

MINUTES OF THE COUNCIL MEETING OF THE WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON MONDAY, 25 JANUARY 2016 AT 10:00

PRESENT

Councillors

TT Godden (Speaker)
BC Klaasen (Executive Mayor)
K Adams (Deputy Executive Mayor)
R Badela
P Daniels
JJ du Plessis
MC du Toit
JP Fredericks
WJ Hanekom
JNED Klazen
S Louw
JS Mouton
SM Ndwanya
JT Phungula
L Salmon
MI Saula
EM Sidego
A Smit
HJ Smit
D Swart
JJ Visagie

Officials

Mr D Nasson (Municipal Manager)
Mr HJ Kritzinger (Director: Finance)
Mr J Barnard (Director: Strategic Services)
Ms J Krieger (Director: Community Services)
Mr M Mpeluza (Director: Corporate Services)
Mr A Hofmeester (IDP Manager)
Ms L Nieuwenhuis (Senior Officer: Properties)
Ms M Arendse (Principal Administrative Officer)
Mr C Titus (Committee Clerk)

Other representatives

Mr N Bettsworth (Ceres Business Initiative)

1. OPENING AND WELCOME

The Speaker welcomed everyone present and requested Councillor A Smit to open the meeting with prayer.

NOTED.

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

The Speaker informed Council that Councillor M Mentor will be late for the meeting.

An application for leave of absence from the meeting was received from Councillor R Simpson.

RESOLVED

That the application for leave of absence from the meeting, received from Councillor R Simpson, be approved.

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

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

Councillor MC du Toit congratulated the following councillors and spouses on their birthdays:

❖	Councillor BC Klaasen	8 January
❖	Councillor R Badela	14 January
❖	Councillor J Phungula	15 January
❖	Ms F Adams	24 January
❖	Ms C Godden	25 January

Councillor JJ Visagie, on behalf of the DA coalition, requested a minute of silence for the pedestrians of Ward 4 who lost their lives on 16 January 2016 as well as those persons of Ward 4 who tragically lost their lives in a motor vehicle accident on 17 January 2016.

Councillor Visagie also mentioned that the families thanked the Witzenberg Municipality, Executive Mayor and Council for their assistance in their time of bereavement.

Councillor J Phungula, on behalf of the ANC, conveyed condolences to the abovementioned families.

NOTED.

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

None.

NOTED.

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

- (a) The Executive Mayor welcomed back all councillors after the recess period and mentioned that an exciting and challenging year lies ahead.
- (b) The Executive Mayor also referred to the tragic road accidents as mentioned by Councillors Visagie and Phungula.
- (c) The Executive Mayor mentioned that the municipality will focus on accelerated service delivery to the benefit of the broader community during this year.
- (d) On a question of Councillor MC du Toit the Municipal Manager informed Council that the municipality currently does not have additional parking space to allocate to councillors, but that the matter will be attended to and will be tabled at the next council meeting as an outstanding matter.

NOTED.

4. MINUTES

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

The following minutes are attached:

- (a) Special council meeting, held on 26 November 2015: **Annexure 4.1(a)**.
- (b) Council meeting, held on 9 December 2015: **Annexure 4.1(b)**.
- (c) Special council meeting, held on 5 January 2016: **Annexure 4.1(c)**.

RESOLVED

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

- (i) *Special council meeting, held on 26 November 2015.*
- (ii) *Council meeting, held on 9 December 2015.*
- (iii) *Special council meeting, held on 5 January 2016.*

5. MOSIES EN KENNISGEWINGS VAN VOORSTELLE

Geen.

AANGETEKEN.

6. INTERVIEWS WITH DELEGATIONS

None.

NOTED.

7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS

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

Die verslae/notules van die volgende vergaderings word ingebind:

- (a) Komitee vir Landelike Ekonomiese Ontwikkeling en Toerisme, gehou op 14 Oktober 2015: **Bylae 7.1(a)**.
- (b) Committee for Technical Services, held on 14 October 2015: **Annexure 7.1(b)**.
- (c) Committee for Corporate and Financial Services, held on 15 October 2015: **Annexure 7.1(c)**.
- (d) Komitee vir Gemeenskapsontwikkeling, gehou op 15 Oktober 2015: **Bylae 7.1(d)**.
- (e) Executive Mayoral Committee, held on 21 October 2015: **Annexure 7.1(e)**.
- (f) Performance, Risk and Audit Committee, held on 23 October 2015: **Annexure 7.1(f)**.

