

## DRAKENSTEIN MUNICIPALITY

## MINUTES: MAYORAL COMMITTEE

ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS, FIRST FLOOR, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL, ON WEDNESDAY, 20 MARCH 2019 AT 10:00.

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**PRESENT:** The Executive Mayor, Clr C J Poole (Chairperson)  
The Deputy Executive Mayor, Clr G C Combrink

**Councillors:** M A Andreas  
C Kearns  
E Gouws  
J Miller  
L P Mokoena  
R Smuts  
R H van Nieuwenhuyzen  
L T van Niekerk  
L Willemse

**Also Present:** Clr A Stowman (Speaker)  
Clr R A Koegelenberg (Chief Whip)  
Clr W P D Meyer

**Officials:** Dr J H Leibbrandt (City Manager)  
Mr S Johaar (Executive Director: Corporate Services)  
Ms L Waring (Executive Director: Planning and Development)  
Mr G Esau (Executive Director: Community Services)  
Ms R Jaftha (Chief Audit Executive)  
Ms N Keketsi (Snr Manager: Revenue and Expenditure)  
Mr C Lotz (Manager: Streets, Stormwater and Traffic Services)  
Ms C September (Manager: IDP and Performance Management)  
Ms R Geldenhuys (Manager Communication and Marketing)  
Mr G Dippenaar (Chief Risk Officer)  
Mr F P Goosen (Manager: Administrative Support Services)  
Ms W Prins (PMS Officer)  
Mr P January (Senior Administrative Officer)





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

Clr JF le Roux : Apology (on-council duty)

**2. ANNOUNCEMENTS BY THE EXECUTIVE MAYOR**

The Executive Mayor announced the reschedule of the Council meeting to Thursday, 28 March 2019.

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

None.

**4. CONFIRMATION OF MINUTES**

The following meetings were confirmed as correct:

- i. Special meeting held on 14 February 2019;
- ii. Ordinary meeting held on 20 February 2019;
- iii. Ordinary meeting held on 27 February 2019; and
- iv. Confidential meeting held on 27 February 2019.

**5. SCHEDULE OF DECISIONS**

**RESOLVED** that

The Schedule of Decisions **be noted**.

(Item 4 to be removed from the schedule)



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<b>6.1 AMENDMENT TO THE REVISED TOP LAYER (TL) SERVICE AND BUDGET IMPLEMENTATION PLAN (SDBIP) 2018/2019</b>
<b>AANPASSING AAN DIE HERSIENDE TOP VLAK DIENSLEWERING EN BEGROTING IMPLEMENTERINGSPLAN (DBIP) 2018/2019</b>
<b>ULINGISO LOHLOLO KWAKHONA LOMGANGATHO OPHEZULU WENKONZO KUNYE NEPLANI YOKUMILISELA KOHLAHLA LWABIWO MALI (SDBIP) 2018/2019</b>

**RECOMMENDED that**

The amendment to the Revised TL SDBIP 2018/2019 on Page 13, be approved.

Meeting: Mayco 20/03/2019	Submitted by Department: IDP and Performance		
Ref No: 2/2/5	Author/s: C September		
Coll No: 1444288	Referred from:		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>

<b>6.2 REMOVAL OF COUNCILLOR ND MKABILE, PROPORTIONAL MEMBER OF THE MUNICIPAL COUNCIL</b>
<b>VERWYDERING VAN RAADSLID ND MKABILE, PROPORSIONELE LID OP DIE MUNISIPALE RAAD</b>
<b>UKUSUSWA KUKACEBA ND MKABILE, ILUNGU ELAMANISIWEYO KWIBHUNGA LOMASIPALA WASE DRAKENSTEIN</b>

**RECOMMENDED that**

The removal of Mr Nkomfa Deon Mkabile as ANC representative on the Drakenstein Municipal Council **be noted**.

Meeting: Mayco 20/03/2019	Submitted by Department:		
Ref No:	Author/s:		
Coll No:	Referred from:		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>

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**7. PLANNING AND DEVELOPMENT**

<b>7.1 REQUEST TO APPROVE THE INVESTMENT INCENTIVE POLICY</b>
<b>VERSOEK DAT DIE BELEGGINGSAANSPORINGSBELEID GOEDGEKEUR WORD</b>
<b>ISICELO SOKUQINISEKISA INVESTMENT INCENTIVE POLICY</b>

**RECOMMENDED that**

The investment Incentive Policy be adopted and approved.

