

# 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, 25 NOVEMBER 2009 AT 09:00.

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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  
H Dومان  
T M Kompela and  
A B Sishuba

**Officials:** Dr S T Kabanyane (Municipal Manager)  
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:** **Councillors:** M J Le Hoe (Leave)  
A M Petersen (Leave)  
B Vos (Apology)

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**1. CONFIRMATION OF MINUTES**

The minutes of the Ordinary meeting of the Executive Mayor and Mayoral Committee held on 3 November 2009 was **confirmed as correct**.

**2. ANNOUNCEMENTS BY THE EXECUTIVE MAYOR**

The Executive Mayor reminded the Municipal Manager of certain due dates to respond to matters raised at the PCF.

Noted.

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

Mr K Mrali will be on leave till 27 November 2009.

**4. MINUTES OF PORTFOLIO COMMITTEES**

**RESOLVED**

that the minutes be noted.

Meeting: Ref No: Doc No:	EM&MC – 25/11/09	Submitted by Directorate: Author/s: Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

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**5. PROPOSED COUNCIL MEETING PROGRAM 2010**

The Speaker attended the meeting for this item and suggested that Council meetings be held on the last Wednesday of the month to in order not to clash with Council meetings of the CWDM.

The Speaker also informed the meeting that the Whips of all parties agreed that Council meetings be held every two months.

**RESOLVED**

that it be recommended to Council that the enclosed proposed meeting program be approved.

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Meeting:	EM&MC – 25/11/09	Submitted by Directorate:	Corporate Governance
Ref No:	3/3/1/2	Author/s:	
Doc No:	9669/09	Referred from:	

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<b>PARAGRAPH:</b>	<b>ACTION:</b> Submit to Council	<b>RESPONSIBLE DEPT:</b> PJ	<b>DUE DATE:</b>
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**6. CLOSURE OF ADMINISTRATION OFFICES: 2009/2010 FESTIVE SEASON**

**RESOLVED**

1. that apart from normal public holidays, all administrative offices, be closed on the following days during the 2009/2010 festive season:-
  - (a) 24 December 2009 - from 13:00
  - (b) 31 December 2009 - from 13:00
2. that this arrangement also apply in future until revised by Mayco.

Meeting: Ref No: Doc No:	EM&MC – 25/11/2009 4/10/4	Submitted by Directorate: Author/s: Referred from:	Corporate Governance
<b>PARAGRAPH:</b>	<b>ACTION:</b> Advertise closure of office	<b>RESPONSIBLE DEPT:</b> Admin (IE)	<b>DUE DATE:</b>

**7. WARD PROJECTS: 2009/2010**

**RESOLVED**

1. that the recommended ward projects for the 2009/10 financial year be approved;
2. that those projects not recommended for approval be further discussed with the relevant Ward Councillors and Ward Committees and a further report be submitted; and
3. that the Finance Department finalise the agreements with the recipients of funds as prescribed by the MFMA.

Meeting: Ref No: Doc No:	EM&MC – 25/11/09 17/19/5/1 9540/09	Submitted by Directorate: Author/s: Referred from:	Social Services A Robinson
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>
1 – 2	Implement decision	Social Services	
3	Finalise agreement	Finance Services	

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**8. SALE OF ERVEN 1241 AND 1242, PORTIONS OF ERF 606, GOUDA BY PUBLIC TENDER**

**RESOLVED**

that it be recommended to Council that Erf 1241, Gouda in extent ±1274m<sup>2</sup> be advertised simultaneously with the tender process for the supermarket complex on Erf 1242, Gouda.

Meeting: Ref No: Doc No:	EM&MC – 25/11/2009 15/4/1 (606)G 9585/09	Submitted by Directorate: Author/s: Referred from:	Corporate Governance N Marais
<u>PARAGRAPH:</u>	<u>ACTION:</u> Submit to Council	<u>RESPONSIBLE DEPT:</u> PJ	<u>DUE DATE:</u>

**9. SALE OF MUNICIPAL LAND – PORTION OF ERF 557, MBEKWENI V118-121, 124, 141-155**

**RESOLVED**

that it be recommended to Council:-

1. that the sale of a portion of Erf 557, Mbekweni, ±120m<sup>2</sup> in extent to the owner of Erf 116 Mbekweni, be approved;
2. that the sale of a portion of Erf 557, Mbekweni in extent ±100m<sup>2</sup> to the applicants of V Block (V118-121, 124, 141-155 and V116) Mbekweni be approved, subject to the following conditions:-
  - 2.1 that the applicants be responsible for the necessary rezoning, subdivision consolidations and transfer of the property at own costs;
  - 2.2 that the property be sold at R300/m<sup>2</sup>;
  - 2.3 that the transaction only be implemented if all the applicants confirm that they want to proceed with the transaction;
  - 2.4 that no additional water connections be allowed on the property;
  - 2.5 that no construction be allowed within 2 meters of the sewer pipe, and
  - 2.6 that no structures, trees or shrubs be allowed over the municipal sewer.

