

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, 2 DECEMBER 2009 AT 10:00.

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

Councillors: J T Basson (part of meeting)
A Bekeer
S Davids
H Douman (part of meeting)
T M Kompela
A M Petersen
A B Sishuba and
B Vos (part of meeting)

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

ABSENT: Councillor : M J Le Hoe (Leave)

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1. CONFIRMATION OF MINUTES

The minutes of the Ordinary meeting of the Executive Mayor and Mayoral Committee held on 25 November 2009 was **confirmed as correct** subject to the following amendment;

“ 16. Sport facilities: Uniform Tariff Structure and Outstanding Debts

1. that the introduction of the payment of annual fees in line with the current tariff structure be supported;
2. that the Community Services Department compile a proposed annual fee structure for the different sport codes and where no sport code exists, an annual fee structure for clubs;
3. that sports codes and clubs be required to pay for facilities during the current financial year and that clubs only be allowed access to sport facilities once the approved tariff has been paid.
4. that the outstanding debts of sport clubs to the amount of R226 448.56 as at 30 June 2009 be written off subject to clubs undertaking in writing to in future pay for the use of facilities and comply with booking and payment procedures”

2. ANNOUNCEMENTS BY THE EXECUTIVE MAYOR

The Executive Mayor announced that the Executive Deputy Mayor would officiate at the switching of lights in Paarl on 4 December 2009 as she would be attending the FIFA World Cup 2010 draw in Cape Town.

3. LEAVE ARRANGEMENTS AND NON-AVAILABILITY OF SENIOR MANAGEMENT

No arrangements were announced.

4. ANNUAL REPORT 2008/2009

RESOLVED

1. that it be recommended to Council:
 - 1.1 that the Annual Report, without Chapter 4 be approved for release for public comment for the legislative period of 21 days;
 - 1.2 that the Ward Projects be included in the Annual Report;
 - 1.3 that once the Audit General's report has been received, the Chapter 4 issues be included in the report; and

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2. that a Special Executive Mayor and Mayoral Committee meeting be convened to consider the Chapter 4 issues.

Meeting: Ref No: Doc No:	EM&MC – 2/12/09 9/1/2 10059/09	Submitted by Directorate: Author/s: Referred from:	Strategic Services Ms N G Ndolela
PARAGRAPH:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
	Submit Chapter 4 to Executive Mayor and Mayoral Committee	ED: Strategic Services	

5. **APPLICATION FOR REZONING, SUBDIVISION AND DEPARTURE: FARM SANDWYK NO'S 832/10, 832/16, 832/20, 832/50, 832/73, 832/74, PORTION OF REMAINDER OF FARM 832/21 (ALSO KNOWN AS PORTION A) AND PORTION OF REMAINDER OF FARM 832 (ALSO KNOWN AS PORTION B)**

RESOLVED

1. that approval be granted as follows:-
- 1.1 in terms of section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the subdivision of Farm 832/21, Paarl Division into two portions namely Portion A (±0,36ha) and Remainder (±24,70ha);
 - 1.2 in terms of section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the subdivision of Remainder Farm 832, Paarl Division into two portions namely Portion B (±3,03ha) and Remainder (±44,36ha);
 - 1.3 in terms of section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the rezoning of Farm Sandwyk No's 832/10, 832/16, 832/20, 832/50, 832/73, 832/74, portion of Remainder of Farm 832/21 (also known as Portion A, ±36ha) and portion of Remainder of Farm 832, Paarl Division (also known as Portion B, ±3,03ha) from "Agricultural Zone I" and "Business Zone V" to "Subdivisional Area", and consolidation thereof for the purposes of a residential development with a density of ±13 units per hectare;
 - 1.4 in terms of section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the re-subdivision of the consolidated development property into 122 residential erven ("Single Residential Zone I"), 6 open space erven ("Open Space Zone II") and two private road erven ("Open Space Zone II") as indicated on the Subdivision Plan (Annexure B to the departmental report), with or without amendments due to requirements by the Drakenstein Municipality Spatial Planning Section (condition 2.8 hereunder) and the requirements of the Drakenstein Municipality's Senior Heritage Officer (condition 2.9.3 hereunder)
 - 1.5 in terms of section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for a permanent departure from the land use parameters for the relaxation of the building line applicable to the N1 National Route to 10m measured from the N1 Road Reserve boundary;

