

DRAKENSTEIN MUNICIPALITY

MINUTES OF AN ORDINARY MEETING OF THE MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL, ON THURSDAY, 14 DECEMBER 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 and Planning Services)
	Mr L Pienaar	(Executive Director: Engineering Services)
	Ms E Barnard	(Executive Director: Public Safety)
	Mr G Esau	(Executive Director: Community Services)
	Ms N October	(Senior Manager: Legal and Administrative Services)
	Ms C September	(Manager: IDP and PM)
	Ms R Geldenhuys	(Manager: Communication and Marketing)
	Mr F P Goosen	(Manager: Administrative Support Services)
	Mr P January	(Senior Administrative Officer)

ABSENT: Councillors (see attendance register)



The Speaker requested that a silent prayer be held before the commencement of the proceedings.

1. APPLICATION FOR LEAVE
AANSOEK OM VERLOF
INGXELO NGU SOMLOMO

1. Cllr N Godongwana - Apology;
2. Cllr S Gravel - Apology;
3. Cllr C O Klaaste - Apology; and
4. Cllr L Landu - 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. Informed Council that the diaries for 2024 are available at his office;
2. Informed Council that the Minutes of Public meetings of some of the wards are still outstanding and that the Speaker's Office will contact the responsible ward councillors;
3. Congratulated councillors who celebrated their birthdays in December; and
4. Announced that Council will be on recess from 15 December 2023 till 08 January 2024.

The Speaker also announced that he will make further announcements under the Confidential Agenda.



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

The Executive Mayor expressed best wishes to councillors and staff over the festive period.

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

The Deputy Executive Mayor also expressed best wishes to councillors and staff over the festive period.

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

The City Manager on behalf of the Administration wished all councillors well over the festive season.

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

The minutes of the meeting of the Mayoral Committee held on 15 November 2023 was noted.

8. CONFIRMATION OF MINUTES
BEKRAGTIGING VAN NOTULES
UKUQINISEKISWA KWEMIZUZU

The minutes of the meeting of the Ordinary Municipal Council held on 24 November 2023 was confirmed as correct.



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9. ITEMS FOR CONSIDERATION

ITEMS VIR OORWEGING

IMIBA YOKUQWALASELWA

9.1 AUDIT COMMITTEE REPORT

OUDITKOMITEE VERSLAG

INGXELO YEKOMITI YOPHICOTHO-ZINCWADI

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

UNANIMOUSLY RESOLVED that

The report of the Audit Committee be noted.

Meeting: Council-14/12/2023	Submitted by Department: Internal Audit		
Ref No: 3/3/1/3/13	Author/s: R Jaftha		
Coll No: 2114164	Referred from: MC - 08/12/2023		
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:

9.2 FRAUD AND RISK MANAGEMENT COMMITTEE (FARMCO) REPORT FOR THE 2022/2023 FINANCIAL YEAR

BEDROG - EN RISIKOBESTUURSKOMITEE (FARMCO) VERSLAG VIR DIE 2022/2023 FINANSIËLE JAAR

INGXELO YEKOMITI YOLAWULO LOBUQHOPHOLOLO NOMNGCIPHEKO (FARMCO) KUNYAKA-MALI 2022/2023

UNANIMOUSLY RESOLVED that

The FARMCO report for the 2022/2023 financial year be noted.

Meeting: Council-14/12/2023	Submitted by Department: Risk Management		
Ref No: 5/12/3/4	Author/s: G Dippenaar		
Coll No: 2109008	Referred from: MC - 08/12/2023		
PAR:	ACTION:	RESPONSIBLE DEPARTMENT:	DUE DATE:



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9.3 RE-APPOINTMENT OF THE FRAUD AND RISK MANAGEMENT (FARMCO) CHAIRPERSON
HERAANSTELLING VAN DIE BEDROG- EN RISIKOBESTUUR (FARMCO) VOORSITTER
UKUQESHWA KOOSIHLALO WOBUQHOPHOLOLO NOLAWULO LOMNGCIPHEKO

UNANIMOUSLY RESOLVED that

Mr. Tom Blok be re-appointed for a second term of three years as the chairperson of FARMCO.

Meeting: Council-14/12/2023	Submitted by Department: Risk Management	Author/s: G Dippenaar	Referred from: MC - 08/12/2023
Ref No: 5/12/3/4	<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>
Coll No: 2108987		Implement decision	Chief Risk Officer
			<u>DUE DATE:</u>

9.4 CONFERMENT OF ALDERMAN/ALDERLADY STATUS TO QUALIFYING COUNCILLORS
TOEKENNING VAN RAADSHEER/RAADSDAME STATUS AAN KWALIFISERENDE RAADSLEDE
UKUNIKEZELWA KOBU ALDERMAN/ALDERLADY KOO CEBA ABAFANELEKILEYO

UNANIMOUSLY RESOLVED that

1. The title of Alderlady be conferred upon Councillor Soudah Ross who qualifies in terms of the Policy for the Bestowal of Alderman/Alderlady status; and
2. The Alderlady lapel badge be handed to the above councillor by the Executive Mayor at the next Council meeting.

