DRAKENSTEIN MUNICIPALITY

MINUTES OF AN ORDINARY MEETING OF THE MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, FIRST FLOOR, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL ON FRIDAY, 26 MARCH 2010 AT 10:00.

PRESENT: **Councillors (see attached schedule)**

Senior Officials:	**Dr S T Kabanyane**	**(Municipal Manager)**
	Mr K Mrali	**(Executive Director: Corporate Governance)**
	Mr C Petersen	**(Executive Director: Financial Services)**
	Mr T Matthee	**(Executive Director: Social Services)**
	Dr P Naidoo	**(Executive Director: Strategic Services)**
	Mr L Coetzee	**(Executive Director: Infrastructure & Planning)**
	Mr A Marais	**(Head: Corporate Services)**
	Mr K Gordon	**(Manager: Administrative Services)**

MINUTES: COUNCIL/RAAD/IBHUNGA
26 MARCH 2010

1.	CONSIDERATION OF APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE FROM COUNCIL/COMMITTEE MEETINGS
	OORWEGING VAN AANSOEKE DEUR RAADSLEDE VIR VERLOF VAN AFWESIGHEID VAN RAAD/KOMITEEVERGADERINGS

The following applications for leave of absence were approved:-

Clr H R de Goede	-	26 March 2010
Clr E J van Zyl	-	26 March 2010
Clr J Smit	-	26 March 2010
Clr J W Solomon	-	26 March 2010
Clr F A Kellerman	-	12 April – 2 May 2010
Clr R Brand	-	26 March 2010
Clr J T Basson	-	29 March – 1 April 2010
		7 April – 9 April 2010 (on Council business)
Clr T M Kompela	-	29 March – 7 April 2010
Clr M W Nothnagel	-	1 April – 12 April 2010
Clr J Matthee	-	26 March 2010
Clr C Meyer	-	29 March – 25 April 2010

2.	CONFIRMATION OF MINUTES / BEKRAGTIGING VAN NOTULE

The minutes of the following meetings of the Municipal Council were **confirmed as correct:-**

i. Ordinary meeting held on 27 January 2010; and
ii. Special meeting held on 10 February 2010, subject to the following amendment:-

"7. Adjustments Budget 2009/10 (The DA and ID abstained from voting on this matter.)"

3.	MINUTES: COMMITTEE MEETINGS / NOTULES: KOMITEEVERGADERINGS

Noted.

4.	STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR/EXECUTIVE DEPUTY MAYOR
	VERKLARINGS EN MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER/UITVOERENDE ONDERBURGEMEESTER

No statements were made.

5.	STATEMENTS AND COMMUNICATIONS BY THE SPEAKER
	VERKLARINGS EN MEDEDELINGS DEUR DIE SPEAKER

1. The Speaker reminded Council of the IDP Budget Review Roadshow;
2. The Speaker indicated that the Water Week programme would be distributed to all councillors; and
3. The Speaker congratulated councillors who celebrated their birthdays during February and March 2010.

6.	**STATUTORY MATTERS / STATUT1ÊRE SAKE**

No matters were submitted.

7.	**CONSIDERATION OF REPORTS BY THE EXECUTIVE MAYOR AND MAYORAL COMMITTEE**
	OORWEGING VAN VERSLAE DEUR DIE UITVOERENDE BURGEMEESTER EN BURGEMEESTERSKOMITEE

7.1	**DEVIATIONS FROM AND RATIFICATION OF MINOR BREACHES OF PROCUREMENT PROCESSES**
	AFWYKING VAN EN RATIFIKASIE VAN MINDERE VERBREKINGS VAN VERKRYGINGSPROSESSE
	UKUYEKWA UKULUNGISWA KOLAPHULO OLUNCINCI KWINKQUBO YOKUFUMANA

The attached comment of the DA was tabled at the meeting.

RESOLVED

1. that in terms of section 36 of the Supply Chain Management Policy, note be taken of the transactions as contained in the departmental report; and

2. that more detailed information with regards to larger amounts be included in future reports.