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Meeting: EM&MC – 25/11/2009 Ref No: 7/2/4/2 Doc No: 9586/09		Submitted by Directorate: Corporate Governance Author/s: N Marais Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b> Submit to Council	<b>RESPONSIBLE DEPT:</b> PJ	<b>DUE DATE:</b>

**10. PROPOSED ERECTION OF COMMUNITY HALL IN GOUDA**

**RESOLVED**

that the specification level of the Community Hall in Gouda be adjusted in order to limit the total cost of the facility to R3 million.

Meeting: EM&MC – 25/11/2009 Ref No: 15/4/1 (606)G X 17/15/2/4 Doc No's: 9589/09		Submitted by Directorate: Corporate Governance Author/s: N Marais Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b> Adjust Specification	<b>RESPONSIBLE DEPT:</b> Corp Gov (Prop)	<b>DUE DATE:</b>

**11. SUPPORT FOR AJAX PROFESSIONAL FOOTBALL CLUB TO HOST MATCHES DURING DECEMBER 2009**

**RESOLVED**

1. that three busses per game be provided by Council to take children from the different communities to the Ajax games;
2. that the standard traffic and law enforcement services be provided at the matches; and
3. that the above expenditure be funded from Vote No 30015566500 (Special Events).

Meeting: EM&MC – 25/11/2009 Ref No: 17/7/3/2 Doc No: 9719/09		Submitted by Directorate: Author/s:	
<b>PARAGRAPH:</b>	<b>ACTION:</b> Implement Decision	<b>RESPONSIBLE DEPT:</b> ED: Corp Gov (2010)	<b>DUE DATE:</b>

**12. SOCCEREX 2009: 27 NOVEMBER 2009 – 3 DECEMBER 2009 AT SANDTON CONVENTION CENTRE, JOHANNESBURG**

**RESOLVED**

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that no delegation be sent to Soccerex 2009 due to the fact that the funds budgeted for the 2010 campaign are depleted.

Meeting: Ref No: Doc No:	EM&MC – 25/11/2009 17/7/3/2 9816/09	Submitted by Directorate: Author/s: Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

**13. BOLAND CRICKET**

A delegation of Boland Cricket (Mr O Henry and P Ingwersen) and RABCAV Developers (Mr L Viljoen) attended the meeting and informed the Committee of their proposals for the development of Boland Cricket Stadium as a world class, multi-disciplined sports facility as well as the development of surrounding Council owned land for commercial and housing purposes. Their proposal require that Council would need to make the land available and would then share in the profits of the improvements on the land which would be sold to private companies. The delegation's attention was drawn to the fact that the land to the east of the Cricket Stadium was already earmarked for housing for farm workers.

**RESOLVED**

1. that the presentation be noted;
2. that Management have further interaction with Boland Cricket on this matter and submit a further report; and
3. that Boland Cricket be informed that any proposal for the development of the land east of the Cricket Stadium should take into account that the land was earmarked for farm worker housing and acceptable alternative land for farm workers within the immediate vicinity of the land in question should be part of the proposal.

Meeting: Ref No: Doc No:	EM&MC – 25/11/2009 17/7/2/1/10 7974/09	Submitted by Directorate: Author/s: Referred from:	Social Services  EM & MC 07/10/09
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	Arrange meeting with Boland Cricket	Admin (LP)	

**14. SECURITY AT DAL JOSAPHAT STADIUM**

**RESOLVED**

1. that the installation of a camera at Dal Josaphat Stadium, in order to improve security, be approved; and

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2. that all sport codes utilizing the Stadium be engaged in order to finalise an agreement on the use of the facility.

Meeting: EM&MC – 25/11/2009		Submitted by Directorate: Social Services	
Ref No: 17/7/2/2/1/8		Author/s: M Moerat	
Doc No: 9490/09		Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>
	Implement Decision	Social Serv. (Sport & Parks)	

**15. RE-PRIORITIZATION/TRANSFER OF FUNDS – PAARL MOUNTAIN NATURE RESERVE**

**RESOLVED**

that it be recommended to Council:-

1. that approval be granted for the transfer of R350 000 from Vote No 465540527700 to Vote No 465540527100 for the clearing of alien vegetation in the Paarl Mountain Reserve; and
2. that additional external funding for the maintenance of the Paarl Mountain Reserve be explored.

Meeting: EM&MC – 25/11/2009		Submitted by Directorate: Social Services	
Ref No: 17/21/4/2 x 5/2/4		Author/s: L de Roubaix	
Doc No: 9809/09		Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>
2	Explore alternative Funding sources	Social Serv. (Parks)	

**16. SPORTS FACILITIES: UNIFORM TARIFF STRUCTURE AND OUTSTANDING DEBTS**

**RESOLVED**

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;

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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.

