

# DRAKENSTEIN MUNICIPALITY

MINUTES OF AN ORDINARY MEETING OF THE MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL ON WEDNESDAY, 23 NOVEMBER 2011 AT 14:00.

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**PRESENT:** Councillors (see attached schedule)

<b>Senior Officials:</b>	<b>Mr D Smit</b>	<b>(Acting Municipal Manager)</b>
	<b>Mr T Matthee</b>	<b>(Executive Director: Social Services)</b>
	<b>Dr P Naidoo</b>	<b>(Executive Director: Strategic Services)</b>
	<b>Mr L Coetzee</b>	<b>(Executive Director: Infrastructure &amp; Planning)</b>
	<b>Mr H Barnard</b>	<b>(Acting Executive Director: Financial Services)</b>
	<b>Mr A Marais</b>	<b>(Acting Executive Director: Corporate Governance)</b>
	<b>Mr K Gordon</b>	<b>(Manager: Administrative Services)</b>



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<b>1. CONSIDERATION OF APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE FROM COUNCIL/COMMITTEE MEETINGS</b>
<b>OORWEGING VAN AANSOEKE DEUR RAADSLEDE VIR VERLOF VAN AFWESIGHEID VAN RAAD/KOMITEEVERGADERINGS</b>

The following applications for leave of absence were approved:-

Clr C M Manuel	-	23 November 2011
Clr C Meyer	-	2 – 5 December 2011
Clr W E Smit	-	13 December 2011
Clr Dr H von Schlicht	-	15 – 29 December 2011
Clr G M M van Deventer	-	28 November 2011 – 7 December 2011

<b>2. CONFIRMATION OF MINUTES / BEKRAGTIGING VAN NOTULE</b>
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The minutes of the Municipal Council meeting held on 26 October 2011 was **confirmed as correct.**

<b>3. MINUTES: COMMITTEE MEETINGS / NOTULES: KOMITEEVERGADERINGS</b>
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**Noted.**

<b>4. STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR/EXECUTIVE DEPUTY MAYOR</b>
<b>VERKLARINGS EN MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER/UITVOERENDE ONDERBURGEMEESTER</b>

(i) The Executive Mayor made the following announcements:-

1. The Provincial Minister for Local Government approved the extension of the appointment of the Acting Municipal Manager for a further 3 months.
2. Section 80 Committees have started to function and as of next year will have dedicated days reserved for such meetings.
3. A job creation project, linked to cleaning of the municipal area, based on the "R5 Project" developed by Walvis Bay Municipality, is currently being investigated and further reports in that regard would be tabled.
4. The Housing Waiting List is in the process of being reviewed to allow for persons not on the waiting list, but claim to have applied for housing, to be put back on the waiting list. Councillors were urged to inform constituencies accordingly. The Speaker will make digital copies of the waiting list available to Whips of parties once it was reviewed by the Executive Director: Social Services.
5. A year-end function for all councillors will be held on 14 December 2011, directly after the council meeting.

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- (ii) The Executive Deputy Mayor expressed a word of thanks to those councillors and officials involved in awarding certificates to NGO's and NPO'S.

<b>5. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER</b>
<b>VERKLARINGS EN MEDEDELINGS DEUR DIE SPEAKER</b>

The Speaker made the following announcements:-

1. A letter has been received from Salga with regard to progress relating to the annual adjustment of remuneration packages for councillors. All indications are that salaries and allowances would increase by 5%. Further developments in this regard will be communicated to councillors.
2. A package of all contracts related to the CBD Parking Management issue has been distributed to all councillors.
3. Although no official recess will be announced, councillors are requested to leave contact details for the period 19 December 2011 – 8 January 2011 with the Office of the Chief Whip, in case of a need for a council meeting.
4. Name tags for councillors had been arranged but were returned to the service provider due to poor quality thereof.
5. 2012 Dairies have been distributed to all councillors.
6. The Paarl-East Community Policing Forum will meet on 24 November 2011 and all councillors residing in that area were urged to attend.

<b>6. STATUTORY MATTERS / STATUTÊRE SAKE</b>
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None.

