

MINUTES: MAYORAL COMMITTEE

ORDINARY MEETING HELD IN THE BIG COMMITTEE ROOM, FIRST FLOOR, CIVIC CENTRE,
BERG RIVER BOULEVARD, PAARL, ON WEDNESDAY, 19 JULY 2017 AT 10:00.

PRESENT: The Executive Mayor, Cllr C J Poole (Chairman)
The Deputy Executive Mayor, Cllr G C Combrink

Councillors: M A Andreas
C Kearns
F Jacobs
J F Le Roux
J Miller
L P Mokoena
R Smuts
L T van Niekerk
L Willemse

Also Present: Cllr A C Stowman (Speaker)
Cllr R A Koegelenberg (Chief Whip)
Cllr J Matthee (MPAC Chairperson)

Officials: Dr J H Leibbrandt (Municipal Manager)
Mr J Carstens (Chief Financial Officer)
Mr S Johaar (Executive Manager: Corporate Services)
Ms R Jaftha (Chief Audit Executive)
Mr F Rhode (Acting Executive Manager: Community Services)
Mr W Prinsloo (Acting Executive Manager: Infrastructure Services)
Mr D Delaney (Acting Executive Manager: Planning and Economic Development)
Mr F P Goosen (Manager: Administrative Support Services)

ABSENT: Cllr R H van Nieuwenhuyzen (On Council duty)



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1. **LEAVE ARRANGEMENTS AND NON-AVAILABILITY OF COUNCILLORS AND SENIOR MANAGEMENT**

Cllr R van Nieuwenhuyzen (On Council duty)

2. **ANNOUNCEMENTS BY THE EXECUTIVE MAYOR**

The Executive Mayor reminded the meeting on the need to conserve water.

3. **DISCLOSURE OF INTERESTS BY COUNCILLORS/OFFICIALS**

Cllr J Miller declared his interest in respect of Item 7.4

4. **CONFIRMATION OF MINUTES**

The minutes of the following meetings were **confirmed as correct**, subject to it be recorded that Ms R Jaftha was not present:

1. Ordinary meeting held on 21 June 2017; and
2. Confidential meeting held on 21 June 2017.

The minutes of the Special meeting dated 3 July 2017 was **confirmed as correct**.

5. **SCHEDULE OF DECISIONS**

RESOLVED

that the Schedule of Decisions, **be noted**.



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6. EXECUTIVE MAYOR

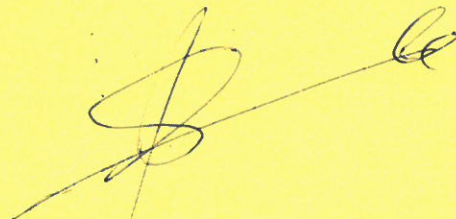
6.1 SUBMISSION OF THE 2017/2018 TL SDBIP AND PERFORMANCE AGREEMENTS OF THE MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER
VOORLEGGING VAN DIE 2017/2018 TV DBIP EN PRESTASIE OOREENKOMSTE VAN DIE MUNISIPALE BESTUURDER EN BESTUURDERS DIREK VERANTWOORDBAAR AAN DIE MUNISIPALE BESTUURDER
UKUNGENISWA KWE TL SDBIP KA 2017/2018 KUNYE NEZIVUMELWANO ZOKUSEBENZA KOMANEJALA KAMSIPALA KUNYE NOOMANEJALA ABANIKA INGXELO NQO KUMANEJALA KAMASIPALA

RESOLVED

that it be recommended to Council:-

1. that Council take note of the approved Top Layer (TL) Service Delivery and Budget Implementation Plan (SDBIP) 2017/2018 (Annexure A of the departmental report);
2. that Council take note of the signed performance agreements of the Municipal Manager and Managers directly accountable to the municipal manager (Annexure B to G of the departmental report);
3. that Council take note that the approved TL SDBIP and signed performance agreements for 2017/2018 have been made public within 14 days after the approval of the TL SDBIP and submitted to the MEC for Local Government in the Province; and
4. that Council take note that the performance indicators and targets as contained in the approved Integrated Development Plan (2017/2022) be adjusted in accordance with the performance indicators and targets contained in the approved TL SDBIP to ensure accurate technical alignment between the IDP 2017/2022 and TL SDBIP 2017/2018.

