

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, 9 FEBRUARY 2011 AT 10:00.

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

Councillors: J T Basson
A Bekeer
S Davids
H Douman
T M Kompela and
A M Petersen

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

ABSENT:

Councillors: M J Le Hoe
A B Sishuba (apology)
B E Vos



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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** subject to the undermentioned amendments:

- i. Ordinary meeting held on 19 January 2011

ITEM 13: GRANTS-IN AID: 2010/2011 FINANCIAL YEAR

2. that future allocations be increased to R180 000

- ii. Special meeting held on 21 January 2011

ABSENT

Clr JT Basson (apology)

- iii. Special meeting held on 2 February 2011.

2. ANNOUNCEMENTS BY THE EXECUTIVE MAYOR

No announcements were made.

3. LEAVE ARRANGEMENTS AND NON-AVAILABILITY OF SENIOR MANAGEMENT

None.

4. MINUTES: COMMITTEE MEETINGS

Noted.

Meeting:	EM&MC – 09/02/2011	Submitted by Directorate:	
Ref No:		Author/s:	
Doc No:		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

5. PROPOSED DRAFT MEDIUM TERM CAPITAL AND OPERATIONAL BUDGET 2011/2012-2013/2014

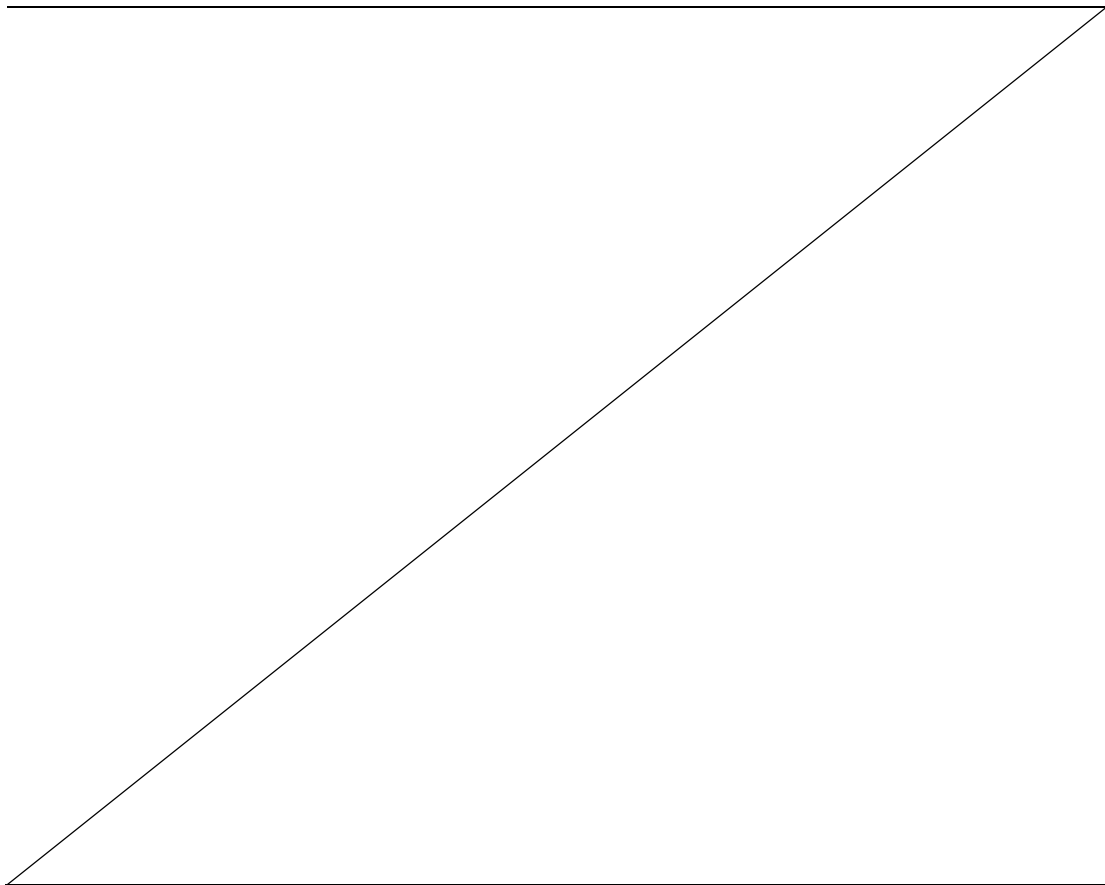
The Committee supported the proposals but requested that provision be made for certain additional projects within the current proposed budget limitations.