Councillor J Mouton enquired whether a public participation process was followed pertaining to item 7.2 of the meeting of the Committee for Technical Services, held on 14 October 2015.

The Municipal Manager replied that Council had approved the matter regarding the proposed fynbos reserve on Portion of Erf 1, Wolseley as per council resolution 8.2.3 of 9 December 2015. He further mentioned that a detailed study of the area must be made by Cape Nature to determine the botanical nature of same and that a public participation process is not needed.

BESLUIT

dat kennis geneem word van die notules van die komiteevergaderings.

8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS

8.1 Direktooraat Finansies / Directorate Finance

**8.1.1 Monthly reports of the Department Finance: September, October, November and December 2015
(9/1/2/2)**

The following items refer:

- (a) Item 7.1.1 of the Executive Mayoral Committee meeting, held on 23 November 2015.
- (b) Item 7.1.1 of the Executive Mayoral Committee still to be held.

The following monthly reports of the Department Finance are attached:

- (a) September 2015 **Annexure 8.1.1(a)**
- (b) October 2015 **Annexure 8.1.1(b)**

The Executive Mayoral Committee resolved on 23 November 2015 that the matter of the monthly reports of the Department Finance for September and October 2015 be held in abeyance until the next meeting.

The following monthly reports of the Department Finance are attached:

- (a) November 2015 **Annexure 8.1.1(c)**
- (b) December 2015 **Annexure 8.1.1(d)**

RESOLVED

that the matter be held in abeyance until the next council meeting.

**8.1.2 Second Bi-Annual Report on Performance Management: 2014/2015
(5/14/4)**

Item 6.2.3 of the Performance, Risk and Audit Committee meeting, held on 27 November 2015, refers.

The Second Bi-Annual Report on Performance Management for 2014/2015 is attached as **annexure 8.1.2.**

The Second Bi-Annual Report on Performance Management for 2014/2015 has been workshopped and signed by the Chairperson.

The Performance, Risk and Audit Committee resolved on 27 November 2015 that the Second Bi-Annual Report on Performance Management for 2014/2015 be tabled at the next council meeting.

In terms of Section 166 of the Municipal Finance Management Act , the Performance, Risk and Audit Committee, as an independent advisory body, must advise the municipal council on matters relating to -

- internal financial control;
- accounting policies;
- the adequacy, reliability and accuracy of financial reporting and information;
- performance management;
- effective governance.

RESOLVED

- (a) *that Council takes note of the content of the Second Bi-Annual Report of the Performance, Risk and Audit Committee on Performance Management for 2014/2015 and the concerns of the committee as noted under item 7 of the report;*
- (b) *that Council takes note of the recommendations of the Performance, Risk and Audit Committee:*
 - (i) *That the performance agreements for employees be implemented.*
 - (ii) *More rigorous review of performance information.*
- (c) *Council noted the recommendation to:*
 - (i) *review debt collection policies;*
 - (ii) *take steps to improve the payment culture;*
 - (iii) *enforce the debt collection process more strictly; and*
 - (iv) *explore efforts to stimulate economic growth.*

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

The following items refer:

- (a) Item 7.2 of the meeting of the Committee for Corporate and Financial Services, held on 25 August 2015.
- (b) Item 8.1.2 of the council meeting, held on 9 December 2015.

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

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

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

Council resolved on 9 December 2015:

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

Councillor D Swart proposed, seconded by Councillor BC Klaasen, that the recommendation be accepted.

Councillor MC du Toit proposed, seconded by Councillor K Adams, that the matter be held in abeyance until same has been workshopped by Council.

The chief whip of the DA, Councillor D Swart, requested a caucus break of ten minutes on behalf of the DA coalition.

The meeting adjourned at 10:37 and resumed at 10:47.

Councillor D Swart withdrew his proposal as seconded by Councillor BC Klaasen.

RESOLVED

that the matter regarding the amendment of the Consumer Payment Incentive Policy be held in abeyance until a workshop has been held.

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

The following items refer:

- (a) Item 7.3 of the meeting of the Committee for Corporate and Financial Services, held on 25 August 2015.
- (b) Item 7.1.3 of the Executive Mayoral Committee meeting, held on 21 October 2015.
- (c) Item 8.1.3 of the council meeting, held on 9 December 2015.