Meeting: Mayco 20/03/2019	Submitted by Department: Planning and Development
Ref No: 1/B	Author/s: C Phillips
Coll No: 1440730	Referred from: Planning and Dev Port - 06/03/2019
<u>PAR:</u>	<u>ACTION:</u>
	<u>RESPONSIBLE DEPARTMENT:</u>
	<u>DUE DATE:</u>

**8. PUBLIC SAFETY**

<b>8.1 BY-LAW LIQUOR TRADING DAYS AND HOURS: APPROVAL OF COMMENTS TO BE FORWARDED TO THE WESTERN CAPE LIQUOR AUTHORITY</b>
<b>VERORDENING DRANKHANDELSDAE EN –URE: GOEDKEURING VAN KOMMENTAAR VIR INDIENING BY DIE WES-KAAPSE DRANKRAAD</b>
<b>UMGAQO NKQUBO WENTSUKU NE NAMAXESHA OKUTHENGISWA KOTYWALA: UKWAMKELWA KWEZIMVO EZIYAKUGQITHISWA KWI WESTERN CAPE LIQUOR AUTHORITY</b>

**RESOLVED that**

1. The approval of the following liquor licenses based on the comments received from the Department Planning and Development as well as the Ward Councillor be supported and forwarded to the Western Cape Liquor Authority:
  - 1.1 Station House: application for the sale of liquor for use on the premises where the liquor is sold;
  - 1.2 Toeka & Rooi Stoor: application for the sale of liquor for use on the premises where the liquor is sold; and

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- 1.3 Perdeberg Funtion Venue: application for the sale of liquor for use on the premises where the liquor is sold.

Meeting: Mayco 20/03/2019	Submitted by Department: Community Services
Ref No: 1/2/2/17	Author/s: A Booysen
Coll No: 1457664	Referred from: Comm Serv Port - 05/03/2019
<u>PAR:</u>	<u>ACTION:</u>
	Implement decision
	<u>RESPONSIBLE DEPARTMENT:</u>
	ED Community Services
	<u>DUE DATE:</u>

9. SOCIAL SERVICES

<b>9.1 POLICY: FOOD AND NUTRITION SECURITY</b>
<b>BELEID: VOEDSEL EN VOEDINGSVEILIGHEID</b>
<b>UMGAQO NKQUBO: UKHUSELEKHO KOKUTYA NESONDLO</b>

Paragraphs 1.1 and 6.1 of the Policy were amended.

**RECOMMENDED that**

The Food and Nutrition Security Policy be approved.

Meeting: Mayco 20/03/2019	Submitted by Department: Community Services
Ref No: 17/19/5	Author/s: J Rhoda
Coll No: 1459068	Referred from: Comm Serv Port - 05/03/2019
<u>PAR:</u>	<u>ACTION:</u>
	<u>RESPONSIBLE DEPARTMENT:</u>
	<u>DUE DATE:</u>

10. SPORT, RECREATION, ARTS AND CULTURE

<b>10.1 SPORT &amp; RECREATION POLICY</b>
<b>SPORT &amp; REKREASIE BELEID</b>
<b>UMGAQO NKQUBO WEZEMIDLALO NOKUZONWABISA</b>

**RESOLVED that**

This matter be referred back for further refinement.

Meeting: Mayco 20/03/2019	Submitted by Department: Community Services
Ref No: 17/6/P	Author/s: E Saayman
Coll No: 1459354	Referred from: Community Serv Portf - 05/03/2019
<u>PAR:</u>	<u>ACTION:</u>
	Re-submit item
	<u>RESPONSIBLE DEPARTMENT:</u>
	ED Community Services
	<u>DUE DATE:</u>

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**11. RURAL DEVELOPMENT**

<b>11.1 DRAFT DRAKENSTEIN RURAL HOUSING POLICY: REQUEST FOR PUBLIC PARTICIPATION</b>
<b>KONSEP DRAKENSTEIN LANDELIKE BEHUISINGSBELEID: VERSOEK OM PUBLIEKE DEELNAME</b>
<b>UYILO LWE DRAKENSTEIN RURAL HOUSING POLICY: ISICELO SOKUTHABATHA INXAXHEBA LOLUNTU</b>

**RESOLVED that**

The draft Drakenstein Rural Housing Policy be advertised for public comment.

