

DRAKENSTEIN MUNICIPALITY

**MINUTES OF A VIRTUAL SPECIAL MEETING OF THE MUNICIPAL COUNCIL ON WEDNESDAY,
9 SEPTEMBER 2020 AT 10:00.**

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 M Wüst | (Executive Director: Engineering Services) |
| | Ms L Waring | (Executive Director: Planning and Development) |
| | Ms R Jaftha | (Chief Audit Executive) |
| | Mr A V Marais | (Senior Manager: Legal and Administrative Services) |
| | Ms R Geldenhuys | (Manager: Communication and Marketing) |
| | G Dippenaar | (Chief Risk Officer) |
| | Ms W Prins | (Performance Management Officer) |
| | Mr F P Goosen | (Manager: Administrative Support Services) |
| | Mr P January | (Senior Administrative Officer) |

ABSENT: Councillors (see attendance register)



A Welcoming by the Speaker

The Speaker welcomed councillors to the meeting and a moment of silence was observed for former Councillor A Abrahams who lost her husband.

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| 1. CONSIDERATION OF APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE FROM COUNCIL/COMMITTEE MEETINGS |
| OORWEGING VAN AANSOEKE DEUR RAADSLEDE VIR VERLOF VAN AFWESIGHEID VAN RAAD/KOMITEEVERGADERINGS |
| UKUQWALASELWA KWEZICELO ZOCEBA ZOKUNGABIKO KWIBHUNGA/ KWINTLANGANISO ZEBHUNGA |

| | | |
|-------------------|---|--------------|
| Clr G C Combrink | - | apology; |
| Clr M T Klaas | - | apology; |
| Clr H J N Matthee | - | apology; |
| Clr T Z Nomana | - | apology; and |
| Clr S Ross | - | apology. |

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| 2. DISCLOSURE OF INTERESTS BY COUNCILLORS / OFFICIALS |
| VERKLARING VAN BELANGE DEUR RAADSLEDE / AMPTENARE |
| UKUBHENGEZA KOMDLA NGOCEBA/AMAGOSA |

None.

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| 3. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER |
| VERKLARINGS EN MEDEDELINGS DEUR DIE SPEAKER |
| INGXELO KUNYE NOQHAKAMSHELWANO NGU SOMLOMO |

1. Ward councillors to submit possible changes to the comment on the IDP priorities to the Speaker; and
2. Councillors were reminded to use and not share their tools of trade.

4. CONFIRMATION OF LAND REQUIRED AT SARON AS PER THE TRANSFORMATION PROCESS IN TERMS OF THE TRANSFORMATION OF CERTAIN RURAL AREAS ACT, 94 OF 1998 (WARD 30)

BEVESTIGING VAN GROND WAT IN SARON BENODIG WORD TEN OPSIGTE VAN DIE TRANSFORMASIEPROSES INGEVOLGE DIE WET OP DIE TRANSFORMASIE VAN SEKERE LANDELIKE GEBIEDE, 94 VAN 1998 (WYK 30)

UKUQINISEKISWA KOMHLABA OFUNYWAYO E SARON NJENGOKO KUBEKIWE KWINKQUBO YOKUGUQULWA NJENGOKO UMTHETHO WOKUGIQULWA KWEMINYE IMINANDLA ENGAPHANDLE, 94 KA 1998 (WADI 30)

The ANC raised a number of questions relating to inter alia, consultative processes followed by the municipality with the Saron community, the status of the Communal Property Association (CPA) and the Transformation Committee, as well as the role of the ward councillor. Alderman Le Roux from the DA explained the legal context of the matter and the importance of Council obtaining ownership of the properties from which services are rendered by the Municipality.

Councillor Smit indicated that the CPA does not exist as yet. Councillor Bekeer of the ANC also requested that the Municipality provide the necessary support to the community of Saron.

After some discussion the ANC suggested that the Speaker investigate a possible breach of the Code of Conduct for Councillors, in that, councillor J Smit in their view, should have disclosed his interest in this matter. The Speaker ruled that such a request be submitted in writing to his office.