A memorandum from the Director: Finance, dated 14 August 2015, is attached as **annexure 8.1.4.**

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

The following options could be considered:

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

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

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

The Executive Mayoral Committee resolved on 21 October 2015:

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

Council resolved on 9 December 2015 that the matter regarding fees payable for the reconnection of electricity disconnected due to outstanding municipal accounts be held in abeyance.

RESOLVED

that the matter regarding fees payable for the reconnection of disconnected electricity be held in abeyance until a workshop has been held.

8.1.5 Mid-year budget and performance assessment for period 1 July to 31 December 2015 (9/1/1 & 5/1/5/8)

The following report, dated 15 January 2016, was received from the Director: Finance:

“1. Purpose

The purpose of this report is to submit the mid-year budget and performance assessment for period 1 July to 31 December 2015 to Council, for information

2. Legislature framework

In terms of Section 72 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003):

- (1) The accounting officer of a municipality must by 25 January of each year –
- (a) Assess the performance of the municipality during the first half of the financial year.
 - (b) Submit the report to the Mayor, National Treasury and Provincial Treasury.'

The mayor must, in terms of Section 54(1)(f) of the act submit the report to the council by 31 January of each year.

3. Discussion

The mid-year report for 2015/2016 is attached as **annexure 8.1.5.**"

RESOLVED

that Council accepts the Mid-year Budget Statement and Performance Assessment for the period 1 July to 31 December 2015.

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

Item 8.1.17 of the council meeting, held on 9 December 2015, refers.

Council resolved on 9 December 2015:

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

The following documents are attached:

- (a) Memorandum from the Director: Finance, dated 18 January 2016: **Annexure 8.1.6(a).**
- (b) Annual Report for 2014/2015: **Annexure 8.1.6(b).**
- (c) Oversight Report for 2014/2015, dated January 2016: **Annexure 8.1.6(c).**

Councillor EM Sidego thanked everybody who assisted in the compiling of the Annual and Oversight Reports. She furthermore mentioned that only one meeting was held in Ward 5 as reflected in the Annual Report.

Councillor R Badela enquired whether it is acceptable that only one meeting was held for the year.

The Speaker responded to Councillor R Badela's query in a satisfactory manner.

The Municipal Manager informed the meeting that a model needs to be designed to rate the performances of the Ward Committees.

Councillor H Smit, councillor of Ward 5, informed Council that more than one meeting was held and is therefore not a true reflection as stated in the Annual Report of 2014/2015.

RESOLVED

- (a) *that having fully considered the 2014/2015 Annual Report of the Witzenberg Municipality, including the submission and comments received, Council adopts the 2014/2015 Oversight Report and approves the 2014/2015 Annual Report without reservations; and*
- (b) *that the necessary corrections and alternations be made in the Annual Report 2014/2015.*

**8.1.7 Finance: Adjustment budget 2015/2016
(5/1/14)**

The following documents are attached:

- (a) Memorandum from the Director: Finance, dated 18 January 2016: **Annexure 8.1.7(a).**
- (b) Adjustment budget: 2015/2016 to 2017/2018: **Annexure 8.1.7(b).**

RESOLVED

that Council accepts the Adjustment Budget of Witzenberg Municipality for the financial year 2015/2016.

Die Speaker versoek die lede van die Komitee vir Tegnieese Dienste om die vergadering te verlaat vir die bespreking van items 8.2.1 tot 8.2.5. Raadslede JJ Visagie, JNED Klazen, D Swart, MC du Toit en MI Saula verlaat die vergadering om 11:38.

8.2 Direkoraat Tegniëse Dienste / Directorate Technical Services

8.2.1 Appèl teen tweede wooneenheid: Erf 2245, Albertsingel 26, Ceres (15/4/R)

Item 7.1 van die vergadering van die Komitee vir Tegniëse Dienste, gehou op 25 November 2015, verwys.

Die volgende memorandum, gedateer 12 November 2015, is van die Stadsbeplanner, mnr. Ryan van der Merwe, ontvang:

“1. Doel

Om 'n besluit te neem insake 'n appèl ontvang.

2. Agtergrond

Aansoek om vergunning vir die oprigting van 'n tweede wooneenheid was ontvang. Die aansoek was geadverteer en die buurman (erf 2244, Albertsingel 28) het beswaar aangeteken. Die beswaar was aan die aansoeker voorgelê.

