



MINUTES OF A MEETING OF THE PORTFOLIO COMMITTEES OF THE SWARTLAND MUNICIPAL COUNCIL, HELD IN THE MALMESBURY BANQUETING HALL ON WEDNESDAY, 10 FEBRUARY 2010 AT 10:00

- DEVELOPMENT AND SAFETY AND SECURITY SERVICES -

PRESENT:

COUNCILLORS:

Chairman, clr W Wilskut
Deputy-chairman, clr M S I Goliath

Atkins, A J	Sedeman, A C
Du Plooy, R J	Sneewe, A M
Geel, B W	Stemele, O M
Johnson, A	Van der Westhuizen, R F
Loxton, J	

The Executive Mayor, ald T van Essen (ex officio)

OFFICIALS:

Director: Safety and Security Services, mr P A C Humphreys
Director: Corporate Services, ms M S Terblanche
Director: Electrical Engineering Services, mr R du Toit
Director: Financial Services, mr K C Cooper
Director: Development Services, mr J T Steenkamp
Director: Civil Engineering Services, mr A J Botha
Administrative Official: Secretarial and Records, ms N Brand

1. OPENING/APOLOGIES

Clr O M Stemele opened the meeting with a prayer.

Apology received from the Municipal Manager, mr J J Scholtz.

2. MINUTES

2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (DEVELOPMENT AND SAFETY AND SECURITY SERVICES) HELD ON 2 DECEMBER 2009

RESOLUTION

(proposed by clr M S I Goliath, seconded by clr B W Geel)

That the minutes of a Portfolio Committee Meeting (Development and Safety and Security Services) held on 2 December 2009 are approved as correct.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

3.1 PRESENTATION BY THE DEPARTMENT: DEVELOPMENT SERVICES WITH RESPECT TO VISIT TO ENGLAND (17/2/2/1)

The Senior Community Developer, ms Marguerite Holtzhausen explained that seven children were given the privilege of visiting England with funding made available by the Rotarians and *Malmesbury School, UK*.

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Three children were asked to report back to the Council on their experiences and these three all agreed that it was a very fulfilling experience. Feedback was also received about the families with whom they stayed, their impression of the climate and environment and the functioning of the English political and education systems.

NOTED

3.2 PRESENTATION BY THE DEPARTMENT: DEVELOPMENT SERVICES WITH RESPECT TO THE SURVEY OF HOUSE SHOPS IN THE SWARTLAND MUNICIPAL AREA (15/3/1)

The Director: Development Services presented the background on the attempt to place on record all the house shops in operation in the municipal area.

A total of 245 house shops were identified in the survey and these can be divided into three categories ranging from very informal operations to a completely viable profitable business where the house is no longer used for residential purposes.

The proposed guidelines with which the various house shops will be evaluated were presented to the committee. The Director: Development Services emphasised that an intensive public participation process in conjunction with the ward committees will be followed in order to enlighten the public, owners of house shops and the surrounding residents in this respect.

After the councillors were given the opportunity to discuss the presentation, the following concerns were identified, amongst others:

- the operation of house shops in the smaller towns needs to be co-ordinated to ensure the availability to the public of a wider range of goods to cater for all the resident's needs;
- house shops are often used as a front for the handling of illegal goods such as drugs and alcohol which leads to the decline of a community;
- most of the house shops are run by foreigners who are very competitive, which means that the local businessman cannot survive;
- foreigners do not provide work for local residents and therefore house shops are not seen as an opportunity for job creation;
- foreigners are prepared to pay over the odds for RDP housing, which means that squatting and illegal structures in back yards are on the increase;
- low cost housing is provided for residential purposes and must conform to the housing policy and sales conditions, as well as the municipal building regulations;
- Illegal house shops must be more strictly policed.

RESOLUTION

- (a) That note is taken of the results of the survey and the draft guidelines which have been drawn up to evaluate the operation of the various categories of house shops;
- (b) That the Director: Development Services is requested to ensure that a transparent public participation process is conducted with all the role players, before the final guidelines are submitted to the Council for approval.