Meeting: **Ref No:** **Doc No:**	**Council – 26/03/2010** **9/1/1/5** **50317**	**Submitted by Directorate:** **Author/s:** **Referred from:**	**Financial Services** **EM&MC – 17/02/10**
CLAUSE:	**ACTION:** **Implement decision in terms of paragraph 2**	**RESPONSIBLE DEPT:** **ED: Financial Services (SCM)**	**DUE DATE:**

7.2	**PROPOSED ADOPTION OF SYSTEM OF DELEGATIONS FOR DRAKENSTEIN MUNICIPALITY**
	VOORGESTELDE AANNAME VAN DELEGASIE STELSEL VIR DRAKENSTEIN MUNISIPALITEIT
	ISINDULULO SOKUMILISELWA KWENKQUBO YOKUTHUMELA YAKOMASIPALA WASEDRAKENSTEIN

Clr J A Louw requested that this matter be held over and that a workshop be arranged to clarify aspects in the proposed System of Delegations.

RESOLVED

that a workshop on the proposed System of Delegations for the Municipality be arranged and the consultant, Adv J Koekemoer, be requested to present the workshop.

Meeting: Council – 26/03/2010 **Ref No:** 2/4/B **Doc No:** 51451		**Submitted by Directorate:** Corporate Governance **Author/s:** N Marais **Referred from:** 17/03/2010	
CLAUSE:	**ACTION:** Arrange Workshop	**RESPONSIBLE DEPT:** HOD: Corporate Services	**DUE DATE:**

7.3	**REPORT: APPLICATION FOR RENEWAL OF LEASE OF MUNICIPAL LAND: ERVEN 1294 AND 1295 WELLINGTON TO WELLINGTON VOORTREKKERS WAMAKERSVALLEI KOMMANDO**
	VERSLAG: AANSOEK OM HERNUWING VAN HUUR VAN MUNISIPALE GROND: ERWE 1294 EN 1295 WELLINGTON AAN WELLINGTON VOORTREKKERS WAMAKERSVALLEI KOMMANDO
	INGXELO:ISICELO SOKUVUSELELA ISIVUMELWANO SOKUQESHA KUMHLABA KAMASIPALA: ERF 1294 KUNYE NO 1295 EWELLINGTON ISIWA E WELLINGTON VOORTREKKERS WAMAKERSVALLEI KOMMANDO

Councillor P J von Wielligh on behalf of the DA, proposed an amendment that the lease will endure for a period of 9 years and 11 months instead of years as recommended.

The amendment was put to vote and defeated by 27 – 22 votes.

RESOLVED

that approval in principle be granted for the renewal of the lease of Erf 1294 (±4107m²) and Erf 1295 (±4458m²), to the Wellington Kommando, subject to the normal lease conditions as well as the further conditions:-

1. that both properties be leased at a rental of R652-00 per month, excluding VAT, which amount will escalate with 8% per annum;

2. that the lease will endure for a period of 5 years after which the renewal thereof will be reviewed by Council;

3. that all administrative and legal requirements be adhered to;

4. that the lease be advertised in the press for possible objections or counter offers; and

5. that all municipal properties which are leased to service organizations, be reviewed.

Meeting: Council – 16/03/2010 **Ref No:** 15/4/1 (1294) W (1295) W **Doc No:** 50338		**Submitted by Directorate:** Corporate Governance **Author/s:** N Marais **Referred from:** EM&MC – 17/02/2010	
CLAUSE:	**ACTION:** Implement decision	**RESPONSIBLE DEPT:** Corporate Governance (Properties)	**DUE DATE:**

7.4	**REPORT: PROPOSED CLOSURE, REZONING AND ALIENATION OF UNBUILT PORTION OF AUBURN STREET, PAARL**
	VERSLAG: VOORGESTELDE SLUITING, HERSONERING EN VERVREEMDING VAN ONBEBOUDE GEDEELTE VAN AUBURNSTRAAT, PAARL
	INGXELO:ISINDULULO SOKUVALA,SOKWABA UMMANDLA KWAKHONA KUNYE NOKUBHEBHETHA KWESIQHEPHU ESINGEKAKHIWA KWIAUBURN STREET, EPAARL