Meeting: MC - 19/7/2017	Submitted by Directorate: Office of the Municipal Manager		
Ref No: 2/2/8	Author/s: F Qebenya		
Coll Nr: 1233445	Referred from:		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>



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6.2 REPORT AND RECOMMENDATIONS TO COUNCIL FROM THE AUDIT COMMITTEE QUARTERLY MEETING HELD ON 25 MAY 2017
VERSLAG EN AANBEVELINGS AAN DIE RAAD VAN DIE OUDITKOMITEE KWARTAALLIKSE VERGADERING VAN 25 MEI 2017
INGXELO KUNYE NESINDULULO KWIBHUNGA EZIVELA KWIKOMITI YOPHICHOTO ZINCWADI YENTLANGANISO YEKOTA EYAYIBANJWE NGOMHLA WE 25 MEYI 2017

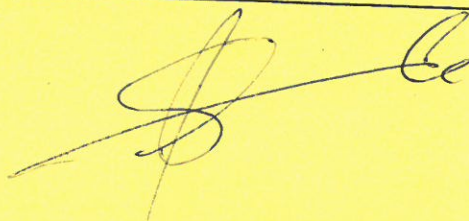
RESOLVED

that it be recommended to Council:-

that the following recommendations/findings of the Audit Committee be approved:-

1. Internal Audit:
 - 1.1 The Audit Committee confirms that the organizational structure of Internal Audit remains adequate and independent;
 - 1.2 The Internal Audit reports submitted to the Audit Committee were noted and the Internal Audit reports for the year under review will be completed as scheduled;
 - 1.3 The quarterly assessment of performance information was carried out by Internal Audit. The completeness and accuracy of the Portfolios of Evidence requires further attention by the Strategic Management Team; and
 - 1.4 that management is advised to act timeously on the recommendations made by Internal Audit in their reports.
2. Risk Management:
 - 2.1 that Council note that risk management continues to be the focus of the Strategic Management team;
 - 2.2 that progress has been made to identify and articulate the key strategic risks facing the Municipality and that the Strategic Management Team are preparing appropriate response strategies to mitigate these; and
 - 2.3 that Council note the comprehensive Disaster Management Plan that was presented to the Audit Committee.

Meeting: MC - 19/7/2017	Submitted by Directorate: Office of the Municipal Manager		
Ref No: 3/3/1/3/9/1	R Jaftha		
Coll Nr: 1230639	Author/s:		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>



7. FINANCE

7.1 TENDERS, QUOTATIONS AND CONTRACTS: SUPPLY CHAIN MANAGEMENT: NOTIFICATION OF MONTHLY TENDER AWARDS: JUNE 2017
TENDERS, KWOTASIES EN KONTRAKTE: VOORSIENINGSKANAAL-BESTUUR: TENDERTOEkENNINGS VIR JUNIE 2017
ITHENDA, ISINIKI MAXABISO KUNYE NEZIVUMELWANO: ULAWULO LOTHUNGELWANO LWEZIBONELELO: ISAZISO SONIKEZELO LWETHENDA: JUNI 2017

RESOLVED

that it be recommended to Council:-

1. that the tenders and contracts that were adjudicated by the Bid Adjudication Committee for the month of June 2017, **be noted**; and
2. that the tenders and contracts and the reasons for the awards as recorded by the Accounting Officer, as attached to the departmental report, **be noted**.

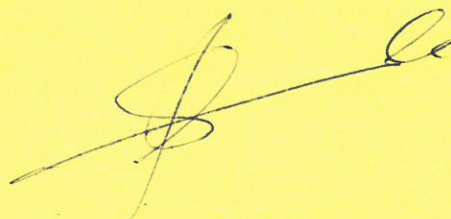
Meeting: MC - 19/7/2017	Submitted by Directorate: Financial Services		
Ref No: 8/1/2/1	Author/s: H Vergotine		
Coll Nr: 1232855	Referred from:		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

7.2 OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY: REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF DRAKENSTEIN MUNICIPALITY: QUARTER 4: 1 APRIL 2017 - 30 JUNE 2017
OORSIGROL VAN RAAD: VOORSIENINGSKANAAL BESTUURSBELEID VAN DRAKENSTEIN MUNISIPALITEIT: 4DE KWARTAAL: 1 APRIL 2017 - 30 JUNIE 2017
INGXELO NGOKUMILISELWA KWENKQUBO YE SUPPLY CHAIN MANAGEMENT YOMASIPALA WASE DRAKENSTEIN: KOTA 4 - 1 APRIL 2017 - 30 JUNE 2017

RESOLVED

that it be recommended to Council:-

1. that the report and Annexure A, attached to the departmental report, **be noted**; and



2. that the report be made public in accordance with Section 21A of the Municipal Systems Act.