Meeting:	EM&MC – 25/11/2009	Submitted by Directorate:	Social Services
Ref No:	17/7/2/1	Author/s:	M Moerat
Doc No:	9813/09	Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>
	Implement Decision	Community Serv. (Parks)	

**17. APPLICATION FOR REZONING: FARM 254/5, TULBAGH DIVISION**

**RESOLVED**

1. 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 of Farm 254/5, Tulbagh Division ( $\pm 1.1$ ha) from “Agricultural Zone I” to “Special Zone” for the purpose of a composting plant, as indicated on the Site 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 Adherence to the conditions laid down by the Department of Environmental Affairs and Development Planning in their letter (Conditions of Authorisation) E12/2/1-AG7-Farm 254/5, Gouda dated 16 January 2009 (Annexure D to the departmental report);
  - 2.2 Adherence to the conditions laid down by the Department of Transport and Public Works in their letter PR9/29/0295(06) dated 10 April 2006 (Annexure H to the departmental report);
  - 2.3 Adherence to the conditions laid down by the Cape Winelands District Municipality: Department of Health Services in its letter 15/2/6/1 dated 3 September 2009 (Annexure G to the departmental report);
  - 2.4 Adherence to the following conditions laid down by the Department of Civil Engineering Services (Drakenstein Municipality):-
    - 2.4.1 Streets
      - (a) All new motor vehicle access points will be done at the developers cost.
    - 2.4.2 Stormwater

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- (a) No stormwater run-off from the site may enter any natural drainage system directly; and
- (b) No development is allowed within the 1:100 year flood line.

2.4.3 Traffic

- (a) Any alterations to the existing road network will be for the cost of the developer, including traffic impact assessment, design, approval and construction of any extra traffic control and or traffic calming.

2.4.4 Water

- (a) No water connections are available from Drakenstein Municipality;
- (b) All potable water supplied to all consumers on the farm shall comply with SANS 241 as amended. Proof of compliance to be submitted to the Civil Engineering Services Department;

- (c) Application for a potable connection from the City of Cape Town bulk water supply together with a business plan must be submitted to Council for approval and referred to the City of Cape Town for final approval;
- (d) The water account will be rendered by Drakenstein Municipality after installation of proposed connection;
- (e) 36 Hours water retention must be provided on site;
- (f) The water network must be designed by a professional registered person and plans be submitted to Council for approval; and
- (g) All costs will be for the applicant's account.

2.4.5 Sewerage

- (a) No new septic tanks will be allowed, all old/existing septic tank and soak away systems must comply with the Water Research Commissions Report TT 144/99. No conservancy tank will be allowed within 100m of the 1:50 year flood line;
- (b) Proof of compliance must be submitted to the Civil Engineering Services Department;
- (c) A permit must be obtained from the Department of Water Affairs and Forestry for the disposal of the abattoir effluent;
- (d) The applicant must make use of a private contractor for any access effluent to be disposed off from the site to a registered effluent plant;
- (e) Plans must be drawn up by a professional registered person and services be installed under the person's supervision;
- (f) Plans must be submitted to Council for approval; and
- (g) All costs are for the applicant's account.

2.4.6 Refuse

- (a) All solid waste disposal shall comply with Section 20 of the Environmental Conservation Act 73 of 1989; and

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- (b) Proof of compliance must be submitted to the Civil Engineering Services Department.

2.4.7 Environment

- (a) The following general environmental guidelines will be applicable, including but not limited to:-
  - (i) the biodiversity corridor formed by any river (a minimum of 15m on both sides of the river except any major rivers where 30m is required – measured from the 1:20 flood line), all wetland areas (including a 15m buffer around them);
  - (ii) a buffer/transition area/zone of at least 60m adjacent to any large natural area whether declared as a nature reserve or not;
  - (iii) any special habitat areas (such as silcrete patches) and the 15m buffer zone around them;
  
- (b) All wetlands or sponge areas shall be considered as 'no-go' areas;
- (c) No development will be allowed on these areas and a buffer as stated above will be applied around these areas measured from the wetland boundary;
- (d) The determination of the boundary of the wetland must be based on soil, vegetation or hydrological indicators;
- (e) The Department of Water Affairs and Forestry may be consulted;
- (f) The requirements of the National Water Act, 1998, the Water Services Act, 1997, the Environmental Conservation Act, 1989 and the National Environmental Management Act, 1998 must be adhered to at all times;
- (g) The disposal of any contaminated run-off (washing water, stormwater, etc) must be disposed of in such a manner so as not to cause any pollution to surface, groundwater or create a nuisance;
- (h) No waste water may be used as irrigation water onto fields within 20 meters of any river course or stream;
- (i) Any organic waste (manure, compost, etc) must be stored in such a way so that between removals there shall be no chance of polluted stormwater run-off taking place, especially during the rainy season;
- (j) No pollution/contamination of groundwater or seepage into the Berg River;

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- (k) No untreated effluent or effluent in non-compliance with the accepted standards shall be released into groundwater or river/wetland;
- (l) A copy of the composting and waste disposal procedure and processes plan being drafted by Enviro Services Waste Management (Pty) must be handed in at the Civil Engineering Services Department for comment; and
- (m) A copy of the Record of Decision (ROD) is required.