UNANIMOUSLY RESOLVED

that approval in principle be granted for the subdivision, closure, rezoning from road to single residential purposes, and the sale of a ±14m² portion of Auburn Street at R225/m² (VAT excl) to the adjacent owner of Erf 6801, Paarl, subject to the following conditions of sale:-

1. the proposal must be properly advertised for possible objections/ counter offers;

2. the portion of land to be closed be consolidated with Erf 16801 Paarl. The registration of the consolidated property must be done simultaneously with the registration of the portion of land to be closed; and

3. that the applicant be responsible for all costs involved in the transaction, including advertisement, Surveyor-General Status Report, survey, consolidation and registration of the property, etc.

Meeting: Council – 26/03/2010 **Ref No:** 7/2/4/2 x 15/4/1 (6801) P **Doc No:** 50342		**Submitted by Directorate:** Corporate Governance **Author/s:** N Marais **Referred from:** EM & MC - 17/02/2010	
CLAUSE:	**ACTION:** Implement decision	**RESPONSIBLE DEPT:** Corporate Governance (Properties)	**DUE DATE:**

7.5	**REPORT: PROPOSED CLOSURE, REZONING AND ALIENATION OF UNUSED PORTION OF HUGUENOT BY PASS (MAIN ROAD 301), PAARL**
	VERSLAG: VOORGESTELDE SLUITING, HERSONERING EN VERVREEMDING VAN ONGEBRUIKTE GEDEELTE VAN HUGENOTE VERBYPAD (HOOFWEG 301), PAARL
	INGXELO YESINDULULO SOKUVALA, NOKUCANDA UMNDLA KWAKHONA KUNYE NOKUBHEBHETHA KWESIQHEPHU ESINGASETYENZISWAYO KWINYOBA YASEHUGUENOT(MAIN ROAD 302), EPAARL

UNANIMOUSLY RESOLVED

1. that approval in principle be granted for the alienation, subdivision and closure of a portion of road reserve, (±1195m²) portion of Erf 13086 Paarl;

2. that the portion of road to be closed be rezoned from Public Street to Industrial Purposes;

3. that a Consent Use be granted for a Public Garage on the portion of land to be closed;

4. that the property be disposed at R250/m² (VAT excl), subject to the normal selling conditions and the following further conditions:-

   4.1 that the proposal must be properly advertised for possible objections/counter offers;

   4.2 that the portion of land closed must be consolidated with Erf 13087, Paarl and the consolidated property must be registered;

   4.3 that a 5 meter building line on Main Road 301 will be applicable for the consolidated property;

   4.4 that the developer will be responsible for all costs involved in the transaction, including advertisement, Surveyor-General Status Report, survey, consolidation and registration costs;

   4.5 that all new roads/streets or motor vehicle access points will be the responsibility of the developer;

   4.6 that entrance will only be allowed from Huguenot By Pass. No exit will be allowed onto Huguenot By Pass;

   4.7 that all new stormwater networks will be the responsibility of the developer;

   4.8 that any alterations to the existing road network will be the responsibility of the developer, including design, approval and construction of any extra traffic control and/or traffic calming as required;

   4.9 that it be noted that water connections to the consolidated property is available at actual cost;

   4.10 that the existing water connection at Ambagsvallei Street must be extended westwards to include the consolidated property;

4.11 that it be noted that sewerage connection is available at actual cost;

4.12 that the developer is responsible for the funding of all connections to the bulk services and all internal works;

4.13 that all works where applicable shall be constructed to at least the minimum municipal standards;

5. that conditions 4.6 to 4.13 will be valid until 31 March 2012. If no construction has commenced after the last mentioned date (excluding preparatory work or site clearance) all the studies carried out for the proposed development need to be updated and revised accordingly. This shall include compliance with the latest legislation, amended legislation, latest or amended standards and revised master planning; and

6. that a pre-emptive right in favour of Council be requested against the portion, should the portion, should the purchaser intend to sell the land before development thereof.