Meeting: MC - 19/7/2017	Submitted by Directorate: Financial Services
Ref No: 8/1/B	Author/s: H Vergotine
Coll Nr: 1232887	Referred from:
<u>PAR:</u>	<u>ACTION:</u>
	<u>RESPONSIBLE DEPT:</u>
	<u>DUE DATE:</u>

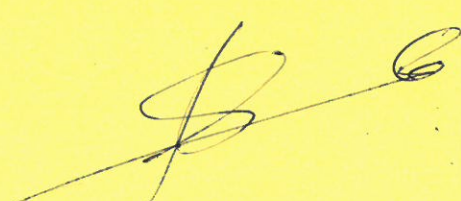
7.3	TENDERS, QUOTATIONS AND CONTRACTS: REPORT ON WRITTEN AND FORMAL WRITTEN QUOTATIONS WHERE THREE QUOTATIONS WERE NOT OBTAINED AND DEVIATIONS AND RATIFICATION OF MINOR BREACHES FROM PROCUREMENT PROCESSES: JUNE 2017
	TENDERS, KWOTASIES EN KONTRAKTE VIR DIE MAAND JUNIE 2017: PROSESSERING VAN SKRIFTELIKE EN FORMELE SKRIFTELIKE KWOTASIES WAAR DRIE KWOTASIES NIE VERKRY WAS NIE EN AFWYKING EN RATIFIKASIE VAN GERINGE OORTREDINGE VAN VERKRYGINGSPROSESSE: KONDONERING VAN ONREGMATIGE UITGAWES DEUR DIE RAAD
	ITHENDA, IZINIKI MAXABISO KUNYE NENKONTILAKI ZENYANGA KA JUNE 2017: UKUQHUBEKEKA KOKUBHALA KUNYE NOKUBHALA OKUSEMTHETHWENI KWEZINIKI MAXABISO EZINTATHU KUNYE NOKUNGALANDELI INKQUBO KUNYE NOKULUNGISWA KOKWAPHULWA KWEMITHETHO UNCINCI KWINKQUBO YOKUFUMANA

RESOLVED

that it be recommended to Council:-

1. that the deviations and minor breaches from Council's SCM Policy and procurement processes for the month of June 2017 for the amount of R 13,768,612 be **condoned**;
2. that in terms of paragraph 36(2) of the SCM Policy, the deviations and the reasons for the deviations as recorded by the Accounting Officer under the annexures attached to the departmental report, **be noted**; and
3. that the Chief Financial Officer records the deviation amount of R 100,382,533 for the financial year in the notes to the annual financial statements for the 2016/2017 financial year as required by legislation.

Meeting: MC - 19/7/2017	Submitted by Directorate: Financial Services
Ref No: 8/1/2/1	Author/s: H Vergotine
Coll Nr: 1232889	Referred from:
<u>PAR:</u>	<u>ACTION:</u>
	<u>RESPONSIBLE DEPT:</u>
	<u>DUE DATE:</u>



7.4	INTERNAL AUDIT INVESTIGATION INTO THE REFUNDING OF MUNICIPAL ACCOUNT PAID BY MR KELLERMAN - ACCOUNT NUMBER 101176500007
	INTERNE OUDIT ONDERSOEK AANGAANDE DIE TERUGBETALING VAN MUNISIPALE REKENING BETAAL DEUR MNR KELLERMAN - REKENING NOMMER 101176500007
	HICHO THO ZINCWADI LWANGAPHAKATHI KWINTLAWULO YE AKHAWUNTI KAMASIPALA NGU MNU KELLERMAN - INOMBHOLO YE AKHAWUNTI 101176500007

Cllr J Miller was not present when this matter was considered.

RESOLVED

1. that the amount of R10 652.52 in respect of debt, accrued on Mr G Kellerman's account (101176500007) by the late Mr Nothnagel, be written-off; and
2. that the amount of R 10 652.52 be refunded to Mr Kellerman.

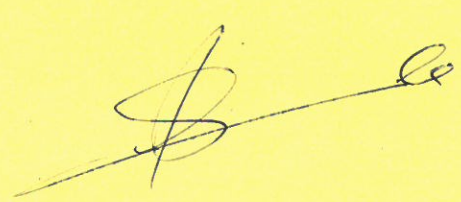
Meeting: MC - 19/7/2017	Submitted by Directorate: Office of the Municipal Manager		
Ref No: 5/12/3	Author/s: R Jaftha		
Coll Nr: 1234400	Referred from:		
PAR:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
1-2	Implement decision	CFO	

7.5	OVERSIGHT ROLE OF COUNCIL: SUPPLY CHAIN MANAGEMENT POLICY: ANNUAL REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY OF DRAKENSTEIN MUNICIPALITY FOR THE FINANCIAL PERIOD: 1 JULY 2016 - 30 JUNE 2017
	JAARLIKSE VERSLAG OOR DIE IMPLEMENTERING VAN VOORSIENINGSKANAALBELEID VIR DIE FINANSIËLE PERIODE: 1 JULIE 2016-30 JUNIE 2017
	INDIMA YOKONGAMELA YEBHUNGA: UMGAQO NKQUBO WE SUPPLY CHAIN: INGXELO YONYAKA EKUMISELWENI KOMGAQO NKQUBO WE SUPPLY CHAIN YOMASIPALA WASE DRAKENSTEIN YEXESHA LONYAKA MALI : 1 JULAYI 2016 - 30 JUNE 2017

RESOLVED

that it be recommended to Council:-

1. that the report, be noted; and



2. that the report be made public in accordance with Section 21A of the Municipal Systems Act.