**2.4.8 General**

- (a) Plans for any proposed construction or changes to services are to be submitted to the Civil Engineering Services Department for approval prior to construction, and
- (b) This included details of all the civil engineering works (pipelines, sewage/effluent treatment works, etc).

**2.5 Adherence to the following conditions from a planning point of view:-**

- 2.5.1 No structures are to be erected without the approval of building plans by Council;
- 2.5.2 The approval applies only to the application in question and shall not be construed as authority to depart from any other legal prescriptions or requirements; and
- 2.5.3 The existing farm workers houses be provided with running water and sanitation 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: Ref No: Doc No's:	EM&MC – 25/11/2009 15/4/1 (F254/5) T 5868/07, 8779/09, 11025/07, 303/08, 10594/08, 10625/08, 369/09, 549/0, 1116/09, 8491/07, 8183/07, 7207/07, & 5868/07	Submitted by Directorate: Author/s: Referred from:	Infrastructure & Planning D Cupido
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

**18. APPLICATION FOR REZONING OF ERF 26560, PAARL**

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**RESOLVED**

1. 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 Erf 26560, Paarl from "Single Dwelling Residential" to "General Business Zone" for the purposes of conducting a tavern on the property;
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 The property still be utilized for permanent residential purposes as the primary land use thereon;
  - 2.2 No new structures are to be erected or existing buildings converted without the approval of building plans by Council;
  - 2.3 Adherence to the following conditions laid down by the Department of Civil Engineering Services, the Department of Electrical Services as well as Fire Safety and Disaster Management (Drakenstein Municipality):-
    - 2.3.1 Water
      - (a) Existing water connection is available; and
      - (b) The water meter must be moved by the municipality, and the cost involved will be for the applicant's account.
    - 2.3.2 Sewerage
      - (a) The entire sewer system must be upgraded to the satisfaction of the Head: Civil Engineering Services;
      - (b) A new sewer system must be provided and plans must be submitted to Council for approval; and
      - (c) All costs are for the applicant's account.
    - 2.3.3 Electricity
      - (a) If any changes/upgrading of the electrical services to the property are required, the cost involved will be for the owner's account.
    - 2.3.4 Fire Safety and Disaster Management
      - (a) A 4,5kg Dry Powder Fire extinguisher must be installed on the premises;
      - (b) The staircase must comply with Part M of SABS 0400, handrails must continue throughout the length of the

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- staircase;
- (c) Emergency lighting must be provided in terms of TT30 of SABS 0400;
  - (d) The door between the business and the dwelling must comply with TT6 of SABS 0400;
  - (e) An alternative emergency exit must be provided;
  - (f) A fire protection plan must be submitted, indicating all the abovementioned requirements; and
  - (g) Further comments, if necessary will be rendered upon receiving the building plan, to be submitted.

2.4 Adherence to the conditions laid down by the Chief: Health Services of the Cape Winelands District Municipality in his letter Erf No 26560 dated 2 March 2009 (Annexure F to the departmental report);

- 3. that the objectors, S Pietersen and D M Nathan be informed of their right of appeal in terms of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985); and
- 4. that the comments contained in paragraph 6 of the departmental report (**TOWN PLANNING ASSESSMENT/COMMENTS**) be regarded as Council's reasons for its decision.

Meeting: EM&MC – 25/11/2009		Submitted by Directorate: Infrastructure & Planning	
Ref No: 15/4/1 (26560) P		Author/s: H Louw	
Doc No's: 1552/05, 10673/08, 2775/07, 2680/07, & 2472/07		Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

**19. APPLICATION FOR SUBDIVISION: FARMS 322 & 336, PAARL DIVISION**

**RESOLVED**

- 1. that approval be granted in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for the consolidation of Farms 322 and 336, Paarl Division, and subsequent re-subdivision thereof into two land units namely Portion A (±15,93ha) and Portion B (±14,49ha);
- 2. that the approvals 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 National Department of Agriculture in its letter 2009\_01\_0131 (Consent No 44309) dated 5 May 2009 (Annexure F to the departmental report);
  - 2.2 Adherence to the conditions laid down by the Department of Transport and Public Works (District Roads Engineer) in its letter PR22/29/87/0267(09) dated 7 May 2009 (Annexure H to the departmental report);