Meeting: Mayco 20/03/2019	Submitted by Department: Planning and Development		
Ref No: 17/5/3/1	Author/s: T Cloete		
Coll No: 1457251	Referred from: Planning and Dev Port - 06/03/2019		
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>DUE DATE:</b>
	Implement decision	ED Planning and Development	

**12. ENGINEERING SERVICES**

<b>12.1 PROGRESS REPORT FOR SOLID WASTE AND LANDFILL MANAGEMENT</b>
<b>VORDERINGSVERSLAG TEN OPSIGTE VAN VASTE AFVAL EN STORTINGSTERREIN</b>
<b>INGXELO YENKQUBELA PHAMBILI YE SOLID WASTE AND LANDFILL MANAGEMENT</b>

**RESOLVED that**

This matter be referred back for further refinement.

Meeting: Mayco -- 20/03/2019	Submitted by Department: Engineering Services		
Ref No: 16/6/3	Author/s: T Serfontein		
Coll No: 1423468	Referred from: Engineering Serv -06/03/2019		
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>DUE DATE:</b>
	Re-submit item	ED Engineering Services	

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**13. COMMUNICATION AND INTERGOVERNMENTAL RELATIONS**

<b>13.1 THE REVIEW OF THE COMMUNICATION POLICY FOR DRAKENSTEIN MUNICIPALITY</b>
<b>DIE HERSIENING VAN DIE KOMMUNIKASIEBELEID VIR DRAKENSTEIN MUNISIPALITEIT</b>
<b>UKUHLOLWA KOMGAQO NKQUBO WOKUQAKAMSHELWANO WOMASIPALA WASE DRAKENSTEIN</b>

**RECOMMENDED that**

The reviewed Communication Policy be approved.

Meeting: Mayco – 20/03/2019	Submitted by Directorate: Corporate Services		
Ref No: 16/6B	Author/s: R Geldenhuys		
Coll Nr: 1424132	Referred from: Corp Serv Portfolio-12/3/2019		
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>DUE DATE:</b>

**14. CORPORATE SERVICES**

<b>14.1 CONFERMENT OF ALDERMANSHIP TO QUALIFYING COUNCILLORS</b>
<b>TOEKENNING VAN RAADHEERSKAP AAN KWALIFISERENDE RAADSLEDE</b>
<b>UKUNIKEZELWA KOBU ALDERMAN KOO CEBA ABAFANELEKILEYO</b>

**RECOMMENDED that**

The title of Aldermanship be conferred upon the following councillors who qualify therefor in terms of the Bestowal of Aldermanship Policy:

- A Bekeer;
- HR de Goede;
- JF le Roux;
- CJ Poole; and
- R Smuts

Meeting: Mayco – 20/03/2019	Submitted by Department: Corporate Services		
Ref No: 3/B; 3/8/6	Author/s: F Goosen		
Coll No: 1470042	Referred from:		
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>DUE DATE:</b>



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**14.2 MANAGEMENT OF THE DE POORT FACILITY SITUATED ON ERF 28773 PAARL AND THE APPROVAL OF THE TERMS OF REFERENCE FOR THE APPOINTMENT OF AN ADVISORY COMMITTEE**

**BESTUUR VAN DIE DE POORT FASILITEIT GELEË OP ERF 28773 PAARL EN DIE GOEDKEURING VAN DIE VERWYSINGSRAAMWERK VIR DIE AANSTELLING VAN 'N ADVIES KOMITEE**

**UKULAWULWA KWESAKHIWO SE DE POORT EKWISIZA 28773 PAARL KUNYE NOKUQINISEKISWA KWESIGQIBO ESINXULUMENE NOKONYULWA KWEKOMITI YOKUCEBISA**

**RECOMMENDED that**

1. Council approve the Terms of Reference for the De Poort Advisory Committee (Annexure B to the departmental report);
2. Council approve the following persons to serve on the De Poort Advisory Committee, comprising of the nine existing Board of Directors of De Poort Village Project (Pty) Ltd as well as 2 additional members of the community of Paarl, as nominated by the Executive Mayor:
  - Abraham Jan Conradie;
  - Allan Clive Carolissen;
  - Andries Adriaan Mouton;
  - Rudie Barnard;
  - Casper Jan Hendrik van Wyk (Dr);
  - Helene Joan Bestbier;
  - Jacobus Hendrik Smit;
  - Ulrich Steynberg Enslin;
  - Jacob Petrus Prins;
  - Noel Adams (Dr); and
  - Vaughn Petersen.
3. Council supports the development of an Urban Design Framework for the Paarl Hamlet, and with specific reference to a financial model for De Poort;

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4. The sub-lease contracts in respect of the existing lessees occupying the subject property will be investigated and a separate report in respect of the regularization thereof will serve before Council in due course.