RESOLVED

that it be recommended to Council

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1. that the draft MTREF Operational Budget (p163 in Budget Book) and Capital Budget (p14 in Budget Book) for the three years (2011 to 2014) be approved for public release, subject to the inclusion of the following projects within the proposed budget:-
 - 1.1 Wall at Weltevrede Sport grounds (same standard as wall at Dal Josaphat Stadium);
 - 1.2 Community Hall for Groenheuwel/Smarty Town area;
 - 1.3 Multi-Purpose Centre – Van Wyksvlei area (Planning Phase);
 - 1.4 Paving or tarring at Gouda Community Hall; and
 - 1.5 Support for existing needy crèches provided that minimum standards are imposed.
2. that the proposed tariffs (p77 to 158) be approved;
3. that the enclosed proposed changes to Budget related policies be approved; and
4. that the Executive Director: Financial Services submit a report comparing Drakenstein tariffs with those of neighbouring municipalities and the City of Cape Town.



Meeting: EM&MC – 09/02/2011 Ref no: 5/2/2(2011/2012) Coll no;		Submitted by Directorate: Financial Services Author/s: C L Mapeyi Referred from: Finance Portfolio Meeting 07/02/2011	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	Attend to additions to budget	ED: Financial Services	

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6. MONTHLY BUDGET STATEMENTS – DECEMBER 2010

RESOLVED

that it be recommended to Council that the report **be noted**.

Meeting: Ref No: Coll no:	EM&MC – 09/02/2011 5/2/8 99836	Submitted by Directorate: Author/s: Referred from:	Financial Services C L Mapeyi Finance Portfolio Meeting 07/02/2011
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

7. EXPENDITURE ON STAFF BENEFITS – DECEMBER 2010

RESOLVED

that it be recommended to Council that the report **be noted**.

Meeting: Ref no: Coll no:	EM&MC – 09/02/2011 4/8/1/1 99834	Submitted by Directorate: Author/s: Referred from:	Financial Services C L Mapeyi Finance Portfolio Meeting 07/02/2011
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

8. DRAKENSTEIN ECONOMIC DEVELOPMENT AGENCY: FEASIBILITY STUDY

RESOLVED

that it be recommended to Council

1. that the draft Feasibility Study, on the establishment of the Drakenstein Economic Development Agency **be noted**;
2. that the Shift Impact Assessment and the Feasibility Study **be forwarded** to the relevant National and Provincial Departments for their views and recommendations; and

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3. that the Executive Director: Strategic Services and the Executive Director: Financial Services **be authorised** to engage with the Development Bank of Southern Africa (DBSA) and the Industrial Development Corporation (IDC) with the view of securing funding for the establishment and operations of the Drakenstein Economic Development Agency.

Meeting: EM&MC – 09/02/2011 Ref no: 15/7/3/3/3 Coll no: 99742		Submitted by Directorate: Strategic Services Author/s: G Fouldien Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u> Implement decision	<u>RESPONSIBLE DEPT:</u> Executive Director: Strategic Services	<u>DUE DATE:</u>

9. REQUEST FOR REMOVAL OF 10 TIPUANA TREES IN CHURCHILL STREET, PAARL
RESOLVED

that the request for the removal of 10 Tipuana trees in Churchill Street not be acceded to.

Meeting: EM&MC 09/02/2011 Ref no: 17/6/6/1 Coll no: 95566		Submitted by Directorate: Social Services Author/s: A van der Merwe Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u> Implement decision	<u>RESPONSIBLE DEPT:</u> Executive Director: Social Services	<u>DUE DATE:</u>

10. LEASE OF MBEKWENI SPORTS HALL: ESTABLISHMENT OF A FITNESS CENTRE

The enclosed further report of the Executive Director: Corporate Governance was tabled at the meeting.