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<b>7. CONSIDERATION OF REPORTS BY THE EXECUTIVE MAYOR AND MAYORAL COMMITTEE</b>
<b>OORWEGING VAN VERSLAE DEUR DIE UITVOERENDE BURGEMEESTER EN BURGEMEESTERSKOMITEE</b>
<b>UKUQWALASELWA KWEENGXELO YI EXECUTIVE MAYOR NE MAYORAL COMMITTEE</b>

<b>7.1 REPORT FROM THE DRAKENSTEIN MUNICIPALITY AUDIT/ PERFORMANCE AUDIT COMMITTEE: MEETINGS HELD ON 28 JUNE 2011 AND 3 AUGUST 2011</b>
<b>VERSLAG VAN DIE DRAKENSTEIN MUNISIPALITEIT OUDIT/PRESTASIE OUDITKOMITEE: VERGADERINGS GEHOU OP 28 JUNIE 2011 EN 3 AUGUSTUS 2011</b>
<b>INGXELO YOHLLOLO-ZINCWADI ZOMASIPALA KAMASIPALA/YEKOMITI YOKUSEBENZA: INTLANGANISO EYAYOBANJWE NOMHLA WE 28 JUNI 2011 KUNYE 31 OGASTI 2011</b>

**UNANIMOUSLY RESOLVED**

1. that the report and minutes of the Audit/Performance Audit Committee **be noted**; and
2. that the recommendations of the Committee be noted and acted upon by the Acting Municipal Manager.

Meeting: Council – 23/11/2011	Submitted by Directorate: Acting Municipal Manager		
Ref No: 3/3/1/3/9	Author/s: Dennis Smit		
Doc No: 1563971	Referred from: EM&MC – 9/11/2011		
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
2	Implement decision	Acting Municipal Manager	

<b>7.2 PAYMENT OF ANNUAL TARIFF BY WELLINGTON CRICKET CLUB</b>
<b>BETALING VAN JAARLIKSE TARIEF DEUR WELLINGTON KRIEKET KLUB</b>
<b>UKUHLAWULWA KWERHAFU YONYAKA YI WELLINGTON CRICKET CLUB</b>

**UNANIMOUSLY RESOLVED**

that an annual fee of R5085-30 for the 2011/2012 cricket season for the use of the cricket fields at Pen Basson Sports Grounds, with an annual increase based on the percentage of the overall increase of Drakenstein Municipality tariff structure, be approved for Wellington Cricket Club.

Meeting: Council – 23/11/2011	Submitted by Directorate: Social Services		
Ref No: 17/7/2/2/2/5	Author/s: A van der Merwe		
Col No: 156162	Referred from: EM&MC 9/11/2011		
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	Implement decision	Executive Director: Social Services	

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<b>7.3 APPROVAL OF CROSS FUNCTION TRANSFER OF FUNDS</b>
<b>GOEDKEURING VAN KRUISFUNKSIE OORPLASING VAN FONDSE</b>
<b>UKWAMKELWA KWENOMBOLO ZEVOTI EZINOMSEBENZI OCHASENEYO</b>

**UNANIMOUSLY RESOLVED**

that the virement between GFS functions to the amount of R705 000 in order to secure funding for the purpose of special investigations, be approved.

Meeting: Ref No: Col No:	Council – 23/11/2011 5/2/4 156366	Submitted by Directorate: Author/s: Referred from:	Financial Services H Barnard EM&MC – 9/11/2011
<u>CLAUSE:</u>	<u>ACTION:</u> Implement decision	<u>RESPONSIBLE DEPT:</u> Acting Executive Director: Financial Services	<u>DUE DATE:</u>

<b>7.4 TENDER AWARDS (SEPTEMBER 2011)</b>
<b>TENDER TOEKENNINGS (SEPTEMBER 2011)</b>
<b>UNIKEZELO LOKUGQIBELA</b>

**UNANIMOUSLY RESOLVED**

that the report **be noted**.