Die beswaarmaker se redes vir beswaar en die applikant se repliek op die beswaar kan soos volg saamgevat word:

Beswaarmaker	Applikant
Genoemde erf is gesoneer as enkelresidensieel.	'n Tweede wooneenheid soos voorgestel is 'n vergunningsgebruik onder die enkelwoonsone sonering. Die vergunning kan deur die Raad oorweeg word op aansoek.
Die tipe wooneenheid sal die waardasie van my erf negatief beïnvloed.	Die huidige struktuur is verval en onbewoon. Die voorstel is vir 'n nuutgeboude gebou wat in waarde beslis meer werd gaan wees.
Die applikant het in gesprek aangedui dat hy beoog om 'n tweede wooneenheid op 'n latere stadium aan te bring, asook die moontlikheid van 'n onderverdeling.	Geen verdere ontwikkeling word beplan nie. Die aansoek is reeds vir 'n tweede wooneenheid. 'n Addisionele eenheid (derde) kan in terme van die Skemaregulasies slegs deur 'n hersoneringaansoek gedoen word. Onderverdeling kan deur die Raad oorweeg word op aansoek. Hierdie aansoek is om vergunning.

'n Aanbeveling van Stadsbeplanning was aan die Komitee vir Tegniëse Dienste voorgelê waarna die komitee die aansoek om die volgende redes goedgekeur het:

- Die impak van die tweede wooneenheid is minimaal op die onmiddellike omgewing van die woonbuurt.
- Die voorstel sal 'n estetiese verbetering van die area meebring.
- Geen boulyne word oorskry nie.

Die komitee se besluit was aan die beswaarmaker gestuur vir reg tot appèl. Die appèl was in die 21 dae tydperk ontvang en kan soos volg opgesom word:

Die appellant stel voor dat die komitee die perseel besoek om hom te vergewis van die grootte in oppervlakte.	Die erf is 732 m ² groot. Die totale grootte van die voorgestelde gebou is 100 m ² . Die gedeelte wat as die tweede wooneenheid voorgestel word, is 50 m ² en oorskry nie die maksimum grootte van 120 m ² nie.
Die perseel grens aan 'n rivier en binne die 1:50 vloedlyn.	Insluitend die appellant se woonhuis is daar vyf huise wat aan die rivier grens.
'n Tweede wooneenheid sal die omgewing meer verdig en onooglik laat lyk.	Daar is verskeie eiendomme in die onmiddellike omgewing waar reeds toestemming vir tweede wooneenhede verleen was.

3. Beredenering

Die erf waarop 'n vervalte struktuur staan, is tans onbewoon. Die eienaar is van voorneme om hierdie struktuur te sloop sodra goedkeuring vir sy voorgestelde bouplan vanaf die Raad verkry word. Met verwysing na die bouplan en die huidige aanwending sal die aansoeker se voorstel in terme van stadsbeplanningsaspekte baie meer estetiese waarde tot die area toevoeg. Die impak van die tweede wooneenheid is minimaal op die onmiddellike omgewing van die woonbuurt."

Die Komitee vir Tegniese Dienste het op 25 November 2015 besluit om by die Raad aan te beveel dat die appèl van mnr P Hardneck teen die Raad se goedkeuring van die aansoek om vergunning vir 'n tweede wooneenheid op erf 2245, Albertsingel 26, Ceres van die hand gewys word en die besluit van die Komitee vir Tegniese Dienste gehandhaaf word.

BESLUIT

dat die appèl van mnr. P Hardneck, teen die Komitee vir Tegniese se goedkeuring van die aansoek om vergunning vir 'n tweede wooneenheid op erf 2245, Albertsingel 26, Ceres, gehandhaaf word.

8.2.2 Appèl teen bedryf van buiteverbruik drankwinkel: Erf 4488, Duikerweg 315, Bella Vista, Ceres (15/4/1/1/159)

Item 7.2 van die vergadering van die Komitee vir Tegniese Dienste, gehou op 25 November 2015, verwys.

Die volgende verslag, gedateer 12 November 2015, is van die Stadsbeplanner, mnr. Ryan van der Merwe, ontvang:

"1. Doel

Om 'n besluit te neem insake 'n appèl ontvang.

2. Agtergrond

Aansoek om afwyking vir die bedryf van 'n buiteverbruik drankwinkel was ontvang.