After some further discussion the recommendations were put to the vote and carried by 40 votes to 1 with 11 abstentions.

RESOLVED that:

1. It is noted that the transformation period in terms of the Transformation of Certain Rural Areas (TRANCRAA) Act 94 of 1998 has lapsed and the Department will now invoke Section 13(3) and forward a proposal to the Minister of Agriculture, Rural Development and Land Reform as to land use, vesting and ownership for all land within Saron;
2. The Department of Agriculture, Rural Development and Land Reform be informed that land is required for the management and critical upgrade of essential services in Saron for which the Municipality is constitutionally responsible. A number of these projects are funded by national grant funding and a failure to expend these monies may result in the grants being retracted, and thereby impacting on service delivery. The land required by the Municipality includes:



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| No. | Property details | Existing extent (ha/m ²) | Future Expansion |
|-----|--|---------------------------------------|--|
| 1 | Existing cemetery. | 4.63ha. | Additional 6 ha. |
| 2 | Municipal Resort. | 26.4ha. | N/A. |
| 3 | Municipal Pound. | Nil. | 1 ha. |
| 4 | Municipal Parks. | Nil. | 10 ha. |
| 5 | ECD centre. | Nil. | 0.5 ha. |
| 6 | Sport Facility. | 8.09ha. | 1ha for netball courts. |
| 7 | Engineering Services Depot (Bos Street). | 1.0 ha. | To be closed and relocated to Oos Street Depot. |
| 8 | Engineering Services Depot (Oos Street). | 0.15 ha. | 2.0 ha. |
| 9 | Engineering Services: Roads on Farm 40/0. | 31km @ 13m wide road reserve = 40 ha. | As required for new town expansion. |
| 10 | Engineering Services: Waste Water Pump station 2 (Main). | 0.5 ha. | Future expansion anticipated, current footprint will be sufficient. |
| 11 | Engineering Services: Waste Water Pump station 1 (Long Street). | 0.1 ha. | No future expansion. |
| 12 | Engineering Services: Waste Water Treatment Works. | 4.0 ha. | Additional 4ha required. |
| 13 | Engineering Services: Waste Water Treatment Works – sludge drying beds. | 0.9 ha. | No future expansion. |
| 14 | Engineering Services: Water Treatment Plant, piping, reservoir and storage dam. | 23.6 ha. | Future expansion already included in 23.6ha. |
| 15 | Engineering Services: Solid Waste Transfer Station. | 0.4 ha. | Additional 0.5 ha. |
| 16 | Engineering Services: Solid Waste Landfill Site – rehabilitated site. | 1.5 ha. | No future expansion. |
| 17 | 3-4 metre wide servitude in respect of a water and sewerage pipelines traversing Remainder Farm 40. | 3.5 km water 5.7km sewerage. | As required for future expansion. |
| 18 | Land for housing: Provision has been made in the Housing pipeline for 356 housing units on erven 534 (portions), 433 and 1905. | 8.6 ha. | The housing backlog indicates that 1 200 units are required at a site to be identified. The extent will have to be determined. |

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| No. | Property details | Existing extent (ha/m ²) | Future Expansion |
|-----|--|---|------------------|
| 19 | Municipal amenities, including library, community hall, depots as well as vacant portions of Erf 534 Saron, all situated within the township area. | Approx 20 ha. | Not applicable. |

3. Council notes that there are private bodies who wish to invest in Saron. The site identified is within the township area and vested with, but not registered, in the name of the Municipality. The Municipality is willing to utilise its assets for socio-economic development provided the land is registered in the name of the Municipality, thus permitting the Municipality to transact on the land;
4. Council notes that the Department of Agriculture, Rural Development and Land Reform will forward the proposal, as to land use, vesting and ownership for all land within Saron, to the Minister on or about 15 September 2020;
5. Council notes that any investment of own funds into land which is not owned by the Municipality should be safeguarded in favour of the capital spending and delivery-providing municipality, and thus it is imperative that the land listed in recommendation 2 be registered in the name of Drakenstein Municipality as soon as possible;
6. It be proposed to the Department that it utilizes the State Attorney to undertake the transfer of the various properties (including sub-divisions and surveying) in order to minimize all related costs;
7. The Department be requested to provide the Municipality with written confirmation from the Minister of Agriculture, Rural Development and Land Reform setting out land ownership of all land in Saron, with particular reference to the properties and extents listed in recommendation 2. Such written confirmation will allow the Municipality to fulfil its constitutional and socio-economic responsibilities; and
8. It is noted that no property rights (with the exception of use rights on the Section 2 residential properties) have been transferred to the Communal Property Association, and such rights cannot be transferred until the Minister has made her final decision in writing and said decision is realised via the formal transfer of ownership [see sec 3(1(c) of TRANCRAA].