Meeting: Ref No: Col No:	Council – 23/11/2011 9/1/1/5 156340	Submitted by Directorate: Author/s: Referred from:	Financial Services D Jacobs EM&MC – 9/11/2011
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

<b>7.5 IMPLEMENTATION OF SCM SYSTEM OF DRAKENSTEIN MUNICIPALITY: QUARTER 1: 1 JULY 2011- 30 SEPTEMBER 2011</b>
<b>IMPLEMENTERING VAN VKB STELSEL VAN DRAKENSTEIN MUNISIPALITEIT: KWARTAAL 1: 1 JULIE 2011 – 30 SEPTEMBER 2011</b>
<b>UKUZALISEKISA KWENKQUBO YEDCM YASEDRAKENSTEIN: YOKOTA 1: 1 JULAYI 2011 – 30 SEPTEMBER 2011</b>

**UNANIMOUSLY RESOLVED**

that the report **be noted**.

Meeting: Ref No: Col No:	Council – 23/11/2011 9/1/1/5 156348	Submitted by Directorate: Author/s: Referred from:	Financial Services D Jacobs EM&MC – 9/11/2011
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

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<b>7.6 DEVIATION FROM, AND RATIFICATION OF MINOR BREACHES OF PROCUREMENT PROCESSES- QUARTER 1: 1 JULY 2011- 30 SEPTEMBER 2011</b>
<b>AFWYKING VAN, EN RATIFIKASIE VAN GERINGE AFWYKINGS VAN VERKRYGINGSPROSESSE: KWARTAAL 1: 1 JULIE 2011 – 30 SEPTEMBER 2011</b>
<b>UKUPHAMBUKA KWINKQUBO YOKUGAYA KUNYE NOKWAPHULWA KWEMIMISELO EMINCINCI: IKOTA: 1 JULAYI 2011 – 30 SEPTEMBER 2011</b>

**UNANIMOUSLY RESOLVED**

1. that in terms of section 36 of the Supply Chain Management policy, the minor breaches of the procurement processes be ratified and approved; and
2. that a report be submitted indicating why helmets purchased from Lumber & Lawn (Edms) Bpk cannot be purchased from other service providers.

Meeting: Ref No: Col No:	Council – 23/11/2011 9/1/15 156373	Submitted by Directorate: Author/s: Referred from:	Financial Services D Jacobs EM&MC – 9/11/2011
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
2	Submit report	Acting Executive Director: Financial Services	

<b>7.7 INTEGRATED DEVELOPMENT PLANNING (IDP): 5- YEAR PLAN: 2012-2017</b>
<b>GEÏNTEGREERDE ONTWIKKELINGSBEPLANNING (GOP): 5-JAAR PLAN: 2012-2017</b>
<b>UYILO OLUDIBENAYO LOPHUHLISO (IDP) UYILO LWEMINYAKA EMI 5: 2012 - 2017</b>

**UNANIMOUSLY RESOLVED**

1. that the new IDP Framework be adopted;
2. that a Strategic Workshop be held on 1 December 2011 to discuss and agree upon the new Development Agenda; and
3. that as part of the workshop, a new 5-year Municipal Turnaround Strategy be developed.

Meeting: Ref No: Col No:	Council – 23/11/2011 2/2/5 156369	Submitted by Directorate: Author/s: Referred from:	Strategic Services N G Ndolela EM&MC – 9/11/2011
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	Implement decision	Executive Director: Strategic Services	

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<b>7.8</b>	<b>QUARTERLY PERFORMANCE REPORT (TOP LAYER SDBIP) JULY-SEPTEMBER 2011</b>
	<b>KWARTAALIKSE PRESTASIEVERSLAG (TOPVLAK DLBIP) JULIE – SEPTEMBER 2011</b>
	<b>YOKUSEBENZA (UMALEKO OPHEZULU WE SDBIP) JULAYI – SEPTEMBER 2011</b>

**UNANIMOUSLY RESOLVED**

that the report **be noted**.

Meeting: Ref No: Col No:	Council – 23/11/2011 2/2/8 156367	Submitted by Directorate: Author/s: Referred from:	Strategic N G Ndolela EM&MC – 9/11/2011
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

<b>7.9</b>	<b>PROPOSED LEASE OF A PORTION OF ERF 12319 WELLINGTON FOR GARDENING PURPOSES: BREYTENBACH CULTURAL CENTRE</b>
	<b>VOORGESTELDE HUUR VAN 'N GEDEELTE VAN ERF 12319 WELLINGTON VIR TUINDOELEINDES: BREYTENBACH KULTUURSENTRUM</b>
	<b>ISINDULULO SOKUQESHA KWECEBA LIKAERF 12319 EWELLINGTON USENZELWA IZITIYA: BREYTENBACH CULTURAL CENTRE</b>