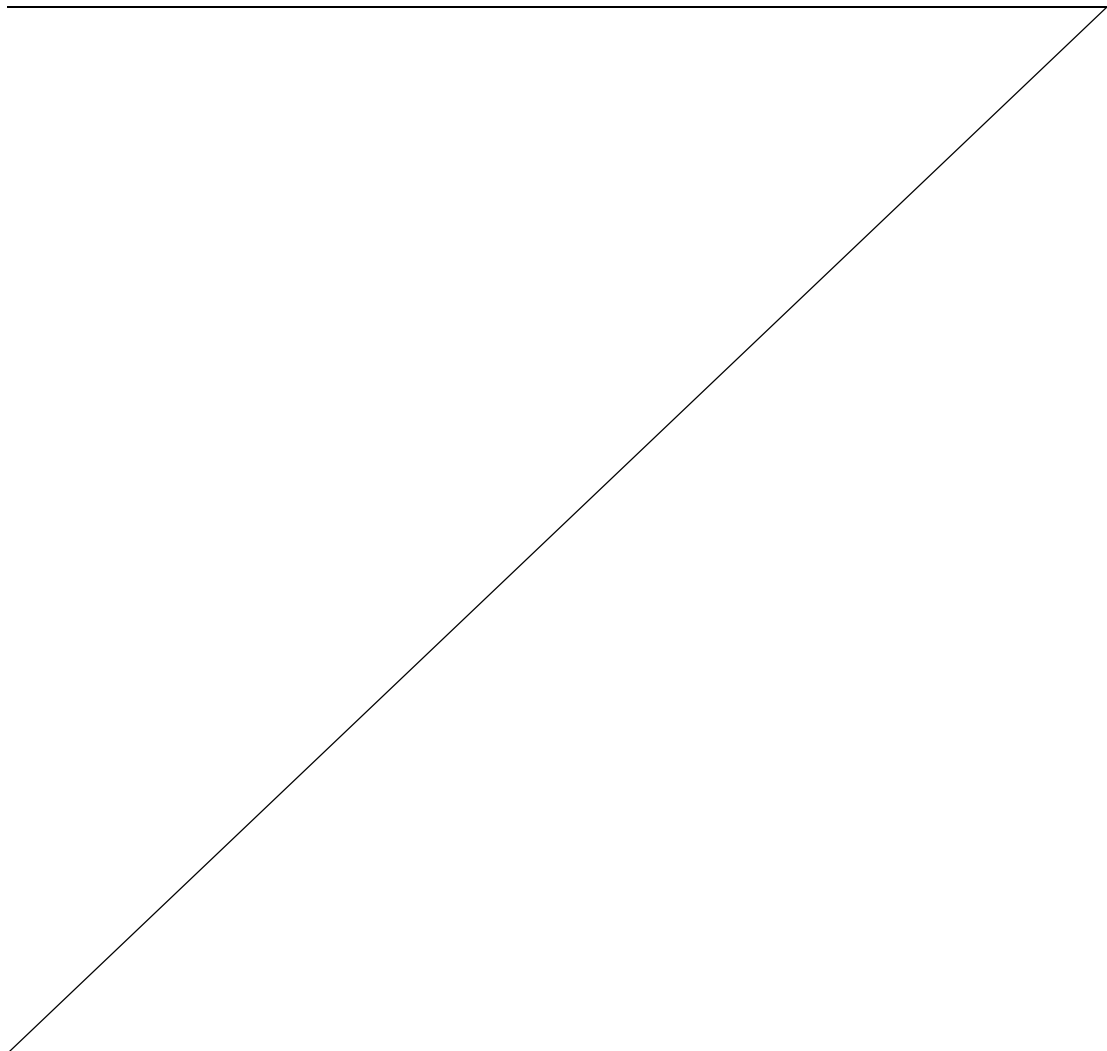
RESOLVED

that it be recommended to Council

1. that final approval be granted for the lease of the Mbekweni Sport Hall to Mr E Maqwelana (or the to be registered non-profit organisation) for the purpose of a fitness centre, subject to the following conditions:
 - 1.1 that the property be leased for an initial period of two years as from 1 January 2011 at a subsidized rental of R500 per month, including municipal services, which rate will increase by 10% annually;
 - 1.2 that the applicant registers as a non-profit organisation before 31 December 2011;
 - 1.3 that the property may only be utilized for a fitness centre and related activities;

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- 1.4 that the elderly, local schools and sport club be allowed free access to the facility on a basis/conditions as arranged by the applicant; and
- 1.5 that the standard conditions of lease will apply.
2. that the terms of the renewal of the lease agreement after the initial period, be considered when the initial period expires, based on the financial statements of the centre; and
3. that the possible separate metering of the Mbekweni sports hall be investigated.