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- 2.3 Adherence to the conditions laid down by Drakenstein Municipality: Civil Engineering Services Department in its memorandum 15/4/1 (F322 and 336) P (831) dated 27 March 2009 (Annexure I to the departmental report);
- 2.4 Adherence to the following conditions laid down by Drakenstein Municipality: Electrical Services Department:-
- 2.4.1 The owner must contact Eskom directly should any service alterations or extensions be required;
- 2.5 Adherence to the following conditions from a town planning point of view:-
- 2.5.1 The approval applies only to the subdivision in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements;
- 2.5.2 Any amendments to the application are subject to the relevant approval;
- 2.5.3 No new structures are to be erected or existing buildings converted without the approval of building plans by Council;

3. that the contents of paragraph 7, “**PLANNING COMMENT**” of the departmental report, be regarded as the reason for Council’s decision; and
4. that the objector, Mrs E E Oettle, be informed of her right of appeal in terms of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985).

Meeting: EM&MC – 25/11/09		Submitted by Directorate: Infrastructure & Planning	
Ref No: 15/4/1 (F322) P		Author/s: C Cupido	
Doc No's: 337/09, 1041/09, 2611/09, 3096/09, 4189/09, 4140/09, 4534/09 & 5349/09		Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

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**RESOLVED**

1. 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 Erf 1068, Paarl from “Single Dwelling Residential Zone” to “General Residential Zone B” for the establishment of doctors’ consulting rooms within the existing residential dwelling (±127m<sup>2</sup>) along with eight on-site parking bays;
2. that approval be granted in terms of Section 18(2) of the Paarl Zoning Scheme Regulations for a consent use allowing a “Professional Building” in order to establish the proposed doctors’ consulting rooms as indicated on the Site Plan (Annexure B to the departmental report);
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 Transport and Public Works (District Roads Engineer) in its letter PM87/53/0714(07) dated 27 August 2007 (Annexure G to the departmental report);
  - 1.2 Adherence to the conditions laid down by Drakenstein Municipality: Civil Engineering Services Department in its memorandum 15/4/1 (1068) P (3847) dated 10 October 2007 (Annexure H to the departmental report);
  - 3.3 Adherence to the following condition laid down by Drakenstein Municipality: Electrical Services Department:-
    - 1.3.1 Any service additions or alterations that may be required will be for the account of the developer/owner;
  - 3.4 Adherence to the following conditions from a planning point of view:-
    - 3.4.1 The approvals apply only to the content of this application, and shall not be construed as authority to depart from any other legal prescriptions or requirements;
    - 3.4.2 Any amendments to the application will be subject to the relevant approval(s);
    - 3.4.3 No new structures are to be erected without the approval of building plans by Council;
    - 3.4.4 The development and associated parking must take place in accordance with the Site Plan (Annexure B to the departmental report);
    - 3.4.5 Permissible uses on the property are restricted to the doctors’ consulting rooms and single dwelling residential purposes;

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4. that the following objectors, Mr J P Lourens (Mr Lourens is responsible for informing signatories of the petition list of their right of appeal), Miss C J F Wolfaardt and R du Toit) be informed of their right of appeal in terms of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985); and
5. that the comments contained in paragraph 8, “**PLANNING COMMENTS**” of the departmental report, be regarded as Council’s reasons for the decision.

<b>Meeting:</b> EM&MC – 25/11/09 <b>Ref No:</b> 15/4/1 (1068) P <b>Doc No’s:</b> 2977/07, 4506/07, 6444/07, 7390/07, 7542/07, 7538/07, 8459/07, 3960/08, 2664/09 & 7380/09		<b>Submitted by Directorate:</b> Infrastructure & Planning <b>Author/s:</b> C Cupido <b>Referred from:</b>	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

**21. APPLICATION FOR REZONING, CONSOLIDATION AND DEPARTURES: ERVEN 869 AND 19523, PLEIN STREET, PAARL**

**RESOLVED**

1. 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 the development property (consolidated Erven 869 and 19523, Paarl) from “Single Dwelling Residential Zone” to “Group Housing Zone” in order to develop 18 sectional title group housing units at a density of 49 units per hectare, as indicated on the Site Development Plan (Annexure B to the departmental report);
2. that approval be granted in terms of Section 15(1)(b) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) for permanent departures from the applicable zoning scheme restrictions to allow for the relaxation of the following:-
  - 2.1 Relaxation of the permitted maximum density from 40 units per hectare to 49 units per hectare;
  - 2.2 Relaxation of the minimum private backyard provision from 40% of the floor area to 15% of the floor area and a minimum area of 50m<sup>2</sup> to 20m<sup>2</sup>;
  - 2.3 Relaxation of the minimum public open space provision per group housing unit from 80m<sup>2</sup> to 25m<sup>2</sup>;
  - 2.4 Relaxation of the prescribed street building line on Plein Street from 4,5m to 3m;
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 The consolidation of Erven 869 and 19523, Paarl;

