

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, 6 OCTOBER 2010 AT 10:00.

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

Councillors: A Bekeer

S Davids

H Douman

M J Le Hoe

A M Petersen and

A B Sishuba

Officials: Dr S T Kabanyane (Municipal Manager)
Dr P Naidoo (Executive Director: Strategic Services)
Mr T Matthee (Executive Director: Social Services)
Mr K Mrali (Executive Director: Corporate Governance)
Mr C Mapeyi (Acting Executive Director: Financial Services)
Mr D Delaney (Acting Executive Director: Infrastructure and Planning)
Mr A V Marais (Head: Corporate Services) and
Mr K R Gordon (Manager: Administrative Services)

ABSENT: **Councillors:** J T Basson
T M Komphela (In Council duty)
B E Vos

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1. CONFIRMATION OF MINUTES

The minutes of the following meetings of the Executive Mayor and Mayoral Committee was **confirmed as correct**:

1.1 Ordinary meeting held on 15 September 2010 subject to the following amendment:

ABSENT

that the word in brackets (Apology) indicated after the name of Clr M W Nothnagel be substituted with the words (In Council duty);

1.2 Confidential meeting held on 15 September 2010.

2. ANNOUNCEMENTS BY THE EXECUTIVE MAYOR

No announcements were made.

3. LEAVE ARRANGEMENTS AND NON-AVAILABILITY OF SENIOR MANAGEMENT

The Municipal Manager announced the following leave arrangements:

1. Municipal Manager and Executive Director: Infrastructure and Planning: 13-15 October 2010: Attending a EPWP Summit in Durban;
2. Executive Director: Social Services: 11-15 October 2010: Attending a course; and
3. Executive Director: Corporate Governance: 11 October 2010 (Leave).

4. JABULANI GAMES 2011

Ms A van Wyk of Globe in Africa made a presentation to the Executive Mayor and Mayoral Committee on the Jabulani Games which will take place in Paarl during October 2011. The Games is an Africa event and intends to create awareness among young people on ways to preserve and conserve our environment. The organisers requested the Municipality to provide various facilities as well as financial assistance to the amount of R1 million.

RESOLVED

1. that the presentation **be noted**;
2. that the Executive Director: Social Services obtain the specific details of the various requests for the utilization of municipal facilities and submit a report on how the requests can be accommodated as well as the financial implications thereof; and
3. that the Budget Committee consider the request for financial assistance taking into account the needs identified in the IDP and the reprioritization thereof.

Meeting: Ref No: Doc No:	EM&MC – 6/10/2010 17/7/1 66078	Submitted by Directorate: Author/s: Referred from:	Social Services T Mathee
PARAGRAPH: 2 3	ACTION: Submit report Convene Budget Committee meeting	RESPONSIBLE DEPT: Executive Director: Social Services Executive Director: Financial Services	DUE DATE:

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5. BUSINESS BREAKFAST, BUSINESS SUMMIT AND LED EXPO

RESOLVED

1. that the report **be noted**;
2. that the initiative of mobilizing business people to form a united front that will play a major role in influencing economic growth of Drakenstein, be supported;
3. that the Business Summit and LED EXPO to be held on 21 October 2010, be supported;
4. that the Executive Mayor and Mayoral Committee be prepared for direct involvement in going forward in terms of giving guidance towards the formation of the intended united business federation; and
5. that the Office of the Executive Mayor extend the invitation to all councillors to attend the Business Summit.

Meeting: EM&MC – 6/10/2010		Submitted by Directorate: Municipal Manager	
Ref No: 12/1/6 X 15/7/1		Author/s: Dr ST Kabanyane	
Doc No: 66359		Referred from:	
PARAGRAPH:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
2 & 3 4	Implement decision Extend invitations	Municipal Manager Office of the Executive Mayor (CJ)	

6. KING III REPORT ON GOVERNANCE FOR SOUTH AFRICA WORKSHOP

RESOLVED

that the November 2010 scheduled workshop **be noted** and attended by the respective team as set out in the report.

Meeting: EM&MC – 6/10/2010		Submitted by Directorate: Municipal Manager	
Ref No: 12/1/4		Author/s: Dr ST Kabanyane	
Doc No: 66358		Referred from:	
PARAGRAPH:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:

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7. MINUTES OF PORTFOLIO COMMITTEES

RESOLVED

Noted.

Meeting: Ref No: Doc No:	EM&MC – 6/10/2010	Submitted by Directorate: Author/s: Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

8. PROP 1/2010: LEASE OF MUNICIPAL BUILDINGS ON ERF 6136 CORNER OF KLEIN DRAKENSTEIN ROAD AND SOLOMONS STREET PAARL

RESOLVED

that it be recommended to Council:

1. that the decision of the Bid Adjudication Committee (Annexure B to the departmental report) **be noted**; and
2. that final approval be granted to proceed with the leasing of the facilities.