Meeting: EM&MC 09/02/2011		Submitted by Directorate: Corporate Governance	
Ref no: 1777/2/2/1/11		Author/s: N Marais	
Coll no: 99781		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

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11. PROPOSED LEASE AND ALIENATION OF PORTIONS OF ERVEN 1547, 8574 AND 8576 PAARL: VAN DER LINGEN SQUARE

RESOLVED

that It be recommended to Council

1. that the alienation of Portions A, B and C at R1 000/m² (VAT excl) to Messrs Van Der Lingen Properties (Pty) Ltd for consolidation with Erf 8931 Paarl be approved in principle subject to the normal selling conditions, including the following conditions:
 - 1.1 the subdivision of Portions A, B and C, measuring 78m², 37m² and 131m² of Erven 8574, 1547 and 8576 Paarl respectively and the consolidation thereof with Erf 8931 Paarl;
 - 1.2 the closure and rezoning of Portion A from Public Place (reserved for parking) to general Business Purposes;
 - 1.3 the closure and rezoning of Portions B and C from Public Road to General Business Purposes;
 - 1.4 all effected municipal services must be relocated at the cost of the applicant; and
 - 1.5 all costs involved in the transaction, including survey, advertising, closure, rezoning, consolidation and transfer costs, are for the account of the applicant.
2. that the abovementioned closure, rezoning and subdivision as set out in 1.1 to 1.3 above be approved;
3. that the interim lease of the portions A, B and C of Erven 8574, 1547 and 8576 Paarl respectively (Annexure B to the departmental report), totalling an extent of 246m², until the alienation contemplated in 1 above is completed, be approved in principle at a market related rental of R2 050.00 per month for a period of eighteen months and thereafter on a month to month basis;
4. that proposals in 1 and 3 above be properly advertised for possible objections and counter offers; and
5. that the lease and sale of land set out above not be subject to a formal tender process since the land can only be leased/sold to the applicant as explained above.

Meeting: EM&MC 09/02/2011 Ref no: 15/4/1(8931)P Coll no: 99779		Submitted by Directorate: Corporate Governance Author/s: N Marais Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

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12. REPORT: CLOSURE REZONING AND ALIENATION OF UNUSED PORTION OF HUGUENOT BYPASS (MAIN ROAD 301), PAARL

RESOLVED

that it be recommended to Council that paragraph 4.4 of Council's resolution 7.8 dated 28 July 2010 be amended to read as follow:-

“4.4 that the property be disposed at R300 000 (VAT excl), subject to the normal selling conditions and the following further conditions:-“

Meeting: EM&MC 09/02/2011 Ref no: 15/4/1 (13086)P Coll no: 99778	Submitted by Directorate: Corporate Governance Author/s: N Marais Referred from: EM&MC-09/02/2011		
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

13. APPLICATION FOR THE CONVERSION OF AN APPROVED TEMPORARY DEPARTURE TO A CONSENT USE AND A NEW TEMPORARY DEPARTURE APPLICATION: FARM 1677 PAARL DIVISION

RESOLVED

1. that approval be granted in terms of regulation 4.6 of the Scheme Regulations made in terms of section 8 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) and promulgated at PN 1048/1988 for a Consent Use for a "Guesthouse" in order to convert an existing shed in order to operate a 12-room guesthouse on Farm 1677 Paarl Division;
2. that the approval granted in paragraph 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 Civil Engineering Services Department (Drakenstein Municipality) 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:-

