

DRAKENSTEIN MUNICIPALITY

MINUTES OF AN ORDINARY MEETING OF THE MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL, ON WEDNESDAY, 26 APRIL 2023 AT 09:30.

PRESENT: Councillors (see attendance register)

Senior Officials:	Dr J H Leibbrandt	(City Manager)
	Mr B Brown	(Chief Financial Officer)
	Mr S Johaar	(Executive Director: Corporate Services)
	Mr G Esau	(Executive Director: Community Services)
	Mr L Pienaar	(Acting Executive Director: Engineering Services)
	Mr D Delaney	(Acting Executive Director: Planning and Development)
	Ms N October	(Senior Manager: Legal and Administrative Services)
	Ms R Jaftha	(Chief Executive Audit)
	Ms C September	(Manager: IDP and PM)
	Ms R Geldenhuys	(Manager: Communications)
	Mr F P Goosen	(Manager: Administrative Support Services)
	Ms H Barends	(Administrative Officer)

ABSENT: Councillors (see attendance register)



**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
26 APRIL 2023**

Cllr P T de Villiers opened the meeting with a prayer.

1. APPLICATION FOR LEAVE
AANSOEK OM VERLOF
INGXELO NGU SOMLOMO

- | | | | |
|----|-------------------|---|--------------|
| 1. | Cllr P Albertyn | - | Apology; |
| 2. | Cllr R B Arnolds | - | Apology; |
| 3. | Cllr D Carolissen | - | Apology; |
| 4. | Cllr B P Duba | - | Apology; |
| 5. | Cllr S Gravel | - | Apology; |
| 6. | Cllr M Jacobs | - | Apology; |
| 7. | Cllr T P Mooi | - | Apology; |
| 8. | Cllr S Ross | - | Apology; and |
| 9. | Cllr N Zoya | - | Apology. |

2. CONFLICT OF INTERESTS
KONFLIK VAN BELANGE
UKUGQUBANA KWEMIDLA

None.

3. STATEMENTS BY THE SPEAKER
VERKLARINGS DEUR DIE SPEAKER
INGXELO NGU SOMLOMO

The Speaker made the following announcements:

1. Reminded councillors that the last IDP engagement for wards 9 and 12 is taking place today;
2. Reminded councillors of the due date for the finalisation of the ward projects, which is 30 May 2023. He also requested councillors to ensure that the necessary oversight is done and that they liaise with the responsible officials;
3. Informed the councillors who still need a Local Library sets to collect it from the Speaker's office; and
4. Congratulated councillors who celebrated their birthdays in April.

The Speaker provided clarity on the following matters:

1. The matter of Cllr N Zoya had not been finalised and at this stage the information provided by the IEC and her party do not necessitate a declaration of vacancy by the municipal electoral officer;



**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
26 APRIL 2023**

2. As the Section 80 portfolio committees is an advisory body to the Executive Mayor it is his prerogative to deal with the matter of the distribution of the portfolio agendas to all councillors. For that reason, the Speaker withdraws his previous remarks on this matter;
3. The Speaker indicated that the meetings of the Mayoral Committee do not have the same status as council, therefore it operates entirely under the discretion of the Executive Mayor. The Executive Mayor rules who should be present and that these meetings are closed to non-Mayoral Committee members; and
4. The Speaker indicated that the referral of motions of questions to the Speaker will be dealt with on merit and content. He also indicated that such motions can be referred to the Executive Mayor or MMC to be dealt with by either written answer provided at the Council meeting or in the manner as prescribed in the Rules of Order, in Council.

4.	STATEMENTS BY THE EXECUTIVE MAYOR
	VERKLARINGS DEUR DIE UITVOERENDE BURGEMEESTER
	INGXELO NGU SODOLOPHU WESIGQEBA

None.

5.	STATEMENTS BY THE DEPUTY EXECUTIVE MAYOR
	VERKLARINGS DEUR DIE UITVOERENDE ONDERBURGEMEESTER
	INGXELO LISEKELA LIKASODOLOPHU WESIGQEBA

None.

6.	URGENT MATTERS BY THE CITY MANAGER
	DRINGENDE SAKE DEUR DIE STADSBESTUURDER
	IMIBA ENGXAMISEKILEYO NGU MANEJALA WESIXEKO

None.

7.	MINUTES: MAYORAL COMMITTEE
	NOTULE: BURGEMEESTERSKOMITEE
	IMIZUZU: IKOMITI KASODOLOPHU

The following minutes of the Mayoral Committee meetings were noted:

- (i) Ordinary meeting held on 23 March 2023; and
- (ii) Special Mayoral Committee held on 29 March 2023.



23
DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
26 APRIL 2023

8. CONFIRMATION OF MINUTES
BEKRAGTIGING VAN NOTULES
UKUQINISEKISWA KWEMIZUZU

The minutes of the meeting of the Ordinary Municipal Council held on 29 March 2023 was **confirmed as correct.**

9. ITEMS FOR CONSIDERATION
ITEMS VIR OORWEGING
IMIBA YOKUQWALASELWA

9.1 AMENDED AUDIT COMMITTEE CHARTER
AANGEPASTE OUDITKOMITEE STIGTINGSAKTE
IKOMITI YOPHICOTHO-ZINCWADI ELUNGISIWEYO

Mr R Najjaar, Chairperson of the Audit Committee, was present at the meeting.

