

DRAKENSTEIN MUNICIPALITY

MINUTES: EXECUTIVE MAYOR AND MAYORAL COMMITTEE

ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS, FIRST FLOOR, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL ON WEDNESDAY, 15 APRIL 2009 AT 10:10

1PRESENT: The Executive Mayor, Clr C M Manuel (Chairperson)
The Executive Deputy Mayor, Clr M W Nothnagel

Councillors: A Bekeer
J T Basson
S Davids
H Douman
A M Petersen
A B Sishuba
M J Le Hoe and
B Vos

Officials: Dr S T Kabanyane (Municipal Manager)
T Matthee
K Mrali
C Petersen
Dr P Naidoo
L Coetzee
A Marais and
V Petersen

ABSENT: Councillor : T M Kompela (Sick Leave)



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1.CONFIRMATION OF MINUTES

The minutes of the following meetings of the Executive Mayor and Mayoral Committee were confirmed as correct:-

- i) Special meeting held on 27 March 2009;
- ii) Ordinary meeting held on 1 April 2009; and
- iii) Confidential meeting held on 1 April 2009.

2. ANNOUNCEMENTS BY THE EXECUTIVE MAYOR

The Executive Mayor reported on the opening of the Business Hives in Gouda and thanked the Councillors and officials involved in the project. The Executive Mayor also reminded Councillors of the opening of the Mbekweni Multi-Purpose Centre on 18 April 2009 and the opening of the new Paarl East Police Station on 17 April 2009.

3. LEAVE ARRANGEMENTS / NON-AVAILABILITY OF SENIOR MANAGEMENT

No leave arrangements were submitted.

4. VIBE IN THE PARK CONCERT: LUNGISA MARKETING

RESOLVED

that the report **be noted**.

Meeting: Ref No: Doc No:	EM&MC – 15/4/2009 17/16/2/2	Submitted by Directorate: Author/s: Referred from:	Social Services A van der Merwe
PARAGRAPH:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:

5. MBEKWENI FITNESS CENTRE

RESOLVED

- 1. that the proposal from Eugene Maqwelana to develop the Sports hall at the Sports field in a Fitness Centre be supported in principle;
- 2. that Mr Maqwelana be invited to do a presentation without creating any expectations; and

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3. that a call for proposals be made thereafter in order to adhere to procurement bid procedures.

Meeting: Ref No: Doc No:	EM&MC – 15/4/2009 1777/2/2/1/11 2828/09	Submitted by Directorate: Author/s: Referred from:	Social Services M Moerat
PARAGRAPH:	ACTION: Arrange for presentation	RESPONSIBLE DEPT: Social Services (Sports)	DUE DATE:

6. APPOINTMENT OF MR F DAVIDS (ACTING CHIEF: LAW ENFORCEMENT) AS PRESIDENT OF BOLAND RUGBY UNION

RESOLVED

1. that Mr F Davids be congratulated on his election as President of Boland Rugby Union;
2. that permission be granted to Mr F Davids to attend meetings on behalf of Boland Rugby Union during working hours; and
3. that arrangements be made for Mr F Davids to work in such hours owed to Council.

Meeting: Ref No: Doc No:	EM&MC – 15/4/2009 12/3 2830/09	Submitted by Directorate: Author/s: Referred from:	Social Services V Petersen
PARAGRAPH:	ACTION: Implement decision	RESPONSIBLE DEPT: Social Services (Protective Services)	DUE DATE:

7. REPORT ON UPGRADED HOSTELS: B & C AND WHITE CITY SELLING PRICE

RESOLVED

1. that the report be noted and the Dairy Belle hostels to be included in the B and C hostel upgrading; and
2. that the necessary funding application, including the list of beneficiaries, be prepared and submitted to the Provincial Housing Department.

