

## 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, 3 FEBRUARY 2010 AT 10:00

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

**Councillors:** J T Basson  
A Bekeer  
S Davids  
T M Kompela  
M J Le Hoe  
A M Petersen  
A B Sishuba and  
B E Vos

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

**ABSENT:** H Douman (In Council duty)

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**1. CONFIRMATION OF MINUTES**

The minutes of the Special Executive Mayor and Mayoral Committee meeting held on 21 January 2010 was **confirmed as correct**.

**2. ANNOUNCEMENTS BY THE EXECUTIVE MAYOR**

The Executive Mayor announced that the Standing Portfolio Committee on Housing of the National Parliament will be visiting the ABSA International Innovative Housing Project at 14:00 and requested members of the Mayoral Committee and the Municipal Manager to accompany the Committee.

**3. LEAVE ARRANGEMENTS AND NON-AVAILABILITY OF SENIOR MANAGEMENT**

None.

**4. QUARTERLY REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT SYSTEM OF DRAKENSTEIN MUNICIPALITY**

**RESOLVED**

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

Meeting: Ref No: Doc No:	EM&MC – 03/02/2010 8/1/1	Submitted by Directorate: Author/s: Referred from:	Financial Services
<b>PARAGRAPH:</b>	<b>ACTION:</b> Submit to Council	<b>RESPONSIBLE DEPT:</b> Admin	<b>DUE DATE:</b>

**5. ENROLLMENT IN EMBA PROGRAMME AT UCT: MR C PETERSEN**

**RESOLVED**

that Mr C Petersen be granted permission to participate in the EMBA programme at UCT.

Meeting: Ref No: Doc No:	EM&MC – 03/02/2010 4/7/1 x J 49734	Submitted by Directorate: Author/s: Referred from:	Financial Services C Mapeyi
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

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**6. TABLING OF AUDITED FINANCIAL STATEMENTS FOR THE PERIOD ENDING 30 JUNE 2009**

**RESOLVED**

that it be recommended to Council:

1. that the second successive unqualified Report of the Auditor-General **be noted**;
2. that Management submit a report as to the matters raised in the Auditor-General's Report which must be addressed and should include time lines for the remedial action to be taken; and
3. that a press report on the unqualified Report of the Auditor-General be released in the media.

Meeting: EM&MC – 03/02/2010		Submitted by Directorate: Financial Services	
Ref No: 5/12/2/1		Author/s:	
Doc No: 49316		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u> Submit to Council	<u>RESPONSIBLE DEPT:</u> Admin	<u>DUE DATE:</u>

**7. ANNUAL REPORT 2008/2009**

**RESOLVED**

that it be recommended to Council that the Audited Financial Statements and the Report of the Auditor-General **be noted** and be included in the Annual Report for the 2008/2009 financial year.

Meeting: EM&MC – 03/02/2010		Submitted by Directorate: Strategic Services	
Ref No: 9/1/2		Author/s:	
Doc No: 49270		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u> Submit to Council	<u>RESPONSIBLE DEPT:</u> Admin	<u>DUE DATE:</u>

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**8. MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT AS AT 1 JULY – 30 DECEMBER 2009 AND PROGRESS REPORT ON RESOLVING OUTSTANDING TARGETS AS IN THE ANNUAL REPORT 2008/2009**

**RESOLVED**

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

Meeting: EM&MC – 03/02/2010		Submitted by Directorate: Strategic Services	
Ref No: 2/2/8		Author/s: Dr P Naidoo / Ms N G Ndolela	
Doc No: 49733		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	Submit to Council	Admin	

**9. IMPLEMENTATION REPORT OF EXTERNAL BURSARY APPLICATIONS (MAYORAL BURSARY) FOR 2009/2010 FINANCIAL YEAR**

**RESOLVED**

1. that the report **be noted**;
2. that an amount of R500 000 be budgeted for the provision of external bursaries in the 2010/2011 financial year; and
3. that the Bursary Policy be reviewed to also make provision for the allocation of external bursaries for the following categories:-
  - 3.1 Soft skills training
  - 3.2 Grade 7 and 9 applicants who wish to enrol at FET Colleges.

Meeting: EM&MC – 03/02/2010		Submitted by Directorate: Strategic Services	
Ref No: 2/2/8		Author/s: Dr P Naidoo / Ms N G Ndolela	
Doc No: 49733		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	<ol style="list-style-type: none"> <li>1. Place amount of R500 000 on 2010/2011 Budget</li> <li>2. Review Bursary Policy</li> </ol>	<ol style="list-style-type: none"> <li>1. ED:Finance</li> <li>2. Corp Governance (HR)</li> </ol>	

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**10. FIRST DRAFT INTEGRATED DEVELOPMENT PLANNING (IDP) REPORT 2010-2011 VOLUME 1)**

**RESOLVED**

that it be recommended to Council:

1. that the Draft IDP Report 2010 – 2011 be adopted and be released for public comment;
2. that the spelling and grammatical errors in the report be rectified before the report is released for public comments; and
3. that the Ward Plans be improved by the addition of comments, indicating what sphere of government is responsible for particular actions in order to avoid a situation where the impression is created that all requests should be addressed by the Municipality.