UNANIMOUSLY RESOLVED that

The amended Audit Committee Charter 2022/23 be approved.

Meeting: Council-26/04/2023	Submitted by Department: Internal Audit		
Ref No: 3/3/1/3/13	Author/s: R Jaftha		
Coll No: 2032148	Referred from:		
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:
	Implement decision	Chief Audit Executive	

9.2 MUNICIPAL FINANCE MANAGEMENT ACT: SECTION 71 MONTHLY AND 52 QUARTERLY BUDGET MONITORING REPORT FOR MARCH 2023
MUNISIPALE WET OP BESTUUR VAN FINANSIES: ARTIKEL 71 MAANDELIKSE EN 52 KWARTAALLIKSE BEGROTINGSMONITERINGSVERSLAG VIR MAART 2023
UMTHETHO WOLAWULO LWEMALI KAMASIPALA: ICANDELO 71 INGXELO YOKUBEKA ESWENI UHLAHLA LWABIWO-MALI LWEKOTA KUNYE NE-52 YEKOTA KAMATSHI 2023

Several questions were posed by Councillor A Fourie of the Freedom Front Plus and Councillor A M Richards of the ANC, which related to i.e. the effect of the long-term loans on the Municipality, the return of investments on the loans, the replacement of old infrastructure, the spending of the budget before year-end and a detailed report on operating expenditure. Both the Deputy Executive Mayor and the City Manager indicated that the new developments would not be possible without the loans and that the Municipality is above the national norm with the replacement of old infrastructure. The City Manager also mentioned that in the budget speech more information will be provided on the return on the investments on the loans. The Speaker also requested Councillor T G Bester to provide a summary report on the capital projects of the R1.6 billion loan taken up.

24
DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
26 APRIL 2023

UNANIMOUSLY RESOLVED that

1. The content of the section 71 monthly budget monitoring report for March 2023 and the supporting documentation be noted;
2. The content of the section 52 quarterly report on the implementation of the budget and financial affairs of Drakenstein Municipality referred to in section 52(d) of the MFMA be noted; and
3. The section 71 monthly and 52 quarterly budget monitoring report for March 2023 was submitted to the Executive Mayor; National Treasury and Provincial Treasury on 18 April 2023, being the 10th working day after the end of March 2023.

Meeting: Council-26/04/2023	Submitted by Department: Financial Services		
Ref No: 9/1/1/4	Author/s: A Viola		
Coll No: 2039223	Referred from:		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>

9.3 COUNCILLORS' OUTSTANDING DEBT REPORT AS AT 31 MARCH 2023
RAADSLEDE SE UITSTAANDE SKULDVERSLAG SOOS OP 31 MAART 2023
INGXELO YAMATYALA YOCEBA NGOBUNJALO NGOMHLA 31 EYOKWINDLA 2023

UNANIMOUSLY RESOLVED that

The contents of the report be noted.

Meeting: Council-26/04/2023	Submitted by Department: Financial Services		
Ref No: 9/1/1/4	Author/s: A Abrahams		
Coll No: 2037878	Referred from: MC -19/04/2023		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>

9.4 REPORT ON TENDER AWARDS: MARCH 2023
VERSLAG OOR TENDERTOEKENNINGS: MAART 2023
INGXELO NGONIKEZELO LWETHENDA: EYOKWINDLA 2023

On an enquiry from Councillor L Landu, Councillor A M Stulweni declared his interest on the item, whereafter the Deputy Executive Mayor called for a recess, which was granted by the Speaker. Council resumed at 10:52 with normal duties.



**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
26 APRIL 2023**

UNANIMOUSLY RESOLVED that

1. The awards above R200,000 that were adjudicated by the Bid Adjudication Committee for the month of March 2023 be noted; and
2. The tenders and/or contracts and the reasons for the awards as recorded by the Accounting Officer in the departmental report be noted.

Meeting: Council-26/04/2023	Submitted by Department: Financial Services
Ref No: 8/1/2/1	Author/s: C Hess
Coll No: 2037115	Referred from: MC -19/04/2023
<u>PAR:</u>	<u>ACTION:</u>
	<u>RESPONSIBLE DEPARTMENT:</u>
	<u>DUE DATE:</u>

9.5 REPORT ON DEVIATIONS FROM PROCUREMENT PROCESSES: MARCH 2023
VERSLAG VAN AFWYKINGS VAN VERKRYGINGSPROSESSE: MAART 2023
INGXELO YOKUPHAMBUKELA KUNYE NOLUNGISO OLUNCINCI LOKUPHEPHELA KWINKQUBO ZOKUFUMANA: EYOKWINDLA 2023

UNANIMOUSLY RESOLVED that

1. In terms of paragraph 36(2) of the SCM Policy, the deviations and the reasons for the deviations for the amount of R1,002,043 (incl. VAT) for March 2023 as recorded by the Accounting Officer under the annexures attached to this report, be noted; and
2. The Chief Financial Officer record the accumulated deviation amount of R15,792,216 (incl. VAT) for the financial year in the notes to the 2022/2023 annual financial statements as required by legislation.