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Meeting: Ref No: Doc No:	EM&MC – 15/4/2009 17/5/4/4/1 2813/09	Submitted by Directorate: Author/s: Referred from:	Housing Services K Sethoabane
PARAGRAPH:	ACTION: Submit funding Proposal to Provincial Housing Department	RESPONSIBLE DEPT: Social Services (Housing)	DUE DATE:

8. APPLICATION FOR TEMPORARY DEPARTURE: REMAINDER OF FARM 1677, PAARL DIVISION

RESOLVED

1.that approval be granted in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for a temporary land use departure (5 years) to allow for the development of a 12-room guesthouse on Farm 1677, Paarl Division;

2.that the approval granted in 1 above be subject to the following conditions in terms of Section 42(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985):-

2.1 Adherence to the conditions laid down by the Department of Transport and Public Works (District Roads Engineer) in its letter PR22/29/87/0188(08) dated 25 March 2008 (Annexure G to the departmental report);

2.2 Adherence to all health requirements laid down by the Cape Winelands District Municipality: Health Department in its letter dated 4 February 2008 (Annexure H to the departmental report);

2.3 Adherence to the conditions laid down by the Drakenstein Municipality: Civil Engineering Services Department in its memorandum 15/4/1 (F1677) P (2190) dated 18 June 2008 (Annexure I to the departmental report);

2.4 Adherence to the following conditions from a planning point of view:-

2.4.1 The temporary departure will be valid for a period of five (5) years from the date of approval after which application can be made for extension thereof (limited to a maximum of another five-year period), before the expiry of the initial five (5) year period;

2.4.2 The approval applies only to the temporary departure in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements;

2.4.3 Any amendments to the application is subject to the relevant approval;

2.4.4 No new structures are to be erected or existing buildings converted without the approval of building plans by Council; and

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2.4.5 the guesthouse building be limited to the existing shed building (±760m²) as indicated on the Site Development Plan (Annexure B to the departmental report) and that any parking for the guesthouse be provided within the “werf” area as indicated on the Site Development Plan.

Meeting: EM&MC – 15/4/2009 Ref No: 15/4/1 (F1677) P Doc No: 95/07, 855/08, 894/08, 1123/08, 2998/08, 1413/08, 2248/08, 2083/08, 2164/08, 2382/08, 2617/08, 2999/08, 3788/08 & 4943/08		Submitted by Directorate: Infrastructure & Planning Author/s: C Cupido Referred from:	
PARAGRAPH:	ACTION: Inform Parties	RESPONSIBLE DEPT: Corporate Governance (H Barends)	DUE DATE:

9. APPLICATION FOR THE REZONING OF ERF 17090, PAARL

RESOLVED

1. that this matter be held over pending comment from the SAPS and the Community Police Forum; and
- 2.that criteria be developed with regard to the conditions under which applications of this nature could be considered desirable taking into account all relevant legislation.

Meeting: EM&MC – 15/4/2009 Ref No: 15/4/1 (17090) P Doc No: 4611/07, 3645/07, 8878/06, 9953/06, 7178/06, 7151/06, 3947, 3900, 3727, 3699, 3700, 3962 & 4885		Submitted by Directorate: Infrastructure & Planning Author/s: H Strijdom Referred from: EM&MC – 04/03/2009	
PARAGRAPH:	ACTION: 1.Request report for SAPS 2. Submit proposed criteria	RESPONSIBLE DEPT: 1 .Infrastructure & Planning (Planning) 2. Infrastructure & Planning (Planning)	DUE DATE:

10. APPLICATION FOR REZONING, SUBDIVISION AND CONSOLIDATION OF THE REMAINDER OF ERF 2340, AS WELL AS ERVEN 2343 AND 11207, PAARL

RESOLVED

1. that the following approvals be granted:-

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- 1.1 in terms of Section 30(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the amendment of General Plan TP 8334, situated on Erf 2340, Paarl, by the cancellation of unregistered Erven 2344, 2351 to 2356, 2358, 2359, 2362, 2363 and 26231, Paarl and the creation of one additional erf without conditions;
 - 1.2 in terms of Section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the rezoning of the Consolidated application property (erf mentioned in paragraph 1.1 above, as well as Erven 2343 and 11207, Paarl) to Subdivisional Area for a residential development, (with residential Erven 2360 and 2361, Paarl forming part thereof) with a gross density of ± 9.4 units per hectare, with zonings and uses as indicated hereunder; and
 - 1.3 in terms of Section 25(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the proposed subdivision of the development property as indicated on the Amended Subdivisional Sketch Plan prepared by David Hellig and Abrahamse with Plan No P973/63 dated August 2005 to December 2008, (Annexure B to the departmental report), being as follows:-
 - (a) 48 Single Residential Zoned Erven with erf sizes that fluctuate from $\pm 500\text{m}^2$ to $\pm 1000\text{m}^2$;
 - (b) A portion of the property, measuring $\pm 1.2288\text{ha}$ in extent, zoned Private Open Space, is to be utilised for Private Road purposes and as Private Open Space; and
 - (c) The Remainder, measuring $\pm 0.07\text{ha}$, is to be utilised for Public Street purposes.
2. that the following conditions, laid down in terms of Section 42(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), be applicable to the approvals granted in paragraphs 1 to 3 above:-
- 2.1 The development of the application properties be substantially in line with the Site Development Plan, together with the Design Parameters, as well as the Landscape Development Plan, (Annexures C1 and C2 to the departmental report);
 - 2.2 Adherence to the conditions set out in the recommendations of the Traffic Impact Statement, ITS 1765.2 of May 2006 (Annexure I to the departmental report), excluding the proposed traffic signal at the Main Road/Brug Street intersection;
 - 2.3 Adherence to the conditions of approval set out in the Record of Decision (ROD), laid down by the Department of Environmental Affairs and Development Planning, dated 13 July 2007 (Annexure H to the departmental report);
 - 2.4 Adherence to the conditions laid by The Head: Civil Engineering

