

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, 5 AUGUST 2009 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
T M Kompela
M J le Hoe
A M Petersen
A B Sishuba and
B Vos

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

ABSENT: **Councillors:** J T Basson (In Council duty)
H Douman (In Council duty)



MINUTES: EXECUTIVE MAYOR & MAYORAL COMMITTEE
05 AUGUST 2009

1. CONFIRMATION OF MINUTES

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

- (i) Ordinary meeting held on 23 July 2009, subject to the following amendment:-

Report: Pedestrians/Scholars – Champagne Street, Wellington

RESOLVED

that a pedestrian pathway be constructed along Voor Street up to the Champagne Street intersection at a cost of approximately R82 000.00 and be implemented as part of sidewalk construction (Vote number 81-25-405-450-00 - Reconstruction of streets and sidewalks) and that the possibility of converting the work into a job creation project for the affected community, be investigated.

- (ii) Confidential meeting held on 23 July 2009; and
(iii) Special Confidential meeting held on 29 July 2009.

2. ANNOUNCEMENTS BY THE EXECUTIVE MAYOR

2.1 PUBLIC PARTICIPATION

The Executive Mayor announced that as part of the extension of the public participation processes, a weekly live radio broadcast had been arranged with Radio KC on Thursday mornings, which will allow for residents to interact with the Executive Mayor. Other Mayco members as well as Management would from time to time also be requested to participate in the program.

NOTED.

3. LEAVE ARRANGEMENTS AND NON-AVAILABILITY OF SENIOR MANAGEMENT

The Municipal Manager reported that the Executive Director: Social Services would be attending a conference from 18 – 20 August 2009.

4. RE-COMPOSITION OF SECTION 80 COMMITTEES

RESOLVED

that it be recommended to Council that the representation as set out in Schedule 2 in the agenda be accepted and that political parties submit names of their representatives on the Committees at the Council meeting.

Meeting: Ref No: Doc No:	EM&MC – 05/08/2009 3/3/1/3/1 6336/09	Submitted by Directorate: Author/s: Referred from:	Corporate Governance AV Marais
PARAGRAPH:	ACTION: Submit to Council	RESPONSIBLE DEPT: Admin (PJ)	DUE DATE:

MINUTES: EXECUTIVE MAYOR & MAYORAL COMMITTEE
05 AUGUST 2009

5. AANSOEK OM HERSONERING: ERF 3418, PAARL

BESLUIT

1. dat goedkeuring verleen word in terme van Artikel 16(1) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ord 15 van 1985) vir die hersonering van Erf 3418, Paarl vanaf “Enkelwoningstone” na “Spesiale Sakesone” vir die doeleindes van kantore, onderworpe aan die volgende voorwaardes in terme van Artikel 42(1) van die vermelde Ordonnansie:-

- 1.1 Die ontwikkeling van die eiendom wesenlik in lyn is met die voorgestelde Terreinplan (Bylae B tot die departementele verslag);
- 1.2 Die toelaatbare grondgebruiksregte van toepassing op die eiendom beperk word tot kantoorgebruike alleenlik;
- 1.3 Voldoening aan die voorwaardes neergelê deur die Departement van Vervoer en Openbare werke (Distrikspadingenieur) in sy skrywe 13/3/5/1-10/75 (Taak 16845) gedateer 8 April 2009 (Bylae G tot die departementele verslag);
- 1.4 Indien enige veranderinge of verbeteringe aan die bestaande geboue in die toekoms aangebring word insluitend die tuin area, en indien 'n nuwe gebou opgerig gaan word, moet die relevante bouplanne, asook die nodige landskapperingsplanne ingedien word en voorgelê word aan AKSO, asook Erfenis Wes-Kaap, met laasgenoemde wat moontlik 'n aansoek in terme van die Erfenis-wetgewing kan vereis;
- 1.5 Voldoening aan die volgende voorwaardes neergelê deur die Hoof: Siviele Ingenieursdienste (Drakenstein Munisipaliteit):-

1.5.1 Water

- (a) Bestaande wateraansluiting is beskikbaar teen werklike koste.

1.5.2 Riool

- (a) Alle mangate moet verlê en opgelig word bo-grond en opgegradeer word volgens munisipale standaard;
- (b) Die ontwikkelaar, tesame met die eienaars van Erwe 17241, 17240, 3417, 3416 en 3415, Paarl sal verantwoordelik wees vir die opgradering/vergroting van die munisipale rioolstelsel, stroomaf van die voorgestelde ontwikkeling soos bepaal deur die Hoof: Siviele Ingenieursdienste;
- (c) Bestaande rioolaansluiting wat die perseel bedien moet opgegradeer word (pyplyne, rioolputte en mangate); en
- (d) Alle kostes is vir die rekening van die eenaar.

1.5.3 Algemeen

- (a) Grootmaatdiensstegelde is betaalbaar volgens die Raad se besluit.