4. MATTERS ARISING FROM THE MINUTES

None

5. DELEGATED MATTERS

5.1 MONTHLY REPORTS

5.1.1 DEVELOPMENT SERVICES: NOVEMBER AND DECEMBER 2009**RESOLUTION**

(proposed by clr M S I Goliath, seconded by clr R J du Plooy)

- (a) That note is taken of the monthly reports from the Director: Development Services for November and December 2009;

FURTHER RECOMMENDATION

- (b) That it is noted with concern that the final runoff from the sewerage works does not comply with the requirements laid down by the Department of Water Affairs for discharge into the rivers, but it is nevertheless used for irrigation purposes;
- (c) That, in reply to a question from clr R J du Plooy with respect to the names on the housing waiting list, the Director: Development Services stated that the national and provincial departments of housing are in the process of developing a new system of applications for the development of housing projects and that if this does not happen the Municipality will investigate managing the housing waiting lists more efficiently;
- (d) That, at the request of the Executive Mayor, ald T van Essen, the proposed developments in the various towns in the municipal area are addressed in the monthly reports from the Department: Development Services, in order to plan for the housing shortage.

5.1.2 SAFETY AND SECURITY SERVICES: NOVEMBER AND DECEMBER 2009**5.1.3 MUNICIPAL POLICE SERVICES: NOVEMBER AND DECEMBER 2009****5.1.4 FIRE FIGHTING: NOVEMBER AND DECEMBER 2009****RESOLUTION**

(proposed by clr R J du Plooy, seconded by ald A Johnson)

- (a) That note is taken of the monthly reports of the Department: Safety and Security Services for November and December 2009;
- (b) That note is also taken of the appeal by clr R J du Plooy that a ward committee member is notified immediately when a house fire takes place in the relevant ward;

FURTHER RECOMMENDATION

- (c) That the Director: Corporate Services is instructed, in conjunction with the West Coast District Municipality, to inform the farmers in the external newsletter of the process of application to burn off wheat lands and the submission of building plans for proposed structures on farms.

6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR**6.1 SWARTLAND SOCIAL DEVELOPMENT POLICY (17/2/B) (ALL WARDS)**

Social development is seen as a very important aspect of sustainable development, because the latter can only be achieved when all the facets of development are taken into account, namely when the social and economic wellbeing of the community and the preservation of the environment are in balance.

It is therefore important to establish a policy, which can provide direction for the Municipality's social development programmes in order to ensure a positive impact on the community.

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RECOMMENDATION

(proposed by clr R J du Plooy, seconded by ald A Johnson)

That approval is given to the methods and processes to be used in drawing up a Social Development Policy for the Swartland Municipality.

6.2 RELAXATION OF BUILDING LINES ON ERF 355, MOORREESBURG (15/4/2-9) (WARD 2)

A building plan application has been received for the erection of a garage, outside toilet, shade net carports and an indoor swimming pool on erf 355, situated in Suider Street, Moorreesburg.

The proposed buildings encroach on the side building lines and therefore an application has been submitted for a relaxation of the building lines.

RECOMMENDATION

(proposed by clr A J Atkins, seconded by clr R J du Plooy)

- (a) That the relaxation of building lines on erf 355, Moorreesburg is approved as follows in accordance with paragraph 3.2.1.2 of the Zoning Scheme Regulations applicable to Moorreesburg:
 - (i) that the 3m side building line (western boundary) is relaxed to 0m and 0,3m respectively for the erection of a garage and outside toilet;
 - (ii) that the 3m side building line (eastern boundary) is relaxed to 1,5m for the erection of an indoor swimming pool;
- (b) That the applicant and the objectors are notified of their right to appeal;

FURTHER RECOMMENDED

- (c) That, at the request of the Executive Mayor, ald T van Essen and with reference to the delegated authority of the Department: Development Services to consider the departure from back building lines (as mentioned in the report) within the department, a complete list of authorities delegated to the Department: Development Services with respect to land usage applications is presented to the Council;
- (d) That the Municipal Manager is instructed, at the request of the Executive Mayor, ald T van Essen, to submit to the Council all the concessionary uses approved since 1 July 2009 and also to indicate if chicken farms and/or sand mines are also processed as concessionary uses.