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- 1.6 in terms of section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985), for a permanent departure from the land use parameters for the relaxation of the building line applicable to Main Road 189 to 5m;
- 2 that the approvals granted in paragraphs 1.1 to 1.6 above be subject to the following conditions in terms of section 42(1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985):
- 2.1 Adherence to the conditions laid down by the South African National Roads Agency in its letter W11/4/3-1/1-18 dated 4 October 2006 (Annexure F to the departmental report);
- 2.2 Adherence to the conditions laid down by the Department of Environmental Affairs and Development Planning in the Record of Decision E12/2/3/1-B4/28-0363/07 dated 3 June 2009 (Annexure I to the departmental report);
- 2.3 Adherence to conditions laid down by the Department of Water Affairs and Forestry in its letter 16/2/7/G100/A/8 dated 29 September 2006 (Annexure J to the departmental report);
- 2.4 Adherence to the conditions laid down by Heritage Western Cape in its Record of Decision C13/3/6/2/2/1/1/C7 dated 31 March 2006 (Annexure K to the departmental report);
- 2.5 Adherence to the conditions laid down by the Cape Winelands District Municipality: Health Department in its letter dated 24 May 2006 (Annexure L to the departmental report);
- 2.6 Adherence to the conditions laid down by the Department of Transport and Public Works in its letter R/P577/54/4/28 (Job 15509) dated 29 November 2006 (Annexure M to the departmental report);
- 2.7 Adherence to the conditions laid down by Drakenstein Municipality: Civil Engineering Services Department in its memorandum (2631) dated 17 September 2009 (Annexure N to the departmental report);
- 2.8 Adherence to the following condition laid down by Drakenstein Municipality: Spatial Planning Section:
- 2.8.1 Further mitigating measures must be investigated in order to more effectively soften the impact of the development on the visual quality and amenity along the N1 as the currently proposed private open space strip along the N1 is not deemed adequate for noise and visual screening purposes in this instance and that it be submitted for acceptance by the Head: Planning Services;
- 2.9 Adherence to the following conditions from a Heritage point of view:
- 2.9.1 A Landscape Master Plan be submitted for acceptance by the Head: Planning Services containing all landscaping proposals and must include the planting of mature trees along the N1 and on open spaces and streetscapes to mitigate the visual effect of the development, or alternatively a landscaped earth berm must be created on the immediate inside of the palisade fence as a way of ensuring optimal visual and noise screening;

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- 2.9.2 Palisade fencing with plastered and painted walls must be erected on the boundary between the N1 and the R189 and the proposed development and must be regularly maintained;
- 2.9.3 The provision of larger erven along the N1, with middle-sized and small erven positioned on the side of the R189 should be investigated for visual mitigation purposes and submitted for acceptance by the Head: Planning Services;
- 2.9.4 Entrance walls must be neatly plastered and painted and must display the name of the development. Landscaping must be done in front of entrance walls;
- 2.9.5 Any electric fencing must bend inward;
- 2.9.6 All street lighting within the development must be kept relatively low;
- 2.10 Adherence to the following conditions from a Land Use Planning point of view:
 - 2.10.1 The approval applies only to the contents of this application, and shall not be construed as authority to depart from any other legal prescriptions or requirements;
 - 2.10.2 Any amendments to the application will be subject to the relevant approval;
 - 2.10.3 No new structures are to be erected without the approval of building plans by Council; and
 - 2.10.4 The developer is encouraged to consider energy-saving devices as mentioned in the memorandum by the Spatial Planning Section (Annexure O to the departmental report); and
- 3. that the objector be informed of the decision, but that no right of appeal be awarded due to the objection being received after the closing date of the objection period.

