

**DRAKENSTEIN MUNICIPALITY**

**MINUTES OF AN SPECIAL MEETING OF THE MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL, ON FRIDAY, 06 SEPTEMBER 2019 AT 10:00.**

**PRESENT: Councillors (see attendance register)**

- Senior Officials:**
- Dr J H Leibbrandt (City Manager)**
  - Mr S Johaar (Executive Director: Corporate Services)**
  - Mr J Carstens (Chief Financial Officer)**
  - Mr G Esau (Executive Director: Community Services)**
  - Mr M Wüst (Executive Director: Engineering Services)**
  - Mr L Waring (Executive Director: Planning and Development)**
  - Ms R Jaftha (Chief Audit Executive)**
  - Mr G Dippenaar (Chief Risk Officer)**
  - Ms W Prins (Performance Management Officer)**
  - Mr F P Goosen (Manager: Administrative Support Services)**
  - Ms N October (Legal Services)**
  - Mr L van Rensburg (Public Relations Officer: Communication and Marketing)**

**ABSENT: Councillors (see attendance register)**



**DRAKENSTEIN MUNICIPALITY  
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06 SEPTEMBER 2019**

<b>1.</b>	<b>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>
	<b>UKUQWALASELWA KWEZICELO ZOCEBA ZOKUNGABIKO KWIBHUNGA/KWINTLANGANISO ZEBHUNGA</b>

- |     |                  |   |              |
|-----|------------------|---|--------------|
| 1.) | Clr G C Combrink | : | Apology;     |
| 2.) | Clr F P Cupido   | : | Apology;     |
| 3.) | Clr A Lugqola    | : | Apology;     |
| 4.) | Clr T Z Nqoro    | : | Apology;     |
| 5.) | Clr A M Richards | : | Apology;     |
| 6.) | Clr S Ross       | : | Apology; and |
| 7.) | Clr W E Smit     | : | Apology.     |

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

None.

<b>3:</b>	<b>PROPOSED DIRECT ALIENATION OF THE IKHWEZI FACILITY SITUATED ON ERF 19519 PAARL TO ISIPANI FOUNDATION FOR A SKILLS DEVELOPMENT CENTRE AND OTHER VARIOUS USES (WARD 9)</b>
	<b>VOORGESTELDE DIREKTE VERVREEMDING VAN DIE IKHWEZI FASILITEIT GELEË OP ERF 19519 PAARL AAN ISIPANI FOUNDATION VIR ONTWIKKELING VAN 'N VAARDIGHEIDSONTWIKKELINGSENTRUM EN VERSKEIE ANDER GEBRUIKE (WYK 9)</b>
	<b>ISINDULULO SOKUPHEPHELA NGQO KWE IKHWEZI EKWISIZA 19519 EPAARL KWI ISIPANI FOUNDATION KUSENZELWA ISENTA YOKUPHULISWA KWEZAKHONO KUNYE NOKUSEBENZISA EZINYE IZINTO (WADI 9)</b>

The EFF indicated that they were not supporting the recommendations as it is the responsibility of the Municipality to develop Ikwezi, being Council's property. The party was also of the view that there will not be enough space to accommodate arts and culture or benefit the youth.

The ANC indicated that the Municipality had neither the funding nor the intention to develop Ikwezi. The party handed over a memorandum of understanding (MOU) to the Speaker and requested that the MOU form part of the recommendations.

The Executive Mayor informed Council that since the recommendations provide for an in-principle decision, a public participation process will still be followed, whereafter a final recommendation will be made. The Executive Mayor was of the view that the MOU could form part of this process.

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After a recess called by the DA, the above position of the Executive Mayor was confirmed.

After a recess called by the ANC, the party supported the recommendation as contained in the report.

A counter proposal of the EFF not to accept the recommendations was put to the vote and defeated by 39 votes to 2 votes and 13 abstentions.

Thereafter the recommendations as stated in the departmental report were put to the vote and carried by 52 votes to 2 votes.

**RESOLVED that**

1. In terms of Section 14 of the Municipal Finance Management Act approval in principle be granted for the alienation of Erf 19519, Paarl at a subsidized selling price to be determined, via a direct alienation to Isipani Foundation NPC 2014/102353/08, subject to the normal conditions of sale, and the following further conditions:

1.1 The subject property must be utilised for the purposes set out in the business proposal submitted by applicant attached as Annexure B to the departmental report, and specifically for:

- Skill Development Centre;
- Business Incubation Facility;
- Community Museum; and
- Indoor Sport Facility.