6.3 PROPOSED AMENDMENT TO RESTRICTIONS ON ERF 151, YZERFONTEIN (15/3/5-14/5) (WARD 5)

An application for the removal of certain restrictions on erf 151, Yzerfontein was submitted to the Council in 2006 and was rejected by the Department of Environmental Affairs and Development Planning.

A new application has been received for the removal of certain restrictions on erf 151, Yzerfontein. On the erf is a semidetached house with two separate residential units which are registered in the names of two separate persons with equal shares in the property.

The subdivision of erf 151, Yzerfontein will give the owners the opportunity to get separate ownership.

RECOMMENDATION

(proposed by clr B W Geel, seconded by ald A Johnson)

- (a) That it is noted that the ward 5 ward committee does not support the application;

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- (b) That, notwithstanding, the amendment to the restrictions on the relevant title deeds, namely B.1(2) and B.1(3) in title deed T36456/96, are presented to the Department of Environmental Affairs and Development planning with the following recommendations:
- (i) *B.1(2) That the erf be subdivided;*
 - (ii) *B.1(3) That not more than two dwellings, together with the necessary outbuildings and appurtenances be erected on the erf;*
- (c) that the following reasons are given as motivation for the recommendation:
- (i) that the existing semidetached house is subdivided in order to give each owner, who are not related, own title;
 - (ii) that the future of the existing semidetached house is ensured and the aspect of a semi-detached residence is maintained by preserving it as an architectural unit in order to ensure that the two units do not differ, for example by being painted a different colour;
 - (iii) that similar subdivisions were successfully approved in the past and implemented without a negative impact on the neighbouring properties;
 - (iv) that the departure from the minimum erf sizes as proposed, is sufficiently desirable to recommend the departure;
 - (v) that the relevant restrictive conditions are imposed on the subdivided portions;
 - (vi) that the approval conditions, from the Department of Environmental Affairs and Development Planning, if approved, will serve as guidelines for the consideration of future applications so that the Council is able to handle each application according to its merit.

6.4 PROPOSED REZONING AND CONSENT USE ON THE FARM WELTEVREDEN NO 869, DIVISION MALMESBURY (15/3/10-15, 15/3/3-15) (WARD 8)

An application has been received for the rezoning of a portion ($\pm 1400\text{m}^2$) of the farm Weltevreden no 869 (317,53 ha in extent), situated south-east of Malmesbury from agricultural zone I to residential zone V in order to operate a guesthouse ($\pm 520\text{m}^2$) with 5 rooms, and a self catering cottage ($\pm 200\text{m}^2$), and parking areas ($\pm 680\text{m}^2$).

That the application includes a request for consent use to establish a tourism facility ($\pm 684\text{m}^2$), consisting of an amphitheatre for small conferences and wedding receptions.

RECOMMENDATION

(proposed by clr M S I Goliath, seconded by clr R J du Plooy)

That the application for consent use on the farm Weltevreden no 869, Division Malmesbury for a guesthouse and self catering unit ($\pm 720\text{m}^2$ in total), as well as a tourism facility which includes a conference and reception facility ($\pm 684\text{m}^2$), is approved in accordance with paragraph 4.6 of article 8 of the Zoning Regulations of Ordinance 15 of 1985, subject to the following conditions:

A1 WATER

- (a) that no municipal drinking water will be provided;

A2 SEWERAGE

- (a) that sewerage services by means of a suction tank car can be provided at the Council's tariffs;

A3 ROADS AND STORM WATER

- (a) that the parking area is built to a standard with a permanent dust free surface of tar, concrete, paving or any other material approved by the Swartland Municipality and that the parking bays are clearly marked;