Meeting: Council – 26/03/2010 **Ref No:** 7/2/4/2 x 15/4/1 (13087)P **Doc No:** 50341		**Submitted by Directorate:** Corporate Governance **Author/s:** N Marais **Referred from:** EM & MC - 17/02/2010	
CLAUSE:	**ACTION:** Implement decision	**RESPONSIBLE DEPT:** Corporate Governance (Properties)	**DUE DATE:**

7.6	**REPORT: APPLICATION FOR RENEWAL OF LEASE OF MUNICIPAL LAND: ERF 2014 AND PORTION OF ERF 2018 WELLINGTON TO WAMAKERSVALLEI TRAINING CENTRE**
	VERSLAG: AANSOEK OM HERNUWING VAN HUUR VAN MUNISIPALE GROND: ERWE 2014 EN GEDEELTE VAN ERF 2018 WELLINGTON AAN WAMAKERSVALLEI OPLEIDINGSENTRUM
	INGXELO: ISICELO SOKWENZA KUTSHA INGQESHO YOMHLABA KAMASIPALA ISIZA 2014 NO 2018 WELLINGTON IYE KWIWAMAKERSVALLEI TRAINING CENTRE

Councillor P J von Wielligh on behalf of the DA proposed an amendment that the lease of the properties be fixed at 5% of the market value instead of 20% as recommended.

The amendment was put to vote and defeated by 24 – 22 votes.

RESOLVED

that approval in principle be granted for the renewal of the lease agreement in respect of Erf 2014 Wellington (±1014m²) and Portion of Erf 2018 Wellington (±344m²) to the Wamakersvallei Training Centre, subject to the normal lease condition as well as the following further conditions:-

1. both properties be leased at a rental of R1604.89 per month, excluding VAT, which amount will escalate with 8% per annum;

2. the lease will endure for a period of 5 years, after which the renewal thereof will be reviewed by Council;

3. all administrative and legal requirements be adhered to; and

4. the lease be advertised in the press for possible objections or counter offers.

Meeting: Council – 26/03/2010 **Ref No:** 15/4/1 (2014)W (12682)W **Doc No:** 50867		**Submitted by Directorate:** Corporate Governance **Author/s:** N C Marais **Referred from:** EM & MC - 3/03/2010	
CLAUSE:	**ACTION:** Implement decision	**RESPONSIBLE DEPT:** Corporate Governance (Properties)	**DUE DATE:**

7.7	**REPORT: PROPOSED CLOSURE, REZONING AND ALIENATION OF UNUSED PORTION OF ZION STREET, PAARL**
	VERSLAG: VOORGESTELDE SLUITING, HERSONERING EN VERVREEMDING VAN ONGEBRUIKTE GEDEELTE VAN ZIONSTRAAT, PAARL
	INGXELO: UKUVALWA OKUCETYIWEYO, UKWAHLULWA NOKUMANYWA KWECANDELO ELINGEKASETYENZISWA EZION STREET, PAARL

UNANIMOUSLY RESOLVED

that approval in principle be granted for the subdivision, closure, rezoning from public street to single residential purposes, and the sale of a ±135m² portion of Zion Street at R340/m² to the adjacent owner of Erf 3783 Paarl, subject to the following conditions of sale:-

1. the proposal be properly advertised for possible objections/counter offers;

2. the portion of land be closed and consolidated with Erf 3783 Paarl. The registration of the consolidated property must be done simultaneously with the registration of the portion of land to be closed; and

3. the applicant be responsible for all costs involved in the transaction, including advertisement, Surveyor-General Status Report, survey, consolidation and registration of the property.