Meeting: Mayco – 20/03/2019	Submitted by Department: Corporate Services
Ref No: 15/4/1 (2856) P	Author/s: N October
Coll No: 1460374	Referred from:
<u>PAR:</u>	<u>ACTION:</u>
	<u>RESPONSIBLE DEPARTMENT:</u>
	<u>DUE DATE:</u>

<b>14.3 PROPOSED ALIENATION OF ERF 4135 MBEKWENI FOR A DISABLED CHILDCARE FACILITY AND PORTIONS OF ERF 3719 MBEKWENI FOR CHURCH AND SOCIAL WELFARE PURPOSES</b>
<b>VOORGESTELDE VERVREEMDING VAN ERF 4135 MBEKWENI VIR 'N GESTREMDE KINDERSORG FASILITEIT EN GEDEELTES VAN ERF 3719 MBEKWENI VIR KERK EN GEMEENSKAPSDOELEINDES EN 'N GEDEELTE VAN ERF 3719 MBEKWENI</b>
<b>ISINDULULO SOKUPHEPHELA KWESIZA 4135 MBEKWENI KUSENZELWA INDAWO YOKUNAKAKELA ABANTWANA ABAKUBAZEKILEYO KUNYE NECEBA LESIZA 3719 MBEKWENI KUSENZELWA ICAWE KUNYE NENTLALONTLE</b>

**RECOMMENDED that**

1. In terms of Section 14 of the MFMA *in principle approval* be granted for the alienation of Portion A of Erf 3179, Zingisani and Msobumva Streets, Mbekweni, measuring ±1 170m<sup>2</sup> in extent, to the Acts of Apostolic Church and the Remainder Erf 3179, Zingisani and Msobumva Streets, Mbekweni, measuring ±1 170m<sup>2</sup> in extent to the Mbekweni Seventh Day Adventist Church, at a subsidized rate of 20% of the market related selling price (excluding VAT), which amounts to R9 360.00 (VAT excluded) per portion, subject to the normal conditions of sale and the conditions as set out in paragraph 2.2 – 3 below as well as the following conditions:
  - 1.1 The proposed transaction be advertised in the press for objections/counter offers and thereafter be submitted to Council for final consideration of the application;
  - 1.2 The site be developed and utilised for church and social welfare purposes only. The development must make provision for multi-purpose use such as church as well as crèche facilities and all additional functions of the church must extend to the surrounding community and not be restricted to the congregation only;

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2. In terms of Section 14 of the MFMA *in principle approval* be granted for the alienation of Erf 4135, Pinzi Street, Mbekweni for a disabled childcare facility, at a subsidized rate of 10% of the market related selling price (excluding VAT), which amounts to R12 000.00 (VAT excluded), via a call for applications, subject to the normal conditions of sale and the following further conditions:
- 2.1 The site be developed and utilised for disabled childcare facility purposes only;
  - 2.2 The municipality (Department: Planning and Development) undertake the land use rights applications in respect of the subject property and all other cost related to the transfer of the property will be for the account of the successful applicant;
  - 2.3 Should it be required, the relocation or protection of any municipal services must be done in consultation with the Department: Engineering Services. All costs relating to the connection and possible relocation of services, will be for the purchaser's cost;
  - 2.4 All municipal services on the subject property must remain accessible to the municipality at all times;
  - 2.5 No structures will be allowed within 2 metres of any municipal services;
  - 2.6 Any damage caused to municipal services will be repaired at the cost of the successful applicant;
  - 2.7 The transaction be subject to all requirements as indicated by the technical departments; and
  - 2.8 The successful applicant be required:
    - (a) To submit building plans for approval within 6 months from date of the rezoning approval (suspensive condition) and to start building work within 6 months from building plan approval;
    - (b) Complete the development within 24 months from date of registration; and
3. A pre-emptive right and reversionary right must be registered against the title of the subject property in favour of the Drakenstein Municipality should the property not be used for church purposes any more or should the successful applicant intend to sell the undeveloped property or a portion thereof or fail to complete the development of the subject property as proposed, within 24 months from date of registration, which rights will apply to all successors in title of the subject property or portions thereof;

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4. Council resolution dated 28 July 2010, Paragraph 1.1, which reads as follows:

*"1.1 Annexure C1*

*Erf 4135: for church/worship purposes (land use applications to be done by successful tenderer)."*

be rescinded;

5. Council resolution dated 28 November 2014, Paragraph 1.1 (1.1.1) which reads as follows:

*"1.1 That approval be granted in terms of Section 14 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003), for the alienation of the following erven, to be disposed of per public tender for the following purposes:*

*1.1.1 From*

*"Erf 3719: for welfare or social purposes (land use application to be done by successful tenderer)"*

*To*

*Erf 3719 to be subdivided into two portions, namely: Remainder Erf 3719 (±1491m<sup>2</sup>) and Portion 1 (±850m<sup>2</sup>) for purposes of civic/social/early childhood development/medical and/or professional use. The land use application to be undertaken by and at the cost of the municipality. The two newly created erven to be alienated separately."*

be rescinded;

6. The Department: Planning and Development proceed with the obtaining of the required land use rights in respect of both Erven 4135 and 3719 Mbekweni in order to allow for the proposed uses of the subject properties; and

7. All applicants be informed of the outcome of the process.

Meeting: Mayco – 20/03/2019	Submitted by Department: Corporate Services		
Ref No: 15/4/1 (4135) x (3719) M	Author/s: N October		
Coll No: 1443237	Referred from:		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>

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<b>14.4 LLF MINUTES: FEBRUARY 2019</b>
<b>LLF NOTULE: FEBRUARIE 2019</b>
<b>LLF IMIZUZU: FEBRUWARI 2019</b>

**RESOLVED that**

The LLF minutes for February 2019 **be noted.**

Meeting: Mayco – 20/03/2019	Submitted by Department: Corporate Services		
Ref No:	Author/s:		
Coll No:	Referred from:		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>

**15. URGENT MATTERS**

**None.**

The meeting ended at : 10:25

**CHAIRPERSON:**

*[Handwritten Signature]*

**DATE:**

*24 April 2019*

Confirmed on ..... with/without amendments.  
 PJ/rs





**Mayoral Committee Attendance Register**

Date: 20 March 2019

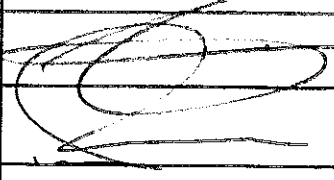

Time: 10:00

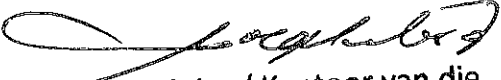
Venue: Council Chambers

SURNAME	INITIALS	TITLE	CELLPHONE	SIGNATURE
POOLE Executive Mayor	CJ	MR	0785304285 0824979046	
COMBRINK Deputy Executive Mayor (Financial Services)	GC	MR	0824553445	
LE ROUX (Engineering Services)	JF	MR	0834595965	
ANDREAS (Rural Management)	MA	MS	0767901066	
KEARNS (Environment, Parks and Open Spaces)	C	MS	0765018441 0769406614	
GOUWS (Social Services)	E	MS	0824479711	
MILLER (Planning and Development)	J	MR	0834400507	
MOKOENA (Corporate Services)	LP	MS	0734198671	
SMUTS (Public Safety)	R	MR	0824948467	
VAN NIEKERK (Sport, Recreation, Arts and Culture)	LT	MS	0818858365	
VAN NIEUWENHUYZEN (Communication and Inter- Governmental Relations (IGR))	RH	MR	0826296239	
WILLEMSE (Human Settlements and Property Management)	L	MS	0820799421	
STOWMAN SPEAKER	AC	MR	0791895359	
KOEGELENBERG CHIEF WHIP	RA	MR	0832693138	
MATTHEE CHAIRMAN: MPAC	J	MR	0824486180	
RICHARDS LEADER OF OPPOSITION	AM	MR	0827860053	

Office of the / Kantoor van die  
CHIEFWHIP / HOOFSWEEP  
Cllr / Rdl R.A. KOEGELENBERG

20/3/2019

SURNAME	INITIALS	TITLE	CELLPHONE	SIGNATURE
Mputanyana	IR	MR	0729042103	
<i>[Faint handwritten name]</i>	WPO	MR	051550922	

  
 Office of the / Kantoor van die  
**CHIEFWHIP / HOOFSWEEP**  
**Clr / RdI R.A. KOEGELENBERG**  
 Drakenstein  
 2131219