'n Aanbeveling van Stadsbeplanning was aan die Komitee vir Tegniese Dienste voorgelê waarna die komitee die aansoek om die volgende redes afgekeur het:

- Drankverkope is onversoenbaar met woonbuurte en hoort lief in die besigheidsarea.
- Die Suid-Afrikaanse Polisiedienste ondersteun nie die aansoek nie.

Die applikant se appèl ontvang teen die besluit kan soos volg opgesom word:

Hy verwys na ander persele wat volgens hom voorheen deur die Raad goedgekeur was, nl. At's Liquor Store, Flamingo Place en Coban's Liquors.	Irrelevant. Elke saak word op sy eie meriete hanteer.
Volgens hom sou hy verkies om sy besigheid in 'n besigheidsarea te kon bedryf, maar dat die posisie waarin hy homself huidiglik bevind dit moeilik maak.	Irrelevant. Die aansoek word in terme van die huidige grondgebruik oorweeg.
Hy is van mening dat dit onbillik sal wees om sy aansoek af te keur, omdat die munisipaliteit reeds goedkeuring aan die bogenoemde persele verleen het.	Irrelevant. Elke saak word op sy eie meriete hanteer.
Onwettighede verbind aan die perseel in die verlede was en kom sulke gevalle nie meer op die perseel voor nie.	Irrelevant. Daar is geen waarborg dat sulke gevalle nie weer sal plaasvind nie.
Hy is ook van mening dat die perseel beter en effektief gereguleer kan word indien daar 'n dranklisensie is.	Irrelevant. Die aansoek word in terme van die huidige grondgebruik oorweeg.

3. Beredenering

Die aansoek is gesirkuleer na die Suid-Afrikaanse Polisiediens vir kommentaar. Volgens die Polisie word die perseel met verskeie misdade soos die verkoop van drank sonder 'n lisensie en die besit van dwelms verbind. Die aansoeker self is ook in van die gevalle met genoemde misdrywe verbind.

Die aansoek was ook na die betrokke raadslid vir kommentaar verwys. In die kommentaar word verwys na die inwoners in die onmiddellike omgewing wat nie tevrede is met die voorgestelde gebruik in die area nie en dat dit die jeug blootstel aan hierdie tipe bedrywighede.

Drie (3) besware was tydens die adverteringproses ontvang. Hierdie besware verwys hoofsaaklik na die probleme wat met hierdie tipe bedrywe verband hou.

Die perseel is ongeveer 400 meter vanaf 'n gelisensieerde drankwinkel in Bella Vista, Ceres geleë. Drankverkope in woonbuurte kan probleme veroorsaak soos steurnis, asosiale gedrag, samedromming van mense, verkeer en rommelstrooiing. Hierdie probleme kan nie maklik deur die eienaar beheer word nie, aangesien dit buite die perseel plaasvind. Die gevolg is dat dit druk plaas op polisiëring en ook inwoners verontrief."

Die Komitee vir Tegniese Dienste het op 25 November 2015 besluit om by die Raad aan te beveel dat die appèl van mnr. Wanza teen die Raad se afkeuring van die aansoek om afwyking op erf 4488, Duikerweg 315, Bella Vista, Ceres van die hand gewys word en die besluit van die Komitee vir Tegniese Dienste gehandhaaf word.

BESLUIT

dat die appèl van mnr. Wanza teen die Komitee vir Tegniese Dienste se afkeuring van die aansoek om afwyking op erf 4488, Duikerweg 315, Bella Vista, Ceres afgekeur word.

8.2.3 Appèl teen bedryf van huiswinkel: Erf 6615, Jakarandastraat 62, Bella Vista, Ceres (15/4/R)

Item 7.3 van die vergadering van die Komitee vir Tegniese Dienste, gehou op 25 November 2015, verwys.

Die volgende verslag, gedateer 12 November 2015, is van die Stadsbeplanner, mnr. Ryan van der Merwe, ontvang:

“1. Doel

Om 'n besluit te neem insake 'n appèl ontvang.

2. Agtergrond

Aansoek om afwyking vir die bedryf van 'n huiswinkel was ontvang. Die aansoek was om die volgende redes afgekeur:

- Die winkel word onderverhuur, wat teenstrydig is met die huiswinkelbeleid.
- Die struktuur waaruit die winkel bedryf word, was sonder enige bouplanne opgerig.