Meeting: Ref No: Doc No:	EM&MC – 6/10/2010 15/4/1 (6136) P 65202	Submitted by Directorate: Author/s: Referred from:	Corporate Governance NC Marais EM&MC (13) 15/9/2010
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

9. PROPOSED CANCELLATION OF SERVITUDE OVER PORTION 1 OF THE FARM POPLAR GROVE 284 PAARL

RESOLVED

that the report be referred back for a further report with an explanation for the signing of a Notarial Deed of a permanent servitude for road purposes over Portion 1 of the Farm Poplar Grove 284 Paarl, which was not in keeping with an Executive Mayor and Mayoral Committee decision that temporary access over the property be granted.

Meeting: Ref No: Doc No:	EM&MC – 6/10/2010 15/4/1 (F284/1) P 66408	Submitted by Directorate: Author/s: Referred from:	Corporate Governance NC Marais
<u>PARAGRAPH:</u>	<u>ACTION:</u> Submit further report	<u>RESPONSIBLE DEPT:</u> Executive Director: Corporate Governance	<u>DUE DATE:</u>

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10. RISE UP BAKERIES

The Committee reiterated that a maximum of 4 to 5 bakeries should be considered.

RESOLVED

1. that the report **be noted**; and
2. that the matter including the issue of the amount of bakeries and funding be further investigated by a Subcommittee comprising of the Executive Mayor, Portfolio Holder, Clr H Douman, Clr A Bekeer, Clr S Davids, Executive Director: Strategic Services and the Manager: LED and a report in this regard be submitted.

Meeting: EM&MC – 06/10/2010		Submitted by Directorate: Strategic Services	
Ref No: 15/7/3		Author/s: G Fouldien	
Col No: 66244		Referred from: EM&MC (13.7) 1/9/2010	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	Convene a Subcommittee meeting & Submit report	Executive Director: Strategic Services	

11. VENUES FOR FESTIVALS

RESOLVED

1. that the report **be noted**;
2. that the request by the Paarl Muslim Jamaa for the use of Daljosaphat Stadium to host the Boland Summer Festival from 1-3 April 2011, be granted;
3. that the Community Services Department be requested to consider the upgrading of the northern section of Daljosaphat Stadium for future use for festivals in the new budget process; and
4. that permission be granted for the use of the Daljosaphat Stadium for the Boland Festival in 2011 subject to the condition that the Main field, C-rugby field and D-rugby field be excluded from the right to use Daljosaphat Stadium.

Meeting: EM&MC – 6/10/2010		Submitted by Directorate: Social Services	
Ref No: 17/7/2/2/1/8		Author/s: M Moerat	
Col No: 66170		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	Implement decision	Executive Director: Social Services	

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12. PROPOSED ADOPTION: SPORT AND RECREATION POLICY AND TREE MANAGEMENT POLICY

RESOLVED

that it be recommended to Council that the following policies be adopted:

1. Sport and Recreation Policy
2. Tree Management Policy

Meeting: Ref No: Col No:	EM&MC – 6/10/2010 17/6B 65514	Submitted by Directorate: Author/s: Referred from:	Social Services AB van der Merwe
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

13. BAWSI: PIGGERY CO-OPERATION, HOPEFIELD

RESOLVED

that the item be referred back to the Executive Mayor and Mayoral Committee at its next meeting.

Meeting: Ref No: Col No:	EM&MC – 6/10/2010 17/5/9/1 66355	Submitted by Directorate: Author/s: Referred from:	Strategic Services ET Williams
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

14. APPLICATION FOR A DEPARTURE FROM LAND USE RESTRICTIONS: ERF 594 WELLINGTON (4 COMMISSIONER STREET)

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 the departure of the rear building line from 3m to 0m on Erf 594 Wellington, as indicated on the abstract of the submitted plan (Annexure D to the departmental report);
2. that the approval granted in paragraph 1 above, be subject to the following conditions laid down in terms of section 42(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985):-
 - 2.1 half built addition on top of existing wall must be removed;
 - 2.2 the outside of the rear wall facing Erf 589 Wellington must be plastered and painted;
 - 2.3 air vents facing Erf 589 Wellington will be covered with plaster and painted;
 - 2.4 all structures (trusses) protruding the boundary line will be demolished;

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- 2.5 a suitable finish fascia board must be erected and painted;
3. that the comments under paragraph 4 “**TOWN PLANNING ASSESSMENT/COMMENTS**” of the departmental report be regarded as Council’s reasons for its decision; and
4. that the objector, Ms R Smuts be informed of her right of appeal in terms of section 44 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985).