Meeting: Council – 26/03/2010 **Ref No:** 7/2/4/2 **Doc No:** 50868		**Submitted by Directorate:** Corporate Governance **Author/s:** N C Marais **Referred from:** EM & MC - 3/03/2010	
CLAUSE:	**ACTION:** Implement decision	**RESPONSIBLE DEPT:** Corporate Governance (Properties)	**DUE DATE:**

7.8	**REPORT: LAND SWOP, PORTIONS OF FARM 1254, ERF 8383, ERF 8384 AND ERF 8385 PAARL FOR PORTION OF REMAINDER FARM NEWTON 361 PAARL**
	VERSLAG: OMRUILING VAN GROND, GEDEELTES VAN PLAAS 1254, ERF 8383, ERF 8384 EN ERF 8385 PAARL MET GEDEELTE VAN DIE RESTANT VAN PLAAS 361 PAARL (NEWTON)
	INGXELO: ISINANISO SOMHLABA, ISIQEPHU SEFAMA 1254, KUERF 8383 ERF 8384 KUNYE NO ERF 8385 EPAARL KUNYE NENTSALELA YEFAMA E NEWTON 362 EPAARL

The attached comment of the DA was tabled at the meeting.

RESOLVED

1. that the proposed land swop between Tresso Trading and the Municipality as indicated on the locality plan (**A*nnexure A1 and A2 to the departmental report)*** be approved ***in principle***, subject to the following conditions:-

1.1 it be noted that Erven 8383, 8384 and 8385 Paarl are situated within a critical biodiversity area and heritage landscape and only a high-density residential development is recommended;

1.2 the developer must accommodate prospective property buyers from the Municipal Gap housing waiting list only on the swopped municipal properties under the Finance – linked individual subsidy programme (FLISP);

1.3 the selling price for the most expensive housing units should not exceed R350 000.00 (based on the current costs);

1.4 the serviced sites must be sold;

1.5 the developer must submit further information on the development proposal for the group housing erf;

1.6 the overflow canal that is to be filled and developed must be directed/replaced on a route around the proposed development;

1.7 the applicant notes that the Aurora erven cannot be developed as yet because of water and sewerage capacity problems;

1.8 the applicant notes that erven can only be developed after completion of the bulk water main between Wellington and the new Newton reservoir and including the new reservoir;

1.9 before the land swop on Erf 1254 Paarl can be finalized, a water use licence must be obtained from the Department of Water Affairs for the portion below the 1:100 year flood line that is to be in-filled and developed;

1.10 the proposed overflow diversion around the development must be included in the amended EIA and water use licence application;

1.11 once the land swop application has been approved and if there are any changes to the density, amended reports must be submitted (bulk services, ITA, EIA, etc);

1.12 the services plans must be submitted for approval and only with permission of Council can it be installed;

2. that the property be disposed of at market value once a valuation has been obtained by Council's Valuers;

3. that the proposed land swop be advertised for possible objections or counter offers;

4. that the land use application only be considered after the land swop has been formally approved; and

5. that the land swop should not be construed as commitment from Council that services will be available to the properties to be swopped, at the time when development is undertaken.

Meeting: Council – 26/03/2010 **Ref No:** 7/2/4/2 **Doc No:** 50865		**Submitted by Directorate:** Corporate Governance **Author/s:** N Marais **Referred from:** EM & MC - 3/03/2010	
CLAUSE:	**ACTION:** Implement decision	**RESPONSIBLE DEPT:** Corp Governance (Properties)	**DUE DATE:**

MINUTES: COUNCIL/RAAD/IBHUNGA
26 MARCH 2010

7.9	**DRAFT BUDGET FOR THE 2010 TO 2013 FINANCIAL YEARS**
	KONSEPBEGROTING VIR DIE 2010 TOT 2013 FINANSIËLE JARE
	UYILO LOHLAHLO LWABIWO MALI KANYAKA MALI KA 2010 UKUYA KU 2013

UNANIMOUSLY RESOLVED

1. that the following draft 3 year operational and capital budget be approved and be released for public comments/input :-

   a. Operational Budget

2010/2011	2011/2012	2012/2013	TOTAL OPERATIONAL
1,130,354,202	**1,304,578,478**	**1,510,000,304**	**3,944,932,984**

   b. Capital Budget

EXPENDITURE	2010/2011	2011/2012	2012/2013	TOTAL CAPITAL
Projected Budget	113,055,782	121,716,094	120,930,528	355,702,404
Backlogs	108,534,000	120,020,000	124,338,000	352,892,000
Ad -hoc Secured Funding	40,045,000	71,371,000	70,114,000	181,530,000
TOTAL CAPITAL BUDGET	**261,634,782**	**313,107,094**	**315,382,528**	**890,124,404**