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- 3.2 The development of the property be substantially in line with the Site Development Plan, together with the unit type proposals (Annexure B to the departmental report);
  - 3.3 Adherence to the conditions laid down by Drakenstein Municipality: Civil Engineering Services Department in its memorandum 15/4/1 (869 & 19523) P (1859) dated 2 July 2009 (Annexure F to the departmental report);
  - 3.4 Adherence to the following condition laid down by the Head: Electrical Services (Drakenstein Municipality):-
    - 3.4.1 Electrical services to be installed at cost of the developer.
  - 3.5 Adherence to the following conditions from a planning point of view:-
    - 3.5.1 No new buildings are to be erected without the prior approval of building plans by Council;
    - 3.5.2 The necessary permit be obtained from Heritage: Western Cape for the demolition or renovation of the existing double dwelling on Erf 869, Paarl;
    - 3.5.3 The provision of the total on-site parking bays as required in terms of the Paarl Zoning Scheme Regulations applicable to Group Housing zoned erven;
    - 3.5.4 The establishment of a Body Corporate, to the satisfaction of Council, in order to cater for inter alia the maintenance of internal services, bulk services accounts and homogeneous development control;
4. that the objector, P H Hanekom, be informed of his/her right of appeal in terms of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985); and
5. that the comments contained in paragraph 6 (**TOWN PLANNING ASSESSMENT/ COMMENTS**) of the departmental report, be regarded as Council's reasons for the decision.

Meeting: EM&MC – 25/11/09		Submitted by Directorate: Infrastructure & Planning	
Ref No: 15/4/1 (869 & 19523) P		Author/s: C Cupido	
Doc No's: 2686/09, 9361/08, 10393/08 & 6928/08		Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

**MINUTES: EXECUTIVE MAYOR & MAYORAL COMMITTEE  
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**22. PROGRESS REPORT: SPATIAL DEVELOPMENT FRAMEWORK (SDF)**

**RESOLVED**

1. that the report be noted; and
2. that once the draft SDF is finalised it be referred to the Planning Portfolio Committee for consideration.

<b>Meeting:</b>	EM&MC – 25/11/2009	<b>Submitted by Directorate:</b>	Infrastructure & Planning
<b>Ref No:</b>	15/1/4	<b>Author/s:</b>	A Shortles
<b>Doc No:</b>		<b>Referred from:</b>	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>
	Finalise report and Submit to Portfolio Committee	Infrastructure & Planning (Plan)	

**23. REPORT: THE POSSIBLE APPOINTMENT OF A SPECIALIST PLANNER TO ADVISE COUNCIL ON SUITABLE/DESIRED DEVELOPMENT ON LAND IN DESIGNATED AREAS, IN KEEPING WITH THE SDF AND OTHER PLANNING POLICIES**

**RESOLVED**

that the report be noted and be referred to the Planning Portfolio Committee for consideration.

<b>Meeting:</b>	EM&MC – 25/11/2009	<b>Submitted by Directorate:</b>	Infrastructure & Planning
<b>Ref No:</b>		<b>Author/s:</b>	D Delaney
<b>Doc No:</b>		<b>Referred from:</b>	EM&MC – 18/08/2009
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>
	Submit to Portfolio Committee	Admin (HB)	

**24. WESTERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF)**

**RESOLVED**

that the report be noted and once the more detailed report is finalised it be referred to the Planning Portfolio Committee for consideration.

<b>Meeting:</b>	EM&MC – 25/11/2009	<b>Submitted by Directorate:</b>	Infrastructure & Planning
<b>Ref No:</b>	15/1/4	<b>Author/s:</b>	A Shortles
<b>Doc No:</b>		<b>Referred from:</b>	

**MINUTES: EXECUTIVE MAYOR & MAYORAL COMMITTEE  
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<b>PARAGRAPH:</b>	<b>ACTION:</b> Finalise report & submit to Portfolio Committee	<b>RESPONSIBLE DEPT:</b> Infrastructure & Planning (Plan)	<b>DUE DATE:</b>
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**25. PROGRESS REPORT: STUDY ON THE IDENTIFICATION OF LAND FOR RESIDENTIAL AND INDUSTRIAL USE**

**RESOLVED**

that the report be noted and once the study is completed a report be submitted to the Planning Portfolio Committee for consideration.

Meeting: Ref No: Doc No:	EM&MC – 25/11/2009 7/2/6/1 & 7/2/4/2	Submitted by Directorate: Author/s: Referred from:	Infrastructure & Planning A Shortles
<b>PARAGRAPH:</b>	<b>ACTION:</b> Complete study and Submit report to Portfolio Committee	<b>RESPONSIBLE DEPT:</b> Infrastructure & Planning (Plan)	<b>DUE DATE:</b>

**26. PROGRESS REPORT: RE-EVALUATION OF THE HERITAGE ADVISORY COMMITTEE SYSTEM**

**RESOLVED**

that the report be noted and after finalization of the report it be referred to the Planning Portfolio Committee for consideration.