Meeting:	EM&MC – 2/12/09	Submitted by Directorate:	Infrastructure & Planning
Ref No:	15/4/1 (F832/10)P	Author/s:	D Cupido
Doc No:	1808/05, 2548/05, 2550/05, 2633/05, 2672/05,2695/05, 306/05, 3137/05, 3492/05, 3493/05,239/06, 2765/06, 3864/06, 4344/06, 4473/06,6019/06, 6771/06, 7595/06, 7766/06,9149/06, 9745/06, 1066/07, 1619/07, 2583/07, 4931/07, 5699/07 ... 6004/09	Referred from:	
PARAGRAPH:	ACTION: Inform parties	RESPONSIBLE DEPT: Admin (H Barends)	DUE DATE:

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6. REQUEST FOR ASSISTANCE: MONTE CHRISTO MINISTRIES

RESOLVED

1. that the report **be noted**; and
2. that a progress report on the investigation to identify a suitable premises for the proposed Food Bank facility be submitted to the Executive Mayor and Mayoral Committee by not later than March 2010.

Meeting: Ref No: Doc No:	EM&MC – 2/12/09 17/7/2/2/1/9 9951/09	Submitted by Directorate: Author/s: Referred from:	Social Services
PARAGRAPH:	ACTION: Submit progress report	RESPONSIBLE DEPT: ED: Social Services	DUE DATE:

7. CULTIVATING COMMUNITY: ERF 22410, PAARL

RESOLVED

that approval be granted for the transfer of R600,000 from the Upgrade Foodbank Facility Vote: 430540513100 to Asset and Skills (poor communities), Vote: 430540512500 for the purpose of earthworks on Erf 22410, Paarl for the Cultivating Community projects.

Meeting: Ref No: Doc No:	EM&MC – 2/12/09 15/4/1/ (22410)P 10013/09	Submitted by Directorate: Author/s: Referred from:	Social Services
PARAGRAPH:	ACTION: Transfer funds	RESPONSIBLE DEPT: ED: Social Services	DUE DATE:

7(a) PRESENTATION: UMTHA WELANGA SAFETY HOME

A delegation from Umtha Welanga Safety Home attended the meeting and briefed the Committee on their plans for the establishment of an orphanage in Mbekweni as well as their request for the temporary use of the Wellington Clinic in Hospital Street. They indicated that they have identified Erf 3719, Mbekweni as the ideal site for the proposed safe home development.

RESOLVED

1. that the Executive Director: Corporate Governance (Properties) submit a report on the possible alienation of Erf 3719, Mbekweni to Umtha Welanga Safety Home for the purpose of safe home development; and

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2. the availability of the former clinic building in Hospital Street, Wellington for possible temporary use by Umtha Welanga Safety Home or other Social Services organisations.

Meeting: EM&MC – 2/12/09		Submitted by Directorate: Social Services	
Ref No: 17/19/5/1		Author/s:	
Doc No: 10076/09		Referred from:	
PARAGRAPH:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
	Submit report	Estate and Properties Section	

8. FEEDBACK BY CULTIVARIA 2009

Mr G Meyer attended the meeting and briefed the Committee on Cultivaria 2009. He covered aspects of attendance figures, which point to the growth of the festival, the impact of the festival on the local economy and the influence of the festival on people's perception of Paarl. He also indicated that the festival was incident free and that this aspect would be highlighted in future marketing campaigns.

The Committee raised the issue of diversification of the festival in order to attract both artists and festival attendees from all communities.

RESOLVED

that the presentation **be noted**.