FUNDING OF CAPITAL				
CRR - Own funds	113,055,782	121,716,094	120,930,528	355,702,404
External Loans	108,534,000	120,020,000	124,338,000	352,892,000
Grants and Subsidies	40,045,000	71,371,000	70,114,000	181,530,000
TOTAL CAPITAL BUDGET - FUNDING	**261,634,782**	**313,107,094**	**315,382,528**	**890,124,404**

2. that the following proposed tariffs be approved and released for public comment:-

Percentage Increases on Tarriffs	2010/2011	2011/2012	2012/2013
Property Rates	6.00%	6.00%	6.00%
Water	10.00%	10.00%	10.00%
Sanitation	7.00%	7.00%	7.00%
Refuse Removal	7.00%	7.00%	7.00%
Electricity - Prepaid	20.00%	20.00%	20.00%
Electricity - Conventional	26.50%	26.50%	26.50%
Sundry Tariff	7.50%	7.50%	7.50%

3. that the draft annual budget of Drakenstein Municipality for the financial year 2010/2011 and the indicative estimates for the two projected outer years 2011/2012 and 2012/2013 as set out in the following schedules contained in Annexure 1 to the report, be approved and released for public comment:-

   i. Schedule 1 : Capital Expenditure by GFS classification
   ii. Schedule 2 : Capital Funding by Source
   iii. Schedule 3 : Operating expenditure by item
   iv. Schedule 4 : Operating expenditure by GFS classification
   v. Schedule 5 : Operating revenue by Source

4. that the draft tariffs reflected in the tariff book (Annexure 2) for the 2010/2011 budget be approved and released for public comment;

5. that the draft budget related policies and the proposed amendments thereto accompying the budget document be approved and released for public comment; and

6. that the Municipal Annual Budgets, MTREF and Supporting Tables be approved.

Meeting: Council – 26/03/2010 **Ref No:** 5/2/2 (2010/20110) **Doc No:**		**Submitted by Directorate:** Financial Services **Author/s:** **Referred from:** EM & MC - 17/03/2010	
CLAUSE:	**ACTION:** Release documents for public comment	**RESPONSIBLE DEPT:** ED: Financial Services	**DUE DATE:**

7.10	**OVERSIGHT REPORT IN RESPECT OF THE ANNUAL REPORT FOR THE 2008/2009 FINANCIAL YEAR**
	OORSIGVERSLAG MET BETREKKING TOT DIE JAARVERSLAG VIR DIE 2008/2009 FINANSIËLE JAAR
	INGXELO YESIPHOSISO MALUNGA NE NGXELO YONYAKA WONYAKA MALI KA 2008/2009

Councillor Dr C M Smit requested that the attached submission be included in the Oversight Report.

RESOLVED

1. that the Oversight Report in respect of the Annual Report for the 2008/2009 financial year, be adopted;

2. that the 2008/2009 Annual Report, attached as Annexure B to the report, be adopted subject to the inclusion of paragraph 5 (f) as contained in the Oversight Report;

3. that the Oversight Report be made public in accordance with section 129(3) of the Local Government: Municipal Finance Management Act, 2003 (Act No 56 of 2003); and

4. that the Oversight Report on the Annual Report for the 2008/2009 financial year be submitted to the Provincial Legislature in accordance with section 132(2) of the Local Government: Municipal Finance Management Act, 2003 (Act no 56 of 2003).