**UNANIMOUSLY RESOLVED**

1. that approval be granted to the Breytenbach Cultural Centre to extend the current lease area by an additional portion of Erf 12319 Wellington ( $\pm 241\text{m}^2$ ) subject to the terms and conditions of the existing lease agreement signed by the Breytenbach Cultural Centre on 16 July 2007, as well as the following conditions:
  - 1.1 that the centre be responsible for all the costs towards the erection of the boundary fence;
  - 1.2 that an additional amount of R114.00 per month be payable to Council; and
  - 1.3 that all administration and legal requirements be adhered to.

Meeting: Ref No: Col No:	Council – 23/11/2011 15/4/1 (12319)W 156341	Submitted by Directorate: Author/s: Referred from:	Corporate Governance N Marais EM&MC – 9/11/2011
<u>CLAUSE:</u>	<u>ACTION:</u> Implement decision	<u>RESPONSIBLE DEPT:</u> Acting Executive Director: Corporate Gov (Prop)	<u>DUE DATE:</u>

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<b>7.10 RENEWAL OF LEASE AGREEMENT – LUKHANYO YOUTH DEVELOPMENT ORGANISATION – ERF 1750 MBEKWENI</b>
<b>HERNUWING VAN HUUROORENKOMS – LUKHANYO JEUG ONTWIKKELINGSORGANISASIE – ERF 1750 MBEKWENI</b>
<b>INGXELO; UKUHLAZIWA KWSIVUMELWANO SOKUQESHISWA – LUKHANYO YOUTH DEVELOPMENT ORGANISATION ERF 1750 EMBEKWENI</b>

**UNANIMOUSLY RESOLVED**

1. that approval be granted for the renewal of the lease agreement in respect of the Silvertown Hall situated on a portion of Erf 1750 Mbekweni to the Lukhanyo Youth Development Organisation, subject to the normal lease conditions as well as the following further conditions:-
  - 1.1 that the property will be leased at a rental of R254.00 per month (excluding VAT), which amount will escalate with 10% per annum;
  - 1.2 that the lease will endure for a period of 5 years, after which the renewal thereof will be reviewed by Council;
  - 1.3 that the centre undertakes to accommodate the residents of the Silvertown Community, subject to reasonable terms and conditions;
  - 1.4 that all administrative and legal requirements be adhered to;
2. that the objectors be informed that the project is for the benefit of the community and access to the facility will be made available to them on condition that arrangements be made with the Lukhanyo Youth Development Organization beforehand and that such access will be subject to compliance with the terms and conditions laid down by the organization; and
3. that tenders not be called for the leasing of the subject property due to the fact that Lukhanyo has been leasing the premises since 2006 and is the only established NPO in Silvertown and provides much needed support, upliftment and skills development to the community of Silvertown and the broader community.

<b>Meeting:</b>	<b>Council – 23/11/2011</b>	<b>Submitted by Directorate:</b>	<b>Corporate Governance</b>
<b>Ref No:</b>	<b>15/4/1 (1750) M</b>	<b>Author/s:</b>	<b>N Marais</b>
<b>Col No:</b>	<b>156435</b>	<b>Referred from:</b>	<b>EM&amp;MC –9/11/2011</b>
<b><u>CLAUSE:</u></b>	<b><u>ACTION:</u></b>	<b><u>RESPONSIBLE DEPT:</u></b>	<b><u>DUE DATE:</u></b>
	Implement decision	Acting Executive Director: Corporate Gov (Prop)	

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<b>7.11 APPOINTMENT OF THE FRAUD AND RISK MANAGEMENT COMMITTEE MEMBER</b>
<b>AANSTELLING VAN LID VAN DIE BEDROG EN RISIKOBESTUURSKOMITEE</b>
<b>UKUQESHWA KWELUNGI LEKOMITI YE FRAUD AND RISK MANAGEMENT</b>

The ANC raised several questions with regard to equality, local skills utilization, participation of other parties in the selection process and indicated that it could not support the recommendation. The recommendation of the Executive Mayor was put to the vote and carried by 35 votes to 23.