Meeting: MC - 19/7/2017 Ref No: 8/1/B Coll Nr: 1234711		Submitted by Directorate: Financial Services Author/s: H Vergotine Referred from:	
PAR:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:

8. PLANNING, ECONOMIC DEVELOPMENT AND TOURISM

8.1 APPLICATION FOR REZONING AND SUBDIVISION: ERF 11956 PAARL
AANSOEK OM HERSONERING EN ONDERVERDELING: ERF 11956 PAARL
ISICELO SOKUCANDA NOKWAHLULWA: ISIZA 11956 E PAARL

RESOLVED

1. that the report be referred back; and
2. that the department undertakes a study relating to development on the slopes of Paarl Mountain and the possible adoption of a policy incorporating the findings of such study.

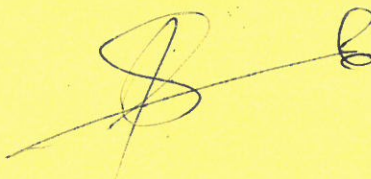
Meeting: MC - 19/7/2017 Ref No: 15/4/1 Coll Nr: 1233932		Submitted by Directorate: Planning and Economic Development Author/s: W Hendricks Referred from:	
PAR:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
2	Develop a policy	EM: Planning and Economic Development	

8.2 APPLICATION FOR REZONING AND SUBDIVISION: ERF 15244 PAARL
AANSOEK OM HERSONERING EN ONDERVERDELING: ERF 15224 PAARL
ISICELO SOKUCANDA NOKWAHLULWA: ISIZA 15224 E PAARL

RESOLVED

1. that the report be referred back; and
2. that the department undertakes a study relating to development on the slopes of Paarl Mountain and the possible adoption of a policy incorporating the findings of such study.

Meeting: MC - 19/7/2017 Ref No: 15/4/15244 P Coll Nr: 1234133		Submitted by Directorate: Planning and Economic Development Author/s: W Hendricks Referred from:	
PAR:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
2	Develop a policy	EM: Planning and Economic Development	



9. HUMAN SETTLEMENTS AND PROPERTY MANAGEMENT

9.1	PROPOSED APPOINTMENT OF ASLA (PTY) LTD AS TURNKEY IMPLEMENTING AGENT FOR HOUSING PROJECT IN THE SOUTHERN PAARL AREA OF DRAKENSTEIN MUNICIPALITY
	VOORGESTELDE AANSTELLING VAN ASLA (EDMS) BPK AS "TURNKEY" IMPLEMENTERINGSAGENT VIR BEHUISINGSPROJEKTE IN DIE SUIDELIKE PAARL AREA VAN DRAKENSTEIN MUNISIPALITEIT
	ISINDULULO SOKUQESHA U ASLA (PTY) LTD NJENGE AGENTE YOMILISELWA KWE "TURNKEY" KWI PROJEKTI YEZINDLU KUMMANDLA WEMPUMA YASE PAARL YOMASIPALA WASE DRAKENSTEIN

RESOLVED

that this matter be referred to the Mayoral Committee meeting, to be held on 27 July 2017.

Meeting: MC - 19/7/2017	Submitted by Directorate: Community Services		
Ref No: 17/5/1/1	Author/s: F Rhoda		
Coll Nr: 1234156	Referred from:		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	Re-submit item	Corporate Services (Admin)	

10. CORPORATE SERVICES

10.1	ORGANISATIONAL MACRO AND MICRO STRUCTURE
	ORGANISASIE MAKRO EN MIKRO STRUKTUUR
	ULWAKHIWO LOMBUTHO NGOBUNCINCI NOBUKHULU

RESOLVED

that it be recommended to Council:-

that the proposed macro and micro organizational structure be adopted, subject to any final amendments, that might need to be affected after the consultation process.