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- 2.4.1 The approval applies only to the Consent Use in question and shall not be construed as authority to depart from any other legal prescriptions or requirements;
 - 2.4.2 Any amendments to the application is subject to the relevant approval;
 - 2.4.3 No new structures are to be erected or existing buildings converted without the approval of building plans by Council; and
 - 2.4.4 the guesthouse building be limited to the existing shed building ($\pm 760\text{m}^2$) and breakaway room as indicated on the Site Development Plan (Annexure III to the departmental report) and that any parking for the guesthouse be provided as indicated on the Site Development Plan.
3. 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 utilisation of the guesthouse on Farm 1677 Paarl Division, approved in paragraph 1 above, as a Rehabilitation Facility for the rehabilitation of people with stress related conditions and addictions;
4. that the approval granted in paragraph 3 above, be subject to the following conditions in terms of section 42(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985):-
- 4.1 Adherence to the conditions laid down by the Cape Winelands District Municipality: Health Department in its letter dated 28 January 2011 (Annexure IV to the departmental report);
 - 4.2 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 the extension thereof (limited to a maximum of another five year period), before the expiry of the initial five (5) year period;
 - 4.3 Farm worker tenure rights may not be impinged upon; and
 - 4.4 The seven existing farm workers houses be provided with running water and sanitation within the houses. The houses should furthermore be free of structural defects. The afore-mentioned should be complied with to the satisfaction of the Head: Planning Services prior to the execution of the land use rights herewith approved.

Meeting: Ref No: Doc No:	EM&MC – 09/02/2011 15/4/1 (F1677)P 94946, 96238, 99162, 99514	Submitted by Directorate: Author/s: Referred from:	Infrastructure and Planning Henk Strijdom
<u>PARAGRAPH:</u>	<u>ACTION:</u> Inform parties	<u>RESPONSIBLE DEPT:</u> Admin (HB)	<u>DUE DATE:</u>

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14. OUTSTANDING MATTERS

RESOLVED

1. that the report **be noted**;
2. that the outstanding municipal account issue (item 5 outstanding matters) be taken up with Councillor J Thomas; and
3. that the report on the living conditions on farms including a plan of action be submitted within 14 days to the Executive Mayor and Mayoral Committee.

Meeting: EM&MC – 09/02/2011 Ref No: Coll No:		Submitted by Directorate: Author/s: Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
2 3	Take up with Clr J Thomas Submit report	ED: Financial Services ED: Strategic Services Co-ordinate input from other departments)	

15. URGENT MATTERS

15.1 PROGRESS REPORTS ON SLOW MOVING PROJECTS (2010/2011 FINANCIAL YEAR)

RESOLVED

1. that progress reports be submitted on a continuous basis (bi-weekly as from next meeting) to the Executive Mayor and Mayoral Committee; and
2. that a report on the electrification of informal settlements be submitted at the next Executive Mayor and Mayoral Committee.

Meeting: EM&MC – 09/02/2011 Ref No: Coll No:		Submitted by Directorate: Author/s: Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
1 2	Submit progress reports Submit report	ED: Social Services ED: Infrastructure and Planning ED: Infrastructure and Planning	

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15.2 WRITING OFF OF OUTSTANDING DEBTS

This matter was discussed arising from the minutes of the meeting of 21 January 2011.

RESOLVED

1. that account holders be informed in writing on the writing off of outstanding debt via the distribution of their municipal accounts; and
2. that an advertisement on the writing off of outstanding debts be placed in the next edition of the Paarl Post.

Meeting: EM&MC – 09/02/2011		Submitted by Directorate:	
Ref No:		Author/s:	
Coll No:		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
1. 2.	Implement decision	ED: Financial Services ED: Strategic Services (Communication)	

ADDITIONAL ITEM

16. RELOCATION OF MBEKWENI LIVESTOCK FARMERS FROM FARM 1341 ROGGE LAND, PAARL

RESOLVED

that this matter be referred back for a further report.

Meeting: EM&MC – 09/02/2011		Submitted by Directorate: Strategic Services	
Ref No: 15/4/1 (8378)P		Author/s: ET Williams	
5/4/1 (412) T		Referred from:	
7/2/4/2			
Col No: 99867, 99896			
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	Further report	ED: Strategic Services	

17. MONTHLY REPORT: ELECTRICITY SERVICES: DECEMBER 2010

RESOLVED

Noted.

Meeting: EM&MC – 09/02/2011		Submitted by Directorate: Infrastructure and Planning	
Ref no: 9/1/1/3		Author/s:	
Coll no:		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

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The meeting ended at 11:40.

CHAIRPERSON:

DATE:

Confirmed on with/without amendments.