Meeting: Council – 26/03/2010 **Ref No:** 9/1/2 **Doc No:** 51454		**Submitted by Directorate:** Strategic Services **Author/s:** **Referred from:** EM & MC - 17/03/2010	
CLAUSE:	**ACTION:** Implement decision	**RESPONSIBLE DEPT:** ED: Strategic Services	**DUE DATE:**

7.11	**TRANSFER OF ERF 20626 MBEKWENI TO THE DEPARTMENT OF TRANSPORT AND PUBLIC WORKS: DESMOND TUTU SECONDARY SCHOOL**
	OORDRAG VAN ERF 20626 MBEKWENI NA DIE DEPARTEMENT VAN VERVOER EN OPENBARE WERKE: DESMOND TUTU SEKONDÊRE SKOOL
	UKUTSHINTSHELWA KO ERF 20626 EMBEKWENI KWISEBE LOTHUTHO NEMISEBENZI YOLUNTU

UNANIMOUSLY RESOLVED

1. that permission be granted to the Department of Transport and Public Works (Western Cape) to proceed with the transfer of Erven 20625, 3262 and 20627 Paarl in extent 5.24 ha;

2. that the land be disposed of at a price to be determined by our valuers;

3. that all costs related to the transaction be for the account of the Department of Transport and Public Works; and

4. that the Department of Transport and Public Works enter into further negotiations with the Copeland Family Trust to acquire Erf 20337 Paarl.

Meeting:	**Council – 26/03/2010**	**Submitted by Directorate:**	**Corporate Governance**
Ref No:	**9/1/2**	**Author/s:**	**N Marais**
Doc No:	**51454**	**Referred from:**	**EM & MC - 17/03/2010**
CLAUSE:	**ACTION:**	**RESPONSIBLE DEPT:**	**DUE DATE:**
	Implement decision	**Corporate Governance (Properties)**	

7.12	**PROPOSED PUBLIC-PRIVATE PARTNERSHIP AGREEMENT: LEASE OF MUNICIPAL LAND FOR THE REDEVELOPMENT OF A SECTION OF THE PAARL CBD: ANYTIME INVESTMENTS NO 14 (PTY) LTD**
	VOORGESTELDE PUBLIEK-PRIVATE VENNOOTSKAP OOREENKOMS: HUUR VAN MUNISIPALE GROND VIR DIE HERONTWIKKELING VAN 'N GEDEELTE VAN DIE PAARL SSG: ANYTIME INVESTMENTS NO 14 (EDMS) BPK
	ISINDULULO SESIVUMELWANO SENTSEBENZISWANO:UKUQHESHISWA KOMHLABA KAMASIPALA UKUPHUHLISWA KWAKHONA KWECEBA WOMBINDI WEDOLUPHU EPAARL: KWI ANYTIME INVESTMENTS NO 14 (PTY) LTD

UNANIMOUSLY RESOLVED

1. that final approval be granted for Council to enter into a public-private partnership with Anytime Investments No 14 (Pty) Ltd by way of the following agreements:-

   1.1 public-private partnership agreement (Agreement 1 of 4);

   1.2 lease of Erf 20343 Paarl for a period of 30 years with the option to renew for a further period of 20 years for the purpose of a commercial development and public parking, marked A1.1 on the locality plan (Agreement 2 of 4);

1.3 lease of Wamakers Square, Jan Philips Square and Patriot Square for a period of approximately 7 years up to 31 July 2017 (This date co-incides with the expiry date of the Van der Lingen Square lease agreement), marked 1, 2 and 3 on the locality plan, for the purposes of upgrading and control of public parking facilities (Agreement 3 of 4); and

1.4 use agreement in respect of the section of Lady Grey Street from Main to Verster Street, New Street from Derksen Street to Van der Lingen Square, a portion of Fabriek Street and a portion of unnamed street abutting Wamakers Square Erf 1241 for the period up to 31 July 2017, marked A1, A2, A3 and A4 on the locality plan, for the purposes of upgrading of the streets and control of public parking facilities (Agreement 4 of 4); and

2. that the above lease and use rights be granted on the basis and conditions as set out in the four agreements.