Meeting: EM&MC – 2/12/09		Submitted by Directorate: Strategic Services	
Ref No: 11/2/3		Author/s: G Fouldien	
Doc No: 10028/09		Referred from:	
PARAGRAPH:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:

9. FOLLOW-UP REPORT: TOURISM AND INVESTMENT OPPORTUNITIES FROM THE TRIP TO SOUTH AMERICA

RESOLVED

that the report **be noted** and tourism and trade opportunities identified in the report be further explored.

Meeting: EM&MC – 2/12/09		Submitted by Directorate: Strategic Services	
Ref No: 10/1/8		Author/s:	
Doc No's: 10030/09		Referred from:	
PARAGRAPH:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
	Implement decision	ED: Strategic Services	

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10. TOURISM READINESS FOR 2010

RESOLVED

that the report **be noted**.

Meeting: EM&MC – 2/12/2009		Submitted by Directorate:	
Ref No: 10/1/8		Author/s:	
Doc No: 1033/09			
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

11. QUARTERLY REPORT: FINANCIAL SERVICES

Questions were raised with regard to the debt situation in Saron and the view was expressed that the Department of Land Affairs should be contacted with regard to the Saron Transformation process as this was key to the resolution of the Water rights issue.

RESOLVED

1. that the report **be noted**; and
2. that enquiries be made with the Regional Land Claims Commission with regard to the progress on the Saron Land Claim process.

Meeting: EM&MC – 2/12/2009		Submitted by Directorate: Financial Services	
Ref No: 9/1/1/4		Author/s:	
Doc No:		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	Contact RLCC	HOD: Corporate	

12. JUDGEMENT ON THE CASE BETWEEN DRAKENSTEIN MUNICIPALITY AND DEETLEFS DU TOIT AND OTHERS

RESOLVED

that the report **be noted** and forwarded to Council for information/consideration.

Meeting: EM&MC – 2/12/2009		Submitted by Directorate: Financial Services	
Ref No: 5/2/2		Author/s:	
Doc No: 10065/09		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

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13. SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN – FIRST QUARTER REPORT

RESOLVED

that the report **be noted** and forwarded to Council.

Meeting: EM&MC – 2/12/2009		Submitted by Directorate: Financial Services	
Ref No: 5/2/8		Author/s: C M Petersen	
Doc No: 10066/09		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

14. DEVIATION FROM AND RATIFICATION OF MINOR BREACHES OF PROCUREMENT PROCESSES

Questions were raised as to the capacity of the municipal vehicle workshop, due to the high volume of outsourcing of repair work.

RESOLVED

1. that it be recommended to Council that the report **be noted** and that further improvements to the reports be made in future in order to provide for more detailed description; and
2. that a report regarding the capacity of the Municipal Workshop be submitted.

Meeting: EM&MC – 2/12/2009		Submitted by Directorate: Financial Services	
Ref No: 9/1/1/5		Author/s: D Jacobs	
Doc No: 10087/09		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	Submit report on municipal vehicle workshop	ED: Infrastructure & Planning	

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15. REVIEW OF PREFERENTIAL PROCUREMENT POLICY POINTS FOR SPECIFIC GOALS

The Committee expressed the view that the amounts indicating procurement by HDI for different categories should be expressed as a percentage of total procurement per category.

RESOLVED

that it be recommended to Council that the Policy be amended by replacing paragraph 3 of Annexure A with the attached Annexure A, setting out the new points system.

Meeting:	EM&MC – 2/12/2009	Submitted by Directorate:	Financial Services
Ref No:	9/1/1/5	Author/s:	D Jacobs
Doc No:	10085/09	Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

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16. REPORT ON THE PROGRESS OF THE HOUSING PROJECTS

RESOLVED

that the report **be noted**.