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A4 REFUSE REMOVAL

- (a) that an application in writing is submitted to the Swartland Municipality for the use of any refuse dumps within the municipal area;

A5 ESKOM

- (a) that if, as a result of the development, any Eskom services need to be moved the costs involved will be to the account of the owner/developer;
- (b) that the erection of any structure within 9m of an Eskom powerline is prohibited;
- (c) that the owner/developer is responsible for the electricity reticulation to the property;

A6 DEPARTMENT OF WATER AFFAIRS AND FORESTRY

- (a) that the use of septic tanks and French drains as methods for treating sewerage is not recommended and that the owner/developer rather investigates alternative means which will not impact on the environment;
- (b) that care is taken that there is no pollution of surface or underground water;
- (c) that solid waste is collected and stored in suitable containers for final dumping at an approved site;
- (d) that there is no development within the 1:100 year flood line or within 100m of a water resource (a water resource as defined in the National Water Act, Act 36 of 1998);
- (e) that all activities taking place on the relevant property comply with the conditions of the National Water Act, Act 36 of 1998;

A7 DEPARTMENT OF TRANSPORT AND PUBLIC WORKS

- (a) that in terms of article 17 of Ordinance 19 of 1976 the statutory 5m building line is applicable along Minor Road 5373;
- (b) that no new entrances are built or existing entrances altered without the permission of the Department: Development Services;
- (b) that this approval is only applicable to the above mentioned application and does not imply exemption from any other legal requirements;

A8 TOWN PLANNING AND BUILDING MANAGEMENT

- (a) that the necessary building plans for alterations to the existing buildings are submitted to the Director: Development Services for consideration;
- (b) that the guesthouse is accommodated within the existing buildings offering the following facilities:
 - (i) 5 bedrooms;
 - (ii) 1 guest cottage; and
 - (iii) inside and outside living areas;
- (c) that 4 parking bays complying with paragraph A3(a), are provided for guests staying in the guesthouse and guest cottage as well as 28 parking bays for visitors to the conference and reception facilities;
- (d) that the parking areas are designed to be practical;
- (e) that the necessary application for tourism signage is submitted to the Director; Development Services, via the Tourism Bureau;
- (f) that the owner applies to the Swartland Municipality for a trading licence and to the West Coast District Municipality for a competency certificate;

- (g) That the owner/developer notifies this Municipality in writing when all the conditions have been met.

**6.5 DECLARATION: PREVENTION OF AND FIGHT AGAINST CORRUPTION:
NOVEMBER 2009 (5/15/1/1)**

At the request of the Director: Safety and Security Services –

RECOMMENDATION

That note is taken that no circumstances, which could possibly be classified as corruption in terms of the conditions of the Act, and relevant to the activities of the Municipality in which a member of the public or municipal employee was involved, were brought to the attention of the Director: Safety and Security Services during the month of November 2009.

**(SGN) W WILSKUT
CHAIRMAN**

- ADMINISTRATION AND FINANCES -

PRESENT:

COUNCILLORS:

Chairman, ald N J A Rust
Deputy-chairman, clr R J du Plooy

Cleophas, J H	Solomons, C W
Geel, B W	Stanley, B J
Goliath, M S I	Van der Westhuizen, R F
Sedeman, A C	Wiskut, W

The Executive Mayor, ald T van Essen (ex officio)

OFFICIALS:

Director: Safety and Security Services, mr P A C Humphreys
Director: Corporate Services, ms M S Terblanche
Director: Electrical Engineering Services, mr R du Toit
Director: Financial Services, mr K C Cooper
Director: Development Services, mr J T Steenkamp
Director: Civil Engineering Services, mr A J Botha
Administrative Official: Secretarial and Records, ms N Brand

1. OPENING/APOLOGIES

The meeting commenced at 11:35.

Apologies from clr E Schoor and the Municipal Manager, mr J J Scholtz.