Meeting: MC - 19/7/2017	Submitted by Directorate: Corporate Services		
Ref No: 4/2/4	Author/s: S Johaar		
Coll Nr: 1234872	Referred from:		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>




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10.2 PROPOSED ALIENATION OF A PORTION OF ERF 15964 PAARL TO THE REFORMED OLD APOSTOLIC CHURCH
VOORGESTELDE VERVREEMDING VAN 'N GEDEELTE VAN ERF 15964 PAARL AAN DIE GEREFORMEERDE OU APOSTOLIESE KERK
ISINDULULO SOKUPHEPHELA KWICEBA LESIZA 15964 E PAARL KWI REFORMED OLD APOSTOLIC CHURCH

RESOLVED

that it be recommended to Council:-

1. that in terms of Section 14 of the Municipal Finance Management Act ***in principle*** approval be granted for the alienation of a portion of Erf 15964, Paarl, measuring approximately 1140m² in extent, situated in Paulus Street, to the Reformed Old Apostolic Church, subject to the standard conditions of sale and the following further conditions:-
 - 1.1 that the subject property be sold and be consolidated with the church's existing property, namely Erf 13116, Paarl. This consolidation must be registered simultaneously with the registration of transfer of the subject property;
 - 1.2 that the property be sold at 10% of market value, and that a market related valuation be obtained from an independent valuer;
 - 1.3 that a complete Site Development Plan be submitted together with acceptable proof of financial ability to implement the development, before final approval by Council is considered;
 - 1.4 that the applicant will be responsible for the obtaining of all the required land use rights, the cost of which will be for the applicant's account, in order to use the site for the intended use;
 - 1.5 that all costs related to the transfer and development of the property will be for the account of the applicant;
 - 1.6 that the proposed transaction be advertised for objections and counter offers;
 - 1.7 that should it be required, the relocation or protection of any municipal services must be done in consultation with the Directorate Infrastructure Services, at the applicant's account;
 - 1.8 that all municipal services on the subject property must remain accessible to the Municipality at all times;
 - 1.9 that no structures will be allowed within 2 metres of any municipal services;
 - 1.10 that any damage caused to municipal services will be repaired at the cost of the applicant.



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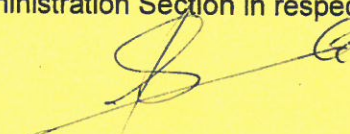
2. that the applicant be required to:
 - 2.1 commence with the lodging of applications for development rights, if applicable, and building plans within 3 (three) months from signing the deed of sale;
 - 2.2 obtain development rights and approval of building plans within 18 months from signing of deed of sale or such extended period as agreed upon between the applicant and Municipality. This condition will be a suspensive condition to the proposed sale;
 - 2.3 that the proposed transaction be registered within 6 months of obtaining the required land use rights and confirmation of the fulfillment of all suspensive conditions;
3. that the subject property not be sold via public tender process due to the fact that the property will be incorporated into the existing property of the church and will be used for parking purposes to alleviate the parking problem in the area. The applicant is an existing and well-established organization within the area with ancillary functions which serves the community; and
4. that the efficient utilisation of the remaining part of Erf 15964 Paarl also be investigated for housing, and community purposes as the remaining part of the property is approximately 3,6ha in extent rendering it a viable portion of land to be utilised for development purposes.

Meeting: MC - 19/7/2017	Submitted by Directorate: Corporate Services		
Ref No: 15/4/1 (15964) P	Author/s: N October		
Coll Nr: 1209762	Referred from:		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

10.3 REQUEST FOR EXTENSION OF DEVELOPMENT PERIOD: ERF 20950, CORNER OF FLAMINK AND TINKTINKIE STREETS, PAARL - PHILADELPHIA PENTECOSTAL CHURCH
VERSOEK OM VERLENING VAN ONTWIKKELINGSTYDPERK: ERF 20950, HOEK VAN FLAMINK- EN TINKTINKIESTRAAT, PAARL - PHILADELPHIA PENTECOSTAL KERK
ISICELO SOKWANDISA IXESHA LOPHUHLISO: KWISIZA 20950 KWIKONA YE FLAMINK NE TINKTINKIE SITALATO E PAARL - PHILADELPHIA PENTECOSTAL CHURCH

RESOLVED

1. that approval be granted to Philadelphia Pentecostal Ministries South Africa for the final extension of the period in which the proposed development in respect of Erf 20950, Paarl, must be completed, with a further two years;
2. that the purchaser be requested to submit quarterly progress reports to the Facilities and Property Administration Section in respect of the proposed development; and



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3. that a follow-up report be submitted after the new due date, being 22 July 2019, for completion of the proposed development.