Meeting: Ref No: Doc No:	EM&MC – 25/11/2009 3/3/1/3/9/4	Submitted by Directorate: Author/s: Referred from:	Infrastructure & Planning A Shortles
<b>PARAGRAPH:</b>	<b>ACTION:</b> Finalise report and Submit to Portfolio Committee	<b>RESPONSIBLE DEPT:</b> Infrastructure & Planning (Plan)	<b>DUE DATE:</b>

**27. PROGRESS REPORT: HERITAGE SURVEY**

**RESOLVED**

1. that the report be noted; and
2. that a final report be submitted to the Committee and thereafter it be referred to the Planning Portfolio Committee for consideration.

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Meeting: EM&MC – 25/11/2009 Ref No: 17/13/B Doc No:		Submitted by Directorate: Infrastructure & Planning Author/s: A Shortles Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u> Submit to Portfolio Committee	<u>RESPONSIBLE DEPT:</u> Admin (HB)	<u>DUE DATE:</u>

**28. PROGRESS REPORT: ENCROACHMENT POLICY**

**RESOLVED**

that the report be noted and once the draft policy is completed it be referred to the Planning Portfolio Committee for consideration.

Meeting: EM&MC – 25/11/2009 Ref No: 15/4/11/11 Doc No:		Submitted by Directorate: Infrastructure & Planning Author/s: A Shortles Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u> Complete Policy	<u>RESPONSIBLE DEPT:</u> Infrastructure & Planning (Plan)	<u>DUE DATE:</u>

**29. ONDERVERDELING VAN MUNISIPALE WOONEENHEDE: AMSTELHOF  
BEHUISINGSKEMA NRS 337 – 339, JAN FISKAALSTRAAT, PAARL**

**BESLUIT**

1. dat goedkeuring verleen word vir die onderverdeling van Erf 27275, Paarl in die gedeeltes soos voorgestel op Plan PZ3495/2 (Addendum 2 van die departementele verslag) en die huurders van Nrs 337A, 337, 338 en 339 Jan Fiskaalstraat, Amstelhof skriftelik hiervan in kennis gestel word;
2. dat goedkeuring verleen word vir 'n 5m<sup>2</sup> oorskeiding oor Publieke Plek, Erf 13453, Paarl ten gunste van wooneenheid 337A, Amstelhof soos voorgestel deur die Figuur PUV op Plan PZ 3495/2 (Addendum 2 van die departementele verslag);
3. dat Albert Geiger Geomatika Landmeters opdrag gegee word om voort te gaan met die opmeting van bogemelde onderverdeling van Erf 27275, Paarl teen die bedrag soos gekwoteer per epos gedateer 3 September 2009; en
4. dat Albert Geiger Geomatika Landmeters die opmeting vir die regstelling van die oorskryding van die woning op Nr 339 Jan Fiskaalstraat oor Nr 339A Jan Fiskaalstraat, Amstelhof op hul koste uitvoer.

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Meeting: Ref No: Doc No's:	EM&MC – 25/11/2009 17/5/4/2/1 (Sub/Ekon 3) 9120/09	Submitted by Directorate: Author/s: Referred from:	Infrastructure & Planning D Cupido EM&MC – 03/11/2009
<b>PARAGRAPH:</b>	<b>ACTION:</b> Implement Decision	<b>RESPONSIBLE DEPT:</b> Infrastructure & Planning (Plan)	<b>DUE DATE:</b>

**30. BULK INFRASTRUCTURE CONTRIBUTION LEVY**

**RESOLVED**

that it be recommended to Council:-

1. that the Bulk Infrastructure Contribution Levies (BICL's) for Category 1 (Subdivisions, group housing, private residential flats and development that places an additional burden on services) and Category 3 (Redevelopment of existing business properties) together with the further conditions applicable to Category 1 and Category 3 remain in place as per Council decision;
2. that the Bulk infrastructure Contribution Levies (BICL's) for Category 2 (Granny flats, second dwelling units and/or any densification on a residential erf) be waived with immediate effect backdated to 1 July 2009;
3. that the Tariff Book be rectified according to the Council resolution of 2 October 2008 with the exclusion of Category 2 (Granny flats, second dwelling units and/or any densification on a residential erf) as per Annexure 2; and
4. that funding be provided on the budget for a comprehensive analysis of the application of Bulk Infrastructure Contribution Levies (BICL's) system for Drakenstein, covering all areas/categories and taking into consideration all service capacities and constraints.

Meeting: Ref No: Doc No:	EM&MC – 25/11/2009 5/8/10 9823/09	Submitted by Directorate: Author/s: Referred from:	Infrastructure & Planning
<b>PARAGRAPH:</b>	<b>ACTION:</b> Submit to Council	<b>RESPONSIBLE DEPT:</b> PJ	<b>DUE DATE:</b>

**31. TOLL ROADS ON THE N1 BETWEEN PAARL AND CAPE TOWN**

**RESOLVED**

that the report be noted.