Meeting: Council-26/04/2023	Submitted by Department: Financial Services
Ref No: 9/1/1/5	Author/s: C Hess
Coll No: 2037186	Referred from: MC -19/04/2023
<u>PAR:</u>	<u>ACTION:</u>
	<u>RESPONSIBLE DEPARTMENT:</u>
	<u>DUE DATE:</u>



26
DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
26 APRIL 2023

9.6 CITIES FINANCE FACILITY-SUPPORTED PROJECT FOR THE DRAKENSTEIN MUNICIPALITY: DRAKENSTEIN GREEN INFRASTRUCTURE PROGRAMME
STEDE FINANSIËLE FASILITEIT-ONDERSTEUNDE PROJEC VIR DRAKENSTEIN MUNISIPALITEIT: DRAKENSTEIN GROEN INFRASTRUKTUUR PROGRAM
IPROJEKTHI EXHASWA YI CFF KUMASIPALA WASE-DRAKENSTEIN: INKQUBO YE-DRAKENSTEIN INFRASTRUCTURE

UNANIMOUSLY RESOLVED that

The report (Annexure A and B to the departmental report) be noted.

Meeting: Council-26/04/2023	Submitted by Department: Planning and Development		
Ref No: 15/7/1	Author/s: M Prins		
Coll No: 2024244	Referred from: MC – 19/04/2023		
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:

9.7 APPOINTMENT OF NEW MEMBERS TO THE DRAKENSTEIN MUNICIPAL PLANNING TRIBUNAL
AANSTELLING VAN NUWE LEDE IN DIE DRAKENSTEIN MUNISIPALE BEPLANNINGSTRIBUNAAL
UKUTYUNJWA KWAMALUNGU AMATSHA KWITHRIBUNA YOCWANGCISO KAMASIPALA WASEDRAKENSTEIN

UNANIMOUSLY RESOLVED that

- The following internal municipal officials be appointed as members of the Drakenstein Municipal Planning Tribunal: David Delaney as Chairperson and Bradley Brown as the internal Secundi (replacing Mr S Johaar), until 31 December 2025, or upon termination of their employment contracts; and
- The Land Development Management section proceed with the advertisement of the names of the new members of the Drakenstein Municipal Tribunal in the Provincial gazette.

Meeting: Council-26/04/2023	Submitted by Department: Planning and Development		
Ref No: 12/3	Author/s: R Mowzer		
Coll No: 2040187	Referred from:		
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:
1-2	Implement decision	ED: Corporate and Planning Services	



**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
26 APRIL 2023**

9.8 PROPOSED ALIENATION OF MUNICIPAL PROPERTIES IDENTIFIED FOR EARLY CHILDHOOD, BUSINESS AND CHURCH DEVELOPMENT PURPOSES IN VLAKKELAND, PAARL VIA A CALL FOR APPLICATION AND CALL FOR PROPOSAL PROCESSES (WARD 11)

VOORGESTELDE VERVREEMDING VAN MUNISIPALE EIENDOMME GEOORMERK VIR VROEË KINDER, BESIGHEID EN KERK ONTWIKKELING DOELEINDES GELEË IN VLAKKELAND, PAARL BY WYSE VAN 'N VERSOEK VIR AANSOEKE EN VERSOEK VIR VOORSTELLE PROSESSE (WYK 11)

UKUPHEPHELA OKUCETYIWEYO IIPROPATI ZIKAMASIPALA EZICHANGELELWE UBUNTWANA, USHISHINO KUNYE NEENJONGO ZOPHUHLISO LWEENKONZO E-VLAKKELAND, PAARL NGEMIBIZO YOKUFAKA ISICELO NOKUBIZWA KWEENKQUBO ZESIPHAKAMISO (WADI 11)

UNANIMOUSLY RESOLVED that

1. In terms of Section 14 of the Municipal Finance Management Act (Act No 56 of 2003) approval be granted for the alienation of the following municipal properties, which is in line with the Vlakkeland Human Settlements Project Master Plan and as part of the already completed phase 1 of the development, situated in Vlakkeland, Paarl at subsidised rates of between 5 – 20% of the market value for the ECD and Church sites and market related selling prices (as provided for in the Asset Transfer Policy) for the business sites, subject to the standard conditions of sale and the following further conditions:
 - 1.1 Erf 36928 Paarl measuring approximately 597m² in extent and Erf 37309 Paarl measuring approximately 697m² in extent be alienated for Early Childhood Development purposes via a call for application process;
 - 1.2 Erf 36929 Paarl measuring approximately 982m² in extent and Erf 37296 Paarl measuring approximately 1 361m² in extent be alienated for church development purposes via a call for application process;
 - 1.3 Erf 37138 Paarl measuring approximately 700m² in extent, Erf 37139 Paarl measuring approximately 712m² in extent, Erf 37140 Paarl measuring approximately 662m² in extent, Erf 37141 Paarl measuring approximately 552m² in extent and Erf 37142 Paarl measuring approximately 442m² in extent be alienated for business development purposes via a call for proposals process;
 - 1.4 Market related valuations be obtained from an independent valuer in respect of the aforementioned erven prior to the commencement of the public participation process;
 - 1.5 No rezoning approvals need to be obtained as the land use rights for all mentioned erven are in place for the various uses (ECD and Church sites - Community Use Zone and business sites – Neighbourhood Business Zone);