Meeting: MC - 19/7/2017	Submitted by Directorate: Corporate Services
Ref No: 15/4/1 (20950) P	Author/s: F Williams
Coll Nr: 1222477	Referred from:
<u>PAR:</u>	<u>ACTION:</u>
	<u>RESPONSIBLE DEPT:</u>
	<u>DUE DATE:</u>

10.4 PROPOSED RENTAL OF PORTIONS OF ERF 8518 PAARL TO PAULUS JOUBERT PRIMARY AND PAULUS JOUBERT HIGH SCHOOLS
VOORGESTELDE VERHURING VAN GEDEELTES VAN ERF 8518 PAARL AAN PAULUS JOUBERT PRIMÈRE EN PAULUS JOUBERT HOËRSKOLE
ISINDULULO SOKUQESHA ICEBA LESIZA 8518 E PAARL KWI PAULUS JOUBERT PRIMARY SCHOOL

RESOLVED

that it be recommended to Council:-

1. that in terms of Regulation 34 of the Municipal Asset Transfer Regulations approval *in principle* be granted for the lease of portions of Erf 8518, Paarl, to Paulus Joubert Primary and Paulus Joubert High Schools, at a subsidized rental of 5% of market value, subject to the normal lease conditions as well as the following further conditions:-
 - 1.1 that the lease will endure for a period of 5 (five) years after which the renewal thereof may be considered by Council;
 - 1.2 that the applicants be responsible for the payment of the monthly municipal services accounts, respectively;
 - 1.3 that a valuation be obtained from an independent valuer;
 - 1.4 that the proposed transactions be advertised for objections;
 - 1.5 that the necessary procedures for the temporary closure of the Public Place, be followed;
 - 1.6 that the schools takes note that it will not be compensated for any improvements made on the subject property when the lease expires or should the property be required for municipal purposes;
 - 1.7 that there is a sewer pipeline traversing the site and any proposed development on the subject property must be done in consultation with the Directorate: Infrastructure Services;
2. that the development of the subject property for GAP Housing development be investigated; and



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3. that tenders not be called for the lease of the premises due to the fact that the applicants are well-established schools in the area and it is regarded to be in the public interest to allow the school to expand and secure their facilities.

Meeting: MC – 19/7/2017 Ref No: 15/4/1 (8518) P Coll Nr: 1226532	Submitted by Directorate: Corporate Services Author/s: N October Referred from:		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

10.5 REVIEWED SMOKING POLICY
HERSIENDE ROOKBELEID
UKUHLOLWA KOMGAQO NKQUBO WOKUTSHAYA

RESOLVED

that it be recommended to Council:-

that the Smoking Policy be approved.

Meeting: MC – 19/7/2017 Ref No: 4/P Coll Nr: 1227259	Submitted by Directorate: Corporate Services Author/s: P La Grange Referred from:		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

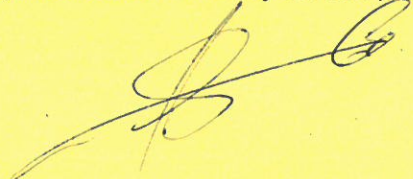
10.6 PROPOSED SALE OF ERF 29136 AND ERF 29137 DONKERVLIET STREET, PAARL TO SOUTHERN OIL (PTY) LTD
VOORGESTELDE VERKOOP VAN ERF 29136 EN ERF 29137, DONKERVLIETSTRAAT, PAARL AAN SOUTHERN OIL (PTY) LTD
ISINDULULO SOKUTHENGISA ISIZA 29136 NESIZA 29137 E DONKERVLIET STREET E PAARL KWI SOUTHERN OIL (PTY) LTD

RESOLVED

that it be recommended to Council:-

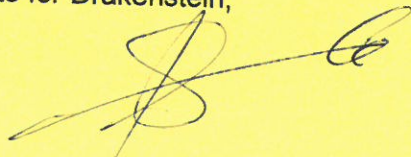
1. that in terms of Section 14 of the Municipal Finance Management Act, ***in principle*** approval be granted for the direct alienation of portions of Erven 29136 and 29137 Paarl, measuring approximately 2.3ha and 4.5ha respectively, to Southern Oil (Pty) Ltd, subject to the normal conditions of sale as well as the following conditions:-

- 1.1 the property will be sold at a market related selling price for industrial land, to be determined by an independent valuer;