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Meeting: EM&MC – 25/11/2009		Submitted by Directorate: Infrastructure & Planning	
Ref No: 16/3/5/1		Author/s: D Delaney	
Doc No: 9565/09		Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

**32. TARRING OF SIDEWALKS: DRAKENSTEIN MUNICIPAL AREA: 2009/2010 FINANCIAL YEAR**

**RESOLVED**

that sidewalks at the following streets be tarred and that the Executive Director: Infrastructure and Planning submit a further report as to the cost thereof:-

1. Chevé Street – one (1) side only;
2. Symphony Street (Ward 14 & 16);
3. Abduraghman Street (Ward 7);
4. Grebé Street – Ward 20;
5. Blignaut Street – Wellington;
6. Nozala Street – Mbekweni; and
7. Bishop Street.

Meeting: EM&MC – 25/11/2009		Submitted by Directorate: Infrastructure & Planning	
Ref No: 16/3/6/1/2		Author/s: D Delaney	
Doc No: 9596/09		Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>
	Submit further report	Infrastructure & Planning	

**33. DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF COUNCILLORS**

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**RESOLVED**

Noted.

Meeting: EM&MC – 25/11/2009		Submitted by Directorate:	
Ref No: 3/8/4		Author/s:	
Doc No: 9832/09		Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

**34. INTERNATIONAL RELATIONS**

**RESOLVED**

1. that the agreement between Drakenstein Municipality and the cities of Fürsternfeldbruck and Ueno City be maintained; and
2. that the two cities be engaged by the IGR Unit to make the partnerships/twinning meaningful and that relevant programmes beneficial to both parties be identified for co-operation.

Meeting: EM&MC – 25/11/2009		Submitted by Directorate: Strategic Services	
Ref No: 10/4		Author/s: A Sauls	
Doc No:		Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>
	Implement Decision	Strategic Services (IGR)	

**35. OUTSTANDING MATTERS**

Noted.

**36. URGENT MATTERS**

**36.1 Section 80 Committees**

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It was reported that Clrs Sishuba and Le Hoe would swop portfolio committees.

Noted.

Meeting: EM&MC – 25/11/2009		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>
	Update Committee membership	Admin	

**36.2 Court Case: Property Rates Increases**

Clr J T Basson reported on the outcome of the court case against the Municipality, brought by Mr N D Du Toit, MP and others with regard to property rates increases. The case was dismissed with costs.

**RESOLVED**

that a report on the case be submitted to Council for information.

Meeting: EM&MC – 25/11/2009		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>

**37. FARM 736, KLAPMUTS: PROPOSED ALIENATION OF A PORTION TO CAPETAINER**

(See confidential minutes).

Meeting: EM&MC – 25/11/2009		Submitted by Directorate: Corporate Governance	
Ref No: 15/4/1 (736)K		Author/s: N Marais	
Doc No: 9587/09		Referred from:	
<u>PARAGRAPH:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

**38. WORLD AIDS DAY (WAD): TUESDAY, 1 DECEMBER 2009**

The view was expressed that Council activities with regard to World Aids Day should be synchronised with those of other organisations to take place on 1 December 2009 and that

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in terms of the proposed activities for the Council programme, only R40 000 be made available from the Nation Building Vote.

**ACCORDINGLY RESOLVED**

Meeting:	SUPPL EM&MC – 25/11/2009	Submitted by Directorate:	Municipal Manager
Ref No:	4/10/9/2	Author/s:	Dr S T Kabanyane
Doc No:	9938/09	Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>
	Implement Program	Municipal Manager	

**39. HOUSING SCHEME 59 (975 UNITS): ADDITIONAL FUNDING REQUIRED FOR THE CONSTRUCTION OF HOUSING UNITS FOR THREE BENEFICIARIES WITH SPECIAL NEEDS**

**RESOLVED**

1. that the shortfall of R36 176.05 for the construction of the facilities for the three beneficiaries with special needs be approved;
2. that the Housing Department instructs the Project Managers – CSM Consulting Engineers and the building contractor – Mellon Housing Initiative to immediately commence with the construction of the facilities for the three beneficiaries with the special needs; and
3. that a tree planting programme be incorporated with the handing over of the housing units.

Meeting:	Add EM&MC – 25/11/2009	Submitted by Directorate:	Social Services
Ref No:	17/5/1/15	Author/s:	K Sethoabane
Doc No:	9948/09	Referred from:	
<b>PARAGRAPH:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>
	Implement Decision	Social Services (Housing)	

The meeting ended at 11:43.

**CHAIRPERSON:** .....

**DATE:** .....

Confirmed on ..... with/without amendments.  
**PJ/am**  
**25/11/2009**