Meeting: Ref No: Doc No's:	EM&MC – 2/12/2009 17/5/5/1/1 1073/09	Submitted by Directorate: Author/s: Referred from:	Social Services K Sethoabane
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

17. PRIORITISATION AND ALIGNMENT OF THE HOUSING PROJECTS WITH THE DEPARTMENT OF LOCAL GOVERNMENT AND HOUSING-FUND ALLOCATION FOR DRAKENSTEIN MUNICIPALITY

RESOLVED

that the report **be noted**.

Meeting: Ref No: Doc No's:	EM&MC – 2/12/2009 5/7/8 10077/09	Submitted by Directorate: Author/s: Referred from:	Social Services K Sethoabane
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

18. DROMMEDARIS HOUSING PROJECT: HOUSING DELIVERY METHOD

RESOLVED

1. that the project be proceeded with as a PHP project; and
2. that the necessary arrangement be made to secure the site in order to prevent land invasions and where possible the security company to be utilized, be requested to make use of people from the affected community.

Meeting: Ref No: Doc No's:	EM&MC – 2/12/09 17/5/6/2/2	Submitted by Directorate: Author/s: Referred from:	Social Services K Sethoabane
<u>PARAGRAPH:</u>	<u>ACTION:</u> Implement decision	<u>RESPONSIBLE DEPT:</u> ED: Social Services	<u>DUE DATE:</u>

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19. PROJECT 2 MBEKWENI – HOUSES AND VACANT PLOTS OF THE BENEFICIARIES THAT COULD NOT BE TRACED

RESOLVED

that final attempts be made to locate the beneficiaries failing which the houses and vacant plots be re-allocated in terms of the housing waiting list.

Meeting: EM&MC – 2/12/09		Submitted by Directorate: Social Services	
Ref No: 17/5/5/1/19		Author/s: K Sethoabane	
Doc No's: 10082/09		Referred from:	
PARAGRAPH:	ACTION: Implement decision	RESPONSIBLE DEPT: ED: Social Services	DUE DATE:

20. DRAKENSTEIN RURAL DEVELOPMENT FUNCTION AND UNIT

RESOLVED

that this matter be referred to the Municipal Manager and be dealt with in terms of his statutory powers and LLF consultation.

Meeting: EM&MC – 2/12/09		Submitted by Directorate: Rural Development	
Ref No: 4/3/3/1		Author/s: A Abrahams	
Doc No's: 10012/09		Referred from:	
PARAGRAPH:	ACTION: Refer to Municipal Manager/Management	RESPONSIBLE DEPT: ED: Social Services	DUE DATE:

21. OUTSTANDING MATTERS

Noted.

22. URGENT MATTERS

22.1 VISIT BY THE MEC FOR HOUSING: 3 DECEMBER 2009

It was reported that the MEC for Housing would visit Drakenstein on 3 December 2009. Arrangements were in place to visit various housing projects.

Noted.

Meeting: EM&MC – 2/12/09		Submitted by Directorate:	
Ref No:		Author/s:	
Doc No's:		Referred from:	
PARAGRAPH:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:

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22.2 SWEDISH DELEGATION

It was reported that a Swedish delegation hosted by the Cape Winelands District Municipality will be visiting Drakenstein on 5 and 6 December 2009.

Noted.

Meeting: EM&MC – 2/12/09		Submitted by Directorate:	
Ref No:		Author/s:	
Doc No's:		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

22.3 FOOD PARCELS TO NEEDY FAMILIES

The enclosed report of the Executive Director: Social Services was tabled and considered.

RESOLVED

1. that an amount of R500 000 be made available from Vote No 430515621000 (Integrated Food Pilot Programme) for the purchase for food parcels for the 50 most vulnerable families in each ward; and
 2. that the ward councillors and ward committees be requested to assist with the identification of these families in conjunction with the Office of the Speaker.
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Ref No:		Author/s:	
Doc No's:		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	Implement decision	ED: Social Services	

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The meeting ended at 12:32.

CHAIRPERSON:

DATE:

Confirmed on with/without amendments.

PJ/mn
2/12/2009