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- 1.2 payment of the required bulk infrastructure development contributions in terms of engineering services according to the time frames below;
 - 1.3 payment of the Capital Infrastructure Network Contribution of R4 906.00 x 1800kVa = R8 830 800.00 (excl Vat until 30 June 2018), and including the service connection charges and deposit in terms of electrical services against registration of transfer;
 - 1.4 that the sale be subject to the following timeframes:-
 - 1.4.1 that transfer of the consolidated property takes place within 12 months from date of final approval of the sale by Council;
 - 1.4.2 that the total Capital Infrastructure Network Contribution be paid to Council on date of registration of transfer;
 - 1.4.3 that the site development plan, to be used for calculation of the required bulk infrastructure development contributions, and the building plans be submitted within six months from date of transfer;
 - 1.4.4 that the development be completed within 36 months from date of transfer;
 - 1.5 that the developer adhere to all technical requirements as laid down by the technical departments;
 - 1.6 that the developer be required to apply for a fuel burning appliance certificate in terms of the municipality's Prevention of Air Pollution By-Law, which will be issued by the Drakenstein Air Quality Officer;
 - 1.7 that the purchaser be responsible for all costs including services and development costs;
 - 1.8 that the proposed transaction, be advertised for objections and counter offers;
 - 1.9 that the standard pre-emptive rights be registered against the title of the property in favour of the Drakenstein Municipality;
 - 1.10 note must be taken of the guidelines contained in the Drakenstein Municipality's Green Building Manual as well as the objectives for development set out in the Statutory Report of the Provincial Spatial Development Framework, which must be incorporated in the design and layout of any development on the property;
2. that the direct sale of the portions of Erven 29136 and 29137 Paarl be approved to allow for the relocation of an existing well established industry to Paarl in view of the exceptional benefits being economic and job creation benefits for Drakenstein;



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3. that Council resolution 7.9 dated 22 February 2017 be amended by the scrapping of the following words in paragraph 1 of the decision: "Portions 5 and 6 of Erf 29137, Paarl and the remaining portion of Erf 29136, Paarl, as one land unit to be consolidated as well as"; and
4. that Isipani Construction be informed accordingly.

Meeting: MC – 19/7/2017	Submitted by Directorate: Corporate Services
Ref No: 15/4/1 (29136/7) P	Author/s: N October
Coll Nr: 1227961	Referred from:
<u>PAR:</u>	<u>ACTION:</u>
	<u>RESPONSIBLE DEPT:</u>
	<u>DUE DATE:</u>

10.7 PROPOSED ALIENATION AND REDEVELOPMENT OF ERF 2688, MATUKATA STREET, MBEKWENI AND THE BUILDING SITUATED THEREON TO SIYAYA AFRICAN RESTAURANT
VOORGESTELDE VERVREEMDING EN HERONTWIKKELING VAN ERF 2688, MATUKATASTRAAT, MBEKWENI, EN DIE GEBOU DAAROP GELEË AAN SIYAYA AFRICAN RESTAURANT
ISINDULULO SOKUPHEPHELE NOPHULISO LWESIZA 2688 MATUKATA STREET E MBEKWENI KWISAKHIWO ESI KWI THERON KWI SIYAYA AFRICAN RESTAURANT

RESOLVED

that this matter be referred back.

Meeting: MC – 19/7/2017	Submitted by Directorate: Corporate Services
Ref No: 15/4/1 (2688) M	Author/s: N October
Coll Nr: 1234198	Referred from:
<u>PAR:</u>	<u>ACTION:</u>
	<u>RESPONSIBLE DEPT:</u>
	<u>DUE DATE:</u>

10.8 PROPOSED ALIENATION OF ERF 8414 AND A PORTION OF ERF 12649 PAARL TO IMPERIAL CARGO (DIVISION OF IMPERIAL GROUP LTD)
VOORGESTELDE VERVREEMDING VAN ERF 8414 EN 'N GEDEELTE VAN ERF 12649 PAARL AAN IMPERIAL CARGO (DIVISION OF IMPERIAL GROUP LTD)
ISINDULULO SOKUPHEPHELA KWESIZA 8414 KUNYE NECEBA LESIZA 12649 E PAARL KWI IMPERIAL CARGO (DIVISION OF IMPERIAL GRUP LTD)