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Services (Drakenstein Municipality) in his Memorandum 15/4/1 (2340, 2343 and 11207) P (4485) dated 9 March 2009 (Annexure L to the departmental report);

2.5 Adherence to the following condition laid down by the Head:
 Electrical Services (Drakenstein Municipality):-

2.5.1 Electrical Services planning must be submitted by a Consulting Engineer for approval, prior to the installation thereof, at the cost of the developer;

2.6 Adherence to the following conditions from a planning point of view:-

2.6.1 no new buildings are to be erected without the prior approval of building plans by Council;

2.6.2 the establishment of a Homeowners Association, to the satisfaction of Council, in order to cater for inter alia the maintenance of private services, bulk services accounts and homogeneous development control;

3. that the objectors, Pearl Valley Baptist Church, W P Fourie, A van der Walt, N A Boshoff, J Laubscher, G P Nieuwoudt, J H Vorster, G Kroukamp, G Klingenberg, S van der Walt, R H Colyn, J B Neethling, A Smith, C A Lindes, J W Nortjè, Drakenstein Heritage Foundation, Messrs Heyns and Partners Attorneys on behalf of Mr Metzler and W J van der Spek Property Holdings, be informed of their right of appeal in terms of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985); and

4. that the comments contained in Paragraph 6 (“Planning Comments”) of the departmental report be regarded as Council’s reasons for its decision.

Meeting: Ref No: Doc No:	EM&MC – 15/4/2009 15/4/1 (2340) P 6444/08, 2772/06, 8413/07, 8312/07, 8352/07, 3678/06, 2772/06, 2427/06, 285/06, 178/06, 177/06, 140/06, 2340/05, 3990/05, 3989/05, 3972/05, 3973/05, 3974/05, 3977/05, 3962/05, 3963/05, 3964/05, 3965/05, 3967/05, 3969/05, 3971/05, 3938/05, 3939/05, 3921/05, 3920/05, 3880/05, 2877/05, 3036/05, 3314/05, 3036/05, 2986/05, 2877/05	Submitted by Directorate: Author/s: Referred from:	Infrastructure & Planning H Louw
PARAGRAPH:	ACTION: Inform Parties	RESPONSIBLE DEPT: Corporate Governance (H Barends)	DUE DATE:

11. SUBDIVISION OF ERF 4315, BORDEAUX STREET, BERG-EN-DAL, WELLINGTON

RESOLVED

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1.that approval be granted in terms of Section 25(1) of Ordinance 15 1985 for the subdivision of Erf 4315, Wellington into two portions, namely Portion a ($\pm 330\text{m}^2$) and Remainder ($\pm 696\text{m}^2$) as illustrated on the Subdivision Plan, W105 – 12/04/05 dated 8 November 2007 (Annexure 3 to the departmental report), subject to the following conditions:-