Meeting: EM&MC – 03/02/2010		Submitted by Directorate: Strategic Services	
Ref No: 2/2/5		Author/s:	
Doc No:		Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>
	Submit to Council	Admin	

**11. DRAKENSTEIN MUNICIPALITY: EMPLOYEE WELLNESS PROGRAMME 2010**

**RESOLVED**

1. that the launch of Employee Wellness Day be approved and an alternative date be determined for the event;
2. that the amount allocated for motivational speakers be decreased with R10 000 and an amount of R40 000 be allocated for the event from the Special Events Vote no 300115566500; and
3. that the Executive Mayor and Mayoral Committee acknowledges that although there might be minor disruption on service delivery, skeleton staff will be available at key service points.

Meeting: EM&MC – 03/02/2010		Submitted by Directorate: Corporate Governance	
Ref No: 17/1/1		Author/s:	
Doc No: 49742		Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>
	Implement decision	Corporate Governance: HR	

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**12. EXTERNAL NEWSLETTER DISTRIBUTION**

**RESOLVED**

1. that newsletters be distributed by ward councillors who must identify unemployed people to do the distribution;
2. that the number of newsletters per ward be increased and be delivered to ward councillors instead of them collecting it at the Municipality;
3. that the stipend paid to the distributors be reviewed; and
4. that after the final distribution of newsletters during 2010, a report on the distribution of newsletters by ward councillors or by a private distributor be submitted to the Executive Mayor and Mayoral Committee for re-consideration.

Meeting: EM&MC – 03/02/2010		Submitted by Directorate: Strategic Services	
Ref No: 3/8/5		Author/s:	
Doc No:		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	<ol style="list-style-type: none"> <li>1. Implement resolutions 1 &amp; 2</li> <li>2. review stipend</li> <li>3. Submit report</li> </ol>	Strategic Services	

**13. TEAM BUILDING AND STRATEGIC PLANNING SESSION FOR 2010 FOR THE ENTIRE SENIOR MANAGEMENT TEAM OF DRAKENSTEIN MUNICIPALITY**

**RESOLVED**

1. that the report **be noted**;
2. that a report on the outcome of the Team Building and Strategic Planning Session be submitted to the Executive Mayor and Mayoral Committee; and
3. that after the above-mentioned session, a work session for the Mayoral Committee and Management be arranged.

Meeting: EM&MC – 03/02/2010		Submitted by Directorate: Municipal Manager	
Ref No: 12/1/4		Author/s: Dr S T Kabanyane	
Doc No: 49683		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	<ol style="list-style-type: none"> <li>1. Submit report</li> <li>2. Arrange work session for Mayco and Management</li> </ol>	<ol style="list-style-type: none"> <li>1. Municipal Manager</li> <li>2. ED: Corporate Governance</li> </ol>	

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**14. APPLICATION FOR PUBLIC ROAD CLOSURE, ALIENATION, AMENDMENT OF SUBDIVISIONAL PLAN AND AMENDMENT OF CONDITIONS OF APPROVAL RELATING TO A PREVIOUS APPLICATION FOR PUBLIC ROAD CLOSURE, REZONING AND SUBDIVISION OF ERVEN 484, 585 AND 592, PAARL (PREVIOUSLY KNOWN AS HONEYDEW FARM)**

**RESOLVED**

that it be recommended to Council:

1. that in terms of section 14 of the Local Government: Municipal Finance Management Act, 2003 (Act No 56 of 2003) and Council's Policy for the Management and Administration of Council's Immovable Property, approval in principle be granted for the alienation of the portion of Koning Street as mentioned in paragraph 2.1 hereunder, at a nominal amount of R10-00 subject to the advertising thereof and submission of a further report to Council;
2. that subject to the final approval of the alienation of the property, the following approvals be granted:-
  - 2.1 in terms of section 127(1) of the Municipal Ordinance, 1974 (Ord 20 of 1974) for the closure of a portion of Koning Street (which stretches eastwards from Boegoe Street and measuring  $\pm 1735\text{m}^2$  in extent), as indicated on the detail proposal plan (**Annexure B to the departmental report**);
  - 2.2 in terms of sections 30(1) and 42(3)(a) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the following Subdivisional Plan amendments and amendment of conditions of approval relating to the Executive Mayor and Mayoral Committee resolution of 16 October 2007 under item 13:-
    - 2.2.1 Amendment of the Subdivisional Plan to amend the following approved unregistered portions of Koning Street and Crystal Street from Public Road to Private Road and to incorporate the widening of Aandblom Street and Boegoe Street into the development, as indicated on the detail proposal plan (**Annexure B to the departmental report**):-
      - (a) Portion of Erf 29116, Paarl (unmade Koning Street extension and Aandblom Street widening);
      - (b) Erf 29118, Paarl (unmade Koning Street extension);
      - (c) Portion of Erf 29120, Paarl (unmade Koning Street and Crystal Street extensions and Boegoe Street widening);
    - 2.2.2 Amendment of the approved unregistered Erven 29125 and 29128, Paarl from Public Open Space to Private;
    - 2.2.3 Suspension of various conditions of approval laid down by internal and external parties relating to extension/upgrading of Koning Street and Aandblom Street, as well as instituting certain traffic calming measures therein;

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3. that the approvals granted in paragraph 2.2 above be subject to the following conditions in terms of section 42(3) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985):-
- 3.1 Adherence to the conditions laid down by the Department of Public Works and Transport (Roads Infrastructure) in it's letter 13/3/5/1- 10/120 (Job 17249) dated 4 December 2009 (**Annexure H to the departmental report**);
- 3.2 Adherence to the conditions laid down by Drakenstein Municipality's Civil Engineering Services Department (**Annexure L to the departmental report**); and
- 3.3 that the contents under paragraph 8 (**PLANNING COMMENT**) of the departmental report, be regarded as the reasons for Council's decision.

Meeting: EM&MC – 03/02/2010 Ref No: 14/4/1 Doc No: 2958/09, 9797/08, 2720/09, 2522/09, 2523/09, 2528/09, 2521/09 & 291114		Submitted by Directorate: Infrastructure & Planning Author/s: H Louw Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b> 1. Advertise alienation of property 2. Submit further report	<b>RESPONSIBLE DEPT:</b> Corporate Governance (Prop)	<b>DUE DATE:</b>

**15. OUTSTANDING MATTERS**

1. that the outstanding matters be **noted**;
2. that outstanding matters in future be submitted for consideration;
3. that note be taken of the following oral feedback on outstanding matters:-
- 3.1 Paragraph 2: Accreditation as Housing Development Agency

The Executive Director: Strategic Services reported that Prof Williams will address Management in February 2010 and thereafter the Executive Mayor and Mayoral Committee.

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3.2 Paragraph 4: South American Visit

3.2.1 The Executive Director: Strategic Services reported that a report on the investment and tourism opportunities will be submitted at a next meeting.

3.2.2 The Executive Mayor requested that a report on accommodation for tourists during the 2010 World Cup Soccer period, be submitted at the next Executive Mayor and Mayoral Committee meeting.

3.3 Paragraph 13: Empty building in Ward of Councillor A Bekeer

The Executive Director: Infrastructure and Planning reported that legal processes have been instituted against the owner.

3.4 Paragraph 14: 90/10 Blocking of Electricity complaints and strategy to recover arrears

The Executive Director: Financial Services reported:-

- i. that the 90/10 blocking of electricity was not valid as there is a Council resolution which determines a 80/20 blocking of electricity. The relevant employees were informed accordingly.
- ii. that attention is given to a strategy to decrease debt and a report in this regard will be submitted to Executive Mayor and Mayoral Committee.

3.5 Paragraph 15: Electricity supply to Gouda

3.5.1 The Executive Director: Financial Services reported that the matter will be followed up with Eskom and a report will be submitted to the Executive Mayor and Mayoral Committee.

3.5.2 The Executive Mayor requested that meeting with Eskom be arranged to discuss electricity supply to farm wards as complaints have been received from farm workers that they do not receive free electricity units and other free basic services. The matter must be investigated and a report with solutions be submitted to the Executive Mayor and Mayoral Committee.

3.6 Paragraph 16: Proposal of Mr Mark Carver: External funding

The Executive Director: Financial Services reported that the matter has been taken up with the Provincial Treasury and that feedback is awaited.

3.7 Paragraph 17: Erf 1591 (corner of Derksen and Loop Street):

The Executive Director: Infrastructure and Planning reported:-

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- i. that the matter has been taken up with Western Cape Heritage with regard to the owners objection to the non-approval of the demolition of the building.
  - ii. that an application has been submitted to the Court to force the owner to safeguard the property while the decision of the Provincial Minister is awaited.
  - iii. that the above-mentioned matters are followed up regularly and a report in this regard will be submitted to the Executive Mayor and Mayoral Committee.
4. The Executive Mayor requested that a status quo report on the sale of the old kitchens buildings on erven 350, 4593, 4624 and 518, Mbekweni be submitted at the next Executive Mayor and Mayoral Committee meeting.