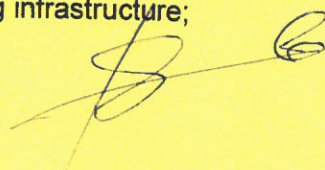
RESOLVED

that it be recommended to Council:-



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1. that in terms of Section 14 of the Municipal Finance Management Act *final approval* be granted for the alienation of Erf 8414, Paarl, and a portion of Erf 12649, Paarl, respectively measuring approximately 6 600 and 6 800m² in extent, directly to the adjacent property owner, Imperial Cargo, at a market related selling price of R 620 000-00 (VAT excluded), subject to the normal conditions of sale, and the following further conditions:-
 - 1.1 that the property only be utilised for parking purposes;
 - 1.2 that the purchaser be responsible for all costs e.g. relocation of services and required survey and any other costs related to the development of the subject property for parking purposes;
 - 1.3 that the purchaser attend to the subdivision of Erf 12649, Paarl, at the cost of the purchaser;
 - 1.4 any required relocation or upgrading of existing services or installation of new services will be at the cost of the applicant and must be done in consultation with the Directorate: Infrastructure Services and Eskom where applicable;
 - 1.5 the Electro Technical Engineering Department and Eskom must have access to the subject property at all times for any required or scheduled services maintenance and/or repair work. Provision must also be made that any parked vehicles must be able to be moved at short notice if so required;
 - 1.6 a permit will be required from Eskom for additional cable information prior to any work being undertaken in the Eskom servitude;
 - 1.7 should any improvements, i.e. paving of the subject property be undertaken by the applicant, it must be done in consultation with the Directorate: Infrastructure Services;
 - 1.8 should any improvement need to be removed to enable access to any of the services on the subject property, the applicant will not be compensated for any damage thereto nor will the municipality or Eskom be responsible for the replacement and/or re-paving thereof;
 - 1.9 should any fencing be erected, provision must be made for access gates on both sides of the subject property. The gates must be able to be opened over the entire width of the site to enable heavy vehicles of either Eskom or the municipality to gain access to the site;
 - 1.10 boundary fencing may not be erected within 3 metres of any existing infrastructure;



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- 1.11 no access will be granted and access must be obtained through Erf 29138, Paarl;
 - 1.12 all technical conditions as will be required by the technical departments, be complied with;
 - 1.13 that all costs related to the transaction be for the applicants account;
 - 1.14 a reversionary clause shall be applicable to the subject properties should the purchaser intend to use the properties for any other purpose other than specified in the transaction conditions;
2. that Eskom be informed of the proposed alienation of the subject property, by the applicant; and
 3. that the alienation of the property not be allocated via a competitive bidding process due to the fact that a well-established business in Paarl require the property for the expansion of its existing operations. The subject property will only be used for parking purposes.

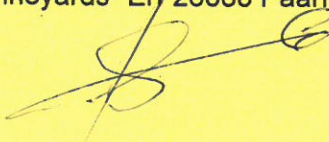
Meeting: MC - 19/7/2017	Submitted by Directorate: Corporate Services		
Ref No: 15/4/1 (8414) (12649) P	Author/s: N October		
Coll Nr: 1234674	Referred from:		
PAR:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:

11. PUBLIC SAFETY

11.1 BY-LAW ON LIQUOR TRADING DAYS AND HOURS: APPROVAL OF COMMENTS TO BE FORWARDED TO THE WESTERN CAPE LIQUOR AUTHORITY AND AN APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS
VERORDENING OP DRANK HANDELSDAE EN URE: GOEDKEURING VAN KOMMENTAAR VIR INDIENING BY DIE WES-KAAPSE DRANKRAAD EN 'N AANSOEK OM VERLENGING VAN DRANKHANDELSURE
NGOKOMTHETHO WENTENGISO YO TYWALA NGENTSUKU NEYURE. ZIVUNYIWE NGOKWEZICELO INGATHUNYELWA KWI WESTERN CAPE LIQUOR AUTHORITY KUNYE NESICILO SOKWANDISA IYURE ZOKUTHENGISA UTYWALA

RESOLVED

1. that the following applications for liquor licenses be supported and the comments be forwarded to the Western Cape Liquor Authority:-
 - 1.1 Infinity Wines, Paarl- Erf 3544, Paarl
 - 1.2 Topsat Paarl Vineyards- Erf 26088 Paarl



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2. that the applications of Funky Buddah (Erf 12244, Paarl) and Peter Cellars (Erf 12244 Paarl) for the extension of liquor trading hours from 22:00 to 04:00 the following day for Fridays, Saturdays and Public Holidays, be approved, subject to the following conditions:-
- 2.1 the approval be effective from 1 October 2017 to 30 September 2018 to be in-line with the renewal cycle of the Western Cape Liquor Authority;
 - 2.2 that an agreement be entered into with the applicants to adhere to certain conditions; and
 - 2.3 that the tariff of R 2050.00 be paid in respect of granting the applications for the extensions of liquor trading days and hours.

Meeting: MC - 19/7/2017		Submitted by Directorate: Community Services	
Ref No: 1/5/2/17		Author/s: U Johanneson	
Coll Nr: 1233244		Referred from:	
PAR:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
1-2	Implement decisions	EM: Community Services	

12. URGENT MATTERS

None.

13. CONFIDENTIAL MINUTES

13.1 MUNICIPAL EMPLOYEES OUTSTANDING DEBTOR REPORT AS AT 30 JUNE 2017

See Confidential Minutes.

The meeting ended at 11:23.

CHAIRPERSON: 

DATE: 16/08/2017

Confirmed on with/without amendments.

FG/rs