28
DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
26 APRIL 2023

- 1.6 The applicants will be required to submit a Site Development Plan and Business model in respect of their proposals/applications;
 - 1.7 Applications or proposals will be called for in respect of three different uses, including one ECD, church and business site as the first round. The remaining properties will follow the same process subsequent to allocation of the first three erven. Should no interested parties apply for the land identified a second round of invitations to apply will be published;
 - 1.8 All costs related to the registration of transfer process will be for the account of the successful applicant; and
 - 1.9 The transaction be subject to all requirements as imposed by the technical departments.
2. The proposed transaction will be advertised whereby interested parties will be invited to apply for the acquisition of the subject properties; and
 3. All technical specifications and conditions including payment of development charges will be clarified and finalised upon Council approval and be encapsulated in the information pack relating to the properties listed above.

Meeting: Council-26/04/2023		Submitted by Department: Corporate Services	
Ref No: 17/5/5/1/30		Author/s: F Williams	
Coll No: 2029475		Referred from: MC -19/04/2023	
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:
1-3	Implement decision	ED: Corporate and Planning Services	

9.9 PROPOSED ALIENATION OF A PORTION OF REMAINDER ERF 5058 PAARL SITUATED IN DISTILLERY STREET ALONGSIDE THE BERG RIVER TO ADJACENT LANDOWNER OF ERF 39593 (WARD 19)
VOORGESTELDE VERVREEMDING VAN 'N GEDEELTE VAN DIE RESTANT VAN ERF 5058 PAARL GELEË IN DISTILLERYSTRAAT AANGRENSEND DIE BERGRIVIER AAN DIE AANGRENSENDE GRONDEIENAAR VAN ERF 39593 (WYK 19)
UKUPHEPHELA OKUCETIWEYO KWESAKHIWO SESIZA 5058 PAARL EMIZI KWISITALATHO SE DISTRILLERY ECALENI NOMLAMBO WE-BERG UKUYA KUMNINI-MHLABA OMFUTSHANE WE SIZA 39593 PAARL (WADI 19)

UNANIMOUSLY RESOLVED that

1. In terms of Section 14 of the MFMA Council resolves that:
 - 1.1 The subject property is not needed to provide the minimum level of basic municipal services; and



DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
26 APRIL 2023

- 1.2 The fair market value of the asset and the economic and community value to be received in exchange for the asset has been considered.
2. In terms of Section 14 of the Municipal Finance Management Act (No.56 of 2003) approval be granted for the alienation of a portion of Remainder Erf 5058 Paarl, measuring approximately 5 000m² in extent to the adjacent landowner of Erf 39593 Paarl, Landhold Properties (Pty) Ltd, Registration no. 1999/007845/07 for parking development purposes only, at a market related selling price of R200,000.00 (R40/m²) (VAT excluded), subject to the standard conditions of sale as well as the following conditions:
- 2.1 All land use rights including closure, subdivision and rezoning be undertaken by and at the cost of the purchaser. All costs related to the transaction will be for the purchaser's account;
- 2.2 The portion of Remainder Erf 5058 Paarl must not be consolidated and the newly subdivided erf be registered as a single erf in the name of the purchaser;
- 2.3 The southern portion is subject to severe flooding during winter months and the Municipality be indemnified against any claims for damages caused by the flooding;
- 2.4 A Water Use Authorisation must be obtained from the Department of Water Affairs and Sanitation, which will form part of the land use planning application process to be undertaken by and at the cost of the applicant;
- 2.5 The property may only be used for open and carport parking purposes, which restriction must be registered against the title of the subject property together with a building restriction servitude;
- 2.6 No construction will be permitted on the subject property, with the exception of a boundary fencing;
- 2.7 Access to and from the portion to be used for parking purposes be taken from the existing property (Erf 39593 Paarl);
- 2.8 All landscaping must be undertaken in consultation with the Parks and Environmental Management Divisions;



**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
26 APRIL 2023**

- 2.9 Storm water to be discharged directly into the river with the necessary approvals from the municipal Engineering Services Department;
- 2.10 Maintenance of the area behind the proposed fencing to be erected for the parking area near the riverbank must be undertaken by and at the cost of the purchaser;
- 2.11 The riparian area of the Berg River (included in the applicant's property) be kept clear of invasive alien vegetation at the cost of the applicant;
- 2.12 Access to the riverbank must be provided to the Municipality as and when required; and
- 2.13 All other technical and environmental conditions imposed by the technical departments be adhered to.
3. In terms of Paragraph 13 of the Asset Transfer Policy the direct alienation of non-viable properties of municipal land is permitted. In this instance, this portion of Remainder Erf 5058 Paarl is a non-viable portion of land which can only be utilised by the adjacent landowner for parking purposes only. The subject property on its own cannot be utilized by other individuals, however once incorporated with the existing property, Erf 39593 Paarl, it can be utilised more effectively; and
4. It be noted that the initial extent of the subject property to be alienated, as per the Council resolution dated 28 July 2021 (in principle approval), have been reduced from the initial 8 115m² to 5 000m². The new extent of Erf 5058 Paarl to be alienated is therefore 5 000m².