Meeting: Council-14/12/2023	Submitted by Department: Corporate and Planning Services	Author/s: F Goosen	Referred from: MC - 08/12/2023
Ref No: 3/B x 3/8/6	<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>
Coll No: 2109139	2.	Implement decision	Manager: Communication and Marketing
			<u>DUE DATE:</u>

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9.5	ACQUISITION OF PORTIONS OF ERVEN FROM PRIVATE LANDOWNERS SITUATED ALONGSIDE OOSBOSCH STREET, PAARL FOR ROAD WIDENING AND UPGRADING PURPOSES (UPGRADING OF OOSBOSCH STREET PROJECT) (WARDS 19 & 22)
	AANKOOP VAN GEDEELTES VAN ERWE VAN PRIVAAT GRONDEIENAARS GELEË LANGS OOSBOSCHSTRAAT, PAARL VIR PAD VERBREIDING EN OPGRADERING DOELEINDES (OPGRADERING VAN OOSBOSCHSTRAAT PROJEK) (WYKE 19 & 22)
	UKUFUMANA IZIQULATHO ZAMAZIZA KUBANINI-MIHLABA ABANGASEKHO EMCULWENI KWESITALATO SASE-OOSBOSCH, PAARL UKWENZA UKWANDISA INDLELA NOKUHLAZIYWA KWENJONGO (UKUHLAZIYWA KWEPROJEKTHI YE-OOSBOSCH STREET) (IWADI 19 & 22)

UNANIMOUSLY RESOLVED that

1. Approval be granted for the acquisition of portions of privately owned land, namely Erven 8550, 12614, 5055 and 24622 Paarl which was already incorporated in the road widening and upgrading of Oosbosch Street, from adjacent landowners and said landowners be compensated according to the valuation obtained to a total amount of R552,000.00 broken down as follows:

COMPENSATION LIST					
NO.	ERF NO.	MAP REFERENCE (AS REFERRED TO ON PAGE 14 OF ANNEXURE B OF THE REPORT)	LANDOWNERS	EXTENT (m ²)	COMPENSATION AMOUNT (R)
1.	14755, Paarl	1	Drakenstein Municipality	615	615,000.00
2.	12614, Paarl	2	Pragwonings (Pty) Ltd	63	63,000.00
3.	5055, Paarl	3	Kaap Agri Bedryf Ltd	133	133,000.00
4.	5055, Paarl	4	Kaap Agri Bedryf Ltd	28	28,000.00
5.	8550, Paarl	5	Margot Swiss International (Pty) Ltd	115	115,000.00
6.	8550, Paarl	6	Margot Swiss International (Pty) Ltd	198	198,000.00
7.	24622, Paarl	7	Callasage 15 (Pty) Ltd	15	15,000.00
Total					552,000.00

2. The registration of transfer of the subject portions (to be registered as road portions) be undertaken by and at the cost of the Municipality; and
3. The total compensation amount of R552,000.00 (Five Hundred and Fifty Two Thousand Rand) will be funded by the Engineering Services Department who was responsible for the Oosbosch Street Upgrading Project from vote no. 73406472420CR36NZZWM in respect of compensation to the private landowners.

Meeting: Council-14/12/2023 Ref No: 16/3/2 Coll No: 2102489	Submitted by Department: Corporate and Planning Services Author/s: F Williams Referred from: MC - 08/12/2023		
PAR: 1-3	ACTION: Implement decision	RESPONSIBLE DEPARTMENT: ED: Corporate and Planning Services	DUE DATE:

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9.6 APPROVAL OF IMPROVEMENT AREAS BYLAW
GOEDKEURING VAN VERBETERINGS GEBIEDE VERORDENING
UKUVUNYWA LOMTHETO KAMASIPALA WEENDAWO EZIKHETHEKILEYO

UNANIMOUSLY RESOLVED that

The Improvement Areas (IA) Bylaw (Annexure A to the departmental report) be approved.

Meeting: Council-14/12/2023	Submitted by Department: Financial Services		
Ref No: 1/2/10	Author/s: N Keketsi		
Coll No: 2112177	Referred from: MC - 08/12/2023		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>
	Implement decision	Chief Financial Officer	

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

10.1 UPGRADING OF R301
OPGRADERING VAN DIE R301
UKUHLAZIYWA KWE-R301

Noted.