A detailed business plan for the implementation of the above must be submitted to the municipality together with confirmation of availability of funding for the total project before final approval of the proposed transaction will be considered by Council.

1.2 The purchaser will be responsible for all costs related to the transaction and the development;

1.3 The proposed transaction be advertised in the local press for objections, comments or counter offers;

1.4 The municipality must at all times have access to the subject property for maintenance and upgrading of services on the site;

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- 1.5 The proposed development of the subject property must be completed within a period of 36 months from date of registration of transfer and is subject to the development timeframes as set out in the standard conditions of sale, attached as Annexure C to the departmental report, paragraphs 1.4, 1.12 and 3.2;
  - 1.6 Any re-development and/or construction work undertaken on the subject property must comply with the relevant statutory requirements and subject to obtaining building plan approvals; and
  - 1.7 The purchaser must note the heritage status at the property and the restrictions it poses.
2. In terms of Paragraph 13.2.1 of the Asset Transfer Policy, Council dispense with formal competitive processes due to the fact that the property poses substantial financial challenges which can only be addressed by a purchaser with the financial means such as the applicant. The sale of the property is urgent in order to avoid further deterioration. The proposal will however be advertised for objections, comments and/or counter offers.

Meeting: Special Council-06/09/2019	Submitted by Department: Corporate Services		
Ref No: 15/4/1 (19519) P	Author/s: N October		
Coll No: 1565097	Referred from:		
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>
1-2	Implement decisions	ED: Corporate Services	

<b>4. RESTRUCTURING OF EXISTING LONG-TERM DEBT</b>
<b>HERSTRUKTURERING VAN BESTAANDE LANGTERMYNSKULD</b>
<b>UKWAKHIWA KWEMBOLEKO MALI EKHOYO YEXESHA ELIDE</b>

The EFF indicated that residents should not pay extra as result of the extension in loan period. The ANC expressed the view that the financial situation was due to bad financial and political decisions that were taken. A plea for the easing of municipal tariffs on residents, especially indigents, were also made.

**UNANIMOUSLY RESOLVED that**

- 1. The Accounting Officer (City Manager) be authorised to negotiate with the Development Bank of Southern Africa, Standard Bank and Nedbank to extend the existing repayment terms of ten year external loans with new refinancing loan agreements for up to 20 years; and

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2. The applicable legislative processes be followed as required by section 46 of the Municipal Finance Management Act.

Meeting: Special Council -06/09/2019		Submitted by Department: Financial Services	
Ref No: 5/5/1		Author/s: J Carstens	
Coll No: 1566863		Referred from:	
<b>PAR:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

The meeting ended at 11:55.

**CHAIRPERSON:** A. G. STOWMAN.

**DATE:** 30 SEPTEMBER 2019

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

DRAKENSTEIN MUNICIPALITY  
ATTENDANCE REGISTER: SPECIAL COUNCIL  
06 SEPTEMBER 2019

SURNAME	INITIALS	TITLE	CELL NO	SIGNATURE
ABRAHAMS	AW	MS	0737803484/ 0634688880	<i>Abrahams</i>
ADRIAANSE	MM	MS		<i>Adriaanse</i>
AFRIKA	AF	MS	0795089815	<i>Afrika</i>
ANDERSON	JV	MS	0795021437	<i>Anderson</i>
ANDREAS	MA	MS	0768851088	<i>Andreas</i>
ARNOLDS	RB	MS	0767901086	<i>Arnolds</i>
BEKEER	A	MR	0824480022	<i>Bekeer</i>
BESTER	TG	MR	0793728847	<i>Bester</i>
BLANCKENBERG	DS	MR	0823767839	<i>Blanckenberg</i>
BOOYSEN	VC	MS	0833493366	<i>Booyesen</i>
BUCKLE	AML	MR	0798342556	<i>Buckle</i>
COMBRINK	GC	MR	0834808060	<i>Combrink</i>
CUPIDO	FP	MR	0824553446	<i>Cupido</i>
CUPIDO	PBA	MS	0724874744/ 0728975802	<i>Cupido</i>
CUPIDO	PBA	MS	0784467741	<i>Cupido</i>
DE GOEDE	HR	MR	0824388830	<i>De Goede</i>
DE WET	J	MS	0837388623 0809887389	<i>De Wet</i>
DUBA	BP	MS	0739678829	<i>Duba</i>
FORD	GH	MR	0728018418	<i>Ford</i>
GEORGE	NN	MS	0736722818	<i>George</i>
GOUWS	E	MS	0824479711	<i>Gouws</i>
JACOBS	F	MD	0837600486	<i>Jacobs</i>
JONAS	SX	MS	0726521881	<i>Jonas</i>