2. MINUTES

2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (ADMINISTRATION AND FINANCES) HELD ON 2 DECEMBER 2009

RESOLUTION

(proposed by clr R F van der Westhuizen, seconded by clr B W Geel)

That the minutes of a Portfolio Committee Meeting (Administration and Finances) held on 2 December 2009 are approved as correct.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None

4. MATTERS ARISING FROM THE MINUTES

None

5. DELEGATED MATTERS

5.1 DEPARTMENTAL REPORTS

- 5.1.1 MUNICIPAL MANAGER: NOVEMBER AND DECEMBER 2009
- 5.1.2 FINANCIAL SERVICES: NOVEMBER AND DECEMBER 2009
- 5.1.3 CORPORATE SERVICES: NOVEMBER AND DECEMBER 2009

5.1/...

RESOLUTION

(proposed by clr R J du Plooy, seconded by clr B J Stanley)

- (a) That note is taken of the respective monthly reports from the Municipal Manager, the Director: Financial Services and the Director: Corporate Services for the months of November and December 2009;

FURTHER RECOMMENDATION

- (b) That note is taken that the external loans with respect to the Klipfontein Substation to the amount of R15 million and the financing of the Capital Budget to the amount of R24 million have not been taken up;
- (c) That the Director: Financial Services is instructed to indicate in the monthly report which bad debts are in respect of residential owners and those that are in respect of businesses.

6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

**(SGN) N J A RUST
CHAIRMAN**

- CIVIL AND ELECTRICAL ENGINEERING SERVICES -

PRESENT:

COUNCILLORS:

Chairman, clr J Loxton
Deputy-chairman, clr J H Cleophas

Atkins, A J	Johnson, A
Fortuin, C	Nqokoto, N E
Geel, B W	Rust, N J A
Goliath, M S I	Stanley, B J

OFFICIALS:

Director: Safety and Security Services, mr P A C Humphreys
Director: Corporate Services, ms M S Terblanche
Director: Electrical Engineering Services, mr R du Toit
Director: Financial Services, mr K C Cooper
Director: Development Services, mr J T Steenkamp
Director: Civil Engineering Services, mr A J Botha
Administrative Official: Secretarial and Records, ms N Brand

1. APOLOGIES

The meeting commenced at 11:55.

Apology received from the Municipal Manager, mr J J Scholtz.

2. MINUTES

2.1 MINUTES OF A PORTFOLIO COMMITTEE MEETING (CIVIL AND ELECTRICAL ENGINEERING SERVICES) HELD ON 2 DECEMBER 2009

RESOLUTION

(proposed by clr B W Geel, seconded by ald N J A Rust)

That the minutes of a Portfolio Committee Meeting (Civil and Electrical Engineering Services) held on 2 December 2009 are approved as correct.

3. DEPUTATIONS/SUBMISSIONS/COMMUNICATIONS

None

4. MATTERS ARISING FROM THE MINUTES

None

5. DELEGATED MATTERS

5.1 MONTHLY REPORTS

- 5.1.1 CIVIL ENGINEERING SERVICES: NOVEMBER AND DECEMBER 2009**
- 5.1.2 ELECTRICAL ENGINEERING SERVICES: NOVEMBER AND DECEMBER 2009**

5.1/...

RESOLUTION

(proposed by clr B W Geel, seconded by clr M S I Goliath)

- (a) That note is taken of the respective monthly reports from the Director: Civil Engineering Services and the Director: Electrical Engineering Services for November and December 2009;

FURTHER RECOMMENDATION

- (b) That the Director: Civil Engineering Services is instructed to include in the monthly report the results from *AL Abbot* laboratories with respect to treated sewerage water in order to compare them with those from the West Coast District Municipality;
- (c) That, at the request of the Executive Mayor, ald T van Essen, means for measuring the sewerage effluent at the final outflow point are investigated and what the costs would be to do so electronically.

6. MATTERS FOR RECOMMENDATION TO THE EXECUTIVE MAYOR

None

**(SGN) J LOXTON
CHAIRMAN**