Meeting: Council-14/12/2023	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>

10.2 REPORT FROM INDEPENDENT ADJUDICATOR: VALUATION PROCESS
VERSLAG VAN ONAFHANKLIKE BEOORDELAAR: WAARDASIEPROSES
INGXELO EVELA KUMGWEBI OZIMELEYO: INKQUBO YOKUXABISA

The Deputy Executive Mayor provided feedback on the enclosed motion received from Councillor A Fourie from the Freedom Front Plus.

Noted.

Meeting: Council-14/12/2023	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>

**KENNISGEWING VAN MOSIE INGEVOLGE ARTIKEL 33 VAN DIE ORDEREELS:
DM RAADVERGADERING 14 Desember 2023**

RdI Andre Fourie

Sekondeer deur Rdle Stephan Landsberg en Attie du Plessis

VERSLAG VAN DIE ONAFHANKLIKE BEOORDELAAR RE: WAARDASIEPROSES

In die lig van die Speaker se beslissing dat die ondersoek na die 2020 Algemene Waardasies deur 'n Onafhanklike Beoordelaar nie by die raadsvergadering op 28 September bespreek kon word nie omdat die verslag nog nie ingedien was by die betrokke MMC en/of CFO nie maar wel in dieselfde week ontvang is;

Verder: dat die poging van die VF Plus by die raadsvergaderings van 27 Oktober en 24 November om die saak aan die order te kry steeds nie materialiseer het nie versoek die VF Plus nou DRINGEND dat die volgende bespreek word:

1. **Wat het van die verslag geword sedert die week van 28 September 2023 - bykans twee en 'n half maande gelede;**
2. **Kan die verslag ONMIDDELIK aan die raad vrygestel word in 'n verwerkte formaat sodat daar duidelikheid kan kom oor:**
 - a) **besonderhede van die aantal eiendomme wat herwaardeer moes word;**
 - b) **vergelykings met die waardasies van 2020 en die hersiene waardasies;**
 - c) **belastings gehef op die eerste waardasies teenoor die hersiene waardasies;**
 - d) **wat beloop die totale verlies aan inkomste vir Drakenstein;**
 - e) **wie is verantwoordelik vir enige verliese; en**
 - f) **wat is die beplande stappe om enige verliese te herwin.**

In die lig van die feit dat:

Daar reeds stappe geneem word ter voorbereiding van die 2025 waardasieproses en hierdie aksie steeds onafgehandel blyk te wees; en Die algemene waardasie verhogings van 20% gemiddeld in 2020 summier ingestel en eiendomsbelasting dadelik implimenteer is eis die VF PLUS nou dat:



3. Hierdie verslag in sy volledige formaat aan alle belanghebbende groepe vrygestel word;
4. Die koste van die verslag bekend gemaak en verhaal word van die **Munisipale Waardeerder**;
5. Die **Munisipale Waardeerder** verantwoordelik gehou word vir enige verlies aan inkomste weens wanprestasie en dat **DM** dit verhaal van die **Munisipale Waardeerder** en/of sy professionele versekering;
6. **DM** met dank erken dat die ondersoek wat gedoen is deur die **onafhanklike plaaslike waardeerder Erik Marais** gelei het tot die aanstelling van die **Onafhanklike Beoordelaar**;
7. Daar ook 'n **onafhanklike interne ondersoek** gedoen word as sou daar enige wanpraktyke of nalatige optrede van verantwoordelike amptenary en/of politieke funksionaris plaasgevind het; en
8. Die raad die verslag volledig bespreek



Rdl Andre Fourie



Rdl Stephan Landsberg



Rdl Attie du Plessis

4 Desember 2023



Cllr Fourie.- motion re Valuation Roll.

1. A preliminary report was released, an opportunity was afforded to the municipal valuer to provide his input and respond. This in 100% in line with the appointment letter of the adjudicator as per section 7 on page 58 of Tender: INC 2/2019 that emanates from an SCM process which is an administrative function.
2. Between the release of the preliminary report and up to today there has been many engagements between the independent adjudicator and municipal valuer and there is agreement on many points and some disagreement based on professional judgement and professional skepticism.
3. The "final" report from the adjudicator was received on the 11th December and will be handled administratively. This is the reason that there is no report to Council yet.
4. There is no cost associated with the appointment of the independent adjudicator as it is an employee from a neighboring municipality.
5. Valuations are not an exact science and with any valuations roll there will be objections, appeals or queries depending on the interest of person who raises it. We must also always remember that the municipal valuer is an independent expert appointed through a SCM process.
6. Important to note that property rates from farms only contribute 3,8% to the total property rates revenue and in terms of the MPRA farmers are entitled to a 75% rebate.
7. The authors of the motion must please provide the calculations based on their opinion of anticipated revenue loss. Their motion that was tabled on the council meeting dated 27th October included misinformation on so-called income loss of R2 822 158 on six properties alone. There is obviously a huge mistake in the calculation and therefor we need the detail information so that we can do the correct calculation and rectify the misinformation that was tabled in the October Council meeting.
8. The whole process is handled administratively and there cannot be replied on unsubstantiated, unverified opinions within a council meeting.
9. A report will come to council when the administrative process is finalized.