- 1.1 Copies of the approved subdivision diagrams must be provided to Council;
 - 1.2 The water systems must be separated. A separate water connection must be provided for the Remainder and is available at actual cost;
 - 1.3 The existing sewer system serving the Remainder must be re-routed along the side boundary. The municipal sewer main must be extended by Council up to the northwestern boundary of the Remainder, at the developer's cost. Plan for the re-routing must be submitted to Council for approval. The proposed extension and connection to serve the Remainder are available at actual cost;
 - 1.4 The existing sewer connection on portion A can be re-used. The connection manhole on Portion A must be upgraded to standard (channelling, benching and plasterwork);
 - 1.5 One sewer gully must be located and plastered on the Remainder; and
 - 1.6 The swimming pool backwash water on the Remainder must be re-routed to the sewer system.
2. that the applicant be requested to draw the owner's attention to the following:-
- 2.1 No clearance for the separate registration of any subdivided portion will be issued by Council until conditions 1.1 to 1.6 above, have been complied with to the satisfaction of Council;
 - 2.2 The owner is responsible for all engineering installation and upgrading costs including the costs for new municipal connections including stormwater connections and vehicle access points;
 - 2.3 Plans for any proposed construction or changes to services are to be submitted to the Civil Engineering services Department for approval prior to construction; and
3. that the objector be informed that the applicant's response to the objection as contained in paragraph 4 as well as the comments as quoted under paragraph 5 of the departmental report are regarded as Council's reasons for the decision to approve the subdivision.

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PARAGRAPH:	ACTION: Inform Parties	RESPONSIBLE DEPT: Corporate Governance (H Barends)	DUE DATE:

12. APPOINTMENT OF VALUATION APPEAL BOARD MEMBERS: GENERAL VALUATION 2008

RESOLVED

that the Valuation Appeal Board be constituted as follows and that the MEC for Local Government be informed accordingly:-

1. that **Mr Fred van Wyk be appointed as chairperson** of the Valuation Appeal Board;
2. that **Messrs Kevin Wynne, Tobias Retief and Rashid Shaik be appointed as members** of the Valuation Appeal Board;
3. that **Ms Anneli van Zyl be appointed as member** of the Valuation Appeal Board and **also serve as alternate chairperson** in the absence of the chairperson;
4. that **Mr Lou Cronje and Mr Louis Duvenage be appointed as an alternate member** of the Valuation Appeal Board in the capacity of chairperson and ordinary member respectively in the event that any of these positions become vacant;
5. that the normal remuneration as determined by the directions of the MEC for Local Government be paid by Council; and
6. that the **original CV's of all the applicants be forwarded to the MEC** together with the Committee's recommendation of the candidates.

Meeting: Ref No: Doc No:	EM&MC – 15/4/2009 5/3/5/1 1984/08, 2011/09, 2075/09, 2173/09, 2218/09, 2230/09, 2264/09, 10370/08, 10411/08, 10444/08 & 10450/08	Submitted by Directorate: Author/s: Referred from:	Infrastructure & Planning D Cupido EM&MC – 18/02/2009
PARAGRAPH:	ACTION: Inform MEC	RESPONSIBLE DEPT: Corporate Governance (P January)	DUE DATE:

13. OUTSTANDING MATTERS

Noted.

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14. URGENT MATTERS

14.1 Saron Water Rights Sub-Committee

The Executive Mayor requested that the Saron Water Rights Sub-Committee meet as soon as possible and that a report be submitted to the Committee with the view to finalise this matter.

ACCORDINGLY RESOLVED

15. INTERDICT AGAINST MR C FRANZ AND SARON VIER-EN-TWINTIG RIVIERE SENDINGSTASIE BESTUUR

(See confidential minutes).

Meeting:	EM&MC – 15/4/2009	Submitted by Directorate:	Corporate Governance
Ref No:	2/2/2/2	Referred from:	
Doc No:	2814/09		

16. DANGEROUS ELECTRICAL CONNECTIONS IN WARDS 13 AND 14

RESOLVED

1. that it be recommended to Council that savings realized on Vote 430560400200: Mbekweni Multi-Purpose Centre Hall be utilized and that an amount of R1,500,000 be re-allocated for the electrification of informal settlements and dangerous electrical connections in Wards 13 and 14;

2.that the project be planned to commence in May 2009 and the balance of the funds not spent by 30 June 2009 be rolled over to 2009/2010;

3. that informal housing units be relocated/removed to clear the sidewalks and supply areas to allow for the installation of the electrical supply and that the Housing Department coordinate the process that will include the necessary public meetings as well as coordination of the relocation; and

4. that the proposed programme as set out in the departmental report under paragraph 2.2.5 be accepted and that all role players make a special effort to implement the project.