Meeting: Council-26/04/2023	Submitted by Department: Corporate Services		
Ref No: 15/4/1 (5058) P	Author/s: F Williams		
Coll No: 1996508	Referred from: MC -19/04/2023		
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:
1-4	Implement decision	ED: Corporate and Planning Services	

**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
26 APRIL 2023**

9.10 PROPOSED ALIENATION OF A PORTION OF ERF 2665, MACEBO STREET, MBEKWENI TO ADJACENT LANDOWNER FOR CONSOLIDATION WITH THE EXISTING RESIDENTIAL PROPERTY, ERF 2500 MBEKWENI (WARD 12)

VOORGESTELDE VERVREEMDING VAN 'N GEDEELTE VAN ERF 2665, MACEBOSTRAAT, MBEKWENI AAN DIE AANGRENSENDE GRONDEIENAAR VIR KONSOLIDASIE MET DIE BESTAANDE RESIDENSIËLE EIENDOM, ERF 2500 MBEKWENI (WYK 12)

UKUPHEPHELA KWESIQEPHU ESICETYWEYO SESIZA 2665, MACEBO STREET, MBEKWENI UKUYA KUMNINI-MHLABA ONGAXELELEYO UKUZE UHLANGANISIWE NEPROPATI YOKUHLALA EKHOYO, SIZA 2500 MBEKWENI (WADI 12)

UNANIMOUSLY RESOLVED that

1. In terms of Section 14 of the Municipal Finance Management Act (No.56 of 2003) approval be granted for the alienation of a portion of Erf 2665 Mbekweni (indicated on map marked Annexure A1 to the departmental report) (in line with the common erf boundary between Erven 2501 and 2665 Mbekweni), measuring approximately 50m² in extent to the adjacent landowner of Erf 2500 Mbekweni for consolidation with the existing residential property for the purpose of building a second dwelling thereon at a market related selling price, subject to the standard conditions of sale as well as the following conditions:
 - 1.1 A market related valuation be obtained by an independent valuer;
 - 1.2 The proposed transaction will be advertised for objections, comments and representations;
 - 1.3 All land use rights including closure, subdivision, rezoning and consolidation be undertaken by and at the cost of the purchaser;
 - 1.4 All costs related to the transaction will be for the purchaser's account, including relocation of existing electrical infrastructure situated on Erf 2665 Mbekweni;
 - 1.5 The existing vibracrete wall which has not been erected on the correct erf boundary in terms of the approved encroached portion, must be relocated on the correct erf boundary of the approved encroached portion and which must also be in line with the erf boundary of Erf 2501 Mbekweni;
 - 1.6 Building plan approval must be obtained for the existing as well as proposed structures;



**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
26 APRIL 2023**

- 1.7 The encroachments of Erven 2501, 2541 and 2542 Mbekweni as well as any other encroachments onto Erf 2665 Mbekweni will be addressed by the municipal Building Control Section;
- 1.8 The sale of further portions of Erf 2665 Mbekweni will not be allowed; and
- 1.9 The Remainder Erf 2665 Mbekweni to be retained as public open space until such time that the Municipality requires it for future development purposes.
2. In terms of paragraph 13.2.1 (e) of the Asset Transfer Policy a direct alienation may be recommended should the circumstances not support a competitive process. In this instance, Erf 2665 Mbekweni remains to be a viable erf, even after the granting of alienation of the small portion of Erf 2665 Mbekweni being encroached upon. Therefore, development can still be realised on the Remainder of Erf 2665 Mbekweni should the Municipality consider alienating the property in future.

Meeting: Council-26/04/2023	Submitted by Department: Corporate Services
Ref No: 15/4/1 (2665) M	Author/s: F Williams
Coll No: 2017736	Referred from: MC -19/04/2023
PAR:	ACTION:
1-2	Implement decision
	RESPONSIBLE DEPARTMENT:
	ED: Corporate and Planning Services
	DUE DATE:

9.11 REVIEWED SYSTEM OF DELEGATION
HERSIENE STELSEL VAN DELEGASIES
UKUHLOLWA KWENKQUBO YAMAGUNYA

UNANIMOUSLY RESOLVED that

The reviewed System of Delegations, applicable to political structures, political office bearers, City Manager, Chief Financial Officer, Executive Directors and other staff members be adopted.