MINUTES: EXECUTIVE MAYOR & MAYORAL COMMITTEE
05 AUGUST 2009

1.6 Voldoening aan die volgende voorwaarde neergelê deur die Hoof: Elektriese Dienste (Drakenstein Munisipaliteit):-

- (a) Dienste moet tot bevrediging van die Raad installeer word en die koste daarvan is vir die aansoeker se rekening;
2. dat die beswaarmaker, Mnr V de Villiers, in kennis gestel word van sy reg tot appèl in terme van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ord 15 van 1985); en
3. dat die kommentaar soos vervat in paragraaf 5 (Beplanningsevaluering/ Kommentaar) van die departementele verslag soos vervat in die agenda, geag word as die redes vir die besluit.

Meeting: EM&MC – 05/08/2009		Submitted by Directorate: Infrastructure & Planning	
Ref No: 15/4/1 (3418)P		Author/s: H Louw	
Doc No: 4058/09, 3392/09, 1207/09, 10525/08, 10135/08, 9931/08, 7721/08, 7690/07, 9614/07, 8957/07 & 8837/07		Referred from:	
PARAGRAPH:	ACTION: Inform parties	RESPONSIBLE DEPT: Admin (HB)	DUE DATE:

6. APPLICATION FOR TEMPORARY LAND USE DEPARTURE AND CONSENT USE: FARM 517, PAARL DIVISION

RESOLVED

1. that approval be granted in terms of Section 15(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for a temporary land use departure (5 years) on Farm 517, Paarl Division to allow for the conversion of a portion ($\pm 748\text{m}^2$) of the main dwelling into a guesthouse comprising twelve (12) guest suites;
2. 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: Tourist Facility on Farm 517, Paarl Division for the conversion of a portion ($\pm 152\text{m}^2$) of the main dwelling into a restaurant;
3. that the approvals granted in paragraphs 1 and 2 above be subject to the following conditions in terms of Section 42(1) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985):-
 - 3.1 adherence to the conditions laid down by the Department of Agriculture: Western Cape in its letter 20/9/2/5/4/373 dated 1 June 2009 (Annexure E to the departmental report);
 - 3.2 adherence to the conditions laid down by the Department of Transport and Public Works: District Roads Engineer in its letter PR13/3/5/1-10/103 (Job 17079) dated 18 March 2009 (Annexure F to the departmental report);

MINUTES: EXECUTIVE MAYOR & MAYORAL COMMITTEE
05 AUGUST 2009

- 3.3 adherence to the conditions laid down by Cape Winelands District Municipality: Health Department in its letter Plaas No 517 dated 23 January 2009 (Annexure G to the departmental report);
- 3.4 adherence to the conditions laid down by Drakenstein Municipality: Civil Engineering Services in its memorandum 15/4/1 (F517) P (835) dated 30 March 2009 (Annexure H to the departmental report);
- 3.5 adherence to the following condition laid down by Drakenstein Municipality: Electrical Services:-
- 3.5.1 any electrical service alteration and/or extension required, will be for the cost of the developer/owner;
- 3.6 adherence to the following conditions from a town planning point of view:-
- 3.6.1 the development should take place substantially in accordance with the Site Plan (Annexure B to the departmental report);
- 3.6.2 no new structures are to be erected or existing buildings converted without the approval of building plans by Council;
- 3.6.3 the temporary land use departure will be valid for a period of 5 years from the date of approval after which application can be made for extension thereof (limited to a maximum period of five years), before the expiry of the initial 5 year period. In the event of the Zoning Scheme Regulations being amended during the said validity period, in order to accommodate Guest Accommodation as a Consent Use under Agricultural Zoning, the said Temporary Departure will automatically convert to an approved Consent Use;
- 3.6.4 the approval applies only to the temporary land use departure and consent use in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements; and
- 3.6.5 the existing farm workers houses must have adequate running water and sanitation services within the houses. The houses should furthermore be free of structural defects. The aforementioned should be complied with to the satisfaction of the Head: Planning Services prior to the approval of building plans for the additional land use rights herewith approved.

Meeting:	EM&MC – 05/08/2009	Submitted by Directorate:	Infrastructure & Planning
Ref No:	15/4/1 (F517 P)	Author/s:	A Shortles
Doc No:	9803/08, 701/09, 1042/09, 1031/09, 4219/09 & 2385/09	Referred from:	
PARAGRAPH:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
	Inform parties	Admin (HB)	

MINUTES: EXECUTIVE MAYOR & MAYORAL COMMITTEE
05 AUGUST 2009

7. PRESENTATION: CAPE WINELANDS CULTURAL LANDSCAPE: TOWARDS NATIONAL HERITAGE SITES

Mrs B Crouts-Knipe and Ms S Warnich-Stemmet attended the meeting for this item. Mrs Crouts-Knipe briefed the Committee on the work and mandate of the South African Heritage Resources Agency as well as the process for the nomination and declaration of part of the Cape Winelands Cultural Landscape and specifically the Drakenstein Winelands region as National Heritage Sites. References were also made to the particular cultural/heritage significance of the Madiba House, preserved former slave community heritage resources, the role of farm workers and the heritage significance of town farms (Dorpsplase) in Paarl. The declaration of the whole of the Cape Winelands Cultural Landscape as a possible World Heritage Site was also alluded to. It was agreed that further interaction between SAHRA and the Municipality should take place and that the Municipal Manager further interact with SAHRA.