Meeting: EM&MC – 06/10/2010 Ref no: 15/4/1 (594) W Coll no: 66329		Submitted by Directorate: Infrastructure & Planning Author/s: D le Roux Referred from:	
PARAGRAPH:	ACTION: Inform parties	RESPONSIBLE DEPT: Admin (HB)	DUE DATE:

15. APPLICATION FOR DEPARTURE FROM LAND USE RESTRICTIONS: ERF 15059 PAARL (16 OLYVEN STREET)

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 the departure of the 1.5m side building line from 1.5m to 0m, the 3m rear building line from 3m to 2m and the permissible coverage from 50% to 56% on Erf 15059 Paarl, as indicated on the abstract of the submitted plan (Annexure B to the departmental report);
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 any structural damages (including moisture related problems) to the existing dwelling on Erf 6926 Paarl as a result of the proposed new addition on the application property will be for the account of the applicant;
- 2.2 all new additions must be neatly plastered and painted;
3. that the objectors, Mr W von Molendorff and Mr R Prins be informed of their right of appeal in terms of section 44 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985); and
4. that the comments under paragraph 6 “**TOWN PLANNING ASSESSMENT/ COMMENTS**” of the departmental report be regarded as Council’s reasons for its decision.

Meeting: EM&MC – 06/10/2010 Ref no: 15/4/1 (15059) P Col no: 66325		Submitted by Directorate: Infrastructure & Planning Author/s: W Hendricks Referred from:	
PARAGRAPH:	ACTION: Inform parties	RESPONSIBLE DEPT: Admin (HB)	DUE DATE:

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16. APPLICATION FOR REZONING AND CONSENT USES: FARM 1334 PAARL DIVISION (FARM RHENOSTERKOP)

RESOLVED

1. that the Provincial Decision Making Authority be informed that Council is in support of the application for Rezoning of a portion ($\pm 4200\text{m}^2$) of Farm 1334 Paarl Division from "Agricultural Zone I" to "Resort Zone I" in order to establish an informal camping site as indicated on the Site Development Plan (Annexure B to the departmental report), subject to the conditions set out in paragraph 5 hereunder;
2. that approval be granted in terms of section 16(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the rezoning of a portion ($\pm 500\text{m}^2$) of Farm 1334 Paarl Division from "Agriculture Zone 1" to Agriculture Zone II" in order to legalize the existing winery as indicated on the Site Development Plan (Annexure B to the departmental report);
3. that approval be granted for a Consent Use 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 under PN 1048/1988 respectively for the construction of 1 additional dwelling unit, as indicated on the Site Development Plan (Annexure B to the departmental report);
4. that approval be granted for a Consent Use 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 under PN 1048/1988 respectively for the construction of 1 additional dwelling unit, as indicated on the Site Development Plan (Annexure B to the departmental report);
5. that the approvals granted in paragraphs 2 and 3 above, be subject to the following conditions in terms of section 42(1) of the Land Use Planning Ordinance, 1985;
 - 5.1 adherence to the conditions laid down by the Department of Agriculture Western Cape in it's letter 20/9/2/5/4/866 dated 19 October 2009 (Annexure E to the departmental report);
 - 5.2 adherence to the conditions laid down by the Department of Transport and Public Works (District Roads Engineer) in it's letter PR22/29/87/0523(10) dated 15 July 2010 (Annexure H to the departmental report);
 - 5.3 adherence to the conditions laid down by Drakenstein Municipality: Civil Engineering Services Department in its memorandum 15/4/1 (F1334) P (0752) dated 7 May 2010 (Annexure G to the departmental report);
 - 5.4 adherence to the following condition laid down by Drakenstein Municipality: Electrical Services Department:-
 - 5.4.1 any electrical services extensions or alterations will be for the account of the owner/applicant;
 - 5.5 adherence to the following conditions from a town planning point of view:-
 - 5.5.1 this approval applies only to the rezoning and consent uses in question and shall not be construed as authority to depart from any other legal prescriptions or requirements;

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5.5.2 any amendments to the application are subject to the relevant approval; and

5.5.3 no new structures are to be erected or existing buildings converted without the prior approval of building plans by Council.

Meeting: EM&MC – 06/10/2010 Ref no: 15/4/1 (F1334) P Doc no's: 7892/09 & 9463/09 Col no's: 50353 & 50398		Submitted by Directorate: Infrastructure & Planning Author/s: W Hendricks Referred from:	
PARAGRAPH:	ACTION: Submit to relevant Provincial Department and Inform parties	RESPONSIBLE DEPT: Admin (HB)	DUE DATE:

17. REPORT REGARDING LOAN TO FUND BULK SEWER: TECHNICAL INFORMATION

RESOLVED

that note be taken that the visual presentation regarding the location of the proposed sewer and the impact that it will have on other development projects, will be arranged at the next meeting.