Meeting: Council-26/04/2023	Submitted by Department: Corporate Services
Ref No: 2/4/P	Author/s: N October
Coll No: 2040690	Referred from:
PAR:	ACTION:
	Implement decision
	RESPONSIBLE DEPARTMENT:
	ED: Corporate and Planning Services
	DUE DATE:

DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
26 APRIL 2023

9.12 ORGANISATIONAL STRUCTURE REVIEW – 2023
ORGANISASIE STRUKTUUR OORSIG – 2023
UKUHLAZIYWA KWEZAKHIWO ZOMBUTHO – 2023

The City Manager responded to questions raised by the Freedom Front Plus pertaining to urbanisation and law enforcement by indicating that urbanisation and the management thereof is a multi-disciplinary process and for that reason a Land Use and Urbanisation Committee to be established. The matter of law enforcement to become an own department will be dealt with at a later stage.

UNANIMOUSLY RESOLVED that

The macro organisational structure be amended as follows:

1. The position of the Executive Director Planning and Development be abolished;
2. The following divisions be merged into the Corporate Services Department to improve service delivery:
 - 2.1 The Division Spatial Planning Services and Environmental Management;
 - 2.2 The Division Land Development Management; and
 - 2.3 The Division Economic Development and Tourism.
3. The name of the Corporate Services Department be changed to Corporate and Planning Services;
4. The following micro structural changes be approved:
 - 4.1 The Personal Assistant post (PL-ED-ES10) be moved to the Office of the City Manager;
 - 4.2 The Tea Maker/Cleaner post (PL-PED-TC1) be moved to the (PL-ED-ES10) Senior Attendant Fleet and Facilities post (CS-FP-GWN1);
 - 4.3 The Senior Administrative Officer post (PL-ED-SAO1) be moved to the Executive Director: Corporate and Planning Services post (CS-COR-EM4);
 - 4.4 The Senior Manager Spatial Planning and Environmental Management post (PL-PL-DEM1) be moved to the Executive Director Corporate and Planning Services post (CS-COR-EM4);
 - 4.5 The Manager Land Development Management post (PL-LP-MAN) be moved to the Executive Director Corporate and Planning Services post (CS-COR-EM4); and



34
DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
26 APRIL 2023

- 4.6 The Senior Manager Economic Development and Tourism post (PL-ED-MAN) be moved to the Executive Director Corporate and Planning Services post (CS-COR-EM4).
5. The City Manager, in consultation with the Executive Mayor, subject to the necessary consultation process with the union(s) and staff is authorised to:
- 5.1 Approve temporary and permanent positions on the establishment for succession planning or to allow for appointments in the event of service delivery requirements or emergencies. This authority can only be exercised if the Chief Financial Officer certifies that savings are available on the approved salary budget;
- 5.2 Approve movements of functions and posts within departments and between departments to improve optimal workflow and service delivery;
- 5.3 Approve abolishment of vacant posts;
- 5.4 Approve the re-instatement of abolished posts subject to the abolishment of another post at the same or higher task level;
- 5.5 Approve reporting line changes;
- 5.6 Approve unbundling of functions to improve service delivery, and
- 5.7 Approve minor changes to the structure that will enhance service delivery as guided by the staff regulations.

Meeting: Council-26/04/2023	Submitted by Department: Corporate Services
Ref No: 4/2/4	Author/s: K Begbie
Coll No: 2039520	Referred from:
PAR:	ACTION:
1-5	Implement decision
	RESPONSIBLE DEPARTMENT:
	ED: Corporate and Planning Services
	DUE DATE:

9.13 2022/2023 REPORT ON IRREGULAR EXPENDITURE
2022/2023 VERSLAG OOR ONREËLMATIGE UITGAWE
2022/2023 INGXELO YOKUSEBENZISA EXAMNYE NOMTHETHO NENKCITHO

UNANIMOUSLY RESOLVED that

- Council certifies and condones the irregular expenditure amount of R1,577,938 as disclosed in note 53 of the 2021/2022 audited annual financial statements;
- Council certifies and condones the irregular expenditure amount of R88,762 for the 2020/2021 financial year; and

**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
26 APRIL 2023**

3. Council certifies and condones the irregular expenditure amount of R173,290 for the 2021/2022 financial year.

Meeting: Council-26/04/2023 Ref No: 5/12/2/6 (2022/2023) Coll No: 2040275	Submitted by Department: Financial Services Author/s: B Brown Referred from: MPAC-18/04/2023		
PAR: 1-3	ACTION: Implement decision	RESPONSIBLE DEPARTMENT: Chief Financial Officer	DUE DATE:

10. NOTICES OF MOTIONS AND QUESTIONS
OORWEGING VAN MOSIES EN VRAE
UKUQWALASELWA KWEZAZISO ZEZIPHAKAMISO KUNYE NEZAZISO ZEMIBUZO

None.