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|------------------------------------|--------------------|---|------------------|
| Meeting: Special Council-9/09/2020 | | Submitted by Department: Planning and Development | |
| Ref No: 5/13/1/1 | | Author/s: L Waring | |
| Coll No: 1688736 | | Referred from: | |
| <u>PAR:</u> | <u>ACTION:</u> | <u>RESPONSIBLE DEPARTMENT:</u> | <u>DUE DATE:</u> |
| 1-8 | Implement decision | ED Planning and Development | |

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The meeting ended at 11:04.

CHAIRPERSON:

A. G. STOWMAN

DATE:

30 SEPTEMBER 2020.

Confirmed ~~with~~/without amendments.

PJ/mg



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ATTENDANCE REGISTER: SPECIAL COUNCIL
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CHIEFWHIP / HOOFSWEEP
Cllr / Rdl R.A. KOEGELEMBERG
Drakenstein

| SURNAME | INITIALS | TITLE | CELL NO | SIGNATURE |
|--------------|----------------------------|-------|---------------------------|-----------|
| ADRIAANSE | Miriam Maria | MS | 0795089615 | ✓ |
| AFRIKA | Amelda Felicity | MS | 0795021437 | ✓ |
| ANDERSON | Joan Veronica | MS | 0766851088 | ✓ |
| ANDREAS | Margaretha Aletta | MS | 0767901066 | ✓ |
| ARNOLDS | Ruth Belldine | MS | 0824450022 | ✓ |
| BEKEER | Adam | MR | 0793726947 | ✓ |
| BESTER | Theunis Gerhardus | MR | 0823767839 | ✓ |
| BLANCKENBERG | Derrick Solomon | MR | 0833493366 | ✓ |
| BOOYSEN | Vanessa Charmaine | MS | 0798342556 | ✓ |
| BUCKLE | Albertus Marthinus Loubser | MR | 0834608060 | ✓ |
| COMBRINK | Gert Cornelius | MR | 0824553445 | ✓ |
| CUPIDO | Felix Patric | MR | 0724874744/ 0726975802 | ✓ |
| CUPIDO | Patricia Beverley Ann | MS | 0764467741 | ✓ |
| CYSTER | Lorraine | MS | 0820799421 | ✓ |
| DAVIDS | Claire Olivia | MS | 0790529085 | ✓ |
| DE GOEDE | Hendrik Ruben | MR | 0824369830 | ✓ |
| DE WET | Jo-Ann | MS | 0837385623 0609687359 | ✓ |
| DUBA | Bongiwe Primrose | MS | 0739679629 | ABSENT |
| FORD | Geoffrey Harry | MR | 0726016418 | ABSENT |
| GEORGE | Nonkumbulo Nancy | MS | 0736722618 | ✓ |
| GOUWS | Eva | MS | 0824479711 | ✓ |
| JACOBS | Frances | MD | 0837600466 | ✓ |
| JONAS | Sweetnes Xoliswa | MS | 0726521981 | ABSENT |
| KEARNS | Christephine | MS | 0765018441/ 0769406614 | ✓ |
| KLAAS | Moses Thembile | MR | 0843507787 | ✓ |
| KOEGELEMBERG | Renier Adriaan | MR | 0832693138 | ✓ |
| KOTZÉ | Hendrik Jacobus | MR | 0794311560 0824477693 | ✓ |
| KROUTZ | Calvin | MR | 0722522866 | ✓ |