Meeting: EM&MC – 6/10/2010 Ref No: 17/5/6/2X17/5/5/1/21 (1643) Doc No's: 65290		Submitted by Directorate: Infrastructure & Planning Author/s: L Coetzee Referred from: EM&MC (27.3) 15/9/2010	
PARAGRAPH:	ACTION: Arrange presentation	RESPONSIBLE DEPT: Executive Director: Infrastructure and Planning	DUE DATE:

18. HOSTELS – B & C AND WHITE CITY: UNITS TO BE SOLD AND TRANSFER TO THE BENEFICIARIES

RESOLVED

that it be recommended to Council:

1. that the sale of B and C Block as well as White City hostels at a price of R1.00 each be approved;
2. that note be taken that only the completed housing units will be transferred as set out in the beneficiaries list attached as Annexure to the departmental report;
3. that the remainder of the housing units be transferred once outstanding upgrading issues have been addressed accordingly;
4. that note be taken that the Indigent policy will apply;

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5. that note be taken of the steps and procedures that need to be followed in case of disposal of assets as required by the MFMA;
6. that note be taken that there is a possibility that Hostels B and C self-upgraded beneficiaries has planned to join Hostels A and D demanding re-imburement from the Municipality; and
7. that a meeting be set up with the beneficiaries to inform them accordingly.

Meeting:	EM&MC – 6/10/2010	Submitted by Directorate:	Social Services
Ref No:	17/5/4/4/1 x 17/5/4/4/2	Author/s:	K Sethoabane
Col No:	66404	Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

19. AVAILABILITY OF A HOUSE FOR LUVU MANYONGA

RESOLVED

that the Ward Committee, under leadership of Clr D K Xhaso, be requested to investigate possible sponsorship, donors or social responsibility support in order for Luvu Manyonga to acquire a house.

Meeting:	EM&MC – 6/10/2010	Submitted by Directorate:	Social Services
Ref No:	17/5/5/1/1	Author/s:	K Sethoabane
Col No:	66403	Referred from:	EM&MC (14.1) 1/9/2010
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	Inform ward councillor	Executive Director: Social Services	

20. QUARTERLY REPORT ON THE PROGRESS OF HOUSING PROJECTS

RESOLVED

1. that the report **be noted**;
2. that with regards to the Drommedaris Housing Project:
 - 2.1 80% of the 1588 housing units be allocated to a contractor who will be responsible for the building of the units;
 - 2.2 that the remainder of 20% of the 1588 housing units including 181 units allocated to the former hostel dwellers whose original houses have been occupied by the local community, be split in 2 and included in the People Housing Process (PHP) development;
 - 2.3 that the original contractor be held responsible for the monitoring of the PHP development to ensure that the work and services rendered on the PHP development are in compliance with the work done by the main contractor.

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- 2.4 that the main contractor avails bridging finance in order to complete the development within at least two years; and
- 2.5 that the National Department of Human Settlements be requested to confirm the agreement with the Provincial Government that the housing units for the Drommedaris Housing Project has been increased from 100 to 300 housing units in the 2010/11 financial year.

Meeting: EM&MC – 6/10/2010		Submitted by Directorate: Social Services	
Ref No: 17/5/5/2/2		Author/s: K Sethoabane	
Col No: 66402		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	Implement decision	Executive Director: Social Services	

21. OUTSTANDING MATTERS

RESOLVED

1. **Noted;**
2. that note be taken that the Municipal Manager will submit a report on possible external funding models to fund EPWP projects as well as infrastructure and housing after attending a EPWP Summit from 13-15 October 2010;
3. that the financial report regarding the securing of loans/funding for the implementation of the project (bulk sewer) be submitted at the next meeting;
4. that a meeting of the Subcommittee which has been established to investigate ways for the communities in Ward 30 and other Wards to pay their outstanding municipal accounts, be arranged as a matter of urgency; and
5. that the wording “report in progress and “matter is receiving attention” not be included in future progress reports of outstanding matters and instead factual progress information on outstanding matters be reported.

Meeting: EM&MC –06/10/2010		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>
3	Submit report	Executive Director: Financial Services	
4	Convene meeting	Executive Director: Financial Services	

22. URGENT MATTERS

RESOLVED

No urgent matters were submitted.

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23. MONTHLY REPORT: AUGUST 2010: ELECTRICAL SERVICES

RESOLVED

Noted.

Meeting: Ref No: Doc No:	EM&MC -06/10/2010 9/1/1/3	Submitted by Directorate: Author/s: Referred from:	Infrastructure and Planning M Rhode
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

The meeting ended at 11:22.

CHAIRPERSON:

DATE:

Confirmed on with/without amendments.

KG/rs
06/10/2010