11. SUPPLEMENTARY AGENDA
AANVULLENDE AGENDA
I AJENDA EYONGEZIWEYO

11.1 QUARTERLY PERFORMANCE ASSESSMENT REPORT 2022/2023 (QUARTER 3: 01 JANUARY - 31 MARCH 2023)
KWARTAALLIKSE PRESTASIE ASSESSERINGSVERSLAG 2022/2023 (KWARTAAL 3: 01 JANUARIE - 31 MAART 2023)
INGXELO YOAVANYO NGEKOTA YOMSEBENZI 2022/2023 (IKOTA 3: 01 EYOMQUNGU-31 EYOKWINDLA 2023)

UNANIMOUSLY RESOLVED that

1. The Quarterly Performance Assessment Report 2022/2023 (Quarter 3: 01 January – 31 March 2023) be adopted;
2. The Quarterly Performance Assessment Report be placed on the Municipal Website after Council adoption; and
3. The approved Quarterly Performance Assessment Report be submitted to the:
 - Internal Audit Division (for notification);
 - Auditor General of South Africa;
 - Provincial Treasury: Western Cape;
 - National Treasury; and
 - Department of Local Government: Western Cape.

Meeting: Council-26/04/2023 Ref No: 2/2/8 Coll No: 2042283	Submitted by Department: IDP/PM Author/s: C September Referred from:		
PAR: 1-3	ACTION: Implement decision	RESPONSIBLE DEPARTMENT: Manager: IDP/PM	DUE DATE:

DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
26 APRIL 2023

11.2 APPROVAL OF THE 4TH SPECIAL ADJUSTMENTS BUDGET FOR THE 2022/2023 FINANCIAL YEAR

GOEDKEURING VAN DIE 4DE SPESIALE AANSUIWERINGSBEGROTING VIR DIE 2022/2023 FINANSIËLE JAAR

UKWAMKELWA KOLUNGISO LOHLAHO LWABIWO MALI OLULODWA LWESI-4 KUNYAKA-MALI KA- 2022/2023

UNANIMOUSLY RESOLVED that

1. The total operating revenue of R2,923,812,901 for the 2022/2023 financial year as set out in Table 1 of the Special Adjustments Budget Report be approved;
2. The operating expenditure of R2,886,129,606 for the 2022/2023 financial year as set out in Table 2 of the Special Adjustments Budget Report be approved;
3. The capital budget expenditure of R196,053,922 for the 2022/2023 financial year as set out in Table 4 of the Special Adjustments Budget Report be approved;
4. The capital expenditure of R196,053,922 to be funded by the following revenue sources as set out in Table 5 of the Special Adjustments Budget Report:
 - 4.1 Capital Replacement Reserve (CRR) (R76,875,531);
 - 4.2 Secured grants to be received from national government, provincial government and other donors (R90,359,828); and
 - 4.3 Developers Contributions (R28,818,563).
5. It be noted that no taxes and tariffs be affected with the approval of this adjustments budget; and
6. Schedules B1 to B10 attached as Appendix 2 to the Special Adjustments Budget Report be approved.

Meeting: Council-26/04/2023	Submitted by Department: Financial Services		
Ref No: 5/2/2	Author/s: L Crotz		
Coll No: 2039200	Referred from:		
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:
1-6	Implement decision	Chief Financial Officer	

37
DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
26 APRIL 2023

IN-COMMITTEE/ IN-KOMITEE/ KWI-KOMITI	
12.	CONFIDENTIAL MATTERS
	VERTROULIKE SAKE
	IMIBA EYIMFIHLO

12.1	CONFIDENTIAL MINUTES: MAYORAL COMMITTEE
	VERTROULIKE NOTULE: BURGEMEESTERSKOMITEE
	UKUQWALASELWA KWEMIZUZU YEMFIHLO: IKOMITI KASODOLOPHU WESIGQEBA

See confidential minutes.

12.2	CONFIRMATION OF CONFIDENTIAL MINUTES
	BEKRAGTIGING VAN VERTROULIKE NOTULE
	ISIQINISEKISO SEMIZULU YIMFIHLO

See confidential minutes.

12.3	WRITING-OFF OF IRRECOVERABLE DEBT REPORT – MARCH 2023
	AFSKRYWING VAN ONINVORDERBARESKULDVERSLAG – MAART 2023
	INGXELO YOKUCINYWA KWAMATYALA ANGAHLAWULWAYO – EYOKWINDLA 2023

See confidential minutes.

Meeting:	Council-26/04/2023	Submitted by Department:	Financial Services
Ref No:	5/15/1	Author/s:	A Abrahams
Coll No:	2037862	Referred from:	MC – 19/04/2023
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:

12.4	FOLLOW UP REPORT: MUNICIPAL MINIMUM COMPETENCY LEVELS (MMCL) FOR SENIOR MANAGERS		
	OPVOLGVERSLAG: MUNISIPALE MINIMUM KOMPETENSIEVLAKKE (MMKV) VIR SENIOR BESTUURDERS		
	UKULANDELELA	INGXELO:	AMANQANABA OBUCHULE KAMASIPALA OBUCHULE (MMCL) KUKUBAPHATHI ABAPHEZULU

See confidential minutes.

Meeting:	Council-26/04/2023	Submitted by Department:	Corporate Services
Ref No:	4/6/3/1 x 4/7/7	Author/s:	S Johaar
Coll No:	2041117	Referred from:	
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:

**DRAKENSTEIN MUNICIPALITY
MINUTES: COUNCIL/RAAD/IBHUNGA
26 APRIL 2023**

The meeting ended at 12:32.