RESOLVED

1. that the presentation be noted; and
2. that SAHRA be requested to convey the above information in writing to the Municipality and to indicate in what way the Municipality can be of assistance and how they foresee farm workers would benefit from the above initiatives.

Meeting: EM&MC – 5/08/2009		Submitted by Directorate:	
Ref No: 14/4/2		Author/s:	
Doc No: 100/09		Referred from:	
PARAGRAPH:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
	Letter to SAHRA	Admin (HB)	

8. DRAKENSTEIN DEVELOPMENT AGENCY

RESOLVED

that the appropriate institutional vehicle to deliver on strategic LED Projects, be discussed by the Rural, Social and Economic Development Portfolio Committee and that a recommendation thereafter be submitted to the Mayoral Committee.

Meeting: EM&MC – 5/08/2009		Submitted by Directorate: Strategic Services	
Ref No: 15/7/3/3/3		Author/s:	
Doc No: 4880/09		Referred from: EM &MC – 17/06/09 Council – 25/06/09	
PARAGRAPH:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
	Arrange portfolio committee	Admin (LP)	

MINUTES: EXECUTIVE MAYOR & MAYORAL COMMITTEE
05 AUGUST 2009

9. FESTIVAL OF LIGHTS

RESOLVED

1. that the status quo with regard to Paarl Festival of Lights be maintained for this year;
2. that the possible move of the Paarl Festival of Lights to Klein Drakenstein Road still be persued for future years, taking into account the challenges raised in the report; and
3. that the installation of more festival lights in Klein Drakenstein Road be investigated.

Meeting: EM&MC – 05/08/2009		Submitted by Directorate: Strategic Services	
Ref No: 11/2/1		Author/s: G Fouldien	
Doc No: 6335/09		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u> Implement decisions	<u>RESPONSIBLE DEPT:</u> Infra & Plan (Elec)	<u>DUE DATE:</u>

10. REPORT: MUNICIPAL PROPERTIES

RESOLVED

that the report be noted and referred to the relevant Portfolio Committee.

Meeting: EM&MC – 05/08/2009		Submitted by Directorate: Corporate Governance	
Ref No: 7/2/4/1		Author/s: AV Marais	
Doc No: 7/1/B x 7/2/B 6337/09		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u> Forward to Committee	<u>RESPONSIBLE DEPT:</u> Admin (IE)	<u>DUE DATE:</u>

11. OUTSTANDING MATTERS

that the report be noted.

MINUTES: EXECUTIVE MAYOR & MAYORAL COMMITTEE
05 AUGUST 2009

12. URGENT MATTERS

12.1 PARLIAMENTARY QUESTION: CAPETAINER

The Municipal Manager submitted the enclosed letter received from the Department of Local Government and Housing.

RESOLVED

that the necessary response to the letter be provided by the Municipal Manager.

Meeting: EM&MC – 05/08/2009		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>

MINUTES: EXECUTIVE MAYOR & MAYORAL COMMITTEE
05 AUGUST 2009

12.2 MEMORANDUM OF UNDERSTANDING: VAL DE VIE AND DRAKENSTEIN MUNICIPALITY: SOCCER WORLD CUP 2010

The enclosed report of the Executive Director: Corporate Governance was tabled and considered.

RESOLVED

1. that the Memorandum of Understanding with Val De Vie be supported in principle, subject to incorporation of a clause relating to possible social responsibility programmes, particularly for farm workers; and
 2. that the lobbying programme be approved and that the Municipal Manager determine which officials are to be part of the delegations.
-

Meeting: EM&MC – 05/08/2009		Submitted by Directorate:	
Ref No:		Author/s:	
Doc No:		Referred from:	
PARAGRAPH:	ACTION: Take necessary further steps	RESPONSIBLE DEPT: ED: Corporate Governance	DUE DATE:

MINUTES: EXECUTIVE MAYOR & MAYORAL COMMITTEE
05 AUGUST 2009

12.3 STATUS REPORT: EDUBE

The Committee requested that a status report on Edube with regard to transfers and the general state of the units be submitted.

ACCORDINGLY RESOLVED

Meeting: EM&MC – 05/08/2009		Submitted by Directorate:	
Ref No:		Author/s:	
Doc No:		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u> Submit report	<u>RESPONSIBLE DEPT:</u> Social Services (Housing)	<u>DUE DATE:</u>

The meeting ended at 11:27.

CHAIRPERSON:

DATE:

Confirmed on with/without amendments.

PJ/am
05/08/2009