Die applikant se appèl teen die besluit kan soos volg opgesom word:

- Hy noem dat sy vrou werkloos is en hy 'n staatstoelae ontvang.
- Die winkel word tydelik deur buitelanders bedryf van wie hy tans opleiding ontvang vir hom om later sy eie besigheid te bedryf.

3. Beredenering

Die winkel word onderverhuur en is dus teenstrydig met die huiswinkel beleid. Die aansoek kan daarom nie goedgekeur word nie. Die struktuur is ook opgerig sonder die nodige bouplanne.”

Die Komitee vir Tegniese Dienste het op 25 November 2015 besluit om by die Raad aan te beveel dat die appèl van mnr. W. Johannes teen die Raad se afkeuring van die aansoek om afwyking op erf 6615, Jakarandastraat 62, Bella Vista, Ceres van die hand gewys word en die besluit van die Komitee vir Tegniese Dienste gehandhaaf word.

BESLUIT

dat die appèl van mnr. W Johannes teen die Komitee vir Tegniese Dienste se afkeuring van die aansoek om afwyking op erf 6615, Jakarandastraat 62, Bella Vista, Ceres afgekeur word.

8.2.4 Appèl teen bedryf van huiswinkel: Erf 6821, Bella Vista, Ceres (15/4/R)

Item 7.4 van die vergadering van die Komitee vir Tegniese Dienste, gehou op 25 November 2015, verwys.

Die volgende verslag, gedateer 12 November 2015, is van die Stadsbeplanner, mnr. Ryan van der Merwe, ontvang:

“1. Doel

Om ‘n besluit te neem insake ‘n appèl ontvang.

2. Achtergrond

Aansoek om afwyking vir die bedryf van ‘n huiswinkel was ontvang. Die aansoek was om die volgende redes afgekeur:

- Die winkel word onderverhuur, wat teenstrydig is met die huiswinkelbeleid.

Die applikant se appel ontvang teen die besluit kan soos volg opgesom word:

- Sy noem dat sy gestrem in ‘n rolstoel is en nie kan werk nie.
- Die winkel is haar enigste inkomste en dat die bure nie beswaar het nie.

3. Beredenering

‘n Bouplan was ingedien en goedgekeur. Die gedeelte waaruit die winkel tans bedryf word, was as ‘n vermaaklikheidsarea op die bouplan aangetoon. Die winkel word onderverhuur en dus teenstrydig met die huiswinkel beleid. Die aansoek kan daarom nie goedgekeur word nie.”

Die Komitee vir Tegniese Dienste versoek dat die huiswinkel beleid hersien word en dat dit deur die Raad gewerkswinkel word.

Die Komitee vir Tegniese Dienste het op 25 November 2015 besluit om by die Raad aan te beveel:

- (a) Dat die appèl van mev. E Maans teen die Raad se afkeuring van die aansoek om afwyking op erf 6821, Kareestraat 13, Bella Vista, Ceres van die hand gewys word en die besluit van die Komitee vir Tegniese Dienste gehandhaaf word.
- (b) Dat mev. Maans die afdeling Boubeheer en Beplanning besoek om advies te bekom om ‘n huiswinkel te bedryf en haar in staat te stel om die regte prosedures te volg.

- (c) Dat die Huiswinkel Beleid hersien word en dat dit deur die Raad gewerkswinkel word.

BESLUIT

- (a) *dat die appèl van mev. E Maans teen die Komitee vir Tegniese Dienste se afkeuring van die aansoek om afwyking op erf 6821, Kareestraat 13, Bella Vista, Ceres afgekeur word en die besluit van die Komitee vir Tegniese Dienste gehandhaaf word;*
- (b) *dat mev. Maans die afdeling Boubeheer en Beplanning besoek om advies te bekom om 'n huiswinkel te bedryf en haar in staat te stel om die regte prosedures te volg; en*
- (c) *dat die Huiswinkel Beleid hersien word en dat dit deur die Raad gewerkswinkel word.*

8.2.5 Appèl teen vergunning vir doeleindes van plek van vermaaklikheid: Erf 1386, Lyellstraat, Ceres (15/4/1/1/23)

'n Verslag vanaf die Stadsbeplanner, gedateer 11 Januarie 2016, word ingebind as bylae 8.2.5.

BESLUIT

dat die appèl van mnr. en mev. Van Huffel teen die Komitee vir Tegniese Dienste se goedkeuring van die aansoek om vergunning vir doeleindes van plek van vermaaklikheid op erf 1386, Lyellstraat 60, Ceres van die hand gewys word.