CHAIRPERSON: J.F. le Roux

DATE: 30/5/2023

Confirmed ~~with~~/without amendments.
FG/mg

A handwritten signature in blue ink, appearing to be 'J.F. le Roux', written over a faint dotted line.



COUNCIL MEETING

Date: 26 April 2023

Time: 09:30

Venue: Council Chambers

SURNAME	NAME	TITLE	SIGNATURE
ADAMS	JH	CLLR	<i>[Signature]</i>
ADRIAANSE	MM	ALD	<i>[Signature]</i>
ALBERTYN	P	CLLR	Apology
ANDERSON	JV	CLLR	<i>[Signature]</i>
ANDREAS	MA	CLLR	<i>[Signature]</i>
APPOLLIS	AMB	CLLR	<i>[Signature]</i>
ARENDSE	LC	CLLR	<i>[Signature]</i>
ARNOLDS	RB	CLLR	Apology
BARON	E	CLLR	<i>[Signature]</i>
BESTER	TG	CLLR	<i>[Signature]</i>
BOLANI	LE	CLLR	<i>[Signature]</i>
BOOYSEN	VC	CLLR	V. Booysen
CAROLISSEN	D	CLLR	Apology
COMBRINK	GC	ALD	<i>[Signature]</i>
CUPIDO	FP	CLLR	<i>[Signature]</i>
CUPIDO	PBA	CLLR	<i>[Signature]</i>
CYSTER		CLLR	<i>[Signature]</i>

OFFICE OF THE/ KANTOOR VAN DIE
CHIEF WHIP/HOOFDSWEEP
CLLR/ M. J. CHRISTEPHINE KEARNS
DRAKENSTEIN MUNICIPALITY/ MUNISIPALITEIT

26/04/2023





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40

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www.drakenstein.gov.za
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Civic Centre, Berg River Boulevard, Paarl 7646

SURNAME	NAME	TITLE	SIGNATURE
DE VILLIERS	PT	CLLR	
KLAASTE	CO	CLLR	
DE KOCK	J	CLLR	
DU PLESSIS	AJ	CLLR	
DUBA	BP	CLLR	
FOURIE	A	CLLR	
GANANDANA	S	CLLR	
GERTSE	KJ	CLLR	
GODONGWANA	N	CLLR	
GOUWS	E	CLLR	
GRAVEL	S	CLLR	
JACOBS	B	CLLR	
JACOBS	CM	CLLR	
JACOBS	F	CLLR	
JACOBS	M	CLLR	
KEARNS	C	CLLR	
KOEGELENBERG	RA	ALD	
KORABIE	S	CLLR	
KROUTZ	C	CLLR	
KULSEN		CLLR	

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CLLR/ROL-CHRIS TEPHINE KEARNS
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26/04/2023





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SURNAME	NAME	TITLE	SIGNATURE
LANDSBERG	S	CLLR	
LANDU	L	CLLR	
LE ROUX	JF	ALD	
LIEBENBERG	SJ	CLLR	
MANGENA	TC	CLLR	
MATTHEE	LC	CLLR	
MILLER	J	CLLR	
MOOI	TP	CLLR	Apology
NELL	RH	CLLR	
NONGOGO (WANA)	N	CLLR	
POOLE	CJ	ALD	
RICHARDS	AM	CLLR	
ROSS	S	CLLR	Apology
SAMBOKWE	LS	CLLR	
SAUERMAN	ND	CLLR	
SEPTEMBER	JA	CLLR	
SMIT	J	CLLR	
SOLOMONS	EA	CLLR	
STOWMAN	A	ALD	
STULWENI		CLLR	

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CLLR/ ROL CHRISTEPHINE KEARNS
DRAKENSTEIN MUNICIPALITY/ MUNISIPALITEIT
Kearns
26/04/2023



SURNAME	NAME	TITLE	SIGNATURE
VAN NIEKERK	LT	CLLR	
VAN NIEUWENHUYZEN	RH	CLLR	
VAN ROOYEN	A	CLLR	
VAN SANTEN	AJ	CLLR	
VAN WILLINGH	B	CLLR	
XHEGO	Z	CLLR	
ZOYA	N	CLLR	Apology
ZWINYE	M	CLLR	

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 CLLR/ RDI CHRISTEPHINE KEARNS
 DRAKENSTEIN MUNICIPALITY/ MUNISIPALITEIT
 26/04/2022



OFFICIALS

NAME AND SURNAME	SIGNATURE
DR JH LEIBBRANDT CITY MANAGER	
G ESAU EXECUTIVE DIRECTOR: COMMUNITY SERVICES	
B BROWN CHIEF FINANCIAL OFFICER	
S JOHAAR EXECUTIVE DIRECTOR: CORPORATE SERVICES	
D DELANEY ACTING EXECUTIVE DIRECTOR: PLANNING AND DEVELOPMENT	
MR L PIENAAR ACTING EXECUTIVE DIRECTOR: ENGINEERING SERVICES	
Nicola October	
Cindy September	
Raaghav Nair (AC Chair)	
Riana Geldenhuys	

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 CLLR/ RDL CHRISTEPHINE KEARNS
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