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11. SUPPLEMENTARY AGENDA
AANVULLENDE AGENDA
I AJENDA EYONGEZIWEYO

None.

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.

ADDITIONAL ITEM

12.3 IMPLEMENTATION PROGRESS REPORT ON MUNICIPAL MINIMUM COMPETENCY LEVELS (MMCL) FOR SENIOR MANAGERS: DECEMBER 2023
MAANDELIKSE IMPLEMENTERINGSVORDERINGSVERSLAG OOR MUNISIPALE MINIMUM BEVOEGDHEID VLAKKE (MMBV) VIR SENIOR BESTUURDERS: DESEMBER 2023
INGXELO YENKQUBO YOKUPHUNYEZWA KUMAZINGA OBUCHULE KAMASIPALA (MMCL) KUKUBAPHATHI ABAPHEZULU: DISEMBA 2023

See confidential minutes.

Meeting: Council- 14/12/2023	Submitted by Department: Corporate and Planning Services		
Ref No: 1/4/9	Author/s: M Sibeko		
Coll No: 2121123	Referred from:		
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPARTMENT:</u>	<u>DUE DATE:</u>



The meeting ended at 11:47.

CHAIRPERSON: J. F. le Roux

DATE: 30/1/2024

Confirmed with/~~without~~ amendments.

pi/mg to attendance status of Mr Zwiryo





COUNCIL MEETING

Date: 14 December 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	Absent
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	<i>[Signature]</i>
BARON	E	CLLR	<i>[Signature]</i>
BESTER	TG	CLLR	<i>[Signature]</i>
BOLANI	LE	CLLR	<i>[Signature]</i>
BOOYSEN	VC	CLLR	<i>[Signature]</i>
CAROLISSEN	D	CLLR	<i>[Signature]</i>
COMBRINK	GC	ALD	<i>[Signature]</i>
CUPIDO	FP	CLLR	<i>[Signature]</i>
CUPIDO	PBA	CLLR	<i>[Signature]</i>
CYSTER	L	CLLR	<i>[Signature]</i>

OFFICE OF THE KANTOOR VAN DIE
CHIEF WHIP/HOOFSWEEP
CLLR/ RDL CHRISTEPHINE KEARNS
DRAKENSTEIN MUNICIPALITY/MUNISIPALITEIT

[Signature]
14/12/2023



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

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CHIEF EXECUTIVE OFFICER
CLLR/EDL CHRISTOPHINE KEARNS
DRAKENSTEIN MUNICIPALITY/ MUNISIPALITEIT

14/12/2023



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

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CLLR/ RDL CHRISTOPHINE KEARNS
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14/11/2023





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SURNAME	NAME	TITLE	SIGNATURE
VAN NIEKERK	LT	CLLR	<i>[Handwritten Signature]</i>
VAN NIEUWENHUYZEN	RH	ALD	<i>[Handwritten Signature]</i>
VAN ROOYEN	A	CLLR	<i>[Handwritten Signature]</i>
VAN SANTEN	AJ	CLLR	<i>[Handwritten Signature]</i>
VAN WILLINGH	B	CLLR	<i>[Handwritten Signature]</i>
XHEGO	Z	CLLR	<i>[Handwritten Signature]</i>
ZOYA	N	CLLR	Absent
ZWINYE	M	CLLR	<i>[Handwritten Signature]</i> / Absent

Leave without ask.



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CLLR/ RDL CHRISTEPHINE KEARNS
DRAKENSTEIN MUNICIPALITY/ MUNISIPALITEIT

[Handwritten Signature]

14/12/2023



COUNCIL MEETING

Date: 24 November 2023
Time: 09:30
Venue: Council Chambers

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 AND PLANNING SERVICES	
L PIENAAR EXECUTIVE DIRECTOR: ENGINEERING SERVICES	
E BARNARD EXECUTIVE DIRECTOR: PUBLIC SAFETY	
Cindy September MANAGER: IDP/PM	
Nicola October	
Ragheb Najjar (AC)	
Riana Geldenhuys	

Liezi Davids

OFFICE OF THE/ KANTOOR VAN DIE
CHIEF WHIP/HOOFSWEEP
CLL/ RDL CHRISTEPHINE KEARNS
DRAKENSTEIN MUNICIPALITY/ MUNISIPALITEIT

14/12/2023