8.2.6 Water supply: Classification of a local state of drought disaster (16/2/5/1)

A letter from the National Disaster Management Centre, dated 11 January 2016, is attached as annexure 8.2.6.

RESOLVED

that Council took note of the contents of the letter from the National Disaster Management Centre regarding the classification of a local state of drought disaster.

Raadslede JJ Visagie, JNED Klazen, D Swart, MC du Toit en MI Saula sluit weer by die vergadering aan.

8.3 Direktoraat Gemeenskapsdienste / Directorate Community Services

**8.3.1 Extended Public Works Program (EPWP) Policy: 2015/2016
(17/19/P)**

Item 7.1 of the meeting of the Committee for Rural Economic Development and Tourism, held on 25 November 2015, refers.

A memorandum from the Director: Community Services regarding the amendment of the EPWP Policy for 2015/2016, dated 3 November 2015, is attached as **annexure 8.3.1**.

The Committee for Rural Economic Development and Tourism resolved on 25 November 2015 to recommend to Council that Council endorses the amendments made to the Municipal EPWP Policy.

RESOLVED

that the Extended Public Works Program Policy for 2015/2016 be workshopped by Council.

8.4 Direktoraat Korporatiewe Dienste / Directorate Corporate Services

**8.4.1 Meetings calendar: 2016
(3/1/2/3)**

Item 8.4.10 of the council meeting, held on 9 December 2015, refers.

The draft meetings calendar for 2016 is attached as **annexure 8.4.1**.

Council resolved on 9 December 2015 that the matter of the draft meetings calendar for January to June 2016 be held in abeyance until the next council meeting on 25 January 2016.

RESOLVED

that the meetings calendar for Witzenberg Municipal Council for 2016 be approved.

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

The following items refer:

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

(b) Item 8.4.3 of the council meeting, held on 9 December 2015.

A memorandum from the Senior Officer Properties, dated 13 July 2015, is attached as **annexure 8.4.2**.

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

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

Council resolved on 9 December 2015 that the matter be held in abeyance until the next meeting.

RESOLVED

- (a) *that the matter regarding the confirmation of previous sale of erven 1238, 1239 and 1240, Tulbagh be held in abeyance until the next council meeting; and*
- (b) *that the Municipal Manager compiles a list of all similar cases and submits same at the next council meeting.*

9. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA

**9.1 Essential services: Water situation Witzenberg
(16/2/1/1/1)**

A report from the Director: Strategic Services, dated 20 January 2016, is attached as **annexure 9.1**.

RESOLVED

- (a) *That Council took note of the report as submitted by the Director: Strategic Services regarding the water situation at Witzenberg;*
- (b) *that a restriction be placed on the usage of all private boreholes for irrigation purposes in the residential areas of Witzenberg as follows:*

Gardens may only be watered on the following days between 19:00 and 21:00:

- (i) *Even numbered households: Mondays and Thursdays only; and*
 - (ii) *Uneven numbered households: Tuesdays and Fridays only.*
- (c) *that the owner or occupier of any premises who intends to sink a borehole on such premises notifies the municipality on the prescribed form of such intention before work in connection therewith is commenced;*

- (d) *that the owner of any premises within the municipal jurisdiction upon which a borehole exists, or if the owner is not in occupation of such premises, the occupier thereof notifies the municipality on the prescribed form of the existence of a borehole on such premises and provide the municipality with such information in respect thereof as it may require;*
- (e) *that the municipality exercises its primary right to obtain all raw water from the Koekedouw Dam, in the event that the Koekedouw Irrigation Board intends to utilise their winter quota, as this will have the effect that the municipality will not have sufficient drinking water for its consumers; and*
- (f) *that the resolution regarding the water situation in Witzenberg be published in the local newspaper and be distributed amongst the public by means of notice boards and flyers, informing the community that if found guilty for any form of transgression, Council will impose the applicable fines.*

10. FORMAL AND STATUTORY MATTERS

The Speaker announced that Councillor EM Sidego had resigned as chairperson of the Municipal Public Accounts Committee and that an item to appoint a new chairperson for the Municipal Public Accounts Committee will be tabled at the next council meeting.

NOTED.

11. QUESTIONS and/or MATTERS RAISED by COUNCILLORS

None.

NOTED.

12. COUNCIL-IN-COMMITTEE

/MJ Prins