Item 7.4.4 of the Executive Mayoral Committee meeting, held on 23 October 2017.

A memorandum from the Municipal Manager, dated 18 September 2017, is attached as **annexure 8.4.4**.

The Executive Mayoral Committee resolved on 26 September 2017 that the matter regarding the request to purchase erf 3605, Ceres or a portion thereof be held in abeyance.

Council unanimously resolved on 27 September 2017 that the matter regarding the request to purchase erf 3605, Ceres or a portion thereof be held in abeyance.

The Executive Mayoral Committee resolved on 23 October 2017 that the matter in respect of the request to purchase erf 3605, Ceres or a portion thereof, be held in abeyance until the next meeting.

**RESOLVED**

*that the matter in respect of the request to purchase erf 3605, Ceres or a portion thereof, be held in abeyance and referred to the Executive Mayoral Committee for a recommendation to Council.*

**8.4.5 Request to amend By-Law on Liquor Trading Hours and Days  
(1/1/1)**

Item 7.4.5 of the Executive Mayoral Committee meeting, held on 23 October 2017, refers.

A memorandum from the Legal Advisor, dated 12 October 2017, is attached as **annexure 8.4.5**.

The Executive Mayoral Committee resolved on 23 October 2017 that the matter in respect of the request to amend the By-law on Liquor Trading Hours and Days be held in abeyance until the next meeting.

## RESOLVED

*that the matter in respect of the request to amend the By-law on Liquor Trading Hours and Days be held in abeyance and referred to the next Executive Mayoral Committee meeting for a recommendation to Council.*

### 8.4.6 Tourism in Witzenberg (10/1/4)

The following items refer:

- (a) Item 7.2 of the meeting of the Committee for Local Economic Development and Tourism, held on 18 October 2017, refers.
- (b) Item 7.4.6 of the Executive Mayoral Committee meeting, held on 23 October 2017.

The following report from the Municipal Manager, dated 13 October 2017, refers:

#### Purpose

To recommend to the Executive Mayoral Committee to establish a Tourism Route/s and embark on a process to achieve same by appointing a Service Provider to assist the municipality with such route.

#### Background

Council resolution 6.1 of 29 March 2017 has reference. A presentation was made on the advantages of Tourism Route development, the process of same and the role players involved. In the Integrated Development Framework of the Western Cape it is stated that **“the identification and marketing of routes is common practice in tourism destinations worldwide, and based on the idea that a group of products providing diversity of experience is more attractive than the individual components. Routes guide travellers along carefully constructed experiences creating a sense journeying rather than merely travelling.** The main purpose of travelling routes is to introduce tourists to certain areas. The increased flow of people in turn creates opportunities to involve communities in offering products and services suited to the character of the route.

#### Deliberation

The Witzenberg Spatial Development Framework acknowledges the potential of scenic and Tourism Route/s. It also provides guidelines for the development in cultural landscapes and scenic routes. A copy of an extract from the Spatial Development Framework is attached as **annexure 8.4.6.** The development and marketing of such Tourism Route/s requires assistance from expertise from within the tourism sector. Extensive market research, through public participation will have to be done.

The municipality does not have in-house expertise and will have to appoint a Service Provider to assist in the development of this Tourism Route/s.

Legal implications

The Tourism Act of 2014 does not specifically cater for the development or registration of tourism routes. This will however be intricately link to the Provincial Integrated Tourism Strategy. The development of Tourism Route/s will have to meet the requirements of other legislation for instance the National Roads Act. The Municipal Council will also have to approve of the Tourism Route/s after the public participation process.

Financial implication

No budget has been provided for in the 2017/18 financial year. Internal funds will have to be shifted and other donor funding will be applied for to the Cape Winelands District Municipality as well as the Provincial Department. If Council approves the project then any shortfall will have to be provided for in an adjustment budget. Any Service Provider will be appointed in terms of Council's Supply Chain process."

The Committee for Local Economic Development and Tourism resolved on 18 October 2017:

To recommend to the Executive Mayoral Committee and Council:

that Council in order to establish tourism route/s embark on a public private process to achieve same by appointing a service provider to assist the municipality with such route/s.

The following recommendation was tabled to the Executive Mayoral Committee:

That the Executive Mayoral Committee recommends to Council:

that Council in order to establish tourism route/s embark on a public private process to achieve same by appointing a service provider to assist the municipality with such route/s.

The Executive Mayoral Committee resolved on 23 October 2017 that the matter in respect of tourism in Witzenberg be held in abeyance until the next meeting.

**RESOLVED**

*that the matter in respect of tourism in Witzenberg be held in abeyance and referred to the next Executive Mayoral Committee meeting for a recommendation to Council.*

**9. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA**

None

**NOTED**

**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**

None

**NOTED**

**12. COUNCIL-IN-COMMITTEE**