Opdoering Chief Whip

Opdoering Chief Whip

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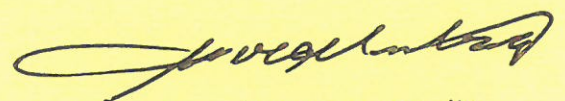
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ATTENDANCE REGISTER: SPECIAL COUNCIL
9 SEPTEMBER 2020

[Signature]
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CHIEFWHIP / HOOFSWEEP
Cltr / Rd R.A. KOEGELEBERG
Drakenstein

| SURNAME | NAME | TITLE | CELL NO | SIGNATURE |
|------------|---------------------------|-------|--------------------------------|---|
| LANDU | Linda | MS | 0729187202 | ✓ |
| LE HOE | Marthinus Jacobus | MR | 064 218 4899 / 066 214 3637 | ✓ |
| LE ROUX | Jacobus Francois | MR | 0834595965 | ✓ |
| LUGQOLA | Anathi | MS | 0730896903 | ✓ |
| MANGENA | Tembekile Christopher | MR | 0725937804 | ✓ |
| MASOKA | Zolani Livingstone | MR | 0791202895 | ✓ |
| MATTHEE | Hendrik Johannes Nicolaas | MR | 0824795315 | <i>Apology Chief Whip</i> ABSENT. |
| MBENENE | Ndileka Primrose | MS | 0604141567 | |
| MDUNUSIE | Minah Nontombi | MS | 0604531733 | ✓ |
| MEYER | Willem Pieter Daniel | MR | 081 556 8224 | ✓ |
| MILLER | Johan | ADV | 0834400507 | ✓ |
| MPULANYANA | Thuso Reginald | MR | 0769042103 | ✓ |
| MOKOENA | Liphaphathi Patricia | MS | 0734198671 | ✓ |
| NELL | Rodney Heinrich | MR | 0710696969 | ✓ |
| NIEHAUS | Lodewyk Wilfred | MR | 0844216780 | ✓ |
| NOBULA | Mcedisi Daniel | MR | 0825947333 | ABSENT. |
| NOMANA | Tryphina Zukiswa | MS | 0790639041 | <i>Apology Chief Whip</i> |
| NZELE | Lawrence Vuyani | MR | 0731622287 | |
| POOLE | Conrad James | MR | 0785304285 0824979046 | ✓ |
| RENS | Samuel Colin | MR | 0795580013 0827860053 | ✓ |
| RICHARDS | Abdul Moutie | MR | | ✓ |
| RIX | Brigham | MR | 0836753742 | ✓ |
| ROSS | Soudah | MS | 0748214153 | <i>Apology Chief Whip</i> |

DRAKENSTEIN MUNICIPALITY
ATTENDANCE REGISTER: SPECIAL COUNCIL 25
9 SEPTEMBER 2020

| SURNAME | NAME | TITLE | CELL NO | SIGNATURE |
|------------------|--------------------|-------|---------------------------|-----------|
| SAMBOKWE | Ludia Sindiswa | MS | 0712664622 | ✓ |
| SAUERMAN | Nicolaas Daniel | MR | 0828991005 | ✓ |
| SEPTEMBER | Sharon Elizabeth | MS | 0849219770 | ✓ |
| SMIT | Johannes | MR | 0817354467 | ✓ |
| SMUTS | Rean | MR | 0824948467 | ✓ |
| SOLOMONS | Elizabeth Aletta | MS | 0736503007 | ✓ |
| STOWMAN | Aidan Charles | MR | 0791895359 | ✓ |
| VAN NIEKERK | Laurichia Tylial | MS | 0818858365 | ✓ |
| VAN NIEWENHUYZEN | Reinhardt Heinrich | MR | 0826296239 | ✓ |
| VAN SANTEN | Aletta Johanna | MS | 0824226339 | ✓ |
| VIKA | Mandisa | MS | 0797044556/ 0732433996 | ABSENT |
| WINDVOGEL | Elizabeth Janest | MS | 071 591 4188 | ✓ |
| ZIKHALI | Nomonde | MS | 0784000130 | ABSENT |



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