**16. URGENT MATTERS**

None.

**17. PERFORMANCE EVALUATION OF THE EXECUTIVE MANAGEMENT TEAM OF DRAKENSTEIN MUNICIPALITY**

(See confidential minutes.)

**18. APPOINTMENT OF THE PERFORMANCE AUDIT COMMITTEE CHAIRPERSON**

(See confidential minutes.)

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**ADDITIONAL ITEMS**

**19. ADJUSTMENTS BUDGET: 2009/2010 FINANCIAL YEARS**

**RESOLVED**

that it be recommended to Council:

1. that the following Adjustments Budget for the 2009/2010 financial year be approved:-

<b>GFS CLASSIFICATION - FUNCTION</b>	<b>Capital Adjustments Budget</b>	<b>Operational Adjustments Budget</b>	<b>Total Adjustments Budget</b>
Executive and Council	182,525	29,758,726	29,941,250
Budget and Treasury Office	567,613	43,670,169	44,237,782
Corporate Services	34,727,519	73,362,031	108,089,550
Planning and Development	1,446,850	26,461,269	27,908,120
Health	668,000	5,774,392	6,442,392
Community and Social Services	5,411,238	21,427,745	26,838,983
Housing	13,502,802	107,316,343	120,819,145
Public Safety	3,003,838	41,712,182	44,716,021
Sport and Recreation	24,727,804	50,611,812	75,339,616
Waste Management	3,212,036	52,885,800	56,097,836
Waste Water Management	70,552,523	52,378,516	122,931,040
Road Transport	22,466,717	80,603,064	103,069,781
Water	42,814,545	58,768,686	101,583,231
Electricity	27,749,435	366,614,223	394,363,658
<b>Total Expenditure Per GFS Classification</b>	<b>251,033,446</b>	<b>1,011,344,958</b>	<b>1,262,378,404</b>

2. that in terms of section 28 of the Local Government: Municipal Finance Act, 2003 (Act No. 56 of 2003) the amendments proposed for incorporation into the 2009/10 adjustments budget as set out in Annexures A to F, be approved.

<b>Meeting:</b>	<b>EM&amp;MC – 03/02/2010</b>	<b>Submitted by Directorate:</b>	<b>Financial Services</b>
<b>Ref No:</b>	<b>5/2/2</b>	<b>Author/s:</b>	
<b>Doc No:</b>		<b>Referred from:</b>	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>
	<b>Submit to Council</b>	<b>Admin</b>	

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**20. CONSTITUTIONAL COURT APPEAL CASE BETWEEN DRAKENSTEIN MUNICIPALITY AND DEETLEFS DU TOIT AND OTHERS**

The Committee requested that the matter be cleared with our legal representatives as to whether a debate in the issue is allowed.

**RESOLVED**

that it be recommended to Council that the Judgment of the Constitutional Court **be noted**.

Meeting: EM&MC – 03/02/2010		Submitted by Directorate:	
Ref No: 5/2/2 (2009/2010)		Author/s:	
Doc No: 049256		Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>
	Submit to Council	Admin	

**21. NATIONAL WATER WEEK AND SANITATION WEEK 2010**

**RESOLVED**

1. that the provisional program for Water and Sanitation Weeks 2010 be noted and approved;
2. that the potential working of overtime in excess of 40 hours for one month during the events period by specific Water Services staff members be noted and approved. No overtime payment would be applicable for senior staff and time off would be granted; and
3. that a more detailed report including the programme, costs and implications of the event, be submitted at the next Executive Mayor and Mayoral Committee meeting.

Meeting: EM&MC – 03/02/2010		Submitted by Directorate: Infrastructure & Planning	
Ref No: 1/4/3 (2772)		Author/s: L Coetzee	
Doc No:		Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>
	Submit report	ED: Infrastructure & Planning	

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**22. 20<sup>th</sup> ANNIVERSARY CELEBRATION OF THE RELEASE OF FORMER PRESIDENT NELSON MANDELA**

**RESOLVED**

1. that funds be made available for the provision of 10 busses (2 busses per area) to transport the community to the event; and
2. that the arrangements be co-ordinated by the Office of the Speaker in conjunction with the Administration.

Meeting: EM&MC – 03/02/2010		Submitted by Directorate:	
Ref No: 5/2/2 (2009/2010)		Author/s:	
Doc No: 049256		Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>
	Implement decision	1. Office of the Speaker 2. Executive Director: Financial Services 3. Executive Director: Social Services	

The meeting ended at 11:50.

**CHAIRPERSON:** .....

**DATE:** .....

Confirmed on ..... with/without amendments.

**KG/ja**  
**03/02/2010**