*[Signature]*  
Office of the / Kantoor van die  
CHIEFWHIP / HOOFSWEEP  
Clr / RdI R.A. KOEGELENBERG  
Drakenstein

21/9/2019

*[Signature]*

DRAKENSTEIN MUNICIPALITY  
ATTENDANCE REGISTER: SPECIAL COUNCIL  
08 SEPTEMBER 2019

SURNAME	NAME	TITLE	CELL NO	SIGNATURE
KEARNS	C	MS	0765018441/ 0769406814	
KLAAS	MT	MR	0843507787	
KOEGELENBERG	RA	MR	0832683138	
KOTZÉ	HJ	MR	0794311560 0824477693	
KROUTZ	C	MR	0722522866	
LANDU	L	MS	0728187202	
LE HOE	MJ	MR	084 218 4898	
LE ROUX	JF	MR	0534595965	Absent?
LUGQOLA	A	MS	0730898803	
MANGENA	TC	MR	0725937804	
MASOKA	ZL	MR	0791202885	
MATTHEE	HJN	MR	0824795315	
MATTHEE	J	MR	0824486180	
MBENENE	NP	MS	0604141567	
MDUNUSIE	MN	MS	0804531733	
MEYER	WPD	MR	081 556 8224	
MILLER	J	ADV	0834400507	
MPULANYANA	TR	MR	0769042103	
MOKOENA	LP	MS	0734196671	
NIEHAUS	LW	MR	0844216780	
NOBULA	MD	MR	0825947333	Absent?

6/9/2019

Office of the / Kantoor van die  
CHIEFWHIP / HOOFSWEEP  
Clr / Rdt R.A. KOEGELENBERG  
Drakenstein



**DRAKENSTEIN MUNICIPALITY  
ATTENDANCE REGISTER: SPECIAL COUNCIL  
09 SEPTEMBER 2019**

SURNAME	INITIALS	TITLE	CELL NO	SIGNATURE
NGORO	TZ	MS	0790639041	<i>Apology @ Chief Whip</i>
NZELE	LV	MR	0731622287	<i>Present</i>
POOLE	CJ	MR	0785304288 0824879048	<i>PRESENT Chief Whip</i>
RENS	SC	MR	0795580013	<i>Present</i>
RICHARDS	AM	MR	0827660053	<i>Apology Chief Whip</i>
ROSS	S	MS	0748214153	<i>Apology @ Chief Whip</i>
SAMBOKWE	LS	MS	0712664822	<i>Present</i>
SAUERMAN	ND	MR	0828991005	<i>Present</i>
SEPTEMBER	SE	MS	0848219770	<i>Present</i>
SIYAYA	Z	MR	0725125193	<i>Present</i>
SMIT	J	MR	0817354487	<i>Present</i>
SMIT	WE	MS	0828251550	<i>Present</i>
SMUTS	R	MR	0824848467	<i>Apology @ Chief Whip Smuts</i>
SOLOMONS	EA	MS	0736503007	<i>Present</i>
STOWMAN	AC	MR	0791895359	<i>Present</i>
VAN NIEKERK	LT	MS	0818858365	<i>Present</i>
VAN NIEWENHUYZEN	RH	MR	0826296239	<i>Present</i>
VAN SANTEN	AJ	MS	0824226339	<i>A. J. van Santen</i>
VIKA	M	MS	0797044556/ 0732433896	<i>Present</i>
WINDVOGEL	E	MS	071 591 4188	<i>Present</i>
WILLEMSE	L	MS	0820799421	<i>Present</i>
ZIKHALI	N	MS	0784000130	<i>Present</i>

Office of the / Kantoor van die  
CHIEFWHIP / HOOFSWEEP  
Cllr / Rdl R.A. KOEGELEBERG  
Drakenstein

6/9/2019

*(Signature)*