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PARAGRAPH:	ACTION: Submit to Council	RESPONSIBLE DEPT: Corporate Governance (P January)	DUE DATE:

17. SIGNALIZATION: ORLEANS/VAN DER STEL STREET

The Committee was of the view that the Orleans Avenue/Van der Stel Street intersection should be signalised due to the number of pedestrians in that area as well as the proximity of New Orleans Secondary School. The Bo-Dal/Van der Stel Street intersection should then be signalized as funds becomes available. In addition to that the Committee requested that signalling at other intersections be investigated.

RESOLVED

1. that the Orleans A Avenue/Van der Stel Street intersection be signalized in this financial year;
2. that the Bo-Dal/Van der Stel Street intersection not be signalized in this financial year, but that signalization thereof be funded in the next financial year;
- 2.that the vandalized pedestrian signal control in front of New Orleans Secondary school be repaired;
4. that traffic officers be deployed during peak hours at the Bo-Dal/Van der Stel Street intersection;
5. that the necessary investigation be undertaken for the signalling of the Van der Stel/Magnolia, Van der Stel/Lantana and Tennant/ Klein Drakenstein Road intersections as part of future signalling programmes; and
6. that safety measures be investigated in respect of children crossing Champagne Road (Wellington) before and after school hours and a report be submitted.

Meeting: Ref No: Doc No:	EM&MC – 15/4/2009 16/2/1/1 2874/09	Submitted by Directorate: Author/s: Referred from:	Infrastructure & Planning G S du Plessis
PARAGRAPH:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
1,2,3,5 & 6	Implement decision and submit report	Infrastructure & Planning (Civil Engineers)	
4	Deploy traffic official	Social Services (Protective Services)	

18. APPLICATION FOR THE AMENDMENT OF THE URBAN STRUCTURE PLAN FOR THE CAPE METROPOLITAN AREA: VOLUME 4: PAARL/WELLINGTON (“GUIDE PLAN”): ERF 8724, PAARL

RESOLVED

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1. that the Provincial Government: Western Cape as the decision-making authority, be informed that Council is in support of the amendment of the Urban Structure Plan for the Cape Metropolitan Area: Volume 4: Paarl/Wellington from "Agricultural Purposes" to "Urban Development" with regards to the northern portion of Erf 8724, Paarl, in order to cater for the whole of the property to be designated as such; and
2. that all relevant documentation as mentioned in the report be made available to Provincial Government: Western Cape to enable final decision-making.

Meeting: Ref No: Doc No:	EM&MC – 15/4/2009 15/4/1 (8724) P 5883/08, 6345/08, 6369/08, 6431/08,6463/08, 6577/08, 6579/08, 6673/08, 6676/08, 6623/08, 6621/08, 6664/08, 6662/08, 6660/08, 6661/08, 6608/08, 6661/08, 6665/08, 6668/08, 6672/08, 6675/08, 6678/08, 6680/08, 6683/08, 6684/08, 6685/08, 6598/08, 6597/08, 6596/08, 6602/08, 6601/08, 6599/08, 6640/08, 6646/08, 6656/08, 6631/08, 6632/08, 6634/08, 6636/08, 6638/08, 6653/08, 6652/08, 6649/08, 6595/08, 6633/08, 6658/08, 6659/08, 6657/08, 6655/08, 6641/08, 6639/08, 6637/08, 6648/08, 6645/08, 6643/08, 7099/08, 7024/08, 7235/08, 7402/08, 7578/08, 7594/08, 7882/08, 7820/08, 7900/08, 9966/08, 7706/08, 10813/08, 171/09, 559/09, 695/09, 10594/07	Submitted by Directorate: Author/s: Referred from:	Infrastructure & Planning H Louw
PARAGRAPH:	ACTION: Inform PGWC	RESPONSIBLE DEPT: Corporate Governance (H Barends)	DUE DATE:

19. MONTHLY REPORT – FEBRUARY 2009: PLANNING

Noted.

Meeting: Ref No: Doc No:	EM&MC - 15/04/2009	Submitted by Directorate: Author/s: Referred from:	Infrastructure & Planning D Delaney
CLAUSE:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:

20. MONTHLY REPORT – MARCH 2009: PLANNING

Noted.

Meeting:	EM&MC - 15/04/2009	Submitted by Directorate:	Infrastructure & Planning
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Ref No: Doc No:		Author/s: D Delaney Referred from:	
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

The meeting ended at 10:44.

CHAIRPERSON:

DATE:

Confirmed on with/without amendments.

PJ/am
15/04/2009