**RESOLVED**

1. that Ms G M Bolton be appointed to the Fraud and Risk Management Committee; and
2. that Mr A Amod be appointed, if Ms Bolton is not available.

Meeting: Ref No: Col No:	Council – 26/10/2011 3/3/1/3/16 156626	Submitted by Directorate: Author/s: Referred from:	Municipal Manager D Smit EM&MC – 9/112011
<u>CLAUSE:</u>	<u>ACTION:</u> Implement decision	<u>RESPONSIBLE DEPT:</u> Acting Municipal Manager	<u>DUE DATE:</u>

<b>7.12 ESTABLISHMENT OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE</b>
<b>INSTELLING VAN DIE KOMITEE OOR MUNISIPALE OPENBARE REKENINGE</b>
<b>UKUMISELWA KWEKOMITI KAWONKE-WONKE YEAKHAWUNTI ZIKAMASIPALA</b>

SAPCO proposed an amendment that the Committee be increased to 11 members to allow for greater participation of smaller parties. The amendment was put to the vote and defeated by 35 to 24 votes. The recommendation of the Executive Mayor and Mayoral Committee was thereafter put to the vote and carried by 35 to 1 votes with 23 abstentions.

**RESOLVED**

1. that the Municipal Public Accounts Committee be established by 30 November 2011 in terms of the National Treasury guidelines, 2011;
2. that the Municipal Public Accounts Committee's terms of reference be adopted once the Committee has been established;
3. that the following councillors serve on the Municipal Public Accounts Committee:-
  1. K Sheldon (Chairperson);
  2. AM Buckle;
  3. E Gouws;
  4. A Stowman;
  5. W Philander;
  6. TE Somgeza;
  7. 2 ANC councillors; and
  8. 1 councillor from the smaller parties; and

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4. that the names of the ANC and smaller parties be forwarded to the Office of the Chief Whip within 5 days.

Meeting: Ref No: Col No:	Council – 23/11/2011 3/3/1/3/18 153756 & 154839	Submitted by Directorate: Author/s: Referred from:	Municipal Manager D Smit EM&MC – 9/11/2011
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
1	Implement decision	Acting Municipal Manager	

<b>8. MATTERS FOR CONSIDERATION/INFORMATION</b>
<b>SAKE VIR OORWEGING/INLIGTING</b>

None.

<b>9. CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS DEALING WITH MATTERS OF URGENCY BY THE MUNICIPAL MANAGER</b>
<b>OORWEGING VAN VERSLAE, MEDEDELINGS, VERSOEKSKRIFTE EN AANSOEKE IN VERBAND MET DRINGENDE SAKE VOORGELÊ DEUR DIE MUNISIPALE BESTUURDER</b>

1. **WARD PROJECTS**

The enclosed report of the Executive Director: Social Services was tabled and considered.

**UNANIMOUSLY RESOLVED**

that the ward projects as set out in the report be approved and commenced with as soon as possible.

Meeting: Ref No: Col No:	Council – 23/11/2011	Submitted by Directorate: Author/s: Referred from:	Social Services T Matthee
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

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<b>10. CONSIDERATION OF NOTICES OF MOTIONS AND NOTICES OF QUESTIONS OORWEGING VAN KENNISGEWINGS VAN MOSIES EN KENNISGEWINGS VAN VRAE</b>
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None.

<b>11. SUPPLEMENTARY AGENDA (IF ANY) AANVULLENDE AGENDA (INDIEN ENIGE)</b>
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None.

<b>IN-COMMITTEE</b>
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<b>12. CONSIDERATION OF CONFIDENTIAL MATTERS OORWEGING VAN VERTROULIKE SAKE</b>
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<b>12.1 CONFIRMATION OF CONFIDENTIAL MINUTES: 21 OCTOBER 2011, 26 OCTOBER 2011 AND 11 NOVEMBER 2011</b>
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(See Confidential Minutes.)

<b>12.2 ELECTRICITY: BULK TARIFF GROUPS: URBAN AREAS: DRAKENSTEIN MUNICIPALITY</b>
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(See Confidential Minutes.)

The meeting ended at 16:33.

**CHAIRPERSON:** .....

**DATE:** .....