Meeting: Council – 26/03/2010 **Ref No:** 15/2/2 **Doc No:** 51453		**Submitted by Directorate:** Corporate Governance **Author/s:** A V Marais **Referred from:** 17/03/2010	
CLAUSE:	**ACTION:** Implement decision	**RESPONSIBLE DEPT:** Corporate Governance (Properties)	**DUE DATE:**

7.13	**INVASION OF DROMMEDARIS HOUSING PROJECT SITE: MBEKWENI BACKYARDERS: UTILIZATION OF PORTION ERF 557 MBEKWENI FOR HOUSING DEVELOPMENT**
	INDRINGING VAN DROMMEDARIS BEHUISINGSPROJEK TERREIN: MBEKWENI AGTERBEWONERS: GEBRUIK VAN GEDEELTE ERF 557 MBEKWENI VIR BEHUISINGSONTWIKKELING
	IKUHLALA NGETSHOVA KWI DROMMEDARIES HOUSING PROJECT SITE: NGABAHLALI EMVA KWIYADI EMBEKWENI

The DA expressed concern that residents on the waiting list qualifying for GAP housing, now would have to wait further. The DA submitted an amendment that certain conditions be linked to the proposal. The Speaker ruled the proposed amendment to be invalid. After further discussion it was

RESOLVED

1. that the proposal that portion Erf 557 Mbekweni Gap housing development be converted to BNG housing development, be approved;

2. that the previous decision of Council taken in terms of item 7.2 of the Council meeting held on 25 October 2007 to approve Erf 557 Mbekweni for Gap Housing, be rescinded.

Meeting: Council – 26/03/2010 **Ref No:** 17/6/2/2 **Doc No:** 51485		**Submitted by Directorate:** Social Services **Author/s:** A Abrahams **Referred from:** EM & MC - 17/03/2010	
CLAUSE:	**ACTION:** Implement decision	**RESPONSIBLE DEPT:** ED: Social Services	**DUE DATE:**

8.	**MATTERS FOR CONSIDERATION/INFORMATION**
	SAKE VIR OORWEGING/INLIGTING

9.	**CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS DEALING WITH MATTERS OF URGENCY BY THE MUNICIPAL MANAGER**
	OORWEGING VAN VERSLAE, MEDEDELINGS, VERSOEKSKRIFTE EN AANSOEKE IN VERBAND MET DRINGENDE SAKE VOORGELÊ DEUR DIE MUNISIPALE BESTUURDER

1. DELIMITATION OF WARDS

Mr A Sauls, Head of Department: International and Intergovernmental Relations, briefed Council on the outcomes of the Delimitation of Wards process as gazetted by the Demarcation Board. He indicated that the proposed wards were largely in line with the proposals submitted by Council and that only in some instances minor adjustments were made. The Administration would also interact with the Demarcation Board to rectify some of the mistakes in the delimitation of the wards as published in the Provincial Gazette.

Noted.

2. OFFICIAL COUNCIL PHOTO

The Municipal Manager reported that the official Council photo would be distributed to all councillors.

10.	CONSIDERATION OF NOTICES OF MOTIONS AND NOTICES OF QUESTIONS OORWEGING VAN KENNISGEWINGS VAN MOSIES EN KENNISGEWINGS VAN VRAE

10.1 MOTION OF QUESTIONS: PAARL WORLD CUP 2010 COMMITTEE

The Chairperson of the Paarl 2010 Committee tabled the enclosed response to the questions raised in the motion.

RESOLVED

that the response of the Paarl 2010 Committee be **noted**.

Meeting: Ref No: Doc No:	Council – 26/03/2010 17/7/3/2 53815	Submitted by Directorate: Author/s: Referred from:	
CLAUSE:	**ACTION:**	**RESPONSIBLE DEPT:**	**DUE DATE:**

11.	**SUPPLEMENTARY AGENDA (IF ANY)**
	AANVULLENDE AGENDA (INDIEN ENIGE)

No items were submitted.

IN-COMMITTEE

12.	**CONSIDERATION OF CONFIDENTIAL MATTERS**
	OORWEGING VAN VERTROULIKE SAKE

12.1	**CONFIRMATION OF CONFIDENTIAL MINUTES: 27 JANUARY 2010 AND 10 FEBRUARY 2010**

(See confidential minutes.)

12.2	**APPOINTMENT OF THE PERFORMANCE AUDIT COMMITTEE CHAIRPERSON**

(See confidential minutes.)

The meeting ended at 13:12.

CHAIRPERSON: ……..

DATE: ……..

Confirmed on .....…….....…..... with / without amendments.